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Inevitably violent? Dynamics of space, governance and stigma in understanding violence against sex workers.

Radical feminists position any forms of sex work as gender violence against individuals and more broadly for all women in society. I argue against the ideological stance that sex work is inherently violent and as a result should be outlawed, setting out how this ideology and dogma has allowed structural factors to persist which have led to inevitable violence. In this paper, I argue that despite the abominably high levels of violence against sex workers across the globe, violence in sex work is not inevitable. Through a review of the literature as well as drawing on research from the UK, I deconstruct the myth of inevitable violence. In turn I argue that violence is dependent on three dynamics. First, environment: spaces in which sex work happens has an intrinsic bearing on the safety of those who work there. Second, the relationship to the state: how prostitution is governed in any one jurisdiction and the treatment of violence against sex workers by the police and judicial system dictates the very organisation of the sex industry and the regulation, health and safety of the sex work communities. Thirdly, I argue that social status and stigma have significant affects on societal attitudes towards sex workers and how they are treated. It is because of these interlocking structural, cultural, legal, and social dynamics that violence exists and therefore it is these exact dynamics that hold the solutions to preventing violence against sex workers. Towards the end of the paper, I examine the UK's 'Merseyside model' whereby police treat violence against sex workers as a hate crime. It is in these examples of innovative practice despite a national and international criminalisation agenda against sex workers, that human rights against a sexual minority group can be upheld.

Introduction

The 'sex wars' created by opposing feminist debates regarding prostitution and sex work have fallen into polarised discussions on prostitution as violence against women or as 'sex work'. Whilst this article does not seek to further the theorising on prostitution, these arguments form an important background to this article that deals with the idea that prostitution is inevitably and inherently violence against women. Here we have a contradiction between the ideological theorising on female sexuality and the use of the female body, and the reality of violence against sex workers. In this paper I argue that those who understand sex work as inherently violent and as a result favour models of abolition as a means of governing the sex industry, fail to take into account the broader structural and cultural factors that are often the cause of violence against sex workers. In turn, I argue that this ideology and dogma has allowed structural factors to persist which have led to violence against sex workers as acceptable and as integrated into the models of criminalisation as a form of governance. I argue that despite the abominably high levels of violence against sex workers across the globe, violence in sex work is not inevitable nor is it an inherently violent activity.

In this paper I first provide an overview of how prostitution is constructed as violence, followed by a review of the evidence of actual violence against sex workers. The remainder of the paper then outlines the reality of this violence in relation to 1) environment and space; 2) modes of governance; 3) stigma and social status of sex workers. Towards the end of the paper, I examine the UK's 'Merseyside model' whereby police treat violence against sex workers as a hate crime. It is in these examples of innovative practice despite a national criminalisation agenda against sex work, that human rights against a sexual minority group can be both promoted and practiced. As this paper is somewhat based on the UK context, although not exclusively, it is worth reminding of the basic laws that govern the sex industry. Although it is not illegal to buy or sell sexual services between consenting adults, many of the activities surrounding this relationship are illegal. For instance, soliciting on the street, kerbcrawling, organising (procuring) a brothel or prostitution activities are all against the law. There has been a strict liability offence (which means in practice that ignorance is no defence) for the purchase of sex from those who are 'forced, deception, coercion or threat' since 2009. At the same time sex workers are encouraged to be rehabilitated through Engage and Support Orders, seen as 'sanctions with support' (Scoular and Carline 2014). The national political agenda in the UK continues to reflect a discourse of criminalisation, particularly of buying sex, feeding off the 'Swedish model' that is potentially taking control as a global trend (Sanders and Campbell 2014; Weitzer 2010).

The Construction of Prostitution as Violence

Whilst the historical depiction in modernity of the 'prostitute body' have been associated with decay, disease and immorality (Corbin 1990) through a process of 'othering' (Bell 1994), the theorising on prostitution and violence developed as part of the second wave feminist thinking in the 1970s. As part of the enormous task of fighting for equal gender rights across all areas of the public and private lives of women, second wave feminists challenged all aspects of the inequalities of

patriarchal culture which ultimately disadvantaged women. One institution that was an obvious target was that of prostitution, considered simply as the social activity whereby male sexual needs/demands were satisfied by women, who were constructed as a 'female sex object', stripped of her individuality and reduced to a sexual tool. Prostitution was considered an intolerable oppressive institution that perpetuated unequal gender relations in society, and gave men control over women both physically and symbolically. Whilst marriage was also considered an oppressive institution where power was transferred to men and sanctified by the state (Pateman 1988), it was prostitution that was considered the more oppressive institution that was an extension of oppression within a capitalist market. Prostitution, often ignored or facilitated by the state, was considered to be part of the machine of patriarchy, legitimising the objectification of women by making it socially acceptable for men to 'buy' women (or the use of their body parts).

Whilst Marxist feminist perspectives used the exploitation between the wage labourer and employer relationship to argue why prostitution was wrong, other feminists relied on arguments about gender and power to demonstrate why prostitution was wrong. MacKinnon (1987) argued that in prostitution society turned female sexuality into an object of male desire, recognisable only by her body parts. In more recent decades radical feminists have used these earlier ideas around objectification to enhance the argument that connected prostitution to theories on violence against women. Radical feminists move the argument further to connect prostitution with sexual slavery, defining prostitution as sexual exploitation. Barry (1995) argues that women cannot consent to prostitution because her body and her sex are separated by the act. Dworkin (1996) continues to read victimization throughout the narrative of prostitution by stating that a woman who 'prostitutes' herself can never be a 'sex worker' because the structural and power inequalities turn her into a 'sex object'. Other protagonists have argued further that the existence of prostitution goes beyond harm to individuals but to all women and society in general (Raymond 1999;Jeffreys 1997; Farley 2004). Weitzer (2010:5) reminds how the language adopted in these arguments are violent themselves: 'paid rape' and 'survivors' are frequently used terms to cement the victimization position. These arguments result in a perspective that only believes that prostitution can be non-consensual and therefore violence against women.

