

# Not collateral damage: Trends in violence and hate crimes experienced by sex workers in the Republic of Ireland

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## Abstract

The Republic of Ireland's new Criminal Law (Sexual Offences) Act 2017 (2017 Act) criminalised sex purchase. Drawing on primary data from reports made by sex workers in Ireland to [UglyMugs.ie](https://UglyMugs.ie), we analyse trends in violent and other crimes against sex workers in Republic of Ireland (hereafter Ireland). Examining the four-year period 2015–2019, we highlight the various crimes sex workers experience, including incidents

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of hate crime. Analysis of UglyMugs.ie data found that crimes (including violent offences) against sex workers increased following the introduction of the new law and continued with low levels of reporting of said crimes to the police. The data suggest that the 2017 Act heightens the risks for sex workers. Here, we advocate an intersectional framework to provide a more nuanced understanding of how sex workers in Ireland experience violent and other hate crimes (ICRSE, 2014). We suggest that considering the international research evidence, the most conducive framework in which to reduce violence against sex workers is that of full decriminalisation (Platt et al, 2018). But, as others have pointed out, that legal reform needs to be in tandem with other policies and a refocusing of police resources on sex worker safety, better enabling reporting and access to justice.

### **Keywords**

Sex work, violence, hate crime, decriminalisation

### **Introduction**

As other articles in this themed issue establish, Irish criminal law changed in 2017 when law was introduced (Criminal Law (Sexual Offences) Act 2017 – hereafter the 2017 Act), which made it a crime to pay for sexual activity with a prostitute, at the same time laws on soliciting which criminalised sellers were removed. Brothel keeping law, which is what is most often used to criminalise indoor sex workers, remained in place. When announcing the Bill in 2014, the Minister for Justice and Equality stated; ‘...I strongly believe that this proposal is the best suited to address the trafficking and exploitation associated with prostitution. It sends a clear message that purchasing sexual services contributes to exploitation’. She also said ‘the proposal I am announcing today reflects an All-Island consensus to targeting the predominantly exploitative nature of prostitution’ (Department of Justice and Equality, 2014). This illustrates the government position that the aim of the bill was to address trafficking and exploitation of people in sex work. Beegan and Moran (2017: 71), examining how the law was situated within feminist paradigms, stated that; ‘...there is undoubtedly a leaning towards the radical feminist/abolitionist perspective in this decision as it favours the development of the Nordic Model as an intervention to combat the exploitation of women in the sex trade’.

Indeed, this legal change had been advocated for by the Irish neo-abolitionist organisation Turn off the Red Light (TORL). The dominant narrative framing the arguments of TORL was influenced by radical feminist analysis that prostitution is itself a form of violence against women, created by patriarchal male demand, which should be prohibited and eradicated (McGarry and Fitzgerald, 2018). Sex work was identified as inherently violent, a form of sexual violence against women,

a coerced activity with trafficking predominant and harmful for the women involved. Those advocating the law proposed it as a means of reducing male demand for prostitution and hence reducing violence against women. Their arguments reflected those who advocated for the criminalisation of purchasing commercial sex as a regulatory framework modelled on law introduced in Sweden in 1998, followed by Norway in 2009, with such Nordic origins law which criminalises purchasing is often referred to as the Nordic model. Whilst many of those who supported the law will have had genuine concerns about exploitation, abuse and violence experienced within sex work and hoped the law could reduce these and reduce violence against women, whether this has happened in practice is debatable. The Sex Workers Alliance of Ireland (SWAI) – the only Irish sex worker-led sex worker rights organisation – has expressed its concerns about the detrimental impacts that the 2017 Act will have on sex workers' safety. SWAI and its supporters argue that it will lead to a further erosion of sex workers' safety, increased stigmatisation and social marginalisation of sex work, further criminalisation, leading to continued mistrust and further deterioration in sex workers' relations with the police and an increase in crimes against sex workers (FitzGerald and McGarry, 2016; Ward and Wylie, 2014). SWAI are one organisation who have expressed the view that the new law which is supported by organisations who aim to eradicate sex work ignores harms created by criminalisation of sex workers and their clients:

[S]ex workers are collateral damage in the futile quest to eradicate sex work entirely. We see organisations who support further criminalisation of sex work minimise or ignore the harms and negative impacts that come from criminalisation (Kate McGrew, quoted in Moore, 2018, *Irish Independent*).

This article argues that the sex workers safety should not be collateral damage in public policy, and enhancing sex worker safety should be a priority in law and policies shaping sex work.

Sanders (2016) challenges the conceptualisation of sex work as inherently violent and points to three dynamics that shape violence in sex work: first, the environment in which sex work happens; second, the relationship of sex work to state. She argues '... how prostitution is governed in any one jurisdiction and associated treatment of violence against sex workers by the police and judicial system dictates the very organization of the sex industry and the regulation, health and safety of the sex work communities' (Sanders, 2016: 93) and third, social status and stigma and their effects on societal attitudes toward sex workers. In this article, we acknowledge these dynamics and their complex interplay which shape sex workers' experiences of work-related victimisation. We approach sex work and sex worker experiences as situated within the complex intersections of patriarchal gender relations, race, nationality, class, sexual identity and other structural axis within neo-liberal capitalism, within which sex workers are denied the limited work-based protections, human rights and labour rights other workers have. Their work is

criminalised which heightens their vulnerability to violence, other crimes and forms of labour exploitation. We adopt an intersectional understanding of sex work and violence against sex workers, which recognises how different and multiple forms of oppression at the structural level (e.g. race, ethnicity, gender based violence, sexual orientation, socio-economic status, economic deprivation, migration, drug use) can intersect and shape sex workers' experience differentially (ICRSE, 2014). At a micro-level, this acknowledges how '...some sub-communities of sex workers, transgender sex workers, migrant sex workers, sex workers living with HIV, or sex workers who use drugs, are particularly vulnerable to multiple forms of exclusion and discrimination' (ICRSE, 2014: 2). We approach violence against sex workers as a social justice issue because it denies individuals' – and particularly women's – human right to live and work in safety (FitzGerald and McGarry, 2018). Whilst we approach sex work as gendered with the majority of sex workers in Ireland being women, we also acknowledge that the focus and conceptualisation of sex work as violence against women mean that the debate and policy in Ireland have not adequately considered the experiences of male sex workers or captured the diversity of gender identifications of sex workers, as (Smith et al., 2015) have noted is often the case.

