



**nswp**

**Global Network of Sex Work Projects**  
Promoting Health and Human Rights

**GOOD PRACTICE IN**

# **Sex Worker-Led HIV Programming**



REGIONAL REPORT:

**North America  
and the Caribbean**



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# Good Practice in Sex Worker-Led HIV Programming in North America and the Caribbean

## Introduction

***“Many times, programmes are not designed specifically for sex workers but are based on perceptions of what sex workers’ needs are. Sex workers reaching sex workers should be the strategy that should be used to fight HIV around the world. If we had been doing this all along, we would have seen more progress now.”***

Guyana Sex Work Coalition

Sex worker-led organisations in the Caribbean, USA and Canada confront extraordinary challenges in carrying out HIV programming in the form of meagre and declining funding for HIV and sex work, repressive legal frameworks governing sex work, abhorrent stigma and discrimination towards sex workers, and anti-sex work ideology espoused by donors and governments. This environment has not fostered the growth of sex worker-led organisations in the region or adequate HIV prevention, treatment, care and support for sex workers. As UNAIDS has noted in relation to the Caribbean region, “[t]here are no comprehensive health programmes targeting sex workers in the [region], despite large and diverse sex work communities.”<sup>1</sup> When resources have been allocated to programmes and services for sex workers, such efforts have often been misguided by prejudice, unfounded stereotypes of sex workers and moralistic views opposing sex work.



1 UNAIDS, 2010: 9–10.

While studies of HIV prevalence among sex workers in the region are limited, there is emerging consensus that communities in the Caribbean, USA and Canada that have been marginalised by stigma and discrimination (e.g. in the form of racism, colonialism, sexism, homophobia, transphobia, xenophobia and whorephobia), poverty, insecure housing, drug dependency, inaccessible health care, criminalisation and incarceration are among those most severely affected by HIV. In particular, laws criminalising sex work in the region have wrested control from sex workers over their working conditions and increased their vulnerability to HIV. In the Caribbean, reported rates of HIV among sex workers<sup>2</sup> and men who have sex with men (MSM)<sup>3</sup> are higher than among the population as a whole. In the USA, the few studies that consider sex work and sexually transmitted infections (STIs) reveal high rates of HIV among sex workers who work on the street and sex workers who use drugs.<sup>4</sup> Similar observations have been reported in Canada.<sup>5</sup> Yet, to date less than 1% of global funding for HIV prevention has been spent on HIV and sex work.<sup>6</sup> Not only is this funding inadequate, but it is dwindling for sex worker-led programming, with anti-trafficking organisations that intentionally conflate sex work and trafficking attaining an increasingly large share of domestic and global funding. In the face of such adversity, how do sex worker-led organisations persist? How do they continue to organise and offer innovative programming under exceedingly demanding circumstances? And what can we learn from their work?

## Acknowledgements

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- 2 See, for example, Caribbean Community (CARICOM) and Pan-Caribbean Partnership Against HIV/AIDS (PANCAP), 2008: 11 and Baral et al., 2012.
  - 3 See UNAIDS, 2010, p. iv; UNAIDS, 2008, p. 9; and Global Commission on HIV and the Law – Secretariat, UNDP, HIV/AIDS Practice, 2011a: 20–21.
  - 4 See, for example, Jenness et al., 2011 and Cohan et al., 2006.
  - 5 Shannon et al., 2005: 489. In a 2012 literature review of 11 studies of sex work in Canada, the prevalence of HIV among the participants included in these studies varied widely, ranging from 1% to 60%, with youth and insecurely housed sex workers more likely to be living with HIV. See Ontario HIV Treatment Network, 2012.
  - 6 UNAIDS, 2009: 2.

## Methodology

In June 2013, a regional advisory committee was established, comprised of members of the Global Network of Sex Work Projects (NSWP) from the Caribbean, USA and Canada. With the input of the advisory committee, an online survey *Learning from Sex Workers: HIV Programs & Practice* was developed to learn more about the HIV-related programming offered by sex worker-led organisations in the region, the socio-legal environments in which they operate, and 'bad practice' in HIV programming that organisations had observed. From July to August 2013, the survey was circulated electronically in English and in French to every NSWP member in the region, and several sex worker-led organisations were contacted by phone. 14 responses were received.

The responses reflect a growing number of sex worker-led organisations in the region, all united by an unwavering commitment to rights-based, peer-led HIV programming. Many of these organisations work under calamitous circumstances and run on a shoestring budget yet continue to deliver novel programming and spirited advocacy for sex workers' human and labour rights. Some organisations were only recently established and are already galvanising conversations in their countries about sex work and human rights, while others have been mobilising for sex workers' human rights for decades.

With the input of the regional advisory committee, four sex worker-led organisations that reflect programmatic and geographical diversity and operate under unique cultural, social and legal environments were selected as case studies. In partnership with local consultants, interviews were then conducted with representatives of each organisation to develop a more robust understanding of their work and HIV-related programming, as well as strategies developed in response to hostile working environments. Case studies were then drafted and reviewed by each organisation and refined based on their input. The four organisations profiled in this report embody 'good practice' in HIV programming and the recommendations below are grounded in their experience and expertise. We are immensely grateful to them for sharing their work with us.

# CASE STUDY

1

## GUYANA



### Guyana Sex Work Coalition

*“For too long, funders have sat in their ‘ivory towers’ dictating down to sex workers. The Guyana Sex Work Coalition strongly believes that sex workers should be given a voice at all forums that involve their welfare. We know exactly what it is like to be a sex worker, what we need and what we are facing. We don’t have to train ourselves on these issues.”*

Guyana Sex Work Coalition

#### Background

Like many other countries in the Caribbean, sex work is highly stigmatised and criminalised in Guyana through laws against solicitation, procurement and ‘public indecency’.<sup>7</sup> Laws that forbid ‘gross indecency’ and cross-dressing have also been used to arrest and prosecute MSM and transgender people, including those involved in sex work.<sup>8</sup> Sex workers are mistreated by health and social service providers, unfairly evicted from their residences by their landlords, discriminated against by courts, and abused by law enforcement officials and aggressors posing as clients. Police single out sex workers for harassment and perform street sweeps, during which street-based sex workers are arrested and detained by police under the guise of enforcing laws against loitering and vagrancy. When sex workers report crimes committed against them to the police, their complaints often go unheeded and in some cases, sex workers are ejected from police stations because of their work.

7 Robinson, 2007: 13, 14, 21.

8 Republic of Guyana, 2012: 27.

In 2008, 21 sex worker leaders from across Guyana came together to explore issues relevant to sex workers in the country and to organise an effective response. Together, they identified the priority for a unified voice to defend the human rights of sex workers. Thus, the Guyana Sex Work Coalition (GSWC) – the first national sex worker-led organisation in Guyana – was born to fight for the human rights of sex workers in Guyana and the Caribbean. The majority of the GSWC's staff and board are sex workers, who are involved at every level of the Coalition's decision-making. GSWC is based in Georgetown and provides services in all ten administrative regions of Guyana, working with sex workers of all genders, including youth and HIV-positive sex workers, in both rural and urban areas.

