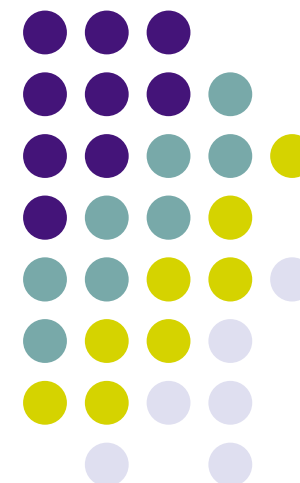
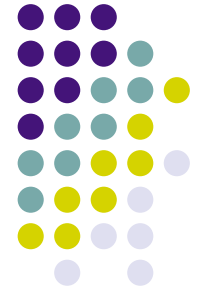


Sex workers and sexual assault: Risk & prevention

Australian Centre for the
Study of Sexual Assault



Background

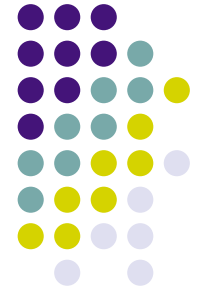


- Based on *ACSSA Issues 8* which aimed to:
 - highlight the extent and nature of sexual assault against sex workers in Australia;
 - examine the impacts of sexual assault;
 - identify the barriers to disclosure & accessing services;
 - identify conditions that increase sex workers' vulnerability to sexual assault; and
 - identify prevention strategies relevant to the sex industry
- Rationale behind the paper:
 - Provide an updated review of research;
 - Bring together disparate fields of research; and
 - Identify key gaps in research and new directions for future inquiry.

Relevant contexts



- The frequency of sexual assault against women:
 - 1 in 6 have been sexually assaulted since 15;
 - Almost 1 million women have experienced sexual abuse *before* the age of 15;
 - 81.1% of the most recent incidents were not reported to the police;
 - 57.4% of victim/survivors are between 18 and 34; and
 - 81.3% of victim/survivors of sexual assault were Australian born.
 - Australian Bureau of Statistics, *Personal Safety Survey*, 2006.



- Workplace violence experienced by women:
 - 62.1% of women had experienced some form of workplace violence in the last five years:
 - swearing or shouting (48.6%),
 - hostile or aggressive behaviours (46.7%),
 - bullying or mobbing (22.4%),
 - physical attacks including punching and kicking (11.6%);
 - sexual assault (0.2%)
 - (Department of Victorian Communities, 2005).

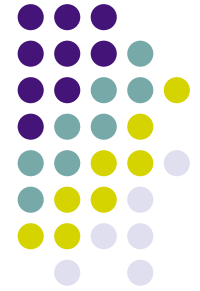
Prevalence & nature of sexual assault



Study	Percentage of workers experiencing sexual assault at work		
	Street	Brothel	Other
(QLD) Boyle et al. 1997 230 participants			All sectors Ever: 29%
(QLD) Woodward et al. 2004; 216 participants	Ever : 78.8% By client: 61.6% (27.3% once) (33.3% more than once)	Ever: 34.7% By client: 3 % (0% once) (3% more than once)	(Private) Ever: 37.8% (Private) by client: 13.4% (7.3% once) (6.1% more than once)
(NSW) Roxburgh et al. 2006; 72 participants	33% rape 40% aggravated rape	NA	NA
(NSW) Perkins 1991 128 participants			All sectors 19.5%
(NSW) Perkins & Lovejoy 2007; 219 participants		6.5%	Private: 8.4%
(VIC) RhED ‘Ugly Mugs’ 2001; 101 reports	46% sexual assault 18% of these with a weapon	NA	NA
(NSW) SWOP NSW 266 reports between 2000-2006			All sectors 13% of incidents



INTERNATIONAL	Percentage of workers experiencing violence at work		
Study	Street	Brothel	Other
NEW ZEALAND Plumridge & Abel 2001 303 participants	27%	8%	NA
UK Church et al. 2001 240 participants	‘outdoor’ 22% raped (vaginal) 5% raped (anal)		‘indoor’ 2% raped (vaginal) 6% raped (anal)
US Kurtz et al. 2004 294 participants	13.9%		
5 COUNTRY STUDY Farley et al. 1998 Total of 475 participants	NA	NA	South Africa 57% Thailand 57% Turkey 50% USA 68% Zambia 55%
NETHERLANDS Vanwesenbeeck			40%



Key points of prevalence data

The prevalence data show that:

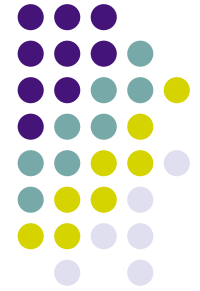
- there are high levels of sexual assault among sex workers;
- risk of sexual assault is unequally distributed across the sectors; and
- street sex workers are both especially vulnerable and more likely than other workers to experience:
 - Repeat victimisation;
 - Aggravated assaults;
 - Brutal assaults;
 - Kidnapping and unlawful imprisonment; and
 - Other forms of interpersonal violence while at work.



