



Sex work & violence in South Africa.

Needs Assessment report

Hands OFF! ☂ hands OFF! ☂

 **Aids
Fonds**

Hands Off!

Reducing violence against sex workers

The Hands Off! programme focuses on the reduction of violence against sex workers in Southern Africa through prevention, care and support activities. Violence is a key factor in the vulnerability of sex workers to HIV/AIDS. It leads to inconsistent condom use and prevents sex workers from accessing valuable legal support and health care. Hands Off! works with sex worker-led groups, law enforcement, health and support services, legal centres and non-governmental organisations (NGOs) working on human rights.

Research findings on sex work and violence in Southern Africa

This report presents the main findings of a study in South Africa examining violence against sex workers. It is part of a regional study in the Southern African region under the Hands Off! Programme.

The research was designed by sex workers and partner organisations in the Hands Off! consortium. Sex workers in the five programme countries – Botswana, Mozambique, Namibia, South Africa and Zimbabwe - participated in the implementation of the research and the dissemination of results. Regionally the quantitative research part entailed more than 2000 surveys conducted by 37 sex workers who were trained to interview their peers. For the qualitative part of the study researchers conducted 125 semi-structured in-depth interviews and 40 focus group discussions with sex workers. Topics included: violence; social networks; police attitudes; safety, security and risk mitigation strategies.

Country reports and fact sheets on sex work and violence are available for:

Botswana
South Africa
Mozambique
Zimbabwe
Namibia
Southern Africa (regional)

Collaborating institutions

Sisonke South Africa
Sex Workers Education & Advocacy Taskforce
Women's Legal Centre
North Star Alliance
Vrije Universiteit, Amsterdam

July 2016



Contents

| | |
|----------------------------------------------------|-----------|
| Abbreviations | 4 |
| Executive summary | 5 |
| 1. Introduction | 7 |
| 2. Methods | 9 |
| Definition of violence | 9 |
| 2.1 Quantitative method | 9 |
| 2.2 Qualitative methods | 9 |
| 2.3 Study sample | 10 |
| 3. South Africa country context | 12 |
| 3.1 Legal framework | 12 |
| 3.2 Context of sex work in South Africa | 12 |
| 3.3 HIV and violence | 12 |
| 3.3.1 HIV prevalence amongst sex workers | 12 |
| 3.3.2 Violence against sex workers in South Africa | 13 |
| 4. Violence against sex workers | 15 |
| 4.1 The community | 15 |
| 4.1.1 Family, friends and partners | 15 |
| 4.1.2 Clients | 16 |
| 4.1.3 Pimps and brothel owners | 18 |
| 4.1.4 Other sex workers | 18 |
| 4.2 The role of police officers | 19 |
| 4.3 Health | 21 |
| 4.3.1 Health and services | 21 |
| 4.3.2 Supporting organisations | 21 |
| 5. Conclusion | 24 |
| 5.1 Conclusion | 24 |
| 5.2 Recommendations | 24 |
| References | 26 |

Abbreviations

| | |
|--------------|---------------------------------------------|
| AIDS | Acquired Immune Deficiency Syndrome |
| ART | Anti-Retroviral Treatment |
| CBPR | Community-Based Participatory Research |
| FGD | Focus Group Discussion |
| HIV | Human Immunodeficiency Virus |
| MSM | Men who have Sex with Men |
| NGO | nongovernmental organisation |
| STI | Sexually Transmitted Diseases |
| SWEAT | Sex Worker Education and Advocacy Taskforce |
| TB | Tuberculosis |
| UCSF | University of California San Francisco |
| VU | Vrije Universiteit |
| WHO | World Health Organization |
| WLC | Women's Legal Centre |
| WSW | Women who have sex with Women |

Executive summary

Background

Violence is a key factor in the vulnerability of sex workers to HIV/AIDS. Violence prevents sex workers from accessing valuable information, support and services that help to protect them from HIV/AIDS. With the Hands Off! programme Aids Fonds (www.aidsfonds.nl/handsoff) and partners¹ aim to reduce violence against sex workers in Southern Africa. The programme, a regional response, offers a comprehensive and joined-up approach to working with sex workers, police, law enforcement and service providers in Botswana, Mozambique, Namibia, South Africa and Zimbabwe.

Methods

A mixed method community-based participatory research (CBPR) approach was used. All partners, including sex workers, contributed to the design and implementation of research and tools. Both quantitative and qualitative components were developed in cooperation with the Vrije Universiteit (VU University) in Amsterdam. In South Africa, eight sex workers were trained as research assistants working alongside a social scientist specialising in qualitative methods. They conducted 483 surveys, 22 in-depth interviews and twelve Focus Group Discussions (FGDs) with 71 participants in Cape Town, Durban, Johannesburg and Musina. Participants were selected through snowball sampling techniques, whereby each respondent invited a fellow sex worker to participate in the survey.

Results

The results show that sex workers in South Africa experience high levels and many forms of violence, ranging from societal stigma, discrimination, and humiliation to beatings, rape and theft. The main perpetrators of this violence are clients and police officers. **Seventy-one percent of sex workers experienced violence in the past year.** Sex workers reported emotional violence to be most damaging and painful to them.

The role of police officers in relation to sex workers in South Africa is ambiguous, but maltreatment and abuse of sex workers is ingrained in police behaviour. However, sex workers are reluctant to get involved with police, and very few have filed cases of violence. They can receive protection from police officers in return for money or sex bribes. Fifty-seven percent of sex workers were arrested in the past 12 months. Specific grounds for arrest were: being known as a sex worker, carrying a condom and soliciting clients on the streets. More than half of sex workers (60%) experienced violence on arrest.

Key risks factors associated with higher levels of violence are working with a pimp and not always using a condom with clients. The level of alcohol use is positively correlated to levels of violence also, and sex workers working on the street face

more violence compared to sex workers in bars, hotels and brothels. Only 59% of sex workers in need of anti-retroviral medication receive regular treatment.

Conclusion

Sex workers in South Africa face unacceptable levels of violence, stigma and discrimination and other human rights violations, which put them in situations that make them considerably more vulnerable to HIV/AIDS.

Interventions to reduce violence need to include law reform; changes in current police practices; sensitisation of public service providers towards sex workers; access to appropriate services and safe spaces from which to work; and education, empowerment and networking of sex workers so that they are better able to reduce risks of all kinds.

Psychological and trauma support is a key service gap, and better health and legal support are also needed. It is also vital that clients are engaged through specialised and targeted programmes, and that any efforts to reduce violence against sex workers are put in a broader gender-based violence awareness and intervention context. All programmes involving sex workers should work in collaboration with other initiatives to streamline and maximise efforts, and the principle of meaningful participation of sex workers in all aspects of programmes must be upheld.

¹ The partners under the Hands Off! programme are the African Sex Worker Alliance (ASWA), BONELA, Sisonke Botswana, Sisonke South Africa, Sex Workers Education and Advocacy Taskforce (SWEAT), Rights not Rescue Trust, Pathfinder International, Tiyani Vavassate, Sexual Rights Centre, Women's Legal Centre, North Star Alliance and COC

Introduction.

1. Introduction

Violence is a critical factor in the vulnerability of sex workers to HIV/AIDS. It prevents sex workers from accessing valuable information, support and services that can help protect them from HIV/AIDS. It also puts them in situations that make them more vulnerable to HIV/AIDS. Modelling estimates show that a reduction of almost 25 percent in HIV infections among sex workers can be achieved when physical or sexual violence is reduced [1]. A systematic review indicated a correlation with violence and condom use and HIV infection. Evidence also shows that psychical² and sexual³ violence increase HIV infection and decrease condom use [2].