Building on discussions we had at a workshop on 'Sex Work and Violence' held at the Irish Sex Work Research Network conference in November 2018, we respond to Irish practitioners' concerns that since the 2017 Act was introduced, they had witnessed an increase in anti-social behaviour, violent and other crimes against sex workers, particularly amongst migrant and transgender sex workers, identifying this as an area needing further research. In the context of debates about the impact of law on violence and other harms, we would argue the importance of monitoring and researching such harms, so policy impacts can be assessed. Deering et al. (2014: 9) describe 'major gaps in documentation of violence against sex workers in most parts of the world'. Notwithstanding ongoing arguments about violence and other harms experienced by sex workers in Ireland, at the time of writing, no government body has examined the nature and level of violent and other crimes against sex workers, conducted an impact assessment prior to introduction of the 2017 Act or put in place mechanisms to assess the impact of the law on sex worker safety. The government has committed to review and report on the legislation after three years, and, as part of this process, it will assess the Act's impact on sex workers' safety and well-being, and we hope that the government will commission independent academic research to review the legislation. A primary objective of this paper is to contribute to a developing body of sex work scholarship in Ireland, building an understanding of trends in violent and other crimes against sex workers based on data. To do this, we use primary data generated through sex workers' online reports of crime and anti-social behaviour, including incidents of hate crime, over a four-year period between 2015 and 2019 to UglyMugs.ie (UM),<sup>1</sup> a third-party reporting and alerting scheme for sex workers in Ireland. Before proceeding, it is important to establish the following parameters around our discussion. When examining crimes committed against sex

workers, the focus obviously becomes on work-related victimisation. In this paper, we draw on data from a reporting scheme designed to enable sex workers to report such incidents of victimisation. It is important to set this in the wider context of commercial sex encounters and note that most commercial sex interactions go without violence and harassment (Brewis and Linstead, 2000; Kinnell, 2008). Recognising a disproportionate level of victimisation is important but equally to characterise all commercial sex encounters as involving victimisation is not accurate. Ellison et al. (2019), assessing the law criminalising purchasing sexual services in Northern Ireland (NI), carried out an online survey of 199 sex workers; 51% ( $n = 75$ ) said that they had never been the victim of a crime while doing sex work in NI, compared to 49% ( $n = 72$ ) who said they had been the victim of a crime, i.e. slightly more reported never being a victim of crime.

We are very mindful that our analysis is based on data from a third-party reporting system that receives reports from sex workers in Ireland who have been victimised; it does not necessarily reflect the experiences of the wider sex worker population in Ireland. We did not have access to any recent survey data which would inform about a wider sample of sex workers beyond those who report to UM. These limitations notwithstanding, we think that our analysis provides some important insights about trends in violent and other crimes against sex workers in Ireland, and this makes an important contribution to Ireland's emerging research base. We aim to contribute to an understanding of the type of victimisation Irish sex workers experience, in relation to the new law. We are also proposing that data indicates that the new law has not reduced crime and abuse experienced by sex workers nor has it improved confidence in sex workers to report victimisation to the police. We further put forward that victimisation reported to UM shows that the targeted hostility sex workers report, manifested in a range of crimes and anti-social behaviour, meets established definitions of hate crime.

We structure our article as follows. First, we discuss the literature on the prevalence and nature of sex workers' victimisation in Ireland, contextualised within the wider, global literature. Second, we analyse trends in violent and other crimes against sex workers in Ireland based upon primary data sampled from reports made by sex workers in Ireland to UM. Finally, as our data highlight very low levels of reporting of crime by sex workers to the police in Ireland, suggest that tackling violence against sex workers requires a refocusing of policing resources to promote sex worker safety and mechanisms to empower them to report crimes committed against them, facilitating their right to access to justice. Therefore, it is our contention in this article that advocating for the full decriminalisation of sex work is the most conducive framework to achieve this.

## **Prevalence and nature of sex work victimisation**

Empirical research on sex workers' global experience of violence, including workplace violence over the lifetime, finds that between 45 and 75% of sex workers experience violence (with 32–55% experiencing violence in the last year) (Deering

et al., 2014). Studies grounded in sex workers' complex, lived realities illustrate their different experiences of risk in terms of prevalence and forms of victimisation across sectors and various socio-economic realities (Platt et al., 2018; Shannon et al., 2009). Studies which examine the different characteristics and prevalence of violence between sex markets have found off-street sex workers reporting lower levels of violence and identify higher levels of violence in street sex work (Church et al., 2001; Deering et al., 2014; Sanders and Campbell, 2007; Weitzer, 2012). Research also illustrates different patterns of victimisation within off-street markets, including internet-enabled sex work (Campbell et al., 2019; Kinnell, 2008; Sanders, 2005; Sanders and Campbell, 2007; Sanders et al., 2018; Whittaker and Hart, 1996).

Research has illustrated how the structure and organisation of indoor, parlour-based sex work can reduce risk relative to street sex work with indoor settings providing opportunities to introduce a range of protective measures to deter or reduce risk (O'Doherty, 2011; Kinnell, 2008; Whittaker and Hart, 1996). Although the extent to which these are in place varies within the sector (Lister, 2018; Pitcher, 2015). A primary reason why sex workers choose indoor locations to work is their concerns for their safety (Lister, 2018), with brothel work or work flat sharing providing an opportunity to have others present while they work, despite the fact that working in a brothel can lead to prosecution.

