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## **Special Issue 2014**

### **The Governance of Commercial Sex: Global Trends of Criminalisation, Punitive Enforcement, Protection and Rights**

#### **Editorial Introduction**

#### **Criminalisation, Protection and Rights: Global Tensions in the Governance of Commercial Sex**

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Rosie Campbell is a sociologist who has carried out research on sex work and sexual exploitation in a number of regions of the UK for 17 years. In 2013 Rosie received an OBE for services to women, showing her extensive involvement in sex work politics in the UK and beyond.

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**Criminalisation, Protection and Rights: Global Tensions in the Governance of Commercial Sex** *Dr Teela Sanders (University of Leeds) & Rosie Campbell (Durham University).*

Abstract

In this special issue we examine the global trends in the governance of commercial sex over the past decade and set out where this collection contributes to critical understandings of the governance of commercial sex through an analysis of the global legal, policy and policing trends. This collection of papers addresses the continued moves towards state control of sexual behaviours and sexual activities that do not fit dominant scripts for what constitutes 'appropriate' citizenship. The focus on the lived experience of the law, criminal justice system and policing practices for sex workers is the overarching theme of this special issue, as we contemplate the realities of the governance of sex work.

Keywords: Criminalisation, Decriminalisation, Human Rights, Sex Work, Violence

## **Introduction**

In this special issue we examine the global trends in the governance of commercial sex over the past decade and set out where this collection contributes to critical understandings of the governance of commercial sex through an analysis of the global legal, policy and policing trends. This collection of papers addresses the continued moves towards state control of sexual behaviours and sexual activities that do not fit dominant scripts for what constitutes 'appropriate' citizenship. It is important to acknowledge that although this issue deals mainly with the female sex industry, these global issues are not exclusive to this group as such trends shape the governance of male and transgender sex work (documented by Smith and Laing 2012), but with additional legal and policy implications.

The governance of sex work through law and policy has historically been a contested area with stark contradictions between legality and reality. Current models of governance vary across the globe, mapped across the three well established categorisations of regulatory models; decriminalisation, legalisation and criminalisation (Harcourt et al 2005). In the last decade in many parts of the globe there has been a significant shift towards or a re-entrenchment of a criminalisation agenda as the preferred strategy to govern commercial sex. This has created further tensions between enforcement of punitive anti-prostitution laws and the rights of sex workers, including their right to protection and safety. The tensions in approaches to regulation reflect the theoretical tensions between those who maintain sex work is a form of violence against women that is inherently oppressive and damaging (Barry 1995; Farley 2004; Jeffreys 2009), with other sex radicals who draw on activist and personal experience of those who are empowered by choices made to use sexual labour as a form of work (Chapkis 1997). There are others who are attempting to move the 'sex wars' debate beyond the binary of opposing views by identifying sex work as a more complex, nuanced and diverse phenomenon (for a review see Sanders, O'Neill and Pitcher 2009: 5-12). These tensions between regulation and ideology are reflected in policy and practice with a range of consequences for the lived experiences of sex workers. The focus on the lived experience of the law, criminal justice system and policing practices for sex workers is the overarching

theme of this special issue, as we contemplate the realities of the governance of sex work.

### **Criminalisation as a Dominant Global Trend**

Although there are separate histories of oppression, criminal sanctions, incarceration, police coercion and ostracisation for those involved in the commercial sex industries in countries known for extreme regimes such as China (Ren 1999)<sup>1</sup> where there is current evidence of thousands of women involved in sex work being sent to 're-education' labour programmes (Tucker and Ren 2008), there are flavours of such extremism becoming evident in Western countries. The legislation to outlaw prostitution, to criminalise the sellers, buyers or organisers, and use punitive law enforcement to achieve this has become an equally dominant narrative and practice in the Western world over the past twenty years (Kantola and Squires 2004). Much of the criminalisation agenda over the past decade across Europe and beyond, has favoured what has come to be known as the 'Swedish approach' or the 'Nordic model', with a focus on criminalising demand. The ultimate aim of this model is claimed to be a reduction in the purchase of sex and the overall 'demand' for commercial sex, which will challenge the objectification of women and move towards greater gender equality. As the paper by Levy and Jakobssen in this issue describes, in 1999 the Swedish government introduced a law that made purchasing – or attempting to purchase - sexual services a criminal offence, punishable by a six month fine or imprisonment (Ekberg 2004). The Nordic countries of Norway, Iceland and Denmark soon after followed this model, providing a strong anti-prostitution policy which began to sweep parts of mainland Europe (Skilbrei and Holmstrom 2011). Whilst the public discourse around the Swedish model insists its aim is gender equality, others have underlined how the fear of migration to the Nordic countries originally fuelled the ban on commercial sex (Kulick 2003).