Feelings of safety

- 321 Victorian brothel workers reported ‘sometimes feeling unsafe’ with:
 - Clients (40%)
 - Taxi drivers (25%)
 - Police (19%)
- This same group also reported sometimes feeling intimidated at work with:
 - Clients (27%)
 - Co-workers (15%)
 - Significant proportions reported feeling never or rarely unsafe/intimidated at work (except where taxi drivers are concerned)
 - In Consumer Affairs Victoria, 2006.

Conditions that increase risk of sexual assault



- ‘Risky’ work places (situational) can involve:
 - working alone;
 - providing care, advice or training;
 - handling money or valuables; and
 - working with mentally disturbed, drunk or potentially violent people;
- ‘Face-to-face contact’ as a core factor of workplace violence.
- Physical and emotional ‘attentiveness’ may also be factors.
- See Chappell & Di Martino 2000, in Department of Victorian Communities, 2005, p. 16; Mayhew & Chappell, 2005; Hoschshild, 1989

How are these conditions present in sex work?



Indoor vs. outdoor work

- Indoor work:
 - “Sometimes I’ll say knock. If it’s a regular and I know that he’s alright I’ll say ‘Don’t bother knocking `cos he’s alright’, you know. Sometimes if they are a bit tipsy, I’ll say, ‘definitely knock’”, (in Whittaker & Hart, 1996, 407)
- Indoor environments are subject to a range of controls that inhibit the likelihood of violence. For example:
 - environmental design;
 - telephone bookings; and
 - receptionist as a key ‘gatekeeper’.



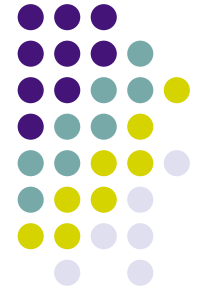
- Outdoor work:
 - Car work
 - “the problem of doing a car job is the guy can have a knife under his sock, or he can have a knife under the seat, he can slit your throat at any time. You can get bashed in the car, he can push you out of the car ...” (Cindy on ABC Radio National, 2003).
 - Getting into a client’s car “gives almost total control to the customer” (Kurtz et al. 2004).
 - Abduction, kidnapping & forced detention are common experiences.
 - Isolation
 - SQWISI (QLD) argued that street-based workers were more vulnerable because of the lack of natural surveillance and the kinds of clients/perpetrators this attracts.
 - Gentrification



Location & isolation

- Brothels
 - Planning laws require set distances from important amenities;
 - Zoning laws can mean working in isolated areas even for legal workers.
- Street-based workers
 - Establishment of ‘tolerance zones’ or safety houses is difficult.
- Escort workers
 - Sex workers’ rights groups receive much anecdotal evidence of workers being assaulted and abused by clients and having to run naked through public places, such as hotel lobbies, across roof tops and over balconies, in order to escape with their lives” (Treleaven, 1995, p. 300).

Sex work is often contained to ‘elsewheres’



‘Streetwalkers lose in the blame game’, *The Age*, July 24, 2004

- "It's very upsetting because that rage just comes out of nowhere," Arabella said. "He smashed my cheekbone and was beating the s--- out me. I screamed so loudly that I flayed my vocal cords and couldn't speak properly for a month." Luckily a group of young guys in an apartment called out, 'are you alright?'. This guy yelled back, 'she's a prostitute', as if that made it OK. They called 000 and the police came really fast, but this guy seemed to think the young guys wouldn't give a f--- if he murdered me in front of them."

Social stigma & risk

Social stigma can influence perpetrator behaviour:

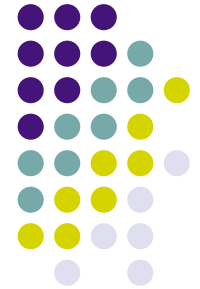


- Geographical & social isolation:
 - perception that sex workers are socially isolated and without family or other support networks (often erroneous) – can decrease the perception of risk of being caught
- Misunderstanding about what payment for sex entitles clients to:
 - “... so I got in, and as we drove off I was hit by an overwhelming smell of alcohol. That was the first indicator that I didn't want to be there . . . I asked what he wanted and told him the standard prices - \$50 for oral, \$80 for sex, \$100 for both. He just kept saying, 'I want sex, I want sex' ... "When I told him I'd only do oral in the car, he started to raise his voice, so I got out of the car. He tried to grab me as I got out, but I slammed the door on him . . .”
- Anti-sex worker sentiment and initiatives promulgated throughout communities:
 - This has been described as a “discourse of disposal” in that women who visibly engage in sex work are seen as something to “get rid of”.

Sex workers managing risk



- Information sharing strategies:
 - Access to local knowledge about dangerous or violent clients and the prevalence of violence within the sex work community is an essential way that workers minimise the threat of sexual assaults from clients. For example:
 - ‘Ugly Mugs’ programs;
 - SWOP NSW publication such as *Nine Lives - Surviving Sexual Assault*



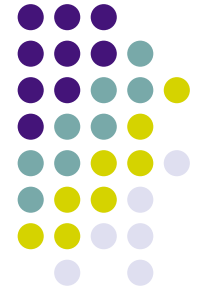
- Personal or individual strategies

- The use of a chaperone;
- Employing a receptionist;
- The use of a driver: an escort worker stated: “You never go on an escort unless you have an escort yourself” (Felicity in Sanders, 2004, p. 565);
- The use of a ‘spotter’.
- Working in pairs;
- Avoiding cars with more than one person in them;
- Avoiding hire cars, or cars with interstate license plates;
- Checking car door handles to ensure door can open from the inside;
- Always being aware of potential for violence.

