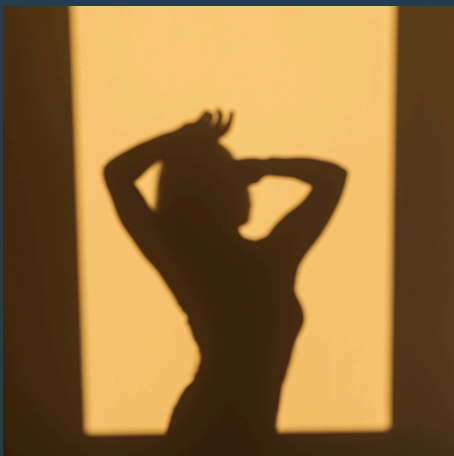


Sex Work

Sex work is, not limited to, the sale of sexual services rendered in exchange for money. All aspects of sex work are currently criminalised in South Africa in terms of the Sexual Offences Act 23 of 1957, the Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007 and numerous municipal bylaws.

Riddled with stigma and discrimination, sex workers are often abused by some police officials, refused the right healthcare and justice.



Sex Worker

A sex worker is an adult (18+) individual consenting to render a service to another adult willing to pay for the service rendered. No two sex workers are alike. Each sex worker establishes his/her rules, limits to the services they are willing to render including the price.

Because sex workers are individuals, a sex worker can either be male, female, transgender woman, transgender man or gender fluid. It is important to familiarise yourself with the person before engaging them on the service you require.

The preferred term is sex worker and not prostitute, which is derogatory.

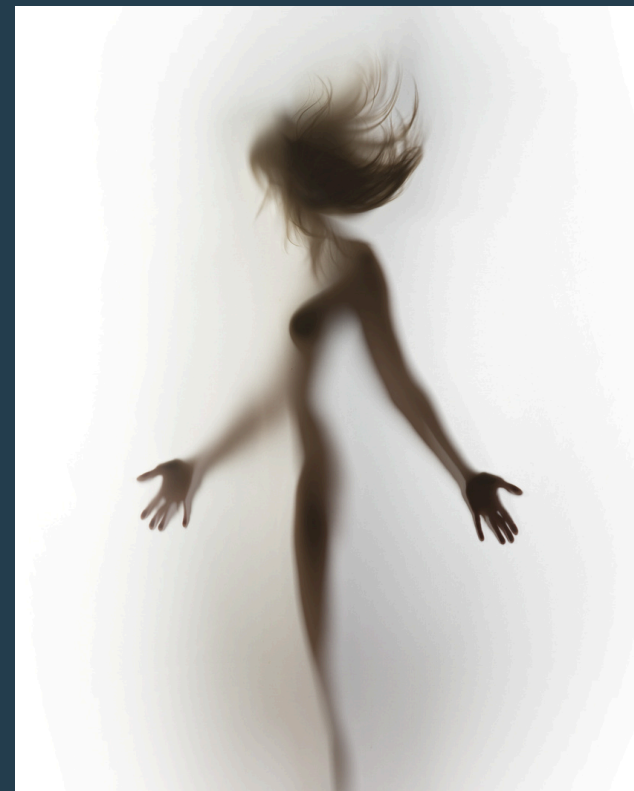
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I Work Without Rights

Sisonke 
National Sex Workers Movement in South Africa

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Sex Work & The Law

Decriminalisation

Decriminalisation is the removal of all sex work specific punitive laws, to better regulate sex work (although the sex-work industry and everyone involved in it must still abide by the laws of the land).

When sex work is decriminalised, it becomes legal to keep a brothel and live off the earnings of sex work, making it a safe industry to engage in either as a sex worker or client.

Researchers have also confirmed that decriminalising sex work improves access to healthcare and justice, protecting the rights of sex workers.

Legalisation

Legalisation and decriminalisation are often confused with one another, merged into one, or otherwise misunderstood. But the distinction between these two terms is critical.

Under legalisation, sex work is legal only under particular state-specified conditions and regulations; the sex work industry is therefore controlled extensively by the government.

Sex-work-specific regulations are put in place, which may include measures such as the registration and licensing of sex workers or forced testing of sex workers. An example of a country where sex work is legalised is the Netherlands, where sex work is regulated and subject to income tax.



Sisonke National Movement is a human right non-profit organisation that promotes the decriminalisation of sex work in South Africa.

Although sex work has been criminalised for decades in South Africa, Sisonke has maintained that criminalising sex work remains a human rights violation, promoting inhumane working and living conditions for sex workers.

Sisonke, does, however, not support acts of criminal activity, but promotes a 'harm reduction approach' to uphold human rights as inscribed in the country's Constitution and Bill of Rights.



Criminalisation

Criminalisation of sex work makes it illegal to keep a brothel, live off the earnings of sex work, render or sought the services of a sex worker.

Under this law, both the service provider (sex worker) and service user (client) are forced to interact in secret, making the industry unsafe for both.

This results in some police officials victimising sex workers who in turn become complacent to report such crimes.

As criminalisation justifies stigma, sex workers may be discriminated against by healthcare workers and that discourages them to access healthcare services.

Partial Criminalisation

Partial criminalisation also referred to as the Swedish Model, is no different to South Africa's criminalisation model, except sex workers are not criminalised, but their clients and brothel owners are. The conditions in which sex workers face remain stigmatised, leaving room for some police officials to continue harassing sex workers.

Clients remain paranoid and potentially abusive. Sex workers are susceptible to abuse and complacent to report such to police officials for fear of arrest.

Laws against brothel-keeping mean sex workers are unable to work together, making the working environment unsafe. There is no evidence the Swedish model works.