



Editorial

Decriminalization and What Else? Alternative Structural Interventions to Promote the Health, Safety, and Rights of Sex Workers

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1. Introduction

Researchers have argued that the current punitive approaches to regulating sex work expose underlying structures that seek to preserve a social order embedded with stigmas related to the race, gender, sexuality, class, and migration status of sex sellers (Benoit et al. 2019a, 2019b; Nelson Butler 2015; Hallgrímisdóttir et al. 2008). The punitive approach is based on a moral argument that adult sex commerce victimizes women and girls due to exploitation by male buyers and third-party oppressors (Coy 2008; Jeffreys 2009; Moran and Farley 2019). Yet by criminalizing sex work, those who perform the job are denied their livelihood; pushed deeper into precarity, poverty, and poor health (Platt et al. 2018; Vanwesenbeeck 2017); and subjected to stigma, harassment, and discrimination (Biradavolu et al. 2012; Foley 2017; Argento et al. 2020; Crago et al. 2021; Benoit et al. 2016, 2018). Numerous countries have proposed ending this “prostitution problem” (Benoit et al. 2019a; Abel 2011; Abel et al. 2010; Armstrong 2021) by decriminalizing sex work, and implementing a high-level, evidence-based strategy to reduce an assortment of unnecessary harms experienced by sex workers (Benoit et al. 2019b; Goldenberg et al. 2017; Benoit and Unsworth 2021; Abel et al. 2010; Abel 2011; Armstrong 2021; Stardust et al. 2021; Vanwesenbeeck 2017; West et al. 2022; Pitcher 2015).

Despite these calls, many interventions put forth in the research literature seeking to enhance the safety and health of sex workers focus on health behaviors, including their access to substance use services; human immunodeficiency virus (HIV) or, more broadly, sexually transmitted and blood-borne infection (STBBI) treatments, and other harm reduction strategies (e.g., Dewey et al. 2021; Javanbakht et al. 2019; Shannon et al. 2007). While these measures help reduce some workplace concerns, harm reduction alone does not address the root causes of sex workers’ endangerment, economic precarity and stigmatization (Benoit et al. 2021a). In this Special Issue, we invited authors to delve beyond law reform into the underlying causes of sex workers’ oppression.

Scholars continue to demonstrate the ways in which societal inequities are rooted in ideologies of racism, patriarchy, heterosexism, and colonialism and become entrenched in historical, political, economic, and social structures (Krieger 2008; Whitehead et al. 2007; Reading 2018). These structures are used as sources of power, influencing laws, policies, and public discourse (Link and Phelan 2014; Benoit et al. 2018). The way an individual’s or group’s lived experience is situated relative to these intersecting structures (e.g., their race, gender, sex, abilities, etc.) shapes the advantages and disadvantages they experience when accessing, for example, social networks, economic support, and housing programs (Seng et al. 2012; Iyer et al. 2008; Hankivsky and Christoffersen 2008).

The inspiration for this Special Issue was the need to consider structural interventions other than legal reform that can potentially improve the social conditions of sex workers’ lives, reduce avoidable harms, and advance their individual abilities. Structural interventions refer to public health and other macro- and meso-level strategies that bridge rights



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and policies and promote health, well-being, and dignity for marginalized groups by altering the structural context within which their health, safety, and well-being are produced and reproduced (Blankenship et al. 2000). In addition to negative moral judgment and punitive measures governing their work, many sex workers have a history of complexity in their lives that predisposes them to comparatively high degrees of food insecurity and other forms of economic hardship, low educational achievement, inadequate housing, poor physical and mental health, high levels of long-term disability and unmet health needs, and elevated rates of assault and victimization (McCarthy et al. 2014; Benoit and Unsworth 2021; Benoit et al. 2021a; Benoit et al. 2016; Hardy and Sanders 2015; McMillan and Worth 2017; Vijayakumar et al. 2019; Vijayakumar 2018). In our call for empirical papers, we encouraged submissions reporting research findings on the structural factors, such as material hardship, poverty, insecure housing, the multi-generational impacts of colonization, and stigma that play a key role in predisposing sex workers to an elevated risk of experiencing social disadvantages (Hardy and Sanders 2015; Lanau and Matolcsi 2022). We also encouraged the submission of papers that centred the voices of sex workers in recommendations for positive change (Benoit et al. 2018; Benoit and Unsworth 2021; Nussbaum 2003; Bungay et al. 2011). Capturing the voices of people engaged in sex work and service providers in support organizations regarding strategies beyond law reform helps researchers ask better questions, obtain better answers, and potentially become more effective in realizing genuine improvements in the lives of one of society's most stigmatized and misunderstood groups (Anasti 2017; Benoit et al. 2021b; Majic 2011, 2014).

