



Sex Work, Stigma and Violence in the Netherlands

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* In the original Dutch version of this research, 'stigma' was not part of the title. However, upon request of the sex work community 'stigma' was added to the title of the research.

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Summary

Research shows that sex workers worldwide experience stigma and violence. To find out to what extent sex workers in the Netherlands experience violence, PROUD, the Dutch union for and by sex workers, and Aidsfonds - Soa Aids Nederland researched this. A total of 308 sex workers participated through questionnaires, in-depth interviews and focus group discussions. These participating sex workers work across the country at various workplaces. Their gender, age, work experience and background are diverse. The respondents engage in this work either to earn money, because they enjoy it and/or because it offers flexibility. Most respondents said they were satisfied with their job for more than half the time or always.

Participatory research

In this study, current and former sex workers played a major role in setting up the research design, as well as collecting and interpreting data.

Degree of violence

For this research, we defined four forms of violence: physical violence, sexual violence, financial-economic violence and social-emotional violence. The sex workers in this research were asked whether they had experienced violence in the past twelve months and which forms those had been. 60% said they had experienced physical violence, 78% sexual violence, 58% financial-economic violence and 93% social-emotional violence.

Forms of violence

Sex workers said that they thought of violence mainly in terms of physical and sexual violence. Physical violence varies from having one's hair pulled and pinching to severe abuse. Sexual violence goes frequently hand in hand with physical violence. For example, someone can be forced through (threat of) physical violence to perform certain sexual services that were not agreed to beforehand. Sexual intimidation is particularly common. Almost three out of four sex workers experienced it over the last year. More than half of them experienced financial-economic violence. For example, it happens frequently that clients refuse to pay or steal money. A quarter of the sex workers experienced financial and/or economic exclusion. They were, for example, refused by a bank or insurance company due to their work. The form of violence sex workers most frequently experienced was social-emotional

violence. Sex workers must frequently deal with intrusive and unwanted questions, harassment and humiliation as well as violations of their privacy and stalking.

Sex work stigmatization

Social-emotional violence as well as other forms of violence often stem from the stigma attached to sex work. This stigma has a great impact on how sex workers in the Netherlands act and are being treated. For many sex workers, stigma is the key motive why they choose to remain anonymous. By keeping their work hidden as much as possible, they try to prevent violence being perpetrated against them. They do not disclose their profession to their bank or insurance company for fear of being refused service. Sex workers argue that as long as friends, family, neighbors or agencies are unaware that they engage in sex work, they cannot condemn, exclude or – as happens, too – extort them. Sex workers are also afraid of its possible repercussions for their families. However, they often find living such double lives difficult. Moreover, they feel less safe precisely because almost no one knows about their work. For instance, they cannot share it with anyone when they go to see a client.

Perpetrators

The largest category of perpetrators of violence against sex workers are clients. This applies to all forms of violence. Other perpetrators that were frequently mentioned are: fellow sex workers, tourists or passers-by,¹ friends or acquaintances,

¹ This applies, for instance, to sex workers working behind a window in red light districts. The Amsterdam red light district is a very popular tourist attraction. (Translator's note, hereafter TN)

intimate partners, boss, employer or operator, and family. Authorities such as the police, tax offices, municipal governments and the Chamber of Commerce were also mentioned, for example, for their offensive or intrusive questions or violations of sex workers' privacy.

Factors related to violence

Based on the quantitative data, we examined which factors were related to the risk of violence. For example, are younger sex workers, sex workers at a specific workplace or migrant sex workers at greater risk than others?

Data analysis showed significant results for a number of factors, especially for substance use (both by sex workers and their clients), legality and workplace location. Sex workers who occasionally used substances over the last twelve months were at greater risk of experiencing violence. The risk increased for sex workers with clients who occasionally used substances. In addition, sex workers who are not, or not always legally licensed to work were at greater risk of experiencing violence. The workplace location, too, showed many factors that, depending on the respective location, either significantly increased the risk of experiencing violence or provided greater protection. Working at a massage salon, hotel room or home was found to greatly increase the risk of experiencing violence. Working at a window brothel, *privéhuis*² or streetwalking area provided a significant number of protections.

Significant results were also found in connection to being "out" (being open about engaging in sex work), as well as sex workers' language, origin, age and gender. To a lesser extent than the factors above, being out to one's family, friends and neighbors, for instance, was shown to increase the risk of experiencing violence, whereas being open to one's own adult children and intimate partners rather provided greater protection. While

consistent condom use during vaginal, anal and oral sex also provided greater protection, not speaking the Dutch language and/or not being born in the Netherlands was associated with a greater risk of experiencing violence. Younger sex workers were found to experience a greater number of different forms of violence compared to their older colleagues, especially where forms of sexual and social-emotional violence were concerned. This also applied to male and transgender sex workers, who were significantly more likely to experience certain forms of sexual violence than female sex workers.

Reporting

While in the past year, almost all respondents were exposed to one or more forms of violence, with just one in five, only a very small number reported this to the police. An important reason is that sex workers feel the need to remain anonymous. They fear that reporting crimes committed against them will have adverse consequences. Moreover, they are afraid that the police do not take them seriously or that reporting crimes will prove useless. Sex workers point out that clients know that sex workers will not readily report violent acts committed against them.

Legislation and policy

Sex work legislation and policies in the Netherlands are not aimed at protecting sex workers but rather have detrimental effects on their safety. For instance, current laws and regulations considerably raise the threshold for reporting crimes committed against them. The focus of current policies on countering human trafficking and non-licensed prostitution plays a role, too, as does the fact that the number of licensed workplaces is steadily decreasing. For sex workers who want to work independently, possibilities to work in licensed settings are very limited. Therefore, many sex workers operate outside the licensed sector which restricts their access to (labor) laws. This in turn increases the risk of experiencing violence and being exploited.

² 'Privéhuis' (literally private home) is a brothel that is smaller and more affordable compared to larger luxury sex clubs. Originally, a *privéhuis* was a single-family house or apartment, a private home converted into a sex establishment, which offered a small staff, limited or no special services and no full bar service. Typically, it didn't charge a 'club entry fee'. TN

Discussion

This research has shown that many sex workers in the Netherlands experience violence. Follow-up research is needed to investigate in more detail the risk factors, ways to reduce violence as well as the severity and intensity of different forms of violence, e.g. social-emotional violence.

Recommendations

Based on this research we make the following recommendations for reducing violence against sex workers in the Netherlands:

- Make sex workers the center of prostitution policies and address violence against sex workers.
- Lower the threshold for filing police reports.
- Decriminalize sex work so that all sex workers have once again access to (labor) laws, thereby reducing the risk of violence.

Chapter 1

Introduction

This report addresses violence against sex workers in the Netherlands. This chapter describes the central questions as well as the reason for undertaking this research.

Research question

This study's main research question is to what extent sex workers in the Netherlands experience violence. To answer this question, we first examine how the participating sex workers define violence. Then we examine which forms of violence sex workers experience and the level of their experiences. Next, we examine the various risk factors and the perpetrators. Lastly, the report describes the role of the police, legislation and policies in relation to violence against sex workers.

Reason for the research project

Many sex workers experience violence. This impacts their social position, working conditions and health. There exists a link between criminalization of (forms of) sex work and the risk of violence.³ The different forms and levels of violence that sex workers experience range from physical and sexual violence to stigma, discrimination, intimidation and financial exploitation. The perpetrators of violence are clients, colleagues, partners, employers, agencies, family and neighbors, police or other representatives of authorities. In some cases, legislation and policies facilitate violence against sex workers rather than protect them against it.⁴

In recent years, Aidsfonds - Soa Aids Nederland, in cooperation with partner organizations, has conducted research into violence and stigma against sex workers, the risk factors as well as the link with HIV in various countries in (Southern) Africa. Though violence and discrimination of sex workers happen everywhere, these particular aspects have not been sufficiently researched in the Dutch context. To gain insight into the scope and forms of violence perpetrated against sex workers in the Netherlands, Aidsfonds - Soa Aids

Nederland and the Dutch sex workers union PROUD decided to conduct this study. The research was funded by the Dutch Ministry of Justice and Security. The results of this participatory research project may serve as the basis for materials and activities to prevent violence against sex workers. They can also aid the adjustment of legislation and policies in order to reduce the risk of violence.

3 Deering, Kathleen N., et al. "A systematic review of the correlates of violence against sex workers." *American journal of public health* 104.5 (2014): e42-e54.
4 Amin, A., C. Overs, and P. Saunders. "Violence against sex workers and HIV prevention." *Violence Against Women and HIV/AIDS: Critical Intersections* 1.6 (2005)

Chapter 2

Sex work in the Netherlands

This chapter describes the context of sex work in the Netherlands. First, it provides a definition of sex work. Next, the sex workers union PROUD offers its vision on sex work, violence and the relevance of this research. Thereafter, we explain the main subject matter, violence and sex work, and how the current sex work legislation and policies in the Netherlands are designed.

2.1 What is sex work?

What is sex work, and what is the distinction between sex work and human trafficking? Sex work is providing sexual services in exchange for money or goods. Sex workers are women, men and transgender people working in the erotic services sector. They earn their living in full or in part with sex work. They choose this work from the (most lucrative) options available to them.

Hence, sex work is not human trafficking. Human trafficking is the recruiting, transporting, transferring, boarding or housing of a person, using force (in the broad sense), for the purpose of exploiting that person. (Intended) exploitation of a human being is the essence of human trafficking. In the sex industry, exploitation happens, for instance, when someone works in prostitution involuntarily for the benefit of someone else. We also speak of exploitation when someone working voluntarily in prostitution must hand over earned money to an intermediary that brokers for this sex worker. However, human trafficking and exploitation exist in numerous market sectors, in the Netherlands, for instance, in agriculture and horticulture. Often, the terms 'sex work' and 'human trafficking' are used interchangeably. In this study, we focus exclusively on women, men and transgender people working in the sex industry who chose this form of livelihood from the (most lucrative) options available to them.

2.2 Sex work, stigma and violence

In this section, we describe the background of and previous research into stigma and violence against sex workers. We also briefly address violence against people in other professions.

Background of sex work, stigma and violence

Several studies show that globally, sex workers experience stigma and violence to a high degree. The exact extent of the problem is difficult to assess. Worldwide, a large number of sex workers point out that they had multiple experiences of stigma and violence at work.⁵ Research in Southern Africa shows that 79% of sex workers experience physical violence, 72% economic violence, 77% sexual violence and 89% emotional violence. Street-based sex workers and sex workers using the internet are at greater risk, similar to sex workers who disclose their job, sex workers who have been arrested and sex workers who use substances.⁶ The causes of violence are often linked to criminalization and the hence increased vulnerability to violence. This indicates that the risk of violence is greater when sex work is entirely or partly criminalized. As we described above, there are different forms and sorts of violence. Perpetrators belong to different categories including clients, colleagues, and friends or passers-by, but they can also be representatives of the authorities.⁷

Violence hampers the rights of sex workers and threatens their health. Violence can lead to abuse. Besides the different sorts of physical injuries it causes, violence also impacts sex workers' mental health and well-being.⁸ Moreover, violence increases sex workers' vulnerability to sexually transmitted diseases (STDs) and HIV. Internal injuries caused by violence increase the chance of infections. A client can also use violence and threats as leverage for

5 Reza-Paul, Sushena, et al. "Sex worker-led structural interventions in India: a case study on addressing violence in HIV prevention through the Ashodaya Samithi collective in Mysore." *The Indian journal of medical research* 135.1 (2012): 98-106.

6 Aidsfonds. "Hands Off! Sex Work and Violence in Southern Africa" (forthcoming)

7 Amin, A., C. Overs, and P. Saunders. (2005)

8 Beattie, Tara SH, et al. "Violence against female sex workers in Karnataka state, south India: impact on health, and reductions in violence following an intervention program." *BMC public health* 10.1 (2010): 476.

free, unwanted or risky sexual services.⁹

As an issue of interest, violence against sex workers has so far received little attention in the Netherlands. Worldwide, however, the assumption is that effective policies, measures and programs for sex workers should include strategies for violence prevention. Various programs have developed methods to reduce violence against sex workers at different levels, ranging from educational materials with safety tips and workshops for sex workers about law and violence to warning systems and widespread community mobilization.¹⁰ Such holistic programs for sex workers that focus on violence do not yet exist in the Netherlands. In the past years, the focus here has mainly been on countering human trafficking, exit programs for sex workers, and, to a lesser degree, STI prevention as well as on improving the position of sex workers. Therefore, more insight is needed into the nature and scope of violence against sex workers in the Netherlands. This research provides the first thorough examination of this issue.

Other professional branches and violence

It is important to be aware of the fact that sex workers are not the only professional group in the Netherlands for which violence is an issue. The 'Monitor Veilige Publieke Taak [Monitor Safe Public Function] 2016' report shows that in 2016 more than a third of all public employees were exposed to (one or more) forms of aggression by third parties. Most cases involved intimidation (more than one in four employees), followed by physical violence (almost one in six), sexual harassment (one in ten) and bullying (almost one in fourteen). A number of branches stand out: aggression and violence by third parties were relatively common in health care, law enforcement and public transport. Almost two thirds of the employees working in ambulance services and at the GGZ [Municipal Public Health Care] had to deal with aggression and violence by third parties. In 2016, more than half of the employees in care for people with disabilities, youth care, law enforcement, public transport (municipal and regional) and public rail transport experienced violence.¹¹

Other examples are staff members in psychiatry and youth care. A study into violence in psychiatry

The vision of PROUD

At PROUD Nederland, we represent the interests of all those who earn money, goods and/or who obtain other means with providing sexual services. Automation and digitization have changed the playing field beyond the globally known sectors as window prostitution, privéhuis and/or street-based prostitution. Globally, people work increasingly online and are not always at one and the same place but migrate from city to city. Internationalization has spread among sex workers, too. Besides the classic forms of sex work, there is now the 'girlfriend experience' and thus the sugar daddy model. As the industry evolves in all its diversity, there are still other, additional hybrid forms of sex work.

Advocacy groups and their partners in the sex work chain, both in the Netherlands and abroad, must adapt to these more recent, rather uncharted forms of sex work and sex workers' related needs and wishes. There is catching up to do, certainly in the area of safety and violence prevention. Of great importance thereby are the structural cooperation and interconnectivity between, on the one hand, social organizations committed to the welfare, rights and health of sex workers, and, on the other hand, public health services, law enforcement, and the government.

Stigma and sex work discrimination exist in all countries regardless of the legal status of sex work. Stigma is a form of structural violence. As long as stigma is attached to sex work, it will never be an occupation like any other.

The results in this study have been obtained through peer-to-peer interviews. The security that this has given to sex workers and the feeling to be able to speak freely with a peer without being judged were crucial factors of this research, which have certainly contributed to obtaining broader insights. Indeed, countering all forms of violence is done most effectively in consultation and cooperation with sex workers and their organizations. In previous programs, in making and implementing policy, sex workers were not sufficiently involved as equal partners. Let this research be a turning point.

Violence incidence has increased worldwide due to various causes. Polarization and the resulting decrease in the acceptance of minority groups represents a global issue. Sex workers work and live often at an intersection where one can belong to multiple groups that disproportionately face violence. For instance, LGBTIQ+ people, women, migrants and refugees. Among sex workers in the Netherlands, we see groups overlap and fuse, like male and transgender sex workers, or women who are at the same time migrants and/or refugees. Due to this blend, they are more often than others exposed to violence. All members of our PROUD target group feel safe to share their frontline problems with us since, at PROUD, we personally belong to these groups.