The Swedish model, with its clear focus on 'demand' has been promoted globally across Europe and beyond, pushing principles of abolitionism, sex work as violence against women, with the primary utopian goal of eradicating sex work (Brooks-Gordon 2010; Sanders and Campbell 2008). States that in the past have had more complex relationships with the governance of prostitution have begun to support the Swedish model. For instance, in this issue Kotiswaran maps how the Indian state

has been keen to reinforce the criminalisation of commercialised prostitution since the 1950s, but refreshed European support for this approach has strengthened the calls to criminalize demand in recent years. Some countries have been influenced by the discourse of the Swedish model which has been a powerful influence in government debates, review of law and policy. Currently governed by law that makes the activities surrounding the sale, organisation and purchase of sex illegal (Kingston 2012; Sanders 2012; Hammond 2014), the UK model of governance has been criticised for being un-policeable, piecemeal, discriminatory and shaped by outdated conceptualisations of gender relations and male and female sexuality (Sanders 2009; Scoular and O'Neill 2007). Yet groundswell for the Swedish model continues. In December 2014 the lower house of the French parliament voted to pass a proposed law to make it a crime to pay for sexual services and is currently in the process of becoming statute. Most recently in the UK, the All Party Parliamentary Group reported in 2014 that the insufficient laws against 'perpetrators' promotes the country as a 'lucrative destination for trafficking' (2014:6). The APPG recommends legal changes in favour of criminalising the purchase of sex because of the 'gendered imbalance of harm within prostitution, and as such is detrimental to wider strategies which pursue gender equality' (2014:5). Whilst the recommendations from the APPG are to remove sex workers from the criminal justice system, the overall position is that government should only consider the sex industry as violence against women in law, policy and language. Whilst there are no legislative powers transferred to this group of politicians, the message across parties appears to be officially more in line with the Swedish model than ever before.

The background to how the UK has moved from a relatively liberal stance on prostitution under Wolfenden in the 1950s, who drew a stark distinction between those in need of protection with private activities outside the remit of state control, are discussed in this special issue. Scoular and Carline provides the most up to date mapping of how the UK has adopted both the rhetoric of 'criminalising demand' whilst at the same time a 'sanction with support' model of 'rehabilitating' sex workers through Engage and Support Orders. What this paper contributes to the special issue is evidence of how the 'victim and victimizer' framework is operationalised on the ground, through the implementation of new legal tools since 2009, and how

police, practitioners and sex workers are experiencing the Engage and Support Orders.

Overall then there has been somewhat of an 'Europeanization' of the criminalisation of prostitution, evident in European Parliamentary action in 2007, where in an effort to sign up to anti-trafficking protocol, 20 of the then 43 nation states declared their position as abolitionist (Sanders, O'Neill and Pitcher 2009:122). Yet despite the majority of nation states claiming it is their intention to eradicate prostitution, the Council of Europe made a clear statement that governments should refrain from criminalising sex workers but that dignity and respect of choice, where there is no coercion or force, should be maintained (ibid:124). Yet efforts to abolish prostitution continue at a political level, evident through the actions of the European Women's Lobby, who in 2012 launched a campaign '*Together for a Europe Free from Prostitution*'.<sup>2</sup> Such attempts to get European wide support to oppose commercial sex was again achieved in 2014 when the UK Labour MEP Mary Honeyball, who publicly declared that the majority of women in prostitution are trafficked in a BBC Newsnight interview,<sup>3</sup> proposed a report that the EU parliament accept the 'Nordic model' of criminalising the purchase of sex whilst decriminalising the sale of sex. 343 MEPs voted in favour of the statement (139 voted against and 105 abstained), making this the formal approach of the EU parliament.<sup>4</sup> The vote in favour happened despite the presentation of a strong evidence base of the dangers and consequences of criminalisation on sex workers, and the outright rejection of the report from organisations such as Amnesty, UNAIDS and Human Rights Watch. At the time of writing (June 2014) Amnesty International, whilst continuing to seek prosecutions on crimes such as human trafficking, adults involved in child prostitution and crimes against sex workers, have taken the step to consult on the proposal to adopt a policy of decriminalisation of sex work because:

