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LESBIANS AND GAYS

LA DECRIMINALISATION

DECRIMINALISE SEX WORK

THE NORDIC MODEL PUTS WOMEN IN PRISON

THE FIGHT TO DECRIMINALISE SEX WORK

900K LAWS OFF MY BODY

RIGHTS

NOT

SO

END VIOLENCE AGAINST SEX

MY BODY MY CHOICE

The fight to decriminalise sex work

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Beyond Trafficking and Slavery is an independent marketplace of ideas that uses evidence-based advocacy to tackle the political, economic, and social root causes of global exploitation, vulnerability and forced labour. It provides original analysis and specialised knowledge on these issues with the rigour of academic scholarship, the clarity of journalism, and the immediacy of political activism. BTS is housed within openDemocracy, a UK-based publisher dedicated to converting trailblazing thinking into meaningful change.

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Contents

Foreword.....	4
Decriminalise sex work to prevent trafficking.....	6
<i>Dame Catherine Healy, Tanya Drewery and Bridie Sweetman</i>	
Stigma and the challenge of harm reduction in Denmark.....	8
<i>Polina Bachlakova</i>	
Speak to sex workers to learn why sex work is work.....	12
<i>Borislav Gerasimov</i>	
Getting anti-trafficking advocates on board with decriminalised sex work.....	15
<i>Emily Kenway</i>	
The false feminism of criminalising clients.....	19
<i>Frankie Miren and Laura Watson</i>	
The slow slog to decriminalisation in Louisiana.....	22
<i>Christine Breland-Lobre and Lakeesha Harris</i>	
Decarceral alliances to decriminalise sex work.....	25
<i>Bella Robinson and Katherine Chin</i>	
Decriminalisation by any other name: sex worker rights in federal advocacy.....	28
<i>Kate D'Adamo</i>	
Selling decriminalisation to the public: a guide.....	31
<i>Polina Bachlakova</i>	
Unionisation + Decriminalisation + Feminist Education = The Red Feminist Horizon.....	36
<i>Ava Caradonna</i>	
'Sweet, smart, strong and sexy': the sex workers taking a stand in Thailand.....	39
<i>Empower Foundation</i>	
"Sex workers united by respect!".....	42
<i>Betania Santos, Miriam Haughton and Joel Levy</i>	
Politics is the heart of all sex worker organising.....	45
<i>AMMAR Cordoba Argentina</i>	

Foreword

Decriminalisation debates remain central to discussions about how to best address human trafficking. At the heart of these considerations are questions around whether trafficking can best be reduced by increasing the policing and criminalisation of prostitution, by criminalising the purchase of sex but not its sale, or by decriminalising sex work entirely. However, with few exceptions such discussions exclude the people they impact most. Sex workers and sex workers' rights organisations – particularly those from the Global South, trans, and sex workers of colour – are rarely granted seats at the table. They are not allowed into the dialogues set up to weigh the different policy prescriptions, even though those prescriptions will have life or death consequences for them once they take effect.

Beyond Trafficking and Slavery released the online version of this collection on 11 January 2020 to coincide with Human Trafficking Awareness Day in the United States. We chose to situate this discussion in relation to the anti-trafficking movement because of the way that anti-trafficking interventions paradoxically enhance policing and surveillance of sex workers as a means of rescuing them.

Spanning multiple continents and disparate legal and policy environments, the authors of this volume offer a radically different view of what they believe is best for sex workers. They give insights into the best strategies for ensuring that people who sell sex are protected; evaluate the increasingly widespread 'Nordic' model, which allows for the sale but not purchase of sex, alongside full decriminalisation; and explain some of the ways that they defend sex workers' interests in hostile and patronising

state and civil society environments. In doing so, they remind us again and again that sex workers are fighting for their lives and that decriminalisation is absolutely mandatory to increase safety. They also remind us that organising and advocacy does not start, or end, with decriminalisation.

This book begins with vital lessons from New Zealand, where sex workers won decriminalisation in 2003. We invited sex workers and their allies around the world to share their experiences advocating for decriminalisation, as well as sought out stories from organisations that previously opposed decriminalising sex work but now find themselves supporting it. Our goal was to find what works, what doesn't, and how it can be done better. Sex workers and migrants have been organising against exploitation and abuse for a very long time, so any conversation about different strategies should prioritise their expertise and experiences – and compensate them for their contributions.

In the weeks that followed the launch of this online debate the world changed. In January, sex workers in Asia were reporting the impact of Coronavirus on their work. Client numbers were down, threats to their personal health and safety were ever-present, and their mobility was increasingly restricted. Asian massage workers in North America, Europe, and Australia lost much of their customer base to widespread xenophobia. The lockdowns that followed around the world sent many migrant sex workers home or forced them to endure a pandemic as undocumented migrants without a social safety net. The new regimes of quarantine, and its attendant policing, have been mobilised against

migrant sex workers as a way to further police and contain their mobility. As social distancing and stay-at-home imperatives have spread across the world, sex workers have collectively experienced grave economic precarity due to loss of work. For many sex workers the situation is now desperate, and many are choosing to return to work despite the risk to their personal health.

Despite the heightened vulnerability that sex workers face under COVID-19, the vast majority of government economic relief efforts exclude sex workers on the grounds that sex work is criminalised and illegitimate. As a result, sex workers' organisa-

tions around the world have not only set up mutual help and solidarity systems but renewed their calls for decriminalisation with an unprecedented sense of urgency. Their response is a rallying cry that must be heard.

The COVID-19 pandemic brutally demonstrates what happens to marginalised and excluded people when things start to go wrong. They die. This is why policymakers and advocates should reconsider the merits of decriminalisation, and we hope this blueprint helps continue these vital discussions in light of the urgency of this moment.

Cameron Thibos
Managing Editor, Beyond Trafficking and Slavery

Elena Shih
BTS Editorial Board Member

Decriminalise sex work to prevent trafficking

Dame Catherine Healy, Tanya Drewery and Bridie Sweetman

New Zealand Prostitutes' Collective

While sex workers struggle to have their rights acknowledged and upheld in many parts of the world, most sex workers in New Zealand (Aotearoa) are able to work in a decriminalised framework. This means that their rights, occupational safety, health, and wellbeing are explicitly recognised in law and they no longer have to fear entrapment by the police.

One of the key advantages of decriminalisation over any form of criminalisation is the shift in mindset from prosecution to protection within law enforcement. This helps deter trafficking amongst sex workers because it enables them to report crimes committed against them without fear of reprisal. But it hasn't always been this way.

Prior to 2003, most activities associated with sex work were illegal in New Zealand. Offering sex for money, brothel-keeping, procuring, and living off the earnings of sex work were all prohibited. It was practically impossible to be a sex worker and remain within the law. As a result, sex workers were extremely reluctant to disclose violence, coercion, and other crimes committed against them to the police. The risk of being identified and later prosecuted were too high. The police operated a fully detailed register of 'known prostitutes' and, along with other government officials, were conscientiously avoided.

This approach harmed sex workers by disrupting their livelihoods and reinforcing stigma. Sex workers were periodically arrested and shamed in court as 'common prostitutes'. Even youth as young as fourteen were prosecuted for sex work-related offences and had to carry the stigma of conviction

into adulthood. Those convictions closed doors. They derailed opportunities to seek other work, as well as hindered the ability to rent a property, borrow money or buy insurance. People were afraid during childcare battles that their sex work could be used to deprive them of custody or even access to their children.

Sex workers were not supported by the law in terms of their occupational safety and health. They were uneasy around health professionals, and there was always a sense that official documentation of their work status could be used to destroy their lives. Even in the workplace they had to disguise their sex work and could not have direct conversations with managers or clients to outline their services. Advertisements were coded and misleading, and there was little appreciation that massage parlours and escort agencies were sex work venues.

Managers, meanwhile, were unable to acknowledge the sex work occurring on their premises. They pretended that employees were there to massage or talk to clients, a pretence that prevented them from promoting safe sex practices at work. And, because most of what was taking place was illegal, sex workers had nowhere to turn when their managers became abusive.

The campaign to change minds

In 1987 the New Zealand Prostitutes' Collective (NZPC) was formed. The primary intention was to reform the law and attitudes impacting sex work in order to enhance the occupational safety and health of sex workers and improve their rights.

Throughout the 1990s, the NZPC established relationships with public health networks, women's organisations, and parliamentarians [to consider the viability of decriminalisation in New Zealand](#). Many women's groups were particularly disturbed by the gender inequality inherent in the prosecution of (mostly) female sex workers but not their (mostly) male clients, and supported law reform on this basis. Others got on board for a variety of reasons. Some politicians listened to the voices of sex workers and supported reform on the basis of human rights, health, labour law and access to justice. Others, sensitive to moral anxieties, lent their support only after the qualifier "while not endorsing or morally sanctioning prostitution or its use" was included in the purpose section (section 3). There were concerns that decriminalisation would encourage more brothels and more sex workers, and so it was agreed that a committee established by the Ministry of Justice would conduct a review five years after the reforms came into effect.

In 2003, New Zealand decriminalised sex work by way of the Prostitution Reform Act 2003 (PRA). The PRA passed by just one vote.

The committee released [its review](#) on time in 2008. It [found](#) that the number of sex workers had not increased and that most sex workers were better off following decriminalisation. [Another study](#) noted that "The most commonly observed impact [of the PRA] was an improved sense of well-being in sex workers, attributed to their new rights and to the fact that sex work was no longer deemed 'criminal'."

Sex workers are now less tolerant of poor working conditions and expect safe environments that will uphold their rights. They expect the justice system to safeguard these labour and human rights. Successful prosecutions have taken place against those who seek to harm sex workers, such as violent offenders or brothel operators who have sexually harassed sex workers.

The police and sex workers have, in many parts of the country, developed productive relationships that focus on the prevention of exploitation and violence. This is an enormous change from the mutual suspicion and threat of prosecution that existed prior to decriminalisation. In 2018, NZPC and the police even co-authored [a booklet](#) to assist potential victims of sexual assault.

In 2013, an organisation calling themselves Freedom from Sexual Exploitation [petitioned the New Zealand Parliament](#) to once again change its stance on sex work, this time to "legislate for ... a law which makes the purchase of sexual services illegal."

NZPC vehemently opposed the petition, arguing that it would "cause major harm to and seriously undermine the occupational safety and health of all sex workers". The NZPC noted that they are able to assist all sex workers, including those who want to change work. They further noted the ability of clients who were concerned about potential human trafficking to contact them and/or the police, a practice which would cease if clients faced prosecution. The PRA had also increased awareness of brothel operator obligations, making brothel operators more diligent about anti-trafficking measures such as ensuring sex workers were over the age of eighteen. The Justice and Electoral Committee dismissed the petition, grounding its decision in part in NZPC's observations and the evidence of the 2008 report.

New Zealand still has further steps to take to achieve full decriminalisation, particularly in the area of migrant sex workers. Section 19 of the PRA makes it illegal for holders of temporary residency visas to work as sex workers. There is more work to do to make sure all sex workers have equal rights and protection.

Stigma and the challenge of harm reduction in Denmark

Polina Bachlakova

The Red Van

To many people, harm reduction seems like something they can get behind. It taps into something fundamental within us. If we can make life safer or more dignified for people by reducing the harms they face due to their life circumstances, why wouldn't we? Unfortunately the realities of providing harm reduction aren't that simple, especially when it comes to improving the health and safety of street-based sex workers. This is because harm reduction does not exist in a vacuum. It is constantly embroiled in and defined by sociopolitical contexts, laws, and policies. To what extent that trifecta refuses to recognise sex work as *work* and stigmatises people who sell sex directly impacts how effectively harm can be reduced.

The Red Van, formerly known as Sexelancen, is an NGO seeking to reduce harm in Copenhagen. It began three years ago when we converted an old ambulance into a mobile safe space for street-based sex workers. The premise was relatively straightforward: by giving street-based sex workers the option to work in an indoor space equipped with health-care items like condoms and lube, we could help decrease their risk of harm on the job. Easy access to condoms reduces the risk of infection or unwanted pregnancy, while a safe location neutralises the power imbalance inherent in following a customer into their car (or somewhere else).

We got rid of the ambulance earlier this year and replaced it with something considerably more low-key – a red van, hence the name – but the work we do is the same. Every Saturday night a group of volunteers opens up the van in Vesterbro, the street sex work area in Copenhagen, so that sex workers

can bring their customers there. They also hand out warm drinks and condoms around the neighbourhood and tell sex workers we're open and where we're parked.

Media coverage of our work, both locally and abroad, has been positive ever since the Red Van rolled into Copenhagen. Other organisations working with sex workers in Copenhagen have had less to say. This isn't so surprising if you look at Denmark's legal framework around sex work. Even though buying and selling sex were decriminalised in 1999, sex work wasn't recognised as a profession. This has helped maintain the stigma around sex work in Danish society, even within organisations working with sex workers: sex workers are tolerated, perhaps, but they are considered beneath other wage-earning citizens in society.

Furthermore, sex work became subject to something called the procurement law, which means that it's illegal to profit off of sex work as a third party. Politicians use this law to virtue signal that they're trying to stamp out pimping or sex trafficking, but in practice it has served to hem in the actions of both sex workers and those providing harm reduction services. For example, some sex workers have struggled to rent apartments because landlords fear they could be charged with profiting off of sex work as a third party, while others have been turned down by financial and legal advisors for similar reasons.