HIV prevalence among female sex workers and MSM in Guyana is estimated to be 16.6% and 19.4% respectively, which is many times the prevalence among the adult population as a whole, yet a staggering 78.6% of sex workers and 72% of MSM in Guyana are not reached by HIV prevention programmes.<sup>9</sup> The GSWC designs and delivers HIV programming to sex workers to address this gap, offering key services such as peer-based HIV prevention education, voluntary counselling and testing for HIV and other sexually transmitted infections (STIs), human rights education and support, a safe space and human rights training for law enforcement officers, health care providers, operators of sex work establishments and other actors in the hospitality industry. Key aspects of the vital and innovative services offered by the GSWC are described below.

### PEER EDUCATION AND SUPPORT

The GSWC's sex worker-led outreach teams travel across Guyana to provide peer-based education and services to sex workers where they live and work. The team converses with sex workers about safety and health, including concerns related to HIV and STIs, and distributes safe sex supplies such as condoms and lubricants. Although some mainstream organisations in the country also distribute condoms, the GSWC additionally engages with sex workers about safe sex practices and human rights. At least four times a week, the GSWC visits sex workers at their places of work: hotels, brothels, on street corners and occasionally in their homes. Outreach services are especially pressing in rural and remote communities in Guyana, where there are limited educational programmes about sexual health, and many people, sex workers included, know little about safe sex, HIV or STIs.

*The GSWC visits Aranka (a rural community) to provide peer-based human rights education to sex workers, and also distribute safe sex materials.*



<sup>9</sup> Ibid at pp. 7 and 11 and UNAIDS, 2010: 18.

Human rights education is an integral part of the GSWC's peer education. The organisation conducts workshops and 'edu-dramas' for sex workers and others throughout Guyana, focusing on human rights issues such as sex work-related stigma and discrimination, racism, sexism, homophobia, transphobia and gender-based violence. Prior to a workshop, the GSWC contacts its network of local community leaders in a specific region to invite sex workers and other members of marginalised communities, such as women, MSM and transgender people, to a session. Because some participants do not identify as sex workers but nonetheless exchange sex for goods or money, many of the GSWC's workshops are not directed exclusively at sex workers, but at marginalised communities more broadly. Similarly, workshops and edu-dramas do not focus specifically on HIV because this deters some people from attending. Instead, the GSWC employs drama to illustrate, for example, the relationship between gender based violence and HIV.

An unexpected offshoot of these workshops has been ongoing peer support between sex workers who attend the workshops. Sex workers exchange safety tips and help one another navigate various aspects of their work, such as client relationships and relationships with brothel and hotel owners and other hospitality establishments. Through rich and creative forms of expression, sex worker-led education and support has bolstered sex workers' ability to engage with service providers, clients and others.

### HUMAN RIGHTS TRAINING AND EDU-DRAMA

The GSWC's novel approach to human rights training has also been presented to security officers and to health care providers on issues ranging from stigma and discrimination against sex workers, lesbian, gay, bisexual and transgender (LGBT) communities and women and girls, to gender-based violence, to the importance of sex workers' access to safe, effective and non-judgemental police protection and health care (including treatment for HIV and other STIs), to the need to respect confidentiality, particularly for sex workers, people living with HIV and LGBT people in health care settings and in the context of police complaints.

Sex workers at the GSWC identified these issues as priorities in light of pervasive discrimination against them by law enforcement and service providers, high levels of police extortion and brutality against sex workers, and police unwillingness to take sex workers' complaints of abuse and assault seriously. The GSWC's edu-dramas have tackled stigma and discrimination against sex workers by depicting how it drives sex workers away from vital health care or creates conditions of impunity for those who commit violence against sex workers.

*The GSWC visits the New Amsterdam Law Enforcement quarters to conduct a human rights workshop with members of law enforcement agencies.*







*GSWC co-chair Cracey Fernandes addresses members of the Guyana Fire Service Training Division on the human rights of marginalised communities.*

Prior to training, contact details are exchanged between the GSWC and heads of departments, with whom the GSWC maintains ongoing contact. The GSWC has conducted training for security forces including police, military officers, fire service staff and prison officers. One particularly successful relationship has been cultivated with the Felix Austin Training College, where police recruits – many of whom will begin their careers patrolling the streets – are trained.

To date, the GSWC has carried out training over ten times at security forces' or health care providers' quarters or offices, which has had a noticeable impact on law enforcement and health care providers' attitudes and behaviour towards sex workers. While stigma and discrimination persist, the GSWC has observed a decrease in the high incidence of police harassment of sex workers, a greater willingness by police officers to take the complaints of sex workers seriously and fewer cases of discrimination throughout the health sector. By maintaining communication with trained staff, the GSWC has been able to continue an informal dialogue with health care workers and police officers, particularly during peer outreach. Police are also familiar with GSWC staff and their outreach activities. As a result, police rarely obstruct the GSWC in the course of outreach to street-based workers.

Peer outreach has also been enhanced by the GSWC's proactive engagement with other sectors of the community. Hotel owners and others in the hospitality sector often discriminate against sex workers in their establishments, a significant concern since some venues have strict policies against sex work on the premises. In 2009, the GSWC conducted a workshop for brothel and hotel owners and participants from the hospitality industry to make them aware of sex workers' human rights and to encourage these sectors of the community to be part of the solution in ensuring the rights of sex workers are respected. These workshops enabled the GSWC to establish meaningful lines of communication with hotel and brothel owners who in turn help facilitate contact between the GSWC and sex workers residing in their establishments, including by leaving messages on behalf of the GSWC for sex workers who may be out or otherwise unavailable.

## SAFE SPACE

Until July 2012, the Georgetown office of the GSWC was the only safe space for sex workers in the country. Among the services provided in this space were HIV testing, counselling and support, referrals for HIV care and treatment, referrals for substance use counselling and treatment, referrals to harm reduction services, referrals to legal services, hot meals, and a space for resting, sleeping, meetings and workshops. A staff social worker provided one-to-one counselling and referrals and often accompanied sex workers to legal or social services. Sex workers could stay for up to 24 hours in the space, though in exceptional cases, the GSWC permitted them to stay in the space beyond one month. Meetings, discussions and workshops run by and for sex workers were held at the GSWC space, including support groups to meet for health education, workshops for single mothers about domestic violence, meetings to organise for public actions, and self-esteem building activities. The GSWC also held fundraising activities, press conferences and interviews in the space.

At the time of writing, the office has been shuttered for over one year because of a loss of funding. This has had a catastrophic impact on the GSWC's ability to maintain its essential programming and left a gaping hole in services for sex workers in the country, contributing to sex workers' experiences of isolation and violence. While some of the services have since been provided out of the home of the GSWC's executive director, this severely hampers the programming that the GSWC is able to offer and the organisation continues to seek funding to re-establish a safe space.