Escorting, independently via the Internet or working for an agency and other forms of online sex work, is the largest sector of the UK and Irish sex industries for workers of all genders (Ellison et al., 2019; Sweeney and FitzGerald, 2017), but it is the sector where a lacuna exists in relation to research on violent and other crimes (Sanders et al., 2018). Yet, emerging international research is beginning to provide a more detailed picture that resonates with emerging trends in sex workers' experiences of violent and other crimes in this sector in Ireland (Moorman and Harrison, 2016; Sanders et al., 2016; Sanders et al., 2018). For example, Sanders et al. (2016) in a UK-based survey of 240 internet-based sex workers (mainly independent escorts) found that nearly half of respondents (47%) reported that they had experienced crime in their sex work. The most common crimes experienced were threatening or harassing texts, calls and emails; verbal abuse and removal of condoms. This study suggested that internet-based sex workers do experience less violent crime than street-based sex workers, but blackmail, stalking and harassment by text and email were significant issues for online sex workers. The 'Beyond the Gaze' (BtG) research project, the largest study to date of the safety, regulation and working conditions of internet-based sex work in the UK (Sanders et al., 2018), found that in their survey of 651 online sex workers, 80.8% ( $n = 518$ ) reported experiencing at least one form of crime in the past five years and 62.4% ( $n = 400$ ) experienced at least one type of crime in the past year. The patterns of crime types experienced were distinctive when compared to those reported in studies of street sex work. For online workers, the majority of crimes was digitally facilitated, with the two most commonly experienced crimes being persistent or repeated/unwanted contact or attempts to contact sex workers

through email, text or social media and threatening or harassing texts, calls or emails. The study found that digitally facilitated crimes were often part of patterns of harassment and stalking and often involved 'outing' or threats to publicly out sex workers to: neighbours, friends, family, police, universities, employers, social services or generally online including 'doxing' (maliciously posting private or identifying details about workers online). Physical assaults and sexual violence were reported at lower levels, but still at higher rates than the general population. Ellison et al. (2019) carried out an online survey of 199 sex workers working in NI, none of whom identified as street sex workers, reflecting the Northern Irish sex work population which is 'almost exclusively based online' (p. 38). They found that amongst those respondents who said they had been victimised while doing sex work in NI, the most common offence categories in order of prevalence were abusive or threatening phone calls/messages (73.3% of sex workers in their survey reported receiving these in the previous 12 months), in-person threatening or abusive behaviour (50.6% said they had experienced such in the previous 1 months), assault, robbery and rape/sexual assault. The later, as in the BtG research, reported by less than 10% of those who experienced a crime in the last year. The Ellison et al. (2019) study is significant because it provides a substantive and contemporary study of sex work in NI which includes data on sex worker victimisation.

In the Irish context, there is limited contemporary, empirical academic or other published research on crimes committed against sex workers. Over 20 years ago, O'Connor (1996) carried out a qualitative study with 86 women working in sex work in Dublin and Cork, with experiences of violence being one topic examined. Amongst participants, 20% ( $n = 17$ ) had been 'beaten by a client' and 11% had been 'forced to have sex'. That study included street and indoor parlour workers, yet sex work in Ireland has changed considerably since then, particularly with the rise of online sex work. Sweeney and Fitzgerald (2017) describe Irish sex work as having moved from brothel-based sex work and street work to escorting, with more isolated, independent and mobile working, with many sex workers travelling within Ireland to reach more customers. Their recent qualitative study on migrant sex workers' health found that fear of violence, robbery and refusal to pay for services 'combined with the need to remain invisible and on the margins due to their precarious legal status impacted migrant sex workers' health' (Sweeney and FitzGerald, 2017; Sweeney et al., 2019). In interviews, sex workers described actual incidents of crime such as rapes, physical assault and abuse or the risk of being a target of these. Researchers in Ireland have highlighted the need for further research (FitzGerald and McGarry, 2016; McGarry and FitzGerald, 2018; Ryan, 2019; Ryan and Huschke, 2017; Ward and Wylie, 2014, 2016) to provide an up-to-date empirical baseline about the nature of violence against sex workers in Ireland in a variety of contexts. And it is in this context that we situate the current article's contribution to the literature by focusing on original data on



victimisation made available through UM and consider how legal changes have shaped victimisation and its prevalence.

### *Criminalisation, stigma, hate crime and sex worker victimisation*

Ireland's decision to introduce legislation that criminalises sex purchase mirrors trends in other jurisdictions. Debates about sex work law in Ireland and the proposals to make it a crime to criminalise purchasing reflected wider academic and policy debates about the regulation of sex work. Therefore, it is important to consider what international research shows about the impact of regulatory frameworks on sex worker safety including the criminalisation of selling and purchasing sex. There is a considerable body of work that identifies how the social marginalisation, stigmatisation and criminalisation of sex work place sex workers in vulnerable positions, heightening the risk of work-related violent and other crimes (Deering et al., 2014). Platt et al. (2018) in their systematic review of sex work studies that examine how law and policing practices globally affect sex workers' health, safety and well-being found that the key harmful impacts of arrests and harassment of sex workers or their clients which accompany criminalisation were displacement of sex workers to isolated work locations, the disruption of peer support networks and access to services, limitation of risk reduction and deterring sex workers from carrying condoms. The review also found that enacted or feared police enforcement which targeted sex workers, clients or third parties organising sex work displaces sex workers into isolated and dangerous work locations and disrupts risk reduction strategies, such as screening and negotiating with clients, carrying condoms and working with others.

Legislation that criminalises sex workers working together for safety through brothel keeping is one way that the criminal law impedes sex workers implementing safer working practices and reporting crime to the police (Pitcher, 2015). Such legislation is in place in Ireland, and the new legislation increased penalties for brothel keeping and has been used against sex workers themselves working together in small groups. For example, in June 2019, two migrant workers from Romania working together in Newbridge, County Kildare, were found guilty of brothel keeping at the Naas District Court. Each woman receiving nine months prison sentences, one of the convicted women was pregnant at the time of the conviction (Oppenheim, 2019). Such actions further undermine sex workers' trust and confidence in the police. The impact of policing activities associated with policing brothels, experienced as 'raids' by sex workers, have a range of impacts; not only can they be frightening (Scoular et al., 2019) but they can also cause economic deprivation due to loss of earnings when business is disrupted or closed (Lister, 2018).

A key finding from research in settings where sex work is criminalised is that sex workers have restricted access to protection and justice due to a difficult and often adversarial relationship between sex workers and the police. The police are the 'agency' sex workers are meant to go to for protection and to report crime but at



the same time, the police are the state body empowered to arrest them, their customers or others with whom they work. In some jurisdictions, police incivility, misconduct and abuse are commonplace, and the police are often one of the groups who perpetrate violence, harassment and extortion against sex workers (Sherman et al., 2015; SWAN, 2009; Platt et al., 2018). Platt et al. (2018: 34) describe policing in criminalised environments as 'creating an environment of impunity for perpetrators of violence'. Research shows that the majority of work-related crime experienced by sex workers remains unreported to the police due to fear of arrest or other action, not being taken seriously, public identification, stressful and protracted court cases with uncertain outcomes being salient amongst other reasons (Boff, 2012; Campbell et al., 2019; Kinnell, 2008; Sanders et al., 2018).