This murky mix of legal grey areas and a history of social stigma directly affects *which kinds* of organisations get funding to work with sex workers in Copenhagen. The reality is that the majority of

sex worker-oriented organisations in our city take a fundamentally anti-sex work, anti-trafficking stance because that is what the government approves of and financially supports. The Red Van refuses to endorse those narratives as they run contrary to our mission of harm reduction. To us, this doesn't seem that radical, but the isolation we felt from others in our community for many years proved otherwise.

Two steps forward, one step back

Community and government attitudes toward The Red Van shifted early last year after [a parliamentary focus group](#) was appointed to look into reforming sex workers' rights. Even without making any changes, this announcement sent a clear signal to Denmark: sex work should lose its stigma, and sex workers are people worthy of employment protections, health services and other basic human rights. We noticed more of our funding applications being accepted and we were invited to participate in Folkemødet, Denmark's annual festival where politicians meet the public. Most of all, we noticed that

other organisations working with sex workers now wanted to help us, even when their politics differed from our own.

We can now rely on neighbours like [Reden International's Night Cafe](#) – a space for sex workers to take a break and have a snack throughout the night – to spread the word about where we're parked every time we take out the van. For context, Reden's mission is to help women in prostitution (their use of word) “create a better life for themselves” – a position that's opposite to ours. Now, every Saturday night when we knock on their door, the people who work there welcome us with warmth. They completely accept that the harm reduction we provide for street-based sex workers is a good thing, even if politically we operate on different ends of the sex work debate spectrum.

Having other organisations in the neighbourhood let sex workers know where we're parked every weekend is vital to our operations because the



procurement law prohibits us from advertising our location. Due to its confusingly broad definition – profiting off of sex work as a third party – we’re afraid to print posters, post our location on Facebook, or do anything that might accidentally break the law. Our only option is to physically walk around Vesterbro and tell sex workers where we are every time we go out on a shift. Catching their attention is not always easy, and even when we do they might not trust us enough to speak with us. Sex workers who are new to the area often keep their distance, and even if they are willing to talk they may not know the streets well enough to find us later on. This is why it’s crucial for us to have the support of organisations like Reden International. Their café’s popularity allows Reden International’s staff to clearly communicate where we are to many

immigration debate – many of the street-based sex workers in our city are migrants – and we could tell this wasn’t going to go well for us. Our suspicions were confirmed when, for the first time in years, we had our annual application for funding from the city rejected. In their letter to us, the City of Copenhagen wrote that they cannot support The Red Van’s operations because we “promote human trafficking and illegal migrant work”.

We were angry, of course, but also surprised. We had received this funding for years. Why reject it this time, and under such politically-loaded rationale? We got our answer in October 2019. Astrid Krag, the new minister of social and internal affairs, [announced](#) that she was scrapping the previous government’s initiative to reform sex worker rights and returning to the position that prostitution (again,

“Having other organisations in the neighbourhood let sex workers know where we’re parked is vital to our operations.”

more sex workers than our small team of volunteers can reach on foot throughout the night.

As for why we have to switch locations every weekend, it once again comes down to stigma: we can’t keep the van parked in the same place because people complain. Neighbourhood residents have, on multiple occasions, firmly let us know that they don’t want this kind of activity on their doorstep. We are now very careful to park on a different street every weekend – which, as you can imagine, makes it difficult for sex workers to rely on us, and discourages some of them from using the van in the first place.

In June 2019 Denmark elected a new government, one that takes a progressive stance on climate targets yet a more hard-line approach to immigration and migration. Sex work in Copenhagen is deeply intertwined with the

their choice of word) is a social illness which must be eradicated.

Krag has since [written](#) that sex work results in elbow, knee and mucousal injuries. She has also received thousands of likes and supportive comments for a Facebook video in which she claims sex workers all have PTSD. Even more bizarrely, Camilla Fabricius, a politician with the governing party, [said](#) in an interview that many sex workers have hip, uterus and gut problems due to too much anal penetration. It’s easy to roll your eyes and laugh at this rhetoric – untrue, absurd and graceless as it is. But it’s important to note that the Danish government hasn’t officially spewed stigma like this in years. Such counterproductive opinions that harm sex workers are now quickly becoming the norm. It’s worrying, and we at The Red Van feel this uncertainty.

Harm reduction in uncertain times

The Red Van relies on volunteers and so we don't need much to keep ourselves going. That's what's beautiful about harm reduction: even with a bare-bones budget you can make a difference in people's everyday health and safety. And we're lucky enough to attract more and more volunteers every month. So in terms of keeping our operations going, we're not that worried. What might change, however, are the circumstances of the sex workers we see.

Countless research demonstrates that stigma greatly exacerbates the risk of harm for sex workers. It can prohibit sex workers from seeking advice or support and push them into riskier situations. Stigma shames good customers and keeps them away, so sex workers must see more 'bad' customers who are prone to violence or bad behaviour. After all, sex workers still need to earn a living. If the only way to do that is with unsafe customers in unsafe locations, so be it.

If this happens due to the Danish government's regressive new position around sex work, our effectiveness as a harm reduction initiative may be compromised. Perhaps sex workers will begin to fear the police, and stop taking the condoms we hand out for fear of arrest. Perhaps they'll have a hard time convincing customers to go into the van – a location that is more public compared to the inside of a car or a back alley. Perhaps sex workers will receive more judgmental treatment from other organisations in our community, and therefore stop trusting us by extension. And, last but not least: The Red

Van's ability to *destigmatise* sex workers by insisting that they are people worthy of dignity and respect may become limited. Many of our volunteers have witnessed passers-by physically kicking sex workers or yelling racist slurs at them. If this kind of behaviour, or the thinking behind it, escalates thanks to the government's new position, who will listen when The Red Van says that's not okay?

These are all 'maybes' and 'what ifs', but that's precisely the point: as a harm reduction initiative, we cannot accurately gauge how these new, stigmatising policies will affect our work. We hope that the support we receive from other organisations in our community, even the anti-prostitution ones, won't change. We hope that sex workers know and trust us enough to keep using the van despite the city's more hostile and shaming environment. But we just don't know.

As we said in the beginning: harm reduction does not exist in a vacuum. Our effectiveness in getting sex workers to want to access our services is directly tied to social attitudes and political legislation around sex work, whether we like it or not. So when our government and others decide to 'eradicate prostitution', we'd like them to think about the ripple effects that entails. It makes life more dangerous for sex workers, it limits the kinds of work organisations in our community can pursue, and it compromises harm reduction – a basic human right which everybody should be entitled to, no matter the legal landscape.

Speak to sex workers to learn why sex work is work

Borislav Gerasimov

Global Alliance Against Traffic in Women

The Global Alliance Against Traffic in Women (GAATW) was founded in 1994 by a group of feminists and women's rights advocates from, mostly, the Global South. As students, activists, asylum seekers, or migrants in the Global North, they had witnessed the struggles of their compatriots with much less privilege than their own. And as volunteer caregivers, translators, interviewers, and advocates in law courts, GAATW's founding mothers had heard the stories of working-class migrant women who had undertaken journeys in search of better livelihoods.

Typically, women narrated stories of difficult situations: of the broken promises of agents/recruiters, unbearable working conditions, and financial destitution. Their stories, hard as they were to hear, testified to the women's courage, enterprise, and determination and challenged the stereotype of 'the victim of trafficking' prevailing in the Global North.

Trafficking and sex work

GAATW has always been an ally of the sex worker rights movement. As feminists and human rights activists, our founding mothers thought it natural to support self-organising among this group of women. In the beginning, some were uncomfortable with the idea that 'sex work is work'. However, their repeated interactions with individual sex workers and fledgling collectives forced them to question their middle-class mores.

A few months ago, I met a feminist activist in Thailand who now works in the field of sexual and reproductive health and rights. She explained that she had been close to GAATW since the very beginning, and that back in the 1980s she had wanted to

rescue Thai sex workers in the Netherlands. To her surprise, they had told her they didn't want to be rescued. They did not mind trading sex for money but wanted to earn more and work in better conditions. If she could help them with that, she was welcome. This and other similar interactions changed her views of sex work and sex workers.

When she told me this story, I remembered something that Lin Lap Chew, one of GAATW's founding mothers, wrote in [Trafficking and Prostitution Reconsidered](#) about the evolution of her own views at the time: "I [was] convinced that I was not against the women who worked as prostitutes, but that the patriarchal institution or prostitution should be dismantled", she wrote. "But soon I was to learn, through direct and regular contact with women in prostitution, that [...] the only way to break the stigma and marginalization of prostitutes was to accept the work that they do as exactly that – a form of work." She ended with the observation that "The personal struggle for me was to overcome the mainstream moral hypocrisy into which I had been socialized."

Regular conversations with sex workers made both of these committed activists change their views from 'prostitution is patriarchal violence against women' to 'sex work is work'. That doesn't always happen, of course, and I've long wondered why. I don't have the answer, and probably never will. What I suspect is the case is that some people simply give more credence to their favourite academic theoreticians, such as Kathleen Barry, than to the words of real-life women in sex work.

Sex work as work, sex workers' rights as workers' rights

GAATW's support for the sex worker rights movement stems from our conviction that women are better able to challenge power and bring about change when they organise to collectively analyse their situation. This is as true for sex workers as it is for Indigenous, Dalit, migrant or trafficked women, farmers, domestic workers, and hawkers. We are honoured to stand in solidarity with their struggles. We do not pretend to speak on their behalf and GAATW will never lead a campaign on decriminalisation. But we will support those who do.

That said, we do encourage our partners in the women's rights, labour rights, migrant rights and anti-trafficking fields to engage with sex workers

(or 'sex trafficking' from 'labour trafficking' as they say in the US) as most organisations do. When necessary we specify whether we are talking about trafficking in the sex industry, or in domestic work, or in construction, agriculture, fishing, etc. This may seem petty and unimportant but it's not. Language shapes thought. Drawing a line between 'sexual exploitation' and 'labour exploitation' in itself suggests that sex work is not work. Anyone who agrees that sex work is work should avoid referring to different forms of trafficking in this way. In particular, American activists, journalists, researchers and others concerned with sex workers' safety should absolutely stop using the term 'sex trafficking'.

We follow the same strategy in our mutual learning and knowledge sharing work. Migrant and traf-

“The personal struggle for me was to overcome the mainstream moral hypocrisy into which I had been socialized”

— Lin Lap Chew, GAATW Founding Mother

as part of the larger struggle for human rights and workers' rights. Even people who despise sex work should agree that those in it should be free from violence and stigma. They should also agree that all workspaces should have decent working conditions, regardless of the nature of work. To wish anything else – to posit that sex workers should face violence, stigma, and abuse at work because their livelihoods raise moral questions – is an odd position to take. As a colleague from another organisation told me once, “I don't have particular feelings about the garment industry. But I want the workers who make clothes to do so in good conditions”.

GAATW does not separate 'trafficking for sexual exploitation' from 'trafficking for labour exploitation'

ficked women's stories are strikingly similar regardless of the sector in which they are exploited. They all speak of deceptive agents and brokers, limited freedom of movement, physical, psychological, and sexual violence at the workplace, as well as stigma upon return. The strategies that women use to resist and escape exploitation are similar too. Our mutual learning exercises have taught us that, for all the talk of the unique nature of the trade, exploitation in the sex industry isn't unique at all.

It is well known that some migrant women working in, for example, domestic work, garment factories, or restaurants do sex work on the side to earn more money. Yet, trade unions and NGOs working on migrants' rights, domestic workers' rights, and gar-

ment workers' rights see sex work and sex workers' rights as something completely unrelated to their work and their communities. When we [organise convenings](#) for different stakeholders, we always invite sex worker rights groups. This strategy has led to some people recognising the common experiences of women working in different sectors and at least being more open to learning about sex workers' struggles.

Advocating for the rights of sex workers to other groups is not an easy task. I often hear from our partners that they 'don't have a position on sex work'. I understand where this is coming from, but it highlights a gap in logic that often appears when talk

turns to sex work. GAATW doesn't have a position on many issues or groups of women. We don't have a position on cooking or selling vegetables on the street, even though there are women who cook or sell vegetables all around us in Bangkok. Yet our instinct would always be to stand in solidarity with them and support them in their demands, whatever these are – for example, for the right to work where they can attract the most customers, maintain decent prices, and protect themselves against exploitative rents and corrupt government officials. These are the demands of all workers, including sex workers. Trade unions, women's rights and migrants' rights organisations should stand in solidarity with them.

Getting anti-trafficking advocates on board with decriminalised sex work

Emily Kenway

Former adviser to the UK's Independent Anti Slavery Commissioner

It's a well-established fact that if you want to win over an audience, you need to start by identifying common ground. Advocating for the decriminalisation of sex work to anti-trafficking actors is no different. But, to reach that ground, we must start by clearing away the pernicious arguments that obscure it.

First, we must undermine the fallacy that all sex work is trafficking for sexual exploitation, a notion deeply embedded in the history of international anti-trafficking instruments and much contemporary practice. If someone thinks this conflation is accurate, they are never going to agree with a decriminalisation position. We can counter it by providing real testimonies of women who sell sex without being trafficked, like many of those in the [recently published report](#) from the University of Bristol that explored that nature of contemporary sex work in England and Wales. Its many salient examples include people selling sex due to financial need, disability, frustration with job insecurity, discrimination and the need to flee domestic violence.

