

Impact of Nordic Model in Ireland

Note for SIDAC from Alan – 10 June 2019

A quick note to consolidate some information about the impact of the Nordic Model in Ireland, packaged so it can be adapted for speech notes.

The attachments are –

1. SWAI (Kate Grew) contextual statement from December 2018
<http://sexworkersallianceireland.org/press-releases/>
2. follow up from January 2019 about the implications for SW's of Gardai raids
3. 7 June *Leinster Leader* article about two migrant Sex workers being jailed for 9 months for working together (i.e. "charged with keeping or running a brothel")
4. extracts from Ugly Mugs Ireland info sheet (26 March) about violence against sex workers

Relevant text from SIDAC Information Sheets

And just so it is in one place – here are extracts from the info sheets where I mentioned Ireland

From Sheet 1 - What is decriminalisation?

The Nordic Criminal Model

The 'Nordic Model' (or Swedish model) criminalises sex work by targeting clients and other third parties. The claim is that this approach does not victimise sex workers but protects them from harm. However, this has not been the case in practice.

It is not possible to criminalise one side of a commercial sex transaction without harming all parties involved. This is demonstrated in places that have adopted the model. In Sweden it has forced workers into more dangerous work situations, broken up homes and families and targeted ethnic minorities and migrants.

Similar impacts are evident in France and Ireland, where sex workers and their supporters are organising to overturn this form of prohibition. Sex workers assert that they are adults who have made a choice about their bodies and sexual lives. They refuse to accept the status of victim that 'saviours' try to force upon them.

At the end of 2018, 55 people had been arrested for prostitution offences in Ireland since the introduction of the 'Nordic model' but only 2 were clients. More disturbingly, the level of violence experienced by sex workers escalated as they were forced to work in more clandestine situations. In March 2019, two years after the 'Swedish model' law came into effect in Ireland, reported violent crime involving sex workers increased by 92%.

From Sheet 6 – Nordic Criminal Model

IRELAND

Sex workers and their allies are challenging the Nordic model in Ireland. It is difficult not to be confronted by the grim impact of the relevant law since it came into force in March 2017.

At the end of 2018, 55 people had been arrested for prostitution offences in Ireland since the introduction of the 'Nordic model' but only 2 were clients. More disturbingly, the level of violence experienced by sex workers has escalated as they are forced to work in more clandestine situations. In March 2019, two years after the model came into effect, reported violent crime involving sex workers had more than doubled.

The real increase in violent crime, from 385 to 740 incident according to Kate McGrew of Sex Workers Alliance Ireland, is underreported given the continued role of police in harassing sex workers. "Sex workers are afraid to report crimes to Gardai, in fear their workplace will then be surveilled to catch their clients" according to McGrew (as quoted in Hot Press, 27 March 2019).

"We want to be safe in our jobs. Since the laws have been enacted, workers have lost negotiating power with their clients. Ending demand has led to a drop in prices, increased risk-taking such as taking clients that they feel aren't safe or not using a condom."

Kate McGrew, Sex Workers Alliance Ireland March 2019

Hope this is useful

Alan

Perspective from Sex Workers Alliance Ireland (SWAI)

Garda and laws fail the most vulnerable says SWAI

Kate McGrew, Dec 17, 2018

While new report shows that Sex Workers working even in partially criminalised settings face three times the amount of violence, it remains completely illegal for two workers to work together for safety in Ireland.

Today is International Day to Eliminate Violence Against Sex Workers. In a year of difficult conversations which challenged the status quo and led to real gains for women and people who can get pregnant in Ireland, we must continue to push further to ensure bodily autonomy and the safety of everyone, including sex workers.

Kate McGrew, director of Sex Workers Alliance Ireland (SWAI) says “Penalties for workers working in pairs or groups doubled was a change in law that happened quietly, but it is an extremely dangerous piece of legislation. The Nordic model purportedly is meant to target the client but by this law, but if we want to work legally here we are forced to work alone. Violent attacks specifically increased on us 77% in the first year of the law being introduced. This is not a coincidence.”

She continues “We talk to worker after worker whose safety and income has become increasingly precarious. Many are forced to seek assistance for housing by criminals who prey upon our vulnerability. In a time of housing crisis we are exploited by landlords who take advantage of our brothel keeping laws to extract enormous sums for use of their property.

Trans sex workers of colour are some of the most vulnerable people in the world. Sex work is one of the few avenues of income open to trans people. While we have quite progressive law on gender recognition in Ireland employment opportunities are rare. Until proper supports are put in place for everyone people will still continue to see sex work as their opportunity for independence and income.

The officers who arrest us are the ones we are to report to if we are assaulted. For sex workers the police are vectors of violence, not of safety or harm reduction. Many migrant sex workers, already on the margins of society, are offered the choice of leaving the country or face prosecution and possibly deportation. When anti-sex work organisations speak about all sex work being violence, including the consensual transactions, what recourse do we have when we are actually assaulted?

We see reports published that back up what we have known anecdotally for years; that when any aspect of sex work is criminalised, including the purchase of sex, violence against sex workers is normalised. We want sex work decriminalised so that we are no longer pushed to the margins. How long can some feminist organisations, the government and the health department ignore the growing body of evidence that shows that their policies are damaging our health?”