*GSWC's former Georgetown office and safe space for sex workers.*



## ADVOCACY

The human rights of sex workers in Guyana were rarely discussed or debated in the public eye before the GSWC was established. As a result of the GSWC's community engagement, sex workers have raised public awareness of a range of human rights issues affecting marginalised communities, including sex workers' right to safe working conditions and the need for condoms in Guyana's prisons.

Among the advocacy activities that the GSWC has spearheaded is the commemoration of 17 December, the International Day to End Violence against Sex Workers. In 2011, the GSWC coordinated a mass public action on 17 December to mobilise sex workers and the broader community against violations of sex workers' human rights such as arbitrary arrest, police violence and extortion. Because of the training the GSWC had conducted with the police, sex workers were able to coordinate this public action with the support and presence of law enforcement. This was critical because of a history of passersby disrupting sex workers' public rallies, occasionally in violent ways.

GSWC also supports individual sex workers who experience discrimination. In 2013, after a transgender sex worker was banned from a health clinic, the GSWC contacted the clinic's director of medical services seeking a reconsideration of this decision, and raised the issue with the secretariat of Guyana's National AIDS Program. Sex worker-led advocacy encouraged the Ministry of Health to eventually develop a 'zero tolerance' policy on stigma and discrimination and to introduce suggestion boxes in all health care facilities to receive complaints from people accessing services.

Consistently, the GSWC has engaged with print and television media (e.g. 'Good Morning Guyana') to discuss the human rights of sex workers and the ways in which they are violated under a criminalised legal framework. Through compelling personal narratives about how repressive laws contribute to stigma, discrimination and violence against sex workers, the GSWC has educated the public about the abundant reasons for decriminalising sex work.

The GSWC's advocacy has also extended beyond its borders. In 2010, the GSWC helped to establish Women of Worth, a sex work organisation in Grenada that provides peer support to street-based sex workers. In 2012, the GSWC lobbied for better access to health and social services in Jamaica and Suriname and conducted regional training for sex workers on human rights and advocacy. At the time of writing, a representative of the GSWC sits on the board of the NSWP, ensuring that a Caribbean perspective is included in efforts to influence global policy on sex work. The GSWC is also a key partner in the Caribbean Sex Worker Coalition (CSWC), a regional collective of sex worker-led organisations and sex workers advocating for an end to discrimination against sex workers. In 2013, the GSWC was a driving force behind the Montego Bay Declaration, named after the Jamaican city where the CSWC held its annual general meeting. In the Declaration, the Coalition called on Caribbean states to respect the rights of sex workers and to decriminalise sex work, and demanded that sex workers be allowed equal opportunities to work, health care, education, food, shelter and retirement benefits.<sup>10</sup> As the director of the GSWC has noted, "In Guyana, sex work has been brought to the forefront because the Guyana Sex Work Coalition is mandated to advocate for sex workers' human rights. Our interventions have seen us grow from strength to strength."

10 NSWP, *Caribbean Sex Workers Coalition Calls for an End to Discrimination Against Sex Workers; Urges Transgender Recognition*, 2 September 2013.

# CASE STUDY

2

## JAMAICA



### Sex Work Association of Jamaica

#### Background

The Sex Work Association of Jamaica (SWAJ) was launched on the largest English-speaking island in the Caribbean in 2008, following a meeting among sex workers in the northern Jamaican town of Ocho Rios, where sex workers shared their experiences of harsh stigma and discrimination, including at the hands of health care staff. At the time, Jamaica AIDS Support for Life (JASL) had trained some sex workers as HIV and safe sex peer educators, an experience that underlined the need for sex worker leadership, particularly in relation to HIV. Today, SWAJ is a sex worker-led and -run organisation advocating for sex workers' rights and the decriminalisation of sex work through engagement with policy makers, local leaders and the media.

Approximately 1.7% of Jamaica's adult population is living with HIV, with higher HIV prevalence among MSM (32.8%), sex workers (4.1%) and the homeless (12%).<sup>11</sup> While the same survey data suggests that the majority of sex workers are reached with HIV prevention programmes and that HIV prevalence is declining among female sex workers, the government also recognises the obstacles posed by 'antiquated laws' to sex workers and other marginalised communities in accessing prevention and treatment services.<sup>12</sup> Laws that criminalise same-sex intimacy, solicitation and 'loitering' in a public place for the purpose of prostitution, brothel keeping, living off the earnings of prostitution and procurement, empower police to harass gay men and sex workers, and drive sex workers underground and away from potentially lifesaving information on HIV prevention and other health services.<sup>13</sup> Police crackdowns on sex work also hamper outreach workers' ability to distribute condoms and to discuss HIV and other health services with sex workers, further undermining sex workers' access to key health services.<sup>14</sup>

11 Jamaica, 2012: 7.

12 Ibid at p. 37.

13 Human Rights Watch, 2004.

14 Ibid.

Although SWAJ represents sex workers from all over Jamaica, its core activities are concentrated in the urban centres of Kingston, Ocho Rios and Montego Bay, where higher rates of HIV prevail.<sup>15</sup> Sex workers are involved in the design of all the services SWAJ provides, which reach over 200 sex workers every year. In spite of being a relatively new organisation, SWAJ members have been consulted about Jamaica's 2012 National HIV/AIDS response and work closely with the UNFPA, the Ministry of Health, JASL and other key partners in the country to ensure sex workers' voices are at the table on issues that affect them.<sup>16</sup>

## PEER OUTREACH

Peer outreach is central to SWAJ's work. As SWAJ states, "Peer education is crucial as the person that is giving the information is not just talking off the top of their heads but from having been in the situation or had some form of experience within the field." Mobile support is also essential because many sex workers, especially those in rural areas, live some distance from health services, and often experience stigma and discrimination when they do visit mainstream health care providers.

As a young organisation with limited resources, SWAJ focuses mainly on sex workers on the street, but also because of challenges related to reaching sex workers who work indoors. Some club owners claim that they are unaware of what their employees do on their own time in the establishments, for fear of being targeted or arrested for operating a brothel. Some sex workers in massage parlours do not see themselves as sex workers and are resistant to outside intervention. Because owners fear exposure to the authorities, they will not admit peer outreach workers onto the premises. To reach sex workers at massage parlours, SWAJ calls massage parlours listed in the classified ads, claiming to be looking for employment, and eventually developing relationships with some owners that have enabled them to meet with sex workers who work indoors.<sup>17</sup>

SWAJ also supports its partners, such as JASL, by designing and implementing peer outreach programmes for sex workers and by training peer outreach workers on HIV education, harm reduction, safe sex, working safely, advocacy and effective communication with clients and others. Training specifically touches on condom negotiation and how to deal with clients who insist on having unprotected sex. To discourage this practice and to promote other safe working conditions, JASL encourages sex workers to work in a 'buddy system' so sex workers can support one another.

