

Sex work research and advocacy: research as a means to empower and advance the rights of sex workers



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Structure

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4. Data and findings
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SWEAT

Sex Worker Education and Advocacy Taskforce

- SWEAT has been working with adult sex workers in Cape Town since 1996
- Promoting health and human rights of sex workers
- See sex work as a form of work
- Advocate for decriminalisation of sex work
- Illegal status of work and stigma prevent effective HIV prevention and encourages human rights violations

Preconditions of SWEATs Research

- Aim of reaching a broad variety of sex workers in the sex industry
 - Sex workers work indoors (escort agencies, brothels, massage parlours), outdoors (streets, harbours, truckstops, etc. – with or without pimps) or private via internet under very diverse conditions, which have to be taken into account
- Sex work as work approach:
 - Sex work = consensual sexual services – in exchange for money, goods or housing – among adults (of any gender)
 - Sex work ≠ Trafficking
 - Sex work ≠ child prostitution
 - Sex work ≠ pornography

Use of language (Tampep glossary)

- **Sex worker**– This term is used in preference to 'prostitute'. The term 'sex worker' is intended to be non-judgmental and focusing on the conditions under which sexual services are sold.
- **Client** – This term is used to describe those purchasing sexual services.
- **Non paying partner**– This term is used for individuals in a relationship with a sex worker and should not be compounded with 'pimp'.
- **Sexual exploitation of children** – This term has been used in preference to 'childprostitution'
- **Trafficking** – *“Trafficking in Persons” shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.”*(Palermo Protocol)

Broken down into its components, the definition comprises ACTS, MEANS, and a PURPOSE. One or more elements in each of the three components must be present to meet the definition. The consent of a victim is irrelevant if any of the MEANS are used or if the victim is aged under 18 years.

Methods

- Use feminist methodological approaches to research
- Make sure that there is sex worker participation at all level (assists with ownership but also empowers sex workers)
- Acknowledge that sex workers are the only experts on their working and living environments so work with them
- Participatory action research
- Very careful on ethics to ensure that no harms befalls target population
- Only research with those who self identify as sex workers

Previous research done by SWEAT

- Violence against sex workers 1996 (SWEAT Unpublished)
- Policing Sex Workers/Violence against Sex workers 1996/2004
- Demographic Survey 2005
- Coping with Stigma/Health Care Gaps 2005
- Selling Sex in Cape Town 2008
- Outdoor organisational assessment 2010 (with printers)
- Monitoring of human rights violations 2010 (pilot phase)
- Indoor sector research 2010(data collection in process)
- Pamphlets produced after ad hoc research based on sex workers needs

Policing Sex Workers

- Research done by Nicolé Fick in 2004
- Sample of 48 statements → qualitative Data (narrative interviews)
- In addition: Sample of 25 interviews on experienced violence (female sex worker) in 1996
- → from this research a broader research design was developed (→ presentation of Chandré Gould)
- Court Case against the police which SWEAT won in 2009 (arbitrary arrests with no charges brought)

Main findings – working conditions

- Most sex workers in South Africa enter the industry for economic reasons → working in the context of female poverty/unequal economic position of women and their oppression in a male dominated patriarchal society!
- Being forced to work in remote or poorly lit areas makes them less visible and thereby vulnerable to abuse, rape, forced unprotected sex
- Vary between female, male and transgender sex workers (context of a patriarchal system/a male heteronormative & violent society where sexual aggression rather is the norm than the exception: gender based violence against women, homophobia, transphobia)

Main findings - vulnerability

- Vulnerability varies depending on working places
- Especially street based sex workers are vulnerable to clients, passer-byers and police harrassement
- Vulnerable to put themselves at risk
 - “Its better to die in 15 years time of AIDS than to die in 5 days time of hunger ”*
- All sex workers in the sample had experienced violence
- 64% experienced violence by their clients (assault, dropped in remote areas, rape)
 - “clients become violent because they don’t think that we are human beings”*
- 50% reported rape or other acts of violence by the police
- Many also have reported being in violent or abusive relationships with their partners, husbands or pimps.

