

**“HANDS OFF
OUR CLIENTS!”**



**An Activism and Advocacy
Guide for Challenging
the ‘Swedish Model’ of
Criminalising the Clients
of Sex Workers in Europe**

ICRSE

**International
Committee on
the Rights of Sex
Workers in Europe**

www.sexworkeurope.org





“Hands Off Our Clients!”: Full Contents

SECTION #1: Creating Change	1:1
What is Sex Worker Rights Advocacy?	1:3
What is Sex Worker Rights Activism?	1:3
Creating Change: Combining Advocacy and Activism	1:4
The Swedish Model: What it is and How it Came About	1:5
Increased Violence in the Sex Industry	1:5
A History of Migration and Racism	1:6
How to Use This Guide	1:7
SECTION #2: Sex Worker Rights Advocacy	2:1
1 Identify the Issue and Define Your Goals	2:3
2 Groundwork: Preparing the Way	2:4
3 Research and Mapping: Understanding the Policy Playing Field	2:8
4 Planning and Strategy: Zeroing In	2:12
5 Building Coalitions and Alliances: Gathering Your Forces	2:13
6 Communications: What? When? How? And to Whom?	2:15
7 Evaluation: Celebrating and Sharing Successes – Recognising and Overcoming Difficulties	2:16
WORKSHEET #1: Five Principles for Undertaking an Effective Legislative Campaign	2:18
WORKSHEET #2: Building Your Case Against the Swedish Model	2:19
WORKSHEET #3: The Evidence	2:24
WORKSHEET #4: Template for a Workplan	2:29
WORKSHEET #5: Template for a letter to Potential Allies	2:30
WORKSHEET #6: Sample Briefing Papers	2:31
WORKSHEET #7: Sample Communications Strategy	2:43
SECTION #3: Sex Worker Rights Activism	3:1
1 Power and Interest	3:3
2 Strategy and Campaigns	3:10
3 Action	3:12
4 Organising	3:14
5 Sex Worker Resources	3:16
WORKSHEET #8: Planning a Campaign	3:17
WORKSHEET #9: Planning an Action	3:20
WORKSHEET #10: Tips for Organisers	3:23



SECTION

1

Creating Change

Sex workers and sex worker rights activists across Europe are concerned that governments are trying to bring in laws that criminalise clients – often referred to as ‘the Swedish Model’. We are concerned about how these laws will affect us, our work, our rights and our access to health and other services. This kit – which contains information, ideas and resources; has been designed by ICRSE to help sex worker rights collectives, organisations and activists carry out advocacy and activism that influences or challenges specific areas of policy or legislation of Swedish Model.

ICRSE wants to work towards creating a world where sex work is recognised as work, and where the human and labour rights of female, male and trans* sex workers are upheld and promoted in the same way as those of everybody else.





SECTION #1 Creating Change

Contents

What is Sex Worker Rights Advocacy?	1:3
What is Sex Worker Rights Activism?	1:3
Creating Change: Combining Advocacy and Activism	1:4
The Swedish Model: What it is and How it Came About	1:5
Increased Violence in the Sex Industry	1:5
A History of Migration and Racism	1:6
How to Use This Guide	1:7

SEX WORKERS TAKE ACTION!

SEPTEMBER 2012: MARRICKVILLE, SYDNEY – sex workers in rally to protest against Mayoral candidate Morris Hanna's anti-sex work policies.

JULY 2012: KOLKATA – when the International AIDS Conference 2012 was held in Washington, US government travel restrictions meant that many sex workers were excluded. In response sex workers and allies set up a Sex Worker Freedom Festival as an alternative event to protest their exclusion and ensure their voices were heard in Washington.

JULY 2012: WASHINGTON D.C. – 1000 sex workers, drug users and AIDS activists, many of them carrying red umbrellas, march on White House to protest the stigma. Protesters hold up signs: "Fight AIDS! No More Drug War!" and "Stop the Witch Hunt against Sex Workers". They chant "Sex work is work".

JULY 2012: PARIS – hundreds of people, including sex workers protested against proposals to make soliciting for prostitution illegal.

APRIL 2012: EL ALTO, BOLIVIA – Sex workers go on hunger strike to demand a solution to the month-long doctor's strike which had forced the closure of public hospitals across the country. About a dozen male and female sex workers, many with their faces covered, crowded into the lobby of a health centre. They chanted "Useless minister (Health Minister Juan Carlos Calvimontes), we want a solution!"

What is Sex Worker Rights Advocacy?

Sex worker rights advocacy is any action that aims to bring about desired political change in sex work policy, legislation and/or funding. Sex worker rights advocacy is a process of linked actions that, when combined, bring about change and, specifically it's about effecting policy change. It's about holding policy-makers and other decision makers to account for the needs and rights of sex workers and our communities. Advocacy can include awareness-raising, education and communication, and behaviour change communication.

Experience tells us that sex worker rights advocacy is most successful when we have a clearly defined desired outcome (what do we want to achieve) with realistic actions (what are we going to do) for specific actors to undertake. Sex worker rights advocacy should therefore always be targeted to a particular group of people asking them to do a concrete action toward a desired political change.

What is Sex Worker Rights Activism?

Activism is any conscious individual or collective effort to bring change either on a social, political, economical or environmental level. Activism employs many tactics from local grassroots community-based action to national or transnational campaigning.

The modern sex workers' rights movement was born in 1975, when street workers in Lyon occupied a church to protest police violence and harassment. This was not the first time that sex workers had acted collectively – several hundred prostitutes had marched in San Francisco in 1917 and in 1943 prostitutes went on strike in Hawaii. But this single action, involving several women in France in 1975, gave momentum to a movement that spread into church occupations throughout France and inspired prostitutes all over Europe.

Since 1975, the international movement for sex workers' human and labour rights has steadily grown stronger with sex worker-led groups and networks emerging all over the world. The movement has used a huge variety of methods to challenge stigmatisation, criminalisation, lack of rights, poor working conditions and institutionalised violence. Sex workers have used collective actions such as demonstration, strike, hunger strike, media campaign or cultural activism to fight for the recognition of their rights.

The sex workers' rights movement can be seen as a place where many other social issues are being debated and fought for: women's rights and bodily autonomy, migrant's rights and anti-racism, trans* rights, HIV/Aids and sexual and reproductive rights, economic justice, personal freedom and censorship are all issues that the sex workers' movement address and is concerned with.

SEX WORKERS TAKE ACTION!

MARCH 2012: ANKARA, TURKEY – Former sex worker A.T chains herself to the parliament building in to protest the bad conditions and criminalisation in brothels.

MARCH 2012: NAIROBI – Kenyan sex workers march through downtown Nairobi in broad daylight to demand respect for their trade and better treatment from the government, arguing it is a human rights issue. Wearing black and orange masks to cover their faces, a group of about 40 men and women stop traffic on a busy weekday morning.

JUNE 2011: SEOUL – Hundreds of sex workers rally near a red-light district to protest a police crackdown on brothels. A crowd of about 400 people, mostly women wearing baseball caps, masks and sunglasses, chanted slogans like, “Guarantee the right to live!”

DECEMBER 2009: COPENHAGEN – Prostitution is legal in Denmark, but during the the Copenhagen Climate Summit in, Copenhagen’s Mayor sent postcards to hotels in the city, discouraging them from arranging liaisons between guests and local prostitutes. In response, Danish sex workers offered free services to anyone from the conference who visited them with one of the postcards.

Creating Change: Combining Advocacy and Activism


The most effective movements for change target and influence the actions and decisions of power – politicians, heads of government departments, policy officers, police commissioners – through a variety of mechanisms that can include persuading them of our perspective or argument; convincing them it would be politically, economically or socially expedient to adopt all or some of our demands; or by exerting pressure that raises the stakes or makes it difficult for them to ignore us.

If we want to challenge the Swedish Model, we need to identify the key pillars and sources of power that support the model; the ideas; the organisations, individuals and institutions that support it; understanding the processes through which the decisions will be made and implemented, as well as trying to motivate and mobilise those who are or would be against it.

When we use sex worker rights advocacy we attempt to enter or directly influence the structures of power by inserting our views and perspectives into the policy-making process at key strategic places and moments.

In contrast, it is useful to think of sex worker rights activism as action from below. It also aims to influence decisions and decision-makers, but uses our collective power to bring about change. Often our compliance helps to form the pillars on which their power depends. Recognising this gives us power to withhold our cooperation and organise determined movements to intervene.

Ideally we combine advocacy and activism – using a groundswell of support from below to strengthen the negotiating power of our advocacy and, if advocacy fails or reaches an impasse, we can assert our collective power and force changes – or even remove those who refuse to make them.



“It says that no prostitution is prostitution out of free will. It means that everybody is a victim. If you scream and shout that you’re not a victim you are suffering from a false consciousness. And if you try to convince them that you’re not even suffering from a false consciousness, they will say: ‘Well you’re not representative’.”

**PYE JACOBSSON , SWEDISH
SEX WORKER AND ACTIVIST**

The Swedish Model: What it is and How it Came About

Sweden was the first country to use a radical feminist argument – that sex work is inherently male violence against women – to justify new legislation that criminalised buying sex, while selling sex remained legal. In 1999, the Swedish government introduced the Sexköpslag, which criminalised clients but retained laws criminalising brothels and others profiting from sex work¹. This model is frequently referred to as the ‘Swedish’, ‘Nordic’ or ‘End Demand’ model. The criminalisation of sex workers’ clients is often part of a new legal framework that aims to eradicate sex work and trafficking by ‘ending demand’.

The Swedish government claims that criminalising the purchase of sex and sex workers’ clients has significantly reduced the number of sex workers. They cite the decline in the number of street-based sex workers in Sweden – a fact which a number of researchers attribute to the growth of other ‘hidden’ forms of sex work. In several countries that have adopted the Swedish Model, police surveillance and arrest of clients has displaced sex workers. Sex workers are increasingly using the internet to solicit customers or have moved to venues that masquerade as other businesses such as massage parlours, hair dressers and hotels.


Increased Violence in the Sex Industry

In Sweden, women on the streets have reported greater competition, declining prices and harsher conditions. To compensate for fewer clients, women accept clients who are drunk, aggressive or refuse condom use. Since client criminalisation in Sweden, sex workers are at greater risk of violence and infectious diseases.

Sex workers face major obstacles in reporting violence and coercion, given that exposing oneself as a sex worker to a police officer can lead to more harassment and the risk of deportation. Likewise, a client encountering a sex worker who has been coerced, or is in danger, is unlikely to report it to the police for fear of incriminating himself. The Norwegian National Police Board found that the Swedish law has made it harder to gather evidence against individuals who have coerced or exploited sex workers.

In Edinburgh, sex workers reported 66 incidents of violence in 2006, compared with 126 after the implementation of kerb-crawling measures the following year. In Montreal, during a three-month period of widespread anti-client sweeps in 2001, sex workers reported three times the amount of violent incidents, and five times the amount of violent incidents with a deadly weapon than prior to the sweeps.

¹ Clients are criminalised under the Swedish Penal Code Chapter 11 (previously under the Sex Purchase Act, 1999). Laws requiring a landlord to terminate the lease if a tenant (or others) uses the premises for sex work include: Penal Code chapter 6 s.12.2; Land Code 12 s. 42.1.9; Condominium Act 7 s.18.8. Brothel-keepers and procurers are criminalised under the Penal Code chapter 12 s. 12.



“I am not working to make a fortune. I am working to pay for my normal life. Everyone works at jobs to make money to keep living. It is the same with me. It is my choice and I don’t want anyone to take my living from me.”

**DANA, STREET-BASED
SEX WORKER, GLASGOW**

Sweden's National Board of Health and Welfare found that the criminalisation of clients may lead to an increase in exploitation of sex workers by third parties. Thai sex workers have likewise reported that, since the prohibition on US soldiers purchasing sex, their working conditions have become more dangerous. Often, soldiers will only meet sex workers in isolated locations or request that one woman service multiple soldiers to avoid drawing attention.

In many countries, landlords have the legal right to terminate leases and evict without notice if they suspect their tenant is a sex worker – even when the selling of sex is not a crime. This also affects individuals who live in low-income social housing, for whom it can have a particularly severe impact. In Norway, police are known to pose as clients and call sex workers’ advertisements in order to find out their address. They then threaten to charge the landlord under pimping laws unless they evict the sex worker immediately. Women lose their deposits, which can amount to three months rent. Once listed as evicted sex workers, it is difficult to rent a new home. In 2011, this was part of a campaign orchestrated by the Oslo police named Action Homeless.

A History of Migration and Racism

When suggestions to criminalise clients arose in Sweden in 1995, it did not gain substantial support and the majority of commentators were opposed to any criminalisation. Four years later, 1999 the Swedish government implemented the Sexköpslag – the law banning the purchase of sexual services. The law was presented as groundbreaking, and it was claimed that “Sweden had taken the leading position when it comes to fighting prostitution”.

Similarly, ‘The Swedish Model’ initially was met with scepticism among other Nordic countries. In 2004, the Norwegian government investigated the Swedish and the Dutch model and concluded that prostitution was a social, not a criminal matter. But five years later the Norwegian government enacted a new law criminalising those who attempt to, or have, purchased sexual services. The ban was claimed to be not only be the best, but also the only measure to fight international human trafficking.



...racist myths played a central part in the campaign to criminalise the purchase of sex in Sweden.

The criminalisation of clients is not a human rights-based response to sex work.

SO WHY THE ABOUT-TURN ON PROSTITUTION POLICY IN SWEDEN AND NORWAY?

The complete changes in approach by the Swedish and Norwegian governments can be best understood with reference to changes in migration flows and government's attempts to regulate and control irregular ('illegal') migrants.

In Norway public opinion changed radically in favour of the Swedish Model with the arrival of black streetwalkers in Oslo in 2005. Several national politicians expressed fear that Norway was being "flooded by foreign whores and criminals". This combined with existing fears about the increasing number of sex workers from Eastern Europe that had given rise to myths of and 'foreign' sex workers with 'life threatening diseases' and an increase of 'pimp-managed prostitution from the Baltic countries'. These racist myths played a central part in the campaign to criminalise the purchase of sex in Sweden.

Sweden has invested extensively in exporting this legal framework to other countries. In recent years, criminalising (or further criminalising) of clients has been discussed by law-makers in India, France, Estonia, Finland, Croatia, the Philippines, Spain, Italy, the United Kingdom and Canada. Justifications in each country have sometimes departed from the Swedish conceptualisation, but all are based in the belief that sex workers are both damaged by sex work, and in turn, damaging to society.

There is no conclusive evidence to suggest that legal measures criminalising clients, brothel-owners, managers and support staff within the sex industry eliminate or significantly reduce sex work or trafficking in persons in the sex industry. The available evidence suggests instead that such measures are increasing repression, violence and discrimination against sex workers. This diminishes sex workers' access to health care, social services and housing. The criminalisation of clients is not a human rights-based response to sex work.

How to Use This Guide

Some of the content in this Guide relates to information on other pages and reference sources on website. As a result 'hyperlinks' have been added where appropriate to direct the reader to this related information. To make best use of these links, the guide is best accessed as an electronic document – although it can be printed out as a hard copy.



*Sex workers
have just...
for their rights!*

SECTION

#2

Sex Worker Rights Advocacy

This resource kit has been designed to assist sex worker rights activists undertake advocacy to influence and challenge specific areas of policy or legislation of the Swedish Model, however it can also be modified to bring about other desired political change in sex work policy, legislation and funding. It is designed so that sex worker rights organisations and groups can go through each step, developing an advocacy plan from scratch or to redirect and sharpen existing activities.



Contents

1	Identify the Issue and Define Your Goals	2:3
2	Groundwork: Preparing the Way	2:4
3	Research and Mapping: Understanding the Policy Playing Field	2:8
4	Planning and Strategy: Zeroing In	2:12
5	Building Coalitions and Alliances: Gathering Your Forces	2:13
6	Communications: What? When? How? And to Whom?	2:15
7	Evaluation: Celebrating and Sharing Successes – Recognising and Overcoming Difficulties	2:16
WORKSHEET #1:	Five Principles for Undertaking an Effective Legislative Campaign	2:18
WORKSHEET #2:	Building Your Case Against the Swedish Model	2:19
WORKSHEET #3:	The Evidence	2:24
WORKSHEET #4:	Template for a Workplan	2:29
WORKSHEET #5:	Template for a letter to Potential Allies	2:30
WORKSHEET #6:	Sample Briefing Papers	2:31
WORKSHEET #7:	Sample Communications Strategy	2:43

TIP

To get started, it is recommended that your organisation or group develops a work plan for your advocacy. Hold a day-long workshop, or series of workshops, based on the exercises and worksheets in this guide to work out what needs to go in your work plan.



Steps to Successful Advocacy

- 1 Identify the Issue and Define your Goals**
- 2 Groundwork**
- 3 Research and Mapping**
- 4 Planning and Strategy**
- 5 Building Coalitions and Alliances**
- 6 Communication**
- 7 Evaluation: Celebrating and Sharing Successes**

1 Identify the Issue and Define Your Goals

Sex worker rights advocacy is complex and time-consuming. Getting it right from the start can make all the difference to success. There are two important steps to consider when starting sex worker rights advocacy:

- 6 Identify the issue** you want to work on, and exactly **what you want to achieve**; and,
- 7 Work out what you need to do to achieve it.**

Identifying your issue, and what you want to achieve, are the most important parts of your advocacy preparation as they guide and shape all future steps. To plan your advocacy work realistically you need to know what you want to do, assess what skills and resources your organisation has available, and identify what else you need (for example new skills, funding, information, access) to achieve your goal.

BRAINSTORMING SESSION

WHAT'S THE PROBLEM?



- 1 Single out what problem you want to address or see changed. It may a bill that criminalises clients is about to be passed into law. Maybe your problem is with the way a particular law is being implemented (by the Police, for example) or you want a law repealed. Your problem could be broader – that public opinion and the views of policy-makers is being influenced by the idea that 'all sex work is violence against women'.

Try and map what your problem is – be as expansive as possible. Answering these questions will give you a picture of the dimensions of your problem. And help you to think about what outcomes you want from your advocacy. It will also help you to identify areas that you need to go away and research in more detail (3. Research and Mapping). Ask:

- How is the issue being framed? For example, what kind of arguments are advocates for the Swedish Model making?
- What are the assumptions, facts, stories, etc behind the push for legislation to criminalise clients?
- Where did the momentum for the legislation come from? Who are its lead proponents?
- What are the details of the law? What is the language it uses? Is it an amendment to an existing law?
- Does it contain any obvious weaknesses?

BRAINSTORMING SESSION (CONTINUED)

2 Define your desired outcome (this is your Advocacy Goal). Think about these in terms of short term and long term goals. For example, your short-term goal may be to prevent the introduction of a law that criminalises clients and your long-term goal may be to start a campaign to decriminalise sex work, based upon the knowledge, networks and publicity you gain in the short-term!



Ensure the change you want to achieve is both:

- **RELEVANT:** For each goal ask: is it a solution to the problem/s as you have defined it or does it contribute towards a solution?
- **FEASIBLE:** Ask: What seems likely? What is unlikely?

3 Outline concrete and realistic activities that help achieve your goal. For example, if you want to stop a bill from passing in to law, one activity might be to gain audience with politicians or other influential decision-makers to brief them about your perspective.

TIP

When choosing your goals, focus on achievable outcomes that everyone can agree to.