On the mainland, SWAJ meets with sex workers once a month where they work to provide support. High transportation costs and accommodation costs in Jamaica's rural areas, and difficulty reaching and staying in the offshore regions of Jamaica, mean that SWAJ visits those areas less frequently. During outreach, SWAJ distributes condoms and lubricants to sex workers, offers free HIV testing, discusses sexual health and HIV and STI prevention, and documents human rights abuses. In partnership with the National Council on Drug Abuse's 'Tek It To Dem' programme, SWAJ also distributes condoms and other safe sex supplies to sex workers who use drugs.

15 Jamaica, 2012: 7.

16 Caribbean Vulnerable Communities Coalition (CVC), El Centro de Orientación e Investigación Integral (COIN), Pan Caribbean Partnership Against HIV and AIDS (PANCAP) and CARICOM Community Secretariat, 2012: 18.

17 Ibid at p. 22.

Because many sex workers in Jamaica are migrant and mobile, SWAJ stays in touch with those met by peer outreach workers by sending them information via text message. This is done through one of Jamaica's major cell phone providers, which offered SWAJ a platform to send bulk text messages. Sex workers who agree to provide their phone numbers to SWAJ during outreach have their phone numbers uploaded to an online database. When SWAJ wishes to send a message out concerning safe sex, HIV and STI prevention, clinic operating days and hours, or appointments for care, it loads this information onto the platform which is then circulated to the telephone numbers in the database.

## HIV TESTING

SWAJ offers free HIV tests when it meets with sex workers. In partnership with SWAJ, JASL trains and certifies sex workers to carry out testing, which is done during mobile support in the evenings. HIV testing takes place on a JASL bus or other motor vehicle. During an HIV test, peer outreach workers discuss HIV prevention with sex workers and refer sex workers who test HIV-positive to appropriate support and health care services.

Anonymous HIV testing (e.g. when a patient's name is not recorded) is available, although few sex workers engage in anonymous testing, since many clubs require an HIV test as a requirement to work. Consequently, most sex workers who work in clubs wish to have their names affixed to the results. While SWAJ emphasises to sex workers and club owners that sex workers have a right to confidentiality, some club owners still pressure sex workers to share the results of their HIV tests. Rapid HIV testing has been very successful, because sex workers are able to obtain their HIV test results within 20 minutes. According to SWAJ, "Most sex workers will not readily go to the health centre to wait an entire day just to get a test done, so the test uptake at the health centres is relatively low compared to where the service is taken to the sex workers where they are."

All HIV test results are confidential, although all test results are anonymously forwarded to the Ministry of Health to be entered into the national HIV database. HIV treatment is free in Jamaica. If a sex worker wishes to access HIV treatment, SWAJ will make a referral to a health care provider that dispenses it. SWAJ members also follow up with sex workers who test positive for HIV to ensure they have been able to access treatment and, when necessary, to accompany them to health clinics to provide emotional support.

Despite the success of SWAJ's HIV testing programme, it can only afford to offer it when funds and rapid testing kits are available, and up to three times a month. In one year, SWAJ provides approximately 200 HIV tests to sex workers.

## COMMUNITY MOBILISATION AND ADVOCACY

From its beginning, SWAJ has participated in or coordinated public actions and campaigns to raise awareness of sex workers' human rights and to advocate for the repeal of laws that criminalise sex work. In 2010, SWAJ was among a coalition of sex workers, LGBT people, and people living with HIV who staged the first ever public 'Walk for Tolerance' in Montego Bay. This walk demonstrated solidarity among the most marginalised communities in Jamaica and drew public attention to the shared human rights of people affected by HIV in the country.<sup>18</sup> That same year, SWAJ was also among a coalition of Jamaican LGBT, HIV and sex worker organisations that made a submission to the UN Human Rights Council decrying the human rights violations that their members faced. In the submission, SWAJ described how sex workers are regularly evicted from their homes and left homeless and regularly harassed, extorted and abused by police officers and private citizens, and urged the Jamaican government to respect sex workers' human rights and to repeal legislation criminalising same-sex intimacy and sex work.<sup>19</sup>

SWAJ members have also participated in media training and engaged with print, television and radio media. This has included media interviews about sex work and human rights, the conditions that affect sex workers in Jamaica, and the need to repeal criminal and other discriminatory laws surrounding sex work. Following a 2013 meeting of the CSWC in Jamaica that SWAJ co-hosted, SWAJ members appeared on two live radio programmes to discuss their work. This was a strategic opportunity that resulted in considerable media coverage, given the international press that the regional meeting of the CSWC garnered.

## POLICE TRAINING

***“The police are the highest on the list of abusers against sex workers.”***

### SWAJ

Many sex workers in Jamaica confront sexual and physical violence, but rarely report instances of violence to the police because they fear being criminally charged for engaging in sex work and because many police officers share extreme prejudice against sex workers, which is expressed with acts of verbal, physical and sexual violence. When sex workers do report crimes committed against them to the police, arrests are rarely made.<sup>20</sup> Thus, a priority for SWAJ has been to improve dialogue between sex workers and police officers by training officers about the human rights of sex workers and encouraging them to investigate sex workers' complaints in an unbiased manner.

In 2012, SWAJ members conducted two workshops with 20 police officers from different units and geographical areas. The workshops provided an unprecedented safe space for communication between police and sex workers, covering issues ranging from HIV and other STIs, to sexual diversity, to stigma, discrimination and human rights. SWAJ members also discussed how police officers' actions could heighten sex workers' risk of abuse and HIV and STI infection.

<sup>18</sup> Ibid at p. 28.

<sup>19</sup> Universal Periodic Review of Jamaica, 2010.

<sup>20</sup> Ibid.

After the workshops, SWAJ consulted with police officers from the Jamaican Constabulary Force for an assessment. The police reported that the workshops were ‘eye openers’ and had greatly changed their perceptions of sex workers. The police also indicated that they were much more open to working with sex workers to prevent violence committed against them.<sup>21</sup> They agreed that they would like to participate in similar training in the future, covering more officers and more issues concerning sex work. Overall, SWAJ also felt that the workshops had succeeded in improving dialogue between sex workers and the police. Already, SWAJ members have noticed improvements in the way police and sex workers relate to each other in the streets. Reflecting this shift in attitude, Jamaica’s police commissioner issued a protocol in 2012 clearly outlining how police officers should respectfully engage with marginalised communities, including sex workers, when they file complaints with the police. This was an extraordinary gesture in light of the history of police prejudice against sex workers and due in large part to the brave work of SWAJ.

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21 CVC & COIN, 2013.