Numerous studies indicate a high level of violence towards sex workers, and linkages have been made between criminalising laws and increased vulnerability to violence [3]. Sex workers experience violence in different forms and on different levels. It ranges from blatant physical and sexual violence to social stigma, discrimination, intimidation, coercion and harassment. Perpetrators are clients, pimps and brothel owners, but also family and community members [4], [5]. Even police are involved and in some cases increase violence rather than protect sex workers from it. Thus violence against sex workers is not only widespread, but legitimised and accepted by many [6].

Laws and policies that criminalise sex work, leave sex workers very vulnerable to sexual and physical abuse. Sex work is currently criminalised in most Southern African countries through national laws and municipal by-laws. Criminalisation contributes to an environment in which violence against sex workers is tolerated. Lack of protection of street sex workers and those working in isolated places is generally the result of anti-prostitution laws and police policies. The criminalisation of sex work also means that sex workers often operate in unhealthy and unregulated conditions.

An overarching study by Decker et al. [7] reviewing 800 individual studies provides evidence of the global burden and impact of human rights violations against sex workers on HIV. The reviewed studies indicate that the rates of homicide are 17 times that of the general public, 7-89 percent of sex workers indicated sexual violence and 5-100% indicated psychical violence. Four to 75 percent experienced arbitrary arrest and detention, while 7-80 percent had condoms confiscated. Impunity or the failure to investigate and report police threats and violence is reported by 39-100 percent, highlighting the importance of sensitising police officers [7].

Through the Hands Off! programme, Aids Fonds (www.aidsfonds.nl/handsoff!) and partners⁴ aim to reduce violence against sex workers in Southern Africa. The programme offers a comprehensive and joined-up approach to working with sex workers, police, law enforcement and service providers in Botswana, Mozambique, Namibia, South

Africa and Zimbabwe. Hands Off! involves the meaningful participation of sex workers and is based on sex workers' own priorities and needs.

The programme aims to make health clinics more accessible to sex workers and uses community rapid response methods⁵ and sex worker-led protection systems as intervention strategies. Police sensitisation is employed to work towards a police force that respects the rights of sex workers. In addition, the programme partners work to improve sex workers' access to justice by providing legal services and facilitating reform by bringing legal cases to court. Hands Off! has a strong capacity building component focusing on sex workers and sex worker-led organisations in the region. Lobbying and advocacy activities are carried out on law reform, and policies and practises involving sex workers. Research is carried out to generate evidence and knowledge on the effectiveness of the implemented intervention strategies.

Lack of reliable data makes the provision of comprehensive violence reduction and HIV prevention challenging. Data and information on human rights violations towards sex workers is often underestimated. Lack of systematic documentation of cases amongst this highly mobile target group challenges insight into the extent of the problem. In addition many of the strategies to reduce violence against sex workers have not been formally researched and evaluated [1]. To help bridge this gap, Hands Off! studied the needs of sex workers in Southern Africa using a team of 11 researchers, 37 sex workers trained as research assistants and five coordinators.

2 Physical violence: Any deliberate use of physical force against sex workers with the potential for causing harm. This includes, but is not restricted to, beating with hands or objects, kicking and pushing.

3 Sexual violence: Any sexual act, or attempt to obtain a sexual act, to which consent is not being given. This includes, but is not restricted to, rape, attempted rape, unwanted sexual touching and sexual harassment.

4 The partners under the Hands Off! programme are the African Sex Worker Alliance (ASWA), BONELA, Sisonke Botswana, Sisonke South Africa, Sex workers Education and Advocacy Taskforce (SWEAT), Rights not Rescue Trust, Pathfinder, Tiyané Vavassate, Sexual Rights Centre, Women's Legal Centre, North Star Alliance and COC

5 Sex worker-led referral network for medical, psychosocial and legal support

Methods.

2. Methods

A mixed method community-based participatory research (CBPR) approach was used. This means that all partners, including sex workers, contributed to the design of the research and tools, selection of the hired researchers, gathering of the data and writing up of the results. Through the involvement of sex workers themselves, the programme aimed to reflect the actual needs of the sex worker community.

The research has two components - a quantitative and a qualitative aspect - and both worked with informed consent. During the initial meeting of the Hands Off! programme staff, experts and sex workers from all the participating countries developed the Theory of Change and established a topic list for the research. Based on this list both the qualitative and quantitative tools were developed in cooperation with the VU University in Amsterdam.

Definition of violence

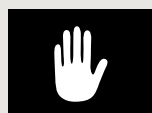
For the purpose of this report, violence has been categorised and defined as:



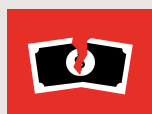
Physical violence: Any deliberate use of physical force against sex workers with the potential for causing harm. This includes, but is not restricted to, beating with hands or objects, kicking and pushing.



Sexual violence: Any sexual act, or attempt to obtain a sexual act, to which consent is not being given. This includes, but is not restricted to, rape, attempted rape, unwanted sexual touching and sexual harassment.



Emotional violence: Any act that diminishes sex workers' sense of identity, dignity, and self-worth, including threats, harassment, belittling and shaming and being made to feel unworthy. This includes, but is not restricted to, discrimination.



Economic violence: Any act aimed at depriving sex workers from their money, including, but not restricted to, exploitation, theft, and clients not paying for sex workers' services.

2.1 Quantitative method

The survey questionnaire was established following participatory principles. The questionnaire was based on the established topic list and took into account existing questionnaires on violence related topics. Drafts were shared with experts and partner organisations within the five participating countries, and discussed among sex workers through Focus Group Discussions (FGDs) in each country. The final questionnaire had 88 questions and an approximate duration of 1.5 hour focusing on the following themes: 1) aspects of sex work (such as working location, economic incentives, clients, immigration and reasons to enter sex work), 2) social network of violence 3) violence and law enforcement 4) prevention strategies, harm reduction and risk mitigation 5) health and services and 6) demographic variables.

In total 37 sex workers were trained as research assistants, based on standardised training focusing on different aspects of the questionnaire administration. In South Africa, eight research assistants were trained. The following issues were part of the training: 1) violence as a concept 2) different research methods and tools 3) open versus closed question 4) the research protocol 5) different types of violence 6) sampling techniques 7) effect of attitude of interviewer 8) ethical consideration and referrals. There were many opportunities to practise using the tool in the field.

Through snowball sampling, whereby respondents invited fellow sex workers to participate in the study, a total of 1800 questionnaires were administered in the region. All questionnaires were uploaded in SPSS, a software package for statistical analysis. In South Africa, 483 surveys were administered in English.

2.2 Qualitative methods

For the qualitative section, which consisted of FGDs and in-depth interviews/life stories, a local social scientist with expertise in qualitative methods was hired in each country. The sex worker community was part of their selection process to ensure an open and trusting relationship. The in-depth interview/life stories and FGDs were grouped around four central themes: 1) violence 2) police 3) social networks and 4) prevention strategies harm reduction and risk mitigation. All the FGDs started with a warm up activity, such as a drawing exercise, to break the ice and ensure that each FGD focused specifically on one of the different topics. In South Africa, 22 in-depth interviews were conducted and twelve FGDs held with between five and seven participants. In total, 36 participants were involved in these FGDs.

2.3 Study sample

This study sample (N=490) includes sex workers from Cape Town (N=86), Durban (N=105), Johannesburg (N=200) and Musina (N=99). The majority of sex workers are female (90%), seven percent are male and three percent are transgender.

Over half of sex workers in the sample are single (51%), 42 percent are in a relationship but not married, three percent are divorced, two percent are widowed and two percent are currently married. Most sex workers have children (80%), having on average two.

The average age that sex workers started in the sex industry is 23 years (minimum 11 and maximum 42 years), the modus age is 25 and median is 23. The most commonly mentioned reasons for entering sex work are: need for money (92%), looking for a better life (85%) and a situation forced them (76%). Over half the group also indicated other reasons to start were: they liked the job (38%), the freedom that comes with it (31%) and that they needed to take care of their children (71%). Seven percent of sex workers were forced into sex work, and eight percent indicated that drug use played a role.