2 Groundwork: Preparing the Way

Do you have the capacity, resources and/or partnerships required to address your advocacy issue? This includes thinking about what skills, knowledge, time, money and networks or relationships you have that can help you achieve your goals.

TIMEFRAME

Your work plan should be structured around a calendar of key steps. These steps will be actions that move you towards your Advocacy Goals. Dates on your timeline will be dictated by the policy process. In most political systems, a new law to criminalise clients (or an amendment to existing laws) will usually go through a number of stages before it is presented to the government: drafting stages; consultation, (which may include input from the public or key stakeholders); and then hearings in parliament or the national or regional legislature. Even at this stage the law may be subject to change through political debate and amendments.

TIMEOUT

You need to research when these key dates are – your advocacy plan will be structured around these processes and should be time-sensitive. You can find out about new laws or proposed bills by:



- Checking council, state or national websites where proposed laws are announced;
- Talk to local politicians or local NGO's who have experience in campaigning against legislation.

QUESTION

What happens if you only have a short notice period (e.g. three months) of a new law or policy change concerning the criminalisation of clients?



You may find you don't have enough time to build the necessary relationships with government officials and other key policy-makers required to undertake advocacy work. Instead your organisation might be better placed to undertake a legislative campaign and utilise activist tactics (see Section Three). You will need to respond quickly and adapt various steps of the advocacy work.

NOW GO TO

- **WORKSHEET #1:** *Five Principles for Undertaking an Effective Legislative Campaign*

CHECKLIST

Research whether there are published dates for:



- PUBLIC CONSULTATIONS** – are there any public events you can attend;
- SUBMISSIONS** – is there a date for making submissions to the consultation process;
- MEETINGS OF KEY BODIES** – (such as committees; legislative reviews, etc); or
- PARLIAMENTARY HEARING/S** – (there may be more than one, depending on the type of parliamentary system in your country or region) in the parliament or national or regional assembly.

Of course, new dates may arise and you will need to periodically review your work plan and timeline along the way.

IT IS CRUCIAL TO HAVE A REALISTIC TIMEFRAME

Build in sufficient time to take account of starting work that your organisation has not done before and for preparation (such as recruitment, building trust and doing research) as well as to coordinate activities within the set timings of the policy and budgeting processes you want to affect. Starting an advocacy initiative means developing new skills before undertaking activities to influence government processes. Take into account that one year is often not long enough to really get a new advocacy project underway.

ORGANISATIONAL CAPACITY

All organisations have strengths and weaknesses and it is important to assess your capacity to advocate effectively and discover whether there are areas that you will need assistance with.

BRAINSTORMING SESSION

STRENGTHS AND WEAKNESS ANALYSIS



Make an analysis of the strengths and weaknesses of your organisation/network. When thinking about the different skills, knowledge, resources that your organisation will need, keep in mind the activities you will need to achieve your goals. Use the Action column to brainstorm ways of overcoming the weaknesses that your organisation currently faces.

STRENGTHS	WEAKNESS	ACTION
e.g. high level of sex worker participation in decision making	Low level of media training or work with the media	Run a media training workshop for sex workers.

DEVELOP...

...CAPACITY BUILDING

into your advocacy work plan and budget to develop new skills. You may need training in basic budgeting, how to identify advocacy opportunities systematically, how to run a network and how to understand government structures, protocols and procedures. It may be useful to start by working closely with organisations that already do this work.



STAKEHOLDERS: THE WHO'S WHO OF YOUR ADVOCACY

Your advocacy work is going to be targeted at key individuals and organisations in the policy process. You need to understand who the 'stakeholders' in this issue are. Stakeholders are any individual, group or organisation who affects or influences the decision-making process, or who are affected by it. When you finish this exercise, it should become clear who the main 'players' in this issue are and where you need to focus your energies.

BRAINSTORMING SESSION

STAKEHOLDER ANALYSIS



Make a list of all the stakeholders (the people, groups and organisations, including government agencies) whose interests are affected or will be affected by the policy.

Think about who has the power to make the change or influence those people. Next make an Interest / Power / Support grid like the one below and answer the questions for each of the stakeholders that you identified.

STAKE-HOLDERS	INTEREST (How strong is his/her interest in the policy?)	POWER (How much influence or power has he or she over the policy)	SUPPORT (Will he/she support you in achieving change?)
e.g LOCAL CHURCH GROUP	Set up a sex worker drop in service a year ago – high interest	Well respected in the community, has been vocal on sex work issues	Ally – Will support advocacy work and campaign
JANE DOE MP	She has proposed new legislation to criminalise clients – high interest	Her position is a minority one in her political party	Opponent –

INFLUENCING STAKEHOLDERS

Once you have identified who the key players in the issue are and what their relationship to the decision-making process is, you need to consider how you will position yourself and your organisation in relation to them.

You are unlikely to change or convince your key opponents, but you will need to understand their world. Your research should include mapping out as much as you know about how your key opponents relate to the issue. You should also think about how you will respond.

For those stakeholders who already support you, your advocacy work will involve building powerful coalitions with them and convincing them to act. For the middle-ground – the undecided and the unsure; you need to focus on those organisations and networks who you think you can convince.

TIP

The research process can also serve another function: you may wish to consult government experts and other civil society organisations during the research process, which serves as a good way to inform them about your advocacy and start to build trust with potential partners. Research also helps identify which advocacy approaches and activities have been successful in the past and which could be replicated in your activities.



When challenging laws that criminalise clients, many of the arguments that are made for and against the model are universal and have been used in other countries when the model has been debated. Other arguments will be specific to the particular political, economic and social circumstances of your country or region. To help you get started with your research of the advocacy issue, this guide includes two worksheets:



- **WORKSHEET #2:** *Building Your Case Against the Swedish Model*
- **WORKSHEET #3:** *The Evidence*

The results of your research will need to be written up into different formats and disseminated to your target audience. You might want to think about producing a report; briefings; a website; pamphlets and flyers (see 6. Communication)

NOW GO TO

- **WORKSHEET #2:** *Building Your Case Against the Swedish Model*
- **WORKSHEET #3:** *The Evidence*

3 Research and Mapping: Understanding the Policy Playing Field

RESEARCH is the systematic collection and analysis of new and old facts, and materials, sources and testimonials. Research should start early in the process and it is vital to have clear objectives both for how to do the research and what to do with the information gathered. Although good research is time-consuming it is vital and underpins effective advocacy. If you want to create change you'll need accurate, reliable and verifiable information about:

- **ISSUE:** what case will you make; what arguments will you use;
- **PROCESS:** what steps will government or officials be following to implement the law;
- **OPPONENTS:** what case are they building; what information are they basing it on; how can you respond to their claims;
- **ALLIES:** who might they be; what evidence/arguments/stories will you need to convince them to act;

RESEARCHING THE ADVOCACY ISSUE

Research for advocacy aims to demonstrate and provide evidence of the need for the desired change and how it can be achieved. You'll need to prepare your case against the Swedish Model which will involve:

- Collecting detailed information about how the issue is being framed, discussed and debated in your country or region;
- Building a robust case that clearly demonstrates why you are against the Swedish Model (and why others should be too);
- Gathering evidence that supports your case;
- Recording the personal testimonies of sex workers and others; about how they think the law may affect them; how similar laws have affected them (e.g. anti-trafficking laws that result in raids and arrests). These can be a very powerful way to convey your message to some audiences, especially when you come to running your media campaign.



RESEARCHING DECISION-MAKING PROCESSES

Researching the decision-making processes serves two purposes: to identify the entry points and to make sure that the timing of advocacy activities is appropriate. Research is important because it is central to answering two questions:

- 1 Who influences policy and what is the degree of their influence?; and
- 2 When should I approach?

This mapping should include identifying people on relevant committees, technical working groups and other civil society organisations who are involved in the relevant process and could be important entry points, champions and potential targets for advocacy.

Mapping will also help you identify what level you need to work at; national, state or district. With decentralisation, much programmatic and resource decision-making occurs at a sub-national level of government and these can be important advocacy targets to reach. For example, decisions about policing may be made by local, rather than national, authorities.

RESEARCHING YOUR OPPONENTS

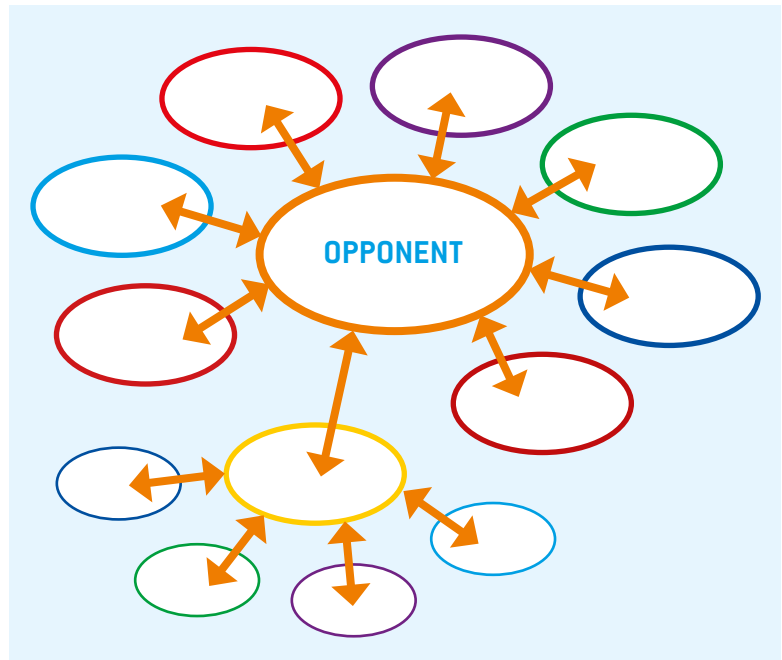
There are main questions you want answered about your opponents:

- 1 What are the arguments they are making; (and can you respond to these)?
- 2 How important is the issue to them; (can you convince them that it is not worth fighting this issue)?
- 3 Where does their support and influence come from (is there a way you can interrupt, intervene or subvert this process)?

To answer Question 1, you need to systematically research your opponents and the approach they are taking to the issue. You may want to look at research papers; submissions to government; articles; websites; campaigning materials.

RELATIONSHIP ANALYSIS

To gain a better understanding of your opponents' world, you can use a relationship analysis.



TIP

You want to focus on the policy, not the person or the organisation.



Over time, however, if things are not shifting you may decide to change tact. If you choose to go after a person or organisation, possibilities for settlement may be more difficult.

Each circle represents a player in your opponent's world (e.g. governmental bodies, health providers and services; interest groups; church groups; the public; EU bodies; media, etc) and each arrow represents a relationship.

Once you've completed the map for your key opponent/s, start to think about:

- What can you bring into any of these relationships that is new?
- Are there opportunities to interrupt, intervene or add new information in any of these relationships. It might be a 'carrot' (positive incentive) or a 'stick' (negative incentive).

You may also want to view your map as a 'Web of Restraint'. If your opponent is engaging in negative activity (for example, arguing for the Swedish Model as a way of addressing trafficking when there is no evidence to suggest that it does) informing or making it visible to some of the more important players may help restrain the negative action.



RESEARCHING RELEVANT ADVOCACY INITIATIVES AND PARTNERS

Firstly, you need to find out whether anyone else is campaigning against criminalisation of clients. Look at what strategies they are using and whether you could work with or alongside them. Learning from the campaigns of others, whether that's campaigns against the criminalisation of sex work in your country or campaigns against the Swedish Model in other parts of the world; will strengthen your own advocacy.

You should spend some time researching who your partners and potential partners are. Some individuals and organisations may have taken positions or spoken in public in favour of sex workers' rights or decriminalisation. There may be some who have not, but whom you could convince. Try to identify areas of collaboration to increase the overall capacity to engage in decision making processes.

BRAINSTORMING SESSION

Create a list of organisations you have worked with in the past or who you think may support you. It may help to do an internet search – find out if there are there organisations with public positions or who have spoken in the media in favour of sex worker rights or decriminalisation.



Some organisations and networks that have supported sex worker rights in the past include: trade unions; health services; HIV organisations; drugs harm minimisation organisations; migrant rights organisations; women's and queer organisations; prison reform groups; human rights/liberty organisations; police and prison officers unions; professional bodies and committees of the Police.

You may wish to use the Interest / Power / Support grid from the Stakeholders Analysis section (page 2:6). Your research will involve a detailed look at where these allies and potential allies stand on the issue and what capacity they have to influence decision-makers or run a campaign. Also, consider how much responsibility each ally is likely to take for the advocacy; whether they will be a central or peripheral actor.

4 Strategy and Planning: Zeroing In

Strategy is your plan to win. Strategy is choosing the ground on which to engage your opposition. Given limited resources and uncertainty, strategy is concerned with determining first whether, when or how to engage in advocacy, and then deciding how to achieve maximum effectiveness in order to attain your goals. It means:

- Looking at the big picture
- Knowing who has the power to make the decision.
- Concentrating the right resources in the right place(s) at the right time(s)

Strategic organising employs a range of tactics depending upon who you are engaging and when, including (but not limited to) legal and regulatory approaches, extensive research and corporate approaches, political and community campaigns.

By this stage you should have done your groundwork and have a good grasp of the issue, what the policy environment is, of how key players are starting to line up and where there is potential to mobilise support to create the change you want. You need to combine this information to identify where there are opportunities to influence decision-making. Strategy also requires us to be mindful of our own internal problems, weakness, vulnerabilities or where our advocacy might run up against obstacles.

OPPORTUNITIES AND THREATS/OBSTACLES ANALYSIS

Make an analysis of the various opportunities and also the threats/obstacles to your advocacy goal.

OPPORTUNITIES	THREATS /OBSTACLES
The Police commissioner has spoken on the record against criminalising clients	Advocates for the Swedish Model have been given lots of coverage in national media.
A group of academics is holding a seminar to report results of research that calls Swedish Model into question	Our organisation is new and we don't have a public profile yet
Some opposition members of parliament have spoken in favour of decriminalisation in the past	

This analysis will give you a good idea about how to plan your advocacy strategically. You need to prioritise your activities according to their relative importance for achieving your goal. Some activities will need to be completed before you can start others. Look at the table and ask: how can our advocacy maximise the opportunities and minimise the threats and obstacles? Give each item a priority ranking and assign time, resources and money to them in your work plan accordingly.

NOW GO TO

- [WORKSHEET #4: Template for a Workplan](#)

5 Building Coalitions and Alliances : Gathering Your Forces

A sex worker rights advocacy alliance is a group of like-minded organisations and individuals working together to achieve common goals through coordinated action. These may be individuals and organisations you already work with or those who have been publicly supportive of sex worker rights or decriminalisation in the past. It also may include those who have not taken a public position on your issue but whom you may be able to convince to support you.

You will have identified who your allies and partners on this issue might be through your research. Now you need to approach them to discuss whether they can work with you on this issue and in how they can help. Some of your most powerful allies or potential allies will be stakeholders that you have identified in the [Stakeholder Analysis](#) section.

Each ally will be able to provide you with a different level of support. Some will be willing to speak on platforms in support of your goal, others will be able to provide you with a meeting room or computers and printing and other resources, for others the support may be more symbolic, like signing a public letter. You need to be flexible and think realistically about what kind of support you can get out of each organisation and how to maximise the use of that support.

TIP


Tap into existing networks, which often have lobbying and public awareness mechanisms in place.



CREATING A BASE

Some individuals and organisations you will work with very closely. You will need to bring them together early in the advocacy process to talk about this issues, gain unity and trust, and to keep them informed, involved and inspired. You may want to set up regular meetings with your allies throughout the advocacy process.

Think about how you approach allies – you want to convince them that they need to act on this issue. In some cases that may involve ‘sticking their neck out’ or taking actions and making alliances where they usually wouldn’t. You need to think carefully about what is it about this issue that might interest them? For example, migrants rights organisations might get involved when they understand how laws that criminalise sex workers or their clients can lead to abuse and exploitation or deportation of migrant sex workers.



Once you have prepared your case and know how you want to approach different organisations, you should start to meet with them. Face-to-face meetings, especially with key people, are going to be vital. You'll need to be flexible about how you gain audience with people – usually, the closer a person is to the decision-making process, the more difficult it will be to get a meeting with them. Try to:

- Use your networks; see if someone else can get you a foot in the door;
- Write a letter requesting a meeting, then follow it up with a phone call and emails (persistence may be key here);
- Argue that sex workers and their advocates have a right to contribute to the development of policy that will directly affect them;
- Offer to brief politicians; political advisers; members of NGOs/ other organisations with your specialist knowledge on this issue.


Once you start meeting with people, make sure you are well prepared. You'll need to know a little about their organisation and what they do. You'll also need to put your case to them in a clear and concise way, many of the people you speak with may not know about the issue already and will have little time to become an expert in it. It may be helpful for you to put some materials together to give to people you meet – for example, a briefing paper that gives a background to the issue, outlines your key arguments and what you want to achieve.

There may be opportunities for you to put your case to large numbers of potential allies at conferences, seminars or events where sex workers and allies may be invited to speak. If you haven't been invited – Ask!

NOW GO TO

- **WORKSHEET #5:** [*Template for a Letter to Potential Allies*](#)
- **WORKSHEET #6:** [*Sample Briefing Papers*](#)

TEN TIPS FOR WORKING WITH THE MEDIA

- 1 Make sure you utilise all media – TV; radio; newspapers; blogs. 
- 2 Familiarise yourself with the kind of stories they cover and the format they use. Are they looking for in-depth interviews; do they want pictures or video footage or other visual material? You will need to adapt your approach to account for these.
- 3 Compile a list of journalists, writers or commentators you have a link to or may be able to approach and their contact details.
- 4 When approaching journalists, do your preparation beforehand – know what you're going to say and back it up with facts.
- 5 Make phone calls, where possible; there's no substitute for a personal approach, and follow up your conversation with a press release that contains the information you discussed and your contact details.
- 6 Don't wait for the media to notice your actions. In fact, give them plenty of notice of any actions or events you would like them to attend.
- 7 Spend time building relationships with journalists and reporters.
- 8 Try to get the media to report on your issue before any meetings with senior-decision makers. This might help achieve a better result at the meeting.
- 9 Look out for *ad hoc* opportunities to put your message out; for example, phone radio stations during live call-in or talk-back programs; contribute to comment pages on major news websites.
- 10 Rely on experts when needed.

6 Communications: What? When? How? And to Whom?

Communication will be a key component of your advocacy. It will form the basis of:

- Lobbying: where you try to directly influence decision-makers;
- Campaigning: where you try to mobilise public opinion to bring about a change in policy
- Press Campaigning: where you work with the media to help raise awareness about your campaign or put pressure on policy-makers to bring about change.

You will need to develop a Communications Strategy that sits alongside and complements your Strategic Work Plan. The key elements to an effective communications campaign are:

- Develop brief, clear messages;
- Focus the message on the change you want;
- Use the message when speaking with members of the community, decision makers and the media;
- Repeat the message;
- Find different ways to use the message – write reports, issue papers and briefings; hold meetings; address others' meetings/ seminars/conferences; set up a website; offer to write articles for popular blogs, or encourage bloggers to cover your issue; post on social media sites.

NOW GO TO

- [WORKSHEET #7: Sample Communications Strategy](#)

7 Evaluation: Celebrating and Sharing Successes – Recognising and Overcoming Difficulties

TIP

You may want to do your evaluation collectively, which will give you a chance to hear about how others perceived the work and the effect it had on the group and others. Hold a workshop or get people to post their comments and ideas about the work on a webpage or email discussion group.