9 Shannon, Kate, and Joanne Csete. "Violence, condom negotiation, and HIV/STI risk among sex workers." *Jama* 304.5 (2010): 573-574.
10 WHO; UNFPA; UNAIDS; NSWP; World Bank; UNDP. "Addressing Violence against Sex Workers" in *Implementing comprehensive HIV/STI programmes with sex workers: practical approaches from collaborative interventions*. (2013): 19-38.
11 Zwieteren, M. van, E. de Vroome, and S. Bossche. "Monitor Veilige Publieke Taak 2016." [Subtitle in translation: "Research into the nature and scope of aggression and violence against employees in the public sector in 2016."] Report by the Netherlands Organisation for Applied Scientific Research (TNO) commissioned by the Dutch Ministry of the Interior and Kingdom Relations (2017)

shows that in the past five years, 67% of caregivers in this sector (including nurses, group attendants, physicians and therapists) were once or more often victims of (or threatened with) physical violence or arson caused by a patient.¹² A 2017 study of staff members in youth care shows that 89% of them faced aggression. Two thirds faced serious forms of aggression like threats, sexual intimidation, discrimination or physical aggression. An urgent letter to the Ministry states that youth caregivers find their work demanding and responsible but definitely rewarding, too. It is work they would like to keep doing.¹³

In summary, for various sectors, experiencing violence at work is a serious issue that deserves attention. However, despite the risks, working people do not automatically consider violence a reason to quit their job.

2.3 Legislation and policies

In this paragraph, we explain the legislation and policies in the Netherlands regarding sex work.

Lifting the Brothel Ban

On 1 October 2000, following decades of the brothel ban not being enforced,¹⁴ which facilitated the rapid growth of a nationwide sex industry, and after nearly twenty years of legislative discussions, the 90-year old ban was removed from the Criminal Code. Since then, running a sex business for voluntary prostitution by adult persons is legal and locally regulated. There is no general prostitution law yet. Prostitution policy as well as the implementation of local licensing systems were, and still are, left to the municipalities. In the Netherlands, sex work in general and individual sex workers are not criminalized.

The earliest discussions about lifting the brothel ban go back to the second feminist wave in the 1980s. Based on the right to self-determination, women should be allowed to decide individually whether or not they wanted to work in prostitution. Not prostitution had to be countered but coercion and violence. Later, municipalities saw a growing need for the regulation of the expanding commercial sex sector. It was also believed that abuse would be easier to counter if operating a licensed sex business was disconnected from illegal exploitation in prostitution. Thus, lifting the brothel

ban had, generally speaking, three goals: regulating voluntary prostitution; countering abuse of human beings such as trafficking in human beings and prostitution by minors; and improving the position of sex workers.

Human trafficking, minors and recruiting foreign sex workers

Simultaneously with lifting the brothel ban, the human trafficking article in the Criminal Code was tightened and penalties were reinforced. Article 273f outlaws all forms of coercion, (threat of) violence, extortion, deception or abuse of preponderance with the intention to exploit someone working in prostitution.¹⁵ It also forbids benefiting from the prostitution of someone working in forced conditions. For the law, human trafficking occurs whether or not trafficked persons are (made) aware that they will be working in prostitution, have previously worked in prostitution, or want to work or keep working in prostitution under free circumstances. In case of prosecutions, law enforcement or a public prosecutor occasionally demand from trafficked persons to stop working in prostitution as this would make cases easier to prove. However, the law offers no ground for this practice.

In the case of minors (persons under 18), article 273f does not require proof of coercion since any form of recruitment for and exploitation of prostitution by minors is a crime, whether or not deception, coercion or violence are used. Initially, criminalization also applied to all recruitment of adult sex workers abroad. Even if there is no form of coercion or deception involved, the Dutch human trafficking law says that recruiting, or transporting someone from another country to the Netherlands to work in prostitution, is a crime. However, this contradicts the principle behind lifting the brothel ban. The principle says that exploitation of prostitution is only illegal when the person works involuntarily. This discord had to be tried in court more than once until in 2015, the Supreme Court of the Netherlands decided in the last instance that 'recruiting or bringing' foreign sex workers into the country is only a crime when there is exploitation involved.¹⁶ Though the human trafficking law does not state this explicitly, the intention of exploitation must be implied. For example, booking a flight ticket for a Hungarian sex worker to work in the Netherlands in itself represents insufficient grounds to be convicted for human trafficking.

12 Harte, J. M., R. Theeuws, and ME van Leeuwen. "Geweld in de psychiatrie." *Wel of geen aangifte doen* (2011): 734-745.

13 Jeugdzoorg FCB "Factsheet Agressie Jeugdzoorg 2017". FCB, Utrecht (2017).

14 Memorie van Toelichting (Explanatory Memorandum) for the bill that would lift the brothel ban. July 1, 1997

15 The previous article (250a) of the Dutch Criminal Code was replaced by a new and extended article (273a) on 1 January 2005 to include all forms of trafficking, and in all employment sectors.

16 Hoge Raad, November 24, 2015, ECLI:NL:HR:2015:3309, and May 17, 2016, ECLI:NL:HR:2016:857.

Finally, clients of sixteen- and seventeen-year old sex workers are now punishable, whereas clients of sex workers under sixteen years of age were already criminalized.

Migrant Sex Workers

Lifting the brothel ban meant that sex work was legally recognized as labor. Ever since, sex workers from all countries in the European Union can legally work in the Netherlands under the same conditions as Dutch sex workers. However, sex workers from outside the European Union (EU) cannot receive a Dutch sex work permit. Under the Dutch Alien Employment Act, prostitution is the only labor sector in the Netherlands that bans aliens.

The Licensing System

Most municipalities have a licensing system for sex businesses in place. Initially, a license would mainly be granted to businesses that existed prior to lifting the brothel ban, and their total number at that time was fixed as the future maximum. In consequence, existing operators held a monopoly position. There was hardly room for innovation, for example for sex workers who wanted to start their own businesses. To obtain and keep a license, companies must comply with the health and safety requirements and maintain a clean (police) record. The license requirements are laid down in the municipal General Local Ordinance (APV).¹⁷ A business not complying with license requirements can be closed. Not all municipalities have a licensing policy and policies are not identical. In some cities, escort agencies must be licensed, whereas in others they need no license. There are municipalities that effectively try to ban sex businesses entirely with requirements that cannot be met. Almost a quarter of all municipalities have a zero policy in place, meaning all forms of sex business are banned.

Streetwalking has been banned almost everywhere. There are but a few cities left with a streetwalking zone. Typically, sex workers must have a permit to work there.

Like all self-employed people, self-employed sex workers, for instance those at a window brothel, must be registered with the Chamber of Commerce. They can use the 'personal services' category to protect their privacy.

Work at or from Home

In many cities, it is illegal to work at or from one's residence, for instance as an in-call or out-call escort. Sex workers working at or from home risk

finances, being outed, and possibly (being threatened with) evictions. Some cities allow 'home-work' only if it does not resemble the operation of a business. What this exactly entails is not clear and can differ in each municipality. Usually, the bottom line is that sex workers must be registered with the city as living at the address where they work, that they work strictly alone, and that they do not, or only occasionally, advertise. Working while a colleague or partner is at the residence, for example for safety reasons, is considered operating a business and requires a permit. Still other cities require home-workers to apply for a permit, which means that their names and addresses are made public in local newspapers and on municipal websites, at the expense of their privacy and safety. In any case, the likelihood of getting a permit is minimal. Municipalities lay down the home-work rules in their APV. Zoning regulations, too, may prohibit home-work (or other forms of sex work).

The police try to trace home-workers on advertising sites such as Kinky and Hookers. Officially, this is meant to trace trafficked persons but in reality, it mainly affects independent home-workers. Therefore, home-workers are not eager to call the police for help when something goes wrong. After all, they would risk losing their income or residence.

The Opting-in Regulation

Since 2008, most operators in the indoor prostitution branch must work with the so-called Opting-in regulation.¹⁸ The Opting-in is an agreement between operators and the tax office that puts independent sex workers in a labor position between salaried employment and self-employment. Clients pay the operators. The operators pay the sex workers after withholding 21% VAT and the income tax, and after taking out their share (usually 40-50% of what clients pay). Sex workers are neither employed by the operator nor self-employed. They are not insured for unemployment or disablement nor do they enjoy labor protection like other regular employees do. They also do not have the rights of self-employed people, for instance tax reliefs for self-employed people. Instead, as a sort of expense allowance, sex workers do not pay taxes on the first 20% of their gross earnings (the so-called '20% rule'). The Opting-in regulation for the organized branch of the sex industry comes with a set of 'conditions' that do not allow operators to interfere with the work of sex workers. Sex workers are free to set

¹⁷ Algemene Plaatselijke Verordening [General local regulations]

¹⁸ The Opting-in is a tax ruling. Its only purpose is collecting taxes from all sex workers in the licensed branch of the sex business. It was negotiated from 2006 to 2008 between the tax office and representatives of sex workers, operators and their tax consultants. TN

their work hours and fees, accept or reject clients, determine which services they do or do not offer, and choose their outfits. In reality, there is no control on compliance with this non-interference and sex workers complain about being poorly informed about their rights as spelled out in the conditions. One Opting-in advantage for sex workers is that operators must file and pay their taxes. Sex workers have no such administrative duties.¹⁹

Opting-in regulations also exist for other professional freelance groups, among others for pastors and members of parliament. Extraordinary for the prostitution branch is that sex workers in the licensed sector have no other choice than this hybrid labor relationship, labeled 'fictitious' (salaried but unemployed), because the tax office imposes the Opting-in regulation on operators. However, since 2015, the tax office allows sex workers to work as independent contractors at a few clubs and *privéhuizen* by just renting a room there.²⁰ In theory, a payroll construction is an option in licensed sex businesses, but it is not applied.

A new prostitution bill: registration, raising minimum age, and permit requirement for home-work

Since 2008, there is a new prostitution bill under discussion. This law, named 'Regulating prostitution to counter abuses in the sex sector,' is known by its acronym WRP (Wet regulerend prostitutie). It is supposed to ensure that all municipalities follow a uniform licensing policy. Central in the original bill were the introduction of a national sex workers register, mandatory registration for sex workers and the criminalization of unregistered sex workers and their clients. The registration requirement met with such critique from sex workers, health professionals, social workers, researchers and lawyers – the State Council also viewed it negatively – that the bill eventually stranded in the Senate, among other reasons due to a conflict between Dutch and European privacy legislation. Furthermore, the bill required a license for all forms of sex work as well as an increase of the minimum age for sex workers from 18 to 21 years. At this time, the bill, amended without the registration requirement, has stalled in the Senate and the current government wants to amend it once more. Still set on sex worker registration, it tries to require from sex workers an intake interview at the Municipal Health Service (GGD). Another requirement is the licensing of all

forms of sex work, including independent home-work and escort services. Furthermore, there are plans for a so-called 'Pimping ban' that would, in addition to what the human trafficking law already encompasses, "criminalize everyone involved for financial gain with the unlicensed business of providing sexual services," as the current cabinet announced.²¹ And, finally, there was a bill introduced to criminalize clients of probable victims of human trafficking.

Despite the Senate's rejection of the registration requirement, a number of municipalities nevertheless made an attempt to implement this locally. However, since it would involve sensitive personal data, the permission from the Personal Data Protection Authority would be required. So far, this permission has been refused.²² Therefore, municipalities are not even allowed to register sex workers through a required intake interview at the police or GGD. Ahead of the new law, many municipalities already raised the minimum age for sex work to 21 years.

The position of sex workers

Various evaluations show that of the three objectives for lifting the brothel ban, the objective to improve the social and labor position of sex workers is falling short. For example, sex workers still have issues with opening business bank accounts or taking out mortgages. Working independently, i.e. without an operator as intermediary, has also become more difficult. The authorities' one-sided emphasis on countering human trafficking boosts the sex work stigma and makes that (female) sex workers are increasingly seen as helpless victims that must be controlled, protected and rescued. Furthermore, since 2000, when the brothel ban was lifted, the number of licensed sex businesses has sharply decreased. Almost one third of the window brothels have closed, often under the pretense of warding off human trafficking. Many measures that are supposedly taken to counter trafficking in human beings have an adverse impact on the entire legal branch of sex businesses, cause more illegality, increase the risk of abuse and make labor conditions less safe. As a result, sex workers increasingly oppose such policies. They assert their right to be recognized as normal professionals and be afforded the same rights that apply to other working citizens.

¹⁹ Except filing their income tax return once a year. TN

²⁰ They work as ZZPs, or *zelfstandige zonder personeel* (independent contractor without employees)

²¹ Government's declaration, November 1, 2017

²² See, for instance: Autoriteit Persoonsgegevens "AP: Den Haag mag persoonsgegevens prostituees niet registreren." (18 September 2017). URL: <https://autoriteitpersoonsgegevens.nl/nl/nieuws/ap-den-haag-mag-persoonsgegevens-prostituees-niet-registreren>

Chapter 3

Research methods

The research project *Violence Against Sex Workers* is a participatory effort. In this chapter we explain what this means. We examine the quantitative and qualitative research methods that were used and describe the data collection method as well as the research population.

3.1 Participatory research

This research into violence against sex workers was a participatory effort. This means that sex workers took an active part in every research aspect: from hiring the researchers and determining the subject matters to collecting and interpreting data and writing the report. As a result, this research properly captures the daily practice of sex workers in the Netherlands. The appropriate subject matters were addressed and sex workers were asked questions in an appropriate way. A team of nine current and former sex workers was trained as research assistants. For the quantitative part of the research, they used a questionnaire to gather data from 299 sex workers. Since they had personal experience with sex work (and possibly with violence), respondents were relatively comfortable with answering sensitive questions sincerely. The research used various research methods (mixed methods). In addition to the quantitative data, qualitative data were gathered in focus group discussions with the research assistants and furthermore through in-depth interviews.

3.2 Quantitative methods

To gather the quantitative data, we developed a questionnaire with mainly closed questions. Starting point was the standard questionnaire for violence and stigma used in earlier research projects. This would let us compare our data with those from other countries. This standard questionnaire is based on internationally standardized questionnaires and was developed in cooperation with the Vrije Universiteit van Amsterdam (VU University Amsterdam). Using the results of two focus group discussions with our research assistants as well as the results of a number of test runs, the standard questionnaire

was adapted to the Dutch context. Our definitive questionnaire consisted of 57 questions that were broken down in sub-questions. The total number of questions was 330. The questions were divided into five sections: respondent profile (90 questions), violence (173 questions broken down in sub-questions about physical violence, sexual violence, financial-economic violence and emotional violence), experiences with the police (22 questions), prevention strategies (19 questions) and networks (26 questions). Answering a questionnaire took about one and a half hours. After the questionnaires were imported, the full dataset was screened on missing and faulty data. Anomalous input was re-checked in the questionnaires and corrected. The data analysis was performed using SPSS and R-software.

For the analysis of questions about violence and factors that influence violence, the dataset was dichotomized.²³ For the degree in which the various forms of violence occurred, we computed the percentage of respondents that had experienced the relevant form of violence at least once in the past year. For the analysis of factors that influence violence, logistical regression analyses were performed with a corresponding odd ratio (OR) and calculated probability (p-value) as outcome and a cut-off value of (p <0.100). With respect to validity, we offer in this report no results with a higher p-value.

