



## WOMEN'S LEGAL CENTRE

### **POLICE ABUSE OF SEX WORKERS: DATA FROM CASES REPORTED TO THE WOMEN'S LEGAL CENTRE BETWEEN 2011 AND 2015**

**This report draws on reported cases from sex workers who approached the Women's Legal Centre (WLC) between 2011 and 2015 for information, guidance and legal assistance to access their rights.**

The analysis highlights the gap between the rights enshrined in the South African Constitution and the treatment that sex workers experience.

“The extent of human rights abuse suffered by sex workers in South Africa is alarming. This research shows that much of the abuse that sex workers experience is from the police.” says Stacey-Leigh Manoek, an attorney at the WLC and one of the authors of the report.

Criminalisation is an expression of stigma against sex workers, and this stigma is fuelled by the police.

Based on complaints reported by sex workers, the WLC found the following issues which require urgent attention:

- Police fuel stigma and discrimination
- Police engage in verbal, psychological, physical, economic and sexual violence against sex workers
- Police conduct arbitrary and illegal arrests
- Police violate formal procedures and standing orders
- Sex workers are denied appropriate access to justice.

Police abuse as a result of the criminal status of sex workers increases their vulnerability to violence and exacerbates the already widespread gender-based violence which is rife in South Africa. One sex worker in the Western Cape reported that, “*some of us have been repeatedly raped by both the police and our clients*”. Often the police act in this manner with impunity and sex workers are unable to approach them for assistance with crimes that have been committed against them, “*You get abused by your client, you go to the police, even that police officer rapes and abuses you emotionally and physically, like one policeman said to me I must show my*



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*ingquza (pussy) was injured so that he can help me quick, when I showed him he started raping – “esgudeni – and I was forced to go to where we sleep and I have not told anyone as to what happened to me because I will be laughed at,”* says a sex worker in KZN.

Manoek says: “The current legal framework forces sex workers to the margins of society where they are easy targets for abuse. Unsurprisingly, most sex workers are reluctant to approach the police to report crimes committed against them.”

We are launching this report at the International AIDS Conference, because research has shown that sexual violence is a clear danger to the health of sex workers. The sex workers who reported cases to the WLC indicated that the threat of violence inhibits condom use and safer sex negotiation. In addition, sex workers reported that police confiscate their condoms and medication, and therefore sex workers become afraid to carry condoms for fear of arrest.

Decriminalisation has been shown to be the most effective method for remedying such injustices. Decriminalisation would reduce stigma and violence, increase access to health and legal services, ensure less exploitation from controllers, ensure that sex workers are able to engage in fair labour practices and assist with prosecuting those involved in under-age sex work.

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