

To:

The Joint Multi-Party Women's Caucus

Chair: Hon RMS Morutoa

Attention:

Bryan Mantyi

Tel: 021 403 3796

Per Email: bmantyi@parliament.gov.za

RE: Response to the South African Law Reform Commission's Report on 'Sexual Offences: Adult Prostitution'

My name is Isabel Ritchie. I reside at Flat 703, Greenmarket Place, 54 Shortmarket Street, Cape Town, 8001. My cellphone number is 084 240 6173. I am currently employed at McKenzie Rudolphe Film Services , Unit B104 Buchanan Place, Buchanan Square, 160 Sir Lowry Road, Woodstock 7925. My work landline is 021 4231512. My work email is isabel@mcrud.com and my personal email is isabel-frances@hotmail.com.

I wholeheartedly agree with the Multi Party Women's Caucus' position and the ANC policy decision that supports the full decriminalisation of sex work.

The final South African Law Reform Commission's report on 'Adult Prostitution' states that "changing the legislative framework could create an extremely dangerous cultural shift juxtaposed against the high numbers of sexual crimes already committed against women." I am absolutely in shock over this statement. I cannot begin to comprehend that any level of common sense or basic human empathy exists in a statement like this. Changing the legislative framework will reduce violence against sex workers and potentially allow society to start seeing sex workers as full human beings. If this is an "extremely dangerous cultural shift", who is it dangerous for? Certainly not sex workers, that much should be clear. In which case, we can say that the SALRC report does not regard sex workers as an important constituency of the group called "women".

People wanting to prevent or reduce the demand for prostitution are people who are not aware of how power structures work in our society. The report **acknowledges** that we have high numbers of sexual crimes against women, and that our society sees women as 'expendable'. When sex work is criminalised, there is full room for exploitation and

violence to happen against sex workers (who are mostly women). Men, with greater economic power, will still use sex worker's services even if it is against the law. We know this. We also know that the justice system is slow, and inefficient. **Even if the justice system were to become dramatically more effective,** the people with more economic and social power will always have an easier time dealing with the law and its effects.

Decriminalisation will not only help to protect sex workers against sexual crimes and violence, it will also be a small step towards reducing societal stigma. As we know from HIV/AIDS research, social stigma can cause devastatingly real damage. Sex workers who have been victims of violence are unlikely to be believed and helped by people (including health care workers and police). If we decriminalise, we start to see sex workers not as inherent criminals but as people doing a legitimate job, who deserve respect and support as much as anybody else.

I recommend that

- The Department of Justice sets aside the SALRC Report due to its poor quality
- The Department of Justice provides clarity on the law reform process going forward as well as a timeline for this process
- Government take sex workers seriously in the drafting of legislation

Unfortunately, due to work constraints, I cannot commit to addressing the committee in person. However I have full faith that fellow sex work activists will re-iterate in person the points I made above, and that decisions honouring the rights and voices of sex workers will be made.

Sincerely,

Isabel Ritchie



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