The unpicking of these arguments that make straightforward and linear connections between sexuality, power and economic exchange forms a whole body of literature that identifies serious flaws in this way of thinking. One of the key omissions is the exclusion of many sex workers experiences and perspectives that do not identify with such theorising of prostitution, do not experience selling sex negatively, have not been violated in any way by selling sex, and are not victims (cf Chapkis 1997). Known as the 'sex wars' the diametrically opposed other side of the feminist debates (known as the sex radicals/positives or liberal feminists) highlight the lived experiences of sex workers who account for commercial sex as 'work', that can be freely chosen and even empowering (Delacoste and Alexander 1988; Chapkis 1997). Scoular (2004:345), challenging the radical theorists, notes how this 'domination theory' over-emphasises gendered power dynamics and focuses only on the sex acts, ignoring the complexities of issues such as money, culture and race. Indeed, as Scoular goes on to argue, such uni-dimensional thinking about a complex social interaction 'fails to move outside the phallogocentric imaginary' (ibid). It is moving

beyond the ideological notions of commercial sex that enables the discussion to examine the lived realities of sex workers, and understand the theoretical debates within (not separated from) the everyday lives of those who work in the sex industries.

The Realities of Violence

The topic of violence against sex workers, alongside health and drug issues, is one of the more prolific forms of investigation in the area of sex work studies. I surmise that in each country where there are active researchers in this area, many hours of research time are spent documenting the distressing and inhumane experiences of violence that sex workers (female, male and transgendered), experience either through their work or because of their identity as sex workers (see Salfati et al 2008 for a review of literature). A review of any of the literature in this field suggests that between 50–100 per cent of street sex worker samples experience physical, sexual and economic violence in their job (Kurtz et al. 2004; Maher, 2000; Miller and Schwartz 1995; Pauw and Brener 2003; Pyett and Warr, 1997). A recent systematic review by Deering et al (2014) evaluates how between 45 – 75 % of all sex workers will have a lifetime prevalence of workplace violence. Other studies highlight how a high proportion of street sex workers also experience violence in their private lives and from the community (see Nixon et al. 2002; Riberio and Sacramento, 2005), leading Surrat et al. (2004) to argue that street sex workers experience a ‘cycle of violence’ from childhood, into adult private relationships and work. Whilst violence against male and transgendered sex workers may take different forms to that against female sex workers it is still evident. ‘Gay bashing’ targets men who sell sex to men (Connell and Hart 2003) and transgendered sex workers also experience homophobic violent actions who are doubly stigmatised for being trans and a sex worker (Slamah 2010:30). Note this article focuses mainly on female sex work because of the dominance of this gender dynamic in the markets and research. Such evidence has moved key international organisations such as the World Health Organisation and the United Nations to call for action against violence against sex workers specifically, starting with the removal of laws that criminalise sex workers (Garcia-Moreno and Watts 2011).

Focussing particularly on the UK, it has been well documented how sex workers who work from the street experience harassment and violence such as verbal abuse, minor physical attacks such as punching and kicking, to more serious physical assaults with weapons and sexual assaults (Church et al., 2001; May et al, 2001; McKeganey and Barnard, 1996). Most strikingly, in terms of homicides, female sex workers are much higher than for any other group of women in the population. Potterat et al (2004) noted that in the USA sex workers were 18 times more likely to be a victim of homicide, and in the UK, Ward et al (1999) note the rate is 12 times more likely than their non-sex worker peers. Kinnell (2008) documents the characteristics of the murder of sex workers in the UK, noting the link between sex worker murders and serial killers. Salfati et al (2008) further describe the nature of homicides against sex workers and highlight the high level of unresolved murder cases. When considering who are the perpetrators of violence, whilst the evidence suggests it is mostly clients (Kinnell 2006), this is not the only category as sex workers are targeted by passers-by, other women, vigilantes, and street criminals, as well as boyfriends and those who may control their activities. A large comparative study across eleven Central Eastern Europe and Central Asia countries found that

during police crackdowns high numbers of sex workers were experiencing physical and sexual assaults from police officers (Crago et al 2010). In addition, forceful arrest, blackmail and extortion by police were also reported (sometimes to receive free sex).

The focus on charting the violence experienced by street sex workers has been used for political reasons by radical feminists who fail to make adequate differences in their arguments about the different realities depending on the environment and sex market in which sex is sold. Ignoring the relative safety of the indoor markets serves to forward the claims that prostitution is inevitably violent. Weitzer (2005) argues how the radical anti-prostitution feminist standpoint that claims prostitution is inherently violent presents an argument that is unscientific, methodologically flawed and generalizes the worse case scenario to all types of sex work. It is to this point that it is important to emphasise that when assessing violence against sex workers, the experiences, prevalence and nature of violence is different across the sex markets. Discussed further below, it is important to note here when outlining the realities of violence, those workers who operate from indoor establishments are less likely to experience violence, and significantly less likely to be murdered.

Whilst it is not within the parameters of this article, it is important to note (in order to move away from any victimisation framework), that sex workers across the globe and across varied spaces of sex work, actively resist violence. We learn more about how sex workers keep themselves safe on the streets and in other environments by using strategies of precaution, deterrence and prevention (Hart and Barnard, 2003; Sanders 2005; Baskin 2010), as well as working collectively to resist stigma and victimisation (Hardy 2010).

Understanding Violence Against Sex Workers

Given that there is a unanimous agreement on the basis of robust research evidence that sex workers are victimised, targeted and highly vulnerable to physical and sexual attack, and homicide, how can we understand this? The swaths of evidence may persuade that there is an inevitability about violence. Yet as social scientists we avoid taking stated correlations at face value but instead look beyond the numbers and challenge assumptions. It is important to acknowledge that for every violent incident that occurs between a sex worker and a customer, there are more incidents that go without violence or deceitful acts. We know this simply because there are many more commercial sex encounters than there are violent incidents. We also know that the act of sex between people is not of itself violent if it is between consenting adults who are in a position to choose the conditions of the encounter. Studies with men who buy sex also note (particularly amongst men who buy sex from escorts) that encounters are framed within sets of moral codes of conduct, boundaries decided by etiquette and rules about condom use, safe sex and sexual conduct (Sanders 2008:56). In the remaining paper I will discuss the issues relating to violence and sex work through the following dimensions: 1) environment and space; 2) modes of governance; 3) stigma and social status.