# CASE STUDY

3

USA



## Women With A Vision

*“Voice matters because so often the marginalised communities we work with have been spoken over. They’re invisibilised, or even worse, hyper-visibility, meaning they’re turned into a stereotype, an image that politicians and the mass media blame for all the ills happening in our cities. Our communities become synonymous with ‘problems that need fixing’, and in the process they are stripped of their humanity. But at Women With A Vision, we are about recognising the humanity in our communities. We move with and work from a philosophy steeped in the principles of human rights and human dignity. The people we work with deserve a voice, a place at the table, and deserve a right to live in this city and be heard.”*

Women With A Vision

### Background

Women With A Vision (WWAV) was established in the late 1980s in New Orleans, Louisiana by a grassroots collective of eight Black women in response to the spread of HIV in their African American community. At the time, there was only one organisation working on HIV in the region and it principally served White gay men. Recognising that the face of HIV had changed in the New Orleans area, with African American women becoming the fastest growing population of newly diagnosed cases in the city and in the state of Louisiana, the founding group of women went to the streets where they lived to meet with their local community, distribute HIV education and prevention tools, and hold information sessions on HIV and safe sex practices. The mission of WWAV is to improve the lives of marginalised women, their families and communities by addressing the social conditions that hinder their health and wellbeing. The organisation also does extensive work with the lesbian, gay, bisexual, transgender and queer (LGBTQ) community, and especially with transgender women.

Since its inception, WWAV has worked with sex workers, grounding its work in an approach that prioritises community leadership. Sex work is highly criminalised in Louisiana. As in most parts of the US, ‘engaging in prostitution’ is prohibited and other aspects of sex work, such as solicitation, ‘promotion of prostitution’ or ‘pandering’ are also criminalised. Sex workers, especially women of colour and transgender women, are victims of police harassment, arrest, violence and other abuses. The issues confronted by sex workers in New Orleans in the areas where WWAV works are fundamentally linked to the oppression of African American communities, poverty, drug use, homelessness and high rates of incarceration that exacerbate individuals’ and families’ financial struggles. New Orleans is also a city in flux, still struggling to rebuild from Hurricane Katrina, which hit the city in 2005. Low-income communities continue to face difficulties in accessing affordable health care, affordable housing (with rents that continue to rise as gentrification takes root after Katrina in communities of colour), food, education and employment. In these oppressed communities, sex work is one strategy people engage in to support themselves and their families. Many do not identify as sex workers *per se*. Although sex work is stigmatised, people engaged in sexual economies remain strongly connected to their communities.

For the first 15 years after its founding, outreach and prevention was the focus of WWAV. Since Hurricane Katrina, the organisation has been increasingly engaged in advocacy to address the social conditions and injustices that impact New Orleans’ most marginalised women, including transgender women. Areas of focus include sex workers’ rights and drug policy reform.

## OUTREACH

Street-based outreach is a fundamental component of WWAV’s work with sex workers. Outreach is conducted by WWAV staff and sex worker leaders from the community.

At least two or three times a week, WWAV meets with women, including transgender women, where they work, in the streets but also in hotels, bars and strip clubs. Many of the women they meet with on weekends are low-income women (the ‘working poor’) who go out on a Friday night to meet someone who could provide some financial support. While WWAV traditionally serves Black women, the organisation has seen the demographics of people in sex work change over time. More and more, WWAV reaches out to low-income White women who have been hit hard by the US economic crisis.

During outreach WWAV distributes male and female condoms, lubricant, harm reduction supplies including sterile needles and syringes, and education materials about HIV and other sexually transmitted infections (STIs). But WWAV also engages with sex workers on other issues that matter to them. Conversations about rights, how they can protect their safety and help one another are just as important. As WWAV emphasises, “Outreach is often about going out and being present. The women out there know about HIV. What they need is interactions with people who care.”



Challenges associated with providing outreach are linked to the criminalisation of sex work, police attempts to remove sex workers from tourist areas downtown, the targeting of African American communities and transgender women for stops, searches and arrest, and the evolution of the city and its population after Katrina and the US economic crisis. But WWAV's approach is flexible and innovative, and it employs different means to distribute information and materials to communities in a variety of neighbourhoods. Mobile outreach was carried out in a van until it was severely damaged by Hurricane Katrina. After the hurricane, outreach workers were forced to use their own cars to provide services to sex workers, until a car was recently donated to the organisation. WWAV members will also bring condoms and harm reduction supplies with them when they visit a beauty salon in a local neighbourhood, for instance. This allows women from that area to pick the materials up discreetly.

### SUPPORT SERVICES FOR SEX WORKERS

***“Providing women with a safe non-judgemental space is key to building power and making change.”***

#### WWAV

Until 2012, WWAV had its home base in an office in New Orleans. This location was also an important space for women and other community members to meet, socialise, relax, attend workshops and obtain condoms, lubricants, harm reduction supplies and educational materials. Tragically, the WWAV office was destroyed in May 2012 in an arson attack. Major fire damage was done to a room which contained education and outreach materials. WWAV now describes itself as an organisation without walls, which the Executive Director explains is how the group began: “Women With A Vision was started without an office ... the mothers starting it on their front steps.” While WWAV's tenacity, strong support from the community and successful fundraising events have enabled the organisation to secure a new space that will be called Vision House, repairs to the new building are ongoing and WWAV will continue to use a temporary office to provide a safe space for women for some time to come.

Several times a month, WWAV holds *Communities' Voices* meetings at its temporary office or in a community centre. One of these meetings is about overdose and harm reduction and it is open to women and the LGBT community. Another meeting is specific to those who have been incarcerated. This workshop is particularly relevant to sex workers in New Orleans who frequently experience incarceration due to the criminalisation of sex work and other punitive laws (including those related to drug use) that affect sex workers.



*Communities' Voices* meetings are community-centred and provide room for those who are often the most adversely impacted by laws and policies to be at the forefront of making the changes they want to see. Based on an African American cultural approach, the meetings involve story circles where participants share their personal narratives. The meetings also provide grassroots linkages for WWAV advocacy campaigns that are developed with the direct input of sex workers, women who use drugs, formerly incarcerated women, and the LGBTQ community.

The success of *Communities' Voices* meetings is the result of WWAV's strong presence in the community. Participants know they can trust the organisation and feel safe talking openly about their personal challenges, experiences in prison, and after being released, violence, police abuse, stigma, unemployment, HIV, and sexual and drug use practices, as well as describing the services and support they need to move forward.

WWAV also conducts 'Know Your Rights' sessions with sex workers in partnership with the Office of the Independent Police Monitor of New Orleans, to help inform sex workers about their legal rights when interacting with the police.<sup>22</sup> At the same time, WWAV maintains a referral list of lawyers who have experience working with women and understand the issue of criminalisation. When sex workers come into conflict with the law, WWAV will contact a lawyer and ask for their support.

### ENGAGEMENT WITH LAW ENFORCEMENT AND SERVICE PROVIDERS

WWAV engages on an ongoing basis with police, municipal authorities and the Department of Justice to prevent the harmful arrest, police harassment and incarceration of women and transgender people. WWAV is currently in discussions with New Orleans public defenders, municipal court judges, probation and parole officers and the district attorney to develop alternatives to incarceration for women engaging in sex work or affected by other punitive laws. They point out relevant policies and describe how, in practice, the police department and the justice system often does more harm than good to the community that it is supposed to protect. In order to be heard by law enforcement and judicial authorities, WWAV usually addresses sex workers' rights from a public health perspective by describing the disastrous impact on public health of criminalising sex workers. WWAV also explains to authorities the relationship between poverty, drug use and sex work, and shares women's stories.

