

SEX WORKERS AND SEX WORK IN SOUTH AFRICA

A Guide for Journalists and Writers



**Produced by Sonke Gender Justice,
Sex Workers Education and Advocacy Taskforce,
Sisonke Sex Workers Movement, and Women's Legal Centre**

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CONTENTS

1. Why the need for a guide to reporting on sex work?	2
2. What is sex work?	3
3. Who are sex workers?	5
4. What does the South African law say about sex work?	7
5. How does criminalisation affect sex workers?	9
6. What are the effects of decriminalisation of sex work?	11
7. Is sex work the same as human trafficking or child prostitution?	12
8. Interviewing sex workers, and reporting on sex work	13
9. Common media pitfalls when reporting on sex work	16
10. Responsible reporting on sex work	18
11. Images tell the story	19
12. Relevant organisations to contact	21
13. Glossary of terms	22
14. Appendix A: Facts about sex work and HIV	24
15. Appendix B: Sample Interview Consent Form	25

1 WHY THE NEED FOR A GUIDE TO REPORTING ON SEX WORK?

Sex workers are one of the most marginalised groups in contemporary South Africa. They are vulnerable to harassment, violence, abuse and ill-health, such as sexually transmitted infections (STIs).

Because sex work is illegal under South African law, sex workers have little legal protection. They are criminalised and stigmatised. The law and marginalisation make sex workers more vulnerable to assault by clients, pimps and brothel keepers. They are often harassed by the police or fall victim to crime by having to work within dangerous environments in order to escape public scrutiny.

Many women – and some men and transgender people – choose to take on sex work as a profession, while others take on sex work as a job or livelihood strategy where there may not be many work opportunities available. The term 'sex work' refers to adult consensual sex. Apartheid-era laws, which criminalised different forms of adult consensual sex, including sex across the colour bar and same-sex relationships, have been ruled unconstitutional. Regrettably, some sections of this outdated law remain, making sex work a crime.

It is important that journalists and writers write about sex work and sex workers in South Africa to raise awareness of these issues. Yet, regrettably, some publications have reported on sex work inaccurately or have compounded the stigma or stereotypes that attach to sex work.

The Guide includes some pointers on how to avoid such common pitfalls.

2 WHAT IS SEX WORK?

In its most simple form, sex work can be defined as ‘sex-for-reward’.

Sex work is labour or a service related to the exchange of sex or acts of sexuality for a negotiated reward. While the ‘sex industry’ could include work such as stripping, pornography, phone sex, erotic massages and other services relating to sex or erotica, sex work from a legal standpoint refers to the selling of sexual intercourse or indecent acts for reward.

The United Nations Programme on HIV/AIDS (UNAIDS) defines sex workers as¹:

“Female, male and transgender adults aged over 18 years who sell consensual sexual services in return for cash or payment in kind, and who may sell sex formally or informally, regularly or occasionally.”

Sex workers provide the following definitions of sex work²:



“A sex worker is someone who is earning and selling for an exchange of money. We help those who are in need of sex. We are market sellers because we are marketing ourselves.”

¹ Joint United Nations Programme on HIV/AIDS (UNAIDS) and World Health Organisation (WHO). ‘Technical guidance for Global Fund HIV’ (2011) Available: http://www.unaids.org/en/media/unaids/contentassets/documents/programmes/programmeeffectivenessandcountrysupportdepartment/gfresourcelkit/20110909_Technical_Guidance_Sex_Workers_en.pdf

² Naidoo, Nicolette P. (2009) Report on the 1st African Sex Worker: Building Solidarity and Strengthening Alliances. Reproductive Health and HIV Research Unit, Sex Workers Education and Advocacy Taskforce, Hillbrow, 3-5 February 2009.



“It is a job, we support our families, we are single parents, and we are breadwinners.”



“It is a career like any other, but in the eyes of society it is not and they call us names. So we have to show them that we are something more than sex workers, we are peer educators.”

2.1 TERMINOLOGY: SEX WORKER OR PROSTITUTE?

‘Sex worker’ is the preferred term.