Barriers to reporting are heightened for migrant sex workers with concern that contact with the police may lead to deportation or other immigration action for those with irregular or illegal status (Mai, 2009). Sweeney and FitzGerald (2017) found that female, migrant sex workers in Ireland feared reporting crimes and abuse they experienced to the Gardaí (the Irish police force) due to the risk of self-identifying as sex workers, their precarious legal status in Ireland (risk of potential deportation), as well as language difficulties.

There is a lacuna in our understanding of the effect that the introduction of the 2017 Act has had on policing of sex work in Ireland and the implications this has had on sex worker safety. The Irish criminalisation of purchasing commercial sex occurred within a broader international context and debate around the best legislative models for regulating sex work. Studies, specifically examining the effects of criminalising sex purchase in a number of national jurisdictions, report that criminalisation has an adverse effect on sex worker safety (Platt et al., 2018). Findings reveal several important facts, namely (i) that violent crime increases (LeBail et al. 2019), (ii) the prosecution and penalisation of sex workers does not end, (iii) sex workers remain subject to high levels of policing and (iv) targeting of sex workers by the police increases in multiple, intersecting ways, with policing remaining focused on the repression of sex workers via public order or immigration agendas. Research in three jurisdictions that have introduced criminalisation of sex purchase found that sex work regulation operated primarily through immigration and third-party laws, with migrant workers as the primary targets (Vuolajärvi, 2018). This increases sex workers' precarity because they are pushed to work in riskier conditions and are less able to enact screening and other safety strategies (e.g. rushed negotiations on street) (Landsberg et al., 2017). Indoor workers who previously would not go to buyers' homes or other outcall locations, are now under increased pressure to do so to avoid detection by the police or eviction from their own homes (Amnesty International, 2016).

Ellison et al. (2019) in a study funded by Northern Ireland Department of Justice reviewed the impact of a law introduced in 2015 to criminalise purchasing sexual services. Reviewing research studies which have looked at the impact of sex purchase legislation on risk and victimisation, they accepted as a general point that

such law increases violence and abuse. However they also queried whether violence and abuse have ‘increased at the same rate and at the same time in the on-street and off-street sectors’ in countries where such laws have been adopted. They point out that samples in these studies have consisted of more street sex workers, a sector that global research suggests is more dangerous. They argue there is less evidence to assess the impacts on indoor sex work, a sector which, as we have seen, whilst not free from victimisation, is associated with lower levels of violent crime.

Ellison et al. (2019), reviewing the impact of law criminalising purchasing which came into force in NI in 2015, specifically considered whether violence and abuse towards sex workers had increased in NI after the law had been implemented. That review is of particular interest to those concerned about violence and abuse amongst sex workers in Ireland because, as in NI, sex work is mainly internet-based indoor sex work. Drawing on a range of data sources including 2556 UM reports from sex workers in NI, a survey of 199 online sex workers working in NI and 13 narrative interviews, they drew a number of conclusions related to victimisation of sex workers. They concluded that assaults committed against sex workers reported to UM had increased by 225% from 2016 to 2018; they cautioned that these were reported in low numbers considering the size of the online sex worker population estimated from data provided by a main online advertising platform for escorts in Ireland and web scrapes of escort advertisements on three other platforms. No such recent estimation is available for Ireland to enable contextualisation of the data we analyse. In their survey of sex workers in NI, amongst those who reported having experienced crimes in the past 12 months or 5 years, the most common offences they had experienced were abusive or threatening phone calls/messages, in-person threatening or abusive behaviour, assault, robbery and rape and sexual assault. Of those offences reported abusive or threatening phone calls or messages and in-person threatening and abusive behaviour had increased in the last 12 months, 73.3% for the former and 50.6% of the later having experienced them in the last 12 months compared to 17.3% for assault, 14.6% rape and 9.3% sexual assault. They concluded that commercial sex was now more risky and underground:

while direct evidence of massive increases in overt violence and abuse against sex workers may not be necessarily evident in Northern Ireland, high levels of nuisance and anti-social behaviour can be every bit as insidious with the potential impact on sex workers mental health in the longer term. (Ellison et al., 2019: 147)

Their assessment highlighted the impact the new law had had on the fear of crime. In their survey, 39.3% of sex workers who had never been victims of crime reported that sex work is more dangerous since the new law, 31.8% said that it was about the same as before and 28.7% said that it was less dangerous. And 74.6% of those who had been a victim of crime thought that it was now more dangerous, 7.4% less and 17.95% the same. They suggested that the very high levels of anxiety they found in interviews with sex workers about being outed as a sex worker due to

sex work stigma ‘combined with high levels of nuisance and anti-social behaviour creates the perfect storm for a heightened state of “fear”’ (Ellison et al., 2019: 150). They also suggested that such nuisance and anti-social behaviour targeted at sex workers were acting as signal crimes for sex workers signalling ‘the likelihood of more serious victimisation and the potential of harm to the individual’ (Ellison et al., 2019: 152). They found sex workers in interviews expressed the view that purchasing criminalisation had increased the stigmatisation of sex workers and contributed to a ‘heightened state of anxiety and concern’ (p. 153) about victimisation. Their interviews with sex workers highlighted not only how online and in-person abuse impacts on the mental well-being of sex workers but also erodes sex workers’ sense of safety. Describing the situation they found in NI, Ellison et al. (2019: 147) stated:

... through no fault of their own, sex workers are having to contend with higher rates of nuisance and abusive behaviour than they were before Article 64A came into effect.  
... some of these behaviours can be extremely distressing for the sex worker concerned  
... What is presented as an asymmetric law, bearing more heavily on the purchaser of sex, seems rather symmetric in practice and in many ways impacts more heavily on the seller

They noted the contradiction that for a law which intended to address violence against women, ‘it is somewhat paradoxical that it appears to have subjected many women (and of course male sex workers) to a highly unsafe work context, resulting in a heightened state of anxiety’ (Ellison et al. 2019: 142).