Additionally, WWAV organises regular training with service providers, including health care providers, to educate them about women's challenges and barriers to accessing health services, and to discuss stigma and sex workers' rights. As a result of successful interventions among service providers, WWAV has been able to refer women to non-judgemental and respectful health services.

<sup>22</sup> The mission of the Independent Police Monitor Office is to improve police service to the community. They also receive complaints about police misconduct. See NOLAIPM, 2014.

## ADVOCACY

WWAV places a high priority on public education and advocacy to challenge attitudes, laws and policies that negatively affect women and communities of colour within Louisiana and elsewhere. These activities are fundamental in combating racism and other forms of oppression and discrimination and achieving social justice.

A major advocacy campaign recently conducted by WWAV is the ‘NO Justice’ campaign challenging Louisiana’s archaic ‘Crime Against Nature’ statute which had been used to target Black women and transgender people who engage in sex work. In Louisiana, people accused of soliciting sex for money can be criminally charged under the state prostitution statute, or under the solicitation provision of the Crime Against Nature statute which prohibits solicitation with the intent to engage in anal or oral sex. Police and prosecutors have discretion in choosing which charge to use against a sex worker but the consequences for the individual were significantly different. Until 2011, sex workers convicted of Crime Against Nature by solicitation (SCAN) faced much harsher penalties, including registration as a sex offender, which had tremendous consequences for their day-to-day life. People who register as sex offenders must carry a state identification document which brands them as a sex offender in bright orange capital letters. They must also disclose the fact that they are registered as a sex offender to neighbours, landlords, employers, schools, parks, community centres, and churches.

Noticing an increase in charges related to the Crimes Against Nature statute against Black women and transgender people after Hurricane Katrina, WWAV decided to take action and launched the ‘No Justice’ campaign in 2009 to repeal the statute and remove individuals convicted under SCAN from the sex offender registry. WWAV developed an action plan to reach and engage with individuals charged or convicted under SCAN, or who were at risk of prosecution, and started to reach out to allies and lawmakers.

In February 2011, a federal lawsuit was filed in New Orleans on behalf of nine anonymous plaintiffs convicted under the Crime Against Nature law and forced to register as sex offenders as a result. The case was brought by the Center for Constitutional Rights, which had partnered with WWAV, and the Stuart H. Smith Law Clinic of Loyola University College of Law. WWAV was central to this initiative, raising politicians’ and media awareness of the issue and building bridges between the community, social justice organisations and lawyers. WWAV also ensured that the stories of affected individuals were heard inside and outside the courtroom.

These voices had a big impact. A first victory came in August 2011. The state legislature amended the law and removed the requirement that individuals convicted of SCAN be registered as sex offenders. (People charged under SCAN now face the same penalties as people charged for solicitation of prostitution.) Unfortunately, the legislative amendments were not retroactive, meaning hundreds of individuals convicted prior to the amendments had to remain on the sex offender registry.



A second victory came in March 2012 when the District Court ruled in favour of the nine plaintiffs involved in the federal lawsuit. The Court agreed that the sexual offender registration requirement was discriminatory and unconstitutional. Following that success, a federal class action lawsuit was filed by WWAV and the Center for Constitutional Rights, and by October 2013, over 800 individuals had been removed from the Louisiana sex offender registry as a result of that lawsuit. This was an amazing achievement for WWAV, who described the experience as follows: “When WWAV started this fight five years ago, we were told that we couldn’t win – that a small, Black-led organisation in the South couldn’t win a victory on this scale. But we pressed on. We came together, using a grassroots framework to engage community to affect change.” The relationship between WWAV and its lawyers was key to their success. WWAV’s lawyers had accepted the leadership of the women most affected by the law and understood themselves as being at the service of the movement to end unfair criminalisation of sex workers, Black women, transgender people and gay men.

WWAV is also active in responding to media articles or interventions that reinforce prejudice and violence against sex workers, women of colour and transgender people. WWAV has now become the experts in the South on issues related to marginalised women. Part of a broader US and international movement for sex workers’ rights and the decriminalisation of sex work, WWAV regularly works with other sex worker-led organisations across the US and ensures it brings home what they learn from their peers in other regions of the US and across the world to improve the lives and health of marginalised women in Louisiana.



# CASE STUDY

4

CANADA



## Maggie's: Toronto Sex Workers Action Project

### Background

Maggie's is based in Toronto, Ontario, and is one of North America's oldest sex worker-led organisations with a history dating back to 1986. The organisation was founded by a group of sex workers and their allies as a response to police harassment of sex workers during the height of the AIDS panic. The organisation's mission is to provide education, advocacy, and support to assist sex workers to live and work with safety and dignity – work that has been carried out against a backdrop of criminal laws that threaten sex workers in every sector of the indoor and outdoor sex industry and prohibit public communication for the purposes of prostitution, the use of indoor workspaces, transportation to a working space, and managerial and/or collective activities.

Maggie's institutional history as a response to police violence against street-based sex workers continues to inform Maggie's intersectional rights-based approach to sex work, meaning a framework that sees all sex workers as being entitled to rights. As noted by Maggie's staff, "No matter what kind of sex worker we're talking about: youth sex workers, Indigenous sex workers, sex workers who use drugs, migrant sex work and so forth, we don't abandon a rights-based framework, because we know that this is what supports people's ability to live and work with safety and dignity." Though Maggie's is principally funded by the provincial health ministry, its work extends far beyond HIV prevention initiatives and encompasses service provision, community relationship building and advocacy.

## PEER PROGRAMMES

**“Relationship-based networks are key. The more criminalised and marginalised the group of sex workers, the more critical these relationship-based networks are.”**

Maggie’s

Most of Maggie’s staff, board and volunteers are current or former sex workers, and peer leadership is a critical component of Maggie’s programming. Sex workers are recognised as individuals with expert knowledge and as the best sources of relevant information for other sex workers. Peers play a key role in programme design and implementation. Positioning peers in leadership and programming positions also enables Maggie’s to build relationships among different groups of sex workers and to further strengthen the sex worker community. Maggie’s approach differs from many non-profit organisations in that it seeks to move beyond service provision to contribute to sex workers organising to change the conditions under which they live and work.

At Maggie’s, most education about HIV prevention, safe sex, and safer drug use happens within programmes through facilitated conversations or informal discussions that originate from participants. Because staff have sex work experience, they can provide information that is specific to work in the sex industry. For example, when questions arise about female condoms, Maggie’s staff can make suggestions about a client or situation that a female condom could be useful for, which is not information that mainstream health care providers can provide. Mainstream information is often too generic to be useful to sex workers because there is no understanding of the context within which sex work takes place. As one staff member explained, “Telling sex workers to use condoms isn’t helpful because sex workers already know this.” What sex workers often need is information that is relevant to the sex industry. One staff member reinforced this point, “If you’ve never sucked a dick for money, you don’t have cultural competency in providing services to sex workers. You can support it, but you shouldn’t be the direct service provider.”