Environment and Space

In what is now a sub-discipline of the broader sex work studies, the 'geographies of sex work' have provided the social sciences with an interrogation and interpretation of the nature and use of sex work spaces and their relationship to sexuality and gender (cf Hubbard). From this literature we know that the environment and spaces in which sex work happens has an intrinsic bearing on the safety of those who work there. From studies of the 'red light district' (Maher 1997; Hubbard and Whowell 2008), to intricate assessments of the organisation of the indoor sex markets (Sanders 2005; Prior and Hubbard 2013), the experiences of sex workers are different depending on the locations of their work, although the mode of governance obviously has a bearing on safety first and foremost. Above I have demonstrated how research evidence shows the dangers of the street environment: this is partly because workers in a criminalised environment inhabit spaces which are dark, dangerous, out-of-sight, hidden from the general public, exposed to other criminalised street environments (namely drug markets), and occupy mainly nocturnal hours. The very physicality of the 'red light district' suggests vulnerability. Yet this is only one market, and most often the smallest market in a diverse industry. Indoor markets have expanded with the development of technology and internet based advertising and offer relative safety compared to the street.

This is largely because indoor spaces are relatively protected from the risks of the street but also because of the great ability for sex workers to control interactions inside premises. Sanders and Campbell (2007) combined findings from studies of the indoor markets in two cities in the UK to emphasise how the levels of violence in these environments was considerably lower than on the street (also see Whitaker and Hart, 1996; Barnard et al 2002). Although sometimes accompanied by physical assault, indoor workers who worked out of apartments and collective brothels (illegal in the UK) were more prone to robbery than physical or sexual attack. Prior and Hubbard (2013) also found in the Australian context that indoor workers (home based) were less susceptible to severe violence, although theft, harassment and assault were the most frequently reported types of safety incidents. In their studies Sanders and Campbell found that the experiences of the indoor workers were more nuanced as it was often not direct violence they feared but more the commercial transaction going wrong and having to deal with the clients' difficult behaviour. Indoor sex workers were more inclined to be fearful of contractual breakdown such as the removal of condoms, offensive and disruptive behaviour, or the clients not fulfilling the financial agreement. The collective environment where women worked together, or at least had a maid/receptionist, was a way of trying to prevent these occurrences as well as calling on help when danger was threatened. As collective sex working, even with a maid or receptionist, is against the law in the UK, the legislative system directly encourages lone working, hence contributing directly to safety concerns. Whilst there are marked differences between experiences of sex workers depending on the market they work in, it is the spaces of sex work that are directly determined by the regulation and governance of sex work. Depending on the model of regulation, whether it be criminalisation, legalisation or decriminalisation, spaces of sex work take on more or less levels of vulnerability.

Governance and the state

The relationship between the sex worker and the state has a significant bearing on the safety of the sex worker. How commercial sex is governed in any one jurisdiction and the treatment of violence against sex workers by the police and judicial system dictates the very organisation of the sex industry and the regulation, health and safety of the sex work communities. On the global stage these connections have most recently been played out in Canada, where three sex workers took their case to the Supreme Court (beginning in 2007) arguing that the Bawdy House law, the Communicating Law and Living on the Avails (part of the Procuring Laws) violated their Charter Rights as Canadian citizens (Lowman 2011). The call for prostitution reform from these sex workers was based on their right to expression, life and liberty (MacCharles 2013), and that the ban on brothels particularly made their lives much more dangerous. These arguments were strong particularly in the face of high levels of murders of sex workers in Canada, resulting in a victory for sex workers in December 2013 when the Supreme Court ruled in their favour, giving the government one year to change the legislation. ⁱ Sex work activists wait eagerly to see the implications of this victorious ruling to see whether there are ripples of legislative challenges in other jurisdictions where the right to safety of sex workers is directly challenged by criminal prohibition laws.

We can see from examples across the world where there are alternative models of governance other than the prolific criminalisation of sex workers and the purchase of sex, that levels of violence and the mode of governance are connected. In this regard I argue that it is not space and geographical location alone that makes sex work more or less safe, but that the methods through which the state govern commercial sex is the primary driver for determining safety outcomes. For example, the only place in the USA where there are legal sex markets is the regulated licensed brothel system in Nevada. Brents and Hausbeck (2005) interviewed sex workers, brothel owners and policy makers in the legalized brothels of Nevada, Las Vegas to examine the relationship between violence, prostitution policy and safety. They found that only 1 of the 40 sex workers interviewed reported violence at work, concluding that 'the legalisation of prostitution brings a level of public scrutiny, official regulation and bureaucratization to brothels that decreases violence' (Brents and Hausbeck 2005:270). There is strong evidence from European systems of managed street sex work zones that such regulatory provision reduces violence and insecurity. Kershl (2004) reports that in Cologne, Germany, the zone system has produced a near total reduction of violence against sex workers by those who control working women or clients. Similarly, the managed zone in Utrecht, the Netherlands, where sex workers can solicit clients under the protection of the police, has an exemplary safety record: there have been no murders of sex workers whilst working in the zones (Van Doorninck and Campbell 2006). In addition the zones enable the police to target exploitation in the street sex work scene (Schumacher 2004). Although there have been some problems in the Dutch zones, these are attributable to wider changes in the sex industry, such as global migration and do not justify a call to abandon the zone model as safety continues to be maintained.

