

SELLING SEX IN CAPE TOWN

SEX WORK AND HUMAN TRAFFICKING
IN A SOUTH AFRICAN CITY

CHANDRÉ GOULD
IN COLLABORATION WITH NICOLE FICK (SWEAT)

Selling sex in Cape Town Sex work and trafficking in a South African city

by Chandré Gould in collaboration with Nicole Fick (SWEAT)

EXECUTIVE SUMMARY

Selling sex in Cape Town is the result of a two-year study by the Institute for Security Studies (ISS) and the Sex Worker Education and Advocacy Taskforce (SWEAT) to gather data about the sex work industry in Cape Town and about any evidence of human trafficking into the industry.

SIZE AND NATURE OF THE SEX WORK INDUSTRY

There are just over 1 200 sex workers in Cape Town. Almost 250 sex workers work on the streets – ‘the outdoor industry’, while some 964 work in brothels or independently from houses or apartments – ‘the indoor industry’.

The data gathered through interviews, surveys and focus group discussions (164 interviews in total) presents a picture of an industry made up largely of black South African women between the ages of 24 and 28. Only five per cent of sex workers in Cape Town are foreign nationals.

The research revealed that most people enter the industry to meet their immediate and pressing financial needs. They remain because sex work offers them the opportunity to earn three to five times more than they could in any other job. The data clearly demonstrates that sex work is a rational alternative for women (and men) in the sense that it earns immediate cash, brings in more money than other jobs, and does not require academic or practical qualifications. These advantages are often strong enough for the people doing this work to overcome their resistance to selling sex and the stigma of prostitution.

Besides looking for cases of human trafficking, the researchers looked specifically for signs of exploitation and abuse in the industry. The book argues that sex work is work and trafficking is an extreme version of labour exploitation. The researchers believe that the most effective way to counter and reduce practices of exploitation would be to open the industry to scrutiny, to regulate it and encourage the reporting of abuse and exploitation.

WORKING CONDITIONS

Working conditions at brothels vary enormously, but one thing that is common is that the relationship between sex worker and brothel owner is only superficially a formal employee/employer relationship. In all cases sex workers are paid on a freelance basis, only for the hours they work. They are required to pay a proportion of their earnings to the brothel, normally between 36 and 60 per cent of what they earn. Unlike freelance workers, however, sex workers are required to report for duty at a specific time, and normally to be at the agency for eight to ten hour shifts, six days a week. Many brothel-based sex workers (75 per cent) are fined heavily for late arrival, failing to come to work, or for other behaviour deemed offensive by the brothel.

Sex workers who are self-employed (11 per cent of indoor-based sex workers) have much more flexibility. They work only when it is convenient for them to do so, or when they need to make money. They keep all their earnings and determine the rates they charge clients.

Street-based sex workers usually work independently (only 3 per cent of street based sex workers worked for a pimp at the time of the survey). They also keep all the money they earn, only work when they need to earn money and at times that they can control. On average street-based sex workers work a seven-hour day, three to six days a week.

The police tend to tolerate sex workers working indoors, but the research found widespread evidence of police harassment and abuse of street-based sex workers. A random survey of street-based sex workers showed that 47 per cent have been threatened with violence by police, 12 per cent have been raped by police officers, and 28 per cent have been asked for sex by policemen in exchange for release from custody. Unsurprisingly, most sex workers are wary of the police and mistrust them and are thus unlikely to report cases of violence or abuse by clients (or others) to the police, regardless of whether they are victims or witnesses.

The arrest of sex workers does not stop sex workers from working. Nineteen per cent of street-based sex workers said they had been arrested, with one having been arrested



10 times in the month prior to the survey. Most had been arrested three times. Rather than reducing the number of sex workers, an aggressive policing strategy results in women working longer hours or taking more clients to make up the income lost through paying fines or spending time in jail.

CLIENTS OF SEX WORKERS

Most brothels and sex workers consulted in this study said they had a very mixed group of clients of all ages and income groups; many added that clients tend to be married men over 30.

The study found that few clients seek to employ the services of foreign sex workers or very young sex workers. Despite the perception that there are large numbers of children being forced to sell sex, the researchers found no evidence of children in brothels. Over the 24-month research period, a total of five children were encountered selling sex on the street. None of these children were being forced by a third party to sell sex. The research found three unexpected trends in demands from clients: sex with a pregnant woman, unprotected sex, and someone who would take drugs with the client.

EVIDENCE OF TRAFFICKING

Force and deception in the process of recruitment are not common features of the sex work industry in Cape Town. However the research did find widespread evidence that sex workers based in brothels are subject to various forms of coercion by brothel owners, mainly to force them to remain in the industry and thus to maintain the brothels' income. The research identified eight women (of 164 canvassed) who could be said to have experienced trafficking-like practices, and almost all of these experiences happened in the past. Although we acknowledge that some cases of trafficking may have escaped our notice, on the strength of the many forms of evidence we gathered, we conclude that in Cape Town there is little evidence of trafficking for the purposes of prostitution.

KEY CONCLUSIONS

- The methodology used was carefully thought through, and we believe it should be used as a basis for similar research on human trafficking in other cities and countries.
- While sex workers are often subject to exploitative or abusive working conditions, very few are forced to sell sex.
- The criminalisation of sex work means that the industry is unregulated, and this

creates conditions that allow employers to engage in practices that would be considered unacceptable for other kinds of employment.

- Most sex workers are aware of the nature of the work they will be doing when they enter the industry. They choose the work because it offers them the potential to earn more than in other jobs commensurate with their skills, and for many, it offers greater flexibility in working hours.
- The number of women who are trafficked or debt-bonded is much lower than suggested by previous studies. Indeed, trafficking is not a significant feature of the sex work industry in Cape Town.
- The best way to prevent and detect trafficking is to monitor and regulate the industry and encourage reporting of cases of abuse and exploitation by sex workers, brothels managers and owners and their clients. This is not going to happen unless the sex work industry is decriminalised and regulated.

KEY RECOMMENDATIONS

It is recommended that:

- Sex work is decriminalised.
- Sex work is regulated by the same labour legislation as other sectors of the economy.
- The methods developed and tested during this research are used as a basis for comparative studies in at least one other city in South Africa.
- The Minister of Safety and Security and the SAPS management consider the findings of this study and instruct all police stations to be aware of the negative effect of deterring sex workers from reporting crime.
- Civil society organisations that work directly with sex workers be consulted by South African Police Services (SAPS) management to develop a short training course for SAPS members to sensitise them to issues specific to sex workers.
- Members of the SAPS receive special training in how to handle children who are found to be selling sex from the street.
- The Department of Health address the gaps in public education campaigns focusing attention on men and their specific responsibility to have protected sex. Such education campaigns should address the myths around condom-use. In addition the quality and distribution of free condoms needs to be improved.
- The Department of Home Affairs establish an anonymous hotline for the reporting of instances in which travel documents are illegally retained by third parties and the reporting of corruption by Home Affairs officials.

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info@sweat.org.za