

How do Nordic Model laws affect sex workers?

What the research shows and how to use it for policy change

Spokes Hub Virtual
Peer Learning
Academy

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Introduction

- Inception of this class
- Introducing Amelia
- Goals

Sex work/er definition

Sex workers are “people over 18 years of age who receive money or goods in exchange for sexual services, either regularly or occasionally...sex work is *consensual sex between adults*, which takes many forms, and varies between and within countries and communities.”

(WHO, UNAIDS, UNDP, UNFPA, NSWP, World Bank, 2013)

Summary: SW legal models

Criminalization	Laws make sex work, or activities associated with sex work, a crime.
Depenalization	Replaces criminal laws with administrative offenses and public order laws, e.g. loitering, public indecency, etc.
Legalization	Laws impose state regulation and control of sex work and sex workers, such as workers' working conditions, mandatory HIV/STI testing, and mandatory registration. Typically enforced by the police.
Decriminalization	Removes criminal laws prohibiting sex work and all associated activities. Should also remove other types of law that are disproportionately used against SWers, e.g. public order laws.

The Nordic Model

a.k.a. End Demand, Swedish, Equality, or Entrapment Model

No criminal penalties for selling sex

Criminal penalties for:

- Buying sexual services (**clients**)
- Offenses by “third parties” (**SWers’ personal assistants, drivers, security, web designers, colleagues, friends, family, etc.**)
- Supporters believe this will end demand for SWers’ services and therefore end the SW industry.
- Often conflates all SW with trafficking, equates all SW with exploitation

Nordic Model Impacts: Overview of research findings

- Decreased ability to screen clients
- Reduced choice and control over work-spaces
- Reduced occupational health and safety
- Increased violence
- Increased sexual health risk
- Police surveillance and harassment
- Police use of immigration and other criminal laws against sex workers during Nordic model enforcement against clients and third parties

On to some study deep dives...

Study Title	Associations between sex work laws and sex workers' health: A systematic review and meta-analysis of quantitative and qualitative studies
Authors	L Platt, P Grenfell, R Meiksin, J Elmes, SG Sherman, T Sanders, Peninah Mwangi, Anna-Louise Crago
Year published	2018
Location	Multiple countries/world regions
Methods: what researchers did	<p>Systematic review AND meta-analysis of global qualitative and quantitative studies.*</p> <p>Included 64 studies (out of over 9,000 potentials) that met criteria, including quality standards.</p> <p>*<u>Systematic review</u>: a comprehensive review of all relevant studies on a particular topic that uses systematic methods to ensure findings are more reliable and accurate than individual studies.</p> <p><u>Meta-analysis</u>: uses statistical techniques to synthesize data from several studies into a single estimate or number, and can increase accuracy of results.</p>
Results: what they found	<p>Criminalisation of sex work-- through Nordic, depenalization, and criminalization models-- and unlawful repressive policing practices are associated with:</p> <ul style="list-style-type: none"> - increased risk of infection with HIV or STIs - sexual or physical violence from clients or intimate partners - condomless sex <p>When sex workers experienced or feared police enforcement against sex workers, clients, or third parties, it:</p> <ul style="list-style-type: none"> - displaced sex workers into isolated and dangerous work locations - Disrupted risk reduction strategies, such as screening and negotiating with clients, carrying condoms, and working with others.
Other notable	Authors conclude: "The removal of criminal and administrative sanctions for sex work is needed to improve sex workers' health and access to services and justice."

Title	Violence against sex workers: Correlates and Changes under 'End-Demand' legislation in Canada: A five city study
Authors	AL Crago, C Bruckert, M Braschel, K Shannon
Year published	2022
Location	5 cities in Canada
Methods: what researchers did	Survey with 200 sex workers, analyzed statistically. Asked participants who reported working in sex work prior to December 2014 (when the new end demand laws were implemented) if they had experienced changes related to their working conditions since that time.
Results: what they found	<p>A majority of respondents (80.24%) reported that violence in the workplace had increased or stayed the same compared to before end demand law institution.</p> <p>87.43% of sex workers reported it was harder or the same to get help in an emergency under the end-demand laws.</p> <p>More Indigenous than non-Indigenous sex workers and more outdoor than indoor workers reported that it was harder to call for help now than before end-demand laws.</p> <p>Clients are less likely to give identifying information (such as phone numbers) under the new laws, making it difficult for sex workers to use the information for screening, for sharing with other workers, or for reporting perpetrators.</p>
Other notable	<p>Research was done in partnership with six intersectional sex worker organizations</p> <p>Intentionally included sex workers who, based on other research, are the most likely to experience the most direct and significant effects of enforcement of new sex work laws, i.e. the most marginalized SWers in Canadian context: those meeting clients on the street; using drugs by injection or inhalation; and Indigenous. Therefore, findings from this study disproportionately reflect the experiences of those SWs.</p>