Attachment 2

One prosecution for man caught up in raid shows law is not fit for purpose

January 21, 2019

Kate McGrew, director of Sex Workers Alliance Ireland (SWAI) says “This man was caught procuring sex during a raid on a so-called brothel, when two or more workers work together. This case yet against highlights how the law is being used against workers who may want to work together for safety reasons. This man was collateral damage in an ill-fated war to end demand. He was not the intended target of the raid, the workers were.”

She continues “As a result of this prosecution workers will be forced to work alone, which increases their vulnerability. Working or living with another sex worker is illegal in Ireland. Penalties doubled for workers working in pairs or groups when the law change and this change in law happened quietly, but it is an extremely dangerous piece of legislation. The Nordic model purportedly is meant to target the client but by this law, but if we want to work legally here we are forced to work alone. Violent attacks specifically increased on us 77% in the first year of the law being introduced. This is not a coincidence.”

“This is the first prosecution of a client under the laws brought in in 2017, but from statistics we go from the Central Statistics office we know 55 people have been arrested. We can only conclude that the rest of those prosecuted under brothel keeping laws are the workers themselves. Is this really what this law was introduced for?”

“For sex workers the police are vectors of violence, not of safety or harm reduction. Many migrant sex workers, already on the margins of society, are offered the choice of leaving the country or face prosecution and possibly deportation. When anti-sex work organisations speak about all sex work being violence, including the consensual transactions, what recourse do we have when we are actually assaulted?”

“No one is asking about the sex workers who have been caught in this raid. We hope they are safe and getting the support they need and we would like to remind them and all other sex workers that we are here for peer-led, non judgemental support for all sex workers”

Kate McGrew

Attachment 3

Kildare judge jails prostitutes for nine months

GARDAI RAIDED BROTHEL IN NEWBRIDGE

[HTTPS://WWW.LEINSTERLEADER.IE/NEWS/HOME/422522/KILDARE-JUDGE-JAILS-BROTHEL-PAIR-FOR-NINE-MONTHS.HTML](https://www.leinsterleader.ie/news/home/422522/kildare-judge-jails-brothel-pair-for-nine-months.html)

7 June 2019

Two women who were operating a brothel in Newbridge, have been jailed for nine months at Naas District Court yesterday.

The pair, Adrina Podaru, 25, and Ana Tomascu, 20, were living in 6 Canning Place, Newbridge when it was raided on November 18, 2018 last following complaints by locals.

The pair were charged with keeping or running a brothel, and evidence was given to the court by the gardai that the pair were also the prostitutes. Gardai entered the premises using a search warrant having had the premises under surveillance for some time.

At the scene, the women admitted that they were working as prostitutes, offering sexual services for money, and signed statements to that effect.

The court heard that there were no clients at the brothel at the time that gardai raided it. No significant money was found at the scene either.

“Was business that bad?” Judge Desmond Zaidan asked.

“It was early in the night,” Sgt Jacob told the court.

Gardai say the women have not come to any attention since then. One of the pair, Ms Podaru is currently expecting a child with her partner.

Their solicitor told the court that the women hope to return to their native Romania once the trial is concluded and to avoid bringing any embarrassment to their families. And gardai were satisfied that this was the case.

Their solicitor said that the women had a sum of money available that could be paid to a charity.

But Judge Desmond Zaidan was not inclined to give them this opportunity. “They weren’t forced into this position.

He sentenced the pair to nine months in prison.

Ms Podaru has lodged an appeal and has been released on bail

Link to Ugly Mugs Ireland info sheet

<https://uglymugs.ie/wp-content/uploads/um-statement-26-mar-2019.pdf>

Note – the sheet has tables and graphics ... I just couldn't work out how to copy them!

Crime has almost doubled in the two years since new law came in

UglyMugs.ie is an app that improves the safety of sex workers and reduces crime. Sex workers can confidentially report incidents of abuse and crime to UglyMugs.ie.

Since the Criminal Law (Sexual Offences) Act 2017 came into force on 27 March 2017, the number of sex workers using UglyMugs.ie has remained steady at between 6,000 – 7,000 per year. However, the number of incidents of abuse and crime being reported to UglyMugs.ie by sex workers in the Republic of Ireland has greatly increased.

Comparing the two years before and the two years after the new law came in, crime has increased 90% and violent crime specifically has increased 92%.

The severe increase in crime occurred in the first year since the law came in (2017/18), with 53% more crime and 78% more violent crime being reported to UglyMugs.ie. In the second year since the law came in (2018/19) the newly high level of crime was sustained.

Less than 1% of sex workers reporting crime to UglyMugs.ie say that they have or will also report to the gardai. This low figure has been consistent over the last several years and is reflective of the extremely poor relationship between sex workers and An Garda Síochána.

UglyMugs.ie membership has been 6,000 – 7,000 members active per annum in Ireland for the years 2015-2018. UglyMugs.ie membership is calculated per calendar year and does not distinguish between the Republic of Ireland and Northern Ireland. Therefore, this is an all Ireland figure.

UglyMugs.ie members can report incidents that happened in the past. In a statement on 3 April 2018, UglyMugs.ie reported a 54% rise in crime and a 77% rise in violent crime in the first year since the new law came in. Those figures were correct on that date. The small revision to these numbers now is because additional reports relating to the timeframe under examination have since been made to UglyMugs.ie.