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DIGNITY

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PROSTITUTION: HIV/AIDS

DID YOU KNOW?

Up to 20% of HIV infection is linked to prostitution* and, in 2013 70% of 2180 people in prostitution from Cape Town, Johannesburg and Durban tested positive for HIV**.

*Department of Health

**Study by the US Centre for Disease Control and Prevention in conjunction with the University of California, the Anova Health Institute and Wits University's Reproductive Health and HIV Institute

The system of prostitution places people exploited within it at high risk of HIV/AIDS infection. It is indisputable that total criminalisation – South Africa's legal model regarding prostitution – worsens the position and compromises the safety of those vulnerable to infection in a number of ways:

How does partial decriminalisation respond to the issues resultant of current laws?

- 1. Criminal record makes it difficult to find employment necessary to support oneself**
 - The Equality Model enacts an Exit Programme, which provides comprehensive support and exiting services.
 - Complete decriminalisation the sale of sexual acts and therefore people exploited through the sex trade – those selling sex – do not incur a criminal record.
- 2. The stigma and fear of arrest act as a barrier to their ability to access services such as health and justice.**
 - The law decriminalises sellers or prostituted people so fear of arrest is removed.
 - Buyers are criminalised rather than seller, and so the stigma, and burden of responsibility, is shifted from sellers to buyers. Prostituted people are therefore appropriately positioned as survivors of exploitation who need access to these services.
 - Furthermore, exit an programme would provide a number services geared towards addressing addiction, mental and physical health and other services needed.
- 3. Forced unprotected sex with multiple partners, rape and sexual assault at the hands of abusive clients because of the exploitative nature of prostitution**
 - Demand for prostitution will decrease and so women will face less abuse from clients and third parties.
- 4. Ineffective policing of crimes against prostituted people as well as physical and sexual abuse at the hands of police who are tasked to enforce current laws decriminalising sellers is commonplace.**
 - Police are enforcers of the law, and should the law change making buying rather than selling sex illegal, so too would the reach of the police's power and ability to level out such abuse.
 - i. Reports of abuse may be welcomed as evidence of the criminals in the system (buyers and third parties)
 - ii. Need to use condoms as evidence of crime of 'selling' will no longer be practiced because sellers will no longer be the target of police scrutiny.