we have seen evidence to suggest that the criminalisation of sex work leads to social marginalisation and an increased risk of human rights abuses against sex workers. The evidence also suggests that decriminalisation could be the best means to protect the rights of sex workers and ensure that these individuals receive adequate medical care, legal assistance and police protection.<sup>5</sup>

This stance from the leading human rights organisation follows after the support for the decriminalisation of sex work of international organisations such as the World Health Organization and the UN Women.<sup>6</sup> It is these organisations who work on the ground with practitioners and sex workers who see the realities of harsh penalisation and abuses of sex workers within a criminalised model that offer alternative solutions to general eradication policies.

### **The Effects of Criminalisation on Lived Experience**

Whilst criminalisation as a model of governance takes hold in many jurisdictions, one of the core aims of this special issue is to draw on examples of international empirical research to examine how the everyday lives of sex workers including their human and employment rights, and those of others in the industry, have been affected by this punitive movement in the governance of commercial sex. A range of studies have highlighted the damaging impact of criminalisation on sex workers daily lives throughout the globe. Arnott and Crago (2009) highlighted how criminalisation in Botswana, Namibia and South Africa creates sex workers vulnerability to violence, extortion from law enforcement officers, human rights violations and ultimately fosters a lack of safe working conditions which heightens vulnerability to HIV. In a short animated film as part of a research project by Pamela Chen, “Rights not Rescue” documents the experiences of sex workers from these three countries.<sup>7</sup>

New research from Levy and Jakobssen in this collection illustrates how in Sweden there has been a blatant rejection of harm reduction or support for sex workers other than through rehabilitation which is promoted as the most important and legitimate forms of social care support. The murder of Swedish sex worker and activist Petite Jasmine in 2013 has been held up by sex worker rights activists<sup>8</sup> as the direct outcome of policies which attempt to impose rehabilitation and deny any aspect of sex worker agency or voluntary engagement in sex work.<sup>9</sup> Forced rehabilitation has been adopted, sometimes as part of efforts to ‘help’ sex workers, which in fact are forms of incarceration. For example, Human Rights Watch has raised concerns about the removal of sex workers, placing them in detention centres in Cambodia (Human Rights Watch 2010) and China (Human Rights Watch 2013). Such policies have been met with protest from sex worker rights networks and organisations.



Sex Workers' Rights Advocacy Network (SWAN)<sup>10</sup> is a network of organisations advocating for sex worker rights in Central Eastern Europe, Commonwealth of Independent States and South East Europe. Their work has highlighted police repression and violence as a pressing human rights issue for sex workers in the region and an outcome of national policies that tolerate violence against sex workers. SWAN documented a wide range of abuses including; high levels of police assaults on sex workers and extortion (Macedonia, Ukraine, Kyrgyzstan, Serbia, Bulgaria, Russia, Latvia and Lithuania) and forced HIV testing (Latvia, Kyrgyzstan, Ukraine) in contravention of UN guidelines (see Crago 2009).

This special issue charts other effects of criminalisation, treating commercial sex as a 'social order' problem, and those who work in it as problematic offenders or misguided victims (Scoular and O'Neill 2007). The legislative framework in England and Wales has been identified as compounding the vulnerability of violence towards sex workers (Kinnell 2008), risking individual and public health (Cusick and Berney 2005) and distancing individuals from support services, such as drug intervention (Pitcher et al 2006). Kinnell (2006) argues that the law in the UK and how it has been enforced is directly linked to and shapes violence experienced by sex workers. It is without doubt that governing prostitution through criminalisation, which increases stigma and the 'discourse of disposability' (Lowman 1992), has the effect of increasing violence and murder against sex workers. Elsewhere, Sanders and Campbell (2007) have argued that it is largely the ways in which sex work is managed that affects the levels of safety and protection sex workers are afforded and that alternative solutions that 'design out violence' are necessary.