The idea that these circumstances are synonymous with those of women forced into selling sex under direct threat by a trafficker is plainly absurd. We should point out that such conflation is disrespectful to the horrific lived reality of trafficking, an experience that should never be instrumentalised for the ideological ends of a broad anti-sex work agenda.


When arguing against this conflation we must avoid being misunderstood as representing its crude opposite: the 'happy hooker' narrative that sees no

problems in sex work and frames all those selling sex as choosing to do so in total freedom without any constraining factors. Instead, we should inject realism into this contentious debate by introducing the concept of a 'continuum of choice'. This recognises a spectrum of experiences, ranging from freely chosen sex work as one viable economic option amongst many, through a range of circumstances with varying degrees of alternative options and constraints, to forced sex work, including those trafficked into it, at the sharp end.

Plant a flag on overlapping interests

Now that we have clarified that all sex work is not trafficking, and that we are also not apologists for a problematic sector, we can locate our common ground. I've often noticed sex worker rights activists advocating to anti-trafficking actors on the basis of the *rights of sex workers in general*. It's a strategy that makes sense from the former's perspective but doesn't ring true with an audience whose day-to-day work is focused on the sharp end of that continuum. Agreeing to shared ground that's *specific to anti-trafficking itself* would be more effective. Our starting agreement should be this: 'we all want to end trafficking for sexual exploitation. Whatever our personal views on sex work in general, no one thinks one person forcing another to provide paid sexual services is acceptable.'

From this foundational agreement, we should tease out a core principle in approaching this topic: do no harm. Most people come into anti-trafficking work because they care about other human beings.

An illustration of two men in business suits standing inside a large, transparent, multi-tiered glass structure. The man on the left is wearing a blue suit and a red cap, holding a green folder. The man on the right is wearing a light blue suit and glasses, holding a yellow folder and a brown bag. They appear to be reviewing documents together. The background is a bright, abstract, colorful pattern of geometric shapes in shades of blue, green, and yellow.

Because they want to do something about human pain. It should be anathema to promote any policy that does the opposite. This is where we can behead the Nordic Model or 'sex purchase ban.' I say behead because the Nordic Model is surely a zombie of a policy: evidence of its inefficacy and collateral damage should have killed it off and yet it keeps on coming. We should use the damning findings from [Norway](#), [France](#), [Ireland](#) and [Northern Ireland](#) to show the harm it causes and that it is also not proven to reduce trafficking.

Remind them of what they know

Having ruled out the sex purchase ban, we can bring decriminalisation into view by asking anti-trafficking actors to consider expertise from their wider work. It's a strange truth that when it comes to sex-related trafficking, all other knowledge seems to go out the window. The 'solutions' provided would be laughable in other high-risk sectors, like fishing or farming. Do we think all fishermen should be regarded as victims because a proportion of those working in that sector are trafficked? No. Do we think traffickers exploit people within fishing because something about fish itself is morally dubious? No. Shall we criminalise the buyers of fish? Obviously not. Even if we take the less facetious example of cannabis farming, another criminalised sector, no one in the field is suggesting that criminalising the purchase of cannabis would ever prevent the use of trafficked labour in its production.

So, what can our wider anti-trafficking knowledge tell us? We know that people commit trafficking offences in order to make money. We know they need victims who can't access basic rights or easily seek help. We also know that traffickers are generalists more than specialists; they exploit people

in whichever sectors provide the most lucrative conditions. The sex sector, fully or partially criminalised nearly everywhere on Earth, is a perfect candidate.

We also know what people need to protect themselves from victimisation. Rights, the ability to act together to protect those rights, enforcement of labour laws, pathways to migrate legally and independently, and trust in authorities so they can seek help. There is only one policy that can improve all of these factors simultaneously: decriminalisation. Implementing it would make the sex sector less attractive to traffickers while providing rights and protections to those in it overnight.

Decriminalisation provides resilience and rights to the sex sector, making it less permeable to traffickers,

possibly being forced to provide services; why are we forgoing such crucial intelligence?

Learn to squash slippery slope arguments

A common concern raised in these conversations is that decriminalising sex work will lead to the decriminalisation of heinous acts like rape, assault or, indeed, coercion into sex work. That's not the case and this is something on which we need to be very clear and very loud. In 1985, the International Committee for Prostitutes' Rights (ICPR) launched [the influential World Charter for Prostitutes' Rights](#). This called for the decriminalisation "of all aspects of adult prostitution resulting from individual decision", as well as for the enforcement of criminal laws against fraud, coercion, violence, child sexual abuse, child labour, rape and racism.

“We all want to end trafficking for sexual exploitation. Whatever our personal views on sex work in general, no one thinks one person forcing another to provide paid sexual services is acceptable.”

and allows sex worker-led organisations to partner with government-led anti-trafficking work. A useful example comes from South Africa, where the sex worker-led organisation Sisonke [helped identify](#) 38 girls and young women in Durban who had been trafficked and forced into selling sex. In other sectors, it is standard practice that better companies train workers to 'spot the signs' of victimisation in their peers. Should the sex sector really be missing out on this simply because of a societal discomfort with the exchange of sex for money? Similarly, decriminalisation creates opportunities for clients to support identification of victims. The New Zealand Prostitutes Collective (where decriminalisation for non-migrants is in place) receives calls from clients who are concerned about particular sex workers

Under decriminalisation, then, acts that are crimes outside of sex work would remain crimes within it. In fact, decriminalisation would improve sex workers' access to justice for crimes like rape or assault because they could report what happened without fear of prosecution.

Even with these key points made, many anti-trafficking actors will still feel uncomfortable with supporting decriminalisation because it feels as if they're saying everything is fine with sex work in general. People have said this to me many times. We must do two things when this objection appears.

First, we must acknowledge it respectfully. There is plenty wrong in the world of sex work. It's ok to

feel discomfort with the purchase of sexual services at any point along the continuum of choice, particularly in a patriarchal and consumer-capitalist world in which women are commonly objectified and economically dispossessed. We can support sex workers' rights without having to support the existence of sex work.

Second, we must redirect this concern to where it is more appropriate. It is perfectly reasonable to want a world in which no person feels they have to sell sex. We can fight for that world by fighting the drivers of that necessity. Those drivers are not traffickers or men who want to buy sex. They are poverty, restrictive migration policies, unrealistic drug policies, lack of flexible work, lack of free childcare, discrimination and so on. They are, in fact, things that most of us experience as constraining our daily lives to lesser and greater degrees.

This leads us to the final point we must make: we are all in this together. The woman who has sold

sex in her past. The woman who is selling sex right now. The mother whose benefits payment is late and is wondering about going onto the street. The woman who thought someone was helping her to migrate but is now forced into selling sex. The case-worker working long hours in her fight to support trafficking survivors. All of us.

Those who promote criminalising models would have us believe we are divided. They're wrong. We all want an end to harm to women, whether caused by an individual perpetrator or by a perpetrating state. Decriminalisation is a major leap forward on the journey to that goal. It won't solve trafficking in and of itself, but it will make the sector less attractive to would-be perpetrators whilst building resilience and rights into its heart. It won't stop women from selling sex along the remainder of the continuum either, but it will make them safer in the process. There really is no other option if women's safety and rights is our aim.

The false feminism of criminalising clients

Frankie Miren and Laura Watson

English Collective of Prostitutes

Sex workers fight daily battles to defend our rights. The illegality of sex work isn't a hypothetical 'debate' for us. It is our reality. Hundreds of women are criminalised each year under the United Kingdom's draconian prostitution laws while rape and other violence are at epidemic levels. And, as poverty increases at a horrifying rate, we're seeing more women – particularly mothers – pushed into prostitution to survive. It is frustrating that, against this backdrop, we must battle not just conservative forces but certain leftist feminists as well.

So-called feminist arguments around sex work are harder to dismiss than religious fundamentalism, which condemns prostitution, abortion and all sex outside marriage equally, or the overt misogyny that casts sex workers as filthy vectors of disease. In the UK, feminist MPs in the Labour party like Sarah Champion and Jess Phillips, who are openly contemptuous of any sex worker who doesn't fit their description of a 'prostituted woman', are currently using these arguments to campaign to increase the criminalisation of sex work via the criminalisation of clients. Such a development would worsen our situation and directly threaten our lives, as any sex worker-led organisation in the world will tell you. We have no choice but to deal with them. Here are the most common arguments we come up against from anti-decriminalisation feminists.

I. Sex work is inherently violent

This is the core argument for anti-decriminalisation feminists. We do not contest that levels of violence are high. Sex work in the UK has the greatest risk of occupational homicide for women, with a murder rate of five times that of other female workers.

But to propose outlawing prostitution on this basis is to impose a moralistic double standard. Agriculture is the UK's most dangerous industry, with 167 deaths over the past year. No one proposes that farming be banned. Two women a week are killed by their partner or former partner, but we have yet to see a feminist hazard warning against marriage. Instead there are calls, rightly, to better protect labourers in the field and women in their relationships. Why should the route to safety for sex workers be any different?

Stigma and criminalisation make sex workers vulnerable. Illegality frames everything we do. The activity of selling sex is legal in the UK but everything that enables it – from sharing a flat to soliciting on the street – remains illegal. So we either work alone, in hidden spots, or risk a criminal record. Violent men prey on women in such conditions, conditions fostered by everyone who feeds stigma or supports criminalisation. So ask your feminist dissenter: should we be allowed to work together for safety? If she is unmoved or disinterested it will be a short conversation.

If you see her pause for thought, press your advantage by pointing to a real-life example. Our recent successful campaign to get the charges dropped against two women showed how the brothel-keeping and controlling laws are primarily used against women working together for safety. There's also a mass of other evidence which shows that criminalising clients undermines our safety. According to STRASS, the sex workers' union in France, at least twelve sex workers have been killed since the Nordic Model was introduced there three years ago. Violent crime against sex workers increased by 92%, with trans



Sex workers march for decriminalised sex work in Soho, London

[sex workers](#) particularly targeted, after similar laws were introduced in Ireland. [Amnesty International's research in Norway](#) found that the legal framework can compound human rights abuses.

2. Sex work is inherently exploitative

There's a visceral horror to the arguments of some pro-Nordic Model feminists. They scour online review boards for evidence of misogyny and talk about sex work in the most lurid terms imaginable. Nordic Model Now's gleefully disgusted take, found on a page labelled '[FACT: Prostitution is inherently violent](#)', describes a situation in which:

“The punter doesn't want her to simply **tolerate** his hands all over her body, his disgusting halitosis in her face, his rancid sweat against her skin, his dick ramming into her orifices. No. He also wants her to show him that she is **enjoying it**. Because that's part of the deal too.”

“Would you want to do it?” they'll ask if you're not a sex worker. “Would you want your daughter doing it?”, they'll ask if you are. It's tempting to get defensive and snap back “I love sex work!”. It will get you nowhere. Being degraded is a subjective experience and without doubt some sex workers find the job revolting. Instead you can ask, “are we less degraded if we have to beg or skip meals to feed our children?”

3. So many women are trafficked

Denying the existence of trafficking is both disingenuous and exclusionary to those who most need support. However, it's fair to say that sex trafficking statistics are frequently exaggerated. A widely touted claim that 80% of sex workers are trafficked is not credible. The most [comprehensive and reliable research on migrants in the UK sex industry](#) found instead that around 6% of its female sample “felt that they had been deceived and forced into selling sex”. Crucially, many said they prefer working in the sex industry rather than the “unrewarding and sometimes exploitative conditions they meet in non-sexual jobs”.

Again, facts may help: there is no evidence that the Nordic Model decreases trafficking. A 2014 report by the Swedish police found no reduction in trafficking in the country after fifteen years of a 'sex buyer' law. Conversely, New Zealand, which decriminalised sex work in 2003, has not become a hot bed of trafficking. According to the [US State Department's 2019 Trafficking in Persons report](#), New Zealand is in the lowest possible global ranking for trafficking.

Determined campaigning by sex workers in the Global South has furthermore uncovered how anti-trafficking measures frequently serve as smoke-screens for racist, anti-immigration policies. They

are primarily used to prevent women crossing national boundaries in search of a better life.

Research from Thailand's national sex worker organisation, Empower, shows the harm caused by anti-trafficking operations. They estimate that for every person classified as a victim of trafficking in Thailand, around six to eight non-trafficked migrant sex workers are arrested, detained and deported.

They also argue that racist stereotypes of sex workers as poor oppressed victims should be unpicked.

“Sex workers in Thailand are usually the main family provider, supporting families, including children, either in Thailand or in our home country. We work hard to give our family a better life, paying for education, housing, land, farming machinery, health treatment and basic daily living for an average of five other people.”

Similarly, many sex workers in the UK are mothers. Austerity cuts which have **targeted women and single mums** are causing their numbers to grow. In some cities, benefit sanctions alone are responsible for a massive **growth in prostitution**.

Decriminalising sex work would allow sex workers to insist on the same labour rights as other workers and report violence without fear of arrest. Ending the hostile immigration environment and ensuring that women have access to money and resources so that they can feed themselves and their families would make them less vulnerable to those ready to exploit them. Criminalising them and their clients will do none of these things.