‘Prostitute’ historically refers to shameful acts and carries negative connotations linked to inaccurate information about sex workers and the sex industry. ‘Sex worker’ avoids moral judgement and points to the selling and buying of sexual services as a work matter with implications for labour law and occupational health and safety rights. It is also the term used by international organisations, such as World Health Organization and UNAIDS.



PREFERRED TERM



SEX WORKER



PROSTITUTE

3 WHO ARE SEX WORKERS?

It is estimated that:

- There are between 130 000 and 180 000 sex workers in South Africa;
- 90% of sex workers in South Africa are female; and
- 10% are male or transgender³.



3.1 SEX WORKERS AS WORKERS

Like workers in all other industries, sex workers have a range of histories, experiences and lifestyles. They reflect the diverse racial demographic of South Africa and, while many come from low-income backgrounds, evidence shows that irrespective of class, most sex workers make rational choices to sell sex.

While most sex workers are female and their clients are male, this is not always the case. Men and transgender people are also sex workers or clients of sex workers. Sex workers in Africa are generally independent contractors and do not work with a 'pimp'⁴. Sex workers solicit their clients in bars, hotels, massage parlours, via the Internet and on the streets.



"I've been in this industry, on and off, for the past 18 years. I have left to do other jobs. I worked for Sanlam as a [representative], for First Financial Services and for Reevea. I'm also a qualified nail technician. But I kept coming back to this industry... because of the money and the control you have, and the independence⁵."

³ South African National AIDS Council (2013) Estimating the Size of the Sex Worker Population in South Africa. Available: http://www.sanac.org.za/publications/reports/doc_download/37-national-sex-workers-report.

⁴ Only 13% of outdoor sex workers work in Cape Town noted that they worked with a pimp.

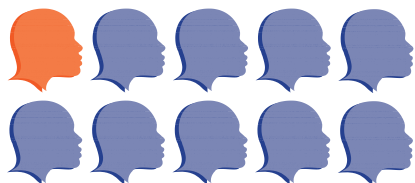
Gould, C. & Fick, N. (2008) Selling sex in Cape Town: Sex work and human trafficking in a South African city, Pretoria/Tshwane, Institute for Security Studies.

⁵ Gould, C. & Fick, N. (2008) Selling sex in Cape Town: Sex work and human trafficking in a South African city. Pretoria/Tshwane, Institute for Security Studies.

3.2 WHY DO PEOPLE CHOOSE SEX WORK?

There is no single reason why people choose to sell sexual services. Sex workers say the following:

- It offers independence and autonomy.
- No formal qualifications are necessary.
- Workers can plan their own hours around their own needs, and can choose when and where to work.
- Some sex workers can earn a good living and they are usually paid in cash.
- One research study showed that on average some sex workers earn six times more than a domestic worker does in South Africa⁶.
- Having to support an extended family.
- On average, female sex workers support four children or adult dependents⁷.



10% MALE / TRANSGENDER
90% FEMALE

⁶ Richter, M., Chersich M.F., Temmerman M., Luchters S., (2013) Characteristics, sexual behaviour and risk factors of female, male and transgender sex workers in South Africa, South African Medical Journal 103(4):246–251.

⁷ Richter, M., Chersich M.F., Temmerman M., Luchters S., (2013) Characteristics, sexual behaviour and risk factors of female, male and transgender sex workers in South Africa, South African Medical Journal 103(4):246–251.

4 WHAT DOES THE SOUTH AFRICAN LAW SAY ABOUT SEX WORK?

In South Africa, all aspects of sex work are illegal.

Sex work has been explicitly criminalised by the Sexual Offences Act (No. 23 of 1957) and the Criminal Law (Sexual Offences and related matters) Amendment Act (No. 32 of 2007). Provincial municipal by-laws also contain provisions that prohibit sex work such as ‘importuning any person for the purpose of prostitution’ and ‘soliciting’.

The basis for the criminalisation of sex work was that sex work was seen as a social ill that needed to be eradicated and so it was outlawed. But despite severe penalties, sex work continues. Criminalising sex work has proved ineffective, maintains high levels of violence, and leads to the spread of illness.