There is global agreement based on strong research evidence that models of governance that seek to criminalise the organisation, purchase or sale of sex puts sex workers (as well as their clients) in danger (see Sanders and Campbell 2014 for a review of the global criminalisation trend). Reports from outreach health care projects from the USA (Ditmore 2001), Canada, (Cler-Cunningham and Christenson 2001), and Germany (Munk 2001) illustrate how prohibition laws promote risks amongst sex workers, and intense policing and crackdowns only increase women's vulnerabilities. In the UK the study by Pitcher et al (2006) of living and working in areas of street sex work note how sex workers can be forced to solicit in more isolated areas which are poorly lit, away from the public and are generally in fear of being arrested. This fear affects how they work, spending less time negotiating with a customer but instead moving off the street quickly without checking out the customer or closely employ screening strategies. Also reported was that in times of intense police crackdowns through kerbcrawler arrests, angry clients are more likely to take out their frustrations on sex workers.

It is important to recognise that sex workers are often vulnerable from many sources of harassment and abuse. We know from the international literature that whilst there are positive examples of the police acting as a protective resource, where access to justice is a priority (see section below on hate crime), there is also evidence of police perpetrating violence and abuse against sex workers. We know in many parts of the world sex workers experience extortion, blackmail, sexual harassment and violence from the very people who are charged with protecting sex workers. The large comparative study by Crago et al (2010:4) of Central Eastern Europe concludes that 'Fears of police violence, extortion or arrest often push sex workers into hiding and force them to work in isolated areas where they are more vulnerable to general violence and cut-off from support or HIV services'. Further, as noted by the authors, violence and mistreatment by the police compromises sex workers ability to report crimes to the authorities, fearing reprisal, further mistreatment, and threats towards themselves and their families. It seems that the laws against prostitution, and certainly where a neo-abolitionist framework is in place, the attitudes of the police may well be aligned with the notion that sex workers are 'offenders' who are breaking the law rather than a community where protection is significantly needed because of their broader vulnerability in a criminalised system.

One of the most significant commentaries on the relationship between policing and violence against sex workers has some from the systematic review conducted by Deering et al (2014), which firmly places this issue as a public health agenda. Reviewing data from 1536 articles, they seek to summarise the prevalence and factors shaping violence against sex workers. One of the significant conclusions follows: 'In our review, there was consistent evidence of an independent link between policing practices (e.g arrest, violence, coercion) and elevated rates of physical or sexual violence against sex workers' (2014:e51). Such data and calls by organisations such as the World Health Organisation to remove criminalisation laws because they act 'as barriers to basic health, safety and rights to protection among sex workers' (ibid).

This catalogue of evidence that highlights how punitive models of regulation (namely criminalisation) and aggressive policing strategies are a key driver for the maintenance of the vulnerable status of sex workers. It is alternative models of governance which hold solutions for changing the violent experiences which are

everyday realities for some sex workers. Models of governance which facilitate commercial sex as a legitimate occupation, enable the sex worker to have control over their activities through legal status and contracts with their customers (see Abel 2014). It is these structures that can prevent violence and send a clear message to society about the status of those who work in the sex industry. As Deering et al (2014) conclude, where police act as stakeholders in protecting sex workers and facilitate safe consensual activities, reduced violence is proven. Where there are community led engagement initiatives between sex workers and the police, structural change through policy and strategy can happen, starting with cultural changes amongst attitudes.

Stigma and social status

The third dimension that perpetuates violence against sex workers is the place they are given in society. Here I argue that social status and the stigma that often results from the status has significant affects on social attitude towards sex workers and how they are treated. Previously it has been noted: 'there is a historical, cultural endurance of intolerance and hostility towards street workers fostered by a general culture of distaste and disrespect towards women who sell sex' (Sanders and Campbell, 2007:3). Lowman (2000) describes how 'discourses of disposability' evident across core institutions such as the media and through public and official discourses which position sex workers as non-citizens, as rubbish, not to be cared about, or indeed there to be violated. These discourses work to 'other' the sex worker, separate her from 'normal women', through ideas which perpetuate associations with criminogenic offenders, immoral and dangerous sexuality, disease, incivility and disgust. Kinnell (2006) further identified (in a UK context) a 'rhetoric of abhorrence' where language and attitudes against sex workers were evident in the media and in the treatment by some police officers, that sex workers should not be treated like ordinary citizens, but that they should be 'eradicated'.

In the UK there is evidence within the policy context that damaging stereotypes have been perpetuated through the language and discourses written into documents. Kinnell (2006) has illustrated the presence of this same discourse in media and policy debates in the UK, linking this to the high levels of violence and murder rates amongst street sex workers. The government's consultation document *Paying the Price* (Home Office, 2004) that signalled the first review of the prostitution laws in fifty years was heavily criticised for defining 'the problem of sex work' (Cusick and Berney 2005). The outcomes of the consultation process were presented in the *Coordinated Prostitution Strategy* which reinforces the cultural message that street sex work is unacceptable and 'is not an activity that we can tolerate in our towns and cities', justifying why street work remains criminal (Home Office 2006:1). The cultural message from the New Labour government about women who work on the street was that they will not be missed, as they are not valid citizens but rather symbols of anti-social incivility (Scoular and O'Neill 2007). Whilst it is not only women who work on the street that are targeted by these 'discourses of disposability', men who pay for sex are cast as predatory, dangerous offenders who are immoral and causing disruption for family life (Sanders 2008, Kingston 2010). In policy the sex industry is

rarely constructed through the eyes of sex workers, nor does it recognise the diversity of the markets and experiences. The notion of voluntary sex work is difficult to locate in policy, particularly when migrant sex work is discussed. As a result of the tired old stereotypes perpetuating politics and policy, fuelled by media discourses that continue to ply the same 'junkie whore' and 'trafficked victim' images, violence directed towards sex workers is legitimated.