In this study sample, most sex workers operate from the streets (90%) but they also operate from hotels (45%), truck stops (40%), brothels (36%), bars/ taverns/ shebeens (35%) and clubs (30%). Other working locations that were mentioned are casinos (17%) and market places (15%). Sex workers stay in touch with their clients through cell phone (73%) and the internet (27%).

On average, the sex workers work from four different working locations. Twenty-one percent of sex workers have additional sources of incomes as: domestic worker (7%), cleaner (7%), working in an office (7%), selling clothes (6%), having a food or beverage stall (6%), working at the market (4%), working in a bar (4%) and nanny (3%).

**Country
context.**

3. South Africa country context

3.1 Legal framework

Criminalisation of activities associated with sex work is considered a major factor in violence against sex workers. Due to the illegal status of sex work, sex workers experience difficulties in accessing health and other social services in South Africa, along with deep-rooted social stigma and discrimination [8]. In South Africa, the following laws maintain the criminalised nature of sex work:

- **The Sexual Offences Act 23 of 1957** continues to be applied under the current South African constitution, and states that “*unlawful carnal intercourse or act of indecency with any other person for reward commits an offence*”. It makes prostitution, brothel keeping, solicitation, indecent exposure, and knowingly living from the proceeds of sex work illegal.
- **The Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 (2007)** criminalises clients who engage the services of sex workers.

Municipal by-laws

The criminalised act of prostitution is difficult and time-consuming to enforce, and can only be practically achieved through ‘entrapment’ – the posing of undercover police officers as clients. Sex workers are therefore most frequently arrested and harassed under municipal by-law [5]. Currently, sex workers are being fined under a “by law relating to Streets, Public Places and the Prevention of Noise Nuisance GN 6469 28/09/2007, Section 2 (3) (j)” (information provided by the Women’s Legal Centre (WLC), 2015). In many cases of arrest, the sex workers have not actually committed the offence in question [9], and even when the sex worker is guilty of that offence, the correct procedure for implementing by-laws is not usually followed.

3.2 Context of sex work in South Africa

It is estimated that there are between 132,000 and 182,000 sex workers in South Africa [10], [11]. Most sex workers are female, with estimations of four percent and five percent respectively for transgender and male sex workers [11]. South Africa has a high proportion of migrant sex workers, with studies suggesting 60 percent cross border migrants in both Hillbrow and Limpopo [5] and overall immigration rates up to 71 percent [12].

Sources suggest that sex work is conducted in a wide range of locations: from outdoor/street-based sex work (with its severe challenges), through working from small to large brothels, which offer some collective support and security, to better protection and status which is enjoyed by high-class escorts [13]. In South Africa, sex workers also operate from ‘hotspots

[10], [14]–[16], which refer to the specific places where sex workers and their clients meet and gather, such as truck stops and/or brothels, and the informal ‘red light’ districts known in all major cities. Hotspots are defined by the level of urbanisation (cities, towns or rural areas) and the presence of *mobile men*, i.e. men who are away from their community or family, for example contractors, mine workers and truck drivers, and people in ports and border towns, among others [11].

Sex workers either operate independently and directly receive and manage their income, or for a pimp or a brothel owner, who often handles their income, controls their movements, and provides them with certain services in exchange. Sex work can be full time or part time, and is sometimes supplemented by other income generating activities.

Sex worker social movements have played a valuable role in addressing sex worker concerns in South Africa, and could continue to be central to harm reduction, realisation of rights and decriminalisation movements. The Sisonke sex worker movement was initiated for social mobilisation, to create solidarity and to provide peer support for sex workers.

3.3 HIV and violence

3.3.1 HIV prevalence amongst sex workers

In relation to sex workers and HIV, research and statistics on prevalence, anti-retroviral treatment (ART) adherence, emergency care and psychological health for sex workers are not readily available. There is also a lack of research on health access for sex workers – other than the SWEAT/Impact Consulting studies [10], [17]. The data that does exist is from sites where there are active outreach programmes.

Estimates suggest that HIV prevalence among sex workers in South Africa is 59.6 percent [16], as compared to 30 percent among women in the general population [18]. Other studies of sex workers report HIV prevalence ranging from 46 percent to 69 percent [12] with an extreme outlier of 90.6% found among female sex workers along the N3 transport corridor between Durban and Johannesburg [19]. Richter et al [12] estimated that annual new infections associated with sex work remain as high as 20 percent.

In a study along the N3 highway [18], it was found that 97 percent of female sex workers had tested for HIV, of which 59 percent had tested in the past year. The Sex Worker Education and Advocacy Taskforce (SWEAT) surveyed approximately 1200 sex workers at its programme sites, and found 88 percent testing rates in the past years, with 18 percent stating that they had received an HIV test directly from SWEAT. Literature shows that sex workers’ use of condoms varies greatly, depending on whether they are having sex with long-

term or short-term clients, with clients or non-paying partners, and with casual or long-term non-paying partners. In the N3 sex workers study [18], 91 percent of female sex workers reported using condoms at last sex with paying partners, and 53 percent with non-paying partners. Only 14 percent had ever used lube⁶, and only 21 percent even knew about water-based lube. In Richter's [12] study of almost 1800 sex workers in four urban sites, about eight percent of women, 33 percent of men, and 25 percent of transgender people had had unprotected sex with their last two clients. Uptake of female condoms (femdoms) has been low, and lower than anticipated [12]. SWEAT [17] found that femdom use was higher among male sex workers for anal sex, than among female sex workers for vaginal sex.

Sex workers have been prioritised as a key population in both the global and national HIV response. Sex workers in South Africa are currently prioritised for accelerated and intensified HIV and human rights interventions by global agencies, as well as in the South African National Strategic Plan on HIV, STIs and TB 2012-2016 [14]. More recently, the National Strategic Plan for HIV Prevention, Care and Treatment for Sex Workers was established [19], addressing three core goals:

1. Increase coverage and access to comprehensive HIV, STI and TB prevention, treatment, care, support and related services for sex workers, their sexual partners and families and their clients.
2. Reduce violence and human rights abuses experienced by sex workers through sex worker empowerment, community engagement, service provider training and progressive law reform.
3. Foster enabling health and related systems to enable sex workers to realise good health and their Constitutional Rights.

In addition to national efforts aimed at reducing HIV among sex workers, throughout the country service providers such as Wits Reproductive Health and HIV Institute (WRHI) and North Star Alliance have been involved in HIV reduction efforts.

3.3.2 Violence against sex workers in South Africa

Sex workers in South Africa experience high levels of stigma, discrimination and violence. Literature shows that sex workers are physically abused by the police, by clients, by their partners, and by each other and have minimal recourse to protection or justice in these instances [20].

Outcomes of a survey among 1129 sex workers (street, bar and brothel based) show experiences of violence by police and/or clients among 50 percent of respondents [17]. Another study shows high rates of physical violence (62%) and rape (38%) among a sample of 410 sex workers in Port Elizabeth [21].

Sex workers report that the violence, harassment and abuse they suffer from police are among the most difficult aspects of their lives [10], [17], [9]. A survey of around 2100 sex workers across the country revealed that over 80 percent of sex workers had been subjected to police violence [17]. Examples of police brutality towards sex workers includes murder and attempted murder, rape, gang rape, violence, arrests, neglect in

prisons and police stations and harassment. The police directly obstruct HIV prevention by confiscating condoms and by using the possession of condoms as evidence of sex work [5], [22]. In a survey by Gould and Fick [23], sex workers reported threats (47%), demands for sex in exchange for release from custody (28%) and rape (12%) by police.

Literature shows that sex workers experience aggressive and discriminatory attitudes and public humiliation from health care workers. They also report breaches of confidentiality about their sex work and health status, including their HIV status, when they attend health facilities. Even clinics specifically designed for sex workers are sometimes criticised for stigmatisation. Sex workers tend not to divulge their professional involvement in sex when accessing health services, and are therefore not upfront about their sexual health risks [20], [21].