²³ This means that sex workers who experienced one particular form of violence at least once in the past 12 months were coded as 1 (regardless of the perpetrator, frequency and intensity), while sex workers who did not experience this form of violence in the past 12 months were coded as 0.

3.3 Qualitative methods

For the qualitative part of the research we conducted nineteen in-depth interviews. The sex workers who were interviewed varied in gender, came from across the country and practiced different forms of sex work. Interviews lasted one hour on average. During the interview, sex workers were asked to define violence, relate their experiences with violence, and give recommendations on how to prevent violence. The interviews were recorded, transcribed, encoded and analyzed with DeDoose software. Furthermore, four substantive focus group discussions with sex workers were held. The first two discussions dealt with the research design and questionnaire content. During the latter two, we discussed data interpretation. Other valuable information gathered by the research assistants was brought to the focus group for discussion and could be read in notes that the assistants had made during their personal sessions with respondents. Some open questions in the questionnaire provided additional qualitative information and valuable examples.

3.4 Data collection

The respondents for this study were recruited with the snowball method by distributing flyers during fieldwork in streetwalking areas, window brothels, clubs and privéhuizen, through GGDs, other agencies used by sex workers, as well as on the internet (the PROUD website, Twitter and Facebook). We asked each respondent whether they knew other sex workers who might be interested in participating. In this way, we succeeded in reaching a large and diverse group. To warrant heterogeneity and to enable comparison between groups, we identified groups prior to collecting data. During data collection, the number of respondents from the various subgroups was monitored to ensure that each group was sufficiently represented. If needed, we made adjustments. Participation was open to all sex workers (licensed and non-licensed) who worked in the Netherlands at the time of this research endeavor. All forms of sex work were included, with the provision that sex workers had to have real-life contact with clients. Therefore, sex workers working exclusively on webcams or by telephone could not participate. The questionnaire sessions were conducted in either Dutch, English or Spanish. Sex workers not fluent enough in any of these languages could not participate. Respondents agreed to participate by signing a

consent form. At the end of the interview they received €50 as an expense allowance. The interviews were conducted between January and September 2017.

3.5 Research population

For the quantitative part of the study, 299 sex workers were interviewed. They worked throughout the Netherlands and varied in gender (cis-male, cis-female or other²⁴), work location (streetwalking, window, club, home-work, etc.), country of origin, and legal circumstances (always legally licensed, sometimes legally licensed or never legally licensed²⁵).

Three quarters of the sex workers in this study identified as female (75%), 15% as male and the remaining 9% as other. Respondents were between 18 and 72 years old; the average age was 38. Slightly more than a quarter (29%) had been working for four years or less, 22% had five to ten years of work experience, 26% were working between 11 and 21 years, and 24% were working 22 years or longer. The group's education level was comparable to that of the general Dutch population. The sex workers who participated in this research came from 42 different countries. About half (52%) was born in the Netherlands. A substantial part was born in Central and South America (20%) and Southern and Eastern Europe (16%). Other respondents came from Asia (3%) and Africa (3%). One respondent came from Oceania (Australia). The sex workers were working throughout the country, both in and outside urban areas.

The average age at which the respondents first engaged in sex work was 25 years, varying between 15 and 65 years. The median number of weekly hours that sex workers participating in this research were working was 27.²⁶ A little less than half of them had a second job where they worked for an average of 21 hours per week. Sex workers in this study had an average of fourteen clients per week. More than half (54%) said they always used a condom for oral, vaginal and anal sex. Sex workers in this study had STI and HIV tests done three times a year on average.

The reasons for engaging in sex work differed. Financial motives were mentioned most often.

24 In this study, we compare the three groups, namely cis-female, cis-male and other sex workers. The latter category comprises, among others, trans-females and trans-males.

25 The differences between these working circumstances are explained below.

26 This means that half of the sex workers work less than 27 hours per week and the other half more than 27 hours.

245 respondents (84%) said they engaged in sex work so they could make a living on their own. Two-thirds (67%) thought sex work earned them better money than other jobs. About the same proportion (66%) said it seemed fun, or they were curious. Well over half (58%) said the hours and flexibility it offered played a role in choosing sex work. 82 respondents (28%) wanted to support or continue their education with sex work. 38 sex workers in this study (13%) worked to finance their drug addiction and 25 respondents (8%) said someone had forced them into it. More than one third of the respondents added a comment to the question why they chose sex work. They often mentioned the autonomy and flexibility it affords. Some of the transgender sex workers indicated they had but a few other options to make a living. Other factors mentioned were, "Because I had debts and no matter how hard I worked, I couldn't get out from under it," or "When I began sex work I was coerced, meanwhile I work for myself, and freedom and flexibility play a major role," or "For me at a young age, it was a way to live on my own and be able to study," or "I really like sex, I turned my hobby into my work," or "I worked in nursing

"This work suits me. I love nightlife, I love adventure. I have nice colleagues. No boring scheduled breaks. [...] You just have your freedom, you work by appointment, you do your thing ... and if you do your thing well you have a lot of appointments and you're just busy. And I love that. And I can get by very well [...]."

Respondent 16 [hereafter Rx], female [f] sex worker [sw], escorting through agency and independently

and noticed clients who needed it," or "Exciting and easy, earning quick money," or "A way to meet interesting people." One respondent said, "I see it as an ordinary job." 56% said to be satisfied with their job more than half the time and 23% said they were always satisfied.

The figure below shows the locations where the sex workers in this research solicited clients. Many sex workers said they solicited at various locations. Of the 299 sex workers, 34% said they solicited in one particular way. 28% said they did it in two ways. Sex workers soliciting at three or more locations combined accounted for 37%.

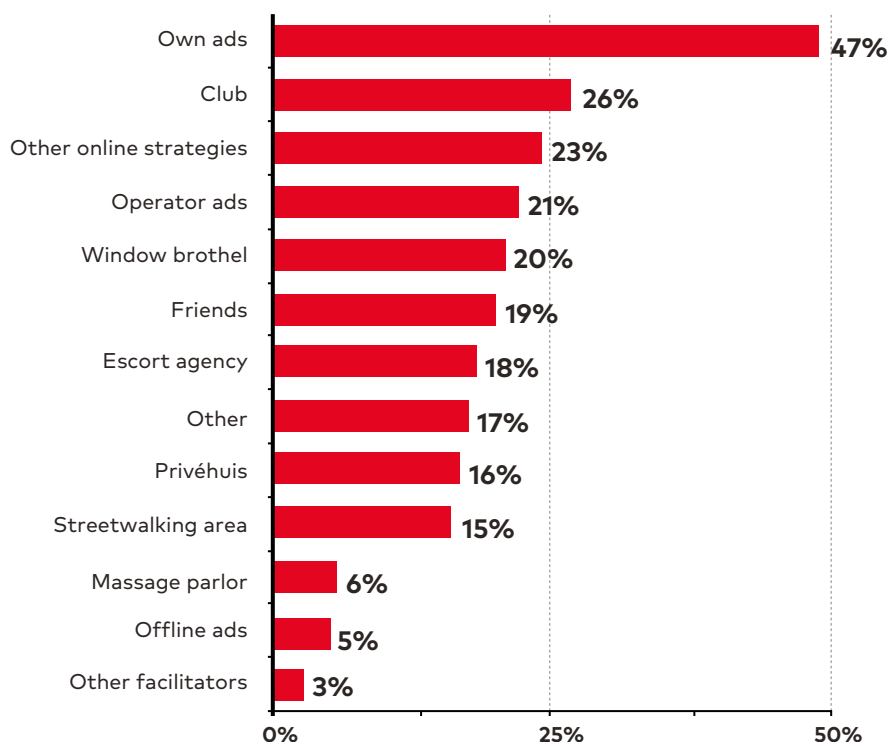


Figure 1: Locations for soliciting clients

Chapter 4

Experience with Stigma and Violence

In this chapter we describe the stigma and violence experiences of sex workers. We first provide a definition of each form of violence and describe the identified sub-forms. Furthermore, it becomes clear to what extent the participating sex workers experienced these (sub-) forms of violence in the past twelve months and who the perpetrators were of the various forms of violence.

4.1 Definition of violence

Together with the sex workers, we defined four distinct forms of violence: physical, sexual, financial-economic, and emotional violence. Each form of violence has a number of sub-forms. The box below shows the four main forms and twelve sub-forms that have been identified and are referred to in this study.

Generally, respondents associated violence with something inflicted upon them by someone else against their will. "Simply said, [violence is] everything that trespasses someone's boundaries without permission." (R1, transgender [tr] sw, street and window) Thus, violence was also defined as crossing a line, or as having the feeling that someone else was taking control. "What do I consider violence? I think it is already violence if someone wants to control me." (R12, f sw, window) "Violence is everything that, let's say, feels intimidating to me. So, it doesn't necessarily have to be physical, [it can also

be] verbal or mental." (R2 tr sw, home-worker and independent escort)

In first instance, many of the participating sex workers referred in particular to physical violence such as grabbing and hitting, and to emotional violence such as intimidation and coercion. "Yes, in the end, my definition of violence is physical. Say, physical assaults. Look, that guy walking off without paying is not what I experience as violence. But you're being cheated, rather. [...] In someone else's eyes it may be violence. But in any case, I see violence as physical assault." (R6, f sw, independent escort) Sex workers referred less often to financial violence and other, more implicit forms of violence such as stigma and discrimination. Yet, when we discussed these forms of violence with them, they evidently experienced them.

"Last year a man came to my window. When he came in, he immediately said: "Shut that curtain!" [...] He tore off my clothes and threw me on the bed. And he said, "If you don't do as I say then right away you won't have eyes anymore!" So, yes, how I did it, I don't know. Then I managed to push him. Well, believe it or not, but that alarm button, that didn't work. [...] But, when I pushed him, he backed off a bit. [...] I opened the curtain. [...] So I stood there butt naked, I say, "Get out! Right now!" For weeks I was wiped out."

R12, f sw, window

Physical violence



By physical violence we mean the use of physical force with the possible consequence of harming, impairing, maiming and/or hurting the other person, for instance kicking, pushing, biting, scratching, grabbing, spitting and burning. When someone invades your private space without permission, we speak of physical violence, too. A special form of physical violence is when you are forced to do something or to have something done to your body. This does not only concern forced medical interventions such as an abortion, an injectable or an STI/AIDS test, but also plastic surgery, tattoos, piercings or sex without condom. Being forced to work overtime and forced use of substances belong also into this category.

Sexual violence



Sexual violence is any sexual act or attempted sexual act that the other person did not consent to. For any human being, part of sexual violence are sexual assault, rape and being coerced into performing sexual acts. For a sex worker, a particular aspect of sexual violence is being forced to provide unwanted sexual services, for instance incidents where you have agreed to provide specific services but eventually, without your consent, end up in a situation where you perform services you would normally refuse or that you are forced to perform. Examples are unwanted group sex, unwanted semen swallowing, unwanted stripping or wearing clothes or items you do not want to wear. Another special form of sexual violence is extortion for sex. You can be extorted by various means, for example with money, fines or being outed. Another aspect of sexual violence is sexual harassment. This can be physical, for instance when someone moves his hand through your hair or touches your breast without consent. It can also be verbal when someone makes unwanted sexual comments.

Financial-economic violence



Financial and economic violence is any form of abusing your access to economic and financial resources and services. Financial violence are all forms of blackmail or theft aimed at extorting or stealing money or valuable assets. This includes plain theft but also, for example, financial exploitation, deliberate and unjustified taxation, imposing fines or seizing funds in your bank account. Another form of financial-economic violence is financial and/or economic exclusion. This includes all forms of unjustified exclusion from financial resources or economic opportunities because you are a sex worker, e.g. exclusion from membership of institutions and from doing business with insurance companies or banks. Other forms of financial-economic violence are the exclusion from labor or housing opportunities.

Social-emotional violence



Emotional violence is every act that compromises one's sense of identity and self-esteem. Examples are punishment, insulation, verbal attacks, insults, humiliation or intimidation as well as stigma and discrimination. Harassment and humiliation, like being laughed at, berated, belittled and ridiculed are also forms of emotional violence. Other aspects of emotional violence are unnecessary, unwanted, and intrusive questions. Privacy violation is yet another form of emotional violence, for instance when someone takes your photo, obtains your personal information or outs you, all without your permission. A last category of emotional violence is stalking.

4.2 Experiencing stigma and violence

The figure below shows that in the past twelve months, 60% of the sex workers in this study experienced physical violence, 78% sexual violence, 58% financial-economic violence and 93% emotional violence.

A total of 97% of the respondents in this research experienced some form of violence and stigma in the past twelve months. Within the four main categories, we asked the sex workers about twelve specific sub-forms of violence. In the past year, only 3% did not experience any of these twelve sub-forms of violence, i.e. physical violence; something impacting the body; sexual assault, rape and coercion; unwanted sexual services;

extortion for sex; sexual intimidation; financial violence; financial exclusion; harassment and humiliation; unnecessary, unwanted or intrusive questions; violation of privacy and, finally, stalking. The figure below shows how many different forms of violence sex workers in this research experienced in the past year. From this figure, it is evident that the same percentage experienced a few forms and many forms of violence. About half experienced four to eight forms of violence, a quarter less than four forms and 21% more than eight forms of violence.

In the following paragraphs we use quotations from sex workers to describe how various forms of violence occur in real life.



Figure 2: Violence experienced in the past twelve months

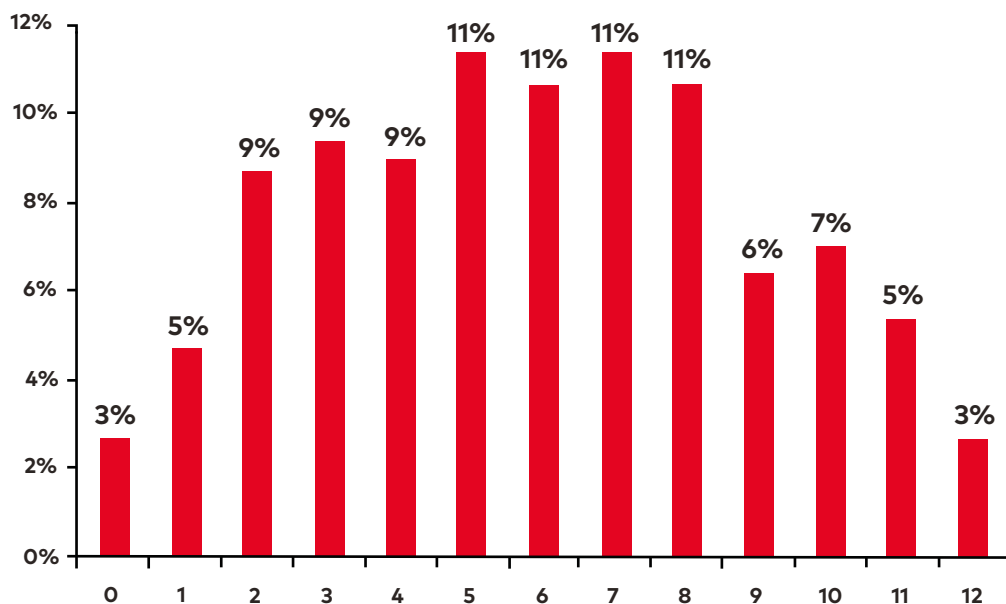


Figure 3: Forms of violence experienced

4.3 Physical violence



Physical violence

60%

Physical violence

56%

Something that impacts the body

27%

Six out of ten sex workers in this study (60%) experienced at least once a form of physical violence in the last twelve months. 56% indicated they experienced physical violence as an act inflicted upon them. 27% said they (also) experienced physical violence in the form of being forced to do something or have something done that impacted their body.²⁷

The nature of physical violence that the respondents in this research experienced varies greatly, e.g. from clients pulling hard at a sex worker's hair or nipples, biting their lips while kissing or pushing their head down during a blowjob to severe maltreatment. One sex worker said, "Together with a colleague, I had an appointment with a client. I would get bonded and then nipple clamps were placed. The nipple clamps were pulled ever tighter. I pointed out they were too tight. But that client kept going. He kept trying to tighten the nipple clamps more. Again I pointed out they were too tight and I gave him a warning. Fortunately, he then took the nipple clamps off." Another respondent told one of the research assistants how she was once mistreated by a client in the luxury club where she worked. "When I tried to get away, he pulled me back by my hair and threw me on the bed. He kicked me and hit me with his fists and belt. Because the music was loud, no one heard me screaming."

