

Position Paper: Prostitution

The Purpose of this Paper

This position paper constitutes the basis for YWCA Ireland's advocacy work on prostitution. It highlights YWCA Ireland's position on the issue and presents our recommendations for an Ireland free from all violence against women.

About YWCA Ireland

Established in 1875, YWCA Ireland (Young Women's Christian Association of Ireland) empowers young women in their leadership, Christian faith and human rights. YWCA Ireland is affiliated to the World YWCA, a global movement of women and girls working in more than 120 countries and 20,000 communities worldwide. The YWCA movement is united by the common goal that "by 2035, 100 million young women and girls will transform power structures to create justice, gender equality and a world without violence and war; leading a sustainable YWCA movement, inclusive of all women."

Context

There are varying perspectives amongst public health professionals, advocacy groups and policy makers about whether prostitution should be fully legalised or whether the buyers of sex should be criminalised and the person selling sex decriminalised as per the Nordic Model.¹

Perspectives that advocate for the Nordic Model include;

- That prostitution is a non-consensual human rights violation
- That it presents a risk to public health and human well being

Perspectives that advocate for the full legalisation of prostitution include:

- That it is a human rights violation to deny a sex worker the right to work
- That criminalising prostitution isolates participants from health services and legal protection and increases vulnerability and risk by pushing the industry underground.

¹ The Nordic Model approach to prostitution (sometimes also known as the Sex Buyer Law, or the Swedish, Abolitionist, or Equality Model) decriminalises all those who are prostituted, provides support services to help them exit, and makes buying people for sex a criminal offence, in order to reduce the demand that drives sex trafficking (<https://nordicmodelnow.org/what-is-the-nordic-model/>).

Global Context

The United Nations position on prostitution recommends global decriminalisation of adult consensual sex work in all countries. This controversial call was made in a UN report under the motivation that laws that criminalize and dehumanize populations at the highest risk of HIV, drive people underground, away from essential health services. This was met with a mixed reception in the international NGO community.

In 2014, the European Parliament released its report 'Sexual exploitation and Prostitution and Its Impact on Gender Equality'.² International law tackles trafficking and sexual exploitation, while regulation of prostitution is primarily at a national level. At a national level in Europe there are two opposing approaches to legislating prostitution, the 'regulatory approach', as seen in Germany and The Netherlands, and the 'abolitionist approach', as seen in Spain and Sweden.

Globally, there are an estimated 40-42 million people in prostitution, 75% are between 13 and 25 years old. 1 in 7 prostitutes in Europe are victims of trafficking.³ There is a 40-75% chance sex workers will experience sexual violence during their career.⁴

Irish Context

In Ireland, the prostitution industry has an annual value of 250 million euros and 'on average 1000 women are available for sale on any given day and the vast majority are migratory women and girls who are particularly vulnerable'.⁵

Between 2014 and 2015 there was a 70% increase in victims of human trafficking in Ireland and females accounted for two thirds of the alleged victims reported. Sexual exploitation was the largest category of exploitation and there was a familiar high weighting of females; with 91% of females being trafficked into Ireland for the purposes of sexual exploitation. In 2015 Irish minors accounted for 19% of the overall trafficking victims identified. These children were primarily victims of child pornography, sexual assault and sexual indecency.⁶

² [http://www.europarl.europa.eu/RegData/etudes/etudes/join/2014/493040/IPOL-FEMM_ET\(2014\)493040_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/etudes/join/2014/493040/IPOL-FEMM_ET(2014)493040_EN.pdf)

³ Schulze, E., 2014. Sexual exploitation and prostitution and its impact on gender equality. STUDY. European Parliament.

⁴ Deering, K.N., Amin, A., Shoveller, J., Nesbitt, A., Garcia-Moreno, C., Duff, P., Argento, E. and Shannon, K., 2014. A systematic review of the correlates of violence against sex workers. *American journal of public health, 104*(5), pp.e42-e54

⁵ Violence Against Women is a Gender Issue, December 2013
http://www.nwci.ie/images/uploads/002594_NWCI_volence_booklet_20pp_mat_lam_320gsm_cover_120_gsm_silk_booklet_lo_res_FA.pdf

⁶ Trafficking in Human Beings in Ireland Annual Report 2015, Dept of Justice and Equality
http://www.justice.ie/en/JELR/Pages/Trafficking_in_Human_Beings_in_Ireland_Annual_Report_2015

Globally the average age of entry into prostitution is 14 years and these children, having already being abused and exploited are particularly vulnerable.⁷ It is also important to note that given the clandestine nature of human trafficking and indeed prostitution, all of these figures relating to human trafficking are conservative.