The report 'Silence on Violence' which was produced through the Lord Mayor of London's office to examine the issues relating to violence and safety in the indoor sex markets in London highlights the complexities of violence against sex workers but equally notes how the treatment of sex workers has an impact on vulnerability and violence. Boff (2012:2), the author of the report, cites a serial murderer: 'I picked prostitutes because I thought I could kill as many of them as I wanted without getting caught', to drive the point home that how we treat sex workers directly affects the public imagination. Clear evidence of the links between how society treats sex workers and the predatory nature of serial killers, it is safety of the women that is often not prioritised. While the intention of the report was to focus on policing (in the run up to the London Olympics) and highlight the importance of creating an environment where sex workers feel able to report violence and other crimes against them, the report shows how the attitudes of the police play a key part of reducing the vulnerability of sex workers.

The attack on stigma that sex workers face has been one of the key causes of social movements and unions that have arisen to defend the rights of sex workers publicly. The accounts of the organic growth of the sex workers rights movement from Jenness (1990) that charts the rise of COYOTE (Call Off Your Old Tired Ethics) in San Francisco in 1973 demonstrates how collectives of sex workers and their allies have joined together to directly challenge ideas that sex workers are passive victims, 'vectors of disease' or morally defunct individuals (see Sanders, O'Neill and Pitcher 2009: Chapter 6 for an overview). Whilst there has been historic evidence of sex workers collectively organising to resist unfair and dangerous criminalisation laws and enforced health care practices (e.g Mathieu 2003, Lopes, 2006, Kempadoo and Doezema 1998), there is also explanation as to why there is reluctance to organise around labour rights (Gall 2007). Yet despite the difficulties and risks of collective organising and political campaigns against the police and the state, there are continued raised voices to speak out for sex worker rights. Although only a minority of service-providing organisations (in the USA and Canada) engage in community education activities or activist events to promote sex worker rights (with the majority favouring a radical feminist approach to eradicating prostitution) (Oselin and Weitzer 2013), there is still sex worker activism alive across the globe.

For example, more recently, advocates and allies of sex workers as well as sex workers themselves have highlighted the damaging effects of the language employed by the anti-prostitution abolitionists. Bennachie and Marie (2010:24) note that the language that radical feminists use in their arguments against prostitution not only exuberate a hatred of the act but this is implied to sex workers as a group: 'Their language has several severe consequences, one of which is that it actively

encourages violence against sex workers'. These commentators point out that the very language and beliefs promoted by radical anti-sex work activists endanger sex workers because they legitimate false assumptions which violent men believe and act upon. For instance, ideas such as 'paid rape' and using the language of disgust to describe sex work have significant and harmful consequences. What Bennachie and Marie describe as a 'discourse of hate' (2010:24) encourages negativity towards sex workers, which in turn adds to the overall cultural belief that sex workers are not worthy of ordinary citizenship rights or protection. Whilst the abolitionist may not intentionally use this language to form a 'discourse of hate' it is obvious that where cultural ideas and assumptions of disgust and immorality are dominant that such ideas lay the foundations for stigma and used as a rationale for disregarding sex workers as full citizens. It is these structural, cultural, legal and social reasons that account for why violence exists so prolifically towards this group of people and therefore it is these exact dynamics that hold the solutions to preventing violence against sex workers. Social movements that support sex workers rights are at the forefront of educational and political campaigns to rebalance the damage of stigma.

Making Crimes Against Sex Workers Hate Crimes

The consequences of the ideology that prostitution is violence against women has influenced the modes of governance of prostitution across the globe (see Sanders and Campbell 2014). Colloquially termed the 'Swedish model', the criminalisation of the purchase of sex (i.e. the men that buy sex) has been heralded by the radical feminists as the most positive regulatory system to rid prostitution from society (Ekberg, 2004). Yet the evidence of the dangers caused by attempts to abolish prostitution has been well documented above. In the case of Sweden an absence of any harm reduction strategies or interventions, displacing sex workers to other markets and invisible spaces has produced an environment which is 'anti-sex worker' despite those who sell sex remaining free from prosecution (Levy and Jackobsen 2014). While there is not time in the paper to review the whole range of systems evident across the globe that regulate sex work and their impact on preventing or facilitating violence against sex workers, I want to take this opportunity to present a model of good practice in terms of how violence against sex workers is treated, condemned and resisted in a police led reduction against violence initiative.

In the Northwest of England, in 2006, Merseyside police became the first force to treat crimes against sex workers as hate crimes (Campbell and Stoops 2010). Building upon a long localised history of a less punitive approach to prostitution despite the criminalisation framework in the UK, there was a consensus amongst police, interested stakeholders (such as support services) and sex workers, that the 'hate crime' model would be a positive approach to dealing with crimes and the victimisation many sex workers, particularly street sex workers, frequency experience. The hate crime model is one that is well established in both law and policing practices in the UK (Hall XX). Certain groups are afforded special protection for their status as a minority group who experience stigma, marginalisation and 'othering' (such as disabled people and black and minority ethnic groups). Such groups are considered to be in need of special protection because of their victimised

status and targeting of crimes simply because they are members of that group. The experiences and cultural categorisations afforded sex workers (for instance 'the whore stigma') means that they have recently been considered one of these minority groups whose rights have been attacked and therefore protection needs to be structurally integrated into policy priorities.

Campbell, one of the academic-practitioners who has championed the Merseyside model both in terms of academic research and practice led interventions, details the theoretical basis for the model noting how policing can utilise the hate crime model to promote sex worker human rights. Campbell (2014:57) describes how 'locating crimes against sex workers as hate crime links some existing conceptualisations of hate with established analysis in the sex work literature of the 'othering' of sex workers and how this generates harassment and violence towards them'. In the sections above, the very real victimisation of this group of women, is an everyday reality for the support services that work with sex workers. It is the sex work support projects and police partnership work that formed the infrastructure for the Merseyside hate crime model. Building on over a decade of community safety partnership work where the safety of sex workers was considered, it was a common understanding and a commitment to sex worker rights that paved the way for the hate crime model to be developed. Like many radical changes, it was also the murder of a street sex worker in the locale that motivated the police to act, and make a public statement regarding not tolerating violence against sex workers (Campbell 2014: 62). It was this public commitment to use existing laws relating to violence to persistently pursue the perpetrators of hate crime that came as the break through to change how policing operated in this region.