South Africa is currently reviewing its laws on sex work. The South African Law Reform Commission (SALRC) provides Parliament with recommendations on how laws have to be changed and modernised after receiving input from the public. In July 2002, the SALRC published an Issue Paper that discussed the various issues arising from sex work. The Commission released a Discussion Paper (2009), highlighting four options that South African law could follow regarding sex work: full criminalisation, partial criminalisation, legalisation and decriminalisation⁸:

⁸ South African Law Reform Commission (2009) Discussion Paper 0001/2009 Sexual Offences: Adult Prostitution, Project 107.

FULL CRIMINALISATION

Continue criminalising all aspects of sex work as criminal offences, maintaining the current legal protocols surrounding sex work, for example, South Africa's current law.

DECRIMINALISATION

Decriminalise sex work, thereby removing all laws that criminalise sex work, including outdated by-laws, for example, New Zealand.

PARTIAL CRIMINALISATION

Partially criminalise sex work by criminalising some aspects of sex work but not others, for example, the buying of sex by clients is an offence, but selling sex by sex workers is not, for example, Sweden.

LEGALISATION

Regulate or legalise sex work within certain areas and subject to certain conditions, for example, Mali, Senegal and the Netherlands.



Legalisation of sex work is not the same as the decriminalisation of sex work:

- In a legalisation model, the state would be the main regulator of the industry and would decide on the conditions under which sex work could take place. With a decriminalisation model, sex workers are more empowered to make decisions about the way they would like to work.
- Under decriminalisation, consensual activity between an adult sex worker and client would not be illegal; under legalisation it could be.

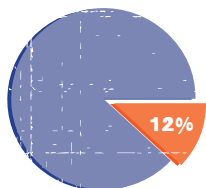
5 HOW DOES CRIMINALISATION AFFECT SEX WORKERS?

Like many other jobs, sex work comes with risks. These risks could be minimised if sex work was not treated as a crime.

5.1 VIOLENCE AGAINST SEX WORKERS

Sex workers experience high levels of violence – perpetuated by clients, police and even the public. Studies have found that a third to half of all sex workers have experienced violence in their workplaces in the last year⁹. In Cape Town, one study found that 12% of street-based sex workers had been raped by a policeman¹⁰.

Approximately 70% of sex workers who approached the WLC for legal advice and assistance reported police abuse in a two-year research study in Cape Town, Johannesburg, Pretoria and Durban¹¹. Because sex work is criminalised, it is very difficult for a sex worker to report rape and abuse to the relevant authorities.



IN CAPE TOWN, ONE STUDY FOUND THAT 12% OF STREET-BASED SEX WORKERS HAD BEEN RAPED BY A POLICEMAN.

⁹ Deering, K. Amin, A., Shoveller, J., Nesbitt, A., Garcia-Moreno, C., Duff, P., Argento, E., & Shannon, K. (2014) "A Systematic Review of the Correlates of Violence Against Sex Workers". *American Journal of Public Health*: Vol. 104, No. 5, pp. e42-e54. (May)

¹⁰ Gould, C & Fick, N. (2008) Selling sex in Cape Town: Sex work and human trafficking in a South African city. Pretoria/Tshwane, Institute for Security Studies.

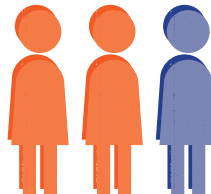
¹¹ Women's Legal Centre (2012) Stop Harassing Us! Tackle Real Crime! A report on Human Rights Violations By Police Against Sex Workers In South Africa, WLC, SWEAT and Sisonke.

5.2 HIV AND OTHER STIs

Due to the nature of their work, the Human Immunodeficiency Virus (HIV) and other STIs pose a risk for sex workers and their clients. Studies in 1998 showed that between half and two-thirds (46–69%) of female sex workers tested positive for HIV¹². People involved in sex work are at an increased risk of HIV through exposure to more sexual partners, the higher threat of violence in sexual encounters, riskier sex, the use of substances such as drugs and alcohol, and because of limited access to health care services¹³.

The risk of HIV and STIs could be significantly reduced if sex workers and their clients practised safer sex and could seek treatment from health care facilities. However, prejudiced health care workers are often barriers to sex workers accessing quality health care and education. Recent research has shown that the decriminalisation of sex work would have a powerful impact on the AIDS epidemic, by averting between one-third and one-half (33–46%) of HIV infections among female sex workers and their clients within a decade (see Appendix A)¹⁴.