Among Maggie’s peer-based programmes is the Aboriginal Sex Worker Education and Outreach Project (ASWEOP), a three-year funded programme that emerged because there was a need for Indigenous sex worker-led programming for sex workers. The only programme of its kind in North America, ASWEOP was started by Indigenous people with experience in the sex industry who have a rights-based approach to sex work. Through talking circles, meals, workshops and cultural production activities, the programme worked to empower Indigenous sex workers to work safely, to engage in safe sex and safer drug use, and to use their own knowledge to reduce violence in their lives. The programme relied heavily on peer leadership and peer networking. Peer leaders came to the programme with established relationships of trust with community organisations and sex workers that contributed to the programme’s success. Funding for ASWEOP has concluded, though there remains an ongoing need for this programming because Indigenous people are overrepresented in the most criminalised and stigmatised areas of sex work, and there is a gap in culturally specific programming for Indigenous sex workers which employs a rights-based approach to sex work.



Maggie's also offers two other peer support programmes: the Maggie's Lounge and the Real Work group. Maggie's Lounge is a group of between five and 15 current and former sex workers who meet every week in a respectful environment to share food and stories, and sometimes participate in workshops. Many participants have experience working on the street, but some sex workers who work indoors also attend. Within a relaxed and casual atmosphere, Two-Spirited, trans, drug using, HIV-positive and other sex workers are welcome. The workshops vary considerably, and encompass a mix of work-related skills development, health, cultural expression, and rights-related content.

The Real Work group emerged from a workshop on sex work-positive feminism held at a local feminist bookstore in response to an event featuring an anti-sex work writer. It meets monthly and participants are mainly current, indoor-based sex workers. Sometimes, outdoor-based workers also attend, and former sex workers can sometimes attend as appropriate. Staff strive to strike a balance between providing opportunities to access community that former sex workers may very much need, while respecting the confidentiality of others who are, by virtue of attending the programme, identified as sex workers. Real Work offers a safe space for participants to share knowledge and work tips with one another.

Maggie's staff reach out to many communities of sex workers, including trans sex workers, sex workers who use drugs, and, to a lesser extent, youth sex workers. Much of this takes place through existing relationships peer leaders have with these different communities of sex workers who then feel comfortable participating in Maggie's programming. Maggie's staff and management have a commitment to actively support and respect all sex workers without judgement – principles which inform practice. For example, Maggie's enacts practices that support respect for transgender people, such as offering services with an open understanding of gender and by creating mechanisms to address transphobia and transmisogyny that may come up during programming. For sex workers who use drugs, supportive and non-judgemental practices mean that harm reduction supplies are openly available and Maggie's upholds a commitment not to deny services or contact authorities on the basis of drug use. Similarly, Maggie's will not deny services to youth sex workers because they are youth. Rather, Maggie's reaches out to youth groups to provide workshops and information on sex work and has collaborated on events with youth sex workers.

## WEEKLY OUTREACH

**“To build relationships with sex workers you need to be willing to go where sex workers work, to their turf; this is more effective and works to create trust. Why would sex workers come to us if they don’t know us?”**

Maggie’s

Maggie’s provides weekly mobile outreach with safe sex and safer drug use supplies to outdoor sex workers in different neighbourhoods in Toronto. Street outreach is carried out by vehicle in teams of two or three, and supplies are distributed multiple times per week. Importantly, street outreach is done at appropriate times, and outside of traditional office hours, and delivered by peers who have good rapport with sex workers.

To reach indoor workers, staff place advertisements in publications and online venues where indoor workers advertise. Reaching out to sex workers where they work is a way to build relationships and is an effective strategy for service provision and education. Maggie’s also reaches out to organisations that serve sex workers or may have sex workers as service users, such as shelters and other social service providers, providing information and workshops to educate service providers about how to support sex workers from a rights-based approach.

## SUPPORT SERVICES

In addition to peer-led programming such as Maggie’s Lounge and Real Work, Maggie’s offers a range of other support services for sex workers. The organisation maintains a list accessible to sex workers called the ‘No List’ – an online database of bad dates that is searchable by name, address, email address or phone number. In addition to violent individuals posing as clients, bad dates include clients who miss appointments, waste time, or are manipulative, rude or verbally abusive. Maggie’s staff collect information over the phone or email and add it to the database. The ‘No List’ is unique because it is a worker-led list and is therefore able to respond to the specific needs of workers, many of whom work indoors. While circulating handouts with physical descriptions of bad dates may be helpful for some workers, many workers are indoor-based and need information such as an email address or phone number rather than a physical description.

The organisation also maintains a referral list of lawyers who have experience working with sex workers and offer different types of legal services (criminal, immigration and family, for example). When sex workers come into conflict with the law, Maggie’s staff provide court accompaniment as needed. Maggie’s also provides short-term emotional support to sex workers who have experienced violence. A worker will not be judged or blamed for the violence nor be pressured to leave the industry. Sex workers’ choice to call or not call police is also respected. Staff encourage sex workers who have experienced violence or are dealing with other issues related to the criminal justice system to attend one of Maggie’s support groups because skill sharing among peers is often the most effective way to address problems.

As Maggie’s staff has noted, many sex workers do not access social services because mainstream agencies may not serve their needs and sex workers may have previously confronted service providers who stigmatise

sex work. Some social service agencies operating on an unfounded assumption that children of sex workers are more likely to be at risk of exposure to violence and drug use have reported suspected child abuse or neglect to child protection services, based solely on the fact that a service user who is a parent is a sex worker. Sex workers' children may be apprehended as a result. This presents a major threat to sex workers and their families, erects barriers to sex workers' access to services and disclosure of their work, and isolates sex workers from effective care and support. This repressive approach illustrates the importance for sex worker-led organisations to provide social services to sex workers so they can safely connect with other sex workers and the broader sex working community and sex workers' rights movement.

### **PUBLIC EDUCATION AND ADVOCACY**

Maggie's staff provide training and education to service providers to support their development of effective policy and practices related to sex work. It recommends that sex worker-specific programmes and projects be peer-led and incorporate an intersectional rights-based framework. The training addresses dominant myths about sex work and human trafficking, substance use, youth sex work, racism and colonialism, and the impacts of criminalisation on sex workers' lives, families and housing. An effective education tool used in workshops is a group-based labour analysis exercise. Participants are assigned different groups and each group is given a different job – usually a working-class job. The task of each group is to look for parallels between their assigned job and sex work jobs, which helps participants to make linkages between sex work and other forms of work, and consider how laws inform the conditions for work.