Our call for papers coincided with the outbreak of the coronavirus disease 2019 (COVID-19) pandemic. Thus, the contributors confronted numerous obstacles when carrying out research and producing papers amidst a worldwide health crisis, which was characterized by economic depression, lockdown of workplaces and communities, sickness, premature mortality, and moral fear. This uncharacteristic global situation not only affected the subject of empirical inquiries about structural interventions that might improve the circumstances of people engaged in sex work (Döring and Walter 2020; Jozaghi and Bird 2020; Kimani et al. 2020; Lam 2020; Platt et al. 2020; Singer et al. 2020), but also the work of the authors themselves, especially those marginalized by their gender, race, or geographic location who have been contending with major challenges in conducting research during these unusual times (Benoit et al. 2022; King and Frederickson 2021; Döring and Walter 2020).

Despite these challenges, we received papers revealing the multi-layered impacts of the social inequities faced by sex workers in four different regions of the globe and recommendations for macro- and meso-level interventions to improve their welfare and opportunities. Eight papers constitute our Special Issue, "Structural Interventions to Promote the Health, Safety and Rights of Sex Workers: Decriminalization and Beyond".

2. Overview of Included Papers

In light of the efforts made by advocacy groups, allied organizations, and many of our colleagues in advocating for equality and social justice for sex workers, we open this Special Issue with Blanchette's (2022) narrative interpretation: *A Place at the Table: Sex Workers and Allies in the Redefinition of Brazil's Anti-Trafficking Law*. The author shares a focused account of the representational politics surrounding the insertion of the Brazilian prostitutes' movement (their terminology) into anti-trafficking policymaking following the death in 2013 of Gabriela Leite, one of the founders and principal leaders of Brazil's movement. The loss of Ms. Leite ignited a call for solidarity and action among allied sex workers, academics, journalists, and activists to cooperate and carry her work and the activities of the NGO Davida forward in the ongoing struggle to influence and disrupt stigmatizing discourse aimed at marginalizing sex workers.

We follow this work with the empirical paper, *Understanding the Diversity of People in Sex Work: Views from Leaders in Sex Worker Organizations*, by Mellor and Benoit (2023). This article contests the assumption of homogeneity, that is, that people engaged in sex

work are cis women and girls who are being sexually exploited/sex trafficked. The authors interviewed ten leaders from seven sex worker organizations (SWOs) across Canada who reported a level of diversity among their clientele that is rarely captured in the extant literature and absent from the current Canadian criminal code. Their findings revealed the vital role SWOs play in facilitating access to health and social services and providing safe spaces for people engaged in sex work. They conclude that SWOs operate as a structural intervention beyond decriminalization that can improve equitable access to health and social services for sex workers. At the same time, these organizations face ongoing challenges due to entrenched stigmas that prevent some workers from accessing programs and services.

Like Mellor and Benoit (2023), Sitter et al. (2022) in *“We Knew No One Else Had Our Back except Us”*: Recommendations for Creating an Accountability Care Framework with Sex Workers in Eastern Canada, call for structural interventions that accommodate the diversity of sex work locations and respond to the varied needs of individuals through person-centered policies and programs. The authors encourage scholars to consider the ways that ‘care’ can be nuanced, specifically in terms of the needs and experiences of people who sell sexual services. Sitter et al. (2022) explore multiple dimensions of care for people involved in sex work in Eastern Canada, including domains of self, community, collective, and accountability-related care. Thus, they identify holistic care models that meet sex workers’ needs and concerns more effectively than siloed approaches. The authors’ findings support recommendations for (1) increased stakeholder engagement at micro-, meso-, and macro-levels and (2) ongoing guidance from other jurisdictions about successful best practice models that have been effective in reducing harm and enhancing quality of life for people who sell sexual services.