Several groups of sex workers are at increased risk of violence in South Africa. Street-based sex workers are confronted with harassment, abuse and vigilante verbal and physical assault. Men who have sex with men (MSM), transgender and migrant sex workers experience higher rates of stigma, discrimination and violence due to homophobic and xenophobic societal attitudes in the country [5], [8], [24], [25].

⁶ Short for lubricant; product used to lubricate sexual intercourse.






Results.

4. Violence against sex workers

This study revealed that in the past 12 months, 71 percent of sex workers in South Africa experienced violence. This violence takes different forms and means that sex workers are confronted with emotional, physical, sexual, and economic violence on a regular basis.

described, for example, how men in their community gang rape them: *'If they find out you are a sex-worker, then that's like 'ok guys she probably loves being screwed or whatever' and then that's how they end up gang-raping'*. They often find that community members do not help a sex worker who is being hurt,

Type of violence against sex workers by perpetrator experienced in the past twelve months

| |  client |  police |  health worker |  community |  other sex worker |
|------------------|------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|
| physical | 43,7% | 38,7% | 3,3% | 17,5% | 25,8% |
| sexual | 40,7% | 23,6% | - | 10,3% | - |
| economic | 49,3% | 32,8% | - | - | 35,4% |
| emotional | - | 46,9% | 32,4% | - | - |

4.1. The community

Violence against sex workers in South Africa is fuelled by stigma and discrimination. Sex workers are looked down on socially and discriminated against when they access both formal and informal social structures. Sex workers explained that they are treated as 'different', and as 'the scum of the earth'. The survey revealed that, in the past 12 months, a large majority (82%) experienced being called derogatory names by people from the community (78%). Members of the community gossip about sex workers, and disclose their HIV status. Taxi drivers and children were noted as particular groups that harass and mock sex workers.

“ He says ‘moffie⁷, moffie, moffie’, he starts shouting ‘you are not a woman you are moffie’... he is shouting in the street... the guy continues to harass me, ‘you are moffie, you are not a woman. I am going to kill you, you are not a woman’ ”

- Transgender Sex Worker

The blatant emotional and psychological abuse that sex workers experience in the community creates a climate that is conducive to violence. These sex workers experience both physical violence (18%) and psychological violence (10%). Sex workers

even if they are screaming for help. In some cases, people even encourage the police to beat sex workers. Sex workers report that the only way to deal with this treatment is to become numb to it and try to carry on with their lives.

MSM, Women who have Sex with Women (WSW), transgender and migrant sex workers face increased social stigma in South Africa. MSM and WSW sex workers talked about how community members humiliate, rob and gang rape them.

4.1.1 Family, friends and partners

Most sex workers in the sample had told their siblings about the work they do but few had told their parents. Although some experienced physical (17%) and sexual (3%) abuse from members of their family, emotional violence seems most common. Sex workers who disclosed their occupation, report that their families are degrading about their work and “disown” them because of it. Family members also ‘out’ them as sex workers or MSM, leaving them vulnerable to violence from others. In some instances, sex workers related that they could rely on their parents if they needed money, but would never share problems regarding anything that had happened to them at work (for example, being beaten up or raped) as most parents did not know about their work. Some aunts and uncles provide advice and support to sex workers.

As regards partners and boyfriends, there were many reports of verbal abuse. Partners sometimes use sex workers’ profession as one of the reasons for abuse, for example by

7 'Moffie' is a slang word for a man who displays female tendencies

“The reason why I went to the street, at the age of 11 years old: I had a twin brother. My stepfather tried to rape me at the age of 10 years old. It was only my brother and I in the house with him. I came out of the toilet, and he was standing in our room opposite the toilet and when I came into the room, getting dressed he pushed me on the bed and closed the door. And then I’m fighting and screaming, my little twin brother comes running in, I say: “Jump on his back and bite him.” I don’t know how he managed to push my brother off but his head hit against the door frame and he died immediately... Right there. I told my mother what happened; my stepfather told her: “this child is out-gat, she’s trying to break up our relationship.”

My mother lied to the family, she said my brother slipped and fell in the bath. So that pain made me do it, made me leave the house at the age of 11. I can’t believe it actually, because it’s my own biological mother, it’s not like a guardian or...” And later, when I was 27 and I went home for a while he came into my room while I was sleeping and he managed to rape me this time.

My uncle, he believed me. The first time, with my brother’s death, he believed me. And about the rape. Then he told my mother: “Your husband is going to kill you, and then you’re also going to say it’s not true. You must stop defending your

husband and stand up for your children.” Then she says: “I can’t, he’s the one I’m living with and he’s the one who puts a roof over my head”. But he was abusive to her. I went back to him [the uncle] and told him: “I don’t know what to do. My mother doesn’t believe me.” Why would I say something like that... say someone has raped me? I’m not stupid, I’m not mad... And my uncle believed me. He told me I must stay away from them and not lay a charge. No one is supporting me to lay a charge against him.”

And I told my mother, “You don’t know the pain I went through. Lying about your own biological son, who you brought into the world? How could you?” Then she started yelling at me. I told her: “I’m going to stand against you. Because in my heart I believe you’re not my mother. You showed me that. There’s no love I received from you as a mother, I don’t know what it is to have a bond with a mother. But remember, if anything happens to my daughter in this house... believe me, I don’t care if I have to go behind bars for years but I will protect her in any way I can.”

God forgives so who am I not to forgive. I forgave him [stepfather] but I can’t forget him. Because that pain, I’m still sitting with that pain because I lost my brother. And I was raped. And she never [protected me] as a mother protects her daughter.”

saying ‘How many men did you fuck today?’ It was explained that boyfriends can be controlling to make sure sex workers earn a certain amount of money and get abusive if they do not. In some instances, sex workers reported that their boyfriends look after them, for example by watching out for them when they are working and helping them in dangerous situations.

“ Guys are very, very evil when it comes to lesbians, especially if they stand on the street. They hate you, I don’t know why. They do weird things or say comments, or they will gang rape you. They will take all your money...especially your phones and stuff; it’s very hard to keep on the streets. For them, you don’t deserve having something. ”

Only a few sex workers reported having supportive friends who were not sex workers themselves. Most sex workers hide their job from friends. They report that friends help them emotionally, with the *“pain in their hearts”*, listen and keep their secrets, and sometimes assist materially.

4.1.2 Clients

Clients are perpetrators of violence against sex workers in South Africa. In the past 12 months forty-four percent of sex workers experienced violence from clients.

The relationship between sex workers and their clients is often surrounded by emotional abuse. Sex workers report being mocked, humiliated and called names by clients. Sex workers described how clients take out weapons and threaten them, especially when they don’t want to pay for their services.

Almost half of the sex workers (49%) experienced economic violence in the past 12 months. Economic violence from clients is rife and takes many forms: clients will want to pay less than the agreed price after a session or they will agree on a service and fee (eg ‘showtime’) and then want more (eg ‘all-nighter’), but not want to pay the additional fees. In brothels, to get out of paying, clients will sometimes lie to the owner about the sex worker stealing from them. Some clients rob sex workers, not just to take back the money they have paid them, but to steal other personal belongings too. All of this often comes with physical violence.

Sex workers report that they have been pushed around, had their hands and arms twisted and even broken, been slapped, stabbed, and beaten up. Sex workers were taken to remote places and left there, while clients destroyed their phones

after which they were unable to call for help. One sex worker related how she was bitten by a client's dog while at his home: the dog had her arm in his mouth and she had to fight him off before he got to her neck. She nearly lost her arm and her life. Another client cut the labia majora of a sex worker with a razor, and there were several cases reported of clients even killing sex workers:

“The client, he killed her. They found her in the room. She was dead and the client was gone. The client, he covered that lady with a sheet after he killed her...I think he strangled her.”