The police commitment to ensure justice for sex workers who are attacked (usually sexual offences), saw some immediate results based on the intervention and commitment of many stakeholders. Whilst the national law regarding prostitution is still the framework with which the Merseyside police operate, their emphasis is no one of enforcement for sex workers, rather than to emphasis the need to work in partnership with the sex work community and to uphold their protection. Positive outcomes are identifiable: the reporting of violence (via support projects) to the police increased by 400% from 2005-2009; of those crimes that reached court, there was an 83% conviction rate during 2007-2011, making this an unprecedented level of justice for sex workers in the UK. This translated to 25 offenders convicted and at least 32 women receiving justice (Campbell 2014:62). It is impossible to say whether the Merseyside model has reduced the levels of violence against sex workers in the region – there is no longitudinal data which could address such a 'before and after' question, and levels of violence has been notoriously difficult to ascertain. However, the emphasis here is to build trust with the sex work community in order for them to report violence, feel comfortable with the police as protectors and not persecutors and send out the message that sex workers are not an easy target and that perpetrators will receive the full force of the law. Although there are still structural changes to this model as sex worker hate crime policy has not been accepted as a national policy, this sex worker rights approach to social and criminal justice is a leap forward in terms of opposing the 'discourses of disposability'.

Conclusion

It is across the bodies of sex workers that the debates surrounding the 'rights and wrongs' of prostitution are played out. It is also pertinent to say that these bodies are predominantly female bodies, with most debates ignoring the existence and issues relating to male or transgendered sex workers. The current theoretical battle ground rests on the radical feminist insistent claims that prostitution is inherently violence. As Salfati et al (2008: 540) state: 'A large percentage of the prostitutes' contacts with clients are nonviolent and are purely an exchange of cash for sexual services. The sheer number of partners that prostitutes service, however, implies that only a small percentage of violent encounters can result in a substantial amount of violent experiences. When this violence turns to murder, it appears that there are differences between the actions directed toward prostitute victims and nonprostitute victims'. This reminds the reader that violence must be considered in context and within the space, culture and modes of governance that either work hard to 'design out' such vulnerabilities, or facilitate violence by ignoring the rights of sex workers and how the law makes them vulnerable.

More progressive and morally neutral means of governing the sex industry are needed if the safety of sex workers are to be at the fore of regulation. In a recent statement following the murder of Mariana Popa, a Romanian sex worker, on the streets of London as she was working, the national police lead for prostitution stated: 'We are not going to enforce our way out of this problem. It simply won't work. I feel it would be good to allow a small group of women to work together, otherwise it creates a situation where they are working away from other human support. I think the disadvantages of working alone outweigh the advantages'. (Taylor and Townsend, 2014). Having a solution-focused debate in the UK and other countries where criminalisation is the dominant (formal) model of governing sex work is the way forward to prevent the frequent murders and everyday violence sex workers are at risk of. Violence also needs to be prevented at a community level as well as a structural level, requiring a range of interventions that focus on safety and partnership work. Currently in most criminalised settings, sex workers are left to protect themselves in all markets (Sanders 2005). Interventions that involve sex worker-led organisations at the heart of the conversation are demonstrated to be the most effective partnerships with local authorities and policing agencies. The Merseyside model of sex worker hate crime has been identified as a model of intervention which takes sex worker rights as its starting point in the pursuit of justice for those who are harmed. Its success in prosecutions of perpetrators of violence against sex workers has only been achieved through police-sex worker partnership work which has aided investigations to secure convictions. It is in these examples of innovative practice despite a national and international criminalisation agenda against sex workers, that human rights against a sexual minority group can be upheld.

Policy recommendations that take forward the health, safety and rights of sex workers as a priority should be at the forefront of modes of regulation if sex workers are to be protected. Violence can only be reduced where there is significant effort to make cultural attitude changes in how society views and treats sex workers: so to reduce stigma there must be an un-doing of the laws which outlaw sex work/prostitution and concentrate laws and policing resources where there are

genuine acts of exploitation and force. Through localised models of decriminalisation sex workers should be provided with legal spaces where commercial sex can take place, be managed safely and with the full support of health and social care interventions where needed and necessary. The future depends on modes of governance which place sex worker led organisations alongside those with decision making power in order to prioritise the community who are marginalised and not moral objectors who enjoy full citizenship.

References

- Abel, G (2014) A decade of decriminalisation: Sex work 'down under' but not underground *Criminology and Criminal Justice Studies* 14, 2, pp XXX
- Barnard, M., Hart, G. and Church, S. (2002) 'Client Violence Against Prostitute Women Working From Street and Off-Street Locations: A Three City Comparison' Violence Research Programme, ESRC.
- Barry, K (1995) *Prostitution and Sexuality*, New York: New York University Press.
- Baskin, S (2010) Working Smart: How sex workers stay safe in New York City *Research for Sex Work* 12, 21-22
- Bell, S. (1994) *Reading, Writing and Rewriting the Prostitute Body*, Bloomington: Indiana University Press.
- Bennachie, C and Marie, J (2010) Their words are killing us: The impact of violent language of anti-sex work groups *Research for Sex Work* 12, 24-25
- Boff, A (2012) *Silence on Violence. Improving the Safety of Women Report from the Lord Mayor of London's Office.*
- Brents, B. and Hausbeck, K. (2005) 'Violence and Legalized Brothel Prostitution in Nevada: Examining Safety, Risk and Prostitution Policy', *Journal of Interpersonal Violence* 20, 3, 270-295.
- Campbell, R. (2014) Not Getting Away With it: linking sex work and hate crime in Merseyside, Chakraborti, N. and Garland, J, (eds) *Responding to Hate Crime: The Case to Connecting Policy & Research*, Bristol: Policy Press. pp 57-72
- Campbell, R and Stoops, S (2010) Taking sex workers seriously: Treating Violence as hate crime in Liverpool *Research for Sex Work* 12, 9-12

Chapkis, W. (1997) *Live Sex Acts: Women Performing Erotic Labour*. New York: Routledge.