Researchers have long identified the ‘othering’ and stigmatisation of sex workers (Benoit et al., 2018; O’Neill, 1997; Whitaker et al., 2011) including the specific misogynistic ‘whore stigma’ (Pheterson, 1993), as causal factors in the dehumanisation of sex workers and denial of sex worker rights. Within this framing, sex-working women are least deserving of all of respect and protection. Such othering has been linked directly to high levels of targeted violence and hostility experienced by sex workers. Academics have documented a range of dehumanising discourses, which construct sex workers as pollutants, vectors of disease and urban blight. Lowman (2000) described a ‘discourse of disposability’ prevalent in media descriptions of policy actors’ efforts to ‘get rid’ of street prostitution from residential areas’, treating sex workers as a disposable social outcast group, contributing to a social milieu, in which violence against sex workers flourishes. Kinnell (2008: 164) identified this discourse in public statements from police, politicians, residents groups and other policy actors using the language of cleaning up, eliminating and eradicating sex work, reinforcing a ‘rhetoric of abhorrence’ which condones the victimisation of sex workers, including extreme acts of violence, via a process of cultural disinhibition.

Campbell (2014) found that sex workers’ experiences of target victimisation in Merseyside, UK, fitted several established definitions of hate crime, including those that define hate crimes as expressions of prejudice, discrimination and power (Hall, 2005; Perry, 2001) against socially marginalised and othered groups. They pointed

to over two decades of research evidencing the othering and social stigmatisation of sex workers and how this has been linked to hostility and violence against sex workers. To more fully understand sex workers' experiences of hate crime, they also drew on the definition of hate crime as violence, hostility and intimidation perpetrated because of perceived difference or vulnerability (Chakraborti and Garland, 2012), where perceived vulnerability describes perpetrators seeing 'their target: as weak, defenceless, powerless, with a limited capacity to resist'. Sex workers in the study expressed the view that some offenders target sex workers in the belief that they are 'easy targets', and they (the offender) will be more likely to 'get away with it'. Perpetrators believed that sex workers would not report to the police or that they can exploit other vulnerabilities such as sex workers' fears of public identification or their situational vulnerability, with sex workers often working in isolation to avoid criminalisation or detection. This resonates with some claims by Ellison and Smith (2017) that identified some Irish sex workers' experiences of crime victimisation as akin to hate crime. They also drew on Perry's (2001) structural conceptualisation of hate crime as violence and intimidation directed towards stigmatised groups to reaffirm a hierarchical social order arguing 'Perry's conceptualisation captures some elements of how and why violence is directed towards sex workers in the Irish context' (p. 181). They point to sex workers as a highly stigmatised and marginalised group. They also describe how in relation to wider misogynistic violence against women 'sex workers are often seen as easy targets in so far as they are targeted by men with particularly misogynistic tendencies' not due to any 'innate characteristics of the sex worker, rather it is sex workers situational and their stigmatised image which exposes them to certain kinds of risk' (Ellison and Smith, 2017: 182). Ellison et al. (2019: 153) in considering violence and abuse towards sex workers in NI, as part of a review of the impact of law criminalising purchasing sexual services, described how criminal and other behaviours towards sex workers 'can reflect both bias motivation that defines the victim as a legitimate target (hostility towards a perceived social group) and also as an easy target insofar as sex workers can be seen as inherently vulnerable'. This framing of the victimisation of sex workers within conceptualisations of hate crime is relevant to our purposes because it makes visible the targeted hostility and intimidation sex workers experience across a range of crime types, anti-social behaviour and nuisance. Recognising the hate elements of the crimes and nuisance incidents experienced by sex workers brings into focus the origins of such behaviour, the severity of impacts and points to potential ways forward for policy and the policing sex workers experience of victimisation. It is important to note that Ireland has been identified as being anomalous compared to other EU member states for not adopting laws which address the hate elements of crime. Haynes and Scheppe (2017) evidence inadequacies in the criminal justice system in providing legal redress for bias crime. Hate is recognised only through the Prohibition of Incitement to Hatred Act 1989 which made it an offence to create or distribute racist, homophobic and other discriminatory materials. In December 2019, the UN again urged Ireland to introduce hate crime legislation (Pollack, 2019). Despite these legislative

limitations, some third sector and civil society groups working to promote the rights of communities who are targets of racist, religious, disablist, homophobic and transphobic hate have embraced the concept of hate crime and supported hate crime prevention and awareness campaigns, third-party reporting and monitoring mechanisms and advocated for better responses from the Gardaí (Sheenan and Dwyer, 2017). Furthermore, this framing of sex workers experiences victimisation through the prism of hate crime makes visible how sex workers are subjects of other more recognised forms of hate crime but are rarely recognised in wider hate crime policy debates.

### *The sample*

For this paper, we carried out an analysis of a subset of UM Republic of Ireland (ROI) report data for four years between 2015 and 2019. For our sample frame, we purposefully selected the two years pre and post the 2017 Act coming into force. During this period, a total of 14,370 reports were made into the scheme and form our sample. UM was established in 2009 as an online third-party reporting and alerting scheme with the aim of improving sex workers' safety and reducing crime. It works by providing an online platform through which sex workers can report information about potential dangers and be alerted about these, many access and report through a phone app and make a report by filling in a pro forma. UM has been collecting data about crimes, anti-social behaviour and nuisance against sex workers for over a decade, and it is the primary third-party reporting scheme for sex workers in Ireland; indeed, there is no other comparable third-party reporting scheme for sex workers. Ellison et al. (2019: 133) note that as violence and abuse committed against sex workers is rarely reported to the police creating a "dark figure" in official sources ... In this sense UM data is considerably more reliable than official data (e.g. from police or government sources) given the fact that UM is trusted by sex workers'.

In light of limited official data related to crimes against sex workers in Ireland UM data, with the scheme's longstanding history of receiving and recording reports from sex workers for a decade, provides an important and useful source of data. The sample of over 14,000 reports we draw on offers significant material to work with, even if it may not be completely representative.

### *Methods and sources*

We used a mixed-method approach combining qualitative and quantitative data analysis. For quantitative analysis, we have presented the data as it is categorised by the UM system. Anonymised data were provided by UM in MySQL relational database format. Using PHP (Hypertext Preprocessor) and SQL (Structured Query Language), the data was then queried to produce statistical tables that were exported to Excel. Graphs were then generated in Excel. We analysed the total number of reports made to UM and a number of quantitative data variables.