We want to do the best advocacy work we possibly can and that means learning lessons from the work we do as well as from the experiences of others. We want to know what works, what doesn't and how we might improve our plans, strategies and activities in the future. And **when we win, we should shout about it – let others know, so they can learn from us and win too!** But failures or cases that produce mixed results can teach as much as successes do.

Evaluation involves a systematic look at your work plan to see how it was executed and whether you attained the outcomes you were hoping for. It is often done when you have completed your work plan or achieved your goal, although your campaign will be stronger if you monitor your progress against your goals and milestones throughout the course of your advocacy work.

EVALUATION GUIDE

These questions are designed to help you systematically reflect on your advocacy work. It will help if you refer back to your work plan.

Goals

- Did you achieve your goal? In whole or in part?
- Did you achieve other things that weren't your goal? Make a list of all the things your organisation gained out of this advocacy work.
- Was it the right goal?

Activity

- Were each of your activities carried out? If not, why?
- Did you encounter difficulties carrying them out?
- Were there additional activities you needed to do that you hadn't planned/budgeted/made time for?

Resources

- What would have really helped you achieve your goal?
- Were there things you needed that you became aware of only once you'd started your advocacy work?



Strategy

- Were there major shifts in the policy environment while you were carrying out your advocacy?
- Could you have anticipated them?
- Were you able to respond to them?
- Do you feel that there were risks or costs you didn't anticipate?
- What opportunities arose during the campaign? Did you make the most of the opportunities that arose?

General

- What was easier than you expected?
- What was harder?

Planning for the Future

- What does your organisation do well?
- Are there skills, knowledge or resources that your organisation needs to do advocacy in the future?
- What other things do you want to learn and share?

Five Principles for Undertaking an Effective Legislative Campaign

A new proposed law or piece of legislation concerning the criminalisation of clients is often a complex process and it is easy to feel overwhelmed when it lands on your doorstep. Fighting against the implementation of the law and running a campaign can be a challenge, especially if time is limited. If you can't run a full advocacy campaign, there are five key principles to keep in mind.

1 Intelligence

In order to mount the best campaign opposing the new law or regulation, you need to make sure you know about the process that government or officials will be following to implement the law. Make a timeline of each stage of the process. You can find out about new laws or proposed bills by:

- Checking the council, state or national web sites where proposed laws are announced
- Talk to your local politicians or local NGO's who have experience in campaigning against legislation.

2 Making Good Relationships

It pays to be on good terms with as many local and national politicians and policy officers that you can get access to. Always try to meet government and policy officers face-to-face to make them aware of your concerns. They will also be able to explain processes, rules and policies to you. It is also worth building links with other organisations in your community who might be concerned. However, don't assume that the community will automatically support your campaign, you need to build trust and good working relationships with people before they will join you in your campaign.

3 Good Communications

Make sure you have got a clear message for the media and public about the negative impacts the new laws will have. For example, the people who are advocating for the Swedish Model say they want to end violence against women but the evidence suggests that criminalising any aspect of sex work is more likely to make sex workers vulnerable to abuse and exploitation.

4 Get Them on Their Weakest Points

It is important to concentrate your attention and campaigning efforts in complex legislative campaigns. Rather than trying to say something about everything, you need to work out the key areas of objection and make them into killer arguments. For example, most proposed laws about criminalisation of clients will impact on the health and safety of sex workers.

5 Danger Points

Look out for your opponent's killer response. They may employ a public relations (PR) firm and will try and sell the message of how prostitution is violence against women. Prepare your counter attack, get information about the effect of the Swedish Model and make the case that attempts to rescue and help sex workers have the opposite effect and do more harm than good.

Use stunts, protest, spread awareness, use local media, generate local feeling, use power of numbers!

FIGHT FOR YOUR RIGHT TO BE HEARD!

Building Your Case Against the Swedish Model

This worksheet is designed to get you started with your case against the Swedish Model. The questions have been grouped thematically around a number of frameworks for approaching the issue. Most cases against the Swedish Model will draw on a few, or even all, of these frameworks. The section has been grouped in this way to help you develop your case in a systematic way and to hone in on particular areas depending upon the way discussions and debates about sex work and criminalisation are framed in your country or region.

When answering the questions, try and be as specific as you can about the changes you think the laws will make and why. You can strengthen your case using the arguments in the second part of the worksheet and evidence in Worksheet 3.

1 Develop Your Case

SAFETY AND PROTECTION FROM VIOLENCE AND STIGMA

- Will it result in sex work being carried out in riskier situations? Give examples of how you think it may affect sex workers in this way.
- Will it displace sex workers from safer workplaces and work practices?
- Does it contribute to stigmatisation?

EXPLOITATION AND TRAFFICKING

- Is the law being advanced as a way to combat trafficking?
- Will it make sex workers more reliant on criminal networks to work?
- Does it affect the relationship between sex workers and police/others in authority in a way that could be detrimental, i.e. would it prevent sex workers from reporting crimes against them?

PUBLIC HEALTH

- How will the proposed law affect sex workers' access to health and other services?
- Will it result in more unsafe practices, eg. condom use, regular health check-ups?

ECONOMIC/WORK

- Will it affect sex worker's ability to make a living? For example will it have a negative impact on sex workers' business and income?
- Will it displace sex workers from safer workplaces and work practices?
- Does it take away sex worker's power and autonomy in the sex industry?
- Will it affect their ability to organise for better conditions at work?

POLITICAL

Think about how the law fits into a broader political framework and whether it is linked to other issues that are on the political agenda in your country or region, e.g. migration, austerity agendas.

- Does the law have broad public support?
- Do most people want to see the eradication of sex work?
- Will it affect the social and political inclusion of sex workers?
- Do the arguments made for the Swedish Model promote an ideologically-based understanding of sex work, for example, all sex work is violence against women; or that all sex work is harmful to women and therefore harmful to society.

- Are there hidden agendas behind the introduction of the law, e.g. is it being used as a way to address a panic about migration; to justify public spending cuts; or to promote another cause.

PARTICIPATION

- Has the government; department; working group consulted with sex workers and their representative bodies at any time, before, during or after adopting and enforcing the new law (or promoting it elsewhere)?
- Did they get any first-hand information from sex workers or immigrants about their views on the law, their needs or concerns or their ideas on how to improve the situation of sex worker?
- Were sex workers intentionally excluded or marginalised from the process?

PRAGMATIC/IMPLEMENTATION

- How would the law be implemented realistically; would it even be possible to implement the law?
- How would the costs compare against the seriousness of the crime?
- Are there likely to be any unintended consequences or loopholes caused by the offence?

GENDER EQUALITY AND DISCRIMINATION

- Will the law affect all sex workers or will some groups be more affected than others, e.g. street sex workers; migrant sex workers; male or trans* workers

HUMAN RIGHTS

Most of the negative impacts of the Swedish Model has on sex workers will affect our rights in some way. Rights arguments are often important to make because they view sex workers as active agents who deserve equal treatment, rather than as problems to be solved or victims to be rescued. Human rights arguments often have strong appeal for those you want to convince.

The Open Society Foundation has produced an excellent guide that outlines **Common Human Rights Violations experienced by Sex Workers**. It also provides a key that advocates can use to help them determine if certain rights protected by international law have been violated, making clear the connection between abusive acts commonly experienced by sex workers and international rights guarantees. The document can be downloaded in English and Russian at: <http://www.opensocietyfoundations.org/reports/common-human-rights-violations-experienced-sex-workers>

2 Arguments Against Swedish Model

SAFETY AND PROTECTION VIOLENCE AND STIGMA

In Sweden, sex workers report increased violence after the introduction of the Sexköpslag:

- Although there is no reliable study on the issue, sex workers “express fear of increased violence, as well as an actual increase” (Dodillet and Östergren 2011, 23; see also Scoular 2010, 20; Hubbard 2008, 147; Norwegian Ministry 2004,12–14; Östergren 2004, 2, 5).
- To avoid arrest for solicitation, sex buyers negotiate quickly, which prevents the sex workers from taking time to screen the client. Sex workers report that clients are often more stressed and scared and negotiation outdoors must be done in a more rapid manner. The likelihood of ending up with a dangerous client is greater.

Many street based sex workers fear that laws that criminalise clients will change the kind of clients they see; leaving more aggressive clients who are not deterred by the laws.

Indoor sex workers may be more apprehensive about seeking help from the police when they have had problems with an abusive customer. They fear that the police, once their personal address or work location is known, will target all their clients.

Sex workers report that criminalisation of clients in Sweden has reinforced and increased the social stigma about prostitution (Skarhed 2010, 34; Dodillet and Östergren 2011)

EXPLOITATION AND TRAFFICKING

Laws that criminalise sex work or any aspect of sex work tend to make sex workers more reliant on third parties to continue working. This can often make them vulnerable to abuse and exploitation:

- As sex workers move into more hidden locations to avoid the police, they may end up in the hands of third parties to keep the police away and help find clients (Dodillet and Östergren 2011, 22; Swedish National Board of Health and Welfare 2007, 4–48; Bernstein 2008, 154, 163).

The Swedish Model is not an effective response to trafficking or violence and abuse against sex workers:

- There is no evidence to suggest that the Swedish Model reduces trafficking.
- It relies upon the conflation of trafficking with all sex work, seeing all migrant sex workers to be victims who need to be saved or rescued and, more than likely, deported.

Clients often play an important role in reporting cases of abuse and exploitation, sometimes bringing them to the attention of law enforcement:

- Men who will criminally prosecuted for soliciting prostitution will not be willing to report crimes or assist in prosecutions of crimes of violence against sex workers. In Turkey, International Organisation on Migration reported that the highest percentage of calls to an anti-trafficking hotline came from Turkish clients of victims. Cf United States Department of State, Trafficking in Persons Report 2010 – Turkey, 14 June 2010.

Many sex workers, academics, campaigning groups and allied organisations argue that criminalisation of clients will further marginalise and increase the vulnerability of migrant sex workers.

PUBLIC HEALTH

In general laws the criminalise sex work limit sex workers' access to health and other services:

- Laws that criminalise aspects of sex work have tended to make it harder for health and specialist outreach services to be accessed by sex workers or for those services to find sex workers. UN study into HIV and the Law found that the invisibility of sex workers constitutes the biggest obstacle to outreach workers in terms of HIV/AIDS and STI education and prevention (UNAIDS 2002, 13).
- A 2012 report by the Global Commission on HIV and the Law – made up of former heads of state and leading legal, human rights and HIV experts, and supported by the UN Development Programme (UNDP) on behalf of the Joint United Nations Programme on HIV/AIDS (UNAIDS) found that laws that criminalise and dehumanise populations at highest risk of HIV – including sex workers; drive people underground, away from essential health services and heighten their risk of HIV. The legal environment in many countries exposes sex workers to violence and results in their economic and social exclusion. It also prevents them from accessing essential HIV prevention and care services. It recommended decriminalising voluntary sex work.
- Anand Grover, the UN Special Rapporteur to promote the right to physical and mental health, stated that “the criminalization of private, consensual sexual behavior between adults” prevents sex workers from accessing services, therapies and treatments, “leading to poorer health outcomes for sex workers, as they may fear legal consequences or harassment and judgement” (UN Special Rapporteur 2010, 10, 12–13).

A law criminalising clients that reduce the amount of work and money for sex workers could lead them to engage in unsafe sex and sexual activity they usually would not perform.

ECONOMIC

Criminalisation of clients is likely to disrupt the work of indoor and street-based sex workers and affect their ability to earn a living.

The law is likely to lower prices on the streets since there will be less customers and more competition.

Disruption caused to their work by this law can result in unsafe working conditions for sex workers:

- Informal networks among sex workers are likely to weaken due to dispersal and the need to work in more isolated ways to avoid detection. This could affect their ability to warn each other about dangerous clients or give each other the same support.

Criminalisation of sex work means that sex workers do not have access to the protections afforded to other workers in other industries. It makes it more difficult for them to take action – individually or collectively, to challenge or resist unfavourable working conditions.

HUMAN RIGHTS

The laws could limit sex workers' access to justice:

- Laws that criminalise sex work force sex workers to choose between their liberty and security when they are apprehensive about reporting abuse to the police.
- A Canadian trial court ruled that laws criminalising (1) the acts of living on the earnings of prostitution, (2) keeping a brothel, and (3) communicating in public for the purpose of prostitution (soliciting) are unconstitutional because they prevent sex workers from taking actions to make their work safer (Bedford 2010, 5–6). The Court found that “the laws, individually and together, force prostitutes to choose between their liberty interest and their right to security of the persons” (Bedford 2010, 5).

Sex workers have the right to consent and have that consent respected.

POLITICAL

These laws take power and autonomy away from people working in the sex industry.

They are often pushed by small interest groups who have ideological agendas that are at odds with public opinion.

There is a worrying link between laws that criminalise and attempt to limit sex work and moral panics about migration and migrants.

In recent years punitive laws claiming to benefit women and marginalised groups in society have been introduced often at the expense or in place of health and welfare services that would actually benefit them.

PRAGMATIC/IMPLEMENTATION

The enforcement of a law against sex purchase would be difficult and costly (reflected in low level of convictions).

It would most likely involve violating the Right to Privacy between two adults involved in a consensual sex act.

Scarce police and other public resources should be used in a focused way to target clients who are abusive, violent and commit other crimes against sex workers – not those who are respectful and have positive working relationships with sex workers.

PARTICIPATION

Sex workers should be involved in decisions about policies that will affect them:

- Sex workers have a right (Right to Participation) to be consulted about laws and policies that affect them;
- Democracies should marginalised groups should
- Participation is a fundamental part of a democratic political process;
- When advocates and governments intentionally exclude the voices of sex workers or other persons who might disagree with them, they are claiming a monopoly on public dialogue and political decision-making.

BUILT ON FALSE PRETENSES

Most pushes for a client criminalisation model are constructed upon the theory that sex workers are passive ‘victims’:

- They attribute the existence of sex work to unequal power relations between men (clients) and women (sex workers) and equate all commercial sexual transactions with male violence;
- They understand sex work as a “serious harm both to individuals and to society”

In response, we can say: it is true that sex work is firmly situated within patriarchy (as is most work in patriarchal societies) and that violence exists within sex work – particularly in street-based sex work – but sex work is not, *per se*, violence against women. In most countries, laws exist that disempower sex workers and prevent them from taking reasonable steps to ensure their safety.

OTHER ARGUMENTS

Laws that criminalise clients **will not eradicate sex work**:

- Reports produced by the Swedish government and other researchers reveal that the government’s claims of success are not supported by facts. There is no evidence that fewer men are purchasing sex, that fewer women are selling sex or that fewer people are being trafficked into forced prostitution. At most, the government can demonstrate that there has been a drop in street-based prostitution but cannot explain the cause of the drop. comprehensive services and assistance to ensure the health and safety of the victims.

The Evidence

1 Responses from Swedish Academics/Activists

Dodillet S., and Östergren P. 2011. The Swedish Sex Purchase Act: Claimed Success and Documented Effects

EVIDENCE: There is no evidence that the criminalisation of clients reduces the number of sex workers, or trafficked sex workers.

QUOTE: “The Sex Purchase Act **cannot** be said to have decreased prostitution, trafficking for sexual purposes, or had a deterrent effect on clients to the extent claimed”

EVIDENCE: Since the criminalisation of the purchase of sex street workers are being displaced, which makes it harder to know how many workers there are.

QUOTE: “According to social workers interviewed by the National Council for Crime Prevention (in Sweden) it has become more difficult to count the number of sex workers, since they have moved to side streets and cover a larger area than before.”

EVIDENCE: Any potential decrease in street based sex workers can be attributed to other factors, such as the growing use of new technologies.

QUOTE: “This shift from street to indoor is believed not to be necessarily a result of the Sex Purchase Act, but part of the general trend of decreasing street-based prostitution. The Board of Health and Welfare writes that prostitution has developed along with society in that new technology is being used, and that buyers and sellers of sexual services now make contact with each other by multifarious means.”

EVIDENCE: The Ban on the Purchase of Sex does not have the support of the general population, nor has it changed the views of the population.

QUOTE: “Newsmill, a much-read on-line debating forum, routinely lets their readers express their feelings [‘mill’] on the topics of the articles. As we write this article, 49 articles have been posted on the topic of the Sex Purchase Act where 13,855 people have voted on the question ‘How do you feel about: The Sex Purchase Act’, out of whom 81 percent are ‘angry’ with the ban, 12 percent are ‘happy’ with it, 4 percent are ‘bored’ and 1 percent are ‘curious’.

EVIDENCE: The law has negative effects for sex workers, including increased stigmatisation.

QUOTE: “The most common and perhaps most serious complaint regarding sex workers themselves is that they experienced an increased stigmatisation after the introduction of the Sex Purchase Act. Some also state that the ban is a violation of their human rights, and many say that they don’t feel fairly or respectfully treated: they are not regarded as fully worthy members of society. Sex workers object to the fact that they were not consulted in the making of the law. Since sex workers feel they are not able to influence their legal or societal situation, they feel powerless. And since the ban builds on the idea that women who sell sex are victims, weak and exploited, many claim that the law propagates stereotypical notions about sex workers.”

EVIDENCE: Sex workers have less trust in the police and the legal system.

QUOTE: “The National Board of Health and Welfare report that due to the ban sex workers feel less trust in social authorities, police and the legal system, and half of the respondents in the RFSL 22 study say that the current legislation prevents people seeking help. Instead of the police being a source of protection, sex workers feel hunted by them, and are subjected to invasive searches and questioning.”

EVIDENCE: Sex workers increasingly rely on third parties or 'pimps' to find clients.

QUOTE: "Some report that there is an increased dependency on third parties. Now that it is difficult to make direct contact with clients, sellers must rely on agents/pimps/helpers to find clients."

EVIDENCE: General working conditions have worsened.

QUOTE: "When the negotiating has to be done in a more rapid way (due to the clients' fear of being caught) it increases the risk of the sex worker making a faulty assessment of the client. And when clients are more stressed and frightened of being exposed, it is also more difficult for the seller to assess whether the client might be dangerous. On top of this, services have to be carried out in even more hidden, and therefore more unprotected, areas. There has not been any specific research done on levels of violence, but several sex workers express fear of increased violence, as well as an actual increase. This situation is summarised by one of the informants in the Norwegian Inquiry:

"The Swedish street prostitutes experience a tougher time. They are more frequently exposed to dangerous clients, while the serious clients are afraid of being arrested. Prohibition will never be able to stop the purchase and sale of sex. It could only make conditions worse for the prostitutes. They have less time to assess the client as the deal takes place very hurriedly due to fear on the part of the client. They (the prostitutes) are exposed to violence and sexually transmitted diseases. If the client demands unprotected sex, many of the prostitutes cannot afford to say no. Harassment by the police has increased and the clients no longer provide tip-offs about pimps, for fear of being arrested themselves. The social workers working on the streets have problems reaching them. They (the prostitutes) use pimps for protection." – *The Norwegian Ministry of Justice*

LINK: <http://www.plri.org/resource/swedish-sex-purchase-act-claimed-success-and-documented-effects>

2 Responses from International Academics/Activists

Jordan, A. 2012. The Swedish Law to Criminalize Clients: A Failed Experiment In Social Engineering

EVIDENCE: There is no evidence that the criminalisation of clients reduce the number of sex workers.