Church, S., Henderson, M., Barnard, M. and Hart, G. (2001) 'Violence By Clients Towards Female Prostitutes in Different Work Settings: Questionnaire Survey', *British Medical Journal* 322:524-25.

Cler-Cunningham, L. and Christenson, C . (2001) 'Studying Violence to Stop It'. *Research for Sex Work* No 4 www.med.vu.nl

Connell, J. and Hart,G. (2003) *An Overview of Male Sex Work in Edinburgh and Glasgow: The Male Sex Work Perspective*. MRC Social and Public Health Sciences Unit, Occasional Paper, June.

Corbin, A (1990) *Women For Hire: Prostitution and Sexuality in France after 1850* Cambridge: Harvard University Press.

Crago, A ., Rakhmetova, A ., Sheilds, A (2010) 'The police beat you up, demand money and will detain you if you don't pay': Police violence against sex workers in eleven countries in Europe and Central Asia. *Research for Sex Work* 12, 3-8

Cusick, L., and Berney, L. (2005). Prioritizing punitive responses over public health: commentary on the Home Office consultation document *Paying the Price*. *Critical Social Policy*, 25, 4, 596-606.

Delacoste, F. and Alexander, P. (1988) *Sex Work: Writings by Women in the Sex Industry*, London: Virago.

Deering, K et al (2014) A systematic review of the correlates of violence against sex workers *American Journal of Public Health* 104 (5) e42-e54

Ditmore, M . (2001) *Report From the USA: Do Prohibitory Laws Promote Risk?* *Research for Sex Work* No 4 www.med.vu.nl

Dworkin, A. (1996) 'Pornography' in S. Jackson and S. Scott (eds) *Feminism and Sexuality* Edinburgh: Edinburgh University Press.

Ekberg, G. (2004) 'The Swedish Law That Prohibits The Purchase of Sexual Services', *Violence Against Women* 10(10): 1187-1218.

Farley, M. (2004) ' "Bad for the Body, Bad for the Heart": Prostitution Harms Women Even if Legalized or Decriminalized', *Violence Against Women* 10(10): 1087-125.

Gall, G (2007) 'Sex Worker Unionisation: An Exploratory Study of Emerging Collective Organisation', *Industrial Relations Journal* 38,1, 70-88.

Garcia-Moreno C, Watts C. (2011) Violence against women: an urgent public health priority. *Bulletin World Health Organisation* 89(1):2.

Hall, N. (2005) *Hate Crime*, Cullompton: Willan Publishing.

Hardy, K (2010) 'It you shut up, they kill you'. *Sex Worker Resistance in Argentina* in (eds) Hardy, K., Kingston, S., and Sanders, T *New Sociologies of Sex Work* Ashgate Farnham, pp 167-180

Hart, G., and Barnard, M (2003) ' "Jump on Top, Get the Job Done": Strategies Employed by Female Prostitutes to Reduce the Risk of Client Violence' in E. A. Stanko (ed.), *The Meanings of Violence*, London: Routledge.

Home Office (2004) *Paying the Price: A Consultation on Prostitution*, London, Home Office

Home Office (2006) *A Coordinated Prostitution Strategy*, London, Home Office.

Hubbard, P. and Whowell, M. (2008) Revisiting the red light district: Still neglected, immoral and marginal? *Geoforum*, 39 (5) 1743-1755

Jeffreys, S. (1997) *The Idea of Prostitution*, Melbourne, Australia: Spinifex Press.

Jenness, V. (1990) 'From Sex as Sin to Sex as Work: COYOTE and the Reorganization of Prostitution as a Social Problem', *Social Problems* 27, 3, 403-420.

Kempadoo, K and Doezema, J ed. (1998) *Global Sex Workers: Rights, Resistance, and Redefinition*. London: Routledge.

Kerschl, A.V. (2004) 'The Dislocation Process of the Illegal Street Prostitution Scene in Cologne Results of the Scientific Evaluation of the Pilot Project', paper presented

at; AC Company Conference 'Dealing With Mobility and Drug Use in A Changing Europe', Prague, 3-5th July.

Kinnell, H. (2006) 'Demonizing Clients: How Not to Promote Sex Workers' Safety', in M. O'Neill and R. Campbell (eds) *Sex Work Now*, Cullompton: Willan.

Kinnell, H. (2008) *Violence and Sex Work in Britain*, Cullompton: Willan.

Kurtz, S., Surratt, H., Inciardi, J. and Kiley, M. (2004) 'Sex Work and "Date" Violence', *Violence Against Women* 10(4): 357-385.

Levy, J and Jackobsen, P (2014) Sweden's abolitionist discourse and law: Effects on the dynamics of Swedish sex work and on the live's of Sweden's sex workers *Criminology and Criminal Justice Studies* 14,2 p XXXX

Lopes, A (2006) 'Sex Workers and the Labour Movement in the UK', in R. Campbell and O'Neill, M (eds) *Sex Work Now*, Cullompton: Willan.

Lowman, J. (2000) 'Violence and the Outlaw Status of Street Prostitution in Canada', *Violence Against Women* 6(9): 987-1011.

Lowman, J (2011) Deadly inertia: a history of constitutional challenges to Canada's Criminal Code sections on prostitution. *Beijing Law Review* 2(2): 33-54.

MacCharles, T (2013) Supreme Court prostitution case: judges challenge government to justify brothel ban. Available at: http://www.thestar.com/news/canada/2013/06/13/supreme_court_prostitution_case_judges_challenge_government_to_justify_brothel_ban.html (accessed 21st January 2014).

MacKinnon, C. (1987) *Feminism Unmodified : Discourses on Life and Law* Cambridge, Mass and London: Harvard University Press.