The following two articles focus on mechanisms that shape and influence the physical environments of safety and wellbeing for sex workers. Macon and Tai (2022) draw attention to housing as a determining health factor in, *Earning Housing: Removing Barriers to Housing to Improve the Health and Wellbeing of Chronically Homeless Sex Workers*. The authors present evidence suggesting that adequate and secure housing is often out of reach for people engaged in sex work and among the main reasons why many engage in sex work as a livelihood strategy in the first place. Yet, punitive laws, stigma, and discrimination against sex workers are key macro-level barriers to attaining and keeping housing. The authors explore this relationship in the context of the State of Rhode Island’s laws and federal US law. Rather than protect sex workers, these laws remove communication and safety networks, compound economic precarity, and limit workers’ access to equitable housing options. The authors identify additional intersecting factors that shape housing insecurity, including race, class, gender, ability, and immigration status. Ultimately, Macon and Tai (2022) call for the recognition of housing justice—“a community-based practice that seeks to incorporate the need for accessible housing into other liberatory movements by prioritizing the dismantling of systems of oppression and violence” (p. 3)—as an essential element that can bring the need for safe and secure housing within reach of sex workers in their communities.

Fiolka et al. (2022) also discuss physical environments as a health-determining factor in their article, *Banishment through Branding: From Montréal’s Red Light District to Quartier des Spectacles*. The authors use Montréal’s Quartier des Spectacles district as a case study to historically portray how sex workers located in brothels, bawdy houses, and cabaret venues in the inner city of Montréal, Canada, were part of the fabric of the city and enjoyed a relatively secure physical space to conduct their work. While legal restrictions existed at the time, they were seldom enacted by police and other regulators. Beginning in the mid-1980s with the enforcement of Bill C-49 criminalizing street-level solicitation, urban planning began to transform and gentrify the historic red-light district of old Montréal. The authors show how municipal planning tools, including district planning, street redesign, zoning and rezoning regulations, selective public consultation, expropriation, and policing and surveillance, were used by officials to remove and exclude sex workers from the

urban landscape. These top-down actions drove sex workers into—and restricted their movements to—unfamiliar areas of the city, making it much more challenging for them to work safely and escape harassment from aggressors, the police, and members of the general public. The authors recommend using urban planning as a high-level strategy to enhance workplace safety for sex workers and reduce the stigmas and harassment they face in unplanned, isolated, and unwelcoming urban spaces.

The next two articles draw attention to the disproportionate impacts the COVID-19 pandemic has had on the workplace health and social inequities experienced by people engaged in sex work. By speaking to different areas of impact, including access to income supports, care as defined by workers, and alternate work modalities, the authors expose the intersecting macro- and meso-level challenges that sex workers cope with daily due to the heavy burden of the stigma surrounding sex work.

In *Barriers to Governmental Income Supports for Sex Workers during COVID-19: Results of a Community-Based Cohort in Metro Vancouver*, Pearson and colleagues (2022) examine cis and trans women sex workers' access to income support in Vancouver, British Columbia, Canada as they cope with the dual impacts of the COVID-19 pandemic and the epidemic of heightened rates of drug toxicity and illicit drug overdoses (Nosyk et al. 2021).

As these epidemics worsened, the already challenging financial circumstances of sex workers became dire, especially for those already marginalized along other dimensions, including those of drug use, gender, Indigenous and/or racial backgrounds, or migrant status. The authors draw on data gathered from an ongoing community-based study to identify the prevalence and correlates of accessing emergency income support during the first year of the COVID-19 pandemic, including the Canada Emergency Response Benefit (CERB), a one-time benefit available to Canadian residents based on their previous earnings and tax returns. Pearson et al. (2022) show that sex workers in Vancouver not only lost significant income from the sale of sexual services due to shutdowns and mobility restrictions, but were far less likely than other service workers to access government income support during the first year of the COVID-19 pandemic. The outcome of these macro-level forces was greater poverty for sex workers in Vancouver's inner city, exacerbated housing precarity, and increased food insecurity. The authors call for a greater examination of income support as a policy intervention to support the autonomy and social inclusion of sex workers in communities.

