



#TheTotalShutdown Intersectional Women's Movement My Body_NOT Your Crime Scene!

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30 January 2023

ATTENTION: The Director-General: Justice and Constitutional Development

RE: Criminal Law (Sexual Offences and Related Matters) Amendment Bill, 2022

We, the womxn of the Western Cape united under the auspices of #TheTotalShutdown, are in full support of the Bill as it stands, it represents the request of sex workers and their allies. We are clear that sex work can only be considered to be decriminalised if BOTH the selling and buying of sex are decriminalised and reject any suggestion that either be removed from the bill. We fully support the expungement of all existing criminal records related to any offences related to the contents of this bill. We support the notion that once this bill is passed there needs to be a further process of making this real for all sex workers by tackling issues such as bylaws that will continue to criminalise sex workers.

Criminalising sex work does nothing to prevent sex from being bought and sold. All it does is to heighten the risk of falling victim to GBV or Femicide for sex workers. Transactional sex is a prominent feature in South African society, sex workers are simply responding to the capitalist rule of supply and demand. Until such time as we live in a society that does not require us to sell our labour, sex work will remain a job like any other where physical labour is sold in exchange for money.

On 1 August 2018, the womxn of South Africa united behind the #24Demands which have since, to a large degree, been incorporated into the National Strategic Plan on Gender-based Violence and Femicide. However, this policy has not stopped perpetrators of violence against womxn, children and the LGBTQIA+ community from continuing to act with impunity. The Criminal Law (Sexual Offences and Related Matters) Amendment Bill, 2022 affirms sex workers' right to life and dignity. Its prioritisation was one of our 5 key asks going into the first Presidential Summit on GBVF in 2018, which, had it materialised then, would have saved the lives of many working class womxn who asked for nothing but to be allowed to earn their living honestly and access services to keep them safe in performing this high-risk profession.

I would be willing to make an oral submission to Parliament if required.

Together we can end GBVF.

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