**46-69% OF FEMALE SEX
WORKERS TESTED POSITIVE
FOR HIV IN 1998**



¹² Richter, M., Chersich M.F., Temmerman M., Luchters S. (2013) Characteristics, sexual behaviour and risk factors of female, male and transgender sex workers in South Africa, South African Medical Journal 103(4):246–251

¹³ Brown, B., Duby, Z., and L Bekker (2012) Sex workers: An Introductory Manual for Health Care Workers in South Africa, Desmond Tutu HIV Foundation

¹⁴ Shannon et al (2014) Global epidemiology of HIV among female sex workers: influence of structural determinants Lancet 22 July 2014.

6 WHAT ARE THE EFFECTS OF DECRIMINALISATION OF SEX WORK?

Decriminalisation would recognise sex work as ‘work’ and thus sex workers would enjoy the full protection of labour and occupational laws.

If decriminalised, the sex work industry would be regulated like any other industry: sex workers would have access to necessary police services, they could visit clinics without fear of harassment, and could work in any location, as opposed to less public (and thus more dangerous) places to avoid police. Sex workers themselves, through the Sisonke Sex Worker Movement, support decriminalisation, claiming that it is the best policy choice for South Africa.

In 2003, New Zealand decriminalised sex work by passing the Prostitution Reform Act of 2003 (PRA); the first country to do so in the world. This is what the New Zealand government found after decriminalising sex work¹⁵:

“The vast majority of people involved in the sex industry are better off under the PRA than they were previously. The committee concludes that the PRA has had a marked effect in safeguarding the right of sex workers to refuse particular clients and practices, chiefly by empowering sex workers through removing the illegality of their work. One of the consequences of decriminalisation has been the illumination of the workings of an industry that has historically been hidden. Sex workers and brothel operators can now be more open about their occupation.”

¹⁵ New Zealand Government (May 2008) Report of the Prostitution Law Review Committee on the Operation of the Prostitution Reform Act 2003, Ministry of Justice.

7 IS SEX WORK THE SAME AS HUMAN TRAFFICKING OR CHILD PROSTITUTION?

No.

No. Often sex work and human trafficking are mistakenly conflated, leading to sensational, but inaccurate coverage¹⁶. Human trafficking has a clear definition and relates to the movement of people, under coercion or false pretences, for the purposes of exploitation¹⁷. Sex work refers to the choice to sell sexual services – albeit sometimes under constrained circumstances, and involves adult, consensual sex (and therefore not children). Trafficking is sometimes likened to sexual slavery, while sex work is a job or livelihood strategy.

¹⁶ Before the 2010 Soccer World Cup in South Africa, a lot of fear was generated that there would be an influx of about 40 000 trafficked women and girls into the sex industry. Yet, after the World Cup, little attention was paid to the fact that research showed no changes to the sex industry and, in fact, that not a single case of human trafficking was found by the Department of Justice during the World Cup period. See African Centre for Migration & Society (2014) Understanding Human Trafficking Issue Brief. Available: <http://www.migration.org.za/uploads/docs/issue-brief-10.pdf>

¹⁷ The United Nations (UN) Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (UN General Assembly Resolution 55/25) defines human trafficking or trafficking in persons as “the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.”

8 INTERVIEWING SEX WORKERS, AND REPORTING ON SEX WORK

8.1 MEDIA ETHICS, PRESS CODES AND THE CONSTITUTION

There are sections of the Constitution of South Africa which govern the practice of journalism in South Africa. The most important are Section 10 – the right to dignity, Section 14 – the right to privacy, and Section 16 – the right to freedom of expression.

Freedom of the press is essential to realising the promise of democracy. The press holds these constitutional rights in trust of all the country's citizens. As a journalist you commit yourself to the highest standard of excellence, avoiding unnecessary harm and showing a special concern for children and other vulnerable groups.

Journalists are bound by rules of the Press Code¹⁸, which include, but are not limited to, reporting truthfully, accurately and fairly¹⁹, without any intentional or negligent departure from the facts whether by distortion, exaggeration or misrepresentation²⁰. When interviewing, filming or photographing sex workers all the above Constitutional, professional and ethical principles of journalism strictly apply.