An important turn of events for demonstrating the dangers of a criminalised system are presented by the victorious legal challenges brought by sex workers in Canada to demonstrate the impact of criminalisation on sex workers' lived experiences (Lowman 2011). Revealing the high levels of violence and murder against sex workers in Canada, groups of sex workers have succeeded in challenging the criminalisation laws in the Supreme Court, the main argument being that the laws prevent the women being safe (MacCharles 2013). It is because of the consequences of criminalisation and not recognising or making provisions in law for

voluntary adult sex work, that alternative models of governing are important to consider as viable governance options.

### **Alternatives to Criminalisation**

Moving beyond the criminalisation agenda, we seek to critically explore the ways in which various models of regulation are currently operating including alternatives to criminalisation such as legalisation and decriminalisation and the impact and outcomes of these models. We hear little in the media, policy arenas and academic research on the variations of commercial sex governance across Europe. Across the Eurozone, governance differs greatly as some governments give the Swedish model little consideration but rather have continued with policies of legal regulation for instance in Austria, Switzerland, the Netherlands and Germany. Whilst stricter rules around the process of legally working in prostitution have been recently introduced in the Netherlands (Outshoorn 2012), the model of a regulated sex work market is still evident, with clear policy distinctions between voluntary sex work and forced activities. In Switzerland the law allows for local regulation to determine areas and hours of work and gained attention in 2013 for the introduction of 'drive in sex boxes' in a zoned area of Zurich.<sup>11</sup> In Germany, TAMPEP (2010) describe sex work as recognized as an activity but not as a profession. The Prostitution Act introduced in 2002 addresses 'civil, labour and social aspects of the relationships between sex workers and their clients and/or employers' (TAMPEP 2010:18), allowing self employment and employment contracts, enabling sex workers to access unemployment benefits, pension and health insurance and sex workers income is taxable. Contracts between sex workers and brothel owners are legal and sex workers have a right to wages, owners cannot specify sexual practices and prices only place of work and hours. Examples here demonstrate the resistance to the criminalisation agenda, favouring an entirely different approach based on an employment framework (see Abel this issue).

In places such as Nevada, USA and New Zealand where non-criminalised models of governance exist, it is arguable that there is less precariousness in the experiences of sex workers. Brents, Jackson and Hausbeck (2010) provide lengthy evidence and discussion of how the legalised brothels of Nevada (an anomaly in the otherwise

blanket criminalisation across the USA – see Weitzer 2010) provide employment/rights based approaches to selling sex in environments that are safe, secure, and respectful of the workers. In this collection we provide the latest reflections on alternative models which have at the heart an emancipatory approach that prioritises the views and needs of sex workers in their models of governance. Revealing how the UK context of criminalisation and the legalised system in the Netherlands can produce the same effects of alienating sex workers, in this issue Pitcher and Wiljers argue that ‘decriminalisation of sex work is a precondition to secure sex workers’ labour and human rights’. Presenting new findings on the effects of these opposing models of governance, the authors highlight how including sex workers in policy and enabling them to have control over their working conditions should be the basis of any ‘rights based’ model of governance.

When evaluating models of governance, those that do acknowledge voluntary adult consensual commercial sex, and therefore do not treat prostitution as a crime, are in a minority. In New Zealand, certainly for indoor workers, a decriminalised environment has enabled workers to operate as entrepreneurs with support from civil laws and employment frameworks (Abel et al., 2009). Here, since the introduction of the Prostitution Reform Act, 2003, there has been full recognition of prostitution as a legitimate profession and subjected to all general employment regulations (Armstrong 2011). Ten years on, in this issue Gillian Abel assesses the merits of the decriminalisation system in New Zealand, looking at the effects on prostitution. Yet in this paper, it is acknowledged that the model is very specific to the culture, environment and politics of the nation state, and that there have been limited ripple effects to other countries.