4. If sex work were decriminalised women would be forced to work in brothels

This is another favourite horror fantasy of the pro-criminalisation feminists. It's pure fearmon-

gering. Nothing of the sort has happened in New Zealand. And in the UK, where stripping is already legal, no job centre has ever forced women to work as strippers.

5. Decriminalisation won't end male violence

No piece of legislation will single-handedly end male violence. If it were that easy, women would be safe in domestic partnerships and walking home alone at night. What decriminalisation does mean is that sex workers are able to go to the police and ask for help.

And if money isn't being squandered on the policing of consenting sex, we can better demand a change in priorities so that resources go towards helping victims of violence. Women Against Rape, a founding member of the Safety First Coalition which was formed after five young women were murdered in Ipswich, has made this argument elsewhere: “target[ing] men who have not been accused of violence just because they purchase sexual services, diverts police time and resources away from tackling the appallingly low conviction rate for reported rape.”

So there you have arguments and evidence. But we are not naïve. We know that rational, evidence-based reasoning won't sway some people. Only the growing strength of the sex worker-led movement for decriminalisation – alongside a wider movement for justice – will turn the tide. Pro-criminalisation 'feminists' within the establishment do not represent us. Their choice to side with the state, increase police powers against us, and stay silent as we are made poorer and more vulnerable to violence, is no real feminism at all.

The slow slog to decriminalisation in Louisiana

Christine Breland–Lobre and Lakeesha Harris

Women With A Vision Inc.

Women With A Vision (WWAV) was formed in New Orleans, Louisiana in 1989 when a group of Black women working in public health and social services decided they were tired of marginalised communities being left out of the conversation because of white supremacy, patriarchy, and homophobia. Following a meeting detailing HIV-related health promotion that left out one of the hardest hit populations, Black women, our founders decided to direct their own harm reduction efforts. They began doing outreach in areas where mere survival meant that you were blocked from accessing most resources. This outreach happened in housing projects, amongst street-based sex workers, and with folks who used drugs – all groups who were heavily targeted by racist policing.

We believe that divesting funds from law enforcement and reinvesting in communities that have been destabilised by predatory policing is the next logical step in the fight for decriminalisation. For nearly a decade, Louisiana has not just led the nation but the world in incarceration rates at a rate of 1,052 per 100,000. These rates, of course, have glaring racial disparities: African Americans make up 66% of Louisiana's incarcerated population but only 32% of the state's total population. These numbers do not include those held under community-based supervision and burdened by unrealistic fines or probationary requirements. Exacerbating the situation is a near constant threat of arrest. Currently, one in seven adults in New Orleans has a warrant out for their arrest. These statistics are important when we discuss WWAV's approach to sex worker advocacy and decriminalisation efforts.

NO Justice

Louisiana's blatantly racist, queerphobic and transphobic application of certain prostitution laws compelled us to launch the NO Justice campaign in 2008. We had realised that a majority of our clients who had or were engaging in survival sex work – clients who were predominantly poor, Black, and/or members of the LGBTQ community – were facing predatory policing and unequal prosecution and sentencing under the Crime Against Nature-Solicitation (CAN-S) law (now LA RS 14:89.2).

The CAN-S law prohibited the “solicitation by a human being of another with the intent to engage in any unnatural carnal copulation”, defined as anal or oral sex, for compensation. Apart from a felony conviction with the possibility of six months of incarceration and a fine of \$500 for a first offense conviction, the harshest consequence of being caught in its net was to be placed on the sex offender registry for fifteen years to life. Once on the registry it was more difficult to access social services, acquire housing and employment, or even volunteer at a child's school. The requirement essentially branded all registrants with the words **SEX OFFENDER** in bold, red letters across all identification.

CAN-S charges were overwhelmingly brought against poor, Black, and LGBTQ sex workers. We filed a federal civil rights suit to challenge the constitutionality of the law and remove the registry requirement in 2011 on the grounds that it furthered marginalisation and discrimination. We then filed a civil lawsuit against the state with the Center for Constitutional Rights (CCR), Andrea J. Ritchie, Esq., and the Stuart H. Smith Law Clinic of

Loyola University New Orleans College of Law to remove nearly 800 individuals charged with CAN-S from the sex offender registry. At the time, almost 40% of the entire sex offender registry was from CAN-S convictions, 75% of registrants were women, and 79% were Black. The flagrant disparity in the application of the law was undeniable. A year later our office was firebombed. There was little investigation by law enforcement.

The NO Justice campaign and its results were a product of how we at WWAV approach our work. We are led by those most impacted. And in a parish where the police department, sheriff's office, and jail now operate under [federal consent decree](#) due to documented civil rights violations, working with governmental and carceral systems is only ever an exercise of harm reduction.

ism and white supremacy play out in our state and city specifically: Louisiana has the third-highest poverty rate in the country according to the Census Bureau. At the city level, approximately 27% of the population of New Orleans and 75% of its Black residents live at or below the poverty line. For a family of four that is only \$25,750, far from what is needed to afford basic necessities. Census data furthermore shows that women between the ages of 25 and 34 are the highest group living in poverty, more than double their male counterparts. The Institute for Children, Poverty and Homelessness has called New Orleans "the most blighted city in the nation".

To understand the layers of oppression that further contribute to the marginalisation of poor, Black and Brown sex workers, we also need to look at racial and class discrimination in higher end strip clubs.

“Working with governmental and carceral systems is only ever an exercise of harm reduction.”

For example, we successfully worked with the New Orleans Police Department (NOPD) to draft a department-wide order regarding how citations for alleged sex work-related offenses are issued and recommending avoiding engagement when it is unnecessary to intervene. We have been making headway with the city council on bail reform, and are trying to stop the NOPD from using certain charges that unnecessarily send people to criminal court. That's where our fight exists, with those who are most harmed.

Sex work and poverty in New Orleans

We know that decriminalising sex work won't decriminalise the folks engaged in street-based sex work. To do that we must also end the criminalisation of poverty. Some context about how capital-

These clubs impose quotas to restrict the number of Black and Brown women who are able to work there. In most cases that quota is just one person of color. Until fairly recently there hasn't been any real solidarity between performers at these clubs and the those who are engaging in sex work.

However, following a movement by city officials and law enforcement to limit the number of these clubs in the tourist-heavy French Quarter, we saw many of the dancers speak out and push back against racist hiring practices and other discriminatory practices at their clubs. We supported their fight to not be harmed by their employers or our government, and in doing so we found allies amongst sex workers who used their power and unearned privilege to support those who are blocked from indoor job

opportunities due to discrimination. While hiring practices have not changed, indoor sex workers have begun organising and against the criminalisation of those marginalised by racism, transphobia and capitalism.

We have also found unlikely allies in government officials, some members of the anti-trafficking movement, and even some law enforcement. Last year, on the International Day to End Violence Against Sex Workers, we were happy to have our mayor, LaToya Cantrell, make a public statement in support of WWAV's Sex Worker Week of Action. Cantrell proclaimed that all residents deserve equal protection under the law, free from violence and stigma. Advocates for sex workers' rights agree. Criminalisation puts those who engage in sex work, especially street-based sex work, at a heightened risk of physical and sexual violence from law enforcement, customers, and traffickers.

We appreciate our allies because they are necessary, but we are constantly reminded that while many allies have good intentions, they often assume sex workers need to be saved. Our method for working with entities that may support the criminalisation of sex work is to identify which issues in support of decriminalisation they respond to, whether it's basic human rights, freedom from violence or access to a living wage, and work from there. Disappointingly, many supposed allies prefer voyeuristic approaches to change despite the wealth of well-documented stories that already exist. Often groups request to have individuals – especially current or former survival-based sex workers that have experienced trauma – tell their personal stories. We support folks who want to share their experience, but we do not support the exploitation of others' trauma. We

learned long ago to maintain clear and consistent boundaries when working with individuals and organisations that do not share our analysis.

In spite of allies that double as adversaries, we continue to chip away at carceral practices by building on local, national, and global efforts and wins. On a local level in Louisiana, there has been a concerted effort to reduce incarceration rates and to end police bias. We have been able to build on these reforms by citing the evidence-based policy recommendations that are being adopted in cities across the country. For example, WWAV was instrumental in passing Good Samaritan laws that protect individuals that use drugs from arrest and prosecution when seeking medical assistance. We are now working to extend the same protections to sex workers who experience or witness violent crimes, building off similar legislative and policy wins with the language of harm reduction. We also recognise that our messaging and advocacy efforts must be adaptable. Depending on the audience, our approach can vary from the need for human rights affirming, safe labor practices as a means to increase overall public health all the way to the deleterious effects of carceral systems that push individuals deeper into poverty thereby destabilising families and communities.

The idea that we must save individuals who have been coerced into sex work by circumstances like poverty, or by outside forces such as traffickers or abusers, is wildly harmful. Individuals who have been coerced need their personal agency restored and access to resources that will allow them to make the choices they want to make. We believe that by advocating for the most criminalised we advocate for all.

Decarceral alliances to decriminalise sex work

Bella Robinson and Katherine Chin

COYOTE Rhode Island

This year marks the tenth anniversary of the [recriminalisation](#) of indoor prostitution in Rhode Island. Between 1980 and 2009, the reigning legislation outlawing street prostitution in Rhode Island left a loophole that allowed judicial interpretation to establish indoor commercial sex establishments as legal. Sex workers working from homes, hotels, or agencies could report violence to the police without risk of arrest. They could access health care services without fear of being reported. Commercial sex establishments were privy to the same licensing regulations as other businesses, and sex workers were provided with the same standard of legal protection as other citizens and labourers. New legislation introduced in November 2009 to recriminalise indoor sex work in the state changed all that.

By chance I moved to Rhode Island that same year. I had depended on sex work for my livelihood for decades, enduring arrests, one three-year and one five-year sentence at a state prison, and the violence of the criminal justice system. I regularly suffered from coercion at the hands of the state. My first prostitution charge and conviction resulted from refusing to go out with a police officer. Later on I did time at the [Lowell Correctional Facility](#), where guards physically and sexually abused female inmates, using their positions of power and authority to pressure women into having sex.

After I was released, I had little choice but to use sex work to pay the exorbitant fines the judge had levied or I risked going back to jail. The criminal justice system, in my experience, was just another oppressive force that endangered my rights, my health, and my agency. Moving to Rhode Island was

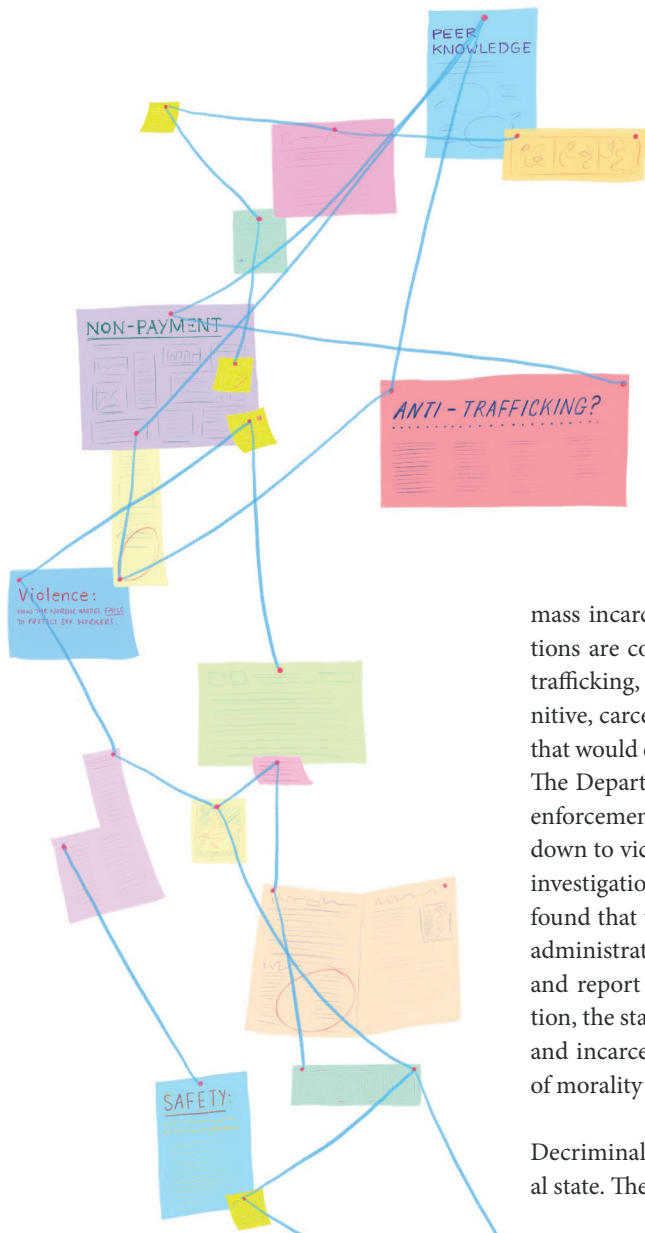
supposed to change that. For a little while it did. Crossing the state border put me in a world where I was an equal citizen before the law and where the state protected me from violence rather than caused it. In Rhode Island I experienced freedom for the first time.

That feeling of liberty was short-lived. Governor Donald Carcieri signed the recriminalisation bill into law on 3 November 2009, destroying with his pen the world of equality and agency that I had briefly inhabited. I had tasted the freedom of sex work under decriminalisation for six months. I had caught a glimpse of the life I deserved. Having those rights again taken away from me galvanised me to found the Rhode Island chapter of Call Off Your Old Tired Ethics (COYOTE RI) and advocate for decriminalisation.