Title	How client criminalisation under end-demand sex work laws shapes the occupational health and safety of sex workers in Metro Vancouver, Canada: a qualitative study.
Authors	McDermid J, Murphy A, McBride B, et al
Year published	2022
Location	Metro Vancouver, Canada
Methods: what researchers did	47 in-depth qualitative interviews with indoor sex workers and third parties working in Indoor sex work venues
Results: what they found	<p>The criminalisation of clients was linked to reduced ability to negotiate the terms of sexual transactions, including type of service, price and sexual health.</p> <p>Client preference for paying with cash to maintain anonymity led to increased risk of robbery and assault due to knowledge of high cash flow in sex work venues and a reluctance to seek police protection.</p> <p>Client fear of being prosecuted or 'outed' by police enhanced feelings of shame, which was linked to increased aggression by clients.</p>
Other notable	<p>Example quotations from interviews:</p> <p>"If clients are nervous about giving away their personal information, then it makes me not as safe because I don't have as much about their back ground. When I first started out there wasn't much talk about criminalization around sex work and so people felt comfortable giving me their full first and last names and phone number sometimes and, now I think people would be a lot more cautious, just emailing me their last name." Sex worker, racialised, Canadian-born, gender queer.</p> <p>"In my experience, especially since this new legisla tion, the clients are being victimised—[and] so are women [sex workers] now, because we have angry, pissed-off clients." - Owner/manager, white, Canadian- born, woman.</p>

Discussion:

Navigating real-world scenarios

(off-camera)

- What scenarios have you faced in your advocacy work that stumped you?
- Where you felt you couldn't respond as you wanted?
- How can we deal with these situations and keep the policy work moving?
- In what ways can we employ research evidence to help?

Works cited in this presentation:

- Crago AL, et al. 2022. [Violence against sex workers: Correlates and Changes under 'End-Demand' legislation in Canada: A five city study](#), Global Public Health, 17:12, 3557-3567.
- Krüsi, A., et al. 2014. Criminalisation of clients: Reproducing vulnerabilities for violence and poor health among street-based sex workers in Canada--a qualitative study. BMJ Open, 4(6), e005191.
- Machat, S., et al. 2019. [Sex workers' experiences and occupational conditions post-implementation of end-demand criminalization in metro Vancouver, Canada](#). Canadian Journal of Public Health, 110(5), 575–583.
- McBride, B., et al. (2020). [Underreporting of violence to police among women sex workers in Canada: Amplified inequities for im/migrant and in-call workers prior to and following end-demand legislation](#). Health and Human Rights, 22(2), 257.
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- NSWP. 2020. ["Smart Sex Worker's Guide to Decriminalisation."](#)
- Platt L, et al. 2018. [Associations between sex work laws and sex workers' health: A systematic review and meta-analysis of quantitative and qualitative studies](#). PLoS Med 15(12): e1002680.
- Rosentel, et al. (2021). [Police enforcement of Sex work criminalization laws in an "End demand" city: The persistence of quality-of-life policing and seller arrests](#). Archives of Sexual Behavior, 50(5), 1973–1990.
- Vuolajärvi, N. (2019). [Governing in the name of caring—The Nordic model of prostitution and its punitive consequences for migrants who sell sex](#). Sexuality Research and Social Policy, 16(2), 151–165.
- WHO, UNFPA, UNAIDS, NSWP, The World Bank. 2013. ["Implementing comprehensive HIV/STI programmes with sex workers: practical approaches from collaborative interventions."](#)
- Yale Global Health Justice Partnership and The Sex Workers Project of the Urban Justice Center. 2023. ["Exercising Discretion: A Handbook for Advocates and District Attorneys Navigating the Possibilities and Impacts of Non-Prosecution Policies in the Context of Sex Work Criminalization."](#)

Additional resources:

[Advocate for Adult Industry Reform Directory](#) (by New Moon Network): catalog of listings that are relevant to sex trade advocacy, including articles, videos, podcasts, and funding opportunities. All listings on this site are peer reviewed by advocates with lived experience in the sex trade.

[Violence against sex workers: Resources and tools to build evidence and action](#) (by Amelia Rock): annotated list of resources to tackle violence against sex workers for advocates, researchers, activists, practitioners, and decision-makers who seek to root their arguments and strategies in scientific evidence and sex workers' experiences and guidance.



THANK YOU.



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