

## Decriminalize Sex Work for Public Health

Laws governing commercial sex have been significantly researched for their impact on public health and safety. Conclusive data has been found specifically related to violence, exploitation, and sexual health around the world and supports the following conclusions:

- A. **Full decriminalization of sex work supports community health and safety.** A 2018 Johns Hopkins Bloomberg School of Public Health meta-analysis reviewed over 130 studies conducted over 30 years and made the following critical findings:
  - Repressive policing practices around sex work were associated with increased risk of sexual and physical violence at the hands of clients, third parties, and domestic partners.
  - Sex workers exposed to these policing practices were put at increased risk of infection with HIV and other STIs, and more likely to have condomless sex than those who had not been.
  - Repressive policing of sex workers, their clients, and/or venues disrupted sex workers' support networks, workplace safety, and risk reduction strategies.<sup>1</sup>
- B. **Full decriminalization of sex work has reduced exploitation where and when it has been implemented.**
  - New Zealand passed the Prostitution Reform Act (PRA) in 2003, fully decriminalizing sex work for New Zealand nationals. According to a study conducted by the Global Alliance Against Traffic in Women (GAATW), there was no evidence of human trafficking among populations where sex work had been decriminalized between 2003 and 2018. Trafficking of migrant sex workers, who are not legally permitted to work under the PRA, persists. Reformers are pushing for the law to decriminalize sex work among migrants as well.<sup>2</sup>
  - Rhode Island inadvertently decriminalized indoor prostitution in 1980 in an attempt to make laws governing sex work more specific. In 2003 the loophole was noticed by lawmakers and indoor sex work was re-criminalized in 2009. A study published by the National Bureau of Economic Research found that during the six-year window of decriminalization, the number of rapes reported in Rhode Island diminished by 31 percent and the statewide incidence of gonorrhea diminished by 39 percent.<sup>3</sup>
- C. **The same health and safety benefits of decriminalization are not observed under partial criminalization policies (also known as the Entrapment Model or the Nordic Model).**<sup>4</sup> The Northern Ireland Department of Justice released a report in 2019 analyzing three years of the impact of laws criminalizing clients of sex workers in Northern Ireland. Key findings include:
  - An analysis of 173,460 ads shows little effect on the supply of or demand for sex work.
  - From 2015 to 2018, there was an increase in reports related to assaults (from 3 to 13), sexual assaults (from 1 to 13), and threatening behavior (from 10 to 42).
  - Sex workers are exposed to higher rates of anti-social and nuisance behavior, and report higher levels of anxiety and unease as well as increased stigmatization.<sup>5</sup>

<sup>1</sup>Lucy Platt, Pippa Grenfell, Rebecca Meiksin, et al., "Associations Between Sex Work Laws and Sex Workers' Health: A Systematic Review and Meta-Analysis of Quantitative and Qualitative Studies," *PLoS Medicine* 15, no. 12 (December 2018), <https://doi.org/10.1371/journal.pmed.1002680>.

<sup>2</sup>Thomas Manch, "No Trafficking in NZ Sex Industry but Migrant Abuse Is Widespread, Report Finds," *Stuff*, April 17, 2018, <https://www.stuff.co.nz/national/crime/103129627/no-trafficking-in-nz-sex-industry-but-migrant-abuse-is-widespread-report-finds>.

<sup>3</sup>Max Ehrenfreund, "When Rhode Island Accidentally Legalized Prostitution, Rape Decreased Sharply," *The Washington Post*, July 14, 2014, <https://www.washingtonpost.com/news/work/wp/2014/07/17/when-rhode-island-accidentally-legalized-prostitution-rape-and-stis-decreased-sharply/>.

<sup>4</sup>The Entrapment Model is a form of sex work decriminalization that removes criminal penalties for the sale of commercial sex, but not the purchase. Unfortunately, the Entrapment Model does not reduce the health and safety risks that workers face, and may augment them according to research.

<sup>5</sup>"Assessment of Review of Operation of Article 64A of the Sexual Offences Order (Northern Ireland) 2008: Offence of Purchasing Sexual Services," Northern Ireland Department of Justice, September 17, 2019, <https://www.justice-ni.gov.uk/sites/default/files/publications/justice/assessment-of-impact-criminalisation-of-purchasing-sexual-services.pdf>.