Maher, L. (2000) *Sexed Work: Gender, Race and Resistance in a Brooklyn Drug Market*, Oxford: Oxford University Press.

Mathieu, L. (2003) 'The Emergence and Uncertain Outcomes of Prostitutes' Social Movements', *The European Journal of Women's Studies* 10,1, 29-50.

May, T, Harocopos, A and Turnbull, P (2001) *Selling Sex in the City: an Evaluation of a Targeted Arrest Referral Scheme for Sex Workers in Kings Cross*, Home Office, London.

McKeganey, N. and Barnard, M. (1996) *Sex Work on the Streets*, Buckingham: Open University Press.

Miller, J. and Schwartz, M. (1995) 'Rape Myths and Violence towards Street Prostitutes', *Deviant Behaviour* 16(1): 1-23.

Munk, V. (2001) 'Repressive Laws and Hidden Women: Migrant Sex Workers in Germany' *Research for Sex Work* No 4 www.med.vu.nl.

Nixon, K., Tutty, L., Downe, P., Gorkoff, K. and Ursel, J. (2002) 'The Everyday Occurrence: Violence in the Lives of Girls Exploited Through Prostitution', *Violence Against Women* 8 (9): 1016-1043.

Oselin, S and Weitzer, R (2013) Organisations working on behalf of prostitutes: An Analysis of goals, practices and strategies *Sexualities* 16 (3/4) 445-466

Pateman, C. (1988) *The Sexual Contract*, Oxford: Blackwells.

Pauw, I. and Brener, L. (2003) 'You Are Just Whores - You Can't be Raped: Barriers to Safer Sex Practices Among Women Street Sex Workers in Cape Town', *Culture, Health and Sexuality* 5(6): 465-81.

Pitcher J., Campbell, R., Hubbard, P., O'Neill, M., and Scoular, J. (2006) *Living and working in areas of street sex work: from conflict to coexistence*. Bristol: Policy Press.

- Potterat, J. J (2004) Mortality in a long term open cohort of prostitute women
American Journal of Epidemiology 159 (8) 778-85
- Prior, J and Hubbard, P. (2013) Out of sight, out of mind? Prostitution policy and the health, well-being and safety of home-based sex workers. *Critical Social Policy*, 33 (1). 140-159.
- Pyett, P. and Warr, D. (1997) 'Vulnerability on the Streets: Female Sex Workers and HIV Risk', *AIDS Care* 9(5): 539-47.
- Raymond, J. G. (1999) 'Prostitution as violence against women', *Women's International Forum* 21, 1, 1-9.
- Riberio, M. and Sacramento, O. (2005) 'Violence Against Prostitutes. Findings of Research in the Spanish-Portuguese Frontier Region', *European Journal of Women's Studies* 12(1): 61-81.
- Salfati, C. G., James, A., and Ferguson, L (2008) Prostitute Homicides: A Descriptive Study *Journal of Interpersonal Violence* 23 (4) 505-43
- Sanders, T. (2005) *Sex Work. A Risky Business*, Cullompton: Willan.
- Sanders, T. (2008a) *Paying for Pleasure: Men who Buy Sex*, Cullompton, Willan.
- Sanders, T. and Campbell, R. (2007) Designing Out Violence, Building in Respect: Violence, Safety and Sex Work Policy, *British Journal of Sociology* 58, 1, 1-18
- Sanders, T and Campbell, R (2014) *Criminalisation, Protection and Rights: Global Tensions in the Governance of Commercial Sex* *Criminology and Criminal Justice Studies*
- Sanders, T., O'Neill, M., Pitcher, J (2009) *Prostitution: Sex Work, Policy and Politics* Sage London
- Schumacher, J . (2004) 'Policing the Zone for Street Walking in Utrecht', presentation for Liverpool City Council, John Moores University, February, Avril Robarts Building, Liverpool.
- Scoular, J (2004) 'The 'subject' of prostitution: interpreting the discursive, symbolic and material position of sex/work in feminist theory'. *Feminist Theory*, 5, 3, 343-355.
- Scoular, J and M O'Neill (2007) 'Regulating Prostitution: social inclusion, responsabilization and the politics of politics of prostitution reform'. *British Journal of Criminology*, 47, 5, 764-778.
- Slamah, K., Winter, S., Ordek, K (2010) Violence against trans sex workers *Research for Sex Work* 12, 30-31

Surrat, H., Inciardi, J., Kurtz, S. and Kiley, M. (2004) 'Sex Work and Drug Use in a Subculture of Violence' *Crime and Delinquency* 50(1) 43-59.

Taylor, D and Townsend, M (2014) Mariana Popa Was Killed Working as a Prostitute, Are the Police to Blame? *The Observer*, Sunday 19th January
<http://www.theguardian.com/society/2014/jan/19/woman-killed-prostitute-police-blame>

Van Doorninck, M., and Campbell, R. (2006) 'Zoning Street Sex Work' in (eds.) R Campbell and M O'Neill, *Sex Work Now*, Willan, Cullompton.

Ward, H., Day, S. and Weber, J. (1999) 'Risky Business: Health and Safety in the Sex Industry Over a 9 Year Period', *Sexually Transmitted Infections* 75(5): 340-43.

Weitzer, R. (2005) 'Flawed Theory and Method in Studies of Prostitution', *Violence Against Women* 11(7): 934-49

Weitzer, R (2010) *The Mythology of Prostitution: Advocacy Research and Public Policy*, *Sexuality Research and Social Policy* 7 (1) 15-29

Weitzer, R (2010) *The Movement to Criminalize Sex Work in the United States*, *Journal of Law and Society*, 37 (1) 61-84

Whittaker, D. and Hart, G. (1996) 'Research Note: Managing Risks: The Social Organization of Indoor Sex Work', *Sociology of Health and Illness* 18(3): 399-413.

ⁱ http://www.huffingtonpost.com/2013/12/20/canada-anti-prostitution-law_n_4480105.html