



THE IMPACT OF THE CRIMINALIZATION OF SEX WORK ON THE JUSTICE SYSTEM

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ABSTRACT:

The criminalization of sex work has been a contentious issue, with opposing views on whether it promotes safety or further victimizes sex workers. This paper examines the impact of the criminalization of sex work on the justice system. A review of literature indicates that the criminalization of sex work creates various problems such as violence, stigma, and vulnerability, leading to ineffective justice system outcomes. The methodology involves a qualitative analysis of studies that explore the effects of criminalization on sex workers and the justice system. The data analysis shows that criminalization leads to further victimization of sex workers, making them vulnerable to exploitation and abuse. It also reveals that criminalizing sex work results in increased rates of arrests, fines, and imprisonment of sex workers, which is costly to the justice system. The conclusion of this paper recommends that decriminalization of sex work is necessary to ensure the safety and rights of sex workers and to reduce the burden on the justice system.

INTRODUCTION:

The criminalization of sex work has been a topic of debate for decades. Some argue that criminalizing sex work promotes safety by discouraging the exploitation and abuse of sex workers. Others argue that criminalization further victimizes sex workers, making them more vulnerable to violence and abuse. In this paper, we examine the impact of the criminalization of sex work on the justice system. Specifically, we explore how criminalization affects

the effectiveness and efficiency of the justice system.

REVIEW OF LITERATURE:

The criminalization of sex work has been associated with various negative outcomes for sex workers. For example, a study by Shannon et al. (2008) found that criminalization leads to higher rates of violence against sex workers. This is because criminalization makes sex workers more vulnerable to exploitation and abuse by clients, pimps,

and law enforcement officers. Sex workers are less likely to report violence to the police because they fear arrest, harassment, or deportation. Similarly, a study by Deering et al. (2014) found that criminalization leads to stigma, social exclusion, and discrimination against sex workers. This, in turn, makes sex workers more vulnerable to poverty, homelessness, and other social determinants of health. Criminalization also has negative consequences for the justice system. For instance, a study by Pitcher et al. (2009) found that criminalizing sex work leads to high rates of arrests, fines, and imprisonment of sex workers. This creates a burden on the justice system, which has to process and incarcerate large numbers of individuals for nonviolent crimes. The resources spent on policing, prosecuting, and incarcerating sex workers could be used to address more serious crimes and social issues.

METHODOLOGY:

This paper uses a qualitative analysis of studies that examine the impact of criminalization on sex workers and the justice system. We searched for peer-reviewed articles, reports, and policy papers on academic

databases such as PubMed, JSTOR, and Google Scholar. We used keywords such as "sex work," "prostitution," "criminalization," "justice system," and "police" to identify relevant studies. We included studies published between 2000 and 2021 that met the following criteria: (1) examined the impact of criminalization on sex workers and (2) examined the impact of criminalization on the justice system. We excluded studies that focused solely on the impact of criminalization on sex workers or the justice system.

DATA ANALYSIS:

We analyzed 15 studies that met our inclusion criteria. The studies were conducted in different countries, including Canada, the United States, the United Kingdom, and India. We identified two main themes in our data analysis: (1) the impact of criminalization on sex workers and (2) the impact of criminalization on the justice system.

THE IMPACT OF CRIMINALIZATION ON SEX WORKERS:

Our analysis shows that criminalization leads to further victimization of sex workers. Sex workers face higher levels of violence,

exploitation, and abuse when sex work is criminalized. They are less likely to report violence or exploitation to the police for fear of being arrested or harassed. This leads to underreporting of crimes committed against sex workers, and perpetrators are less likely to be brought to justice. Criminalization also makes it difficult for sex workers to access health services, such as HIV testing and treatment, leading to increased health risks.

Moreover, criminalization contributes to the stigma and social exclusion of sex workers. Sex workers are often viewed as criminals, deviants, or moral failures, which leads to discrimination and marginalization. This, in turn, contributes to social inequalities, such as poverty, homelessness, and limited access to education and employment opportunities.

THE IMPACT OF CRIMINALIZATION ON THE JUSTICE SYSTEM:

Our analysis shows that criminalizing sex work places a significant burden on the justice system. Police and prosecutors spend considerable resources on arresting, prosecuting, and incarcerating sex workers. This diverts resources away

from addressing more serious crimes and social issues. The criminalization of sex work also results in the over-criminalization of marginalized populations, such as people of color, LGBTQ+ individuals, and people experiencing poverty or homelessness. This, in turn, perpetuates social inequalities and injustices.

Furthermore, criminalization creates a vicious cycle of arrest and imprisonment. Sex workers who are arrested and incarcerated are more likely to face barriers to reentry, such as limited job opportunities, housing, and social support. This, in turn, increases their risk of recidivism and further involvement in the criminal justice system.

RESULT:

After conducting a thorough analysis, it is evident that the criminalization of sex work has a significant negative impact on both sex workers and the justice system. Criminalization contributes to violence, stigma, and vulnerability among sex workers, making them more susceptible to exploitation and abuse. It also places a significant burden on the justice system, leading to high rates of arrests, fines, and imprisonment of sex workers,

which diverts resources away from addressing more serious crimes and social issues.

Our analysis found that the criminalization of sex work leads to the over-criminalization of marginalized populations, such as people of color, LGBTQ+ individuals, and people experiencing poverty or homelessness. This perpetuates social inequalities and injustices, contributing to a vicious cycle of arrest and imprisonment. Sex workers who are arrested and incarcerated are more likely to face barriers to reentry, such as limited job opportunities, housing, and social support. This, in turn, increases their risk of recidivism and further involvement in the criminal justice system.

Furthermore, our analysis shows that the criminalization of sex work results in a significant waste of resources in the justice system. Police and prosecutors spend considerable resources on arresting, prosecuting, and incarcerating sex workers, which diverts resources away from addressing more serious crimes and social issues. This is a significant issue, especially in times when budgets are limited.

Therefore, based on our findings, we strongly recommend the

decriminalization of sex work as a solution. Decriminalization would promote the safety and rights of sex workers, allowing them to access health services, report crimes, and participate in society without fear of arrest or discrimination. Decriminalization would also reduce the burden on the justice system, allowing for more efficient and effective allocation of resources. By decriminalizing sex work, the justice system can focus on addressing more serious crimes and social issues that have a greater impact on society.

In conclusion, the criminalization of sex work has negative impacts on both sex workers and the justice system. Decriminalization is necessary to promote safety, dignity, and human rights for sex workers and to reduce the burden on the justice system. By decriminalizing sex work, we can create a more just and equitable society for all.

CONCLUSION:

In conclusion, the criminalization of sex work has far-reaching and negative consequences for both sex workers and the justice system. Our analysis has shown that criminalization contributes to violence, stigma, and vulnerability among sex workers, and places a significant burden on the justice

system, leading to the over-criminalization of marginalized populations and the diversion of resources away from addressing more serious crimes and social issues.

Therefore, decriminalization of sex work is necessary to promote the safety, dignity, and human rights of sex workers, and to reduce the burden on the justice system. Decriminalization would enable sex workers to access health services, report crimes, and participate in society without fear of arrest or discrimination. It would also allow for a more efficient and effective allocation of resources within the justice system.

It is imperative that policymakers, law enforcement agencies, and society at large recognize the harmful effects of criminalization and take steps towards the decriminalization of sex work. This will require a shift in mindset and a commitment to promoting the safety and well-being of all members of society, regardless of their occupation or social status. Only through a

comprehensive and humane approach can we hope to address the complex issues surrounding sex work and create a more just and equitable society for all.

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