In 2014 Northern Ireland became the first part of the United Kingdom to introduce the criminalisation of sex buyers.⁸

The Republic of Ireland followed suit in February 2017 with the passage of the Criminal Law (Sexual Offences) Act 2015 through Seanad Éireann. This bill criminalises the purchase of sex and decriminalises all those who are prostituted, and will now be part of the Irish Statute Book and will better protect vulnerable women and children who are being sexually exploited. It also contains stronger provisions and protection for children vulnerable to pornography and sexual abuse.

Biblical Context

There is no doubt that the Bible bears witness to and speaks frequently of appalling violence against women. In the Old Testament we read harrowing accounts of rape, betrayal and torture.⁹ Furthermore, exegesis of the New Testament exposes a cultural and legal setting centred on patriarchal Graeco Roman structures. These structures upheld male dominance and the lowly status of women. It is only when we consider the words and actions of the person of Jesus in this context that we understand that He acted in contrast to His culture rather than in conformity to it. In short, Jesus gave women dignity and respect regardless of their social or religious status. YWCA Ireland is an association inspired by the example and teachings of Jesus. We believe that violence against women in all its forms, including prostitution, is unacceptable and intolerable.

Our position

“Prostitution and trafficking in human beings for sexual exploitation disproportionately affects women and girls”.¹⁰ YWCA Ireland affirms the view that prostitution is violence against women and constitutes a fundamental violation of human rights. There is evidence to show that the majority of women become involved in prostitution due to constricting circumstances and very limited alternative choices. The majority of people who are trafficked for any purpose are poor, marginalised and extremely vulnerable, their impoverished backgrounds and lack of choice and power leads to their

⁷<https://www.justice.gov/sites/default/files/criminalceos/legacy/2012/03/19/USABulletinMar2004.pdf>

⁸ House of Commons Home Affairs Committee, Prostitution; Third Report of Session 2016 – 2017 <https://publications.parliament.uk/pa/cm201617/cmselect/cmhaff/26/26.pdf>

⁹ Genesis 16, 21; 2 Samuel 13: 1-22; Judges 11: 29 -40

¹⁰ Schulze, E., 2014. Sexual exploitation and prostitution and its impact on gender equality. STUDY. European Parliament.

exploitation and abuse. We are deeply concerned by the disproportionate effect of prostitution on girls and young women. 68% of women in prostitution have been victims of rape and the vast majority experience other forms of sexual violence on an ongoing basis. In a 2008 study, 82% of the women interviewed who have been involved in prostitution had been physically assaulted, 83% threatened with a weapon and 84% had been homeless.¹¹ This research is consistent with numerous studies and personal testimonies outlining the ongoing occurrence of violence within prostitution. This violence manifests as physical, sexual and psychological. Prostitution also preys on the most vulnerable in society-the poor, those experiencing homelessness and living with drug addiction, and often times those who have already suffered some form of physical and sexual violence.

Driven by our belief that God did not create women to be subject to men's violence YWCA Ireland has been an active partner of the Turn Off the Red Light campaign since 2012. This campaign, led by the Immigrant Council of Ireland, advocated for the implementation of the Nordic Model in the Republic of Ireland. This model decriminalises the sex worker and makes buying people for sex a criminal offence. Evidence supports that this model provides support services to help women involved in prostitution exit prostitution and reduces the demand that drives sex trafficking. Since the introduction of the Nordic Model in Sweden, the numbers of people being trafficked into Sweden have decreased, showing that Sweden is no longer an attractive country for human trafficking.

YWCA Ireland therefore welcomes the passage of the Sexual Offences Bill in February 2017 and enacted on March 26th 2017. We affirm the provisions detailed in this bill and are committed advocates for its effective implementation and thorough examination during the review period.

What we are calling for?

Members

We call on our YWCA sisters, associate members and supporters to further educate themselves on these recent legislative changes. We acknowledge that this is a complex issue and encourage independent thought, careful consideration, prayer and boldness as you continue to lead and effect change in your context.

Government

We call on the Irish government to ensure the effective implementation and thorough objective examination of the Act throughout the review period, and ensure that its outcome aligns with the well-being and safety of all women in Ireland.

[PUBLISHED: OCTOBER 2017]

¹¹ <http://www.prostitutionresearch.com/PsySr%20-%20Human%20Traff%20and%20Pros.pdf>