Sexual violence was also experienced by a significant (41%) proportion of sex workers. They report being forced to have sex without a condom, to perform sexual acts with another person other than the client, to have vaginal and anal sex and to do 'unimaginable' sexual acts. Sex workers also report being gang raped and being ejaculated on. According to sex workers, clients believe they can do anything to them because they have paid. Clients are more violent if they are drunk or on drugs.

“One time I had a client, he wanted to fuck me without a condom and he wanted to fuck me in my ass. He kept a knife by my neck, so I tell him ‘You would rather kill me, but you are not going to fuck me without a condom and you are not going to fuck me in my ass.’ So he tells me he is going to rape me in front. So he raped me and kept the knife there, he took his penis out; he took the condom, threw it there and even took my money. When he finished, he ran and then a police van came by. I stopped the van and tell the cops: ‘That guy who is running, he raped me.’ ‘No’, they tell me, they didn’t know him and how were they going to catch him. They left me just like that and went.”

Prevention strategies and risk mitigation

To mitigate the risk of violence by clients, sex workers in South Africa select their clients carefully. Some sex workers only work with regular clients, and do not go anywhere with strangers. Others watch clients' body language, appearance, his negotiations and way of speaking. It was explained that sex workers need to be aware of 'danger signs', including cars with tinted windows, clients who are trying to haggle the price down, and clients who express that they are not interested in using a condom. Almost all (94%) sex workers reported refusing clients. Among these sex workers, reasons for refusing clients were: not wanting to use a condom (79%), not being respectful (74%), offering too low a payment (74%), not looking healthy (72%), knowing the client (66%), knowing

“I went with a client to his place, stopped and bought some alcohol along the way. When we got to his house, I saw family photos on the wall and asked if this was his wife. He gave me some story about her being overseas. We proceeded to drink then I asked for my money before we start, because I was feeling like he was getting drunk.

He said I must wait while he fetches it, then he disappeared into his room and came back with a big knife. I've got stitches in my hand, because I had to hold the knife, tried to scream but to no avail. He even told me I was the third one who'd be killed by him in that house.

I tried to overpower him, while also holding him and begging him. He was sweating and looked like he'd been overcome by spirits. He eventually calmed down, and asked me to assure him I was not going to press charges against him. I had to assure him just so I can get away from the place.

I left his place (which was a back room, he was renting in a house), my hand bleeding. I went to the nearest filling station, my clothes covered in blood, people there called the police. The police came, took me and we drove back to the house. When we got there, the landlady, who owned the house defended him, saying that person left the place a long time ago. I said to them I even screamed for help.

I realised that maybe this is some kind of practice that happens in that house. Both the husband and wife even asked me what I had been doing there in the first place. I was so upset. I told them I came to do the same they do in their bedroom.”

he is a violent person (65%), having sexual preferences the sex worker doesn't like (60%), not liking the client (60%), because the client wanted to use alcohol or drugs (47%).

Sex workers emphasised the importance of having safe spaces to work from, considering secured locations, such as brothels, hotels or private houses, safer than the streets. They avoid places where they could be vulnerable to violence such as places they do not know, bushes and dark isolated places. Sex workers also stressed the importance of negotiating with clients, especially being clear about the services and fees in advance of doing business. With regard to services, sex workers explained that it is best not to agree to the 'doggy style' position because you cannot see what the client is doing behind you so it makes you vulnerable. Clients often take condoms off during sex in this position, and can hurt sex workers without them receiving any warning.

Sex workers protect themselves with objects including weapons and knives, but any hard object that can be used

to hit a client over the head if necessary. Sex workers said they inadvertently show the client their weapons, for example when taking lipstick out of the bag. Other strategies that were mentioned were carrying pepper spray and whistles, and keeping a cell phone close at all times. Sex workers protect themselves through their appearance also. They said they try to be smiling and friendly to clients to reduce the risk of violence, avoid wearing mini-skirts during the day, and abstain from using substances whilst working.

4.1.3 Pimps and brothel owners

Pimps and hotel/brothel owners are perpetrators of different sorts of violence against sex workers. This group is particularly economically and sexually violent to sex workers. It was explained that sex workers are often exploited and financially disempowered by them. For example, pimps might pay for sex workers' clothes and hair, but not give them any cash. They also feel a sense of ownership over sex workers. As a result, they expect unsafe sex for free and in many cases they insist on this. Some pimps and brothel owners beat sex workers up and can be emotionally abusive. They do this, for example, by threatening sex workers with bodily harm, arrest or death, and verbally abusing them.

4.1.4 Other sex workers

Sex workers can be jealous, competitive and, at times, aggressive amongst themselves. This study revealed that sex workers experience economic violence (35%) and physical violence (26%) from other sex workers. Sex workers are territorial about their hotspots, locations, and previous clients and demand money from other sex workers that impede their business. Sex workers brag to others about the money they have made, and put down the ones that are successful in business. Some sex workers sabotage each other's business, for example by shouting to clients during a negotiation to pay the sex worker less or badmouthing one, for example by saying she has a disease, until the client walks away. Physical violence ranges from sex workers allowing their peers to come to harm or beating each other up, to actually conspiring to kill or actually killing sex workers, sometimes paying 'thugs' to do so. In Durban, sex workers reported the use of muti (witchcraft) against their peers as well.

“ The thing that causes divisions among us is that we are selfish and inconsiderate toward each other. A person being happy and boasting that she's had five clients, while other sex workers haven't picked up a single one. Forgetting that you left your home to come to work because you are struggling.” ”

What fuels violence?

Certain working conditions and circumstances increase the chances of experiencing violence. A correlation exists between the level of alcohol use and experience of violence. Sex workers who drink alcohol, and/or that have clients that



Working on the streets



Alcohol use



Not using a condom



Working with a pimp

Risk factors

use alcohol experience more violence. The results show more correlations. Sex workers who for various reasons do not use condoms face higher levels of violence. The working location also has an effect: sex workers who work on the street face more violence compared to sex workers in bars, hotels and brothels. Lastly working for a pimp is associated with higher levels of violence.

Prevention strategies and risk mitigation

Study participants mentioned that, although they fight amongst themselves, they also form strong bonds and protect each other. Several examples were given of sex workers coming together to beat up clients who were found abusing one of their peers or trying to steal from them.

“ There were many sex workers and they were beating him, they were beating him until the client you think maybe has died. They were afraid that the client had died. They said ‘no, we must move him here in front of our gates; we must put him there in the streets.’ After that they got a bucket of water, they put the water on him, and he woke up. ”

Peer networks can help protect sex workers against violence. They write down the licence plate when a friend goes with a client in a car; check up on each other if they have been gone for a long time; warn each other about police raids or dangerous clients; stand and walk together for safety; look after each other's money while going with a client; stay near a friend to hear if there is any violence and screaming; or even keep a weapon on them so that they can intervene and protect their friend.

Some sex worker groups are very close, in some cases sharing a room and doing business in the room together, which makes

them safer. These cliques can play a “regulatory” role in terms of who they allow to work near them on the streets, supporting those who are there to make a living, but “chasing away” the ones who they feel are trying to get drug money or stealing or involved in other criminal acts. Although sex worker groups are protective to some, they exclude others which can lead to violence between groups of sex workers.

“ We were just girls, staying together...we always, always looked out for each other. If my friend was not feeling nice today, or the other one was feeling *lekker*⁸, I would go out and make money for us, and come back say ‘Here’s money guys, let’s buy something to eat, let’s do something with the money’. If it was a big cash-in we would share the money equally, even it’s me, even if it’s [name] or whoever comes with the gang...that’s how much we trusted each other. ”

Security guards emerged as an important part of sex workers’ support system. Security guards escort and transport sex workers back home after work, sometimes for a fee and sometimes ‘from the goodness of their hearts’. Security guards also assist sex workers who have been hurt or robbed. At brothels and hotels, security guards make sure clients pay before they leave, don’t allow clients with weapons in and assist sex workers if there is any abuse or violence from clients.