QUOTE: “In the thirteen years since the law was enacted, the Swedish government has been unable to prove that the law has reduced the number of sex buyers or sellers or stopped trafficking.”

LINK: <http://rightswork.org/wp-content/uploads/2012/04/Issue-Paper-4.pdf>

Mai, N. 2009. Migrant Workers in the UK Sex Industry

EVIDENCE: Criminalisation of clients drives the sex industry underground and leaves sex workers vulnerable to exploitation.

QUOTE: “The research evidence strongly suggests that current attempts to curb trafficking and exploitation by criminalising clients and closing down commercial sex establishments will not be effective because as a result the sex industry will be pushed further underground and people working in it will be further marginalised and vulnerable to exploitation. This would discourage both migrants and UK citizens working in the sex industry, as well as clients, from co-operating with the police and sex work support projects in the fight against actual cases of trafficking and exploitation.”

EVIDENCE: The majority of migrant sex workers are not victims of trafficking, but consciously decide to work in the sex industry

QUOTE: “Interviews with 100 migrant women, men and transgender people working in all of the main jobs available within the sex industry and from the most relevant areas of origin (South America, Eastern Europe, EU and South East Asia) indicate that approximately 13 per cent of female interviewees felt that they had been subject to different perceptions and experiences of exploitation, ranging from extreme cases of trafficking to relatively more consensual arrangements. Only a minority, amounting approximately to 6 per cent of female interviewees, felt that they had been deceived and forced into selling sex in circumstances within which they had no share of control or consent.”

“Contrary to the emphasis given in current public debates about cases of trafficking and exploitation, the evidence gathered in the context of this project shows a great variety of life and work trajectories within the sex industry. Almost all interviewees felt that the most advantageous aspects of their involvement in the sex industry were the possibility of earning considerably more money than in other sectors, the availability of time and the possibility of meeting interesting people, travelling and experiencing new and challenging situations. In most cases by working in the sex industry migrants were able to bridge an important gap in their aspirations to social mobility and felt that they were able to enjoy better living and working conditions.”

“Most interviewees underlined that they enjoyed respectful and friendly relations with colleagues and clients and that by working in the sex industry they had better working and living conditions than those they encountered in other sectors of employment (mainly in the hospitality and care sectors). The research shows that most interviewees consciously decided to work in the sex industry and that only a minority felt that they had been forced to.”

LINK: <http://www.londonmet.ac.uk/research-units/iset/projects/esrc-migrant-workers.cfm>

3 Responses from the International Community

Ham, J. 2011. Moving Beyond 'Supply and Demand' Catchphrases (Global Alliance Against Trafficking in Women)

"Evidence has shown that 'end demand for prostitution' approaches:

- Don't reduce trafficking;
- Ignores trafficking into other sectors;
- Tends to rely more on ideology rather than sound evidence;
- Confuses trafficking with sex work;
- Increases stigma against sex workers; and
- Is more focused on punishing men who pay for sexual services, rather than protecting women's rights."

EVIDENCE: The term 'tackling demand' does not take into account the diverse trajectories into the sex industry for migrant workers, nor does it consider sex workers' agency.

QUOTE: "Defining trafficking as a simplistic 'supply and demand' equation can miss other nuances that could help clarify anti-trafficking strategies. Commodifying workers through demand-based discourses ignores the very real fact that trafficked persons, migrants and workers are people who are trying to access labour and migration opportunities for themselves and their families, and who often try to resist or escape exploitative situations.

EVIDENCE: The 'supply/demand' framework, which reduces sex work and trafficking to the 'demand' of 'men' does not reflect the complex interplay of supply and demand in contemporary sexual labour markets.

QUOTE: "Many casual references to supply/demand and trafficking seem to assume that demand creates the supply, particularly in debates about prostitution. However, supply and demand can impact each other in various ways; for example, supply can shape demand. For example, studies have found that a supply of cheap domestic workers can create a 'need' that wasn't otherwise there."

LINK: http://www.gaatw.org/publications/MovingBeyond_SupplyandDemand_GAATW2011.pdf

Global Alliance Against Trafficking in Women, (ed). 2007. Collateral Damage: The Impact of Anti-Trafficking Measures on Human Rights around the World

EVIDENCE: In a decriminalised environment sex workers face reduced levels of exploitation and better working conditions. Outreach is also made easier, facilitating the identification of those potentially trafficked or exploited.

QUOTE: "The state government of New South Wales (which encompasses Sydney) has reported that the decriminalisation of sex work has reduced levels of exploitation of women who had previously worked for illegal and organised crime syndicates. As a result, the government reports that migrant women working in the sex industry enjoy safer working conditions and increased access to health services (...) Decriminalisation and legalisation of the sex industry in Australia has meant sex worker outreach groups are able to provide advice on issues to migrant women in the sex industry much more easily, such as information about laws, health and safety. As a result, it is easier to identify and assist those in trafficking or exploitative situations. Those who wish to move out of the sex industry can obtain information about their options and be linked with support groups, education courses or skills training programmes."

LINK: http://www.gaatw.org/Collateral%20Damage_Final/singlefile_CollateralDamagefinal.pdf

Global Commission on HIV and the Law. 2012 Risks, Rights and Health

EVIDENCE: The Swedish Model displaces street workers and increase vulnerability to violence of all sex workers.

QUOTE: “Street-based sex work is halved in Sweden, according to the police, but the sex trade remains at pre-law levels. It has simply moved further underground, to hotels and restaurants, as well as the Internet-and to Denmark. The Swedish State Criminal Department warns that the sex trade may now be more violent. Especially worrying is the trade in foreign women, who often fall entirely under the control of pimps.”

EVIDENCE: The implementation of the law is not workable

QUOTE: “Sweden’s Alliance of Counties says that resources for social work are scarce, as the money has been siphoned to policing. In spite of over 2,000 arrests, only 59 clients have been reported suspected of buying occasional sex. Only two have been convicted, after pleading guilty. No one has been jailed, and only low fines have been imposed, as per the law. Evidence to prove a crime is nearly unattainable. Workers do not consider themselves to be victims and are almost always unwilling to testify against their clients.”

LINK: <http://www.undp.org/content/undp/en/home/librarypage/hiv-aids/hiv-and-the-law--risks--rights--health.html>

UNAIDS Guidance Note on HIV and Sex Work. 2012

EVIDENCE: Criminalisation of sex work, including criminalisation of clients drives the sex industry underground and limit sex workers access to health and other services,

QUOTE: “In many countries, laws, policies, discriminatory practices, and stigmatising social attitudes drive sex work underground, impeding efforts to reach sex workers and their clients with HIV prevention, treatment, care and support programme.”

EVIDENCE: Criminalisation of sex work, including criminalisation of clients, does not reduce the number of sex workers.

QUOTE: “There is very little evidence to suggest that any criminal laws related to sex work stop demand for sex or reduce the number of sex workers. Rather, all of them create an environment of fear and marginalisation for sex workers, who often have to work in remote and unsafe locations to avoid arrest of themselves or their clients. These laws can undermine sex workers’ ability to work together to identify potentially violent clients and their capacity to demand condom use of clients. The approach of criminalising the client has been shown to backfire on sex workers. In Sweden, sex workers who were unable to work indoors were left on the street with the most dangerous clients and little choice but to accept them. Where sex work is criminalised, sex workers are very vulnerable to abuse and extortion by police, in detention facilities and elsewhere.”


LINK: http://www.unaids.org/en/media/unaids/contentassets/documents/unaidspublication/2009/JC2306_UNAIDS-guidance-note-HIV-sex-work_en.pdf

Template for a Workplan

GOALS		STRATEGY	ACTIONS	OUTCOMES	TIMEFRAME
SHORT-TERM	STOP CRIMINALISATION OF CLIENTS BILL PASSING INTO LAW	<ul style="list-style-type: none"> Lobby Government through open letter Discussions with political actors/ police/other stakeholders Public pressure – media and direct action 	<ul style="list-style-type: none"> Circulate letter and again large number of signatories from key stakeholders Gain audience with mayoral office/key cops/officials Run media campaign including coverage/ comment in national press and stunts 	<ul style="list-style-type: none"> Bill does not pass into law Prominent stakeholders speak publicly against law Better relationships between sex workers and police/local services/local communities 	May – June June Mid-May – August
	BUILDING ALLIANCES	<ul style="list-style-type: none"> Approaching organisations and individuals to sign open letter Establishing campaign committee 	<ul style="list-style-type: none"> Ongoing outreach Address Trade Union branches/ meetings/ conferences 	<ul style="list-style-type: none"> Visible/vocal support for sex worker rights among organisations/ individuals outside usual suspects 	May – September May & June June
MEDIUM-TERM	SHARE/DEVELOP PRACTICES FOR OTHER SEX WORKER ORGANISATIONS	<ul style="list-style-type: none"> Post-campaign review and report 		<ul style="list-style-type: none"> Copies of report to other sex worker organisations internationally 	September
LONG-TERM	BUILD FOUNDATIONS FOR A DECRIMINALISATION CAMPAIGN	<ul style="list-style-type: none"> Alliance building and awareness raising through campaign 		<ul style="list-style-type: none"> A decriminalisation campaign supported by a wide range of actors 	

TIP

You will need to return regularly to your work plan to monitor whether you are meeting your milestones (and if not, you need to think about what might be preventing you). You may also need to revise your goals and/ or strategy as new debates and arguments arise, new players enter the policy field or new knowledge changes the nature of the debate.



You'll need to translate these timeframes into a separate timeline

Template for a Letter to Potential Allies

[Your Address]

[Recipient Address]

Date

Dear [Name of Ally Individual/Organisation]

[My organisation] is concerned that the [name of law] that is due to be debated in parliament in [Month] will have damaging consequences for sex workers health, rights and living conditions.

We are currently making contact with organisations who we believe have an interest in defending sex workers against laws that are likely to undermine their safety and autonomy and lead to arrests, detainments and deportations.

There is no conclusive evidence to suggest that legal measures criminalising clients, brothel-owners, managers and support staff within the sex industry eliminate or significantly reduce sex work. The available evidence suggests instead that such measures increase repression, violence and discrimination against sex workers. This diminishes sex workers' access to health care, housing and social services.

In Sweden, where laws to criminalise the clients of sex workers have been in place since 1999, street-based sex workers have reported greater competition, declining prices and harsher conditions. To compensate for fewer clients, women accept clients who are drunk, aggressive or refuse condom use. Studies have also shown that since client criminalisation in Sweden, sex workers are at greater risk of violence and infectious diseases.

We attach/enclose [delete as appropriate] a briefing paper that outlines our case against the [name of law] and we invite you to join us [our campaign / in lobbying the government – what is it you would like them to do?]

Should you wish to know more about our campaign, a member of [my organisation] is happy to come and speak with you or at a meeting of [your organisation].

[We would also like to invite you to our next campaign organising meeting on:

DATE:

TIME:

PLACE:

ADDRESS:

[nearest transport: XX]

Please let us know whether you would like to work with us on this issue.

In unity

[Name]

[My organisation]

[contact detail]

Sample Briefing Papers



Briefing Paper | January 2013

Sex Work Law Reform in Canada: Considering problems with the Nordic model

“The criminalisation of clients is not a human rights–based response to sex work.”

—Global Network of Sex Work Projects,
Briefing Paper #02: The Criminalisation of Clients, 2011.

■ Introduction

In Canada, two cases have been making their way through courts in Ontario and in British Columbia, challenging provisions of the *Criminal Code* that deal with sex work.¹ While sex worker activists who promote the human rights of sex workers argue for the complete removal of prostitution laws that criminalize sex workers (known as decriminalization), others propose alternative models of criminalization.

Known as the “Swedish” or “Nordic” model of regulating sex work, this model has been proposed as an alternative to the current regime of criminalization. This model — adopted in Sweden, Norway and Iceland — criminalizes the purchase of sexual services, most indoor sex work and promoting and “living on the avails of” sex work.

Given the strong prospect that at least some of the challenged provisions of the *Criminal Code* may soon no longer form part of Canadian law, it is important to consider the impact of the Swedish model on sex workers and whether it is a constitutional — and therefore legal — alternative, or if it merely replaces one unconstitutional set of laws with another.

This policy brief considers the impact of the Swedish model on sex workers and, in light of its harmful effects, argues that this approach would not withstand constitutional scrutiny in Canada.

What is the “Swedish” or “Nordic” model?

In 1999, the Swedish government passed the law *Prohibiting the Purchase of Sexual Services (Sex Purchase Act)*. This law, now part of Sweden’s *Penal Code*, punishes those who purchase sex with a fine or imprisonment for up to one year.² The stated objective of the law is to “end demand” for prostitution because sex workers are deemed to be “victims” and sex work is considered to cause serious harm to individuals and to society as a whole.

Sweden’s *Penal Code* also punishes those who “promote” sex work or “improperly financially exploit” someone’s engagement in sex work with imprisonment of up to four years (or up to eight years if the crime is “gross,” i.e., involving large-scale exploitation). In effect,

this provision punishes:

1. those who “promote” sex work — including sex workers themselves — by permitting individuals to use their premises for sex work; and
2. sex workers working collectively, who are all deemed to be financially “exploiting” one another.³

Impacts of the Swedish model

Despite its stated intentions, the Swedish model is not effective at reducing prostitution. While the number of sex workers working on the street appeared to decline following the passage of the law, **sex workers have merely moved indoors, online and to neighbouring countries.**

As a result of this law, most sex workers who work indoors are criminalized, and they are unable to work or live with others, including their partners, since it is illegal to share in any income derived from sex work.⁴ Sex workers are also forced to lie in order to rent premises or are pressured to pay exorbitant rent because of the risk of criminal prosecution.⁵ More broadly, sex workers are unable to access social security benefits that are available to all other workers in legal labour activities.⁶

Also reported are the following:

INCREASED RISKS OF AND EXPERIENCES OF VIOLENCE

Street sex workers have reported **increased risks of and experiences of violence.** Regular clients have avoided them for fear of police harassment and arrest, instead turning to the internet and to indoor venues. There are **fewer clients on strolls, and those that remain are more likely to be drunk or violent and to request unprotected sex.**

DECREASED NEGOTIATING POWER FOR SAFER SEX PRACTICES

There is **greater competition for clients and lower prices for services.** This means that sex workers accept clients they would have otherwise refused and there is **more pressure on them to see clients who insist on unsafe sex practices.** When safer sex practices are being negotiated, **both clients and sex workers must do so rapidly and often with unclear communication and in more secluded locales,** to avoid lingering for fear of arrest for purchasing sex.

SAFETY NETWORKS AND WARNING SYSTEMS AMONG SEX WORKERS ARE THREATENED

Since police surveillance has driven sex workers to more isolated locations, informal support networks among sex workers have weakened **and it has**

become more difficult for sex workers to warn each other about abusive or violent aggressors posing as clients.

CLIENTS ARE MORE RELUCTANT TO REPORT VIOLENCE THEY WITNESS AGAINST SEX WORKERS

Clients who would have previously reported violence, coercion or other abuse towards a sex worker are now more reluctant to go to the police for fear of their own arrest.

AGGRESSIVE POLICING

Sex workers who work on the street in Sweden have reported **aggressive policing, police harassment, police persecution and overall mistrust of police.**

STRONG LEGAL INCENTIVES TO AVOID CONDOM USE

Police have confiscated belongings to use as evidence against clients, **providing sex workers with a strong incentive to avoid carrying condoms.**

INCREASED DISCRIMINATION FROM HEALTH SERVICE PROVIDERS

Sex workers report **an increase in discrimination from health service providers** and from the general population. Rampant stigma around sex work and fear of discrimination prevents sex workers from talking about their sex work experiences when testing for HIV and other sexually transmitted infections and when accessing health services for their overall health.

INCREASED DIFFICULTIES IN ACCESSING AND MAINTAINING HOUSING

Sex workers frequently face **difficulties accessing and maintaining housing as a result of discrimination and associated stigma.** Sex workers' increased mobility and displacement to hidden venues also impede their access to and ability to maintain housing.

INADEQUATE SOCIAL SERVICES

In Sweden, most social service providers oppose condom provision as it is perceived to render them complicit in prostitution-related offences. After the passage of the Swedish model, **HIV prevention projects aimed at clients of sex workers also ceased.**

ERASURE OF MALE AND TRANS SEX WORKERS

Government evaluations of the law often **ignore its impact on male and trans sex workers,** so very little is known about their risks of and experiences of violence, access to health care, sexual behaviour and sexual health.

Comparison of the laws regarding sex work in Canada and in Sweden⁷

The Swedish model is very similar to the current legislative model for sex work in Canada. Canada already has core elements of a Nordic model in place, including parallel provisions which have been demonstrated (and accepted in court) to have detrimental effects. The following chart compares key laws governing sex work in Canada and in Sweden, illustrating that the legislative frameworks in each country are more similar than they are different.

Activity	Canada	Sweden
Keeping a bawdy house	Illegal , including for sex workers who work out of their own homes S. 210 of the <i>Criminal Code</i> makes it an offence to keep, be found in, own, or be a landlord, lessor, tenant, occupier, agent or otherwise have charge or control of any place that is used regularly for the purpose of prostitution.	Illegal , unless the sex worker owns the space that she or he uses for sex work and works alone Ch. 6, s. 12 of the <i>Penal Code</i> makes it an offence for a person to grant the right to use his or her premises to another when it is “wholly or to a substantial extent used for casual sexual relations in return for payment” because that person is “considered to have promoted the activity”
Procuring, working collectively, and living on the avails of prostitution	Illegal S. 212 of the <i>Criminal Code</i> makes it an offence to procure a person to become a prostitute and to live wholly or in part on the avails of prostitution, including for sex workers who live wholly or in part on the avails of <i>another</i> sex worker’s prostitution.	Illegal Ch. 6, s. 12 of the <i>Penal Code</i> makes it an offence to promote or improperly financially exploit “a person’s engagement in casual sexual relations in return for payment.”
Selling sexual services	Technically legal — as long as it happens in a private place If any related communication happens in public (e.g., a conversation or an ad in the paper or online), s. 213(1)(c) of the <i>Criminal Code</i> has been violated.	Legal
Buying sexual services	Technically legal — as long as it happens in a private place If any related communication happens in public, s. 213(1)(c) of the <i>Criminal Code</i> has been violated.	Illegal Ch. 6, s. 12 of the <i>Penal Code</i> makes it an offence for a person to obtain “a casual sexual relation in return for payment.”

Would the Swedish model be considered constitutional in Canada?

Comparing the Swedish model with Canada’s approach to sex work illustrates their similarities, including the fact that the Swedish model would not make any headway in addressing violence against sex workers and the violation of sex workers’ rights. Many of the reasons underpinning the Ontario courts’ invalidation of the

challenged provisions in Canada’s *Criminal Code* would seem to apply under a Swedish model (see footnote 1 for a more detailed description of the cases). The table below compares the documented impact of key provisions of the Swedish model with the closest analogy in Canadian law, and assesses whether a hypothetical Swedish model would withstand constitutional scrutiny in Canada. The analysis is largely based on the Ontario courts’ findings in the *Bedford* case, many of which could be applied to the Swedish model.

Canada's approach

Sweden's approach

1. Prohibition on keeping a common bawdy house

VIOLATES RIGHT TO SECURITY OF THE PERSON

In the *Bedford* case, the Ontario Court of Appeal found that the prohibition on “common bawdy-houses” limited sex workers’ security of the person.