¹⁸ A full copy of the South African Press Code is available at <http://www.presscouncil.org.za/ContentPage?code=PRESSCODE> (Accessed August 2014)

¹⁹ Press Code sections 2.1, 6.2, and 6.3

²⁰ Press Code section 2.2

It is vital that journalists and researchers adhere to the principle of 'First Do No Harm' and respect sex worker confidentiality, privacy and agency. Under no circumstances should a sex worker's identity or any recognisable characteristic be disclosed by a journalist, unless the sex worker's prior written or recorded permission had been obtained. It is important, when obtaining consent, that the request be made in a language that the sex worker understands. The sex worker should also be informed of the purpose and intended use of the interview and the possible ramifications of the publication/broadcast. A sample consent form has been attached – see Appendix B.

8.2 GUIDING PRINCIPLES

Journalists and writers should commit to the following principles:

ACCURACY

Seek clear, unambiguous accounts of the facts, both from your interviewee and other sources. Sex workers are often faced with questions and arguments that are based on unsound research and biased opinions. Ensure that you source academic, peer-reviewed research and that your questions and statements are based on facts. Ask sex workers about their views.

OBJECTIVITY

Present the facts as they are and do not mislead your audience. By framing facts inaccurately, the serious issues facing sex workers are often trivialised or conflated with other human rights situations that deserve separate attention.

FREEDOM FROM BIAS

Be mindful of unconscious stereotyping assumptions and avoid stigmatising language. Remember to focus on the person, their story and the importance of presenting this fairly. If your programme comes from a specific perspective, for example, from a religious point of view, please alert the interviewee to this, so s/he may engage with you on the topic directly.

INTEGRITY

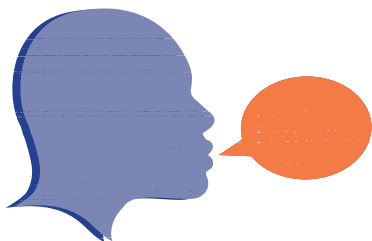
Understand that how you report has repercussions outside the newsroom. Often, the reputation of the sex worker depends on your reporting, as well as the safety of sex workers as a group. As with all journalism covering sensitive issues, avoid intrusive or offensive questions.

RESPECT YOUR INTERVIEWEE'S REQUESTS

Sex workers face deeply entrenched stigmas and they might ask you to not disclose details of their lives and identities. Always ask first and respect their decision. Many sex workers will choose to remain anonymous or have their names changed.

ALLOW YOUR INTERVIEWEE TO SPEAK

Sex workers are experts on their lives; do not re-interpret or edit their story to adjust it to suit your needs.



**REMEMBER TO FOCUS
ON THE PERSON YOUR
ARE INTERVIEWING.**

9 COMMON MEDIA PITFALLS WHEN REPORTING ON SEX WORK

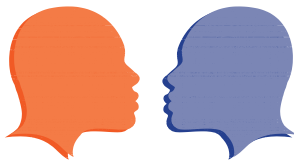
In May 2014, three journalists from the tabloid newspaper Daily Voice approached two sex workers, Angel and Rose²¹, in Blikkiesdorp in the Western Cape for interviews.

The sex workers agreed to do the interviews on condition that their photographs would not be published, because their families do not know that they are sex workers and that they are HIV positive. In addition, Angel told the journalists that she did not want details of her gang rape published. On 17 June 2014, the Daily Voice published a two-page photo-spread article titled, 'Aids in Blikkiesdorp', with a sub-heading 'Prostitutes living with HIV is on the rise.' The Daily Voice breached all the interview conditions agreed upon beforehand.

Angel and Rose then approached SWEAT, an organisation advocating for the rights of sex workers. SWEAT forwarded the case to their legal partners, the WLC. The WLC filed a complaint with the Press Ombudsman outlining the breached verbal contract, and the social implications of the newspaper's actions.