4.2 The role of police officers

Police officers, including police, are commonly perpetrators of violence against sex workers in South Africa. More than a third (39%) of the sex workers in our sample experienced violence from police workers in the past 12 months.

“ I’ll be frightened if I’m walking in town and I see a police van. Like I think I am going to get arrested. I have that fear. We’re not protected by cops at all. ”

Emotional violence

South African police officers follow sex workers around constantly, causing the sex workers to be fearful all the time. Study participants explained how police harass sex workers and threaten to arrest them, usually on illegal grounds. Police verbally abuse sex workers, threaten them with guns and search their bags for no reason, sometimes throwing away their

belongings just to demoralise them. Female police officers are considered worse than male officers in this regard.

MSM and transgender sex workers experience more verbal abuse from police officers. MSM sex workers felt that black male policemen are especially abusive to male sex workers, saying that it is “not in the African culture” for men to have sex with men. Transgender sex workers reported being humiliated and stripped of their wigs and dresses by the police.

Economic violence

More than a third of sex workers (33%) in the sample experienced economic violence from police officers in the past 12 months. Sex workers reported how police steal their money, belongings and sometimes even their clothes. This can be on the street, or during raids in brothels. Sex workers also reported that police often do not log personal items into the logbooks and steal them.

Police also disrupt sex workers’ ability to earn money. Police officers pick up sex workers in busy working hours and keep them in the van while they drive around so that the sex workers don’t earn any money for the night. In exchange for their freedom, police officers demand money and sex bribes. Sex workers reported that the police expect free sex and will threaten, intimidate and arrest sex workers in order to get this. If police are “clients”, most will pay very little. Sex workers think the police feel entitled to free or almost free sex because of their status.

“ We were arrested on a cold, wet winter night. We were put in the van about 4/5 of us. They closed the van, one policeman sprayed with pepper spray while another hosed us with a hosepipe. We were later taken out of the van... led to the green yard... which is the open space before the cell entrance. We were made to stand there for about three hours, with no roof. We were soaked, cold, itching from the pepper spray...our shoes soaked. ”

Physical/sexual violence

Many sex workers in our sample experienced physical violence (39%) and sexual violence (33%) by police officers.

Physical violence happens on the street, in police vans, and in remote areas where police take sex workers. Sex workers report being beaten with a belt, a tree branch or slapped around, whipped with police batons, shot with rubber bullets and pulled by the hair. Some have been thrown into police vans, driven around roughly so that they are thrown around in the

⁸ Afrikaans for good, nice.

back and badly hurt. Sex workers also report being tortured and sexually abused when arrested. For example, the police hose them down, spray them with pepper spray and male officers search them, even their vaginal areas, although legally this should be done by a female officer.

Sexual violence by police includes stripping sex workers, holding male and female sex workers' private parts, illegal vaginal "searches" during arrests, forcing sex workers to exchange sex for their freedom, forcing them to perform oral sex, rape, forcing them to have sex without a condom, ejaculating over a sex worker, and even gang rape. In addition, police officers often refuse to wear condoms so they put sex workers' health at risk.

As well as perpetuating violence themselves, the police often purposefully place sex workers in danger. Police take sex workers off the streets and drive them out to remote places where they dump them and leave them to make their own way home. This is often after raping them and/or stealing their belongings. It was reported that some police refuse to help sex workers on the street, even if they have just been beaten up or raped. For example, they do not call an ambulance or take them to hospital.

“ She was dropped on the side of the street ...naked and with bruises... I called the police.. The police are laughing. And that girl is tied like so....She's naked. And the police are laughing at her. ”

Arrest

Encounters between sex workers and police are, in many cases, surrounded by threats of arrest.

In the past 12 months, 25 percent of sex workers were arrested. Specific grounds for arrest were: because of being a sex worker (52%), carrying a condom (26%), during a police raid (23%) stealing from a client (14%), and soliciting clients on the streets (19%). The average frequency that sex workers were arrested was five times (ranging from 1-45 times) in the past 12 months, and most of them were detained for 24 hours. More than half (60%) of the sex workers had experienced violence on arrest.

In most instances, the arrests are illegal in terms of what the sex workers are being charged with, and the police violate sex workers' rights in various ways. A common form of illegal arrest is arresting sex workers for having condoms using this as proof of being a sex worker. In some cases, police lay false charges against a sex worker once they have them in the cell, by adding extra charges such as robbery, drugs or public drinking. Police sometimes plant drugs on sex workers so they can arrest them for more serious crimes, and fabricate evidence to support this charge. In court, sex workers are intimidated into admitting to being caught red handed with a client although in fact they were arrested illegally. After admitting this, sex workers can be sentenced to seven days

“One time they picked us up and one of the sex workers was back chatting and they told us we would all be punished because of her.

So, the day they picked us up it was raining heavily, they put us in the vehicle, there was about 15 of us and we were squeezed there. We thought they were taking us to the police station. But they stopped the van just by the entrance, in a corner where no one would notice the van because it was dark. We had one pregnant girl and another who has TB. They did not care. All windows were closed. You could not open from the inside. The van was leaking and wet inside...We were screaming to be let out ...and they just sprayed us with pepper spray and left us there. We coughed, choking, crying.

A senior officer was passing by and heard the screams and cries. He opened the van, which they'd also locked with handcuffs. The pregnant girl was the first to get out and started vomiting. The senior officer was appalled, asked who had arrested us, but none of the police were there. A new shift was there.

We did not even know their names because they take off their badges or turn them inside out. The senior was angry, saying they should have arrested us, put us into a cell, not torture us the way they did. Worse, among them [the perpetrators] was a policewoman. He was so upset; he released us and said we must come back the following morning to point out the police that had arrested us. None of us bothered to go back. And maybe because we never went back, they will do it again to others.

In fact, I've heard that they did it to others who they kept in the van for the entire night.”

in prison in a mixed cell with people who have committed all kinds of crimes, even murder and rape.

During arrest, police officers often demand bribes and sex in exchange for release. In this sample, almost half (48%) of sex workers had sex with a police officer, and more than half (60%) paid bribes to avoid arrest. Police demand bribes from clients as well, for example if they catch sex workers with them. During arrest police search sex workers' vaginas for drugs –just to humiliate them. Police may also confiscate health supplies and condoms, which puts sex workers' health at risk.

Seeking police assistance

Sex workers report that they rarely receive protection from police, assistance with their safety and security, or any help with recourse to justice for crimes committed against them.

When they approach police for assistance, many sex workers experience humiliation and verbal abuse. Sex workers feel rejected by police and say that the police make them feel as if they deserve any violence and crime that has been committed against them.

In this sample, 24 percent of sex workers had filed a report of violence with the police. Of this 24 percent, 21 percent of cases had follow up. Sex workers note that police often do not practice confidentiality. At police stations, many have experienced refusal to open a case, and instead face public humiliation. They are laughed at and told that they deserve what happened to them. In some cases they are chased out of police stations.

“ This thing of cops lying. You will see a cop taking you and saying “we are charging you for loitering”, but when you get to the police station, they will add extra charges, like robbery, drugs or public drinking. I remember the other day they had to say “public urinating”, which I had not done. There was another charge that I still don’t understand. Something about disturbing somebody on the pavement. ”

Sex workers have experienced how police protect each other. Police target sex workers (often if that sex worker has refused to have sex with them for free, or defied them in some way) and then instruct other officers in the area not to accept any charges from that sex worker.

A few sex workers gave examples of how they had tried to make a case against a police officer. In some cases, the sex worker had been targeted by other police because of this. In other cases, the attempts to file cases have been futile.

