

## A story of change:

# Increased access to justice for Botswana's sex workers

Aidsfonds worked with Sisonke, a sex worker-led movement, and BONELA, the Botswana Network on Ethics, Law and HIV and AIDS, on improving pathways to justice for sex workers. They experience high levels of violence in a society where stigma and discrimination against them is still rife. Reducing violence against sex workers is a critical step in prevention of new HIV infections and projected to lead to 25% fewer infections. In Botswana Hands Off partners set up a mobile response system enabling sex workers to report cases immediately and thus have better access to the services they need.

## Facts and figures

- **39% of sex workers surveyed in Botswana suffer physical violence at the hands of the police**
- **55% suffer emotional abuse in their community**
- **48% were arrested in the past twelve months, six times on average, and jailed for four days**
- **33% of these were arrested for carrying a condom**

## Challenges

Violence against sex workers in Botswana often went unchecked. Sex workers didn't dare to speak up for themselves, as they feared people would simply turn against them. Many did not know they even had rights. Even some families would treat relatives engaged in sex work as a means of income, rather than a valued fellow human being. As one says, 'if you are a sex worker, you are not treated like others, you are not being loved.'

Law enforcement was reluctant to address violence, insisting that sex work was illegal and often laying the blame on the sex workers. The basis for this approach was murky. While selling or buying sex is not in itself illegal in Botswana, soliciting clients and public indecency are. Many police officers interpreted these terms as it suited them. One sex worker relates that after a violent incident, 'the police will be turning you into a laughing-stock'. Civil society organisations had difficulties protecting sex workers because they couldn't organise on behalf of a group that was seen to do something illegal.

## What we did

### 1. Feeling safe to learn about your rights

Sisonke and BONELA set up human rights trainings for sex workers focusing on the links between health, human rights and the law. Sex workers learnt about available treatments and psychological services and were taught self-defence skills. Many of them go on to share their knowledge with peers, using the Aidsfonds Health, Rights and Safety manual and other targeted materials. Workshops take place at Sisonke's safe spaces in Gaborone, Palapye and Francistown, where sex workers feel comfortable to discuss violations amongst themselves.

## 2. Building a network of allies to provide aid in emergency situations

At the heart of Sisonke's work are seven paralegals that they trained and empowered. Paralegals are sex workers who provide legal support to their peers. When there is a threat, as one sex worker says, 'we can say don't talk to me, talk to my paralegal!'

Paralegals also establish relationships with service providers, speeding up response times in an emergency. In the words of one nurse, 'the paralegals are the ones that know the stuff. You can't do anything with key populations without them'.

With Aidsfonds support, BONELA deepened their relationships with lawyers. They identified those with a particular focus on human rights and enlisted them to work pro bono for vulnerable clients across the country.

## 3. Being able to act swiftly

Hands Off partners set up an emergency response system which allows them to act swiftly when violence occurs. Paralegals share their phone number with sex workers during site visits. The paralegal will seek out the sex worker and, depending on the situation, escort them to a hospital or the police, or call a lawyer or social worker. Aidsfonds has made emergency funding available, which Sisonke can access within 24 hours.

**"I didn't know anything about my rights. I just know that I am a sex worker and I was being used by men. So I learnt a lot from this programme, knowing that I too have rights. Knowing that whenever I face problems there are some people who can help me. Those are paralegals and whenever I get my rights violated, I can report to the police because I got rights to do that. And I walk with my head up."**

– Sex worker

## What has changed?

Sex workers have enjoyed considerable success in terms of access to justice. Paralegals in particular have worked tirelessly to make sex workers aware of their rights and are offering legal support on a scale that was previously unimaginable. In 2018 they supported 1854 sex workers.

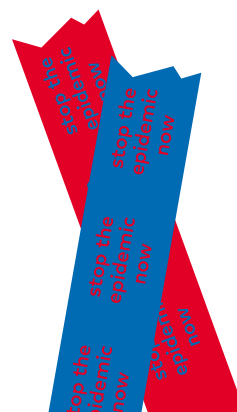
Ongoing training means more and more rights-literate sex workers who are able to facilitate workshops on the prevention of violence and the workings of the legal system. More cases of violence are reported at greater speed through the emergency response system.

Individual cases of violence against sex workers have already led to convictions and jail sentences for the perpetrators. With support from Aidsfonds, Sisonke has been able to register as a civil society organisation, and is now able to serve as the strong voice of an important subset of civil society.

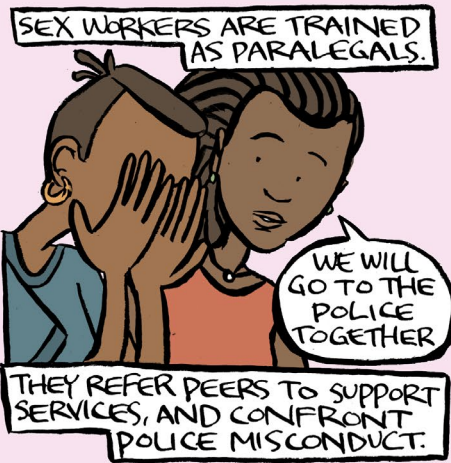
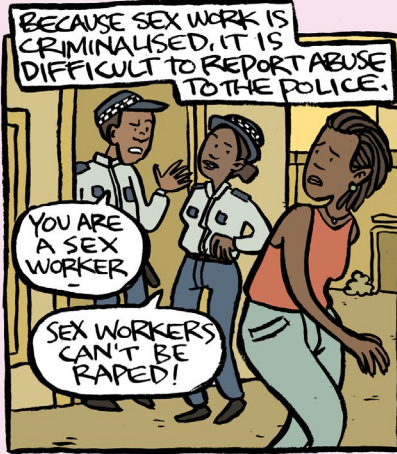
## What's next?

Paralegal training needs to be expanded across the country, as services have turned out to be a critical tool in helping sex workers address violence and work towards a more inclusive society.

Relationship building between paralegals and a variety of services needs ongoing support. A permanent safe space for sex worker-led trainings is needed, especially in Francistown, to help ensure that change is sustainable.



# IMPROVING JUSTICE FOR SEX WORKERS



Comic: Mas Hab

STOP THE EPIDEMIC NOW

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