Criminalisation and the carceral state

The criminalisation of sex work makes violence against sex workers appear normal. It prevents sex workers from calling the police, health care providers, and other sex workers when things go wrong. And it potentially classifies any sex worker-led organisation as a criminal enterprise. Academic studies conducted by [Cunningham and Shah](#) of Baylor University and UCLA, and [Bisschop, Kastoryano, and van der Klaauw](#) of the Institute for the Study of Labor, show decreased sexual and physical violence among sex workers in decriminalised environments, as well as improved public health through lower rates of sexually transmitted infections and diseases.

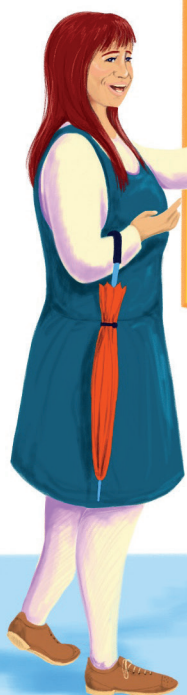
Yet lobbying for decriminalisation faces an uphill battle. Rather than acknowledge the harm reduction and public health gains that decriminalisation



would bring to the sex industry, criminalisation's advocates stubbornly continue their moral crusade to use the police to save women from coercion and exploitation. The name of choice for this work is anti-trafficking. Funding streams, which flow from the United States government to the NGOs on the ground, are funneled into anti-trafficking efforts that are entangled with systems of surveillance,

mass incarceration, and deportation. Raids, arrests, and deportations are committed in the name of protecting victims of human trafficking, subjecting sex workers to the revolving door of a punitive, carceral state that fails to provide the resources and support that would empower women to leave the industry if they so choose. The Department of Justice has allocated millions of dollars to law enforcement agencies to fight sex trafficking, yet little, if any, trickles down to victim-centered harm reduction programs. COYOTE RI's investigation of organisations that receive anti-trafficking funding found that the overwhelming majority of these funds are spent on administrative overhead, fundraising, and trainings on how to spot and report trafficking. By conflating sex trafficking and prostitution, the state has found a way to pursue its agenda of criminalising and incarcerating women who deviate from traditional standards of morality and work outside the formal economy.

Decriminalisation is thus closely tied to the fight against the carceral state. The criminalisation of prostitution is a key example of how



surveillance, arrest, punishment, and deportation have become the state's default responses to social issues. Criminalisation uses violence as a tool of social reform, which in turn normalises violence against trans women, women of color, and migrant women – the marginalised groups who are disproportionately represented in prostitution arrests. There is, therefore, a natural alliance amongst lobbyists for the decriminalisation of prostitution and those who advocate for decarceral solutions and prison reform and abolition. Both groups share a central concern with punitive politics and the policing of so-called problematic communities, which impedes racial and economic justice, civil liberties, human rights, and public health. Both groups also recognise that criminal punishment is not necessarily the most effective way to reduce violence and harm in communities of need.

My work on decriminalisation as the executive director of the COYOTE RI is therefore not limited to building and strengthening networks of sex workers and sex workers activists, but also focused on partnering with other organisations with decarceral agendas. In 2017, COYOTE was one of five organisations dedicated to racial and economic justice that co-founded the Alliance to Mobilize Our Resistance to provide community support for victims of hate crimes and state-sponsored violence. We also have a long-standing partnership with the Sex Worker Outreach Project Behind Bars, in which we act as case managers and help incarcerated sex workers access reentry services upon release. Together we also collect and publish data on the impact of carceral policies to inform future political discussions.

COYOTE RI works with Black & Pink, an organisation advocating for the abolishment of prisons and the rights of LGBTQIA prisoners across the country. We also serve on DARE's Behind the Walls Committee to advocate for the removal of barriers

to employment for people with criminal records. It is only with these alliances that COYOTE has been able to work on cross-cutting projects that help reshape conversations surrounding decriminalisation, and garner a wide base of support for the movement.

Our organising strategy and focus on decarceral solutions have brought a significant amount of visibility to the movement. Our most recent success was the introduction of resolution H5354, "Creating Special Legislative Commission to Study the Health and Safety Impact of Revising Commercial Sexual Activity Laws." Introduced to the Rhode Island House Judiciary Committee by RI Representative Anastasia Williams, this historic bill demands a study commission to examine the impacts of the criminalisation of sex work. It would not be possible without a diverse coalition of activists that recognise a common battle against mass incarceration, and women's organisations like RI NOW, the Providence chapter of Amnesty International, and Womxn Project HQ.

Having worked under both criminalisation and decriminalisation, and having experienced incarceration and sexual assault at the hands of the state, I have an intimate understanding of the need to build a broader coalition of decarceral politics in order to protect my community. The fight for the decriminalisation of prostitution can thus find common cause and support with abolitionist movements by centering decarceral politics and solutions to the violence waged against our communities. Decriminalisation would liberate thousands of women of color, LGBTQIA folks, and immigrants from the threat of incarceration and deportation. It would empower so many vulnerable communities and protect them from the abuse and violence they experience regularly at the hands of the state. Bringing a decriminalised world to fruition will require recognition of these intersectional goals and a broad coalition fighting together.

Decriminalisation by any other name: sex worker rights in federal advocacy

Kate D'Adamo

Reframe Health and Justice

In the last year, the conversation in the United States on sex worker rights and the responsibility of lawmakers to listen has reached a new level of attention. The last year has also seen the start of one of the most important presidential races we will ever see (God willing). This timing has meant that sex worker rights has moved from a topic reserved for state and local administrations to a question that, for the first time, almost every presidential candidate and congressperson has to have a stance on.

Even for those who believe that sex worker rights are human rights and that sex work is work, understanding how the federal government can help make those rights real isn't always easy. So far there has been a focus on the ways in which federal candidates and policymakers can set a national tone around sex work. What is still missing is a better understanding of the concrete steps they can take to improve the health and wellbeing of people who trade sex.

A different kind of issue education

Policy change around the sex trade is often centered on decriminalisation or anti-criminalisation, which requires broad changes to criminal law and divestment from the criminal legal system. Under the US's legal structure, direct criminalisation of the exchange of sexual services for resources happens at the state level and is enhanced by municipal laws and local law enforcement policy. Currently, there is no federal law which directly criminalises sexual exchange. And, based on a 1911 Supreme Court case, there can't be.

Nonetheless, federal actors enhance criminalisation in important ways. Sex worker advocacy in federal spaces, therefore, requires nuanced and substantive conversations on federalism as well as sex workers' rights. For example, federal funding to local law enforcement sometimes requires them to undertake activities to avert "demand for trafficking", and the accompanying trainings only show examples of sting operations against sex workers' clients. Immigration and customs law bar entry into the country for people who have engaged in sex work, even from those countries where the selling of sex is legal. Immigration jurisprudence has ruled that a prostitution arrest and conviction is enough to bar someone from adjusting their status from temporary to permanent.

Federal laws also cover "interstate commerce" or things crossing state lines – including internet regulations – which made the passage of FOSTA/SESTA, a bill which expanded criminal and civil liability for websites which hosted information related to the sex trade and led to dozens of websites preemptively closing, possible. Federal projects have international reach as well, such as the trainings the US gives to foreign law enforcement agencies on how to engage in trafficking work. These often replicate and encourage the same law enforcement tactics and racist narratives and imagery that American sex workers are all-too familiar with.

Decriminalisation is only a clear ask for state policymakers. Asking federal policymakers to say 'decriminalisation' can have a strong impact on the conver-

sation, but focusing solely on that without tangible asks lets them off the hook. There are ways short of decriminalisation that they can enact change.

Shared values

No issue exists within a silo. Even for those who are open to the conversation on sex work, the issue is probably new. Coalitional partners have been key to moving policymakers because they are able to put the issue of sex work into more familiar contexts. For someone with a long record of supporting LGBTQ communities, sitting down with a national LGBTQ organisation who can explain that, for many queer and trans individuals who have been pushed out of formal education and employment, the sex trade can mean survival puts the issue within the context of LGBTQ rights and liberation. An HIV organisation

violations it covers. Enforcement, however, has for the most part been limited to the sex industry. This is to the detriment of both people in transactional sex and survivors of trafficking in other fields. But unlike in other conversations on labor exploitation, workers in the sex industry are neither seen as experts on the nuances of their work nor as the people best positioned to identify solutions. They are treated as ignorant of the conversation, at best, and as a driver of trafficking at worst.

Within the United States, this is slowly beginning to change. The passage of FOSTA/SESTA changed the conversation for many people who were just starting to think about how federal legislation can directly impact the sex trade. While anti-trafficking organisations were pushing the dire need for this

“Advocating on this issue is about speaking with conviction to the things we all know to be true.”

can describe how the impact of law enforcement confiscating condoms and using them as evidence of prostitution impedes their work and puts their clients’ health at risk.

This is simply another way of making the need for decriminalisation a tangible step towards a shared commitment to health. Coalitional partners help show that the issue of sex worker rights is a core piece of the change we all believe in. Their mere existence, furthermore, demonstrates that there is broader support for decriminalisation than many people realise.

Sex workers are anti-trafficking experts

One area which is uncontested within the scope of federal policy is anti-trafficking legislation. The flagship law within this area, the Trafficking Victims Protection Act, is quite broad in the sorts of

legislation and arguing that it would do no outright damage, sex workers were explaining that this would cause websites to close, displacing people into precarity and vulnerability. In the year and a half since its passage, the law has not been used for any new civil litigation, yet websites have indeed closed and sex workers have indeed been displaced and faced precarity and vulnerability. Sex workers were clearly the experts who should have been heard before its passage.

Like Cassandra screaming into the void about the fall of Greece, sex workers were the only ones predicting increased use of high-risk workplaces, economic precarity, housing insecurity, and violence. Now that FOSTA/SESTA has passed, sex workers are again the only ones documenting its impacts or trying to address them through support and mutu-

al aid. Policymakers need to be reminded of this. They also need to know that the exclusion of sex workers from discussions of FOSTA/SESTA was not an isolated experience – that is how anti-trafficking conversations have always gone and will continue to go unless something changes.

If there is anything that's clear about anti-trafficking work, it's that what we're doing isn't working. No matter how many bills are passed, how many officers are trained, and how many task forces are funded, even the flawed metrics used to measure progress remain stagnant. Congressional staffers are sent bills full of intention, good and harmful, every day from people who claim to be experts from well-funded organisations. Many of these have never met a sex worker or come close to a direct instance of trafficking outside of their participation as consumers of cheap goods. These pre-drafted bills give easily digested 'solutions' to these problems that often rely on investing in police. The eventual consequences and negative impacts are never communicated back, or are blamed on other circumstances.

Staffers rarely hear from people who are directly impacted by legislation, especially when it comes to anti-trafficking efforts. When they do it is usually cherry-picked stories which affirm the necessity of intervention. Unfortunately, the rhetoric of "sex work isn't sex trafficking" can reinforce that trafficking in the sex trade is wholly different from sex work. By talking about the ways in which workers and their organisations are the best primed to identify vulnerabilities and offer solutions, sex workers can follow the lead of other workers' rights movements and demand space in anti-trafficking discussions.

Moving the conversation

The best part of doing this kind of education is that it's all true. While anti-sex work campaigners twist their language, falsify studies, ignore lived experience, and co-opt terminology – sex workers fighting for decriminalisation are speaking from truth. Advocating on this issue is about speaking with conviction to the things we all know to be true: criminalisation is putting people in harm's way; it's much easier to exploit people in an industry that has to stay hidden; and pouring money into what are essentially vice stings isn't working. The work is about sharing that truth through shared values and then coaxing people into taking tangible steps.

Congressional staffers, and now presidential campaigns, now have many more opportunities to engage with the subject of sex workers' rights. Policymakers at every level of government may have different places of intervention, but most have something they care about which is enhanced by supporting sex workers rights. Whether it is criminal legal reform, economic justice, or LGBTQ rights, supporting the health, safety and rights of sex workers means honoring the lives and wellbeing of community pillars, caregivers, and people who are pushed to the margins through structural inequity. Understanding the role of the sex trade within these issues is an opportunity for policymakers to live into their values and make their goals even more impactful. That is just as true in Congress as it is anywhere else. While the levers of change may look different, they are rooted in the same shared goals of transformative, meaningful change.

Selling decriminalisation to the public: a guide

Polina Bachlakova

Media professional and volunteer at Copenhagen's The Red Van

Trying to convince people that decriminalisation is the most humane policy around sex work can often feel like trying to smash a piñata. Those of us who are sex workers or sex workers' rights activists often deliver our arguments with hard-hitting urgency, as if we're trying to forcefully shake out empathy or buy-in from those in positions of power.

This makes sense. Many proponents of decrim don't have the luxury of taking a coolly removed stance towards the subject. For sex workers, it is *very much* personal and political. Arguing decrim isn't about recommending effective policy as much as it is demanding *basic physical safety* for people who do not have it.

This means that when we urge people to get on board with decrim, we often do so without the veneer of detachment. We speak with crystal clear ferocity and volcanic passion. These are qualities you'd think would touch people, and yet somehow that piñata rarely bursts. No matter how desperately we want people to understand that sex workers' health and safety depend on decrim, too many remain unwilling to even invite sex workers into the conversation. What could we do to change this?

