



# **GOVERNMENT POLICIES AND SEX WORK REALITIES: HUMAN TRAFFICKING IN THE REGULATED SEX INDUSTRY**

## **AIMS OF THE STUDY**

In the Netherlands selling sexual services for money is accepted by law under certain conditions. Some sex workers, however, are tricked out of their money by people using manipulation, fraud or coercion. This phenomenon, the exploitation of sex workers, constitutes human trafficking. Addressing this crime of human trafficking is a priority of many government institutions at all levels. Several organisations deal with human trafficking, focusing on prevention, prosecution and the protection of victims. However, people who are identified as victims of human trafficking in the sex industry often decline the assistance that is offered to them, and many victims are reluctant to report this crime or to seek help. How can this gap between the needs of victims and the way in which human trafficking in the sex industry is addressed by the government, be explained? To gain more insight, I explored to what extent the way in which human trafficking is addressed connects to the nature of human trafficking in the Dutch sex industry. The dissertation focuses on: (1) the characteristics of sex work and exploitation, (2) relationships between those who exploit and those who are exploited, (3) the criminal investigation of human trafficking, and (4) meanings of anti-trafficking measures for sex workers.

## **METHODS**

### **Police files of criminal investigations into human trafficking, and interviews**

The dissertation uses a qualitative research design. The two main methods used are analysis of police files of criminal investigations into human trafficking in the Netherlands, and interviews with sex workers and government officials. After an initial study of four comparable criminal cases on human trafficking (chapter 4), further criminal investigations were subsequently studied. Chapters 2, 3 and 5 are based on twelve criminal cases. These cases were conducted by the police in the period 2006-2010 and took place in the Amsterdam red-light district. The twelve cases contain information about 70 suspects and 76 victims. The police files contain the results of each investigation and consist, among other things, of transcribed telecom interceptions, reports on police observations, interrogations, and statements made by victims and suspects. Apart from the study of police files, interviews were conducted with the police officers and Public Prosecutors dealing with each of the criminal investigations. For the study on anti-trafficking measures (chapter 6), interviews were held with sex workers (window and street-prostitution), brothel managers (window, club, and escort), government officials, police officers, and social workers.

## RESULTS

### **Sex work and informal services**

Chapter 2 demonstrates that, to understand the nature of human trafficking, we must take the role of informal service providers into account. Informal services refer to the grey economy, to unregistered services that are not formal, but not necessarily illegal. Informal activities take place outside the field of view of the government because no tax is paid, or because the necessary license or registration is missing. The women in the police files interact with various informal players who provide a wide range of services. They use particularly informal services because they attach great value to anonymity (inter alia as a consequence of the stigma of sex work), and because they are useful to get access to for example work and housing. The informal activities include pimps and bodyguards providing work and protection, errand boys who offer all kinds of informal services, drivers offering transportation, brothels using straw men, and accountants and consultants who advise on (bypassing) regulations and taxes. While these services can be harmless, helpful, and supporting, the data also demonstrate that involvement with informal players can entail dependency and exploitation. These people can create a network of monitoring and control around the work and the movements of sex workers, and profit from their earnings in an exploitative way.

### **Relationships between suspects and victims of human trafficking**

A second aspect of the nature of human trafficking relates to intimate relationships that often exist between suspects and victims of human trafficking. Chapter 3 shows that the mechanisms within these relationships resemble those in relationships involving domestic violence or so-called ‘coercive control’. Trafficking suspects and victims often live together and in those relationships loyalty, dependency and intimidation are intertwined and emerge gradually. In these relationships partners do not split up easily and women may not want help or interference from outside. They consider deception, intimidation or forms of coercion to be relationship problems, something they have to solve themselves. Moreover, attachment to their partner, the benefits of the relationship, or a feeling of gratitude towards the partner (who has helped her) play a role. Therefore, women do not necessarily perceive themselves as victims or do not want their partner to go to prison, which prevents them from calling in help from outside or their reporting it to the police. With this knowledge about parallels with domestic violence it can be better understood how sex workers relate to criminal prosecution of their “boyfriend” and why they often do not accept help or protection from the government. The parallels with domestic violence may also provide clues in the search for effective approaches when it comes to prevention, prosecution and protection.

### **Criminal investigation of human trafficking**

The complex informal and intimate relationships between victims and suspects of human trafficking and the gradual process of the formation of these relationships are difficult issues for law enforcement, as is illustrated in chapters 4 and 5. Often there is no obvious criminal evidence and the persistence of relationships (even after arrests or convictions of suspects) complicates the cooperation of victims and witnesses with the police. To collect information on exploitative relationships, wiretapped conversations between suspects and victims generally provide relevant information for the investigation. Other findings show that particular knowledge and expertise on signalling human trafficking, on approaching victims, and of the complex and broad legislation are important conditions for a successful criminal investigation. Apart from being an international offence, human trafficking is also often a local issue. This provides opportunities for involving the community police in the investigation.

### **Meanings of anti-trafficking measures for sex workers**

Chapter 6 looks at the meanings of policy measures against human trafficking for sex workers. To understand these meanings, the perspectives of sex workers are explored. The chapter addresses an example of a recently introduced anti-trafficking measure: the mandatory intake of people who want to work in the sex industry, meaning a face-to-face conversation with the authorities. This intake should inform sex workers and provide the local authorities with the possibility of identifying signs of trafficking, which can lead to work restrictions. Interviews with sex workers show that the government's intentions to offer help and protection for sex workers can mean control, discrimination, and work restrictions. Whereas the government wants to preclude possible victims of human trafficking from working in the sex industry, sex workers perceive their situation as a possibility to improve their lives. As a consequence, they withhold information about pimps and boyfriends from the authorities, or move to work in other cities, and sparingly use the assistance offered by the authorities.

## **CONCLUSION**

The results of the different studies in this dissertation show that the way human trafficking is addressed does not always match with the nature of the problem and with the perspectives of sex workers. In policy notes, human trafficking is usually presented as involuntary sex work, as an organised and international crime, and as slavery. The empirical data, however, show how informal activities and intimate relationships can (gradually) lead to situations of human trafficking. Although informal services can have an organised character, human trafficking is rather characterised by the absence of such organisation and by local embedding. In addition, various aspects of trafficking for sex workers are ambiguous. People who can be responsible for exploitation can also offer

assistance and access to work (and hence income), housing, and transportation. Coercive partners or relationships also entail security and belonging, while prosecution, prevention and protection by the authorities can mean for sex workers control and work restrictions. In fact, on a number of studied aspects the ‘policy reality’ does not match the so-called ‘sex work reality’. To effectively combat human trafficking, it is important to take into account the meanings, attributed by sex workers, of their situation, their work and of policy measures of the government.