Maggie's is also part of a broader national and international movement for sex workers' rights and the decriminalisation of sex work. In important ways, Maggie's has supported a constitutional challenge of Canada's criminal laws pertaining to bawdy houses, 'living on the avails of prostitution', and communicating about the exchange of sex for money in a public place. Formally, Maggie's intervened as a 'friend of the court' before Ontario's appellate court, bringing forth an intersectional rights-based analysis of Canada's prostitution laws. When Canada's highest court – the Supreme Court of Canada – considered the matter in 2013, Maggie's continued to educate sex workers and the broader public about the meaning and implications of the court case and advocate for the repeal of criminal laws governing sex work. Maggie's was also part of a nationally coordinated 'Day of Action' in June 2013 to demand the decriminalisation of sex work. This nationwide strategy of mobilisation took place shortly before the Supreme Court hearing and helped to raise the public profile surrounding sex workers' demands for rights.

Beyond the court case, sex worker-led organisations throughout Canada have been involved in efforts to mobilise sex workers and educate the public and policy makers about the need for law reform. Maggie's representatives participated in 'Lobbying Day' in 2012, when a number of sex worker organisations and allies travelled to the Canadian capital Ottawa to engage with Members of Parliament about sex work law and policy. Maggie's relationship with other national and international sex worker organisations is an important component of the organisation's human rights work. It enables Maggie's to be involved in meaningful global change and supports the development of more robust analyses of sex work in both local and global contexts, rooted in the experiences of sex workers.

# Conclusion

While the Guyana Sex Work Coalition, Sex Work Association of Jamaica, Women With A Vision and Maggie's have emerged from unique circumstances, employ different strategies to address HIV in their communities, and work within distinct social, cultural and legal environments and with varying degrees of financial support, they are united by a commitment to rights-based HIV programming led by sex workers. Unlike other organisations that offer HIV services for sex workers, all four sex worker-led organisations deliver HIV programming that is rooted in strengthening the sex work community. Sex workers' leadership and expertise is valued and programmes are designed, implemented and delivered by sex workers for diverse communities of sex workers. In this way, the specific concerns and needs of sex workers are meaningfully and effectively addressed. Public education and advocacy for sex workers' human rights is also central to HIV programming, and all four organisations unfailingly call for the repeal of oppressive laws and challenge prejudicial attitudes and discrimination towards sex workers, drawing attention to the broader socio-legal context that informs HIV risk. The vital and pioneering work that they do represents 'good practice' in sex worker-led HIV programming in North America and the Caribbean – programming that is all too lacking in the region. To bolster effective HIV prevention, care, treatment and support led by and for sex workers, the following recommendations have been developed, all grounded in the experience and expertise of sex worker-led organisations in the region.

# Recommendations



## Governments and funders should:

- ▶ Adopt a rights-based approach to funding by supporting sex worker-led HIV programming that encourages sex workers' leadership and meaningful participation in the development and implementation of health services relevant to and for sex workers and promotes sex workers' engagement in human rights advocacy.
- ▶ Support sex worker-led HIV programming that provides peer support for a diversity of sex work communities, including Indigenous sex workers, sex workers of colour, LGBT sex workers, sex workers who use drugs, youth sex workers, incarcerated sex workers, migrant sex workers, and sex workers in rural and remote communities.
- ▶ Provide long-term, adequate funding for sex worker-led organisations to establish a safe space for sex workers that is in an accessible and suitable location and is open at convenient times, in which HIV-related programming and shelter could be offered, among other possible services.
- ▶ Supply sex worker-led organisations with safe sex materials including male and female condoms and lubricant and with safer drug use equipment, including sterile injection and smoking equipment.
- ▶ Support human rights documentation and training developed and led by sex workers to combat stigma, discrimination and judgemental approaches among service providers (including law enforcement officers and health care workers) towards sex workers and other marginalised groups such as MSM, transgender people and people who use drugs. This training may take many creative forms and need not conform to training approaches employed by mainstream organisations.
- ▶ Support and ensure accessible, non-discriminatory, user-friendly and evidence-based HIV-related services (including HIV prevention, free voluntary testing for HIV and other sexually transmitted infections, affordable care, treatment and support) and educational materials designed for diverse communities of sex workers as well as high-quality primary health care and sexual and reproductive health services for sex workers.
- ▶ Support and ensure accessible, non-discriminatory, user-friendly and affordable social and legal services to promote sex workers' access to stable housing, education and employment opportunities of their choice. Leaving sex work, reducing involvement in sex work, opposing sex work or identifying oneself as a trafficked person should never be a condition to access services.

- ▶ Ensure that sex workers are essential partners and leaders in designing, planning, implementing and evaluating health, social and legal services for sex workers and that services are accessible to migrants, undocumented persons and people who use drugs without fear of disclosure of their HIV status, immigration status or drug use to authorities.
- ▶ Reject coercive programmes that pressure and/or require sex workers to leave sex work, reduce involvement in sex work, oppose sex work or identify oneself as a trafficked person to access services, and ensure that funded anti-trafficking initiatives are evidence-based, grounded in human rights and have involved meaningful consultation with sex workers.

### **In addition, governments should:**

- ▶ Repeal punitive laws related to sex work, same-sex activity, transgender identity and associated behaviours, HIV transmission, exposure or non-disclosure and drug use, as well as civil and administrative offences that punish sex workers under the guise of enforcing laws against vagrancy, public nuisance, loitering or similar policies.
- ▶ Repeal or amend laws against human trafficking that conflate human trafficking with sex work or that are enforced to prohibit sex work, and offer access to health care including HIV treatment to migrants and undocumented persons without fear of disclosure of their HIV or immigration status to authorities.
- ▶ Repeal legislation that authorises forced testing for HIV and/or other STIs of people arrested or convicted of sex work-related offences. Whatever the legal regime of sex work, sex workers should not be subject to involuntary medical procedures such as forced testing or treatment, or other restrictions of their civil liberties.
- ▶ Adopt legislation protecting sex workers and other marginalised communities from discrimination based on occupation (including sex work), health status (including actual or perceived HIV status), sexual orientation and gender identity. Action should be taken to publicise and promote anti-discrimination legislation and ensure it is being enforced.
- ▶ Ensure safe working conditions for sex workers, including by taking measures to stop police harassment and violence against sex workers and by protecting sex workers' rights under employment standards and occupational health and safety legislation.
- ▶ Ensure strategies and actions on HIV and sex work are incorporated into national HIV/AIDS plans or strategies. Sex workers must be meaningfully consulted in the development of the strategies and actions to be incorporated into national HIV/AIDS plans or strategies.
- ▶ Take action to address structural issues that contribute to HIV vulnerability in the context of sex work, including interventions that aim to reduce poverty and inequality, create and expand employment opportunities, and ensure education for all.
- ▶ Meaningfully involve sex workers in law and policy reform, in order to take into account their views about how to minimise the potential for harm. Sex workers must have a say in determining what laws and policies should apply to sex work and sex workers.

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**nswp**

**Global Network of Sex Work Projects**  
Promoting Health and Human Rights

The Matrix, 62 Newhaven Road  
Edinburgh, Scotland, UK, EH6 5QB  
+44 131 553 2555  
secretariat@nswp.org  
[www.nswp.org](http://www.nswp.org)

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**BRIDGING THE GAPS**  
Health and rights for key populations