When making a report to UM, members can fill in a long or a short form, the short form includes fewer fields and is the form the majority of members opt to use. This form contains the data fields we have been able to draw upon in our analysis. All victim reports include details about the date the incident happened and the date the individual reported the incident to UM. UM records the location data for each incident reported. With incidents where individuals do not record a location because they experience abusive or threatening phone calls, UM assigns the location where the sex worker was when the incident occurred as their location. An incident type or multiple incident types are assigned to each report made to UM. Sex workers fill in an online reporting form with tick boxes for predefined categories which describe the offence/behaviour they are reporting.

Incident types are assigned in two ways: as described, they may be selected by the UM member when submitting the report or they can be added to the report by a UM administrator based on information provided in the free text 'Description of Incident' field. UM has 47 incident types of which 29 are considered by UM to be crime incident types and 18 non-crime incident types (Tables 3 and 4 list these). UM considers a subset of 12 of the crime incident types to be violent crime, including anal rape, assault (slapping, punching, kicking), assault with a weapon (knife/gun/other), attempted rape/sexual assault, other sexual assault, drugging (administered drug/poison), forced oral sex, groping/kissing without consent, held against will, removal of condom without consent, strangulation/suffocation and vaginal rape (see Tables 1 and 2). In general, crime incident types are those where it is likely the perpetrator's behaviour constitutes a criminal act, and non-crime incident types are those where it is likely the perpetrator's behaviour does not constitute a criminal act. We examined the frequency of these in each year and calculated increases and decreases. We were also able to examine the total number of reports by gender. We were not able to examine reports by nationality because this is not routinely recorded in the UM system; the majority of members opt not to provide their nationality and UM does not insist on this for privacy.

For our qualitative data, we analysed the narrative responses in the free text box where sex workers describe the incidents they are reporting. We did this for all crime reports between 2015 and 2019. We carried out a preliminary content analysis using a directed approach (Hsieh and Shannon, 2005), using prior research to identify key variables in the data for coding and collation of report narrative extracts. Our analysis, which was a purposefully targeted one, used initial codes informed by conceptualisations of sex workers' experiences of hate crime using various indicators of sex worker targeted hostility. We explored whether or not sex workers' reports of victimisation to UM contained indicators of hate crime—for example, reports which contained descriptions of expressions of prejudice and derogatory language about sex workers. Also, using conceptualisations of hate crime as the outcome of the targeting of 'perceived vulnerability', we identified incidents of sex worker targeted hate crime where there were indicators of 'perceived vulnerability'. For example, we took as indicators of perceived vulnerability incidents where perpetrators threaten sex workers that they will inform police,



landlords or others parties, as these highlight that perpetrators were aware that this would place sex workers in a difficult position and hence could be used against them. Such indicators were prevalent in many sex workers' reports made to UM. Also, we identified cases in which sex workers included descriptive information in their report that revealed other experiences of targeted hostility such as racism, homophobia and anti-migrant sentiments. We also identified incidents where the person reporting refers to incidents directly as a hate crime. We utilised extracts from this qualitative data to illustrate sex workers' experiences of targeted hostility. We did not carry out any level of longitudinal analysis, which enabled us to assess changes in the levels of such experiences of hate crime victimisation over time, and hence we have not extrapolated from the data to comment on trends over time. Such experiences of targeted hostility are not visible in the statistical data. We turn now to discuss our findings from our analysis of the UM data.

When completing membership of UM, sex workers agree to Terms of Service which include agreement for UM to use anonymised data for public reporting and academic research. Having analysed the free text qualitative data, we have ensured that any personally identifying data was removed from any material used, fully anonymising qualitative data. Also, for further anonymity, we have used regions of Ireland and not specific towns.

## **Trends in violent and other crimes against sex workers in Ireland**

### *Report totals per year*

Our analysis of UM data reveals that the total number of reports made to UM between 2015 and 2019 has increased incrementally (see Figure 1). Crime reports, as a subset of the total number of reports, have also increased incrementally between 2015 and 2016 ( $n=607$ ) with the largest increase from crime reports in 2016–2017 ( $n=945$ ) to reports in 2017–2018 ( $n=1445$ ). Sex workers' reports to UM of violent crime have increased specifically since 2015–2016 ( $n=168$ ), reaching their highest level during 2017–2018 ( $n=387$ ). Indeed, comparing the two years pre and the two years post-Ireland's legislative change in this area, sex workers' crime reports to UM increased by 91% and violent crime specifically increased by 92%.

Whilst our preliminary analysis cannot prove direct causation, these increases are a concern in terms of sex workers' safety and raise issues around wider public protection from crime. Previous research based on UM data (Ellison and Smith, 2017) analysed 7200 incident reports made to UM over a six-year period between 2009 and 2015, of which a subset were crime incidents ( $n=2945$ ). The data showed some year-on-year increases. We acknowledge that there could be other reasons for increased reporting of crime to UM; for example, an increase in the number of sex workers, better reporting or recording techniques, greater awareness of crime amongst the sex worker population or greater awareness of the value of reporting



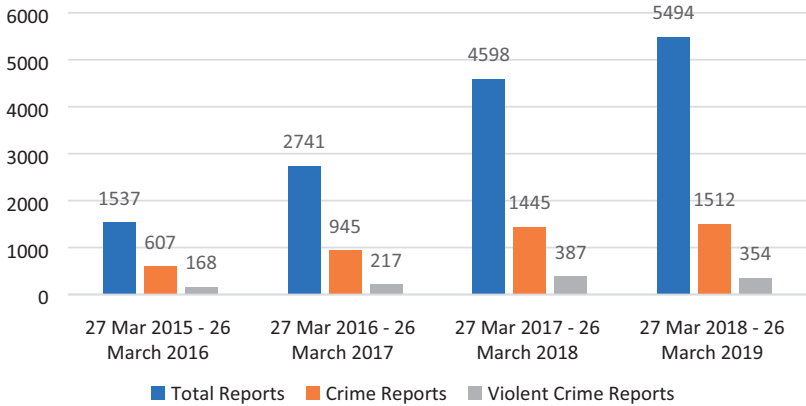


Figure 1. Reports to UM by year 2015–2019.

incidents to a third-party scheme, particularly with increased public debate around the introduction of the new law. Also, it is important to stress that we are not proposing that it is only laws criminalising sex purchase that generate crimes against sex workers. Rather, we recognise that a multiplicity of factors create an adverse terrain for maximising sex worker safety. For example, policing, other laws such as brothel keeping legislation, stigmatisation of sex work and lack of work-based rights/protections contribute to this problem.

