As a group, sex workers are at high risk of violence and other crimes. Like many other at-risk groups, they are over-policed but under-protected. This fact sheet describes present problems with the policing of sex work and sex workers. It then explains how the situation could improve if sex work was decriminalised.

**Weak Policing of Crimes Against Sex Workers**

- Because people do not generally approve of people having sex with many partners, and particularly so if they are women, sex workers suffer greatly from stigma and discrimination. Stigma and discrimination are the main cause of violence against sex workers, because they are seen as people who “deserve” abuse. This is why sex workers, especially those who work on the street, are at high risk of violence, including sexual violence and murder.
- Because sex work is a crime, sex workers will avoid the police to stop themselves from being arrested or abused by them. This means they may work in out-of-the-way places where they could be easily attacked.
- Many police officers believe the myth that it is “impossible” for sex workers to be raped, or believe that sex workers “deserve” to be abused. Police therefore seldom want to open a case, even if a sex worker lays a complaint about abuse.
- Because sex workers know they will not be listened to or are afraid of being abused by police, they are unlikely to report crimes against them. This makes them easy targets for robbers, clients who are violent or refuse to pay, dishonest managers, abusive partners and even murderers.
- Arresting sex workers wastes valuable police resources. From April 2014 to March 2015, there were 6340 arrests for “Sexual offences [detected] as result of police action”, which does not include the many sex workers who are arrested without any crime being officially recorded (see below). In 2011, it was worked out that at least R14 million is spent on policing and bringing sex workers to court.

“Sex workers avoid police to stop themselves from being arrested or abused by them.”

**Direct Police Violence and Abuse Against Sex Workers**

“Sex workers are especially at risk of violence and abuse from the police.”

- It is difficult to prove that someone has had sex for money, so the police often target sex workers under by-laws banning “loitering” and “public nuisance”. These crimes are also very hard to prove, so accusing sex workers of them is often random and unfair: it amounts to harassment. The Western Cape High Court has ruled against the police for arresting sex workers without intent to charge them.
- Sex workers are especially at risk of violence and abuse from the police. This is because the law gives the police the power to threaten them with arrest. This means that they cannot report violence or abuse. Many sex workers in South Africa report that they have been harassed, robbed, assaulted or raped by police, as well as being arrested illegally or forced to give bribes.
- Many police officers in South Africa see condoms as “evidence” that someone is a sex worker and seize them, or even arrest the person carrying them. This means that sex workers are less likely to carry condoms and, as a result, are at greater risk for HIV and other STIs.
- Even when police arrest sex workers lawfully, they often use unnecessary force, including handcuffing them roughly, physically controlling them and putting them in jail. Although lawful, this use of force is often stressful and usually completely unnecessary, since sex workers are seldom violent or a danger to the public.

“Where sex work is criminalised, as in South Africa, some police officers confiscate condoms from people they believe are sex workers.”
Under decriminalisation, sex workers can report trafficking and abuse more easily.