The court said:

“The bawdy-house provisions prevent prostitutes from taking the basic safety precaution of moving indoors to locations under their control, which the application judge held is the safest way to sell sex. In this way, as the application judge found, the provisions dramatically impact on prostitutes’ security of the person.”⁸

VIOLATES RIGHT TO SECURITY OF THE PERSON

In Sweden, sex workers are forced to lie in order to rent premises, pressured to pay exorbitant rent and banned from hotels and other venues after police inform management of sex work on their property.

The limited exception in Sweden’s *Penal Code* for sex workers working *alone out of property they own* does not assist those sex workers who wish to work collectively or who do not own the property in which they work.

As in Canada, criminalizing indoor work undermines sex workers’ safety because it inhibits the screening of clients, who may not wish to disclose any identifying information for fear of criminal liability.

2. Prohibition on procuring, working collectively, and living on the avails of prostitution

VIOLATES RIGHT TO SECURITY OF THE PERSON

In the *Bedford* case, the Ontario Court of Appeal held that criminalizing activities that force sex workers to work in isolation materially contribute to a deprivation of their security of the person.

The court said that the prohibition on “living on the avails” of prostitution prevents sex workers from hiring staff who could keep them safe, and it could conversely increase the likelihood that sex workers would be exploited by “forcing them to seek protection from those who are willing to risk a charge under this provision.”⁹

VIOLATES RIGHT TO SECURITY OF THE PERSON

Swedish law criminalizes those who “improperly financially exploit” sex workers, but makes no distinction between relationships that involve exploitation and those that do not. As a result, sex workers work in isolation and cannot work together, recommend customers to each other, advertise, or work from property they rent or where they cohabit with a partner, since that partner is likely to share part of any income derived from sex work.

By preventing sex workers from working for or with or employing third parties, the prohibition denies sex workers control over their working conditions, limits their options on how they work and ultimately makes their work less safe.

3. Prohibition on buying sexual services

VIOLATES RIGHT TO SECURITY OF THE PERSON

The purchase of sex is not in itself illegal in Canada, but laws targeting clients have dangerous implications for sex workers. In Montréal, police sweeps targeting clients have led to dramatic increases in violence experienced by street sex workers, whose regular clients turn to sex workers working indoors where the risk of criminalization is lower. Street sex workers have less choice of clients as a result, are unable to assess if someone is a client or an aggressor, and are pressured to accept clients whom they would otherwise reject.¹⁰ In Ottawa, a police trend of targeting clients has resulted in sex workers’ increased feelings of risk to personal security and of being unable to trust or turn to the police for help.¹¹

While a majority of the Ontario Court of Appeal in the *Bedford* case upheld the constitutionality of the prohibition on communicating in public for the purpose of prostitution,¹² it also recognized that the provision violates sex workers’ security of the person by preventing them from screening potential customers for fear of arrest.

VIOLATES RIGHT TO SECURITY OF THE PERSON

When clients are criminalized by the prohibition on buying sex, sex workers face threats of violence and poor health because they are prevented from screening their clients, who are exposed to police scrutiny for such communication.

Since the passage of the *Sex Purchase Act*, sex workers who work on the street have less time and power to negotiate safer sex or to assess potential danger. They have also been displaced to more isolated locations. The provision renders sex workers more susceptible to violence by preventing them from taking basic safety precautions while they work.

Whereas one rationale of the majority of the Ontario Court of Appeal for upholding the communication provision in the *Bedford* case was that sex workers could move indoors (since the court struck down the prohibition on common bawdy-houses) and thus avoid many of the harms sex workers on the street face, this would not be applicable to the Swedish model because the majority of indoor sex work is still criminalized under that model.

4 Sex Work Law Reform in Canada: Considering problems with the Nordic model

Rights and Reason: The Way Forward

In Canada and in Sweden, both approaches for regulating sex work violate sex workers' security of the person (Section 7 of the *Canadian Charter of Rights and Freedoms*). The Swedish model is harmful for sex workers because it denies them control over their working conditions and impedes their ability to practise their profession safely and without risk to their bodily integrity. This was recognized by the Global Commission on HIV and the Law, which released a report in 2012 denouncing the Swedish model. In the report, the Global Commission found that "[s]ince its enactment in 1999, the law has not improved — indeed, it has worsened — the lives of sex workers" and noted that "the sex trade may now be more violent."¹³ There is also increasing evidence in Canada of the vicious consequences of client sweeps on sex workers, a foreseeable consequence should the Swedish model be applied in Canada.

Both approaches also entrench and exacerbate stigma against sex workers and constrain their access to legal recourse by institutionalizing an adversarial relationship between sex workers and the police. Sex workers who report a violent experience risk incriminating not only themselves but their employer, colleagues and clients, leading to a loss of work, income and potentially child custody. Reporting a violent incident may also mean that police harass and target a sex worker and the men she is in personal relationships with for arrest, because they assume that those men are her clients. Sex workers are consequently dissuaded from reporting violence against them, creating a climate of impunity which fosters and fuels further violence. This is especially true for sex workers who work on the street, and who already face horrific violence, stigma and disproportionate criminalization. Introducing the Swedish model in Canada would force sex workers on the street to continue

to work in isolation in order to avoid their clients' arrest.

The dangerous and potentially fatal consequences of criminalizing the purchase of sex outweigh any questionable benefits that might arise. The courts and Parliament owe a responsibility to sex workers to ensure that one deadly — and unconstitutional — regime is not replaced with another. Rather than imposing the Swedish model on sex workers in Canada, Parliament should meaningfully consult with sex workers about the best ways to protect their human rights and promote secure working conditions, which necessarily includes the repeal of the prostitution-related offences of the *Criminal Code*. This approach is a far more effective way of addressing exploitation in the sex industry than one already proven not to work.

Recommendations

- Parliament should repeal the section of the *Criminal Code* that makes it an offence to communicate in a public place for the purposes of prostitution (section 213).
- Parliament should repeal the bawdy-house sections of the *Criminal Code* (sections 210 and 211).
- Parliament should repeal the subsections of the procuring sections of the *Criminal Code* that relate to bawdy-houses (subsections 212(1)(b),(c), (e), and (f)) and to procuring more generally (subsections 212(1)(a), (d) and (h)).
- Parliament should repeal the section of the *Criminal Code* that makes it an offence to live on the avails of prostitution (subsection 212(1)(j)).
- Parliament should repeal the reverse-onus subsection of the *Criminal Code* as it applies to living on the avails of prostitution (subsection 212(3)).

References

- 1 In *Ontario (Bedford v. Canada, 2010 ONSC 4264)*, the Superior Court of Justice struck down three provisions of the *Criminal Code* in 2010 which make it illegal for anyone to keep a common bawdy-house (s. 210); live on the avails of prostitution (s. 212(1)(j)); and communicate for the purpose of prostitution in public (s. 213(1)(c)). The Court held that these provisions infringe sex workers' rights to liberty, security of the person and freedom of expression pursuant to the *Canadian Charter of Rights and Freedoms*. Two years later, the Ontario Court of Appeal partially upheld this ruling (*Canada (Attorney General) v. Bedford, 2012 ONCA 186*) by invalidating the prohibition on common bawdy-houses; qualifying the prohibition on living on the avails of prostitution by limiting it to "circumstances of exploitation"; and maintaining the prohibition on communicating in a public place for purposes of prostitution. In *British Columbia (B.C.)*, an organization of sex workers (SWUAV) and a former sex worker (Sheri Kiselbach) are challenging the constitutionality of *Criminal Code* provisions dealing with sex work. The case was dismissed at trial because the judge held that the group did not have "public interest standing" to bring the case to court. However, B.C.'s Court of Appeal overturned this decision and in 2012, the Supreme Court of Canada

- affirmed the group's right to challenge those laws (*Canada (Attorney General) v. Downtown Eastside Sex Workers United Against Violence Society*, 2012 SCC 45).
- 2 Government Offices of Sweden, *Legislation on the Purchase of Sexual Services*, last updated September 5, 2012, accessible at www.sweden.gov.se/sb/d/4096/a/119861.
 - 3 *Penal Code of Sweden* (Law 1998:393), Ch. 6, Section 8, accessible at www.sweden.gov.se/content/1/c6/15/14/61/e97ee975.pdf.
 - 4 S. Dodillet and P. Östergren, "The Swedish Sex Purchase Act: Claimed Success and Documented Effects," paper presented at the International Workshop on Decriminalizing Prostitution and Beyond: Practical Experiences and Challenges, The Hague, March 2011.
 - 5 P. Östergren, "Sexworkers critique of Swedish Prostitution Policy," undated, accessible at http://www.petraostergren.com/pages.aspx?r_id=40716.
 - 6 A. Jordan, "The Swedish Law to Criminalize Clients: A Failed Experiment in Social Engineering," Center for Human Rights and Humanitarian Law, Washington College of Law, April 2012, p. 5.
 - 7 This chart is adapted from one developed by Katrina Pacey, Litigation Director at Pivot Legal Society.
 - 8 *Canada (Attorney General) v. Bedford*, 2012 ONCA 186 at para 207.
 - 9 *Bedford v. Canada (Attorney General)*, 2012 ONCA 186 at para 244.
 - 10 Émilie Laliberté, Executive Director of Stella, personal communication, August 1, 2012.
 - 11 Frédérique Chabot, POWER Board of Directors, personal communication, August 2, 2012.
 - 12 This decision is being challenged before the Supreme Court of Canada in 2013.
 - 13 The Global Commission on HIV and the Law was tasked with analyzing the interaction among the legal environment, human rights and HIV, and with making recommendations for rights-based law and policy in the context of HIV. See Global Commission on HIV and the Law, *Risks, Rights, and Health*, July 2012, p. 38.

Acknowledgements

Thanks to Jenn Clamen for reviewing and providing input on this policy brief; and to Pye Jakobsson for reviewing the documented impacts of the Swedish model in a longer essay on which this policy brief is based.

About the Canadian HIV/AIDS Legal Network

The Canadian HIV/AIDS Legal Network (www.aidslaw.ca) promotes the human rights of people living with and vulnerable to HIV/AIDS, in Canada and internationally, through research and analysis, advocacy and litigation, public education and community mobilization. The Legal Network is Canada's leading advocacy organization working on the legal and human rights issues raised by HIV/AIDS.

Canadian HIV/AIDS Legal Network

1240 Bay Street, Suite 600
 Toronto, Ontario
 Canada M5R 2A7
 Telephone: +1 416 595-1666
 Fax: +1 416 595-0094
 E-mail: info@aidslaw.ca
 Website: www.aidslaw.ca

Reproduction of this publication is encouraged, but copies may not be sold, and the Canadian HIV/AIDS Legal Network must be cited as the source of information. Copies are available on the Legal Network's website at www.aidslaw.ca.

This project was made possible through the contribution of the Levi Strauss Foundation.

Ce document est également disponible en français.

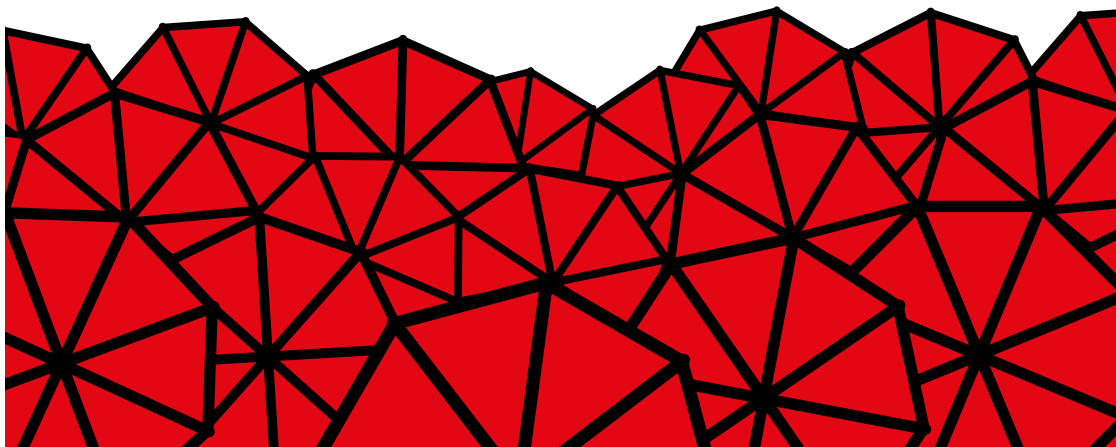
© 2013 Canadian HIV/AIDS Legal Network



Global Network of Sex Work Projects
Promoting Health and Human Rights

**BRIEFING
PAPER**

**#02 The criminalisation
of clients:**
a summary





The criminalisation of clients: *a summary*

The criminalisation of sex workers' clients is often claimed to be part of a new legal framework to eradicate sex work and trafficking by 'ending demand'

The criminalisation of sex workers' clients is often claimed to be part of a new legal framework to eradicate sex work and trafficking by 'ending demand'. In 1999, Sweden criminalised sex workers' clients and maintained the criminalisation of third parties such as brothel-owners, managers, security and support staff¹. The individual selling of sex remained legal. This model is frequently referred to as the 'Swedish', 'Nordic' or 'End Demand' model. There is great pressure in many countries to advance such legal and policy measures. The damaging consequences of this model on sex workers' health, rights and living conditions are rarely discussed.

Impact on sex workers of 'end demand' laws

The premise of criminalising buying sex is that clients' demand for sex is responsible for women entering and remaining in sex work. While male and transgender sex workers are overlooked in this analysis, female sex workers are frequently conflated with children² or 'pimps' and traffickers³ in what are often anti-migrant narratives.⁴ Female sex workers are construed as victims with no agency – and as harmful to all women, family and the nation at large.⁵ The resulting agenda is summed up by Pye Jakobsson, a Swedish sex worker: "We want to save you. And if you don't appreciate it, we will punish you."⁶

In many countries, legal measures aiming to eliminate sex work have been implemented for well over a century. Though their theoretical framework and justification is different than in Sweden, sex workers' experiences of the criminalisation of clients in these different contexts add to the growing body of data about the lived consequences of such measures. Laws advanced to end demand impact upon sex workers in the following ways:

- ¹ This is the case in Sweden where sex workers were not criminalised before the criminalisation of clients. Clients are criminalised under the Swedish Penal Code Chapter 11 (previously under the Sex Purchase Act, 1999). Laws requiring a landlord to terminate the lease if a tenant (or others) uses the premises for sex work include: Penal Code chapter 6 s.12.2; Land Code 12 s. 42.1.9; Condominium Act 7 s.18.8. Brothelkeepers and procurers are criminalised under the Penal Code chapter 12 s. 12. In S. Dodillet & P. Östergren (2011), *The Swedish Sex Purchase Act: Claimed Success and Documented Effects*, paper presented at Decriminalizing Prostitution and Beyond: Practical Experiences and Challenges International Conference, The Hague.
- ² See for example S. Jeffreys (2000), *Challenging the Child/Adult distinction in theory and practice on prostitution*, *International Feminist Journal of Politics* 2(3), pp. 359–379. Another example of note is how provisions criminalising the adult selling and purchasing of sex were included under the state of Illinois' *Safe Children Act* (HB-6462) of 2010. For a discussion of this issue in Sweden see D. Kulick (2003), *Sex in the New Europe: The Criminalization of Clients and Swedish Fear of Penetration*, *Anthropological Theory* 3(2), pp. 199–218.
- ³ See D. Hughes (2004), *The Demand: Where Sex Trafficking Begins*, presentation at the US Embassy of the Holy See, Rome. Hughes, affiliated with Coalition Against Trafficking in Women (CATW) states that: "The exploiters, including traffickers, pimps, brothel owners, organized crime members, and corrupt officials make-up what is known as the sex industry."
- ⁴ See A. Rendland & P. Jakobsson (2011), *The Nordic Model: Norwegian and Swedish Experiences*, paper presented at the International Harm Reduction Conference, Beirut; Kulick, *op. cit.*; J. Berman (2003), *(Un)Popular Strangers and Crises (Un)Bounded: Discourses of Sex-trafficking, the European Political Community and the Panicked State of the Modern State*, *European Journal of International Relations* 9(1), pp. 37–86.
- ⁵ Kulick, *op. cit.*
- ⁶ HCLU (2010), Interview with Pye Jakobsson, SWAN, Retrieved from www.swannet.org/node/1512



Increased repression of sex workers

Most countries that have introduced legislation criminalising clients have maintained or increased the criminalisation sex workers. For example,

- ▶ This is true of South Korea, South Africa and Lithuania.⁷ In Illinois (US), the 'end demand' coalition successfully lobbied for legislation that both criminalises clients and elevates the selling of sex to a felony offence, punishable by imprisonment up to a year.⁸
- ▶ Even in countries where selling sex is decriminalised, sex workers can be criminalised under laws against brothel keeping and profiting from prostitution if they work together indoors and pay each other for rent or any part of the expenses.⁹
- ▶ In some countries, sex workers are disproportionately targeted for arrest under unrelated laws. For example, in Sweden and Norway, though selling sex is not illegal, significant numbers of sex workers are arrested and deported for illegal immigration.¹⁰
- ▶ The policing of clients on the street subjects sex workers to invasive searches, surveillance and high levels of harassment in their homes and work places.¹¹

Increased violence and discrimination

- ▶ Police surveillance patrols aimed at locating clients drive sex workers on the street into less public areas where they are more vulnerable to violence.¹² Since client criminalisation, sex workers on the streets in Sweden have reported greater competition, declining prices and harsher conditions.¹³
- ▶ Fewer clients on the street can force sex workers to accept aggressive or drunken clients. Violence against sex workers has increased following anti-client measures.¹⁴
- ▶ Since exposing oneself as a sex worker to police often leads to harassment, sex workers seldom report incidents of violence or coercion.¹⁵ Norwegian police report that the Swedish model has made it harder to gather evidence – from sex workers and clients – against people who have coerced or exploited sex workers.¹⁶
- ▶ Sex workers in Sweden who took part in a government sponsored study reported a significant increase in stigma and discrimination after the passing of anti-client measures.¹⁷

⁷ Republic of Korea, Act on the Punishment of Procuring Prostitution and Associated Acts, and Act on the Prevention of Prostitution and Protection of Victims Thereof, both 2004; Republic of Lithuania, Amendment to Article 182-1 of the Administrative Offences Code, 2005; Republic of South Africa, Sexual Offences Act, Section 20(1), 1957 (criminalizes sex workers); Republic of South Africa, Criminal Law (Sexual Offences and Related Matters) Act, Section 11, 2007 (criminalizes clients).

⁸ State of Illinois, Safe Children Act, (HB-6462), 2010.