We need to overcome decades of stigma against sex workers, for starters. We need to prove why decrim is an attractive policy to our states. We need to get the anti-trafficking institutions and pro-Swedish model feminists to side with us. These are big, long-term tasks; not easy fixes. So while we work towards that, I suggest we get started by employing a much more straightforward tactic: we rethink how we market and communicate decrim.

I realise this isn't a very sexy thing to say. And I get it: when sex workers' lives are literally at stake because of poor policy, who has time to think about something as banal or seemingly light-hearted as a visual identity? Moreover, how many organisations working on behalf of decrim can even afford a marketing budget? We all know the answer.

But, as a volunteer for Copenhagen's The Red Van and as a communications professional who has spent the last eight years crafting everything from social media strategies to marketing articles for start-ups, I'm asking you to hear me out. Historically, activist movements have reached critical mass with the help of marketing and communications strategies – be it through [eye-catching posters](#) or [hashtag campaigns](#). To follow that lead doesn't require all of us to suddenly build slick websites, hire PR interns, and hand out free t-shirts. Even small changes can make a difference and aid us in side-stepping what is perhaps the biggest communication barrier we face today: [compassion fatigue](#).

Studies show that people have become numb to the horrors we constantly see on the news. The refugee crisis; the climate emergency; right-wing politics gaining ground; racist violence. We are bombarded with stories like this every day. To stay sane we subconsciously 'tune out' what we hear on an emotional level. It is simply too upsetting and stressful to let all of this terrible news actually sink in.

Can decrim get through this compassion fatigue? Yes, if we follow some of the basic tenants of professional communication.

Identify our target audiences

When we're arguing decrim, we're rarely talking to one type of person. Our audiences can include funding groups, policy makers, NGOs, feminists, activists and other allies. Each of those groups responds to a *different* type of communication style. To understand why, put yourself in their shoes. Let's say you're a municipal policymaker with decades of experience in the civic sphere. Your office is bureaucratic and favours traditional communications methods; written memos, white papers, research reports from neighbouring government bodies, etc. This means that if you are presented with a research report compiling peer-reviewed studies around decrim, you are encountering this information in a format that's *native* to you, your boss, and your colleagues. That makes it more likely that you'll pay attention to it.

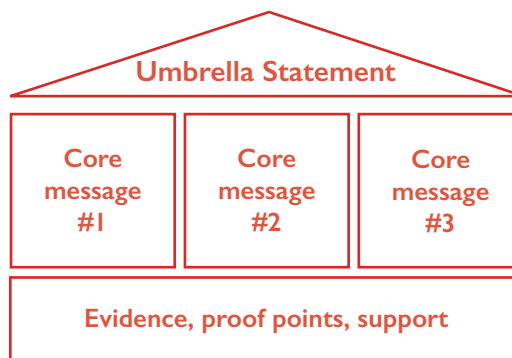
But let's say you're an Instagram activist in your mid-20s, spreading pro-sex-worker messaging to your followers through on-the-fly stories. In contrast to the middle-aged policymaker, you've grown up digitally native. You are used to getting news through friends on your social media feeds. That same research report is less likely to resonate with you because it will feel alien. But what if you received its same key points through a short Instagram story? What if you saw an Instagram post of the words 'DECRIM NOW' in bold font, with a to-the-point caption and a clear call to action? You would pay more attention because this is how you already communicate to your own audience every day.

These are just two examples. My recommendation is doing the same exercise for *all* of the groups your organisation is trying to reach about decrim. If you identify which communication styles and platforms work for each group you'll then be able to customise your message so that it works for each target audience.

Build a message house

A message house is how you organise the points you're trying to communicate. It helps you clarify what you're trying to say and identify the unique

selling point of each argument. It looks a little something like this:



To break it down, a message house includes:

Umbrella Statement: This is your most important, all-encompassing message. It's the one that all of your sub-points should tie back to. It should be short and *simple*, so that it's easy to understand.

Example: 'Decriminalisation is the most humane policy for sex work.'

Core messages: These are your sub-messages underneath your umbrella statement. They reinforce and refer back to the umbrella statement while presenting compelling points of their own. If you keep your different audiences in mind when crafting them, your core messages will be consistently relevant yet different enough to resonate with specific groups of people. Finally, they are 'sub'-messages because they aren't key like the umbrella statement. They enable you to get more specific in your argument.

Example that would resonate with humanitarian NGOs: 'Decriminalising sex work makes life significantly safer for vulnerable people.'

Example that would resonate with federal policy makers: 'Decriminalisation enables sex workers and third parties to contribute to the economy.'

Evidence, proof points and support: This is all the backup for your core messages and your umbrella statements. Here's where you put the 'meat' behind

your arguments – the research, studies, quotes, and other supporting information that validate what you're saying.

Example: 'Multiple studies show that criminalisation and the Swedish model make the good clients go away and the bad ones stay. Both increase sex workers' risk of harm on the job.'

Example: 'Sex workers tell us that policies other than decriminalisation often create a confusing legal framework in terms of participating in the economy. The grey areas inherent in semi-decrim and the Swedish model make sex workers unsure of how to perform many socially and economically beneficial tasks, such as pay taxes or hire employees such as accountants.'

As you can see above, a message house enables you to realise what you're saying and *to whom* you're saying it. It helps you to smoothly switch between messages and audiences without ever losing sight of your umbrella message.

Identify a unique tone of voice

If we revisit the idea of compassion fatigue, part of the problem is that the majority of the headlines we read are delivered with the same language. They're sober, visceral, even doomsday. Logically, this makes our brains lump all the causes which employ this language into the same 'crisis' pool, with compassion fatigue as the result. To sidestep this cognitive effect, organisations fighting for decrim need to identify a unique tone of voice.

A consistent tone of voice renders your organisation familiar and recognisable across communication platforms. It guides new teammates in their communication and minimises the chance for audience confusion. Here are some areas to help get you started:

Language: I highly recommend choosing *one* language to externally communicate with. The language you choose should be the language understood by the majority of your audience no matter

where you're based. For example, if you're based in Sweden but you're trying to reach international NGOs, sticking to English makes the most sense. Avoid switching between languages, as this can get confusing for your audience. and The language you choose, of course, depends on the nature of your work. This can get tricky if you're located in a country with a growing international population

Characteristics: If your organisation was an actual human, how would it sound? Would they speak playfully or candidly? Would they sound gentle or straightforward? Would they be concise or favour open-ended questions? Do this exercise with your team, and then write down the characteristics you want to embody in your tone of voice. This will help make sure you sound the way you envision your organisation throughout all of your communications.

Politics: Obviously, those of us arguing for decriminalisation have a specific political orientation, so this point is more relevant for the hybrid organisations – the ones which are pro-decrim, but perhaps provide another service. The Red Van is a great example: we argue for decrim and will confirm our position if asked, but the main thing we do is provide harm reduction. We find that this is better communicated apolitically. With that example in mind, it's valuable to consider *to what extent* you want your politics to come through in your communication.

Vocabulary guidelines + FAQs: Do you say 'sex workers', or 'people who sell sex'? Do you always say 'decriminalisation' in full, or use the shorter 'decrim' on certain platforms? Since the field of sex workers' rights is so aligned with specific politics, it is important to outline which vocabulary your organisation uses and why. That way, everybody working with you knows how to speak about your work in a way that fits into your ideological stance.

In tandem with that, make a short FAQ with clear answers to hard questions. This will help your team know how to navigate tricky situations with alignment and confidence.

Example: 'I thought that legalisation was the best model. What makes decriminalisation better?'

Write an elevator pitch

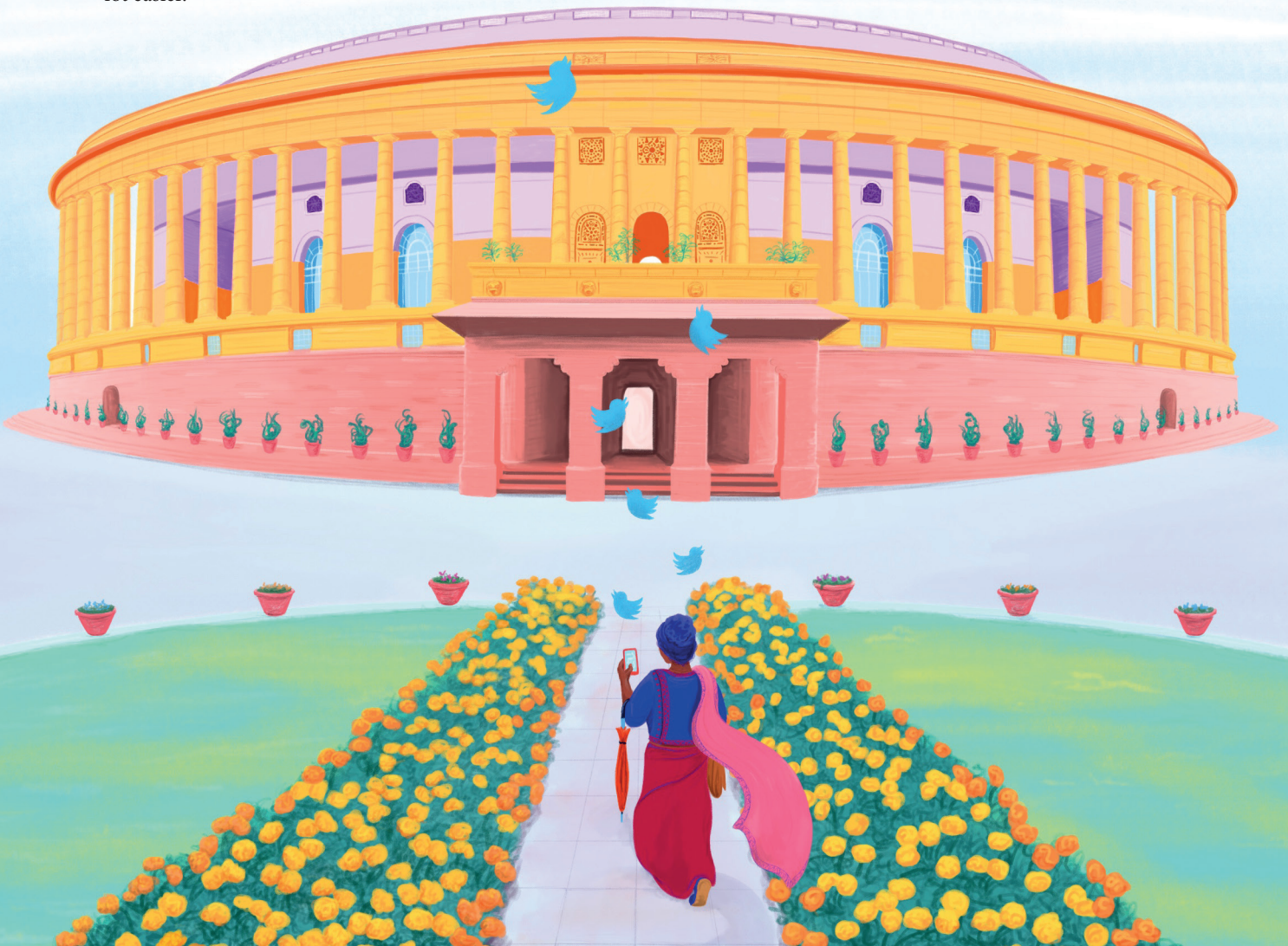
Decrim is not an inherently easy thing to communicate. The reasons we advocate for this policy are complex. They range from safety to labour rights to anti-racism to business. This is why it's imperative that each organisation develops a mission statement that clearly and concisely explains exactly what they do. The metaphor 'elevator pitch' is often used in connection with the mission statement, and it's helpful here.

Let's say you walked into a full elevator, and on the ride up somebody asks you what you do. What single sentence would make them understand the most important things about your organisation?

If you try doing this exercise in your head now, you'll probably find that it's extremely difficult. Don't give up. Give yourself some time to draft, scrap, re-draft, re-scrap, and draft again. Once you have that powerful mission statement you'll find that intuitively communicating what you do gets a lot easier.

Design matters

In one of the most conclusive studies on the impact of design, the UK's Design Council [found](#) that companies effectively using graphic design outperformed the FTSE 100 by 200% and outperformed their peers. Graphic design matters and makes people take your organisation seriously. Part of the reason is that visuals communicate a whole bunch of cultural cues to us. Another part is that technology enables more and more people to create better visuals themselves, which then raises the bar for what's considered 'basic' design. And, perhaps



most importantly, platforms like Instagram expose us to beautiful visuals at a staggering rate. This makes us more sensitive to anything that does not fall into the 'good' design camp.

For organisations arguing decrim, this is incredibly important to understand. Due to stigma against sex workers, many people think that decrim is a fringe issue irrelevant to them. To combat that, we must do what we can to seem 'insider' in terms of our cultural relevance. Employing thoughtful graphic design is one of the most tried and true ways to do that because of all the cultural cues contained within visual communication.

Making progress on this front is possible even with the most minimal of design budgets. Pay a graphic designer to do the most important stuff, and take advantage of the budget options out there for everything else. Top of the list is your brand identity: your logo, colour palette, and typography. Once you have that sorted, you can make a beautiful website using one of the many visually-oriented hosting sites out there, and use other free or low-cost templates to design additional elements like presentation templates or email signatures.