Interestingly, UM membership has remained the same in the period between 2015 and 2019, with between 6000 and 7000 users per year each year. Hence, it is unlikely that this increase in reported crimes and incidents is due to an increase in UM membership. However, as UM cannot split members into NI and ROI,<sup>2</sup> this membership figure is an all-Ireland statistic.

This data shows that sex workers working throughout Ireland report crimes they have experienced. The geographical distribution of crime reports 2015–2019 by region and county is detailed in Table 1. The largest number of reports were incidents in Dublin 2019 (44.78%), which is unsurprising, given it is the capital and has the largest population, followed by Cork 543 (12.04%), Limerick 470 (10.42%) and Galway 268 (5.94%), reflecting larger urban population centres.

*Crime types and incidents reported by sex workers*

UM adopts an approach to defining crime that is informed by sex workers’ perceptions of crime. Each report made to UM is not individually scrutinised as to whether it represents a criminal offence, which may result in overall under or over-counting of crime. For example, incident types which represent abusive and threatening behaviour are deemed a crime incident type by UM, but it may be the case

**Table 1.** Total UM 2015–2019 reports by region and county.

Region	Number and percentage of reports
South-East	Carlow 10 (0.22%), Kilkenny 26 (0.58%), Waterford 51 (1.13%), Westmeath 112 (2.48%) and Wexford 53 (1.18%)
Border	Cavan 86 (1.91%), Donegal 42 (0.93%), Leitrim 33 (0.73%), Monaghan 38 (0.84%) and Sligo 30 (0.67%)
Mid-West	Clare 46 (1.02%), Limerick 470 (10.42%) and Tipperary 76 (1.69%)
South-West	Cork 543 (12.04%) and Kerry 148 (3.28%)
Dublin	Dublin 2019 (44.78%)
West	Galway 268 (5.94%), Mayo 131 (2.91%) and Roscommon 8 (0.18%)
Mid-East	Kildare 92 (2.04%), Louth 133 (2.95%), Meath 18 (0.40%) and Wicklow 3 (0.07%)
Midlands	Laois 48 (1.06%), Longford 14 (0.31%) and Offaly 11 (0.24%)

that not all reports assigned these incident types would meet the thresholds required to be deemed criminal offences in law.

UM does not count incident types involving the purchase of, or attempts to purchase, sexual services as crimes, even though such activities are now criminalised.

Non-crime incident types are those, which UM does not consider criminal but are representative of behaviours which make sex workers uncomfortable, concerned or distressed, and UM provides as a means through which sex workers can report and alert other sex workers. Historically, ugly mugs schemes in other jurisdictions took such reports because the behaviour of some of the individuals concerned escalated to criminal incidents (Kinnell, 2008). Examples of such behaviours include conduct that is suspicious, potentially dangerous or time wasting. Time wasters have emerged as one of the most common work-related problems identified by sex workers in the indoor and online sector (Sanders et al., 2018). Ellison et al. (2019: 137) describe UM as ‘not solely a crime focused reporting mechanism’ and described how, for sex workers in NI, it is also used as a valued ‘work tool’ by individual sex workers allowing sex workers to share information about potential time wasters.

We analysed the frequency of non-crime incident types in the two-year period before and after Ireland’s new legislation (see Table 2). The most frequently reported incident types in the period 2015–2017 were: No show/location Seeker ( $n = 1640$ ), Look and go/arrived without money ( $n = 434$ ), Seeking free sex chat/no intent to book ( $n = 236$ ), Suspicious behaviour ( $n = 180$ ) and Sought vaginal/anal sex without condom ( $n = 83$ ). These five incident types were also the most frequently reported incident types in 2017–2019; No show/location Seeker ( $n = 4171$ ), Look and go/arrived without money ( $n = 1070$ ), Suspicious behaviour ( $n = 659$ ), Seeking free sex chat/no intent to book ( $n = 569$ ) and Sought vaginal/anal sex without condom ( $n = 276$ ). The largest percentage increases found, when comparing the two years pre and post the legislative change, were with the following non-crime

**Table 2.** Non-crime incident types reported to UM 2015–2019.

Incident	27 March 2015–26 Mar 2017 Frequency (%)	27 Mar 2017–26 Mar 2019 Frequency (%)	Percent increase/ decrease
Bogus outcall	49 (0.89%)	141 (1.12%)	187.76%
Drug user or in possession of drugs	62 (1.13%)	175 (1.39%)	182.26%
Drunk/intoxicated with alcohol	73 (1.33%)	194 (1.55%)	165.75%
Look and go/arrived without money	434 (7.93%)	1070 (8.52%)	146.54%
Maliciously reported you to hotel/ landlord	10 (0.18%)	24 (0.19%)	140.00%
Maliciously reported you to police/ authorities	1 (0.02%)	3 (0.02%)	200.00%
No show/location seeker	1640 (29.95%)	4171 (33.22%)	154.33%
Other	33 (0.60%)	49 (0.39%)	48.48%
Other suspected danger	11 (0.20%)	94 (0.75%)	754.55%
Other timewasters	71 (1.30%)	82 (0.65%)	15.49%
Police warnings	0 (0.00%)	3 (0.02%)	
Public warnings	0 (0.00%)	0 (0.00%)	
Seeking free sex chat/no intent to book	236 (4.31%)	569 (4.53%)	141.10%
Sought vaginal/anal sex without condom	83 (1.52%)	276 (2.20%)	232.53%
STI (sexually transmitted infection) or other contagious condition	19 (0.35%)	45 (0.36%)	136.84%
Suspicious behaviour	180 (3.29%)	659 (5.25%)	266.11%
Unauthorised photography/recording	12 (0.22%)	38 (0.30%)	216.67%
Undercover journalist	2 (0.04%)	3(0.02%)	50.00%

incident types: Other suspected danger (754.55%), Suspicious behaviour (266.11%), Sought vaginal/anal sex without condom (232.53%), Unauthorised photography/recording (216.67%) and Maliciously reported you to police/authorities (200.00%).