⁹ Dodillet & Östergren, *op. cit.*

¹⁰ Kulick, *op. cit.* and Rendland & Jakobsson, *op. cit.*

¹¹ Dodillet & Östergren, *op. cit.*; Kulick, *op. cit.*; Rendland & Jakobsson, *op. cit.*

¹² This is reported in Sweden, Korea, Norway and Canada. Dodillet & Östergren, *op. cit.*; A.L. Crago (2011), *Legal Barriers to Fighting Violence Against Sex Workers: The Montreal Experience*, paper presented at the CRI-VIFF Conference, Montreal; J. Herskovitz (2006), *South Korea sex trade revamps after clampdown*, Reuters; N. Schwartzmann (2008), *Special Law on Prostitution Turns Four Years Old*, *Asian Correspondent*; Rendland & Jakobsson, *op. cit.*

¹³ Norwegian Ministry of Justice and Police Affairs (2004), *Purchasing Sexual Services in Sweden and the Netherlands*; Swedish National Board of Health and Welfare (2007), *Prostitution in Sweden 2007*; Dodillet & Östergren, *op. cit.*

¹⁴ Scot-Pep records of violent incidents against sex workers quoted in M. Autin (2008), *La pénalisation du client en Europe et dans le monde*, Fondation Scelles; A.L. Crago (2008), *Our Lives Matter: Sex Workers Unite for Health and Rights*, New York: Open Society Foundation.

¹⁵ Kulick, *op. cit.*; Dodillet & Östergren, *op. cit.*; P. Östergren (2003), *Sex Workers Critique of Swedish Prostitution Policy*, retrieved from http://www.petraostergren.com/pages.aspx?r_id=40716

¹⁶ Norwegian Ministry of Justice and Police Affairs, *op. cit.*

¹⁷ A. Skarhed (2010), *Prohibition on the purchase of sexual services: An evaluation 1999–2008 (English Summary)*.



Decreased access to health and social services

- ▮ Due to fewer clients as a result of client criminalisation, many street-based sex workers compensate for loss of earnings by not using condoms.¹⁸ Indoor venues, such as massage parlours refuse to keep condoms on the premises since they can be used as evidence of sex work.¹⁹
- ▮ Increased mobility and the displacement of sex workers to hidden venues impedes provision of health and services to sex workers. In Korea and Sweden, health authorities have expressed concern about the negative outcomes of laws on sex workers' health and safety.²⁰

There is strong evidence to suggest that peer-driven and rights-based programmes aimed at sex workers are the most effective HIV prevention strategy

- ▮ There is strong evidence to suggest that peer-driven and rights-based programmes aimed at sex workers are the most effective HIV prevention strategy.²¹ A framework that equates sex work with violence against women prevents state support for such programmes and excludes specific health and social services for male and transgender sex workers.

Decreased access to housing and shelter

- ▮ Laws against buying sex, profiting from sex work or renting space for sex work render landlords and hotel owners liable if they rent rooms to sex workers. In many countries, police order landlords to evict suspected sex workers without notice. This compromises sex workers' access to safe housing, which is crucial to preventing violence and protecting their health.²²

In sum, there is no conclusive evidence to suggest that legal measures criminalising clients, brothel-owners, managers and support staff within the sex industry eliminate or significantly reduce sex work. The available evidence suggests instead that such measures increase repression, violence and discrimination against sex workers. This diminishes sex workers' access to health care, housing and social services. The criminalisation of clients is not a human rights-based response to sex work.

¹⁸ Norwegian Ministry of Justice and Police Affairs, *op. cit.*

¹⁹ Y. Lee & Y. Jung (2009), The Correlation between the New Prostitution Acts and Sexually Transmitted Diseases in Korea, *The Korean Journal of Policy Studies*, 24(1), pp. 111–125.

²⁰ Schwartzmann, *op. cit.*; Dodillet & Östergren, *op. cit.*

²¹ See C. Jenkins (2000), *Female Sex Worker HIV Prevention Project: Lessons Learnt from Papua New Guinea, India and Bangladesh*, UNAIDS Best Practice Collection, Geneva: UNAIDS; D.T. Swendeman, I. Basu, S. Jana, M.J. Rotheram-Borus, S.J. Lee, P.A. Newman & R.E. Weiss (2004), *Evidence for the Efficacy of the Sonagachi Project in Improving Condom Use and Community Empowerment Among Sex Workers: Results from a cohort-control study*, presented at the International AIDS Conference, Bangkok.

²² This is documented for Sweden, Norway and Canada. Rendland & Jacobsson *op. cit.*; Crago, *op. cit.*; Written communication from Astrid Rendland, Director of PION, a sex worker support centre in Oslo. 2011, July 12.

- 1 -

The Swedish Model of criminalising sex work since 1999 - Briefing Paper

What has changed and what has stayed the same since the Swedish Government criminalised sex work over a decade ago?



Australian
Sex Workers
Association



Rose Alliance

This briefing paper resulted from a visit by Pye Jakobsson, sex worker representative, Rose Alliance, (Sweden) to Scarlet Alliance, National Office, Redfern, 10th June 2011

Sweden sees itself as the perfect society and decided over a decade ago that they no longer tolerated sex work, drug taking or HIV transmission. They criminalised everything associated with the behaviours of sex workers and drug users, and the non-disclosure of HIV status. In addition to the laws against the possession and sale of drugs, it is also a criminal offence to take drugs or have them in your system, as a result the jailing of people who take drugs is common. Sex workers in Sweden face systemic and extreme social marginalisation, and people living with HIV fear arrest and jail.

The following are outcomes of the zero tolerance policies in Sweden:

- There is only one needle and syringe program in Sweden, run by the Swedish Drug User Union. It has to operate in a grey area of the law. Doctors are not allowed to prescribe injecting equipment to people who are suspected of using drugs.
- The Government funded condom distribution programmes in Sweden only target men who have sex with men. Local councils are meant to distribute condoms to sex workers, but in reality it only happens in the City of Malmö.
- Sweden has the highest rate of HIV-related convictions per capita in the world (as measured by UNAIDS). This means Sweden jails more people living with HIV than any other country in the world.
- There is no anonymous STI testing for sex workers in Sweden.
- Health care is meant to be universal in Sweden; however sex workers are treated very differently to other people.
- Sweden's pimping laws target everyone. Even the son of a sex worker has been charged with pimping because he was not paying rent to his mother.
- Sex workers choose to work alone in order to avoid the pimping laws. This marginalises sex workers from their families, friends and colleagues.
- The anti-client laws are used maliciously against sex workers. For example ex-partners, neighbours and others who may wish to harass a sex worker will use the laws to do so.
- The estimated number of clients in Sweden is the same now as it was prior to the criminalisation of behaviours related to sex work.
- The estimated number of sex workers in Sweden is the same now as it was prior to the criminalisation of behaviours related to sex work.
- There is a claim that street based sex work numbers dropped in Sweden after the introduction of the laws in 1999.

- 2 -

- However it coincided with the rise in the use of social networking to contact clients, something popular among street based sex workers in the cold country of Sweden.

- Sex workers have lost their children as a result of the law. They are seen as unfit to be parents if they do not repent and leave sex work.

- Newspapers won't take advertisements from sex workers.

- Locally run sex worker advertising websites in Sweden have been closed down.

- A locally run website owner has gone to jail for two years simply for running a website for sex workers.

- A Thai sex worker working with a visiting friend was charged for 1.5 years in prison for pimping.

- Isolated sex workers don't come forward to services.

- Social work services for sex workers are contingent on sex workers breaking down and saying that they dislike their work, they don't want to do sex work, and they are willing to enter therapy to stop doing sex work.

- When sex workers do not denounce their profession they are seen as having mental health issues. They are viewed as mentally unstable because they view sex work as a job that does not victimise them.

- The laws view sex work as a 100% victimising profession.

- The law sends a message that no sex worker can ever choose to do sex work.

- Sex workers have been fired from the health sector (ie from being nurses or public health officials), from the education sector (ie fired from being teachers) and from the police force.

- Police resources are spent on following clients to sex workers homes, staking out such homes, and waiting for the "event" to take place so that the client can be charged.

- Police call landlords and urge them to evict the sex worker or else the landlord will be charged with pimping.

- Police tell neighbours about them having a sex worker in their building.

- Police see sex workers as undesirable criminals, and sex workers are the target of heavy surveillance.

- Human trafficking is actually impossible to identify in Sweden, because it is seen as the *same* as sex work.

- There is a massive amount of stigma and discrimination affecting sex workers lives as a result of the laws, the policies, the pervasive idea that no sex workers could actually want to do sex work, and the treatment of those who do want to do sex work as having a "false consciousness."

- There have been no beneficial outcomes for sex workers, drug users or people living with HIV as a result of the Swedish approaches to any of these populations.

Sex workers in Sweden oppose the laws that have criminalised their workplaces. Sex workers in Australia oppose such laws being implemented in Australia.

Sample Communications Strategy

Objectives

- To strengthen pro-sex worker rights alliances
- To influence policing and Border Agency practice during the Olympics
- To influence policy debates on issues that affect sex workers
- To provide migrants rights/human rights/ feminists organisations and activists with a critical discourse around sex worker rights and trafficking
- To challenge popular perceptions about sex work and trafficking

Key Messages

- It is a myth that large sporting events like the Olympics result in an increase in trafficking
- Anti-trafficking measures target migrant sex workers and
 - » make them more vulnerable
 - » undermine their autonomy
 - » undermine their human rights
 - » are being used as immigration controls
- Criminalising sex workers:
 - » doesn't reflect public opinion
 - » runs counter to evidence about how to stop exploitation
- Criminalising clients is just another way to criminalise sex work and sex workers

Audiences and Targeted Messages

AUDIENCE	WHAT THEY NEED TO KNOW	KEY COMMUNICATIONS MESSAGES
MAYOR	<ul style="list-style-type: none"> • That it will be politically expedient to enact the moratorium • What we want to see changed in policing terms • Our strong evidence base and supporter base 	<ul style="list-style-type: none"> • That there is a strong civil; policing; human rights case for the Moratorium • That it would be easily achievable and cost-neutral • The evidence suggests that suspension • There is broad, cross-party support and support in civil society for this campaign • If you ignore us, we will make your life hell
MET/ SCD9	<ul style="list-style-type: none"> • What we want to see changed in policing terms • Our rationale and strong evidence base is in line with policing objectives 	<ul style="list-style-type: none"> • Outline of the laws we are requesting suspension of; that this is a limited set and should not be difficult.

AUDIENCE	WHAT THEY NEED TO KNOW	KEY COMMUNICATIONS MESSAGES
HOME SECRETARY/ BORDER AGENCY	<ul style="list-style-type: none"> • What we want to see changed in UKBA terms • Our strong evidence base 	<ul style="list-style-type: none"> • * We are not really engaging on this level at this stage
EXISTING ALLIES (MPs; councillors; NGOs; activist groups)	<ul style="list-style-type: none"> • We have the ability to make change if we garner all the support we can 	<ul style="list-style-type: none"> • We need you to support our campaign by: <ul style="list-style-type: none"> » signing the letter » publicising our campaign through your networks » speaking on platforms/in media for Moratorium 2012
POTENTIAL ALLIES (MPs; councillors; NGOs; activist groups)	<ul style="list-style-type: none"> • Sex worker rights are in line with their political/ ideological/human rights etc objectives (may need targeted materials/ arguments/ discussions here) • Our strong evidence base and supporter base 	<ul style="list-style-type: none"> • We need you to support our campaign by: <ul style="list-style-type: none"> » signing the letter » publicising our campaign through your networks » speaking on platforms/in media for Moratorium 2012
SEX WORKERS	<ul style="list-style-type: none"> • That we can challenge criminalisation and the related threats/ stigma • That there is strong and vocal support for sex workers among civil society 	<ul style="list-style-type: none"> • A broad cross-section of civil society have signed up to our campaign • The campaign is prompting debate around the issue and forcing some people/organisations/sectors to think about different approaches
GENERAL PUBLIC	<ul style="list-style-type: none"> • Trafficking is not a helpful discourse to work through problems with sex work or migration 	<ul style="list-style-type: none"> • Sex work is not the same as trafficking • Sex workers are being put at risk and having their rights and autonomy undermined by current laws and policing/Border Agency practices • There needs to be a new discussion around these questions • The Swedish Model/criminalising clients does not resolve these issues

TOOLS AND ACTIVITIES

- Moratorium 2012 website:
<http://www.moratorium2012.org/>
- Press campaign, including sending out releases; contacting journalists with stories; trying to get a CiF piece
- Social media; facebook; twitter; blogosphere
- Getting high-profile signatories to campaign
- Media stunts and direct actions
- Meetings with organisations; police/officials; addressing conferences/etc
- Updates to signatories (internal to campaign; progress reports)

RESOURCES

- Do you have relationships with any journalists, editors, etc?
- Do you have people with media skills (writing press releases/contacting journalists/ organising press events, photographers, etc) and who are prepared to give interviews, write articles for blogs and social media? If not, can you hold a training session on some of these skills?
- Link to Media Training Guide:
www.redumbrellaproject.org/educate/resources/

TIMESCALES

- Are there any dates or events you need to take into account when planning your communication strategy? Some things that may affect these decision include:
 - Events that might shape your campaign;
 - Parliamentary sitting dates or formal committees that may be discussing your issue;
 - The release of official reports or calls for submissions, etc.
 - Think of amount of advance notice different type of media require: is it one day, 2 weeks, more?

GROUP EXERCISE: STORYTELLING

WHAT STORIES/ CASE STUDIES DO YOU HAVE?



Do you have sex workers who are prepared to speak about their experiences or concerns about laws that criminalise clients or criminalise sex work in some way?

CAN YOU FIND SOME POWERFUL EXAMPLES?

Examples can be taken from the stories you have collected or evidence you have gathered in your research about the affect of criminalisation in your country or region; in other countries;

WHAT IMAGERY DO WE WANT TO USE?

Think about the way sex work and sex workers are presently represented in the media and whether you want to replicate this or whether you want to find another way for sex workers to be represented. For example, are the sex workers you are talking about indoor or outdoor workers are they women or are they also men and trans* workers? Do you want sex workers represented through images of the body? Silhouettes? In most cases you won't have total control over how sex work and sex workers are represented in the media but you can add your own logos, artwork and photography to press releases that you send out and discuss these issues if you think a journalist is sympathetic.

POST-CAMPAIGN EVALUATION AND AMENDMENT

Things to think about after campaign:

- Media archive; where/how was the campaign picked up?
- What worked/didn't work?



SECTION

#3

Sex Worker Rights Activism

This section is designed to help you build a strong community of sex worker activists and allies.




HANDS OFF OUR CLIENTS!



SECTION **#3** Sex Worker
Rights Activism

Contents

1	Power and Interest	3:3
2	Strategy and Campaigns	3:10
3	Action	3:12
4	Organising	3:14
5	Sex Worker Resources	3:16
WORKSHEET #8:	Planning a Campaign	3:17
WORKSHEET #9:	Planning an Action	3:20
WORKSHEET #10:	Tips for Organisers	3:23



HISTORY OF SEX WORKER MOVEMENT: A BRIEF OVERVIEW

1970: SEEN AND HEARD!

In 1973, American-born Margo St. James founds the activist organisation COYOTE (Call Off Your Old Tired Ethics) in San Francisco. Not only sex workers, but journalists, attorneys, politicians, and even former police officers join St. James in calling for sex workers' rights and for an end to violence against sex workers. Sex workers in other cities across the US are inspired to organise and demand their rights.

1975: BIRTH OF THE EUROPEAN SEX WORKERS' MOVEMENT

The sex workers rights movement in Europe explodes into public view on 2 June 1975 in France. 150 women, men and trans* sex workers stage a multi-day sit-in at the biggest church in Lyons. They are protesting police harassment and failure to prosecute crimes committed against sex workers. The protest quickly spreads to other churches in France. Sex workers in other European countries are inspired to get organised. The Swiss Grisélidis Réal sets up an International Prostitution Documentation Centre in Geneva. They flood the media with charges of inhuman treatment of women in prostitution.

1 Power and Interest

1.1 POWER

What is People Power?

Every chapter in history has seen people power and mass direct action take centre stage to create social change; the abolition of slavery, women's fight for the vote, anti-colonial and independence struggles, workers, civil rights, anti-Vietnam war, anti-nuclear, global justice, and other recent social justice movements. People-power methods arose out the struggles by communities of colour and poor and working class communities. It's more than just a set of civil-disobedience and direct-action tactics. It's based on a different understanding of power.

The traditional view of power sees some people as holding it – the Government, Corporations, CEO's, Army Generals – while the rest of us need to appeal to, influence, pressure or replace if we want to change things. Those in power want us to believe the traditional view of power; that we are powerless because they control the money, police, military and the corporate media.

People-power, in contrast, sees power as a fragile relationship. Those in positions of power are dependent for that power on the compliance of the people they hold power over. When people organise themselves to withdraw their cooperation, the power holders' grasp on power begins to weaken and crumble. If people sustain their resistance we can assert our power, force changes or even topple those in power. People power is true democratic power, providing the basis for all to participate in governing ourselves.

1980: SEX WORKERS ORGANISE INTERNATIONALLY

In the early 80s, German, Italian, Canadian, Australian, Austrian, Ecuadorian, Thai and Swedish sex workers begin to collectively organise and form their own organisations. In Thailand, EMPOWER (Education Means Protection Of Women Engaged in Recreation) advocates for the legalisation of prostitution. The American Gail Pheterson residing in the Netherlands and Margo St. James help to forge connections between sex workers and feminists from the global North and South.

1985: 1ST WORLD WHORES' CONGRESS

In 1985, Leaders from sex worker organisations in the US and Europe, and some feminist activists, meet for the 1st World Whores' Congress in Amsterdam. The International Committee for Prostitutes' Rights (ICPR) is founded during the Congress. The participants draw up and adopt the World Charter for Prostitutes' Rights.

1986: WHORE'S CONGRESS GOES TO BRUSSELS

The Green party in the European Parliament offers the ICPR the use of its meeting rooms and interpreters in Brussels for a second World Whores' Congress. Women sex workers from all the continents, and also a few men, demand the decriminalisation of sex work and an end to the stigmatisation of sex workers.

GROUP EXERCISE

EXPLORING POWER



WHAT: Deepen activists' analysis of the society we live in and to explore different understandings of power.

GOAL: To make visible the structures, policies, institutions and practices in society that operate to keep people from getting the power they need to manifest the world they want. It also teaches us about why we have to start organising from where people are in their thinking and not where we think they should be.

WHAT YOU WILL NEED:

- Facilitator
- Flip Chart Paper
- Pens

FACILITATOR: Your role is to lead the group through a process that starts by asking people why they are active, what they want, why they came. You may need to solicit this – for example see if anyone says to “build power”. If not, after harvesting some reasons from the group, ask if anyone is interested in building power? Write people's answers on the flip chart. For example:

- Change people's ideas about the sex industry
- Because I want to support my friends who are sex workers
- To find out more information about the campaign
- Because what is happening to sex workers is unfair / unnecessary

Next, ask the group who has power in our society. Create a list on the flip chart. For example:

- The Government
- The Media
- Corporations
- Rich people
- Bosses

While people have power and potential power, our power is based on our numbers and our willingness to not cooperate in their unjust systems. The 'Government' and the people who control the money, media, army, etc. do a lot of things to keep us from getting the power we need to manifest the world we want.

Next, ask the group how the people, institutions, etc. in the list above get the power that they have. Brainstorm a list – really explore the issues. You will get all kinds of answers, but make sure you get ideas like TV, consumerism, alcohol, prison, and bad food on the list.

1990'S: HUMAN AND ECONOMIC RIGHTS ON THE GLOBAL AGENDA

In increasingly more countries, sex workers demand recognition of their human rights and acknowledgment of sex work as a legitimate trade. Sex workers' trade organisations are formed in Uruguay (1986), Ecuador, Chile, Argentina, Peru, and the Dominican Republic. In England, the Global Network of Sex Work Projects for women, men, and trans* people is founded in 1992. During the 1990's, there are organisations throughout the world run by and for sex workers.