Authors Rubattu et al. (2022) focus on the upsurge in virtual sexual service delivery during the COVID-19 pandemic in, 'Cam Girls and Adult Performers are Enjoying a Boom in Business': A Grounded Theory Media Study of the Pandemic Impact on Virtual Sex Work. The authors examine 'cam work' as an economic strategy employed by sex workers before and during the pandemic and discuss the nuanced rewards and risks of virtual sex work. In their assessment of secondary data from news sites across the United Kingdom, the authors explore the pivotal role of the media in shaping public opinion about sex work and sex workers and the policy debate surrounding prostitution. Their findings reveal an increase in online sex work during the COVID-19 pandemic for three primary reasons: an expansion in the number of websites offering sexual services, the introduction of new digital sex workers to the industry, and the continued offering of sex for pay from workers who provided services before the pandemic. The authors' findings show that the types of services requested and provided changed during the pandemic to include requests for companionship, conversation, and services related to COVID-19-related fetishes. Rubattu et al. (2022) highlight that the use of the press to foreground sex workers' voices and lived experiences can help shape community opinion and, in turn, influence public discourse and policy related to sex work. Thus, the authors indicate the media is a structural tool beyond legal reform that, if employed in a positive way, can help improve the social conditions of sex workers' lives, reduce harm, and enhance their individual capabilities.

In the final article of our Special Issue, *Digital Exclusion and the Structural Barriers to Safety Strategies among Men and Non-Binary Sex Workers Who Solicit Clients Online*, Koenig et al. (2022) indicate the unique challenges that sex workers in one Canadian city face

when soliciting their services and navigating through risks in digital environments under Canada's current punitive prostitution law. Canada's legislation, Bill C-36, the Protection of Communities and Exploited Person's Act (PCEPA), does not generally criminalize the selling of sex; however, communicating for the sale of sexual services in a public place next to a school ground, playground, or daycare center is prohibited. The PCEPA also criminalizes the negotiation and purchasing of sexual services, the advertising of others' sexual services, and third-party reception of commercial profits from sex work (Department of Justice Canada 2014).

In response to the PCEPA, many online platforms that had previously hosted sex workers removed sellers from their websites as a precaution, even though it is not currently illegal in Canada to solicit one's own sexual services. Drawing on 21 semi-structured interviews, Koenig et al.'s (2022) results show that online platforms help men and non-binary sex workers enact personal safety strategies and remain in control of interactions with their clients. When sex workers were displaced from online solicitation venues where they enacted these safety strategies, they became exposed to criminalization, the transnational reach of internet legislation in the United States, occupational stigma, and asymmetrical online regulations. As contributors Fiolka et al. (2022) mentioned above, Koenig et al. (2022) call for government/policy makers to recognize sex work as a form of labor and implement occupational health and safety regulations for sex workers across genders.

3. Concluding Observations

People who sell sexual services have historically experienced marginalization across multiple domains of oppression, facing restricted access to key resources to support their safety at work, economic security, and overall quality of life. We tasked contributors with identifying structural interventions beyond decriminalization that can be used to address workplace risks and harm faced by sex workers and present solutions grounded in empirical research. We conclude that the current social and economic policies in both the Global North and South are largely failing to remove the barriers that restrict the human rights and fundamental freedoms of adults who sell sexual services. In this Special Issue, our contributors proposed meso- and macro-level interventions with the intention of enhancing sex workers' individual capabilities and improving their human rights. This entails the prioritization of government policies and funding decisions that amend access to a variety of economic and social forms of support and the removal of employment restrictions for the multitude of people engaged in sex work. Fundamentally, these equity interventions must be integrated into the formal social care, judicial, and health care systems.

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