“He came to me and said to me ‘fuck-off from the corner. If you don’t I will arrest you.’ I said to him, ‘Sir, it’s cold. Let me just finish the work and I will go because I have nothing’...He picked me up, he locked me up. At the police station I asked them ‘Can I speak with anyone higher than this policeman?’ They said to me ‘No, you can’t speak to no one here because we don’t have time to listen to you’, I said to him ‘But what do you mean, I have my right to talk, is there anyone else I can talk to? He said to me ‘Hello bitch we don’t want to listen to your story, we don’t have time to listen to bitches’ stories. And then I feel so down because there is no one to uplift me at that moment.”

“I tried to open a case against the cop who violated my rights. He did not only beat me up, he also stripped me. And he held my private parts with his hands, which made me feel very humiliated...So I reported the matter...but it was just a waste of time. Nothing happened. I wasted my time; I wasted my transport money, traveling from Cape Town to Bellville until I gave up. The policeman, according to the officer who opened the case first, said that he was suspended. But I have no proof of that. So I had to just leave it there.”

Results from the survey show that although the majority of sex workers experienced negative behaviour from the police (55%) and were discriminated against (47%), others have received positive assistance from the police (52%).

In a few instances, sex workers reported that they could get condoms at police stations or that policeman helped them after experiencing a crime. Hillbrow police station was reportedly as being friendly to sex workers. In Middenhof, police officers escort sex workers home after they have finished working to make sure that they are safe. In Durban, sex workers reported friendly policemen who could be called upon if they had problems.

Prevention strategies and risk mitigation

To avoid police violence, sex workers build “relationships” (albeit exploitative ones) with the local police. They do this by buying them coffee or food, and by having sex with them for free – before they are forced to do so. They found that by doing this proactively, the police no longer harass them and allow them to do their work in peace. Police can also discourage their colleagues from harassing sex workers, and warn them of police raids.

Sex workers reported several other strategies for avoiding police violence. As sex workers are often arrested for carrying condoms, they hide their condoms, for example in a chip packet. In Cape Town and Durban sex workers give a ‘Dear Officer’ small slip of paper to police officers if they are being harassed. It tells the officer what the sex workers’ rights are, and that, if he is not making charges, he must let them go. Also, a group of sex workers in Johannesburg went to see the senior police staff at their local police station to inform them about the way the junior police officers were treating them. There was an investigation and the strategy helped the junior staff was instructed to discontinue their behaviour.

4.3 Health

4.3.1 Health and services

More than half (57%) of sex workers in our sample were HIV positive. The majority (93%) of them are female, the rest are male (4%) and transgender (3%). More than third (39%) of HIV

positive sex workers do not have regular access to treatment. Limited access of sex workers to health care services hampers efforts to reduce HIV/AIDS. Many sex workers in our sample (32%) experienced discrimination in accessing health services. Sex workers feel judged by health workers, and often experience verbal abuse from them. Half of the sex workers in the sample (50%) were shouted at by a health worker in the past 12 months.

In Johannesburg, a sex worker reported going to a clinic when she was ill. The nurse called her students and told them: 'If you sell your body, then you will be like this'. Other examples were given in which nurses did not follow correct HIV pre- and post-counselling procedure with sex workers and did not honour sex workers' rights to confidentiality. MSM sex workers in many cases face double judgement because of their homosexuality, and are asked, for example, why they are having sex with men. Due to negative experiences in health clinics, sex workers are reluctant to use their local ones and prefer to visit more remote clinics, where people do not know what kind of work they do.

“ I went to the clinic after I had been raped by the brothel manager. He told me that he had given me AIDS. At the clinic I was pricked and then they revealed my results and viral load score in front of everyone in the waiting room. ”

Stigma, discrimination and other forms of violence pose serious risks to sex workers' health in many other ways such as when police officers confiscate health supplies and condoms during an arrest or attempted arrest. Also, when sex workers are forced into unsafe sex, their risk of STIs and HIV/AIDS, diseases and unwanted pregnancies is increased.

4.3.2 Supporting organisations

In this sample, almost all (93%) sex workers are involved with an NGO. Another significant proportion (74%) is linked to a sex worker group.

The sex workers who were aware of Sisonke⁹, Sex Workers Advocacy Taskforce (SWEAT)¹⁰, Women's Legal Centre¹¹ and all implementing partner organisations of the Red Umbrella Programme¹² felt that these organisations play a huge role in making their lives better – by giving them information and support on their rights and providing emotional, legal and health services that they could not otherwise access.

Sex workers consider empowerment the main benefit they gained from these organisations. They believe that Sisonke has made a difference in terms of increasing safety for sex workers. Others report that they no longer give the police free sex because they have learned how to stand up for themselves through Sisonke.

Peer educators are cited as core supporters – they accompany sex workers to the clinic; give them advice and teach them their rights; listen to their secrets; give them condoms; assist with

finding criminals and getting property back or filing charges; ensure proper treatment under arrest; get legal support on their behalf; and assist them in court. Sex workers reported that the sensitisation work carried out by organisations with their clients, communities, clinics and the police has, in some instances, resulted in these groups treating sex workers better than they used to.

“ Now if they want sex for free? No, I can't give them - my body is my business, you understand? You can't arrest me because I refuse to give you sex, you understand? If that's the case you have to rape me then I'm gonna open the case for you, because I don't give you myself if I don't want to. It's not like before, I'm not desperate. You understand, I have a job now, that time I was desperate, but now I have a good job. I don't even care if they say no. You give me money, I give you sex; if you don't have money, I can't give you sex. ”

9 www.sweat.org.za/what-we-do/sisonke/

10 www.sweat.org.za/

11 www.wlce.co.za/

12 www.redumbrellafund.org/

Conclusion.

5. Conclusion

5.1 Conclusion

Sex workers in South Africa face severe violence on a regular basis, both within and outside of their work setting. This violence is economic, emotional/psychological, physical and sexual, and can be fatal in extreme cases. While all forms of violence are damaging to sex workers, they reported that emotional violence (including the stigma and discrimination that they face from all sectors) is the most damaging and painful to them. Many reported that they use drugs and alcohol to deal with their psychological pain (to numb themselves), which leaves them more vulnerable to violence.

Violence is exacerbated by criminalisation, as sex workers do not have access to justice. The relationship between the police and sex workers in South Africa varies but is generally negative. Maltreatment of sex workers is commonplace. Police regularly force their authority upon sex workers by means of sexual violence. In this way, rather than protecting sex workers, police have become an actual threat to sex workers' safety. Protection can be obtained by means of paying bribes, either in money or sex.

Certain working conditions and circumstances increase the chances of experiencing violence. Factors that fuel violence are the level of alcohol use and working for a pimp. Sex workers who do not use condoms face higher levels of violence. The working location also has an effect on violence. Lastly violence is also associated with no condom use.

At this point, the only supportive organizations that assist sex workers with protection and support are their sex worker peers and organisations such as SWEAT, WLC, Sisonke, and Red Umbrella partner organisations.

5.2 Recommendations

This study has three main recommendations:

1. Decriminalisation of sex work in South Africa

South Africa needs to shift from approaching sex work through the lens of criminalisation, towards treating sex work as a form of labour governed with the same rights and responsibilities as other forms of work. South Africa's current legal framework on sex work fails to conform to international, regional or domestic law in relation to violence against women and equality. It enables high levels of abuse and human rights violations by police officials, and no recourse to justice for violence from the police or from any other perpetrators. It is clear that the framework must be reformed to bring the treatment of sex workers in line with South Africa's constitutional obligations, and to reduce police abuse and corruption.

South Africa needs to shift from approaching sex work through the lens of criminalisation, towards treating sex work as a form of labour governed with the same rights and responsibilities as other forms of work.

2. Fostering zero tolerance of violence against sex workers, by effective investigations and prosecutions of perpetrators- and holding the police accountable

Interventions to reduce violence need to include law reform and reform of current police practices. The police system must be made more accountable for addressing internal corruption, abuse and failures to act. To reinforce good police conduct, the police need strong leadership, higher salaries and standards and the removal of incentives such as quotas for arrests.