2000: THE EUROPEAN MOVEMENT TAKES A LEAP FORWARD

In England, a sex workers' trade union is founded: the International Union of Sex Workers. The Union demands employee rights and a safe workplace for sex workers. In that same year, the ICPR organises a discussion on migration, sex work and feminism in the Netherlands. English and Dutch sex workers form the International Committee on the Rights of Sex Workers in Europe (ICRSE) in 2004.

2005: A NEW CHARTER FOR THE RIGHTS OF SEX WORKERS IN EUROPE

In 2005, with funding from Mama Cash, the newly-formed ICRSE convenes a conference on Sex Work, Human Rights, Labour and Migration in Brussels. 120 sex workers and 80 allies from 30 countries attend. A new Charter is drawn up, this time for the rights of sex workers in Europe.

SEX WORKERS AGAINST GLOBALISATION AND VIOLENCE

During the December 2005 meeting of the World Trade Organisation in Hong Kong, sex worker activist organisation Zi Teng and sister organisations from Cambodia, Thailand, Taiwan, Japan, China, Australia and New York march in protest to police headquarters in Hong Kong.

GROUP EXERCISE

EXPLORING FEAR



WHAT YOU WILL NEED:

- Facilitator
- Group working in pairs or small groups

FACILITATOR: Get people to break into small groups or pairs and ask them to talk and discuss **Hopes** and **Fears** around a particular situation or possible action. Then get the groups to report back and see who else has the same fears. You can do this by simply asking for a show of hands of who has the same fears.

CHECKLIST

WORKING THROUGH FEAR COLLECTIVELY



- NOTICE IT –**
express it, make it visible
- EXPLORE IT –**
what is real, what is imaginary
- ASK 'DUMB' QUESTIONS –**
so what if that happens?
- MAKE IT HUGE –**
what is the worst that can happen, then what, agitate to anger
- MAKE A PLAN –**
to deal with it and break it into with simple, small steps
- IDENTIFY –**
what support is needed
- GET COMMITMENT –**
easy, immediate, short-term tasks – focus on action to take
- PROVIDE SUPPORT –**
build collective confidence
- FOLLOW-UP, DEBRIEF, LEARN**

FOR EXAMPLE: Some members of your group may have a fear of being 'outed' in the media as working as a sex worker by being involved in the campaign against criminalising clients. Using the list above you will be able to develop collective questions, answers and solutions to addressing people's fears.

TIP

To remember that courage is not the lack of fear; it is the willingness to take action despite it.



2006: GLOBAL KNOWLEDGE SHARE

The Collective of Sex Workers and Supporters organises the International Conference for Sex Workers in Taipei.

2009: RIGHTS, NOT RESCUE

Along with Hivos, Mama Cash, ICRSE, and the Global Network of Sex Work Projects, the first Rights, Not Rescue public forum is convened in November 2009 in Amsterdam. The widely-reported event brings out the media, donors, politicians and the public to hear what is happening on the front lines of sex worker activism. The Rights not Rescue public event is followed by a two-day meeting of donors and sex workers. This gathering is co-hosted by Mama Cash and the US-based Open Society Institute (OSI). A group of ten grantmakers explicitly agree to collaborate in order to increase funding for sex worker organising. They begin meeting annually in Amsterdam to strategise about how to make more resources available for the sex workers' human rights movement.

Source: Mama Cash

GROUP EXERCISE

EXPLORING POWER AND PRIVILEGE IN OUR ACTIVISM



WHAT: To build strong sex worker rights activism, we have to be open to different life experiences, and perspectives, being able to come together to share ideas, find common ground and collectively work out solutions.

GOAL: Identify how power and privilege play out in the group and then develop practices that can build strong and powerful communities.

WHAT YOU WILL NEED:

- Facilitator
- Group working in pairs or small groups
- Flip Chart Paper
- Pens

FACILITATOR: Get the group to break into pairs and ask participants to talk for one minute about where they feel power in their lives, where they feel powerless. Call everyone back into the big group and get people to call out **where they feel power**. Then **where they feel powerless**.

Power can be exercised in different ways; the system we live in works by imposing 'power over' us. When we organise collectively we are using 'power with'. Every single person has the power to act, which is the 'power within' and when we give up that power, that is 'power under.' Power over works through coercion and fear. We undermine it when we withdraw consent and refuse to cooperate. We also want to strengthen our ability to organise horizontally and increase our 'power with'.

FACILITATOR: Introduce the concept of social power and who has privilege in our society-power men have over women, white people have over people of color, etc.

Ask the group to think about:

- Who has more social power than they do?
- What are some of their identifying characteristics? (Usually the group comes up with a list that includes things like arrogance, denial, confidence, entitlement, etc.)
- Which groups that have less social power than they do.

Call out examples and have someone write down the group's responses for all these questions

GROUP EXERCISE (continued)

Now get the group to look at that list of qualities they associate with people of higher social power. Are there any that they identify with? (A short discussion might follow if time allows.)



Finally, imagine walking into a meeting full of people that have more social power than they do and they want to tell the meeting about their campaign. What would they have to do to make you feel comfortable? Give the group time to experience this, then have them call things out.

Ask people to stand, walk around the room greet each other, and do those things they have mentioned.

TIP

The way we resist is often as important as resisting itself.



Sex workers face particular barriers to activism – from fear of arrest or deportation, to the stigma and social exclusion that we fear if we come out as sex workers or even people who support sex worker rights. But there are some things we can do to minimise the ways people are excluded. One is to be conscious and committed to understanding how systems of oppression (racism, sexism, heteronormativity) affect us and then challenging practices which marginalise, exclude or de-humanise others. Privilege, like power, can be used for positive purposes but should be used with awareness and care.

CHECKLIST

MAKING OUR ACTIVISM INCLUSIVE ACCESSIBLE

- Create spaces where oppressive behaviour is not acceptable and can be challenged, if it does arise.
- Translate organising and campaign materials into the languages of sex workers.
- Establish ground rules about what is and isn't acceptable to ask in meetings (for example some irregular migrant sex workers may not want to give you details of where they are from or how they arrived).
- Make sure any actions or activities you are involved in have an option to participate anonymously, where possible.
- Wear masks.
- Use pseudonyms.
- Identify community leaders or spokespeople who are willing to speak on behalf of your group or action. Make sure your spokespeople have clear instructions about the messages you want to get across.



1.2 INTEREST

Interest is something that benefits a person, group, institution or community. Not every individual or group has the same interests and our interests change over time. In any activist campaign we need to identify our interests and our opponent's interests. Often we find that our problems are a result of our opponents' interests.

Because interests change, there are no permanent allies and no permanent enemies. And through our actions we affect our opponent's interests – we can make our problems their problems, or to formulate it the other way, make our interests their interests.

GROUP EXERCISE

TURNING OUR INTEREST INTO THEIR PROBLEMS



WHAT YOU WILL NEED:


- Facilitator
- Flip Chart Paper
- Pen

FACILITATOR: your role in this exercise is to get the group to think about what your opponent/s interests are. Brainstorm and write these down. Then get the group to think about how you could turn their interests into your interests. For example:

- **MONEY** – think of ways you could cost your opponent money?
- **GOOD IMAGE** – how could you tarnish their image?

Be as creative as you like and, at this stage don't allow feasibility to hold you back. You will end up with a broad range of ways you might engage your opponent.

Part of our work as sex worker activists has to be building common interest within sex worker rights movements. That means drawing together sex workers and sex worker rights allies who are already engaged in organisations, such as the trade unions that represent them, sex worker rights collectives or peer-to-peer support networks, and uniting them around a common goal; in this case, opposing the Swedish Model.



There are many sex worker-led organisations worldwide that can be models for the kind of work and activism you wish to do. Here are links to a few:

European Examples:

- **ICRSE (EUROPE)**
<http://www.sexworkeurope.org/>
- **LEGALIFE (UKRAINE)**
<http://legalife.com.ua/liga-legalife/>
- **ROSE ALLIANCE (SWEDEN)**
www.rosealliance.se/
- **SCOT-PEP (SCOTLAND)**
www.scot-pep.org.uk
- **SEX WORKER OPEN UNIVERSITY (LONDON AND GLASGOW)**
www.swou.org
- **SILVER ROSE (RUSSIA)**
<http://www.silver-rose.org>
- **STAR-STAR (MACEDONIA)**
www.starsexwork.org
- **STRASS (FRANCE)**
<http://site.strass-syndicat.org/>
- **X:TALK (LONDON)**
www.xtalkproject.net

Global Examples:

- **AMMAR (ARGENTINA)**
<http://ammar.org.ar/>
- **DURBAR MAHILA SAMANWAYA COMMITTEE (INDIA)**
<http://www.durbar.org/>
- **EMPOWER (THAILAND)**
<http://www.empowerfoundation.org/>
- **STELLA (CANADA)**
www.chezstella.org
- **TAIS PLUS (KYRGYZSTAN)**
<http://taisplus.com/>

You will also need to create alliances outside the sex worker rights activism, which means identifying which other groups might have an interest in opposing the Swedish Model. For example you might convince feminist organisations that these changes to the law amount to attacks on women's rights or are based on ideas about women that see them only as victims and run counter to feminist ideals. Migrants rights organisations may be convinced to see that stopping the Swedish Model becoming law will prevent harassment, arrest and deportation of the many sex workers who are migrants. You might convince police commissioners that policing the law would not be an effective use of their resources.

2 Strategy and Campaigns

2.1 STRATEGY

Strategy is about directing your energies and resources in such a way as to maximise them towards the goal you want to achieve.

Section Two (Sex Worker Rights Advocacy) contains detail about how to think about strategy for advocacy. The same broad principles can easily be applied to activism, although activism places a greater emphasis on finding the most effective ways to mobilise people power, or 'power from below' towards those goals:

- Looking at the big picture.
- Knowing who has the power to make the decision.
- Concentrating the right resources in the right place(s) at the right time(s)

There's no point planning a campaign, event or action that you don't have the money, time, people, or energy for. But don't be put off by this – even small groups with only a little time and cash can make a big impact. It takes a bit of planning and organisation and a bit of creativity, but it can be done.

CHECKLIST

STRATEGIC PLANNING METHODS



- IDENTIFY PROBLEM** – Clearly define what the problem is and what are the assumptions, source, stories and myths that support the problem.
- ESTABLISH STRATEGIC OBJECTIVE** – this is your goal or what you see as the solution to the problem
- ASSESS RESOURCES AND SITUATION** – look at all factors in your world and your opponents' world
- KNOW YOUR OPPONENT** – what are their strengths, weaknesses, history, interests, resources, plans, vulnerabilities
- KNOW YOUR SUPPORTERS** – strengths, weaknesses, history, interests, resources, plans
- PUBLIC PARTICIPATION** – Make it easy for people to participate. Get them involved in activities that build success and confidence.
- DILEMMA ACTIONS** – can you think of actions that will cause your opponent to look bad if they try to stop what you are doing; where they must either allow an action to continue, meet the demand or act in a way that may lose them their allies and/or credibility?

But remember, even the best laid plans need to be revisited and revised according to changing circumstances.

2.2 CAMPAIGNS

You may have decided to run a campaign against the Swedish Model. The art of the campaigning is to engage your opponent at every step.

At the beginning you inform them of the solutions to the problem and give them the chance to do the right thing. They fix it. If not you escalate and educate and get more people involved and go back. You give them the chance to do the right thing. They fix it. If not, you escalate and engage in demonstrations. You go back and give them the chance to do the right thing. They fix it. If not, you escalate and engage in direct action. You go back and give them the chance to do the right thing. They fix it. If not, you escalate and at some point you determine that our opponent is no longer a responsible member of our community and you seek to close them down while replacing them with another entity.

This may be easier said than done!

A NOTE ON FUNDRAISING

Most grassroots campaigns are run on the back of a lot of hard work, dedication and creativity – but a little money is necessary. You might want to print leaflets and posters, buy a domain name, buy paints and banner material. There are a number of ways you can raise money (and it might be worth making someone in your collective responsible for fundraising). Some ideas include:



- Pass a bucket around at your meetings and events (simple, but it works);
- Approach supportive organisations and individuals for donations;
- Apply for funding through grant projects. This can be time-consuming and may require that you do things like set up your collective, group or organisation in an official capacity and open a bank account.
- Use crowd-sourcing websites such as Kickstarter (kickstarter.com), indiegogo (indiegogo.com) or wefund (wefund.com);
- Set up a paypal 'Donate' button on your website.

WHAT A CAMPAIGN CAN DO

- **WIN** concrete improvements in people's lives.
- **MAKE PEOPLE AWARE** of their own power (by winning victories).
- **CHANGE THE RELATIONSHIP OF POWER** between people, the government, and other institutions by building strong permanent organisations and relationships
- **RAISE PUBLIC AWARENESS** about an institution, program or injustice. Bring hidden wrongs to light. E.g. you may want to use it to draw attention to the way that many proponents of the Swedish Model conflate sex work with trafficking
- **DELEGITIMISE ORGANISATIONS, INSTITUTIONS AND PROGRAMS:** Withdraw consent from the functioning of unjust bodies, laws, programs. Interfere with their operations. Raise their social costs. E.g. You may be able to raise doubt about the reliability of the evidence or the assumptions that your opponents use to make their case.
- **BUILD A MOVEMENT:** Provide opportunities for sex workers and allies to engage in action, experience solidarity and support, take greater risks, deepen commitment. .
- **EDUCATE AND INFORM:** Both those in the movement and those who hear of about the actions.
- **STRENGTHEN VOICES OF REFORM:** It may not be your intention or goal, but when thousands of people are out in the streets, institutions are more likely to listen to 'respectable' critics within. Examples: The more vocal and visible sex worker rights campaigners and their arguments are, the more difficult it is for criminalisation arguments to go unchallenged.



NOW GO TO

- **WORKSHEET #8:** [Planning a Campaign](#)



3 Action

A campaign action simultaneously addresses your issue at your opponent while attempting to draw support from would-be activists and the general public (or other target audiences). A campaign may include the following actions:


- **EDUCATION** – You need to get the word out! Hand out leaflets, hold teach-ins, use social media to discuss and publicise your issue, start a petition, model motions for trade unions or political and activist organisations, offer to write articles for community newspapers and blogs.
- **DEMONSTRATIONS** – This is where you build a public presence and create pressure. Call marches and pickets, have a contingent on a larger march or event.
- **DIRECT ACTION** – create a crisis situation that your opponent must respond to. These include sit-in's, blockades and occupations. Aim for **dilemma actions** (actions which cause your opponent to look bad if they try to stop what you are doing) where possible. Think about how to dramatise the conflict – make it visual; think of where and when you hold your action so you will be noticed. Be prepared to demonstrate your depth of commitment and test the determination of your opponent.

A WORD ABOUT NON-VIOLENT DIRECT ACTION

To take control of your life and stand up for what you believe in is an incredible and powerful feeling. Non-violent direct action (NVDA) is the single most empowering campaigning tool at your disposal.

NVDA is tried and tested in many countries and many campaigns. The modern sex workers' rights movement started with NVDA when sex workers held a sit-in in a church in Lyon. In the past year alone sex workers have occupied a health centre (Bolivia), chained themselves to the parliament building (Turkey) and stopped traffic (Paris) to demand their rights.

Taking direct action may occasionally mean breaking the law. But as sex workers, we know that the law often undermines our rights or is blind to the injustices and exploitation we face and sometimes the law even creates the circumstances for injustice and exploitation to happen. If we wait for a legal solution to all our problems, we may be waiting forever. Do we have that long? Direct action is direct democracy. It's a way of collectively re-asserting control over our destinies.



It's natural to be worried about the consequences of taking action. Those who hold power over us rely on our fear and convince us it's wrong to stand up for our rights. But there is a fine tradition of people creating change through direct action that runs from Ghandi to Martin Luther King to Aung San Suu Kii and includes many sex workers along the way. People who have risked their jobs, imprisonment and occasionally their lives to make our world a better place to live. Behind each of these 'figureheads' are hundreds if not thousands of people just like you and me. They all broke (or are breaking, or will break) the law because they saw that the law was unjust. They recognised higher laws of conscience, compassion and co-operation.

Working together, taking collective, peaceful but dynamic action is no longer an option. It's an imperative. There's support on offer – use the exercises and worksheets in this section to help you explore what it feels like to take action, find out where to get information on your legal rights. Take the support on offer and take action.

Find below a list of videos of direct actions, protests and festivals organised by sex workers in France, Spain, UK and Denmark; as well as an advocacy tool for sex workers rights in Hungary.

- Interview of Pye Jacobson on the Swedish Model:
<http://www.youtube.com/watch?v=7D7n0h57-l8>
- Strass and Act Up members disrupt public meeting with Najat Vallaud-Belkacem, Minister of Women's rights after her proposal to criminalise clients of sex workers, Paris 2012. The slogans say: "Clients criminalised = whores murdered!"
<http://www.youtube.com/watch?v=KU7l-56tR1s>
- Strass demonstrate against proposed criminalisation of clients, passive soliciting and for access to rights, Paris June 2013
<https://www.youtube.com/watch?v=FR5UZzo4oTc>
- SWOU Festival, London, October 2011:
https://www.youtube.com/watch?v=ixUeypoSN_I
- 17th International Day to End Violence Against Sex Workers: Sex Worker Open University video:
<https://www.youtube.com/watch?v=95F7G-Gl8sE>
- SZEXE, Association of Hungarian Sex Workers and Hungarian Civil Liberties Union produced an advocacy film together:
<https://www.youtube.com/watch?v=-M4zJgWPMSU>
- Spain, unemployment in the crisis-stricken country has reached 23 percent, and sex workers say this is the only way they can earn a living, April 2012. <http://www.theglobeandmail.com/news/news-video/video-sex-workers-protest-new-law/article4103170/>
- Denmark, sex workers demonstrate against the proposal to criminalise clients, March 2010:
<http://www.youtube.com/watch?v=fVXZ6xkz0zs>

NOW GO TO

- **WORKSHEET #9:** [Planning an Action](#)

4 Organising

ORGANISER EXERCISE

WHAT: Convincing a person to act or get active is a series of steps and often a one-to-one conversation. Use this exercise to motivate and inspire or reinvigorate.



GOAL: Get a person angry enough, strong enough and committed enough to take the next step.

Ask yourself:

- What motivates this person?
- What holds this person back?

Then, have a conversation:

- Remind them of what motivates them to be a sex worker activist;
- Acknowledge what they have done as part of this campaign (and others) and their strengths;
- Ask them to recommit to your campaign or action; and
- Ask them what they need to do to win and be true to themselves.

People organise because of solutions, not because of problems. They moan and complain about problems, but organise because they believe or know or see or feel that there is a better way. Organising is about building relationships. People need to feel like they are a part of something. It takes people time to develop trust, learn, move to take risks. Your approach must be positive and affirming. It's about power, participation and community.

Your primary role as an organiser is to create a space in which people can:

- Experience and move through their fear and act with courage
- Experience and build their power and make change

There are many barriers to activism that you will encounter as an organiser. It may be fear – of change, the unknown, repression, job loss, harassment, stigma, being 'outed' as a sex worker; feelings of powerlessness and apathy (really an extension of powerlessness); denial – "the problem will go away". And many more.

