



ROUTES OUT OF SEX WORK

ASIJKI
COALITION TO
DECRIMINALISE
SEX WORK IN
SOUTH AFRICA



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Worldwide, many governments and non-governmental organisations aim to help people leave sex work and do other work. This is often called “exiting”, but here we use the term “routes out of sex work”¹. These two terms often refer to choices that sex workers make to leave the sex industry. In contrast, “diversion” refers to programmes offered to sex workers or clients as an alternative to criminal penalties (for example, going to jail) and usually emphasise “rehabilitation” (helping people back into “normal” society).

Diversion programmes are often presented as fairer and less punishing than criminalisation. However, even though diversion programmes offer support services – including health and drug treatment services – and teach skills to sex workers, these programmes are often badly designed. When they involve force, they can cause more harm than good². This fact sheet describes present problems with these programmes and explains how they could be run more successfully through sex work decriminalisation.

1 UNDERSTANDING THE BACKGROUND

- Many people do not have formal work in South Africa, partly due to lack of skills and high unemployment rates³. Poverty is also highly “feminised” (more common for women), with women working longer hours for less money than men. Women also often do more caring for children, the elderly and people with disabilities^{4,5} that is unpaid or poorly paid.
- Sex work requires little or no training and pays quite well. One study in 2010 found that, although most of the female sex workers surveyed had not completed secondary school, they earned an average income more than double that of all employed South Africans^{6,7}. A similar survey in Cape Town found that, depending on their level of education, sex workers earned between 1.5 and 5.4 times more than they had made in their previous employment⁸. Unsurprisingly, 76% of sex workers in this study reported that their main reasons for selling sex were financial. Another common motivation was that sex work allows for flexible working times and so is well-suited to people who have another job or need to care for children or relatives.
- Sex workers in South Africa and around the world are strongly discriminated against. This often means that sex workers are rejected by friends and family, removing them from support systems. Discrimination is the main cause of violence against sex workers by clients, the police and members of the public^{9,10,11}. Employers also discriminate against former sex workers, making it difficult for people who choose to leave sex work to find other jobs. The effects can be even more severe if a sex worker ends up with a criminal record, which can often be seen by potential employers¹².

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2 WEAKNESSES OF MANY ‘EXITING’ OR ‘DIVERSION’ PROGRAMMES

- Some exiting or diversion programmes often describe sex workers, especially women, as lazy, child-like, immoral or sinful. This description supports the “virtuous” middle-class or religious beliefs of the people, especially women, who run these programmes¹³. It also allows these programmes to overrule sex workers’ preferences and ability “for their own good”¹⁴.
- These programme-managers fail to understand that, for many people, sex work is a practical response to a specific life situation. A study of street and indoor sex workers in London found that many stayed in sex work even when presented with other career choices, including after earning university degrees¹⁵. Even people who want to leave can often only do so after the main difficulties in their lives – including homelessness, drug abuse and serious poverty – are sorted out¹⁶.
- Many exiting or diversion programmes focus on getting sex workers into low-paid basic work, especially work that is believed to be “respectable” for women to do, like making clothes^{17,18}. This ignores the fact that many women in sex work specifically chose it because it offers better pay and working conditions than these kinds of basic jobs.
- These programmes often want people to stop sex work at once and for good when it often makes more sense for them to cut down on their sex work slowly while they save up, finish drug treatment, form social links in “normal” society and so on. Many sex workers try to leave several times before succeeding for good¹⁹. A research study of sex workers in Cape Town found that 70% of indoor workers and 75% of street workers already worked “on and off”²⁰.
- They often focus on giving sex workers more “reasons” to leave sex work – including moral or religious teaching or the threat of criminal action – rather than dealing with the practical social and financial problems that block routes out of sex work.
- Doctors, nurses, trainers, drug counsellors and other service providers are often judgemental or abusive towards sex workers. This puts sex workers off from using these services or weakens their self-confidence if they do choose to continue using them.
- Sex workers are often forced into “diversion” programmes by the threat of criminal action. This treats sex workers as criminals rather than as people at risk who may need specialised services^{21,22}. This use of force makes sex workers dislike and distrust service providers. It also makes them less likely to talk to counsellors about risky or illegal behaviour, ultimately affecting the success of the programme²³.

3 HOW BEST TO OFFER ROUTES OUT

- Good programmes aimed at helping sex workers should not guess what they need. They should try to support sex workers in making their own plans, even if these include continuing with sex work²⁴. They must recognise that a low-paying basic job will not suit many people who have families to provide for so they should try to offer more suitable career opportunities.
- All services should be provided in a supportive way and at flexible times. Those sex workers most at risk lead chaotic lives and might not succeed with services that demand full attendance at particular times, no substance use, registration and so on^{25, 26}.
- Good programmes should actively fight discrimination against sex workers in the community. This helps sex workers access support networks, fight loneliness and contact possible employers.
- These programmes should teach “dual-use” skills wherever possible, so that sex workers can benefit both while continuing to do sex work and when looking for other work. Some examples include money management, anger management and language skills.

4 DECRIMINALISATION HELPS PEOPLE LEAVE SEX WORK

- Decriminalisation means that all laws making the buying and selling of sex illegal, as well as the employment of sex workers, are removed. Sex

work is controlled by general labour law. This means that sex workers are able to organise legally and employers (e.g. brothel managers) must obey health and safety labour laws. Force, trafficking and other abusive labour practices remain illegal.

- The most important reason to support decriminalisation is that it has been shown to reduce violence^{27, 28} against sex workers, help them secure labour rights^{29, 30} and reduce HIV transmission³¹. At present criminalisation of sex work results in abuse of sex workers by the police^{32, 33}. Criminalisation increases stigma and discrimination against sex workers, which are the main causes of violence and abuse against them.
- Criminalisation of sex workers and their clients makes sex workers more at risk of violence, stigma, discrimination and social rejection³⁴. Rejection and shock can make it more difficult to access support and achieve a stable life. A criminal record may make it very difficult to find other work³⁵.
- Criminalisation means that sex workers are forced to work secretly, where they may become linked to other crimes or become hooked on drugs. This makes it more difficult to fit into society and means sex workers may still have a criminal record even if sex work sentences are removed.
- People will often start doing sex work or increase the amount of sex work they do because of money problems. These can be made worse by fines, time spent off work in jail, in court, in compulsory diversion programmes³⁶ or having pay stolen by police officers. Criminalisation also makes it more difficult to earn money because it scares away clients³⁷.
- Decriminalisation makes it easier to provide fair services. This means sex workers are more likely to access support, training and counselling³⁸.

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