### **The Struggle for Sex Worker Rights and Recognition**

The legal and socio-cultural framework within which sex workers live and work, often embodying criminalisation, stigmatisation and human rights violations, provides a challenging context for resistance and self organisation. Yet globally a struggle for rights and recognition has emerged, particularly evident in the work of sex worker rights based organisations and campaigning groups. In 2005, The International Committee for the Rights of Sex Workers in Europe organised prior to running a conference at which a Declaration of the Rights of Sex Workers<sup>12</sup> in Europe and a

Manifesto for Sex Worker Rights was ratified by representatives from sex worker organisations from over 30 countries. These overarching activities that set out the rights of sex workers have been the bedrock of other international campaigns.

Many groups have organised around issues of health, safety and rights. Crago (2008) brings together the voices and experiences of sex worker activists from Brazil to Slovakia to Bangladesh, highlighting how sex workers and their allies have formed networks and alliances, influenced policies, established local health initiatives and advocated for 'the health and social justice issues of their local communities' (Crago 2008:4). The Durbar Mahila Samanwaya Committee (DMSC), West Bengal, India who coined the statement '*only rights can stop the wrongs*' created one of the largest sex worker unions globally, consisting of 65,000 male, female and transgender sex workers. Amongst its other achievements are taking part in a sex worker rally to the national parliament, running health clinics for sex workers, literacy programs and a microcredit program (Crago 2008).

Hardy (2010) described three waves of sex worker unionising over the past century,<sup>13</sup> referring to the third wave of organising taking place in the global south. One example is the AMMAR union in Argentina, where sex workers initially came together to draw attention to issues of injustice and exploitation to the attention of the more established and general worker unions. Originally campaigning against restraint techniques used against sex workers in prison, since 1994 they have campaigned for access to healthcare, welfare benefits and that abuse and violence to sex workers be taken seriously. In 2007 AMMAR was recognised legally as an official union and they continue to campaign to get sex work recognised as work in law, with some 38,000 members.<sup>14</sup> Sex worker groups have used international human rights instruments to raise and challenge sex worker rights violations. In 2013 SZEXE The Association of Hungarian Sex Workers presented a report to the '*United Nations Convention on the Elimination of all forms of Discrimination Against Women*' (CEDAW) to highlight systematic and institutionalised discrimination and violence against female sex workers in Hungary. They reported that despite the legalisation of sex work in Hungary since 1999, Hungarian authorities had not instigated legal

working areas for sex workers, who were still fined, arrested and detained, with new laws converting fines to higher penalties.

The Global Network of Sex Work Projects unites many regional and national sex worker rights networks providing a sex worker led global network of sex worker organisations committed to; sex worker self determination, opposing all forms of criminalisation and recognising sex work as work. It carries out and supports campaigns for sex worker rights globally and produces a wide range of information resources and briefing papers for example 'The Smart Persons Guide to HIV and Sex Work'<sup>15</sup> and 'Sex Work is Not Trafficking'.<sup>16</sup> It organises around key international events such as the International Aids Conference to enable sex worker representation and participation. The Global Network of Sex Work Projects has influenced international policies and guidance since 2009, co-chaired with UNAIDS the UNAIDS Advisory Group on HIV and Sex Work, advising the UN from a best evidence and human rights perspective. Equally it has been an important opposing voice against the Presidents Emergency Plan for Aids Relief's (PEPFAR) "anti prostitution pledge" which requires organisations taking funding from the AIDS program to sign up to a pledge that they oppose prostitution.

What is noticeable over the last two decades is that in some jurisdictions the sex work rights movements and specific campaigns have been listened to and integrated into legal changes and practice initiatives. Here the voices of sex workers, their rights, and health and safety considerations have been key in shaping policy and legal development. For example in Gillian's Abel's paper the advocacy of the New Zealand Collective of Prostitutes clearly influenced central government policy development leading to decriminalisation in 2003. In the case of the path to decriminalisation in New Zealand, The Department of Labour's Occupational Safety and Health division developed guidelines for owners and sex workers with input from sex worker rights groups in Australia (Scarlett Alliance) and the New Zealand Collective of Prostitutes. Also in this collection, Pitcher and Wjiers comment on the Dutch model of governance, which provides another example of a model which includes sex worker rights groups as stakeholders and recognises sex work as work, using licensing frameworks of governance.