Be consistent with social media

We all know social media is important. It is only effective, however, *if you use it consistently*. The moment you appear on social media your audience expects certain things from you: regular posts, responses to private messages, updates on upcoming events. Platforms like Facebook and Instagram also reward consistent activity while deprioritising accounts with sporadic engagement. The bottom line here: for an organisation, it is worse to use social media haphazardly than not use it at all. Be realistic about your time and resources, and then decide which platforms you can commit to keeping up with.

Team up with allies to be heard louder

So many of us are now arguing for decrim that it sometimes feels like a new initiative pops up every day! We could leverage our strength in numbers if we teamed up across our communication efforts to

make our united message ring louder. Perhaps we could do a hashtag campaign, in which our organisations choose a specific time and day to release the same pro-decrim hashtag on social media. We could design a poster that communicates the same message in different languages that could be spread across all of our social media accounts. We could even organise pro-decrim demonstrations in our own cities and march on the same day across the world. The numbers are there and the options are endless.

The pro-decrim fight is undermined by fragmentation. If we pool our efforts and align over a campaign, we could reach many more people than any single group could on its own. And that's just externally: within our organisations, we'd gather momentum through the support we see around us. There is an intangible energy in coming together to fight for the same cause. We should tap into that as much as we can.

To conclude

Professionals have been honing the art of political communication for decades, and if we're open to what they have learned we will become more effective in talking about decrim. You don't have to have a decent marketing budget in place yet, and you don't have to do everything at once. But if you identify your target audiences and think about how *they* like to receive information, you're in a good place. If you craft a message house and come up with a tone of voice, that's even better. Throw in a mission statement and some graphic design and you've got enough communications basics in place to keep you going for a long time. And if you do social media properly and even team up with other organisations, you can amplify the pro-decrim message in ways that put minimal stress on your team but reap substantial rewards in terms of reaching audiences.

Marketing and communications should not be seen as an 'add-on'. It is at the very core of how we'll get people on board with decrim. To make people listen and understand why decrim matters, invest your time, money and commitment into communications.

Unionisation + Decriminalisation + Feminist Education = The Red Feminist Horizon

Ava Caradonna

Women have always worked. It is just that, most of the time, we don't get paid for the work we do. Women have also always been central to the trade union movement. It is just that our involvement is routinely dismissed, exceptionalised and romanticised. These two facts are very much connected.

Beginning from our experiences of organising *with and as* sex workers, in the summer of 2018 the [Women's Strike Assembly](#), a national coalition of feminist groups and projects, set about developing a unionisation campaign for workers in the sex industry. We complemented this industrial strategy with support for [Decrim Now](#), a United Kingdom-wide campaign for the full decriminalisation of sex work. In the post #metoo era it is painfully obvious that gendered violence is at the heart of women's labour exploitation. With the development of both an industrial and a political strategy, sex workers are now leading important discussions about sex, violence, and workers rights.

Just like an orgy, it only works if there are lots of us

In June 2018, we began a [unionisation drive](#) across the UK sex industry that sought to recruit sex workers regardless of their immigration status. Current laws and policies criminalise many aspects of sex work, so we started with strippers and dancers in clubs and pubs. By working together, standing up for each other, and making our voices heard we have begun to transform the sex industry from the bottom up.

In just over a year, the trade union group United Sex Workers has grown to well over 100 paid up members. We have already won £15,000 in com-

ensation for sexual harassment for a member in Cardiff, and £14,000 in holiday pay for two dancers in London. Fighting back and winning compensation at work for sex workers in the UK was unimaginable two years ago. This is a very basic union fight about being considered workers, about union recognition, and about fighting club by club.

We have yet to establish the 'worker' status' of sex workers. So far, bosses have preferred to pay huge sums in out-of-court settlements to avoid recognising dancers' labour rights. To change that in 2020, we are bringing a number of important cases around trade union activity and employment status to court this year. Hopefully they will be enough to shift the status quo. This fight for worker status, as opposed to forced self-employment, is of course not unique to sex work. Every Uber driver, Deliveroo courier, Taskrabbiter, and gig economy worker in the UK should recognise it.

As with any group of marginalised workers, we need to build up the confidence of workers in the sex industry so that they can speak, vote, and take industrial strike action. This means tackling the stigma associated with selling sex that makes workers vulnerable to complex forms of exploitation. We recognise that women, men, and trans people have all experienced the good, the bad, and the ugly in the sex industry. We respect the choices or circumstances that lead them to enter sex work, continue it, or to exit it. Our desire to unionise comes directly out of our own experiences as workers. The union is worker-led not because we think that being a 'stripper' or a 'sex worker' is a fixed identity, but because those who have experienced the material

conditions of the industry are in the best position to know how to change it.

What has Decrim got to do with the union?

The current laws that regulate what we can and can't do with our bodies and the continued efforts to criminalise our workplaces make it difficult, at times nearly impossible, for sex workers to organise and unionise. Strip clubs are legal workplaces, but the Sexual Entertainment Venue licensing laws regulating them prioritise respectability over workers' rights and safety. Equally, independent sex work is legal in Britain. It is, however, illegal to work on the street, for more than one person to work at the same premises (e.g. workers sharing a flat), or for another person to assist a sex worker in the course of their work (e.g. manage bookings or provide

further underground and into more dangerous and precarious sex work. As part of our organising strategy we discuss with workers that when workers refuse to be divided by immigration status and stand up together, they are better able to confront injustice and exploitation. We are well aware, however, that as long as the sex industry remains criminalised unionisation will only get us so far.

At the same time as working to increase our confidence and power at work (which is another way to explain what a union is), sex workers have also launched the Decrim Now campaign to demand the full decriminalisation of sex work and changes to the policies regulating sex entertainment venues. Our goal is to remove all laws that criminalise the organising, selling, or buying of sex or any other

“As with any group of marginalised workers, we need to build up the confidence of workers in the sex industry so that they can speak, vote, and take industrial strike action.”

door security). These laws mean that workers are exposed to violence, theft and exploitation at work, and often face criminal charges for working with others to improve their safety.

Our lack of worker status is a huge obstacle to unionisation. At best we are classified as self-employed, but most of the time we are treated as victims in need of saving or as criminals. For the last decade, national governments and local authorities have used concerns about trafficking as a cover to create a hostile environment for migrants in the sex industry. Raids, closures, arrests and deportations have done next to nothing to address instances of forced and coerced labour in the sex industry. They've merely forced many migrant sex workers

consensual sexual activity. We don't want special laws that stigmatise us by singling out our work and quarantining it in a special zone. These sorts of laws make us more vulnerable to abuse by cops, immigration officials, and members of the public by relegating us to peripheral areas.

We need to decriminalise and unionise simultaneously so that the changes benefit workers rather than just bosses. Removing the laws that criminalise our work is essential so that sex workers can access justice and labour rights. Decriminalisation alone, however, will continue to leave us at the mercy of the market. By itself it is not enough. We need the collective mechanisms of unions to ensure that workers get a decent share of the profits, employ-

ment rights like sick pay, pensions, and regulated hours, and adequate health and safety standards.

Aren't feminists part of the problem?

In Europe and across the Americas we are witnessing the emergence of an international movement that is experimenting with and struggling for a feminist future. The *feminist strike* is at the centre of this movement. Each time we strike, each time we assemble, each time we take to the streets we confront the patriarchal ideas of what it means to be a woman today. It is in the feminist strike that we are able to exceed the narrow categories of womanhood forced upon us and make good on our promise to make feminism a threat again.

For too long, a reactionary and conservative vision of women's rights has dominated feminism, especially in relation to the question of sex work and sex workers' rights. Many feminists have been happy to allow the police and immigration officials to do the dirty work of trying to abolish the sex industry. At the same time, neither neoliberal 'lean-in' feminists nor so-called 'radical' feminists have had much to say about the changes to social security benefits, introduction of zero-hour contracts, or the housing crisis – all of which have ensured a steady stream of people looking for work in the sex industry. When we talk about the red feminist horizon we are sketching out the kind of feminist future that we want and, crucially, how we get there. The red feminist horizon demands that we have full and final say on the meaning of our lives, how we labour, and what is done to and with our bodies.

To move towards the red feminist horizon is to continue the work of our feminist mothers and grandmothers in destabilising ideas of womanhood. We refuse to be divided into good and bad women. Nor is there anything stable, inherent, or natural about being a woman. From decades of black feminism we have learnt that universalist claims of what it means to be a woman serve the interests of some women at the expense of others. Such universalist claims actively work against the possibility of meaningful connections and solidarity being forged between members of the working class who experience womanhood in different ways.

As Chandra Mohanty argued 35 years ago, the relationship between the cultural and ideological construct of 'Woman' and the women who are the real material subjects of our collective histories is one of the central questions that feminism seeks to act upon. Just as feminist movements have previously, our task is to name, challenge, and resist the reactionary and patriarchal ideas of what it means to be a woman today. That we are 'naturally' caring. That we all want to be mothers. That most of the time we are asking for sex and the rest of the time we are in need of protection. That we cannot decide to sell sex, and that one cannot be raped while selling it. By organising as workers in the sex industry, by using our creativity and courage to transform the conditions and governance of our work, sex workers are doing the necessary work to intervene into the public debate about sex, violence, and power. We are taking the action required to move us towards the red feminist horizon.

'Sweet, smart, strong and sexy': the sex workers taking a stand in Thailand

Empower Foundation

The term 'decriminalised' in Thai is directly expressed as 'not against the law'. It is the process of removing specific criminal laws. Around the world there are many examples of decriminalisation: homosexuality, bikinis, adultery, interracial marriage, and abortion to name a few. Most of these activities were once banned in order to govern sexual behaviour and bodily autonomy, especially of women. The laws were there to uphold the moral codes of the day and campaigns to remove them faced strong resistance from state and society alike. Yet moral codes are not evenly held or applied in society. They change over time. Laws must also change accordingly.

Thai attitudes around sexual conduct, including sex work, have shifted over the last twenty years. The Thai Prevention and Suppression of Prostitution Act (1996) is fast becoming an orphan law running counter to the moral code of modern Thai society. No one reports the crime of prostitution. Reports may be made about noise, underage drinking, and child abuse, but not about the buying and selling of sex. It has reached the point where police must instigate the transactions themselves in order to make any prostitution arrests at all. The application of the law and the impacts on sex workers are well documented in Empower reports such as "[Hit & Run](#)" and "[Moving toward Decent Sex Work in Thailand](#)", which are based on more than three decades of sex worker-led organising, advocacy and community research.

Despite significant expenditure and 60 years of criminalisation, the Thai law has spectacularly failed to end 'prostitution' in Thailand. Instead it has filled the pockets of corrupt authorities, who use it as a tool to extort money from the country's

sex workers. It has become an insurmountable wall standing between sex workers and access to justice and human rights. In 2017 Thailand was reviewed by the UN Committee for the Convention for the Elimination of Discrimination Against Women (CEDAW). The legally binding recommendations included reviewing the prostitution law to decriminalise sex work, ceasing entrapment operations and violent raids, and extending the Labor Protection Act to all workers in the entertainment industry without exception. The committee's recommendations reflect the growing acceptance that the criminalisation of sex work fuels discrimination, violence and other social problems. This acknowledgement of the need for decriminalisation began with UN Secretary General Ban Ki Moon's recommendation for decriminalisation in 2006 and has been endorsed by a growing list of UN agencies and leading global human rights organisations.

How Empower argues for decrim

Generally we do not expect that everyone will, or even needs to, condone sex work. We're not asking Thai society to approve of sex work, but rather to approve of the state giving equal protection to those who do sex work. Supporting decriminalisation means to agree that human rights are inherent and inalienable, and that no one should be persecuted for what they do with their own bodies. It is to take a stand against male violence, especially violence institutionalised by the police and state. It is to want to remove one layer of the stigma which sex workers live and work on top of.

Though many Thai people still disapprove of sex work on moral grounds, it seems clear that the ma-

majority of people no longer feel that selling or buying sex is a source of social harm significant enough to deserve its own legal framework. We emphasise that decriminalisation of sex work does not mean there are no laws. Sex workers and sex work will still be accountable and protected under the multiple laws and regulations that apply to all workers in Thailand e.g. the Penal Code, Labor Protection Act, Entertainment Place Act, Migrant Worker Act, Human Trafficking Act, Child Protection Act, Social Security Act and so forth.

We try to remind society and law makers that when they are discussing sex workers they are talking about mothers – the heads of families and the main foreign exchange earners for Thailand. How should we treat such people, as criminals or as valued members of society?

Most feminists in Thailand seem to be resistant to the Western mutant strain of feminism which refuses to recognise sex workers' agency and lobbies against sex workers' right to safety and justice. In a recent example of the lobbying power of mutant feminism, UN Women committed an outrageous betrayal by choosing to abandon all support for sex workers confronting police/state violence. UN Women claims to have taken a "neutral position" on the decriminalisation of sex work. We argue that 'Decriminalise Sex Work' is not a debate position,

political viewpoint or an ideological argument any more than 'Black Lives Matter'. Both are urgent imperatives. Decriminalising sex work is directly connected to the quality of life and livelihood of tens of millions of people globally.

