

Multi Party Women's Caucus

A presentation by SWEAT and Sisonke
about sex work and the law



This presentation:

- We'd like to focus on:
 - What the current situation is with regard to sex work
 - Why their needs to be progress and engagement on sex work
 - How this might happen
 - There is something we'd like you to do

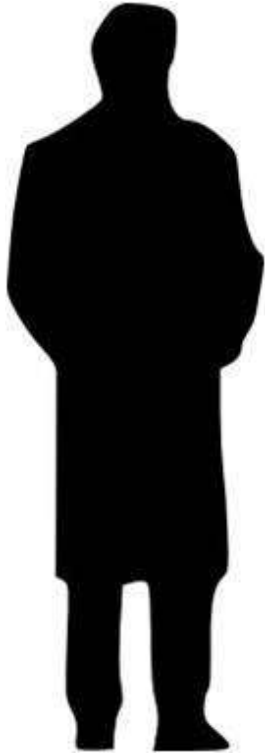
SWEAT and Sisonke

- SWEAT is a 16 year-old NGO, the only NGO focussing exclusively on sex work
- Sisonke is a National movement of sex workers, convened in 2003

Together we

- We offer services to sex workers -in 7 provinces. Services include HIV counselling/testing, condom provision, counselling 24-hour helpline
- We defend the rights of sex workers by monitoring human rights abuses and partnering with legal NGO's to take up strategic litigation, helping sex workers go to court and supporting them etc.
- We advocate for sex workers rights and for the decriminalisation of sex work
- We mobilise sex workers to speak for themselves and to work together to improve sex workers lives

Sex work at the law



Sex work is criminalised

- By laws and the Sexual Offences act criminalise:
 - Selling sex (SOA 1988)
 - Buying sex (SOA 2007)
 - All associated activities (SOA1957) like keeping a brothel, living off the proceeds of sex work, procuring, etc

Criminalisation Harms

1. Criminalising sex workers enables widespread abuse of power by police officers and other people in positions of power
2. It enables stigma – preventing access to rights
3. It is unenforceable

1. Abuse of Power:

- In a 2009 survey, **12% of sex workers reported having been raped by police, 46% threatened by police and 28% forced into providing sexual favours.** All that undermines the authority of the police and fuels corruption.
- 37% of street-based and 20% of brothel-based sex workers report often experiencing violence and, alarmingly, being unable to report it to the police.
- Research on the World Cup and sex work (2010): 5% of sex workers report being raped or physically assaulted by a policeman in the last month (Richter et al, 2010)

2. Enabling Stigma

- Sex worker access to health care services is limited – due to discrimination/prejudice by health care workers
- Only 5% of sex workers make full use of HIV services
- Criminalisation is bad for our health and the health of our country – it fuels HIV
- The practice of confiscating condoms as evidence of sex work is wide spread

3. Unenforceable

- Criminalisation asks police officers to make assessments of women's dress, demeanour etc
- Raids are an ineffective tool
- The SOA requires a high level of proof – therefore by laws such as loitering, public drinking etc are used
- Fines are an ineffective tool
- A criminal record reduces the chances of sex workers exiting and finding work elsewhere

What do we want?

- We have sent letters to all MPs asking for engagement – very few have responded (very few women!)
- We would like to present evidence to you, we'd like to help you understand the real lives of sex workers and speak directly to sex workers themselves – nothing about us, without us
- We like you to move the discussion forward – SALRC process is now 11 years old!

Moriscia

Moriscia died of breast cancer in cape town in June this year. Moriscia was an outspoken advocate for sex worker rights, even appearing in the newspaper.

At the time of her death, she had a complaint against a shelter for sexual harassment.

WLC was assisting her. She died before the matter was resolved.



Moriscia Cloete

10.09.1974 - 19.07.2012

Sasha Lee

Sasha Lee was a trans woman (from male to female) she was murdered in Wynberg in June this year in an attack on herself and another transgender sex worker (who recovered from her injuries)

WLC was assisting her at the time of her death for unlawful detention and arrest.

She died without the case being resolved.



**In memory of
Sasha Lee Gordon
24-05-1975 - 24-06-2012**

Cym

Passed away suddenly in hospital of an unknown illness. She was the founder of our transgender support group and dreamed of establishing a shelter for transgender sex workers . She was a valued volunteer at SWEAT and a member of Sisonke

Cym, at the time of her death, was suing the police for damages unlawful arrest. She died without her case being heard.



In memory of
Chevanna Cym Van Dyk
1974 - 2012
loved by all at SWEAT

We ask you to:

- Schedule a meeting with us (we can come to you, but you are also welcome to come to our offices and see us at work)
- Support us by introducing discussions, hosting discussions in your party, pressurising SALRC, and making your support to us visible
- Please assist us to ensure justice for sex workers

Contact us

- Director is Sally Shackleton:
sallys@sweat.org.za or info@sweat.org.za
- Office: 021 448-7875
- Sally's Cell 082 330 4113
- You are welcome to come on outreach, visit our offices, meet with the women and men we work with