In some countries whilst a framework of criminalisation remains there have been some policy initiatives at a local level that indicate a shift towards more protection rather than enforcement based approaches. For instance, the policy in Merseyside, North West England, where since 2006 crimes against sex workers have been treated as hate crime. Campbell (2014) has documented the several key strands constituting the 'hate crime approach' including a policing response with limited enforcement of the prostitution laws, proactive efforts by police at senior and operational levels to acknowledge sex workers as citizens and members of the community, to build trust and encourage reporting of crimes. In addition there has been specialist support for sex worker victims of crime and the hate crime policy itself including sex workers as a hate crime group alongside lesbian, gay, bisexual and transgender people and BME communities. She argues that sex workers experiences fit various definitions of hate crime victimisation: including established ones that stress 'othering', social hierarchies, and define hate crimes as expressions of power and prejudice (Perry 2001, Sheffield 1995, Hall 2005), 'against those without rights, privilege and prestige' (Chakraborti and Garland 2009) and emphasise groups who experience historical social marginalisation and acts of violence and intimidation which 'put them in their place'. This she argues connects directly with an substantive literature on the enduring stigmatisation, 'othering' and social marginalisation of sex workers. This has long been identified as creating hostility and prejudice towards sex workers, leading to a denial of rights, lack of protection and victimisation (O'Neill 1997, 2007). Campbell argues the hate crime approach has had seen real advantages for a group who have been relatively unprotected by law and policy from victimisation, including the concrete outcomes whereby an unprecedented number of offenders who have committed crimes against sex workers were brought to justice, supports changes in operational policing practices and attitudes and also recognises issues of prejudice, 'othering', 'and targeting which shape sex workers experiences of victimisation. Approaching crimes against sex workers as hate crime locates sex worker safety in the public protection arena and recognises the rights of sex workers to safety and access to justice, complimenting a wider rights based approach to inclusion, citizenship & social justice for sex workers (O'Neill 2007), as such it has resonated with some sex worker rights groups globally. Campbell concludes: 'As a model for national policies

placing strategies to address crimes against sex workers under the hate crime banner offers a rights based none stigmatising policy home (Campbell, 2014: 65).

### **The Global Issue of Migration, Sex Work and Trafficking**

It is impossible to discuss global trends in sex work policy without discussing the impact of debates, policy and laws relating to trafficking for sexual exploitation, or as several theorists have stressed the problematic conflation of sex work and trafficking (Busza 2004; Day 2010). Claims that the sex industries of many countries are populated by a majority of trafficked victims have dominated many national debates about sex work and spawned legislation and policies which have further criminalised elements of the sex industry. The moral panic over sex trafficking is highlighted by re-current claims by some trafficking lobby groups that legalised systems cause trafficking (see O'Brien 2011) or that large scale sporting events such as the Olympics cause an increase in trafficking (Ward 2011, Global Alliance Against Trafficking in Women, 2012). Yet despite the enormous definitional and methodological problems in capturing those who are 'trafficked', as well as the highly politicisation of such data as detailed in the case of the USA and Australia by O'Brien (2011), ideological positions that conflate prostitution with trafficking continue to inform many debates, laws and operational policing (see discussion above regarding Sweden).

One effect of the focus on trafficking rather than a more nuanced approach to commercial sex that recognises voluntary sex work found in countries such as the Netherlands, has meant governments have paid much less attention to the complexities of trends in migration and mobility. Hence the lived experiences of migrant sex workers across sex industries throughout the globe are rarely considered separately from those legitimate cases of coercion and forced labour (Agustin 2007). The work of Chin (2013) provides a rare glimpse into the lives of non-trafficked migrant sex workers who use mobility to global cities such as Kuala Lumpur as an opportunity to only not survive but to succeed in high level consumption and lifestyle through engaging in sex work. Mai (2013) proposes a more complex and fluid understanding of the relationship between migration and the sex industry which recognises conditions of increased exploitability and

fragmentation for all in the globalised world. The practice of sex work must be considered within the broader economic nexus between work, mobility and displacement on the global stage in order to devise relevant and useful policy which addresses exploitation where it exists but equally recognises agency.