Empower uses many different tools to advocate for decriminalisation such as theatre, documents, artworks, film and performance. Our advocacy strives to include the four elements of sweet, smart, strong and sexy, so we have something for everyone!

Decriminalisation is not a panacea or the end of the struggle, however it does remove the biggest barrier to sex worker's organising and asserting all their rights. In the Thai context at least, the decriminalisation of sex work is not something that can be done on paper in parliament alone. Sex work must be decriminalised in the minds of people first. The decriminalisation of sex work will be the result of society acknowledging that times have changed, and that everyone's right to safety must take priority over individual moral and ideological preferences. For 35 years the sex workers of Empower have been encouraging people to consider decriminalisation. We believe Thai society is reaching a point of critical mass that will embolden politicians and law makers to repeal the Prevention and Suppression of Prostitution Act to decriminalise sex work.



Empower Foundation carries out a direct action to protest the use of condoms as evidence at the 2018 International AIDS Conference

“Sex workers united by respect!”

Betania Santos, Miriam Haughton and Joel Levy

In January 2020, Miriam Haughton and Joel Levy of the Sex Work Association of Jamaica (SWAJ) and Julia O’Connell Davidson of the University of Bristol visited Brazil to learn about the working conditions of Brazil’s sex workers and about Brazilian sex worker activism against violence and for decriminalisation. We were very grateful to Betania Santos and the Associação Mulheres Guerreiras (Warrior Women’s Association) for hosting us in Itatinga and for granting us the interview below.

Sex Work Association of Jamaica: Could you please tell us about the history of Warrior Women, your struggles, and the strategies you use to fight for sex workers’ rights?

Betania Santos: We are a group of sex workers, formed by a number of us who were working in the city centre of Campinas. Our group started informally around eighteen years ago, but we were formally registered in 2007. We have been fighting for sex workers’ rights since then. Our fight is to secure better working conditions for the occupational category that we represent: sex workers. We fight together for all the rights that we are entitled to have, just like any other category of workers.

Our strategy is to be present in and use all existing spaces and vehicles to discuss public policies in the municipality, state and country. We want to make ourselves known to policy makers and try to participate in their decision making. For example, various councils exist in our city, such as the Women’s Council, the Health Council, even legal councils like the Guardianship Council. We always try to be there at these councils when they discuss the lives of citizens and policies for those citizens.

We are always in these spaces, discussing the rights of Brazilian citizens, discussing the rights of work-

ers, including our work. We started by participating in meetings of the Human Rights Council, where we could use the constitutional provision that we are all equal in rights in our favour. Then we started going along to meetings of the Health Council. They consider our work and working conditions to be ‘unhealthy’, so we need to be present when they discuss the health of sex workers.

We very actively participate in these councils in order to make sure that when there is any kind of discussion that involves us we are always present to listen and to indicate what we want as a collective. We are citizens just like any other person, and we are workers just like any other worker. We contribute to the economy of our city.

Can you tell us about some of the gains that you’ve already achieved through your struggles for rights?

One of our biggest achievements has been our inclusion in the Central Workers Union Confederation (CUT). This has been of great value to us and has served as a model for at least two neighbouring countries, Mexico and Peru. In 2009 we were welcomed into the union by CUT’s Campinas local branch. This made it possible for the Warrior Women’s Association to discuss sex workers’ rights with other categories of workers, which was a great step forward. After all, we are workers and the majority of our customers are also workers. We had a meeting with one of the directors of CUT-Campinas at the time, and we actually acquired a room inside of their headquarters so that we could be present in the union, giving advice to our workers and our colleagues. So that was one of our biggest advances in terms of developing strategies and policies to achieve recognition as workers.

This fed into further important developments. We began participating in the CUT Women's Collective, which is a collective organised by all the working women affiliated to the union. Now we have been invited by CUT to become one of the organisations that it formally recognises, rather than us simply participating in CUT events and activities.

This is one of the biggest gains that I think sex workers in Brazil have achieved so far, especially given the political moment we are currently living in. I should note that CUT does not wholeheartedly welcome us, or let's say it doesn't embrace us affectionately. But it is beginning to discuss sex work as a job, which is something vitally important for us. The fact we have the support of one of the largest unions in our country, at least from their Campinas branch, means we can discuss and speak clear-

Workers. We are also already in exchange and dialogue with organisations from five other countries. One of these is Mozambique. We recently visited the country, and we also received Mozambican sex workers here.

We want to inform ourselves about different models of sex worker organising from around the world. At the same time, we want to spread our model to other places. We hear a lot about models from other countries: models that worked and models that didn't work. This usually comes from policymakers trying to impose models on us, which is an implicit criticism of what we are doing. But, as I've already said, the Brazilian Movement of Prostitutes does not accept that policies regarding sex work can be developed in our absence. Our motto is "nothing (is done) for us, without us!"

“Our strategy is to be present in and use all existing spaces and vehicles to discuss public policies in the municipality, state and country.”

ly *as workers* with other categories of workers and with other entities. And the city of Campinas is a city where all the collectives and organisations are highly respected. So for us, being part of CUT is a matter of great pride and a very important gain in our fight for sex workers' rights.

Do you have much contact and knowledge exchange with sex workers' groups from other countries? Do you think it is important for Warrior Women to do this?

For us, it is extremely important to know other activists, fellow workers from other countries, and to hear about their particular struggles. Because of this we are one of many groups currently developing the third Latin American Platform for Sex

So this is why we are in contact with sex workers from Mozambique. We are in contact with sex workers from Mexico City. We are in contact with organisations from Ecuador. We are in contact with sex workers from Colombia, sex workers from Nicaragua, sex workers from Argentina. We are doing exchanges and training amongst ourselves. We are part of Latin American networks and we are also in contact with sex workers from the Netherlands. We have made all these connections so that we can join forces in support of our work. At the same time we are developing our own model, which is the struggle for sex workers to be recognised as a specific category of worker.

So yes, it is very important that we are known to organisations from other countries, and to make

sure that other colleagues are also known in our country. For us, it is vital because the category of 'sex worker' is very powerful and exists all over the world. So it has to be made known, and it's an honour to receive and be received by workers from other countries, from other cities, from other states.

...

Following the interview, Letizia Patriarca, who had organised our visit, emphasised the importance of the Warrior Women's Association's work in the current legal context in Brazil.

Letizia Patriarca: The Brazilian Classification of Occupations since 2002 includes the category 'Sex Professional', so the activity of sex work is not criminalised in Brazil. However, it is also not regulated. This is why Warrior Women's Association – which includes cis women, transvestites and men – and other national organisations have been fighting since the 1980s for respect and better working conditions for this category of worker.

Bills addressing adult sex work in Brazil have been attempted but never approved. These bills have sought to specify what constitutes "sexual exploitation" (for example, when more than 50% of a worker's earnings are transferred to another person); or to decriminalise houses and people who work in the vicinity of prostitution; or to create specific working conditions (for example, special retirement guarantees).

On the other hand, calls for the criminalisation of prostitution are growing. This is reflected both in the discourse of some feminist groups and in bills put forward by conservative parties. Two bills in this direction are currently being processed. One criminalises clients while the other withdraws the category of "sex professional" from the Brazilian Classification of Occupations. These bills contribute to the stigmatisation of sex workers, and make it harder to discuss and address the precarious working conditions and vulnerability that result from a lack of recognition of sex work as work.

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Politics is the heart of all sex worker organising

AMMAR Cordoba Argentina

Twenty years ago, the juvenile police in Cordoba, Argentina gathered street sex workers together to gain information on children prostitution in the downtown area. Sex workers turned the agenda upside down, and used the opportunity to protest against police abuses, mistreatment and violence. We, sex workers, simply protested and shouted out loud in our own words all the indignation we felt inside. Our bodies were tired of coming in and out of police stations and of suffering systematic police abuses.

The juvenile police left empty handed. Sex workers did not. In that moment of indignation we bonded and began to organise. AMMAR Cordoba is a sex workers' organisation that has been running solid for over two decades now.

The abolitionist wave came later, much later. It is not that there were no abolitionists before. But in 2010-2012 the abolitionist perspective appeared as never before in the media, political forums, and foreign funding applications. AMMAR Cordoba confronted the shift in every way possible. We publicly challenged the conflation of sex slavery and autonomous, consensual, adult sex work, decrying it as a way of fostering secrecy, stigma, violence and exploitation. We argued that abolition would neither undermine mafia organisations nor make women less vulnerable to corrupt state officials. We joined the provincial committee against slavery, and although abolitionist organisations are also there we make sure our voices are heard.

We denounced article 45 of the Argentinian Code of Conduct, which punished "scandalous prostitution" as violent and discriminatory, until it was abolished. We pushed back against constant and systematic police detentions, and reported abuses committed by the rescue industry. We respond, loud and clear, every time somebody says that we

do not know what we want, or do not want to do what we do, or that we do not do it by ourselves.

When we were invited to participate in this forum and to answer the question 'what works and doesn't work for the decriminalisation of sex work?' we looked back and the answer seemed to be one thing: politics.

We believe politics has to be at the very base of any sex workers' organisation. Because sex work is political. When we started organising, much of our activities were related to public health, HIV prevention, non-discriminatory medical services and information. Those are very important activities for sex workers' daily lives. But we believe sex workers' organisations cannot only do that. They cannot have an NGO structure.

It is paramount to adopt a union structure within the organisation, to have union delegates in different areas, to have political training, and to make common cause with other struggles against precarisation and exploitation. This is because when we clean the moral and sexual arguments out of the debate, it becomes a discussion about capitalism, labour markets, and the conditions that facilitate slavery and exploitation in labour relations.

Assemblies are – and must be – the common space in which sex workers' struggles are built, and in which a truly representative voice is forged. There will never be a unique, single and uniform voice among sex workers – that is impossible in any union or social organisation. This is important to acknowledge, given how often we see individual and isolated testimonies of the 'happy hooker' or the 'victim of systematic rape'. Those testimonies are shown as the universal truth of sex work. No universal truth exists.

Sex workers must have a collective voice politically debated in assemblies. The doors of those assemblies must be open to newcomers, and there must be money to cover expenses for political participation, such as transport and food.

Moreover, we have to fuel political debate in every possible way. For instance, AMMAR Cordoba maintains a 'political fund' that we only use after holding a political debate on what needs or problems that fund should cover. The debate around the destiny of that fund helps us to fuel other – wider – political debates. It is in the assembly where everything emerges: the problems, the proposals, the needs. Everything.

This allowed us to see that we are workers in a perverse capitalist system. And it has pushed us to struggle collectively for our labour rights and to improve our quality of life, to have social security, a retirement plan, and so on.

Our alliance with CTA also taught us to speak the language of power. Engaging with politics made us listen, question, respond, debate among us and with others. It became more difficult for them to say we are confused, or that we do not know what we want. It is not about putting our desire, will or problems into words. It is about saying it in the words that reach power, in the language of power. Sometimes that is not enough either. There are people in power who only listen if those speaking

“When we clean the moral and sexual arguments out of the debate, it becomes a discussion about capitalism, labour markets, and the conditions that facilitate slavery and exploitation in labour relations.”

Union is strength

Alliances are essential. Since the very beginning of the organisation, AMMAR Cordoba has maintained a strategic alliance with Argentinean Workers Central (CTA), one of the strongest unions in Argentina and an advocate for informal, precarious and marginalised labour in the country. The support of key leaders inside CTA made this possible, as, at least in the beginning, many people could not understand what sex workers were doing there. We shared collective spaces in the union, shared ideas and life experiences. We realised all we have in common. We met people who had been under political detention during the last dictatorship in Argentina because they had pushed for a better social and economic system. We debated with other workers living in precarity, such as street parking attendants, cardboard pickers, and so on.

use complicated words and have a bunch of degrees behind their desk.

That happened a lot during and after the abolitionist wave. Bearing that in mind, AMMAR Cordoba promoted another strategic alliance with professionals and activists in favour of sex work. In 2012 we launched the Network for the Recognition of Sex Work (Red por el reconocimiento del trabajo sexual), which is a tool for supporting sex workers' claims and voices. The network has promoted campaigns, talks, roundtables, and open mic radio programmes, among others. We published the book 'Stand in my corner' (*Parate en mi esquina*), which is the first book in Argentina that is totally dedicated to arguing in favour of sex workers' recognition.

Our organisation remains largely local, but we are looking to build networks with organisations in other provinces and countries. Since 2018 we have organised national gatherings where sex workers from other provinces attend to enrich the debate. We have also started to coordinate with the Latin American Platform of Sex Workers (PLAPERTS), doing training workshops and learning about the conditions in other Latin American countries. We feel that, little by little, we are building powerful networks that allow us to break the isolation of stigma and to politicise our needs.

AMMAR Cordoba started with struggle against constant police detentions. We still advocate for the conditions of street sex workers but are also open to those exchanging sexual services in other ways, such as online sex work. Our goal is to face

the consequences of social exclusion, gender violence and institutional neglect. Today, our effort from the south of the globe is dedicated to building a collective proposal and a big campaign for labour rights, social security and retirement options as concrete achievements. We conducted a survey together with the National University in Cordoba and learned that 73% of our members are household providers, 80% are single mothers, 76% have children, 93% have no social security, and 91% have no retirement options.

This is precarity. This is political. We don't want our reality to be left in the shadows. We are confident that, if we remain organised and open to learning together, we will achieve the recognition of sex workers as workers.