Data show that physical violence goes often hand in hand with sexual violence. One example is a respondent who had a client who bit and held her while he penetrated her against her will in an extremely rough way. Physical violence is used to force a sex worker into sexual acts against their will as illustrated by the following example. "At the end of last year, I had a really awful client. He wanted to film although this was not agreed. He started out nice but turned verbally aggressive and later physically aggressive, too. By using violence he demanded things that were not agreed." (R1, tr sw, street and window)

Being forced into sexual acts without a condom is also a form of physical violence. From the in-depth interviews this appears to be happening regularly. For example, Respondent 6, who works on her own as an escort, said, "So I want condoms, I want to use them. But that doesn't always work. Also, lately, I had a client, and he just moves on anyway and then gets intimate without a condom." (R6, f sw, independent escort)

"I sometimes have clients who really like hard games. Well, I don't always like that. It's what they want, but it's not my way of having fun with sex. [...] I'll go along, let's say. And then, I sometimes think, "my god, this is playing it hard indeed."

R6, f sw, independent escort

²⁷ The sum of these values is more than 60%, because the respondents often experienced both forms of physical violence.

4.4 Sexual violence



Sexual violence

78%

Rape

38%

Unwanted sexual services

41%

Extortion for sex

15%

Sexual intimidation

70%

Three out of four sex workers (78%) experienced one or more forms of sexual violence at least once in the past year. 22% did not experience any sexual violence. 71% were sexually intimidated. 42% were forced to perform unwanted sexual services and in the past twelve months, 39% were sexually assaulted or raped at least once. Extortion for sex was experienced by 16% of the respondents.²⁸

One questionnaire respondent working in a club said, "In a club, you cannot get away from sexual intimidation." She considered sexual intimidation "part of the job." Sex workers said, they found it important that clients respect their boundaries. One respondent who gives erotic massages said she stated clearly up front that she doesn't do naked massages. "If they want to touch a breast or buttock, it doesn't bother me very much. But when I say I don't want something, I want to be treated with respect. If this doesn't happen, then it's once and never again." Another sex worker who used to work at a massage salon pointed out that clients at massage salons often try to push boundaries. She said, "In many salons, a client for a tantra massage or a more expensive massage may

be allowed to touch the masseuse's breasts and buttocks, but not the vagina. My experience is that really more than half of the men will always try to get their hand between your legs and react not always kindly to a rejection." The same sex worker indicated that she finds working in a massage salons far more precarious than other types of sex work. "Especially because it isn't clear up front what the service includes and what the client may expect."

Sex workers in this study regularly met clients who pushed for sexual acts that the sex workers had not agreed to beforehand. For example, clients removed their condoms or ejaculated in the sex worker's face although this had not been agreed on. One female sex worker experienced the following when she agreed to something with a client who then expected more. "I'd said I only want a little hugging and kissing. And then I got there, and he wanted to rope me up, and that wasn't what we'd agreed... He roped me up and fucked me... But at that moment, I wasn't able to do anything, I couldn't say a thing. That's how I felt then." (R12, f sw, window) When sex workers don't give in to a client's wishes, the consequence can be (sexual) violence.

Thus, sexual violence goes often hand in hand with (the threat of) physical violence. One questionnaire respondent related the following experience. "The deal was 20 [euros] for a blowjob, but he absolutely wanted to fuck. [...] He pushed me into the bushes, I got branches in my back and it did really hurt badly. He then threw me on the ground and raped me." One research assistant said that the line between sexual and physical violence was very fine.

²⁸ The sum of these values is 78%, because the respondents often experienced several forms of sexual violence.

"Yes, it happened to me, too. I got slapped in my face, he threatened to shoot me in the head. I had to take off my clothes and I had to suck him. He took money from my wallet. [...] I was in shock ... That's why I was very calm, too. I didn't cry, didn't scream, didn't hit back... no, nothing. That was it. [It was] The only time and I hope it stays that way. [...] [The work] is always fun, I like it, I enjoy it. But that was, like, that was only once."

R4, f sw, independent

4.5 Financial-economic violence



Financial-economic exclusion

58%

Financial violence

50%

Financial-economic exclusion

24%

Financial and economic violence was experienced by 58% of the sex workers in this study over the past twelve months. 51% experienced the sub-form financial violence, while 24% experienced financial-economic exclusion.

Sex workers regularly experienced that clients refused to pay or stole money. One respondent related how she had an appointment with a client but then was held up by three men. The men threatened her at gunpoint and robbed her of 1,000 euros. Another sex worker was robbed while she took a quick shower at the end of an appointment, and another one said the client disappeared without paying when she got distracted for a moment by her phone.

Sex workers experienced the Opting-in regulation as a system that violates them financially. They work under the conditions of a labor contract without enjoying the benefits. For example, in cases of illnesses and accidents, they don't have any social welfare. Respondents also thought that through the Opting-in they must pay (too) much (tax) money. Therefore, some had decided not to work under this system and, for example, work in the non-licensed sector.

Financial-economic exclusion encompasses all unjust exclusion from financial resources or economic opportunities due to working as sex worker. Examples are exclusion from signing up with agencies and doing business with insurance companies or banks, but also exclusion from labor or housing opportunities. One sex worker said she was excluded by the bank where she wanted to open a business account. "They wrote black on white that they don't want to have anything to do with street prostitution, that it's really a branch they exclude." (R1, tr sw, street and window) Another respondent pointed out that she simply did not apply for an insurance policy because she expected an automatic rejection due to the stigma. Sex workers usually try to avoid financial-economic exclusion by hiding their profession

from such institutions. If they would disclose it, the percentage of sex workers who experience this exclusion would presumably be much higher.

There were respondents who thought that laws and regulations were also a form of violence since they don't afford sex workers the same rights as other independent entrepreneurs. For example, a home-worker said she experienced that the tax office audited her more often than other entrepreneurs. "They [the tax office] have been here already three or four times, but I have many businessmen clients, and when I ask how often the tax office checks them, then they haven't seen them in fifteen years. So, we are being audited much more often. Why am I different from my next-door neighbor, why am I different from my girlfriend?" (R5, f sw, massage, independent)

"If I don't know clients, I'll first settle with them. But with this client, I thought it could wait until afterward. Then, we were done and I say, 'Hey man, I'm still getting money from you.' 'No,' he says. 'Oh yes. That's not the agreement we have. I've been very clear about this with you. This is what it costs, this is what you're going to pay me.' 'No,' he says, 'I'm not gonna do that.' 'Yes, because otherwise you won't get through this door. I get 50 euros from you.' Eventually, he took out his wallet, got out 40. I say, 'I get 50 euros from you and nothing else.' Then he gave me 50 euros, and I never saw him again."

R10, f sw, privéhuis

4.6 Emotional violence



Emotional violence

93%

Harassment, humiliation



Unnecessary, unwanted, intrusive questions



Privacy violation



Stalking



Data show that emotional violence occurred the most and was experienced by 93% of the respondents. In the last twelve months, 82% of the sex workers were confronted with unnecessary, unwanted and intrusive questions. 75% were harassed or humiliated, 62% had their privacy violated, and almost half (47%) had been stalked.

Many sex workers in this research were faced with unnecessary, unwanted and intrusive questions. Respondents were asked, for instance, about how many clients they saw in a week, how much they were being paid, what they were feeling and thinking afterward, what their parents and friends thought of their work, but also what their self-esteem was like. These types of questions were asked by strangers, landlords and representatives of (government) agencies such as the police and the UWV.²⁹ Such questions can have a huge

"Day in day out you get a bunch of passers-by ridiculing you... you know, things like, 'See? Another filthy whore.' Or, 'Look at that, so ugly she should pay me...' Those are things you do have to listen to."

R1, tr sw, street and window

emotional impact. As one of the sex workers said, "I found the questions very ... I felt, like, being dirty and filthy." Another respondent talked about a police check. "The police are always like, 'I want to know if you are not being forced, and that you do everything willingly.' And then they go on too much. And I think that's just a shame. And they can't control it because they are too curious and

ask like, 'Yes, how much do you end up making for this?' and 'Are you making good money?' and 'How many clients do you have, how late do you have to work?' And then all four are standing around me. [...]" (R16, f sw, privéhuis, escorting through agency and independently)

Interviews show that street-based sex workers or sex workers behind windows frequently had to deal with passers-by who ridiculed them and/or made awful, often offensive comments. Respondents pointed out that as a sex worker, one must have great self-confidence. Harassment and humiliation, however, did not just come from passers-by. Some sex workers said operators humiliated and insulted them but that they let it go for fear of losing their workplace.

In the interviews, sex workers mentioned various forms of privacy violation. Tourists and other passers-by taking pictures of sex workers behind windows was experienced as a very troublesome phenomenon. Sex workers were disturbed by some websites that automatically distribute webcam shows, which can lead to the material ending up on other (free) websites. The fact that sex workers must register with municipalities was also experienced as a violation of their privacy.

Stalking was also mentioned in the interviews. Stalkers seemed to be mainly clients who, as one respondent said, become "obsessed" with a sex worker. Those clients kept calling, or they kept coming by the workplace or even the sex worker's home. Respondents experienced stalkers who shouted at them and made (empty) threats. One of them had a stalker who threatened to set the club where she worked on fire. Occasionally, clients who felt rejected began stalking and threatening the sex workers. There was a client feeling rejected who, without the sex worker's consent, posted her picture on the internet together with her phone number.

From the interviews it is evident that the stigma attached to sex work has a great influence on how sex workers in the Netherlands act and are being treated. Out of a sense that society condemns them, many respondents said they preferred to hide their work. Many of them lived double lives. One female sex worker had been secretly working in the profession for 25 years because she greatly feared her friends' judgment (R19, f sw, window and independent home-worker). Another respondent informed no one about the work she was engaged in. This secrecy could have major consequences for her safety, she noted. Should

²⁹ Uitvoeringsinstituut Werknemersverzekeringen [Employee Insurance Agency], a government agency for the implementation of employee insurances. TN

something happen, nobody would know where she was. (R6, f sw, independent escort) On the other hand, one research assistant said that opting for secrecy is at the same time opting for safety, or more precisely, for not being excluded. Many respondents hid their work from (government) agencies for fear of being treated differently. "I wouldn't just tell any institution. I think they'll have another picture, one they figure is weird and awkward. No, I'd really try to avoid that." (R20, f sw, escort through agency) This was another reason why some sex workers preferred to work outside of the legally licensed sector. They said they would not want to be on the record as sex workers.

4.7 Perpetrators of violence

For the twelve sub-forms of violence, we asked each sex worker consistently which form of violence they had experienced from which category of perpetrator. Available categories were: clients, fellow sex workers, bosses, employers or operators, partners, friends, neighbors, police and staff of the tax office. It should be noted that not every sex worker had come in contact with each perpetrator type with the same frequency. Obviously, for a sex worker, clients are a predominant contact category. But not all sex workers come (often) in contact with, for instance, the various (government) agencies, operators or other facilitators. The frequency, and thus the chance to experience violence from these types of perpetrators is therefore automatically smaller.

Perpetrators of physical violence

Clients represented the most frequent perpetrators of physical violence. 41% of the sex workers said they had experienced physical violence at the hands of a client in the past twelve months. Intimate partners (17%) and fellow sex workers (11%) were also considerably frequent perpetrators of physical violence. Other perpetrator types of physical violence against sex workers each accounted for less than 10%. Clients also represented the most frequent perpetrator category for acts that impacted the body (17%).

Perpetrators of sexual violence

As is the case with physical violence, clients appear to be the most probable perpetrators of sexual violence. In the last twelve months, 30% of the sex workers were sexually assaulted or raped by a client. 10% of the sex workers had experienced this form of violence from an intimate partner.

Other perpetrator types committing these acts against sex workers each accounted for less than 10%. 38% of the sex workers had to provide unwanted sexual services to clients. 10% of the sex workers were extorted for sex by a client. Sexual harassment by clients was experienced by 60% of the sex workers, whereas 22% experienced this from tourists and 11% from friend or acquaintances.

Perpetrators of financial-economic violence

24% of the sex workers experienced financial violence from a client and 11% from a boss, employer or operator. All other perpetrator types committing this form of violence against sex workers each accounted for less than 10%. Banks were the main perpetrators with regard to financial-economic exclusion. In the last twelve months, 9% of the sex workers experienced financial-economic exclusion from banks. 5% of sex workers experienced this from a municipality. The tax office and insurance companies both caused financial-economic exclusion for 3% of the sex workers. 2% of the sex workers experienced financial-economic exclusion from a potential employer. Other perpetrator types were each responsible for the financial-economic exclusion of less than 2% of the sex workers.

Perpetrators of emotional violence

53% of the sex workers were harassed and humiliated by clients. 29% of them experienced this form of violence from tourists, 25% from fellow sex workers, 16% from bosses, employers or operators, 15% from intimate partners, 15% from friends or acquaintances and 14% from family members. Neighbors perpetrating this form of violence against sex workers accounted for less than 11% of all cases. All other perpetrator types committing this form violence against sex workers each accounted for less than 10%. It is noteworthy that 13% of the sex workers had been harassed and/or humiliated by perpetrator types that were not included in the questionnaire. Clients accounted for 72% of those asking sex workers unnecessary, unwanted and/or intrusive questions. Less than 27% experienced this from fellow sex workers, 22% from friends or acquaintances and 19% from tourists. Unnecessary, unwanted and intrusive questions from the police were experienced by less than 15%, while 13% experienced it from intimate partners and another 13% from family members. 11% experienced it from bosses, employers or operators. Remarkably, 10% experienced it from neighbors and 8% from social or health care workers. Privacy violations were mostly caused by clients, as listed by 41% of the sex workers. For

less than 19% of the sex workers invasion of their privacy was caused by tourists. 12% experienced this from fellow sex workers and 10% from friends or acquaintances. 34% of the sex workers were stalked by clients, whereas 10% mentioned intimate partners in this category.

Perpetrators of all forms of violence combined

The composite of all forms of violence (Figure 4 below) shows the percentages for nineteen categories of people who perpetrated violence against sex workers in the past year. As perpetrators, clients stand out. Over the last year, 90% of the sex workers experienced at least one form of violence from clients. 43% experienced it from fellow sex workers, 42% from tourists, bachelor parties³⁰ or other passers-by,

37% from friends or acquaintances, 31% from intimate partners, 28% from bosses, employers or operators and 25% from family members. In the same period, less than one in four sex workers experienced violence from other perpetrator types.

