

People in Sex Work

Making Courtroom Practices Responsive

VAMP

North Karnataka/ Satara, Sangli, Maharashtra



Violence faced by people in sex work

- Sex workers experience high levels of violence. This includes police abuse, sexual assault, rape, harassment, extortion, abuse from clients and agents, intimate partners, local residents, public authorities and law enforcement authorities.
- Law enforcement refuse to take cognizance of complaints made by sex workers of sexual violence, abuse by clients, law enforcement, goons

Because sex work is seen as '**sexual exploitation and violence**', the violence and exploitation that sex workers face is overlooked or ignored resulting in discrimination.

- Sex workers face abuse and forced rescue to rescue homes/ corrective homes and destruction of homes by state.

Legal framework impacting People in Sex work

- Laws are also used to harass and abuse people in sex work

These acts include Soliciting in Public, living off the earnings of prostitution, causing public nuisance.

- Law enforcement conduct forced raids and rescue, eviction of adult consenting sex workers
- Judiciary orders closure of brothels and eviction of adult consenting sex workers
- Detain and “rehabilitate” sex workers in corrective institutions

Consequences

- Risk of human rights violations for sex workers is deepened by criminal prohibitions of sex work.
- Criminal prohibitions not only facilitate social stigma and marginalisation of sex workers but make it impossible for them to enjoy the protection of the law when they face violence or abuse.
- These provisions open the door to harassment and extortion by the police.
- Direct link between low levels of condom usage amongst sex workers who are arrested and prosecuted.
- Criminalizing sex work undermines efforts to prevent new infections, and hinders the provision of treatment and care to those infected.

Recommendations

- Ensure that legal measures result in safe working conditions for sex workers.
- Ensure that sex workers receive timely access to justice (legal aid and right to appeal)
- Stop the violence of compulsory detention or rehabilitation for adult consenting people in sex work.
- Provide sex workers with evidence -based, voluntary, community driven empowerment services.
- Address the sexual violence faced by sex workers through sensitive and relief based directives to police and health care services.
- Protect Sex workers against the violence caused by the improper application of laws, abuse of power by law enforcement

Ensure that existing civil and administrative offences such as "loitering without purpose", "public nuisance" and "public morality" are not used to penalise and abuse sex workers.