Sections 4.8 and 4.9 of the South African Press Code state that the identity of rape victims shall not be disclosed without their consent, and neither shall a person's HIV status. Since the publication of the article, Angel and Rose have been afraid to leave their homes because of threats

**TRUST BETWEEN SEX
WORKERS AND
JOURNALISTS NEEDS
TO BE FOSTERED**



²¹ Not their real names

of violence from their community members. As a result they have not been able to collect their anti-retroviral medications from the clinic. Section 10.1 of the Code states “headlines and captions to pictures shall give a reasonable reflection of the contents of the report or picture in question”. In this article, the sub-headline, which reads “Prostitutes living with HIV is on the rise”, is not backed up by any evidence within the article. This violates sections 2.1, 2.2 and 2.3 of the press code, which deal with truthful and accurate reporting.

Finally, section 11.1 states that the press has an obligation to protect sources, and under section 11.3, the press shall not publish information that constitutes a breach of confidence. Acting on the client's instructions, the WLC ended the complaint with a request for a public apology from the newspaper.

The Press Ombudsman agreed with the WLC findings on this case, and instructed the Daily Voice newspaper to comply with the apology. On the 21 August the Daily Voice published the following apology:

Daily Voice Apology

“On [the] June 17, the Daily Voice published an article titled, ‘Sex and Aids in Blikkiesdorp’. The article included information, which indirectly made it possible to identify the complainants mentioned in the article. Furthermore, the co-operation of the complainants were contingent on their anonymity. Due to the abovementioned, the Daily Voice would like to apologise to the individuals mentioned in the article and to the community of Blikkiesdorp in respect of the harm the article may have caused the complainants. The Daily Voice takes this opportunity to assert its view that HIV/Aids remains a very sensitive issue in the community and respect should be maintained for vulnerable persons such as women and children when reporting on this issue.”

This case could have been avoided had the Daily Voice journalists adhered to the conditions agreed upon before the interviews. This is an example of professional misconduct and has increased sex worker distrust and reluctance to engage with journalists. Trust between sex workers and journalists need to be fostered to ensure objective reporting, fairness and respect.

10 RESPONSIBLE REPORTING ON SEX WORK

On 6 August 2013, community journalism project, GroundUp published an article titled, “The police & I: a sex worker’s story²²”. The article was about Richard, a 38-year-old, gay male sex worker. Even though the article focused on Richard’s personal life, the journalist made an effort to reflect the social context and material conditions of sex work to provide a more detailed context.

The journalist and Richard signed a consent form that set out the terms of their interaction (see Appendix B for an example). The consent form allowed the participant to be able to control the terms of the interview and publication, such as the use of a photograph.



²² Jonathan Dockney “The police & I: a sex worker’s story Groundup 6 August 2013, <http://groundup.org.za/content/police-and-i-sex-workers-story>

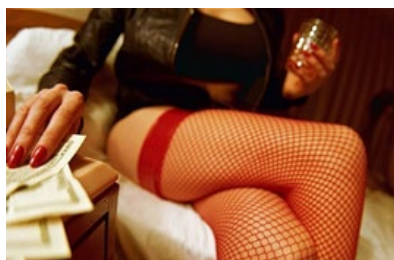
11 IMAGES TELL THE STORY

11.1 CLICHÉD VISUALS PERPETUATE STEREOTYPES

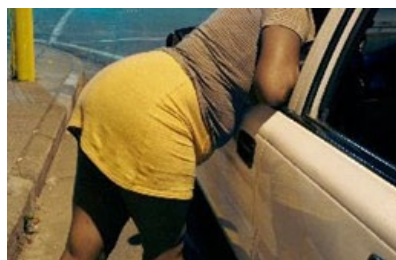
When you Google search 'sex worker' or 'prostitute', the majority of images relate to selected body parts of women only (breasts, bums and legs).

These images reduce sex workers to certain body parts only, fail to portray the multiplicity and complexity of sex worker lives and reinforce negative stereotypes, for example, sex workers are money-hungry alcoholics and drug addicts. As a responsible journalist, it is important to avoid the reproduction of such images as they only encourage intolerance towards sex workers and stereotype them.