For all forms of violence, clients accounted as the largest group of perpetrators. Various agencies and institutions were the main cause for financial-economic exclusion. Perpetrators of emotional violence were mainly tourists, fellow sex workers, employers, friends or family members. All forms of violence combined clearly show that a considerable percentage of sex workers experienced one or multiple forms of violence from different categories of perpetrators.

30 Bachelor parties party often in the alleys of the red light districts. TN

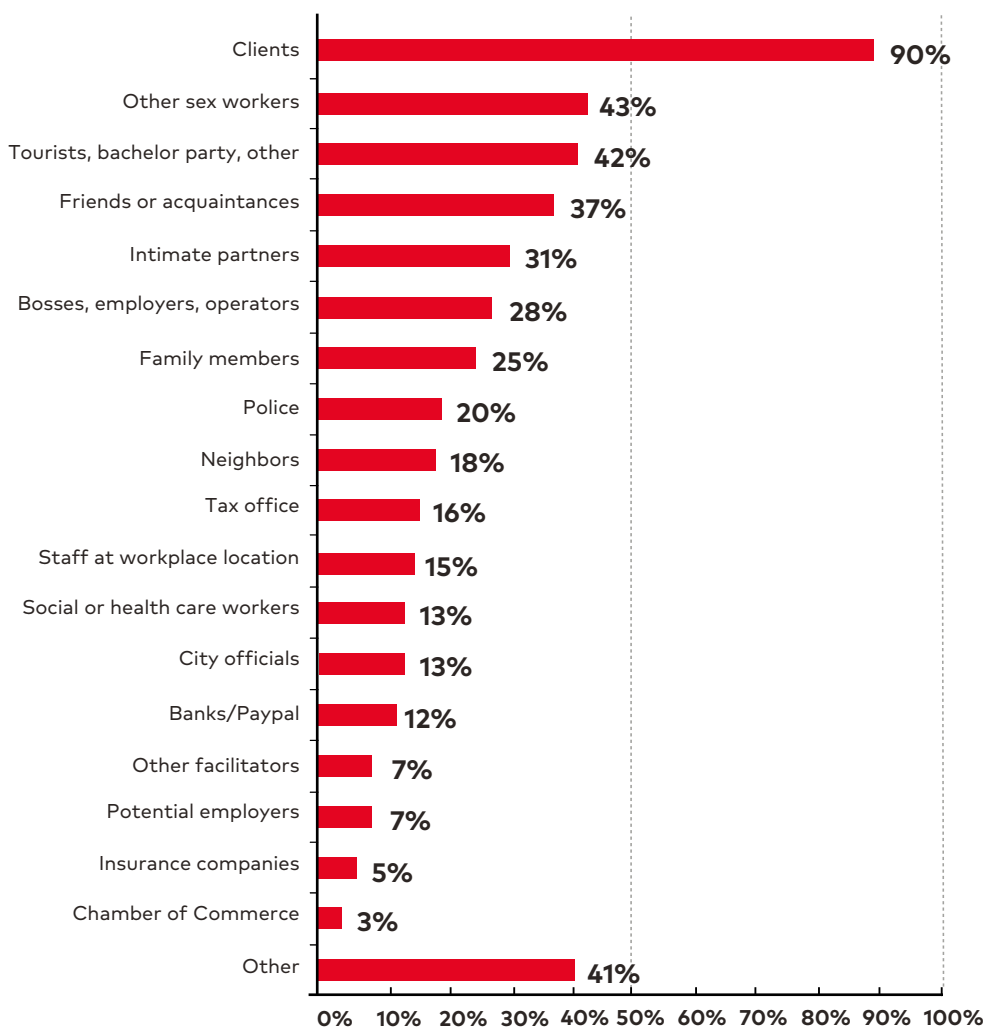


Figure 4: Perpetrators of Violence, All Forms Combined

Chapter 5

Factors

In this chapter, we discuss the factors related to the risks of violence. We investigate if particular characteristics of sex workers affect the experience of violence, and if so, which characteristics these are. We research the differences in experiencing the twelve sub-forms of violence that are statistically significant. The factors we research are: gender, age, country of birth, language, substance use, condom use, social exclusion, legal labor category, workplace location and being out. We discuss these factors one by one.

5.1 Gender

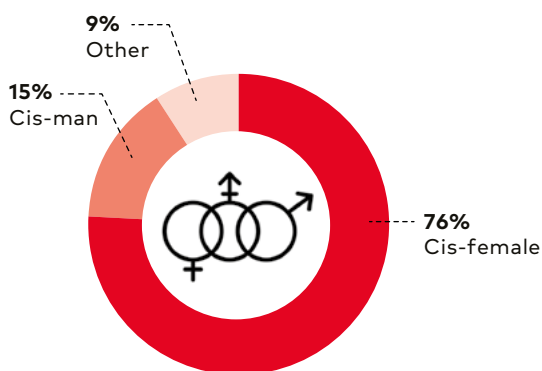


Figure 5: Gender breakdown

Three quarters of the respondents in this study identified as cis-female, 15% as cis-male and 9% of the respondents as other. Cis-females are

persons who were identified at birth as female and identify as women. Cis-males are persons who were identified at birth as male and identify as men. The 'other' category includes trans-men, trans-women and those who do not identify as binary gendered. The figure below shows the percentage of sex workers within these three groups who experienced the different forms of violence during the last twelve months. Furthermore, the odds ratio (OR) is given when it is statistically significant.

The figure shows that cis-males and others in this study experienced more violence than cis-females. With respect to gender, cis-females, cis-males and others were compared. Within the sub-forms of violence, four statistically significant results were identified.

	cis-female	cis man	other
Physical violence	54%	65%	61%
Something impacting the body	26%	30%	29%
Unwanted sexual services	27%	50% (1,7*)	39%
Extortion for sex	39%	59% (2,3**)	39%
Sexual intimidation	14%	23,9% (2,0*)	18%
Financial violence	69%	72%	79%
Harassment and humiliation	49%	54%	54%
Unnecessary, unwanted or intrusive questions	22%	33%	29%
Stalking	72%	76%	93% (4,9**)
N	225	46	28

* Significance level .1
 ** Significance level .05
 *** Significance level .01
 **** Significance level .001

Table 1: Gender and violence (category of reference: cis-women)

Results show that cis-males had 2.3**³¹ higher odds on being forced to provide sexual services compared to cis-females. Cis-males had 2.0* higher odds on extortion for sex and 1.7* higher odds on sexual assault and rape. Those identifying as transgender or other had 4.9** higher odds on harassment and humiliation than cis-females. This means they were at a considerably higher risk level.

Several respondents said that transgender sex workers were not respected by clients. One sex worker, also a key activist of the transgender rights' movement, stated in an interview that violence often stems from transphobia that is then taken out on sex workers. Clients may also be afraid that they contracted an STD and take this out on sex workers. She said that bi-cultural sex workers and sex workers who speak a foreign language are even more vulnerable in this respect. One transgender respondent experienced greater vulnerability due to his appearance as a gender-queer person. "I can't turn this off – ever," he said, adding that even when he was not working, men constantly approached him, asking if he was available. Another respondent said she is constantly afraid of being killed because of her trans-identity.

A male sex worker said that male sex workers face the sex work stigma even more so than female sex workers (R7, m sw, swinger and other clubs). One research assistant agreed. For men, the threshold for reporting is even higher, she said, and if perpetrators deem the chances for being reported as small, the violence increases. Adding to this is the fact that there are almost no licensed workplaces for men and transgender sex workers in the Netherlands. This enhances their unwillingness to report crimes committed against them.

31 Significance level .1 *
Significance level .05 **
Significance level .01 ***
Significance level .001 ****

5.2 Age

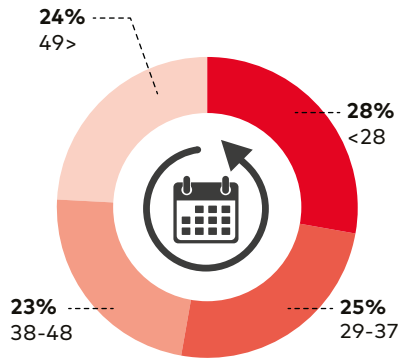


Figure 6: Age breakdown

The average age of sex workers in this study is 38 years. The respondents are fairly evenly spread among age groups 18-28 years, 29-37 years, 38-48 and 48 years and above. In the figure below, the risk of violence is shown as lowest for the highest age category. In the analyses, we took this category as reference and looked at the differences for the other groups in relation to this group.

In the analysis of the different forms of violence, we found sixteen statistically significant results. Sex workers under 28 years had 2.4** higher odds on sexual assault and rape, 2.0** higher odds on sexual intimidation, 2.0* higher odds on intrusive questions and 1.8* higher odds on stalking, compared to the group of sex workers aged 48 years and above. For the group of sex workers between the age of 29 and 37 years, we found four significant results, all within the main category of sexual violence. This group had 1.8* higher odds on sexual assault and rape, 1.8* higher odds on unwanted sexual services, 2.3* higher odds on extortion for sex, and 2.2* higher odds on sexual harassment. Lastly, the group between 38 and 48 years had 2.7*** higher odds on sexual intimidation, 2.2* higher odds on harassment and humiliation and 2.5** higher odds on intrusive questions. The qualitative data provided zero results regarding a correlation between age and violence. Yet, respondents indicated that sex workers with greater self-confidence will experience less violence. This confirms the assumption that age and experience may play a role in the risk of violence.

	28-	29-37	38-48	49+
Physical violence	58%	55%	59%	51%
Something impacting the body	35%	28%	22%	23%
Sexual assault, rape, coercion	50% (2,4**)	42% (1,8*)	35%	29%
Unwanted sexual services	45%	47% (1,8*)	42%	33%
Extortion for sex	13%	23% (2,3*)	16%	11%
Sexual intimidation	73% (2,0**)	74% (2,2**)	78% (2,7***)	57%
Financial violence	49%	46%	61%	49%
Financial exclusion	27%	26%	26%	19%
Harassment and humiliation	75%	76%	83% (2,2*)	69%
Unnecessary, unwanted or intrusive questions	85% (2,0*)	81%	87% (2,5**)	73%
Violation of privacy	60%	68%	67%	57%
Stalking	56% (1,8*)	46%	48%	40%
N	84	74	69	70

* Significance level .1
 ** Significance level .05
 *** Significance level .01
 **** Significance level .001

Table 2: Age and violence (reference category: 49+)

5.3 Country of birth and language

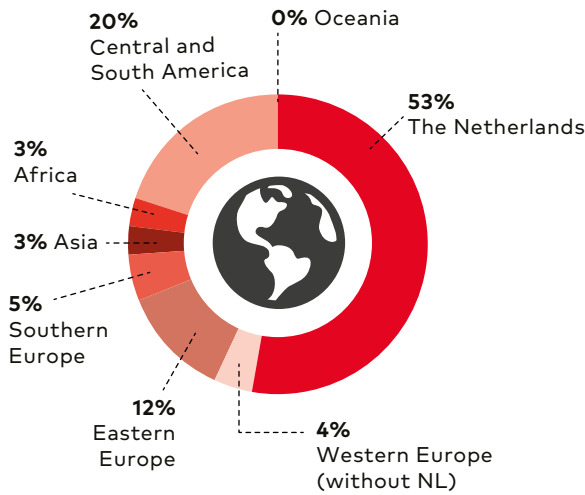


Figure 7: Regions of origin breakdown

Slightly more than half of the respondents in this study were born in the Netherlands. One fifth came from elsewhere in Europe. An equally large number came from both Central and South America, and the rest from Africa (3%), Asia (3%) and Oceania (one respondent). First, we compared

the risk of violence for sex workers born in the Netherlands with sex workers born elsewhere. In the analysis of the various forms of violence, we found three statistically significant results. Sex workers born elsewhere had 1.8** higher odds on privacy violation, 1.6** higher odds on financial violence and 1.6* higher odds on harassment and humiliation, compared to sex workers born in the Netherlands. This means that sex workers born elsewhere were at greater risk of privacy violations, financial violence, harassment and humiliation. The difference, however, is not particularly high.

The figure below shows the differences for sex workers from different regions of the world.

With the global categories added for comparison, the analysis highlights four statistically significant results, namely for sex workers from Central and South America. Compared to the group of sex workers born in the Netherlands, this particular group had 2.6*** higher odds on physical violence, 2.3* higher odds on intrusive questions, and 2.5*** higher odds on privacy violations. For harassment or humiliation, being a sex worker from Central and South America rather appeared to serve as

	The Netherlands	Western Europe (without NL)	Eastern Europe	Southern Europe	Asia	Africa	Central and South America	Oceania
Physical violence	50%	67%	49%	69%	50%	44%	72% (2,6 ***)	100%
Something impacting the body	31%	25%	14%	38%	20%	33%	26%	100%
Sexual assault, rape, coercion	42%	58%	23%	46%	40%	11%	38%	100%
Unwanted sexual services	40%	50%	34%	62%	30%	11%	53%	100%
Extortion for sex	14%	17%	17%	8%	30%	0%	21%	100%
Sexual intimidation	69%	50%	63%	85%	70%	67%	79%	100%
Financial violence	44%	50%	40%	77%	60%	33%	67%	100%
Financial exclusion	27%	8%	26%	23%	20%	33%	22%	0%
Harassment and humiliation	71%	67%	66%	92%	90%	67%	85% (0,23 **)	100%
Unnecessary, unwanted or intrusive questions	79%	58%	80%	100%	80%	78%	90% (2,3 *)	100%
Violation of privacy	56%	50%	60%	92% (9,6 **)	80%	33%	76% (2,5 ***)	100%
Stalking	49%	42%	34%	69%	50%	44%	47%	100%
N	153	12	35	13	10	9	58	1

Table 3: Regions of origin and violence (Reference category: Dutch sex workers)

* Significance level .1
 ** Significance level .05
 *** Significance level .01
 **** Significance level .001

protection. Sex workers born in Central and South America had 4.3** lower odds on harassment or humiliation. And finally, sex workers born in Southern Europe had 9.6** higher odds on privacy violations.

Respondents attributed this to the fact that sex workers born elsewhere are less likely to call the police and that their risk is higher because they don't speak the language well. To map the latter factor, we analyzed the relation between risk of violence and the language in which interviews were conducted. 67% of the interviews were conducted in Dutch, while the other 33% were conducted in either English or Spanish. For the language analysis, we compared questionnaire sessions in Dutch with those conducted in English and Spanish. In the analysis, we assumed the principle that sex workers with whom the questionnaire session was conducted in Dutch had sufficient command of the Dutch language.

Statistically significant results showed that sex workers with insufficient command of Dutch had higher odds on violence than sex workers with a sufficient command of Dutch. Within the twelve subgroups of violence we found eight with statistically significant results. Sex workers with insufficient command of Dutch had 2.4*** higher odds on privacy violation, 2.3** higher odds on intrusive questions, 2.1** higher odds on sexual intimidation, 2.0** higher odds on harassment

and humiliation, 1.8** higher odds on physical violence, 1.6* higher odds on unwanted sexual services, all compared to sex workers with a sufficient command of Dutch. One respondent gave the greater chance of miscommunication as a possible explanation for this increased risk of violence. Sex workers may misinterpret clients' wishes, for instance in the field of BDSM. Thus, they could be exposed to violence that might have been prevented had the sex workers and clients understood each other properly.