- Various micro-strategies

- Strategies aimed at managing the encounter, interaction and client.

How does the regulation of sex work impact on safety?



- **Criminalised work contexts:**

- Avoiding police detection impacts on ‘sussing’ out a client: “I had to get into the car quicker and I had to be less noticeable” (‘Joellen Feinberg’ in Alexander, 1998, p. 78).
- Impact of police crackdowns and move-on powers;
- Police powers to entrap (e.g. WA).

- **Legalised work contexts:**

- many laws across Australia require workers to operate alone or in isolated areas.

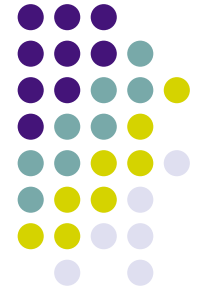


Legalised work contexts (cont.)

- While sex work is legal in some states, they can require workers to operate in risky conditions. For example:
 - In NT:
 - Private workers can only arrange jobs for themselves, cannot provide sexual services from the same place they are organised or work with anyone else such (eg. workers, receptionists or drivers);
 - Brothels.
 - In QLD:
 - Two sex workers sharing one premises;
 - Private workers offering ‘doubles’;
 - Private workers contacting or texting any other person with details of bookings;
 - Private workers having a non-licensed security guard, receptionist, a driver
 - In WA:
 - To keep, manage or assist in the management of premises for the purpose of prostitution;
 - Seeking clients in or in view or within hearing of public place.

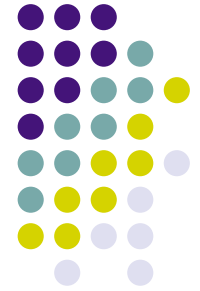


- Police powers can also render sex workers vulnerable to sexual assault. For example:
 - QLD police:
 - are exempt from solicitation offences and can entrap then penalise workers for operating illegally in any way.
 - WA police:
 - may participate in an unlawful act with immunity, in order to secure a conviction. Entrapment is lawful.
 - have the power to enter premises without a warrant. They can enter any premises 'suspected' of being used for prostitution. This includes private homes.
 - have the power to search, seize and detain without a warrant OR charge.
 - can also issue workers with Move-on Notices and Restraining Orders.
 - Refusal to answer questions or produce documents could result in two years imprisonment.



- Poor occupational health and safety for sex workers:
 - OH&S principles can be undermined through laws controlling sex work, poor monitoring of implementation, and an undue focus on disease transmission. Consultations raised the following issues:
 - Presence of intoxicated clients.
 - Location of duress or panic buttons.
 - Overemphasis on OH&S as having to do with *disease* not safety.
 - Implementation and monitoring.

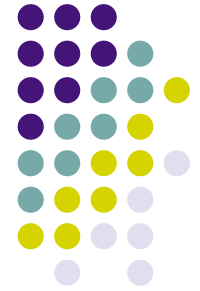
Collective strategies of prevention



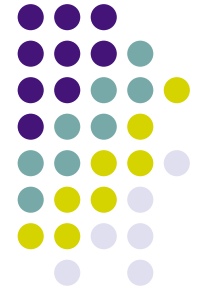
Such strategies need to address:

- Effective environmental design from the point of view of sex workers;
- Planning and zoning mechanisms;
- Reconsidering laws that criminalise sex workers operating together and/or hiring other staff. The importance of safety in numbers has been well demonstrated throughout this paper.;
- Reconsidering laws that grant power to police to entrap or move sex workers on. Aspects of sex work are more or less criminalised in all states. Entrapment powers and the like entrench and conceal already significant police discretion.

Conclusion



- The important factors that lead to the sexual assault of sex workers are:
 - the nature and location of the working environment;
 - the laws that control and regulate sex work.
 - these two factors are mutually reinforcing:
 - “It is not a simple dichotomy of legal and illegal or indoor and outdoor but a question of how the illegality of outdoor work increases its danger and how legalisation approaches increase or decrease both the ability of sex workers to control the encounter and to disclose their experiences. Most significantly, it is the stigmatisation of sex workers, the misinformation and stereotypes about who they are, why they are sex workers and what a paid sexual transaction is about that really fuels and tacitly legitimises sexual violence against them. (ACSSA Issue 8, forthcoming)



- Research on violence against sex workers, including sexual violence, has pointed “to the power relationship between client and worker as being a crucial factor in the safety of commercial sex encounters”. The institutional, legal and occupational organisation of sex work has a significant impact on shaping the safety or unsafety of commercial sex encounters.
- Sex workers’ knowledge about risk minimisation and prevention should be seen as expert knowledge and used to inform legislation, policies and strategies to prevent violence and sexual violence.