Examples of disrespectful or de-contextualised images of sex workers:



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²³ <http://news.howzit.msn.com/article.aspx?cp-documentid=250989037>

²⁴ <http://www.telegraph.co.uk/women/sex/10060977/Does-LinkedIn-have-a-sex-worker-problem.html>

11.2 PROTECTING SEX WORKERS IDENTITIES

Sex workers are often reluctant to have their faces photographed or filmed. There are a number of well-established journalist techniques that could disguise the identity of sex workers, such as blurring their faces, distorting their voices and so on. Each of these options should be discussed with the interviewee to establish what they would prefer.

Examples of successful disguising of sex worker identities:



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Seen above *Special Assignment* producer Amos Phago interviewing sex workers for the episode, 'Surviving the streets', aired February 2013.

For a variety of images that are available for publication, contact SWEAT.

²⁵ <https://www.youtube.com/watch?v=ST8CxbvD8M>

12 RELEVANT ORGANISATIONS TO CONTACT

SEX WORKERS EDUCATION AND ADVOCACY TASKFORCE (SWEAT)

Tel: +27(0) 21 448 7875

Website: <http://www.sweat.org.za/>

SWEAT and Sisonke Sex Worker Movement Sex Workers Helpline:

Tel: 0800 60 60 60

SISONKE SEX WORKER MOVEMENT

Tel: +27(0) 21 448 7875

Website: https://www.facebook.com/pages/Sisonke/144299332431443?ref=br_rs

WOMEN'S LEGAL CENTRE (WLC)

Tel: +27(0) 21 424 5660 – Cape Town

Tel: +27(0) 11 339 1099 – Johannesburg

Website: <http://www.wlce.co.za/>

COMMISSION FOR GENDER EQUALITY (CGE)

Tel: +27(0) 11 403 7182

Website: <http://www.cge.org.za/>

SONKE GENDER JUSTICE

Tel: +27(0) 21 423 7088 – Cape Town

Tel: +27(0) 11 339 3589 – Johannesburg

Website: <http://www.genderjustice.org.za>

PRESS OMBUDSMAN

Press Council

Tel: +27(0) 11 484 3612

Email: pressombudsman@ombudsman.org.za

Online complaints form

<http://presscouncil.org.za/>

Complaints?prev=http%3A%2F%2Fpresscouncil.org.za%2FRuling%2FView%2Fbenzi-tenza-vs-the-star-2346

GLOSSARY OF TERMS

SEX WORK

This is the preferred English term used to refer to the practice of selling sex. 'Prostitution' is derogatory and carries with it unnecessary moralistic connotations.

SEX INDUSTRY

The sex industry refers to all labour related to sex. The sex industry encompasses sex work, stripping and the pornography industry.

SEX WORKER

A person who earns money from selling sexual services or performing sexual labour. Using the term 'sex worker' frames discussion in terms of labour relations and worker rights. It is the preferred term to 'prostitute', which implies moral judgement.

CLIENT

A person who pays for sexual services.

INDOOR-BASED SEX WORKER / BROTHEL-BASED SEX WORKER

A sex worker who operates from their home, a hotel, a brothel or in any other arrangement indoors.

OUTDOOR-BASED SEX WORKER / STREET-BASED SEX WORKER

A sex worker who is primarily contacted by clients on the street.

CRIMINALISATION

This is the policy model whereby practising sex work is deemed a criminal act. In some cases, such as in South Africa, both purchasing sex as well as living off the proceeds of sex work are criminal offences. Running a brothel or procuring, soliciting or facilitating sex work are equally punishable under law.

LEGALISATION

When legalised sex work is regulated by the state. Sex work is confined to specific geographical regions and sex workers might be required to register with authorities and/or attend compulsory health checks. Because of these regulations, adult consensual sex is still criminalised in some instances.

PARTIAL CRIMINALISATION

This criminalises one aspect of sex work. This may mean that buying sexual services is criminalised, while selling sexual services is not (often called the Swedish model).

DECRIMINALISATION

A policy model where no aspect of adult consensual sex work is criminalised. Consenting sex workers over the age of 18 are free to sell sex and consenting adult clients are free to buy sex, without interference or harassment from the state or police.

TRAFFICKED PERSON

A person who has been moved under coercion or false pretences for the purpose of exploitation.

CHILD PROSTITUTION

A young person or child under the age of 18 who sells sex. Selling of sexual services below the age of 18, with or without consent, is not recognised under decriminalisation but regarded as exploitation.