It is noteworthy that a lack of knowledge of the Dutch language appeared to serve as a sort of protection against sexual assault and rape. Sex workers with insufficient command of the Dutch language had 1.6* lower odds on sexual assault and rape compared to sex workers with a sufficient command of Dutch. It is conceivable that sex workers who did not speak a sufficient amount of Dutch interpreted sexual assaults or rapes differently. One research assistant offered the example of a sex worker who defined anal rape not as rape. In his language and culture, the term rape is only used for vaginal rape.

	Dutch speaking	Non-Dutch speaking
Physical violence	51%	66% (1,8**)
Something impacting the body	26%	29%
Sexual assault, rape, coercion	42%	32% (0,64*)
Unwanted sexual services	38%	49% (1,6*)
Extortion for sex	17%	14%
Sexual intimidation	66%	80%(2,1**)
Financial violence	47%	58%
Financial exclusion	23%	28%
Harassment and humiliation	71%	83%(2,0**)
Unnecessary, unwanted or intrusive questions	78%	89%(2,3**)
Violation of privacy	56%	75%(2,4***)
Stalking	48%	45%
N	199	100

* Significance level .1
 ** Significance level .05
 *** Significance level .01
 **** Significance level .001

Table 4: Language and violence

5.4 Use of substances

In this section, we discuss the effects of substance use on violence. In the analysis, we considered the following categories: alcohol, tranquillizers or prescribed medication, soft drugs and hard drugs. We computed the substance use of both sex workers and clients. In all instances, the use of substances resulted in an increased risk of violence.

Substance use by sex workers

Over the past year, slightly less than half of the sex workers (46%) drank alcohol on occasion while working. A quarter (27%) occasionally used soft drugs, and about the same percentage of respondents (26%) occasionally used hard drugs. 13% of the respondents used tranquillizers and other (prescription) medication once or more than once.

The quantitative data analysis showed that sex workers who had used alcohol over the past twelve months had significantly higher odds on both forms of physical violence, two forms of sexual violence, financial-economic exclusion and two forms of emotional violence. Sex workers who used tranquillizers or other (prescribed) medication had higher odds on three forms of sexual violence as well as on financial-economic violence. Sex workers who used soft drugs had higher odds on physical violence, three forms of sexual violence, financial-economic violence and two forms of emotional violence. Sex workers who used hard drugs had higher odds on both forms of physical violence, three forms of sexual violence, financial-economic violence as well as harassment and humiliation.

The qualitative data analysis suggests that sex workers in this study used substances on a regular

Sex workers who...	use nothing	use alcohol	use tranquillizers or other prescription medicine	use soft drugs	use hard drugs
Physical violence	42% (0,37 ****)	68% (2,5 ****)	68%	71% (2,4 ***)	75% (3,1 ****)
Something impacting the body	17% (0,38 ****)	39% (3,3 ****)	32%	32%	40% (2,3 ***)
Sexual assault, rape, coercion	25% (0,36 ****)	49% (2,2 ***)	53% (1,9 *)	48% (1,6 *)	51% (2,0 ***)
Unwanted sexual services	32% (0,48 ***)	53% (2,3 ***)	61% (2,4 **)	54% (1,9 **)	53%
Extortion for sex	10% (0,42 **)	19%	29% (2,5 **)	26% (2,5 ****)	23% (1,9 *)
Sexual intimidation	65%	75%	74%	74%	76%
Financial violence	44% (0,67 *)	55%	63% (1,8 *)	59% (1,6 *)	60% (1,7 **)
Financial exclusion	17% (0,51 **)	31% (2,0 **)	26%	29%	29%
Harassment and humiliation	69% (0,59 **)	80%	89% (3,1 **)	85% (2,4 **)	88% (3,0 ****)
Unnecessary, unwanted or intrusive questions	79%	85%	84%	85%	84% (1,8 **)
Violation of privacy	60%	64%	71%	65%	66%
Stalking	36% (0,45 ****)	54% (1,7 **)	58%	59% (1,9 **)	55%
N	126	137	38	82	80

* Significance level .1
 ** Significance level .05
 *** Significance level .01
 **** Significance level .001

Table 5: Substance use and violence (without category reference)

basis. One interviewed sex worker thought that sex workers use alcohol, especially drugs, to boost their self-confidence, and to work long(er) hours (R12, f sw, window). Some sex workers said they were drugged by clients. One respondent said that a client had given her ketamine while she believed it was cocaine.

Substance use by clients

In the past twelve months, a large number of the sex workers in this study had occasionally received clients who had used substances. Among these clients, 72% had used alcohol, 66% hard drugs, 63% soft drugs, and a quarter (25%) had used tranquilizers or (prescription) medication. The figure below shows the differences between sex workers with clients who used the various substances. The analysis provided significant results for all forms of violence.

The quantitative data analysis showed that substance use by clients was stronger linked to violence than substance use by sex workers. Not only did all forms of narcotic drug use have one significant association with (forms of) physical, sexual, financial-economical and emotional violence, but the identified risks were also greater.

The quantitative data analysis further showed that sex workers with clients who used alcohol had higher odds on both forms of physical violence, two of the four forms of sexual violence, both forms of financial-economic violence, and three out of four forms of emotional violence. Sex workers with clients who used tranquilizers or other (prescribed) medication had significantly higher odds on physical violence, all four forms of sexual violence, financial-economic violence and two forms of emotional violence. Sex workers with

Clients who...	use nothing	use alcohol	use tranquilizers or other prescription medicine	use soft drugs	use hard drugs
Physical violence	32% (0,34 **)	64% (3,0****)	65% (1,7*)	66% (2,9****)	68% (4,3****)
Something impacting the body	12% (0,34 *)	33% (2,9****)	24%	34% (2,3****)	32% (2,2**)
Sexual assault, rape, coercion	32%	42%	52% (1,9**)	46% (2,1****)	45% (2,2****)
Unwanted sexual services	28%	48% (2,6****)	63% (2,9****)	52% (2,8****)	51% (3,0****)
Extortion for sex	12%	17%	27% (3,2****)	20% (3,1****)	18% (2,1*)
Sexual intimidation	52% (0,42 **)	75% (2,0**)	84% (2,7****)	76% (1,9**)	76% (2,0****)
Financial violence	48%	56% (1,9**)	61% (1,8*)	57% (2,0****)	58% (2,5****)
Financial exclusion	20%	28% (2,1**)	31%	28% (1,8*)	28% (1,7*)
Harassment and humiliation	72%	78% (1,7*)	81%	83% (3,1****)	81% (2,4****)
Unnecessary, unwanted or intrusive questions	80%	85% (2,2**)	87%	86% (2,3****)	84%
Violation of privacy	60%	65%	79% (2,8****)	69% (2,1****)	66% (1,7**)
Stalking	36%	51% (1,8**)	60% (2,0**)	55% (2,2****)	52% (1,7**)
N	25	212	62	182	191

* Significance level .1
 ** Significance level .05
 *** Significance level .01
 **** Significance level .001

Table 6: Substance use of clients and violence

clients who used soft drugs had higher odds on both forms of physical violence, all four forms of sexual violence, both forms of financial-economic violence and all four forms of emotional violence. Finally, sex workers with clients using hard drugs had higher odds on both forms of physical violence, all forms of sexual violence, both forms of financial violence and three forms of social-emotional violence.

In the qualitative data, substance use by clients was a recurrent item. One sex worker stated that clients who had turned aggressive due to drinking and drugs were "aggressive dickheads" even if they were sober. "Due to drugs, it just shows up sooner." (R21, f sw, club) Another sex worker thought that clients used it also as an excuse for their violent behavior. "They use this as an excuse, like, I happened to be under influence, that's why I used so much violence." (R22, f sw, independent escort) Some sex workers actually liked having clients who used substances. "Clients using coke often have lost all sense of time and have difficulty getting off. They keep adding time and so they spend a lot of money." (R21, f sw, club) There were also sex workers who joined clients in using substances or who took substances to their clients. A male sex worker, for instance, said he always carried drugs so he could provide them in case clients happened to ask for them. (R13, m sw, club).

5.5 Condom use

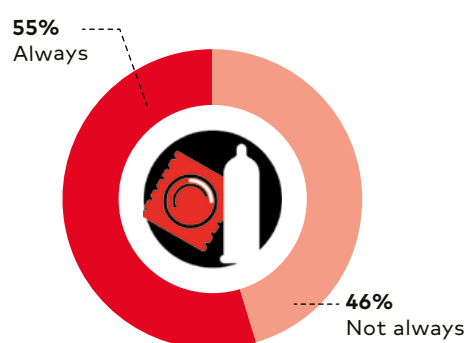


Figure 8: Condom use breakdown

Slightly more than half of all sex workers always used a condom with oral, vaginal or anal sex.³² For condom use, we compared sex workers who always used a condom with sex workers who didn't (always) do this. Protective factors were identified

only when condoms were always used. This means that always using condoms is associated with significantly less violence.

Condom use proved to be a protective factor for four of the twelve sub-forms of violence. Sex workers who always used condoms had 2.5**** lower odds on sexual assault and rape, 2.3*** lower odds on stalking, 2.1*** lower odds on unwanted sexual services, and 2.0** lower odds on 'something impacting the body.'

Condom use was a regular discussion point between sex workers and clients. On a number of occasions, sex workers talked about clients who had insisted on (oral) sex without condoms, although the sex workers had made it clear that they did not agree to this. When sex workers do not agree with this wish of their clients, it may lead to other forms of (sexual) violence. To prevent violence, sex workers at times accepted to perform certain sexual acts without condoms.

	Not always	Always
Physical violence	60%	54%
Something impacting the body	34%	21% (0,51 **)
Sexual assault, rape, coercion	50%	29% (0,40 ***)
Unwanted sexual services	51%	33% (0,47 ***)
Extortion for sex	19%	12%
Sexual intimidation	73%	68%
Financial violence	53%	46%
Financial exclusion	26%	22%
Harassment and humiliation	78%	72%
Unnecessary, unwanted or intrusive questions	84%	78%
Violation of privacy	62%	61%
Stalking	58%	38% (0,44 ***)
N	131	157

* Significance level .1
 ** Significance level .05
 *** Significance level .01
 **** Significance level .001

Table 7: Condom use and violence

32 This percentage is relatively high since it also includes oral sex. The in-depth interviews showed that a part of the sex workers had sometimes oral sex without condom. In comparison: a 2017 Rutgers research into sexual health in the Netherlands showed that 42% of men and 55% of women did not use condoms during one-night stands. The Rutgers research did not include oral sex. This makes it plausible that our percentage of sex workers who always used a condom is considerably higher than those in the Rutgers study. See: De Graaf, H., and C. Wijsen. "Seksuele gezondheid in Nederland 2017." Sexual Health in the Netherlands 2017 (2017).

5.6 Legal categories of sex work

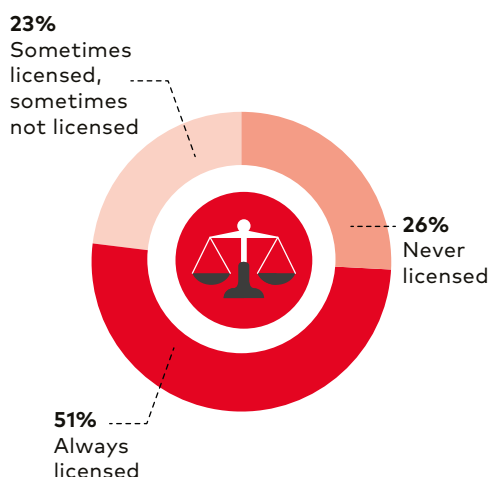


Figure 9: Legality breakdown

Half of the respondents (51%) indicated that they worked always legally licensed.³³ This means that they worked always at a workplace location licensed for commercial sex, for instance a club, privéhuis

or window brothel (see above, section 2.3). 26% never worked legally licensed. They worked at home, for example, or saw clients from the Internet at hotels, for which they were not licensed. The remaining 23% worked at times legally licensed and at times not legally licensed. One sex worker, for instance, worked in a window brothel but had an occasional appointment with a client at home or a hotel. Sex workers who work non-licensed can pay taxes, for example, if they are registered with the Chamber of Commerce for another occupation.

From the analyses surface many results that are considerably significant. Compared to sex workers who always worked legally licensed, sex workers who never worked legally licensed had 3.2**** higher odds on sexual assault/rape, 3.0**** higher odds on unwanted sexual services, 3.5**** higher odds on extortion for sex, and 1.8* higher odds on sexual harassment. They had 1.7** higher odds on financial violence, 2.4** higher odds on intrusive questions and lastly, 2.5*** higher odds on stalking. Sex workers who on occasion worked legally had, compared to sex workers who always

	Altijd legaal	Soms legaal	Nooit legaal
Physical violence	54%	66%	53%
Something impacting the body	23%	36% (1,9 **)	28%
Sexual assault, rape, coercion	24%	60% (4,7 ****)	50% (3,2 ****)
Unwanted sexual services	30%	52% (2,5 ***)	56% (3,0 ****)
Extortion for sex	8%	25% (3,9 ***)	23% (3,5 ***)
Sexual intimidation	64%	76% (1,9 *)	77% (1,8*)
Financial violence	42%	64% (2,5 **)	55%
Financial exclusion	19%	36% (2,3 ***)	24% (1,7 **)
Harassment and humiliation	72%	78%	79%
Unnecessary, unwanted or intrusive questions	76%	88% (2,3 **)	88% (2,4 **)
Violation of privacy	62%	63%	62%
Stalking	34%	66% (2,0 ****)	56% (2,5****)
N	151	67	78

* Significance level .1
 ** Significance level .05
 *** Significance level .01
 **** Significance level .001

Table 8: Legality and violence (reference category: always legal)

worked legally, higher odds on 'something impacting the body' (1.9**), on sexual assault/rape (4.7****), on unwanted sexual services (2.5***), on extortion for sex (3.9***), on sexual harassment (1.9*), on financial violence (2.5**), on financial exclusion (2.3***), and on unnecessary or intrusive questions (2.3**).

The risk of sexual violence was particularly higher when sex workers did not (always) work legally. Sex workers who worked always at licensed workplace locations were at lesser risk of violence. In chapter 6, we will further explore how sex workers link violence to those legal work categories and policies.

33 There is often confusion among sex workers about prostitution regulations in the Netherlands. 43% of the sex workers in this study indicated that they understood the licensing policies only partly or not at all. When the interviewers probed deeper, the other 57% also seemed quite ambiguous about the policies. Ambiguity also appeared during the questionnaire sessions. Sex workers often did not know exactly whether or where they were allowed or not allowed to work. Are sex workers who are registered with the Chamber of Commerce and pay taxes legally allowed to work from a hotel, for example, or is this illegal? For this reason, we compared in this analysis sex workers who worked always legally licensed, sometimes legally licensed and sometimes not or never legally licensed. There was no confusion about these categories.

5.7 Workplace location

With regard to the workplace location, we compared thirteen different categories. The workplace location turned out to have a highly significant impact on experiencing violence.