Main findings – Police harassment

- 1/3 of the sex workers told of being forced to have sex with police officers (either in exchange for not being arrested or released from jail)
- “There were 3 of us arrested and taken to the cells. One person was released, when we asked why, the officer indicated that the person who was released and the other police officer were having sex”.*
- 50% spoke of being physically assaulted or sprayed with pepper-spray by the police
 - 50% spoke of being verbally abused by members of the police
- “he swore at me and threatened to kick my “pussy” until I couldn’t bleed anymore”*

Main findings – law enforcement

- Majority of sex workers are targeted and arrested through the use of municipal by-laws as loitering (20%) or public nuisances
- Fines seem arbitrary (between R50 and R500)

“I was fined R50 for walking up and down the street after dark”

“I was fined R500 for loitering”

- SW are often held for 48 hours and then released without seeing a lawyer (25% were even refused to make a phone call, 5% were refused medication)
- SW get arrested even when going about their daily business

“I can no longer walk in the area where I live for fear of being arrested”

Main findings – lack of protection

- 10% were laughed at by police when they tried to lay charge
 - Fear of not being believed, when they report violence to the police
- “I would not advise any person, none of the girls to report at ---, because when you lay a charge at --- they will just say: ,Whores. Don't take any notice of them, they are just whores”.*
- Fear of police means no access to services of police protection
 - To conclude, sex workers struggle to gain access to services that offer legal support, police assistance and health education. With the criminalisation of the industry the potential for violence will remain.

Demographics Survey

- Total sample size 200 sex workers (96 outdoors, 104 indoors)
- 93% females, 6% males and 1% transgender

Population group	Sex workers surveyed	2001 Census figures – WC
Black	62 (31%)	26% of population
Coloured	108 (54%)	54% of population
White	28 (14%)	18% of population
Indian	2 (1%)	0.9% of population

- 200 people who participated in this survey supported 405 dependants of which 279 were children and 126 were adults.

Demographics Survey

- Majority of participants in industry between 1-6 years
- Average 4 years (5 days – 24 years)
- Average for indoors 3 years versus 5 years for outdoors
- Despite the length 68% saw this as temporary work and 20% saw this as a permanent work
- Indoors worked longer hours 8 – 12 with average at 9.5 hours
- Outdoors average 6.5 hours. Only 8 of the 96 outdoors worked more than 12 hours. No one worked for less than an hour
- R10,500 average monthly income for indoors and street was R7,016.

Coping with Stigma/Health Care Gaps

- Aim: explore ways that SWEAT could improve services offered to sex workers; use results to give human face to daily lives of sex workers working in criminalised industry
- Qualitative research with 17 sex workers (14 females, 2 transgender and 1 male)
- 8 worked indoors and 9 outdoors
- 19 – 46 years (majority in early twenties)
- In the industry 1 – 10 years
- Interviews lasted between 30 minutes and 3 hours
- 260 pages of interview transcripts

Conclusions about stigma and isolation

- Stigma and hiding work is one of the main factors preventing access to resources
- Access to informal sources of support (easier to talk to those who know about the work and other sex workers)
- Less likely to access more formal support
- Stigma prevents disclosure of nature of work to service providers
- Examine how others become comfortable with stigmatised identities

Speaking of clients who don't want to use condoms

“Things like they're always asking you to have unprotected sex or coming twice in a room or asking for blow jobs without condoms, that kind of stuff. ... And they'll do anything. They'll say, 'Here, I'll give a bit extra,' as if it makes a difference, which it doesn't...”

“Because a lot of men, I'm shocked sometimes, at guys who insist on not having a condom on...”

Coping clients who don't want to use condoms

“Because I sometimes put a condom on without a guy realising that I've put it on, and they actually act exactly the same way, or they experience exactly the same feeling more or less. Obviously they're slightly inebriated or so...”