SEX WORKERS ARE ONE OF THE MOST MARGINALISED GROUPS IN CONTEMPORARY SOUTH AFRICA.

APPENDIX A:

FACTSHEET ON SEX WORK AND HIV

BY THE MEDICAL JOURNAL 'THE LANCET'²⁶

Misconceptions about sex workers hinder effective HIV prevention programmes		
THE MYTH IS...	BUT THE TRUTH IS...	THE IMPACT BEING...
 All sex workers are women FALSE	 Sex workers may be male, female, transgender or non-transgender and from diverse backgrounds²	 Heterogeneity of epidemics across various groups²
 Male sex workers are all gay FALSE	 Often male sex workers with male clients don't identify as gay or bisexual and have female intimate partners³	 Heterosexual identity in male sex workers represents increased risk among their non-paying female partners³
 Transgender female sex workers face the same risk of HIV as male sex workers FALSE	 Transgender women have distinct biological HIV risks from male sex workers or non-transgender women⁴	 Transgender female sex workers demonstrate about 1.5 times the risk of HIV compared to male sex workers⁵
 Sex work is not a real job FALSE	 Sex work is officially recognised as an occupation in Brazil, entitling sex workers to labour rights⁶	 Community empowerment among sex workers reduced the odds of HIV by 32%⁷
 Sex workers won't use condoms FALSE	 Greater success in condom uptake has been reported in sex workers than any other affected population⁸	 Condom promotion in South Africa has reduced HIV in sex workers by more than 70%⁹
 Criminalising sex work prevents HIV spread FALSE	 Police harassment forces hurried transactions which jeopardise condom negotiation¹⁴	 One third of sex workers don't carry condoms as they are used as evidence of illegal sex work¹⁴

THE HIV BURDEN

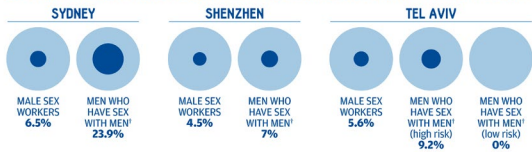
Sex workers have higher burdens of HIV, although epidemics are reflective of, and impact on, surrounding adult populations.

HIV PREVALENCE

WORLDWIDE

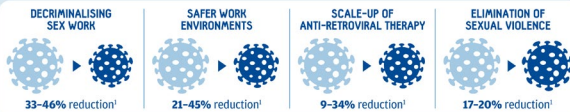


EPIDEMIOLOGICAL TRENDS AMONG MALE SEX WORKERS AND OTHER MEN WHO HAVE SEX WITH MEN¹ VARY BY REGION



¹men with no history of sex work who have sex with men

HOW MUCH COULD HIV INFECTIONS BE AVERTED?²



¹modelled potential improvements in reducing HIV among female sex workers and clients within a decade

APPENDIX B:

SAMPLE INTERVIEW CONSENT FORM

How to protect your source

It is vital that your news organisation or outlet honours any undertaking you make to the interviewee. The unauthorised use or disclosure of confidential information may lead to the interviewee suffering substantial damage.

Interview Consent Form

I (interviewee) _____,
acknowledge that this interview may be published/broadcast and that I fully
understand the implications, and give permission to
_____, (name of journalist/interviewer)
_____ of the (name of
media company) _____ to interview/record/
film me on _____ (date).

The interviewer may (tick next to preferred term):

- ☐ **Use** my real name and surname
☐ **NOT** use my real name and surname or any identifying, private
information.

If ticked, please write preferred pseudonym here:

The interviewer may (tick next to preferred term):

- ☐ **Use** photographs of me or identifiable imagery
☐ **NOT** use any photographs of me or any identifiable imagery.
☐ **Other** conditions

If ticked, please specify:

Agreed on this date: _____ in _____ (area/city)

Signed by interviewee: _____

Signed by journalist/interviewer: _____

The interviewer and interviewee should each retain a signed copy of this form.

The Guide has been compiled for journalists and writers involved in reporting on sex work. It sets out basic facts about the sex work industry in South Africa and contains sections on appropriate terminology, use of images and respectful interviewing techniques.



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