	Window brothel	Privéhuis	Club	Client's residence	Own residence
Physical violence	53%	61%	69% (2,1***)	65% (2,4****)	58%
Something impacting the body	18% (0,55*)	31%	37% (2,0**)	34% (2,4****)	27%
Sexual assault, rape, coercion	27% (0,51*)	41%	47% (1,6**)	45% (1,9**)	51% (2,0****)
Unwanted sexual services	32% (0,59*)	41%	47%	46% (1,5*)	52% (1,8**)
Extortion for sex	7% (,32**)	20%	23% (2,0**)	21% (3,0****)	26% (3,0****)
Sexual intimidation	68%	69%	69%	74%	80% (2,0**)
Financial violence	55%	57%	55%	57% (1,9****)	51%
Financial exclusion	13% (,42*)	27%	31% (1,6*)	29% (1,9**)	38% (2,8****)
Harassment and humiliation	83% (1,9*)	63% (0,49**)	70%	75%	79%
Unnecessary, unwanted or intrusive questions	87%	82%	86%	85% (1,7*)	86%
Violation of privacy	80% (2,9****)	49% (0,52**)	60%	66%	62%
Stalking	28% (0,37****)	51%	57% (1,7**)	56% (2,2****)	60% (2,1****)
N	60	51	83	168	95

* Significance level .1
 ** Significance level .05
 *** Significance level .01
 **** Significance level .001

Table 9: Workplace location and violence (no category reference)

	Client's hotel room	Own hotel room	Residence of third party	Institution/hospital	Swinger club	Massage parlor	Streetwalker area	Other
	64% (2,1***)	76% (2,8**)	72% (2,3***)	57%	67%	74%	50%	62%
	33% (1,9**)	39% (1,9*)	31%	21%	27%	58% (4,1***)	13%	32%
	46% (1,9***)	63% (3,1***)	58% (2,7***)	50%	67% (3,3**)	68% (3,7**)	50%	51%
	47% (1,5*)	55% (1,9*)	59% (2,5***)	50%	53%	84% (8,5***)	38%	51%
	21% (2,5**)	34% (3,4***)	31% (3,5****)	36% (3,1*)	27%	37% (3,5**)	13%	28%
	75%	84% (2,5*)	77%	71%	67%	74%	88%	75%
	58% (1,9***)	76% (3,7***)	67% (2,4***)	50%	67%	79% (4,1**)	50%	56%
	30% (1,9**)	37% (2,1**)	33% (1,7*)	29%	53% (3,9**)	53% (3,9***)	38%	29%
	81% (1,8**)	87% (2,4*)	81%	79%	73%	79%	63%	78%
	88% (2,4***)	95% (4,6**)	86%	93%	73%	84%	63%	72%
	71% (2,2***)	84% (3,7***)	75% (2,1**)	71%	60%	63%	38%	62%
	55% (1,9***)	76% (4,2****)	63% (2,2***)	43%	73% (3,3**)	63%	63%	56%
	160	38	64	14	15	19	8	68

From the analysis, 132 results are statistically significant, 124 of them refer to risk-bearing workplace locations and eight to protective workplace locations.

Sub-form of violence	Extreme high risk locations OR > 3	High risk locations 2 < OR < 3
Physical violence		Own hotel room, Client's residence, Residence of third party, Club, Client's hotel room, Streetwalker area
Something impacting the body	Massage salon	Client's residence
Sexual assault, rape, coercion	Massage salon, Swinger club, Own hotel room	Residence of third party, Own residence
Unwanted sexual services	Massagesalon	Residence of third party
Extortion for sex	Massage salon, Residence of third party, Own hotel room, Institution/hospital	Own residence, Client's residence, Client's hotel room, Streetwalker area
Sexual intimidation		Own hotel room, Own residence
Financial violence	Massage salon, Own hotel room	Residence of third party
Financial exclusion	Swinger club, Massage salon	Own residence, Own hotel room
Harassment and humiliation		Own hotel room
Unnecessary, unwanted or intrusive questions	Own hotel room	Client's hotel room
Violation of privacy	Own hotel room	Window brothel, Client's hotel room, Residence of third party
Stalking	Own hotel room, Swinger club	Client's residence, Residence of third party, Own residence

Table 10: Overview of workplace locations and violence³⁴

³⁴ In contextual order of size: when there are multiple locations in one box, the location with the highest risk factor comes first, in descending order followed by locations with lower risk factors.

Risk locations 1 < OR < 2	Neutral/statistical context not identified	Protective locations
	Window brothel, Privéhuis, Own residence, Institution/hospital, Swinger club, Massage salon	
Club, Own hotel room, Client's hotel room	Privéhuis, Own residence, Residence of third party, Institution/hospital, Swinger club, Streetwalker area	Window brothel
Client's hotel room, Client's residence, Club	Privéhuis, Institution/hospital, Streetwalker area	Window brothel
Own hotel room, Own residence, Client's hotel room, Client's residence	Privéhuis, club, Institution/hospital, Swinger club, Streetwalker area	Window brothel
Club	Privéhuis, Swinger club	Window brothel
	Window brothel, Privéhuis, Club, Client's residence, Client's hotel room, Residence of third party, Institution/ hospital, Swinger club, Massage salon, Streetwalker area	
Client's hotel room, Client's residence, Streetwalker area	Window brothel, Privéhuis, Club, Own residence, Institution/hospital, Swinger club	
Client's hotel room, Client's residence, Residence of third party, Club	Privéhuis, Institution/hospital, Streetwalker area	Window brothel
Window brothel, Client's hotel room	Club, Client's residence, Own residence, Residence of third party, Institution/ hospital, Swinger club, Massage salon, Streetwalker area	Privéhuis
Client's residence	Window brothel, Privéhuis, Club, Own residence, Residence of third party, Institution/hospital, Swinger club, Massagesalon	Streetwalker area
	Club, Client's residence, Own residence, Institution/hospital, Swinger club, Massage salon, Streetwalker area	Privéhuis
Client's hotel room, Club	Privéhuis, Institution/hospital, Massage salon, Streetwalker area	Window brothel

High risk locations

Very striking was the extremely high risk at massage salons for six of the twelve sub-forms of violence. At massage salons, sex workers had 8.5*** higher odds on unwanted sexual services, 4.1** higher odds on financial violence, 4.1** higher odds on something 'impacting the body', 3.9*** higher odds on financial-economic exclusion, 3.7** higher odds on assault and rape, and 3.5** higher odds on extortion for sex, all in comparison with sex workers who did not work at massage salons. For massage salons we found no protective factors for sub-forms of violence. One sex worker (R21 f sw, club, SM) described that clients at massage salons repeatedly tested the boundaries. She also said that it is often not permitted at massage salons to offer sexual services such as a "blowjob and fucking". However, many clients knew this was an option. When a masseuse did not agree, a large proportion of clients kept negotiating and pushing. Clients threatened them with bad reviews or with complaining to the operators, and they sometimes proceeded to sexual assault or rape. The sex worker added that a masseuse's vulnerability is enhanced because she is often fully naked during the massage.

Another very striking result was the high risk of all twelve sub-forms of violence for sex workers who worked at their own hotel room. This means that those sex workers were statistically at a significantly greater risk of all sub-forms of violence compared to sex workers who worked elsewhere. The most prevalent sub-forms of violence were intrusive questions (4.6**), stalking (4.2***), financial violence (3.7***), privacy violations (3.7***), extortion for sex (3.4***) and sexual assault/rape (3.1***).

Four location categories scored high for many sub-forms of violence, namely clients' hotel rooms, clients' residences, residences of third parties and sex workers' own residences. However, at those locations, the risk was often less extreme (OR < 3). For clients' hotel rooms we found a significantly increased risk for eleven of the twelve sub-forms of violence. For clients' residences we found a significantly increased risk for nine out of twelve sub-forms of violence. For residences of third parties we found this for eight sub-forms and for sex workers' own residences for six sub-forms. For these locations we did not identify a single protective factor. When it came to sex workers' perceptions of safety, respondents indicated that they felt safer to work at hotels than at their own residences. They said that hotels provided sex workers with a sense of neutrality, and the

presence of cameras provided some of them with a sense of security. Objectively speaking, however, hotels increased sex workers' risk of violence.

Results were also found for swinger clubs, institutions and hospitals, streetwalking areas and other clubs. Sex workers working at swinger clubs were at greater risk to experience three sub-forms of violence: financial-economic exclusion (3.9**), sexual assault/rape (3.3**) and stalking (3.3**). At institutions and hospitals they were exclusively at risk of extortion for sex (3.1*), and at other clubs sex workers had a slightly increased risk (OR < 2.1) for six sub-forms of violence. Sex workers at streetwalking areas were at an increased risk of violence for three of the twelve sub-forms: physical violence, extortion for sex and financial violence.

Lesser risk locations

Finally, there were three locations for which we (also) found significant protective results, namely window brothels, privéhuizen, and streetwalking areas. Privéhuizen appeared to offer a protective effect for two sub-forms violence. At a privéhuis, sex workers had 2.0** lower odds on harassment and humiliation and 1.9** lower odds on privacy violations compared to sex workers who worked elsewhere. Sex workers at streetwalking areas had 2.3** lower odds on unwanted questions compared to sex workers working elsewhere. Sex workers at window brothels had 3.1** lower odds on extortion for sex, 2.7*** lower odds on stalking, 2.4** lower odds on financial-economic exclusion, 2.0** lower odds on sexual assault and rape, 1.8* lower odds on acts impacting the body and 1.7* lower odds on unwanted sexual services. Our data from the past year show that privéhuizen, streetwalking areas and window brothels were the safest work locations for sex workers. Besides the three increased risks, streetwalking areas appeared to be neutral with regard to all other forms of violence. For window brothels, however, the results were different. Sex workers working behind a window had on the one hand 2.9*** higher odds on privacy violations and 1.9* higher odds on harassment and humiliation compared to sex workers working elsewhere; on the other hand, working behind a window had a significantly protective result (1.7 - 3.0) for six sub-forms of violence. For privéhuizen we found a protective effect for two sub-forms of violence. Otherwise, privéhuizen appeared to be neutral with regard to the other sub-forms of violence.

In interviews, sex workers primarily listed three locations as risky, i.e. working at their private

residences, working as an escort at clients' residences and working at hotels. Sex workers considered the facts of being alone and not (yet) knowing the clients as particularly precarious. One sex worker also said that in case of violence, home-workers are afraid to call the police for fear of eviction. "Criminals know this. The smaller their chance of being caught, the greater the [sex worker's] risk of violence is." Someone else explained, "[As an escort] you're being directed to a house or hotel, aren't you? And you don't know how many people are waiting for you... What should you do when you're on location and something happens?" (R12, f sw, window)

Home-working had advantages, too, sex workers said. One didn't have to wait for clients all day and could take a client "on the fly". Another sex worker related that inside a hotel room, clients feel rather freer to act violently because they are certain that there is not a colleague or boyfriend in the room next door. Clubs were considered rather safe mainly because there were other people around and sex workers have the possibility to press alarm buttons. When clients get "unpleasant," sex workers can threaten with the alarm which they believe reduces the risk that violent acts will actually occur. Despite the safety risks attached to working on one's own, part of the respondents rather preferred it, mainly due to the freedom that it offered and its lower financial burden. Advantages mentioned for working at window brothels were the social cohesion among sex workers in the same street as well as the opportunity to screen clients properly and reject them (without pressure from operators). "You see your clients coming. You can negotiate in clear terms." (R23, tr sw, window) Moreover, the threshold for calling the police or other assistance is low, because officers frequently patrol window streets. One sex worker thought that seeing a client at his residence was rather safe because clients are concerned that neighbors might hear something, or that the sex worker or the driver in the street may cause mayhem.

5.8 Being Out

Furthermore, we investigated to what extent being out as a sex worker was associated with either an increased risk of violence or greater protection. To what extent were people around the sex worker informed about their work? And what effect did this have?

The statistical analysis shows that being out was associated with an increased risk of violence. Being out to neighbors carried a particularly greater risk for eight of the twelve sub-forms of violence ($1.7 < OR < 3.0$). Being out to intimate partners and own adult children was in some cases a protection against violence.

As mentioned earlier, many sex workers in this study were living double lives to avoid stigma and

discrimination. The qualitative data show that the sex workers occasionally experienced severe forms of violence when they were open about their activities or when others had discovered what they did for a living. For example, sex workers experienced harassment and humiliation from neighbors but they were also blackmailed by family members and acquaintances. One respondent's acquaintance, for instance, who knew about her work, sent her threats. She was instructed to give him money or else he would out her to everyone. When the respondent did not comply, he blackmailed her on the Internet. Sex workers also preferred to hide their work from the authorities. Some worked illegally in order to prevent having to register with the tax office. Others indicated that they did not file a report with the police in order to prevent their work from being known. One research assistant explained, "Opting for secrecy is

	Parents	Siblings	Own child- ren (mi- nors)	Own child- ren (adults)	Intimate partners	Friends	Neighbors	Fellow sex workers
Physical violence	67%	66%	88%	75%	67% (0,48 **)	70%	73%	76%
Something impacting the body	45%	46%	75%	69%	33% (0,53 *)	45%	49%	44%
Sexual assault, rape, coercion	57% (1,6 *)	52%	75%	56%	57%	61%	62% (1,7 **)	62%
Unwanted sexual services	55%	51%	75%	56% (0,44 *)	61%	57%	62% (2,4 ***)	62%
Extortion for sex	22%	28%	63%	31%	25% (0,42 **)	36%	32%	27%
Sexual intimidation	86%	89%	100%	88%	80%	84% (2,2 ***)	86% (1,9 **)	84%
Financial violence	65%	58% (1,6 **)	100%	69%	69%	79%	81% (2,9 ****)	76%
Financial exclusion	43%	35% (2,3 ***)	50%	38%	33%	43%	46% (1,8 **)	44%
Harassment and humiliation	86%	85%	100%	75%	88%	91% (1,8 *)	86% (2,9 ***)	87%
Unnecessary, unwanted or intrusive questions	84%	83%	88%	81%	92%	89%	89%	91%
Violation of privacy	76%	71%	88%	63% (0,38 **)	75% (0,39 **)	82% (1,7 *)	76% (2,5 ***)	76%
Stalking	65%	60% (1,8 **)	88%	56%	65%	71%	81% (2,4 ***)	71%
N	51	65	8	16	51	56	37	45

* Significance level .1
 ** Significance level .05
 *** Significance level .01
 **** Significance level .001

Table 11: Being out and violence (no reference category)

opting for safety, for not being excluded or exposed to violence." Another sex worker indicated that by hiding your profession, you could not inform others when and where you worked, which in turn raised the risk of experiencing violence.

5.9 Other factors

The qualitative interviews showed two more factors linked to the risk of violence.

Self-empowerment and experience

On several occasions, respondents emphasized sex workers' need to be self-confident. One of them said, "You should never lose control or you're lost." Experience is thus a factor. Over time, sex workers learn to clearly state their boundaries and, for example, to establish clear agreements on what they do and do not want.

Financial pressure

The interviews showed that the need for money can derail one's safety at work. Sex workers under less financial pressure worked safer, apparently. One respondent for example said he sometimes took big risks because he needed the money. He said that some clients manipulated sex workers by threatening to cancel their appointments. Thus, they risk not being paid. "Yes, so sometimes, [it's] like you are being coerced. You can say no, but financial necessity compels you actually to say yes." (R7, m sw, swinger and other clubs)

Chapter 6

Willingness to report and legislation

This research shows that almost all sex workers who participated in this research experienced one or more forms of violence in the past year. Although violence against sex workers happens on a grand scale, very few sex workers report it. In this chapter, we further explore this and describe sex workers' reasons for not reporting violent acts committed against them. We also address how this can be traced to legislation and policy.