## **Conclusion**

This editorial has attempted to introduce the broader global themes which permeate the academic debates and research agendas, borne out of the governance activities which attempt to control, constrain and contain commercial sex and those who engage in it. Whilst much of the global governance of commercial sex evolves around the utopian aim of eradicating the sex industry through methods of criminalisation, incarceration and rehabilitation, the evidence of a rights based movement of sex workers, working nationally and through a more powerful international agenda, demonstrates the mix of voices in the sex work debates. So whilst the outlook for sex workers appears generally to be one where their rights are replaced with ideological concerns around the morality of commercial sex, or generalisations about the 'harms' of the institution of prostitution, on the ground the reality is less clear-cut. Sex workers have struggled to organise, unite and mobilise resources, yet this editorial has documented, as does this special issue in parts, that sex workers are organising across the globe and to some successful ends. As the paper by Kotiswaran argues, the three-fold typology of criminalisation, legalisation and decriminalisation may need to be reconsidered based on the intentions of the stated goals in each country and the actual local politics that frame the governance of sex work. We would argue that the proliferation of localised models of governance *within* countries may not reflect the overarching laws to govern prostitution through criminalisation, and that with continued partnerships between sex workers, allies and practitioners (including researchers), policy and policing can work in the interest and safety of sex workers rather than against them.

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<sup>1</sup> <http://www.bbc.co.uk/news/world-asia-china-22520455>

<sup>2</sup> <http://www.womenlobby.org/spip.php?rubrique187&lang=en>

<sup>3</sup> <http://www.iusw.org/2014/02/laura-lee-dr-belinda-brookes-gordon-on-newsnight/>

<sup>4</sup> <http://www.theguardian.com/global-development/2014/feb/26/meps-vote-criminalise-buying-sex-european-parliament>

<sup>5</sup> <http://www.amnesty.org/en/sex-workers-policy>

<sup>6</sup> Other organisation supporting decriminalisation include: the Global Commission on HIV and the Law, the UN Special Rapporteur on the Right to Health, Canadian HIV/AIDS Legal Network, Human Rights Watch, the Kenya National Human Rights Commission, the Open Society Foundations, and the South African Commission on Gender Equality.

<sup>7</sup> <http://pamelachen.com/projects/rights-not-rescue/>

<sup>8</sup> <http://titsandsass.com/the-bloody-state-gave-him-the-power-a-swedish-sex-workers-murder/>

<sup>9</sup> Jasmine separated from an abusive partner and lost custody of her children following reports to social services that she was sex working and custody was given to her ex partner. Rose Alliance the Swedish Sex Worker organisation she became active with as a result of her experiences explained that she lost custody because of social services 'she refused to see her sex work as a form of self harm'. She then fought for access and custody through the courts and was due to go to the high courts in autumn 2013. Contact visits had started and it was at one of these that her ex abusive partner killed her and stabbed a social worker in attendance.

<sup>10</sup> <http://swannet.org/about>

<sup>11</sup> <http://www.telegraph.co.uk/news/worldnews/europe/switzerland/10247035/Switzerland-opens-drive-in-sex-boxes-to-make-prostitution-safer.html>

<sup>12</sup> <http://www.sexworkeurope.org/resources/declaration-rights-sex-workers-europe>

<sup>13</sup> The first two waves refer to sex workers in developed countries taking the issue of sex workers rights to the labour movement process.

<sup>14</sup> <http://katehardy.wordpress.com/2008/07/18/despite-violence-and-marginalisation-sex-workers-in-argentina-are-leading-the-way-on-hiv-aids-prevention/>

<sup>15</sup> <http://www.nswp.org/sites/nswp.org/files/Smart%20Guide%20to%20HIV%20and%20Sex%20Work.pdf>

<sup>16</sup> <http://www.nswp.org/sites/nswp.org/files/SW%20is%20Not%20Trafficking.pdf>