Coping with the police

- Hide from the police
- Some report working when the police are less active
- Report police abuse at SWEAT
- Affects ability to access police for protection

Barriers to accessing the services of police

- Causes further harm
- Need to remain anonymous
- Complaints not taken seriously
- Difficult to report police violence to police for fear of retaliation

Speaking of accessing services of police

“I don't think the Police will believe anything, if I have to go there and tell them I'm raped now, I'm a sex worker, they're going to think that you then, in the job, you're then doing these things for money, so how can you say you have been raped, that, things like that, that's why I'm very scared, that's why I avoid being raped and stuff like that, but you can't avoid, so if you must get raped you rather, keep quiet, because I know the police are not going to believe.”

“At one stage... we both bust last year, police trap... I begged the police 'please, please, you know I've got a little boy, okay let me just arrange for...', and they wouldn't. And this was at night... and I phoned the church people, I said 'please, my son is at home...' - this is a Thursday, they said they keeping us in the whole weekend...”

Key Conclusions of this research

- High levels of violence – no protection from the law
- Sex workers vulnerable to harassment, verbal abuse and violence at the hands of police
- Stigma and hidden nature of the work block access to sources of help
- Hidden nature of work – leverage for exploitation and discrimination
- Sex workers manage better in situations where they have more control over their working conditions and their personal lives.
- Sex workers access friends and family who know about the work they do for support

Human Rights Violations

- Collected statements from 30 participants
- 20 females, 9 male and 1 transgender sex workers.
- 24 street based, 5 indoors and 1 who works in both sectors
- Areas most affected Claremont, Kenilworth, Sea Point and Belville (areas from Group Litigation)
- 15 complaints about the police. (8 arrested, 6 fine and 1 both)
- Fines ranged from R 300 – R 1 000
- No one paid the fines
- Time locked up from over night to 3 days in police cells to 3 months in prison
- City Police fined and SAPS arrested

Human Rights Violations

- Time locked up from over night to 3 days in police cells to 3 months in prison
- City Police fined and SAPS arrested
- 5 appeared in front of the magistrate
- 12 were told why they were being arrested or fines and it was for soliciting
- Not allowed to make calls
- 2 were not given food
- Two respondents complained about the media, where their images were taken and published
- Working conditions was an issue raised by one respondent. She mentioned heavy fines , very long working hours 15-20 hours, forced to work even when on periods
- Males were arrested verses females who were being fines

Indoor research

- How to get indoor sector to engage with SWEAT
- 10 questionnaire surveys
- 1 focus group
- Don't participate due to stigma
- Don't know who they could encounter
- Differentiate themselves from outdoor sex workers who they deem to be more vulnerable
- Less levels of violence
- Assistance at venues of work

Outdoor research

- Aim: have our clients (sex workers) evaluate the services offered by organisation
- Aim 2: train sex workers so that in future they can do evaluations
- Trained 2 peer educators who assisted with data collection
- Interviewed 20 sex workers
- Enjoyed group participations – engaging with other sex workers and also none sex work activities (creative space)

Research Gaps

- Working conditions within the commercial sex working industry that include the various “types” of sex work
- Audit of existing sex worker friendly services
- Comparing South Africa's legislation on sex work to other countries (New Zealand, Sweden, Germany...) in order to clarify the working conditions under a criminalised model
- Contextualising research of sex work and violence in their search on gender based violence
- Mapping of the sex work industry in (South) Africa
- Intersection of foreign migrancy status with sex work
- Impact of major sporting events as the World Cup 2010 on the demand for paid sex
- Media research, stigma and prevailing discourses on sex work and trafficking

Challenges of ethical, non exploitative research with sex workers in a criminalised industry

- Difficult to get representative sample
- Respecting confidentiality and privacy
- Obtaining informed consent
- No homogenisation/generalisation of the various (working) conditions that sex workers face!
- Regarding sex workers agency (sex work as work approach instead of victimisation)
- Feeding back the research findings to sex workers

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Indoor report

Human Rights Violations