6.1 Reporting

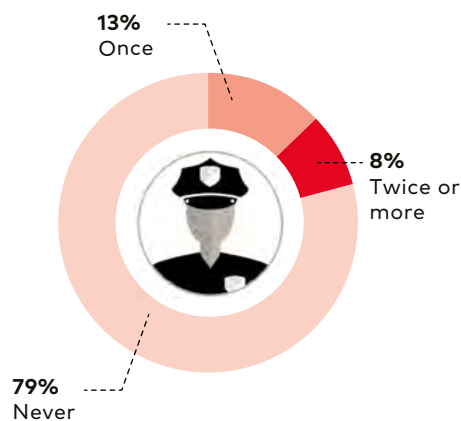


Figure 10: Reporting

Most sex workers in this study (79%) said they never filed a report with the police in the past twelve months. 38 sex workers (13%) had done it once, and 24 respondents (8%) had done it twice or more.

We asked the respondents whether or not they had called the police for help after experiencing violence, with a particular focus on the four main forms of violence. While 13% said they had sought help from the police after they experienced physical violence, 8% sought help after

"Why do I find reporting scary? Of course I don't want a tax office on my doorstep [laughs]. Or that my number is known all around. For me personally, it doesn't matter but I have an eight-year old daughter. I don't want her to be bullied at school... So I'm a bit thinking about her. I protect her before my work."

R14, f sw, independent escort

experiencing sexual violence. The research shows that fewer sex workers experienced physical than sexual violence. After experiencing sexual violence, the threshold for calling the police was relatively higher than after experiencing physical violence. 8% and 12% of the sex workers, respectively, sought help from the police following financial-economic and social-emotional violence.

Anonymity

During the in-depth interviews, respondents pointed out what kept them from reporting violence committed against them. An important reason was fear for possible repercussions if the police or authorities learnt they were engaged in sex work, including fear for being personally condemned, having one's privacy violated, being evicted or found out by the tax office.

Both sex workers working legally licensed and sex workers not working legally licensed said they gained advantages from remaining anonymous. This explains why they did not rush to call the police.

Being taken seriously

Another reason for not reporting was that sex workers were afraid they might not be taken seriously due to their job. One questionnaire respondent was raped by a client at the client's residence. The police declined to take the report, she said, because she had willingly gone home with the client. Another respondent told about the time when she made a report: "They even deliberated whether it was real sexual assault or something civil because I am a prostitute [...]" (R1, tr sw, street and window)

Usefulness

Even if the police were willing to take the complaint, sex workers doubted whether reporting

had made any sense at all. "I thought to myself, what are the police going to do with it? Sure, I anyway can't describe the guy and the what or how." (R14, f sw, independent escort) Further, respondent 1 from the above example pointed out that colleagues predominantly felt reporting [violent] clients "makes no sense."

No confidence in law enforcement

In most municipalities, the police are in charge of enforcing sex work regulations. For example, they trace non-licensed sex workers on the Internet. Therefore, sex workers see the police as adversaries rather than a party they should ask for help.

Consequences of reporting for licensing

Finally, there were sex workers who worked at a legally licensed location and were concerned about its license should they file a report. One respondent (R1 tr sw, street and window) explained, "I often hear that [in Amsterdam,] calling the police is not done. Because then the operator will get a warning, and with two or three warnings he loses his license." This was also a concern for another sex worker who said, "The alarm didn't work, right? So then she [the operator] will get, like, the crap because that alarm should have worked, of course, right? So, I didn't want that shit." A sex worker at a club said she wanted to file a report after being abused, but the operator said there was no point. The client was a big shot and the sex worker would lose automatically. The operator even forbade the hostess and colleagues to testify on the sex worker's behalf.

Considering reporting

However, sex workers are aware that it is important to file a report. One respondent (R13, m sw, club) said, for instance: "And even just filing a report, such things are important. Because if they get one report a year, it's useless for the police to set up a squad. If you get a hundred reports a day, then there's a better chance they set up a squad to move on it. So every report is important." Sex workers are aware that when clients know that a sex worker will not report them, the risk of violence increases. One research assistant explained that home-workers do not file reports for fear of being evicted. "Criminals know this. And the smaller their chance of being caught, the greater the chance of violence is." Another sex worker described, "And meanwhile, there's among clients a culture growing that they know, like, yes, prostitutes almost never call the police. If they do, not much will happen anyway. So that also adds to the idea with clients that they can try a few things." (R1, tr sw, street and window) Yet, in many

"Suppose something bad happened and I'm sure 'this is a crime', or 'he can do this to others, too.' Then I still wouldn't file a report, I think. Because of the system."

R14, f sw, independent escort

cases, safeguarding one's anonymity was a greater factor for not reporting violent acts.

The latter respondent said she did everything she could to prevent violence. But when it happened, all she could do is sharing or discussing it with colleagues. Another sex worker (R13, m sw, club) said he would not make another appointment with a client who got unpleasant or refused to pay. The sex worker said he cannot do much else, although he knows that filing a report is important.

Both the numbers and stories of sex workers show that the threshold for filing a report is high. There are several reasons for this. Respondents said perpetrators know that sex workers do not readily file a report. This adds to the risk of violence.

6.2 Legislation and policy

Earlier in this report, it was mentioned that sex workers experienced laws and regulations as a violation or as reinforcing violent behavior. The section above shows that laws and regulations keep sex workers from filing reports. And thus, they add to the risks of violence against sex workers rather than protect them. Several other factors also deserve further attention.

Decrease in the number of workplaces

In 2006, there were about 1270 licensed sex establishments in the Netherlands; by 2014, the number had decreased to 833.³⁵ Since then, many additional workplace locations were or have closed. There is no exact data for the current number of licensed sex establishments. Sex workers are therefore ever more challenged to find licensed workplaces in the region where they work. Should they find such workplaces, the dependency on the operators is greater than in the past. The operators may put more pressure on them not to refuse clients or to work long days, and sex workers might also have to put up with annoying attitudes or comments from the operators.

35 Van Wijk, A., et al. "Prostitutie in Nederlandse gemeenten: een onderzoek naar aard en omvang, beleid, toezicht en handhaving in 2014." [Prostitution in Dutch municipalities: an investigation into the nature and scale, policy, supervision and enforcement in 2014] 2014.

Certain sex workers, such as cis-male and transgender sex workers, are under all circumstances challenged to find licensed workplaces. Currently, there is only one club in the Netherlands where men can work. For transgender sex workers, Dutch clubs, *privéhuizen* and window brothels offer very limited opportunities for legally licensed work, or often, none at all.

Approach to human trafficking and non-licensed prostitution

In recent years, the authorities paid much attention to tackling human trafficking and countering non-licensed prostitution. Sex workers who came in contact with the police felt besieged and were subjected, for instance, to rather personal questions. Since the police is tasked with enforcing policies regarding human trafficking and non-licensed prostitution, the threshold to call them for help has become even higher.

The Opting-in regulation

Usually, clubs and *privéhuizen* work with the Opting-in system. Experiences with this system vary. Some sex workers like it because their tax and administrative duties are taken care of. Others experience it as false security or even as an imposed injustice. Although sex workers receive labor contracts, they do not entitle them to normal benefits such as health insurance and unemployment benefits. One sex worker explained, "Officially, the operator has no authority over you but the reality is different. The operator sets the hours you work, until closing time even when there's soccer on TV, the price clients pay, et cetera. If you don't comply, you don't fit in the team. For the operator you are an employee, you must follow his rules. For the tax office, you are an entrepreneur. You don't build up retirement [savings], you have no sick-leave compensation in case of illness, no holiday allowance, no right to unemployment benefits, and no money when there are no clients." (R22, f sw, independent escort) According to some sex workers, the Opting-in is a regulation that reinforces the operators' power over sex workers.

Limited opportunity for working independently / ambiguity of policies

For various reasons, sex workers prefer to work independently, for instance for flexibility reasons or because legally licensed work with operators has drawbacks such as the requirement to work in the Opting-in system, paying high rents at window brothels or handing part of one's income to operators. Another reason for working on one's own may be that licensed workplaces are

hard to find due to their decreasing number. On the other hand, in many municipalities, self-employed workers find it impossible to obtain a license, while in other municipalities, it is not clear to them what self-employed sex workers can and cannot legally engage in. All in all, the options for working independently are restricted.

When sex work legislation and policies are ambiguous, sex workers are neither sure about their rights nor inclined to file police reports when violence is perpetrated against them. 43% of the sex workers in this research said they understood only part of the licensing system or nothing at all. Further questioning showed that there also seemed to be great confusion about the policies among the other 57%. As one sex worker said, "I think it's all a gray area. Because what exactly is illegal? I don't have a permit, so what I do will all be illegal. But then, what is your definition [of illegal]? For example, I go to a client who wants a master. No sex involved. Is that illegal or legal?" He continued, "They've tried to make it legal. But it's not quite there yet. So you still are, if you do this work, often working illegally, one way or the other. [...] If they just make it normally legal, you don't have to play hide-and-seek with it anymore." (R2, tr sw, home-worker and independent escort)

Sex workers are creative and if they prefer to work legally, they register with the Chamber of Commerce but do so, for example, as masseurs or masseuses. Then, they can work and pay taxes without being known as sex workers. Still, the threshold for reporting violence remains high.

The sex work laws and regulations in the Netherlands do not protect sex workers against violence; they rather ensure that sex workers are often afraid to file reports with the police. Hence, the laws and regulations facilitate violence against sex workers.

Chapter 7

Discussion and Conclusion

Sex workers in the Netherlands experience an unacceptable degree of violence, stigma and discrimination. In this closing chapter, we first address a number of aspects of this research. Following the conclusion, we make important recommendations for countering violence against sex workers in the Netherlands.

7.1 Discussion

This is the first time that violence against sex workers in the Netherlands have been the sole subject of a research project. With this research, we have proved that many sex workers experience violence. Further, this research has shown that only few sex workers report violence committed against them or call the police for help.

We defined four forms of violence. They were broken down into twelve sub-forms, whereby sex workers could indicate the particular forms of violence they had experienced. One form of violence was overlooked, i.e. the one perpetrated by so-called fakers. Fakers are would-be clients who make appointments with sex workers and then do not show up. They cost sex workers time and money and generate a lot of frustration. This form of violence, and how many sex workers are affected by it, was not investigated.

Sex workers avoid some categories of perpetrators to prevent certain forms of violence. For instance, they prevent experiencing discrimination or mistreatment by not registering with the municipality, by not calling the police for help or, for example, by registering with the Chamber of Commerce as masseurs or masseuses instead of as sex workers. More sex workers would probably experience financial-economic exclusion or discrimination from banks and insurance companies if they would disclose their occupation.

In addition to the forms of violence, we investigated the factors associated with the risks of violence. Data analysis provided a number of factors with significant higher odds to experience violence. However, the data have potential for further analysis. Part of it was not yet analyzed, for example with regard to the strategies sex workers use to prevent violence

from being committed against them. Qualitative information did not explain why a certain group of sex workers was more likely to experience violence than others or which consequences violence has for sex workers. Among respondents, social-emotional violence was the most prevalent form of violence but difficult to interpret in terms of prevention and intensity. While this research does put the spotlight on the issue of violence against sex workers in the Netherlands, a follow-up in-depth study to investigate correlations and explanations is very much needed.

In this study, we chose to use dichotomous comparisons (between people who did and did not experience a certain form of violence). Frequency (how often sex workers experienced violence) was not included, since it did not qualify as a sound tool for this particular research. First, test runs showed that collecting continuous data from the sex workers (the number of times they experienced violence in the past year) was not sound due to memory's unreliability in general. Second, people tend to respond in numbers like 1, 5, 10, 20, and third, the frequency of experiencing violence says little about the respective severity. Follow-up research could focus on which forms of violence are being experienced as severe, and therefore must be tackled with high priority.

With this research, we reached a large and diverse group of sex workers. However, it remains difficult to say to what extent this group represents all sex workers in the Netherlands, given that it is unknown what this group looks like. Occasionally, sex workers pointed out they did not want to participate because, as they said, they did not experience violence. This might have resulted in a somewhat distorted view. Yet, when sex workers who said they did not experience violence answered the questionnaire, it was evident they

in fact did experience forms of violence such as discrimination and exclusion.

7.2 Conclusion and recommendations

The central question in this study was to what extent sex workers in the Netherlands experience violence. This participatory research has demonstrated that they experience an unacceptably high level of violence. In the past year, almost all sex workers in this research experienced some form of violence. 60% experienced physical violence, 78% sexual violence, 58% financial-economic violence and 93% social-emotional violence. The forms of violence ranged from unwanted and intrusive questions to exclusion, discrimination, theft, abuse and rape. Many sex workers pointed at clients as the main perpetrators, but sex workers also experienced violence from other persons and agencies.

Risk factors related to violence in sex work are, for instance, the use of substances, whether or not sex workers worked legally licensed and their workplace locations. Important conclusions of this research are that few sex workers report violence to the police and consequently, that the current sex work laws and regulations offer sex workers no protection against violence.

This research into violence against sex workers offers the following number of concrete recommendations for reducing violence against sex workers.

Sex workers focus

It is important that violence against sex workers and the position of sex workers are on the agenda of all parties that interact with sex workers. Sex workers must be leading the way here: nothing about them without them.

- Sex workers and their interest organization have played an important role in this research. By directly involving sex workers in policy-making, research and interventions, these will be better in line with the needs and current practices of sex work in the Netherlands.

- There must be more invested in peer-to-peer support. For example, a sex worker organization can offer sex workers support if they wish to report violent acts committed against them. Sex workers can also act as peer educators to discuss violence committed against their fellow sex workers and the importance of reporting it. It is important to strengthen the sex worker community so that it can assume this peer-support function properly.
- Currently, prostitution legislation and policy focus on countering human trafficking and non-licensed prostitution, which is precisely what endangers the safety of sex workers. It is of key importance to make sex workers the focus of prostitution policy. Other legislation should be used for countering human trafficking and labor exploitation (in all market sectors).
- With the help of sex workers, the strategies they use to prevent violence must be mapped. This prepares the ground for developing interventions for and by sex workers to reduce violence.

Lowering the threshold for reporting

Sex workers who experience violence must be able to report this to the police. The threshold for reporting must be lowered.

- Sex workers must feel safe to file a report. They must have the feeling that it is useful. We can achieve this by training and sensitizing police officers for this particular task, preferably by sex workers themselves. In addition, law enforcement must pay particular attention to incidents of violence against sex workers and to prosecuting perpetrators.
- The fact that the police are in charge of countering non-licensed sex work raises the threshold for filing report. Sex workers who do non-licensed work must be able to report violence without risking (legal) repercussions and without risking that information will be shared with, for example, the tax office or housing corporations.

Decriminalization of sex work

To counter violence against sex workers, sex work must be decriminalized. Although sex work is legal in the Netherlands, a large part of sex workers actually works outside the licensed sector by necessity and is thus not protected by current laws and regulations.

- This research has shown that sex workers outside the licensed sector are at greater risk of violence. Due to closures of workplace locations, there are not enough licensed workplaces, although working at a licensed window brothel, for instance, affords sex workers better protection. Moreover, the current system offers independent sex workers few possibilities to work legally licensed.
- Sex workers who work non-licensed are often afraid to report violence. In the past twelve months, four out of five respondents never reported violence. Hence, their access to the legal system is severely restricted. When clients know that sex workers do not file a report, the risk of violence increases.
- By recognizing sex work as labor, with the same rights and duties as other professional sectors, sex workers will get access to labor laws. This will strengthen their position and improve their safety.
- Finally, decriminalization of sex work can help curtail the sex work stigma and thereby lessen, among others, the social-emotional violence that sex workers frequently experience.

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SOAIDS
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 **aidsfonds**


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The right to be proud

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