Organising is primarily about relationships and a big part of your role will be to build trust with people and move them step-by-step through these barriers. You want to give people confidence in their ability to act and to convince them of the importance and necessity of your campaign or action in particular. You'll need to engage with people's legitimate concerns and, as a group or individually, address the concrete factors (e.g. fear or losing a job or being outed; worrying that they don't know enough/as much as others about the issue, etc.) as well as the feelings that prevent people from acting or feeling like they can act.

NOW GO TO

- **WORKSHEET #10:** [Tips for Organisers](#)

FACILITATING FOR SUCCESS

TIP

Encourage new members to take on responsibility. Share your skills and talents and encourage others to do the same, even if at first it seems like it would be quicker to do it yourself. You also want to encourage people to feel encouraged to take a initiatives and become leaders of the movement. It will pay off in the longer term and it's the way you build a campaign, network of sex workers or movement that is sustainable in the long-term.



Any successful campaign or action relies on a group of people working together to make it happen. If the work falls on a few, others can feel disempowered and the organisers can feel unsupported. Democratic decision-making is essential for good delegation and for building inclusive campaigns and actions. People will be much more likely to take on roles if they've had a hand in the decision-making of the group. It's much easier to ask someone to work on a project if it was partly their idea.

AND FINALLY... SOME FOOD FOR THOUGHT

CREATE CRISIS – Crisis is the edge where change is possible, where opportunities emerge for our interests to become theirs.



ESCALATION – Start within the experience of your supporters and opponents, take steps increasing in intensity and moving outside the experience of your opponent. Take a step at a time and see the impact. Once you are out of the box you cannot go back!

COMPRESSION – Organise all your escalating activities toward a point of compression, where things become so pressurised the crisis erupts internally and the process of change is underway.

CREDIBLE THREAT – We don't always have to do what we say if our opponent knows we can do what we say.

TELEGRAPHING – Let your opponent know what you plan to do in advance and give them the opportunity to correct the information first

BLAME THE OPPONENT – For everything you possibly can!

MIX IT UP – Be crazy/ Be reasonable, Good Cop/Bad Cop. Try everything.

SURPRISE – Go outside the experience of your opponents. Keep them on moving ground, not knowing what will come next.

EAT YOUR YOUNG – You have to take risks. Every threat is an opportunity.

UNITY, FUN, DISCIPLINE – People don't want to struggle, but at times we must. Unity (collective action), fun and discipline are key because our opponents are going to want to bring us down.

IGNORANCE OFTEN WORKS – “Excuse me, I didn't know that was the code, are you sure?”

FOCUSED AND UNFOCUSED – Sometimes we need a laser beam to shine a light on an issue and sometime we just need to throw shit up against the wall.

MILITANT MINORITY – We can shift the balance of power.



5 Sex Worker Resources

SWEDISH MODEL – ARTICLES AND RESEARCH

Agustin, L. 2010. *Swedish evaluation of law banning purchase of sex: unsupported claims* <http://www.lauraagustin.com/ban-on-purchase-of-sex-helps-prevent-and-combat-prostitution-says-swedish-evaluation>

Bucken-Knapp, G and Karlsson Schaffer, J. 2011. *The Same Policy, But Different Ideas: The Ideational Underpinnings of the Norwegian and Swedish Bans on the Purchase of Sexual Services*. Paper prepared for the 2nd European Conference on Gender & Politics, Central European University, Budapest, Hungary. Jan 13–15, 2011 http://nppr.se/wp-content/uploads/NPPR_ECPG_2011.pdf

Clausen, V. 2007. *An assessment of Gunilla Ekberg's account of Swedish prostitution policy*. http://www.sexworkerurope.org/sites/default/files/resource-pdfs/ekberg_kritik.pdf

Dodillet S., and Östergren P. 2011, *The Swedish Sex Purchase Act: Claimed Success and Documented Effects*. Presented at the International Workshop: *Decriminalizing Prostitution: Experiences and Challenges*. The Hague, March 3–4, 2011. <http://www.plri.org/resource/swedish-sex-purchase-act-claimed-success-and-documented-effects>

Global Commission on HIV and the Law, 2012. *HIV and the Law: Risks, Rights and Health*, <http://www.undp.org/content/undp/en/home/librarypage/hiv-aids/hiv-and-the-law-risks--rights---health.html>

Ham, J. 2011. *Moving Beyond 'Supply and Demand' Catchphrases, Global Alliance Against Traffic in Women*, Bangkok, http://www.gaatw.org/publications/MovingBeyond_SupplyandDemand_GAATW2011.pdf

Jordan, A. 2012. *The Swedish Law To Criminalize Clients: A Failed Experiment In Social Engineering* *Washington College of Law, Center for Human Rights and Humanitarian Law, Issue paper 4*. <http://rightswork.org/wp-content/uploads/2012/04/Issue-Paper-4.pdf>

Levy, J. 2011. *Impacts of the Swedish Criminalisation of the Purchase of Sex on Sex Workers*. Presented at the British Society of Criminology Annual Conference, Northumbria University, 4 July 2011 <http://cybersolidaires.typepad.com/files/jaylevy-impacts-of-swedish-criminalisation-on-sexworkers.pdf>

Planning a Campaign

1 Set Your Goals

What do you want to achieve in the short-term?

- 1 _____
- 2 _____
- 3 _____
- 4 _____

What do you want to achieve in the long-term?

- 1 _____
- 2 _____
- 3 _____
- 4 _____

2 Do Your Homework

You need to know:

- the nature and extent of the problem;
- who it affects (or will affect) and how;
- who might work with you on this campaign and how the problem affects them; and
- who has the power/to do what?

You might need to do some further research before you start your campaign. What else do you need to find out:

- 1 _____
- 2 _____
- 3 _____
- 4 _____

3 Engage Your Opponent

This is your chance to put your problem and your solution before your opponent in a clear, fair and public way – and give them a chance to do the right thing. You need to decide what a victory will entail – a victory may fall short of your overall stated goal, it could be withdrawal of a proposed piece of legislation; a public statement against the legislation; a commitment to put funds or resources into a particular programme or project.

Who will you negotiate with? How?

- 1 _____
- 2 _____
- 3 _____
- 4 _____

4 Get Your Message Out

This is about letting the sex worker community, other allies and the public know what you are campaigning about and why. In making your message and your position public, you are trying to get support for the campaign while also putting pressure on your opponent.

Sex Workers have a rich history of campaigning (see Section One: Sex Workers Take Action) and there are many ways of getting your message out. Any effective campaign will involve an online presence but don't neglect face-to-face messaging.

Messaging can be: Leafleting sex worker outreach centres and red-light districts, leaving newsletters or brochures in lacs you think your supporters might collect them, letters to the editor, street theatre, press conferences, media events, going out and talking to groups, holding teach-in's, posters, banners, model motions for trade union branches, petitions, letter-writing to officials.

Online: webpages or pages on social networking sites, banners and click-throughs on your supporters' pages, e-petitions, short videos.

How will you educate the public?

- 1 _____
- 2 _____
- 3 _____
- 4 _____

5 Take Action!

You want your action to get noticed and help you get the message out. So think carefully about where you will hold your action – who will see you and who do you want to see you? Is it important to get the media to your action? And when – will you coincide it with a significant date or another event in order to maximise your impact?

Rallies in public spaces, arches, street theatre, vigils,

How will you demonstrate?

- 1 _____
- 2 _____
- 3 _____
- 4 _____

6 Direct Action

When you decide to take direct action, you are trying to raise the stakes and create a crisis situation that your opponent has to deal with. Your action should make sense to your supporters – so your target and your message need to be carefully thought through – and help to get your message out.

Direct action can include strikes, sit-ins and die-ins, blockades and pickets, occupation, boycotts, creating positive alternatives, banner drops.

How will you take direct action?

- 1 _____
- 2 _____
- 3 _____
- 4 _____

7 Protracted Struggle

You may take action, then up the ante with direct action and still not get the result you want. In this case, you will need to find ways to sustain your campaign – to keep activists motivated and maintain interest in the campaign more generally in an ongoing way. You may have to rethink or redirect your strategy.

The methods of protracted struggle are the same as those used earlier in the campaign (education, demonstration and direct action) but if you are engaged in a protracted struggle, you need to think about how you sustain your activism, root your activism in strong communities of support.

Are there ways you can escalate your tactics and broaden your support?

1

2

3

4

Are there ways that would help to strengthen your activist community and ensure your campaign is sustainable in the long-term?

1

2

3

4

Planning an Action

This is a fairly comprehensive list of the things you want to talk about and decide in your collective or group about in the lead-up to your action.

Strategy

GOALS: What are you trying to accomplish? Create a goal or goals that are concrete, tangible and winnable.

TARGET: Who are you trying to get to act?

MESSAGE/DEMANDS: What is your message? You may have more than one message directed at different audiences for the action. Think about:

- What do we want them to know;
- What do we want them to do;
- Can it be summed up in a slogan;
- Are your demands clear and simple; (you may want to think about having a few 'fallback demands'.
- Will you use the media to publicise your message/ demands before or during the action?

WHAT: What is going to happen at your action and what will it look like? Ask:

- Is the action symbolic or disruptive? Public or secret?
- How does it begin, middle and end?
- Does the action communicate your message? How? (speakers (who?), song, dance, performance, participatory activities)
- How you will demonstrate your power?

WHERE: The place you decide to hold your action is key. Most actions are about space in some way – about taking over space, disrupting the usual flow of a space, being visible in a certain space, etc.

- How does your action site relate to target?
- Think about size, visibility, access, proximity to roads, security, sidewalks, public space nearby, transport, parking, tenants

WHEN: The timing of your action will dictate who can take part; who will see and hear you; the level of impact you can have. How can you maximise these things?

BUILDING YOUR ACTION: AKA getting people there. Think about who might join you on your action:

- Will you publicise your action to the public or people outside your group?
- How will you contact them? (Think about: fliers; postcards; webpages; emails; posters; ads)
- How will you convince them to come?
- How much time will you need to build your action? How much notice will people taking part (or who you hope will take part)
- Do you have a plan if it's a good turn out?
- How will you change the plan if you don't have enough people?

TIP

It's a good idea to send out a reminder (email, text, etc.) about your action the day before. You should also call key people and get them to confirm that they are coming and they know what the plan is/ what they are responsible for.



THE AFTERMATH: Do you have a recruitment, reminder, follow-up plan for after the action? This is important and often gets forgotten in all the excitement and activity of planning and preparing for an action.

Preparation

RESEARCH: Get some handy facts and figures on your action, to be used in news releases, leaflets and briefings.

LEAFLET/PAMPHLETS: You'll probably need to find or write one. Who are you aiming it at – you might write different text for a member of the public than you would for other sex workers, for example. Make sure you use your message!

ACTION SCHEDULE: Break it down, what needs to happen and when/ by who? Plan the detail from set up to clean-up.

PROPS AND BANNERS: What do you need? (puppets, costumes, masks, candles, etc) Where will you get them? How will you pay for them? Do you need to make them? How long will you need to make them?

ACTION SITE: Have you scouted the site? Do you need to make a floor plan? (Think about: elevators and stairs, bathrooms, access, your opponent's office. Can the site accommodate disabled members? Do you need to get permits (Do you want to get permits?)

SECURITY PLAN: Will you inform the Police of your action? Do you know what police plans and contingencies are? Think about how to protect participants? How will you deal with provocateurs?

THE LAW: Know your legal rights. There are many activist and civil liberty organisations who produce materials about rights for demonstrators; what to do if you're stopped and questioned/arrested, etc.

ACTIVIST BRIEFING: Ensure that people on the action know what it's about and have a good idea what to expect. You could arrange a speaker meeting the week before, send a briefing by email, or meet in the pub beforehand to talk or read through it.

- Is everyone in your group comfortable with the plan?
- Are people prepared for their roles?
- How will you communicate with each other during the action?
- How will you make decisions on the day?
- Do you need to allocate tasks to people
- Is there a possibility of arrests? Do you have a plan if people get arrested?

TIP

DECISION-MAKING – It's important that activists can agree upon a decision-making structure to use during the action.



For example how will you respond to Police requests to move on; what if your opponents try to negotiate with you? Will you use a spokes-council, will you have a Tactical Team in charge of making-decisions, will you hold a mass meeting?

TIP

Appoint an action co-ordinator who will act as a point of contact before, during and after the action, and who will make



sure it all happens. Nominate someone who will be responsible for each task. E.g. Do you need: set-up crew; drivers; people to bring and collect props; negotiator/s; media spokesperson; marshall/s; police liaisons?

MEDIA CHECKLIST

ONE WEEK TO GO:



- Send a press release including notice of any photo opportunity and highlighting your gimmick.
- Call the daybook a week ahead of time.
- Calls to reporters to pitch your story and give them background.
- Prepare a press pack (including briefing and background materials and contact details) for distribution on the day of the action.

ONE DAY TO GO:

- Send a press release.
- Call assignment editors the day before the action.
- Prepare spokespeople to talk with the media during the action.

TIP

Make sure there's a good photo opportunity, with the right visual image you can almost guarantee a photo in your local newspaper.



THINGS TO BRING ON THE DAY

Some ideas for things you might want to bring on the day:



- | | |
|---|--|
| <input type="checkbox"/> Signs | <input type="checkbox"/> Costumes |
| <input type="checkbox"/> Banners | <input type="checkbox"/> Rights cards |
| <input type="checkbox"/> Flags | <input type="checkbox"/> Bust cards |
| <input type="checkbox"/> Sound system | <input type="checkbox"/> Chant sheets |
| <input type="checkbox"/> Megaphone | <input type="checkbox"/> Cameras |
| <input type="checkbox"/> Sign up sheets | <input type="checkbox"/> Food |
| <input type="checkbox"/> Clipboards | <input type="checkbox"/> Drinks |
| <input type="checkbox"/> Pens | <input type="checkbox"/> Transport |
| <input type="checkbox"/> Noisemakers | <input type="checkbox"/> Set up crew |
| <input type="checkbox"/> Whistles | <input type="checkbox"/> Clean up crew |
| <input type="checkbox"/> Drums | <input type="checkbox"/> Press packs |
| <input type="checkbox"/> Puppets | <input type="checkbox"/> Placards |
| <input type="checkbox"/> Props | <input type="checkbox"/> Balloons |
| <input type="checkbox"/> Masks | <input type="checkbox"/> Kites |

Debriefing

Review the action afterwards, to learn from what went well and what could have been improved. Apply your learning to your next action! Do this as soon as possible, ideally on the same day.

- What happened to each person? How did people feel during the action? Was everyone supported by the group? How did the group interact?
- What was achieved? What could be improved?
- Does the group want to stay together for further actions?
- Do people need any continuing support, for example because they have a court case as a result of the action?

Tips for Organisers

The successes of campaigns and advocacy efforts depend a lot on the strength and commitment of the community behind it. As a 'team leader' or 'community organiser', an important part of your work is to assure that the group works together in both effective and democratic ways.

Keep in mind that for many people getting involved in the campaign, it might be the first time that they participate in a collective project. The lack of experience in organising and working collectively is balanced by the commitment to resist a policy that directly affect them, their family or their, for example sex workers organising against the implementation of the criminalisation of their clients.

Here are some tips for facilitating meetings and workshops, as well as information on group process and active listening.

Facilitating Meetings and Workshops

**“Tell me, and I will forget.
Show me, and I may remember.
Involve me, and I will understand.”**

CONFUCIUS 450 BC

There are many resources available online. For example you can check: <http://www.seedsforchange.org.uk/facilwsh.pdf> which includes free and downloadable resources on facilitation, minute taking or how to include new people and on which some of this resource is based.

Facilitation can transform a fastidious, 'one person dominated' meeting where no decisions are being taken into a collective, empowering experience which will move your campaigns and projects forward.

Here are some tips for you to facilitate meetings and workshops:

- Be sure that the role of facilitator is taken by different people, as well as the role the 'secretary' for minute taking. Accurate minute taking is an important process, and sharing minutes rapidly to all group members will ensure that actions take place swiftly.
- Help the group plan the meeting agenda. Think about timing and order of agenda items, and how to tackle each point.
- Keep the group to the agenda and decision-making process.
- Keep the meeting focussed on one item at a time.
- Help everyone to participate. Keep track of who wants to speak. Draw out quiet people and limit those who talk a lot.
- Challenge aggressive or discriminatory behaviour and put-downs.
- Introduce techniques such as ideastorming, go-rounds and working groups to make the meeting more efficient and participatory.
- Test for agreement and get clear decisions made.
- Ensure that action points and decisions are recorded.
- Keep the meeting to time.
- Help the group deal with conflict.
- Listen for underlying issues, concerns or emotions. Help bring them out so they can be dealt with.

Group Process/Group Dynamic

The dynamic of your group will have a strong impact on the development of your campaign, advocacy and project. A powerful group should involve all its members, be structured and efficient whilst allowing creativity and spontaneity. Members should feel that their contributions are appreciated by the rest of the groups and that they are making a difference.

It is easy to observe your group, take notes of group dynamics, and then collectively challenge some of these dynamics for a more successful group. Be careful, that 'processing' doesn't overtake the initial objectives of your group!

[taken from website:
<http://getinvolved.rutgers.edu/documents/organizations/ScarletSourceGroupDynamics.pdf>]

Observation

One of the easiest aspects of group process to observe is the pattern of communication:

- Who talks? For how long? How often?
- At whom do people look when they speak?
- Who talks after whom? Who interrupts whom?
- What style of communication is used (assertions, questions, tone of voice, gestures, etc.)?
- Who sits where? Do the same people always sit in the same place?

The kinds of observations we make give us clues to other important things which may be going on in the group (e.g., such as who leads whom or who influences whom).

Participation

One indication of involvement is verbal participation. Look for differences in the amount of participation among members.

- Who are the high participants? Who are the low participants?
- Do you see any shift in participation (e.g., highs become quiet; lows suddenly become talkative)? What are possible reasons for this in the group's interaction?
- How are the silent people treated? How is their silence interpreted? Consent? Disagreement? Disinterest? Fear? Etc.?
- Who talks to whom? Do you see any reason for this in the group's interactions?
- Who keeps the ball rolling? Why? Do you see any reason for this in the group's interactions?

Decision Making

Many kinds of decisions are made in groups without considering the effects that these decisions will have on other members. Some people try to impose their own decisions on the group, while others want all members to participate or share in the decision making process.

- Does anyone make a decision and carry it out without checking with other group members (self-authorized)? For example, one person decides on the topic to be discussed and immediately begins to talk about it. What effect does this have on other group members?
- Does the group drift from topic to topic? Who topic-jumps? Do you see any reason for this in the group's interactions?

- Who supports other members' suggestions or decisions? Does this support result in the two members deciding the topic or activity for the group? How does this affect the other group members?
- Is there any evidence of a majority pushing a decision through over other member's objections? Do they call for a vote (majority support)?
- Is there any attempt to get all members participating in a decision (consensus)? What effect does this seem to have on the group?
- Does anyone make any contributions which do not receive any kind of response or recognition? What effect does this have on the member?

Active Listening

Active listening is a crucial facilitation skill that all organisers should develop. It involves pro-actively listening for what your community member is trying to communicate, without projecting our own thoughts and expectations on them. When facilitating a workshop, meeting or discussion, active listening is needed to figure out what the participants know and what they want to learn.

As sex workers, it is important to pro-actively listen to each other so that we can learn about our different working conditions, issues linked to other forms of social stigma such as racism or transphobia. Experiencing similar stigma does not negate our other forms of oppression.