3. Supporting sex worker movements that build solidarity among and empower sex workers for their own protection.

Empowerment and networking of sex workers is needed so that they are better able to reduce risks of all kinds. Protective support systems, such as community-led and rapid responses are needed to care for victims of violence, but also to prevent violence from happening. When working together, sex workers can protect each other from violent clients, and can assist each other when being arrested by the police. Support and funding of sex worker-led initiatives is crucial for the empowerment of the sex worker community. Furthermore, comprehensive non-discriminatory and stigma-free system systems are needed to support sex workers, including medical support such as Post Exposure Prophylaxes (PEP), but also legal support and advocacy to change penalising laws that impact on sex workers.

“Decriminalisation of sex work... that's the first step, because police need to know that sex work also is work. For us, we see sex work as work but for other people... We don't belong, you know? We don't... So the first step is decriminalisation of sex work and then everyone will be sensitised to understand that we are part of society as we have been here for the longest time, you know? And we not going anywhere.”

References.

References

- [1] WHO, "Addressing violence against sex workers," 2010.
- [2] K. Shannon, S. A. Strathdee, S. M. Goldenberg, P. Duff, P. Mwangi, M. Rusakova, S. Reza-Paul, J. Lau, K. Deering, M. R. Pickles, and M.-C. Boily, "Global epidemiology of HIV among female sex workers: influence of structural determinants," *Lancet*, vol. 385, no. 9962, pp. 55–71, 2014.
- [3] K. N. Deering, A. Amin, J. Shoveller, A. Nesbitt, C. Garcia-Moreno, P. Duff, E. Argento, and K. Shannon, "A systematic review of the correlates of violence against sex workers," *American Journal of Public Health*, vol. 104, no. 5, 2014.
- [4] S. Reza-Paul, R. Lorway, N. O'Brien, L. Lazarus, J. Jain, M. Bhagya, F. P. Mary, K. T. Venukumar, K. N. Raviprakash, J. Baer, and R. Steen, "Sex worker-led structural interventions in India: A case study on addressing violence in HIV prevention through the Ashodaya Samithi collective in Mysore," *Indian J. Med. Res.*, vol. 135, no. 1, pp. 98–106, 2012.
- [5] F. Scorgie, K. Vasey, E. Harper, M. Richter, P. Nare, S. Maseko, and M. F. Chersich, "Human rights abuses and collective resilience among sex workers in four African countries: a qualitative study," *Global. Health*, vol. 9, no. 1, p. 33, 2013.
- [6] WHO, "Violence against sex workers and HIV prevention: Violence Against women and HIV/AIDS: Critical Intersections," 2000.
- [7] M. R. Decker, A.-L. Crago, S. K. H. Chu, S. G. Sherman, M. S. Seshu, K. Buthelezi, M. Dhaliwal, and C. Beyrer, "Human rights violations against sex workers: burden and effect on HIV," *Lancet*, vol. 385, no. 9963, pp. 186–199, 2014.
- [8] J. Arnott and A.-L. Crago, *Rights Not Rescue A Report on Female, Trans, and Male Sex Workers' Human Rights in Botswana, Namibia, and South Africa*. 2009.
- [9] Women's Legal Centre, SWEAT, and Sisonke, "Stop Harassing Us! Tackle Real Crime!: A Report on Human Rights Violations by Police Against Sex Workers in South Africa," 2012.
- [10] J. R. Tracey L Konstant and C., Maria J. Stacey, Michelle L. Stewart, Nogoduka, "Estimating the size of the sex worker population in South Africa, 2013," 2013.
- [11] T. L. Konstant, J. Rangasami, M. J. Stacey, M. L. Stewart, and C. Nogoduka, "Estimating the Number of Sex Workers in South Africa: Rapid Population Size Estimation," *AIDS Behav.*, vol. 19, no. 1, pp. 3–15, 2015.
- [12] M. Richter, M. Chersich, M. Temmerman, and S. Luchters, "Characteristics, sexual behaviour and risk factors of female, male and transgender sex workers in South Africa," *South African Med. J.*, vol. 103, no. 4, pp. 246–251, 2013.
- [13] World Health Organization, "Preventing HIV among sex workers in sub-Saharan Africa: A literature review," *World Heal. Organ.*, p. 35, 2011.
- [14] SANAC, "National Strategic Plan on HIV, STIs and TB 2012-2016," 2011.
- [15] W. H. O. WHO, "Implementing Comprehensive HIV/STI Programmes with Sex Workers," p. 171, 2013.
- [16] SANAC, "Global AIDS response progress report," 2013.
- [17] SWEAT, *National Sex Worker Programme Evaluation BEGINNING TO BUILD THE PICTURE : SOUTH AFRICAN NATIONAL SURVEY OF SEX WORKER KNOWLEDGE*, no. January. 2013.
- [18] Republic of South Africa, "Global Aids Response Republic of South Africa," Ungass, p. 107, 2012.
- [19] U. Global Health Sciences, "Surveillance Systems to Facilitate Malaria Elimination," *Backgr. Pap.*, no. January, 2014.
- [20] SANAC, "National Strategic Plan for HIV Prevention, Care and Treatment for sex workers," 2013.
- [21] M. Richter and P. Chakvinga, "Being pimped out: How South Africa's AIDS response fails sex workers," *Agenda*, vol. 26, no. 2, pp. 65–79, 2012.
- [22] S. Baral, N. Phaswana-mafuya, Z. Kose, S. Schwartz, M. Mcingana, C. Holland, S. Sweitzer, A. Lambert, B. Maseko, and C. Yah, "MAC AIDS prevention of HIV mother to child transmission needs of female sex workers," 2015.
- [23] J. S. and M. C. Fiona Scorgie, Daisy Nakato, Eric Harper, Marlise Richter, Sian Maseko, Prince Nare, "We are despised in the hospitals: sex workers' experiences of accessing health care in four African countries," *Cult. Heal. Sex.*, vol. 15, no. 4, pp. 450–465, 2013.
- [24] C. Gould and N. Fick, "Selling Sex in Cape Town: Sex Work and Human Trafficking in a South African City," p. 214, 2008.
- [25] N. Fick, "Sex Workers Speak Out: Policing and the Sex Industry," *SA Crime Q.*, no. 15, pp. 13–18, 2006.
- [26] P. Boyce and G. Isaacs, "An Exploratory Study of the Social Contexts, Practices and Risks of Men Who Sell Sex in Southern and Eastern Africa," 2011.

Credits and acknowledgements

Authors

Sally Hendriks, lead researcher and manager of the sex work programme at Aids Fonds.

Jerushah Rangasami, social development researcher and founder and director of Impact Consulting.

Research and coordination

Research assistants: Mapule Dick, Nomvakaliso Jali, Chuma Dyasoni, Josiline Bester, Mpho, Nancy, Zethu, Hazel, Fikile, Zanele, Siphso and Gregory.

Impact Consulting research team: Lindy Dlamini, Tracey Konstant, Anja Mulder, Maria Stacey.

Academic supervision and support: Lorraine Nencel, Rui Cai and Ineke Nagel.

Coordination: Maud Mogale, Pamela Chakuvinga and Ingeborg van Beekum.

Acknowledgements

This research was conducted by research assistants with funding through the Hands Off! programme (Aids Fonds) from the Netherlands Embassy in Maputo. We thank the Sisonke South Africa and North Star Alliance for introducing us to its members and communities. We thank all the sex workers involved in this study for agreeing to participate and generously sharing their experiences.

Editing

Juliet Heller

Production

Alice Verleun

Graphic design

De Handlangers, Utrecht (report)

Gaafisch, Amsterdam (icons)

Published

July 2016

Copyright © Aids Fonds

hands OFF! ☂ hands OFF! ☂