Analysing UM data for NI, Ellison et al. (2019) report that a far higher proportion of UM reports related to what they refer to as low and intermediate level offences (abuse on the telephone and threatening behaviour), rather than violence and serious crime as well as anti-social and nuisance activities which for them included seeking free sex, turning up without money, not showing up for a booking, bogus outcalls, threatening to call landlord/police, threatening to damage the sex worker's reputation, drunkenness, illegal drug use, unauthorised photography/video recording, pretending to be a police officer and nuisance text messages and phone calls. This led them to observe that whilst serious and violent crimes against sex workers in NI may not be as prevalent as assumed, following the criminalisation of purchasing, there had been a 'gradual creeping up of certain violent offences' (Ellison et al., 2019: 139).

Based on UM quantitative data, we analysed the frequency of crime incident types in the two-year period before and after Ireland's new legislation (see Table 3). The five most frequently reported crime types in the period between 2015 and 2017 were abusive or threatening phone calls/SMS ( $n=687$ ), in-person threatening behaviour ( $n=500$ ) in-person verbal abuse ( $n=356$ ), assault (slapping, punching, kicking) ( $n=137$ ) and other sexual assault ( $n=114$ ). The two most frequently reported crime incident types in the period between 2017 and 2019 were abusive or threatening phone calls/SMS ( $n=1215$ ) and in-person threatening behaviour ( $n=1131$ ). These were also the two most frequent crimes types found to be reported by sex workers to UM in Ellison et al.'s.(2019) Northern Irish study and the two most reported crimes in their survey. In our data, these were followed by in-person verbal abuse ( $n=757$ ), assault (slapping, punching, kicking) ( $n=325$ ) and robbery ( $n=241$ ). The largest percentage increases found, when comparing the two years pre and post the law change, were with the following crime incident types: assault with a weapon (knife/gun/other) (441.67%), attempted robbery (366.67%), caused damage to property (275.00%), robbery (254.41%) and requested illegal acts, e.g. underage sex (218.18%).

Taken together, this data mirrors trends in other international studies that examine online sex workers' experience of abuse and violence (Sanders et al., 2018). The prevalence of abusive or threatening phone calls, in-person threats and verbal abuse reflect one strand of crime sex workers most commonly reported in other studies (Campbell et al., 2019). What the data shows is that the overwhelming majority of UM members are online sex workers, reflecting the structure of the Irish commercial sex market now.

Whilst the statistical data is key to establishing the trends in the Irish sex industry and establishing evidence about sex workers' victimisation in Ireland, sex workers' narrative accounts of their lived experiences of violence provide powerful insights into how sex workers live on a daily basis with the threat of hostility, intimidation and violence. Their words provide us with important resources to help policy makers understand the forms of targeted hostility and intimidation sex workers can face. As we analysed sex workers reports of crimes and abuse within UM data, we were struck by the impact, intensity and ferocity of targeted hostility sex workers encounter, including as part of crimes such as online and in-person verbal abuse. Importantly, the UM qualitative data highlights how crimes can have a sex worker-targeted hate element as the following reports show:

Man made a booking. Then he asked the price for a three-hour booking. The lady gave him the price. Then he started offending the lady calling her a sex slave, prostitute, bitch. He then began threatening her. He has now called her over 12 times. She feels he is very dangerous. (Tipperary, 2019)

Another example of this kind of sex worker-targeted hate is visible in a report made by a female sex worker in Monaghan in 2017. She reported being constantly

**Table 3.** Crime incident types reported to UM 2015–2019.

Incident	27 March 2015–26 March 2017 Frequency (%)	27 Mar 2017–26 Mar 2019 Frequency (%)	Percent increase/ decrease
Abusive or threatening emails/online msgs	9 (0.16%)	8 (0.06%)	–11.11%
Abusive or threatening phone calls/SMS	687 (12.55%)	1215 (9.68%)	76.86%
Anal rape	18 (0.33%)	21 (0.17%)	16.67%
Assault (slapping, punching, kicking)	137 (2.50%)	325 (2.59%)	137.23%
Assault with a weapon (knife/gun/other)	12 (0.22%)	65 (0.52%)	441.67%
Attempted assault	20 (0.37%)	22 (0.18%)	10.00%
Attempted rape/sexual assault	45 (0.82%)	56 (0.45%)	24.44%
Attempted robbery	21 (0.38%)	98 (0.78%)	366.67%
Exploitation/abuse by landlords and hotel staff	43 (0.79%)	41 (0.33%)	–4.65%
Caused damage to property	12 (0.22%)	45 (0.36%)	275.00%
Did not pay or paid with fake money, etc.	60 (1.10%)	83 (0.66%)	38.33%
Drugging (administered a drug/poison on you)	0 (0.00%)	0 (0.00%)	
Forced oral sex	24 (0.44%)	29 (0.23%)	20.83%
Groping/kissing without consent	97 (1.77%)	124 (0.99%)	27.84%
Harassment/stalking	79 (1.44%)	103 (0.82%)	30.38%
Held against will	33 (0.60%)	21 (0.17%)	–36.36%
Impersonating a police officer	25 (0.46%)	33 (0.26%)	32.00%
In-person threatening behaviour	500 (9.13%)	1131 (9.01%)	126.20%
In-person verbal abuse	356 (6.50%)	757 (6.03%)	112.64%
Masturbate in front of you without consent	16 (0.29%)	19 (0.15%)	18.75%
Offering illegal acts, e.g. drugs	9 (0.16%)	18 (0.14%)	100.00%
Other deception or fraud	8 (0.15%)	9 (0.07%)	12.50%
Other sexual assault	114 (2.08%)	205 (1.63%)	79.82%
Pimping, trafficking or other exploitation	32 (0.58%)	33 (0.26%)	3.13%
Removal of condom without consent	70 (1.28%)	163 (1.30%)	132.86%
Requested illegal acts, e.g. underage sex	11 (0.20%)	35 (0.28%)	218.18%
Robbery	68 (1.24%)	241 (1.92%)	254.41%
Strangulation/suffocation	14 (0.26%)	19 (0.15%)	35.71%
Vaginal rape	39 (0.71%)	40 (0.32%)	2.56%

harassed by a man who had left a message for her calling her a ‘dirty fucking whore’ and saying that ‘all prossies should be murdered’.

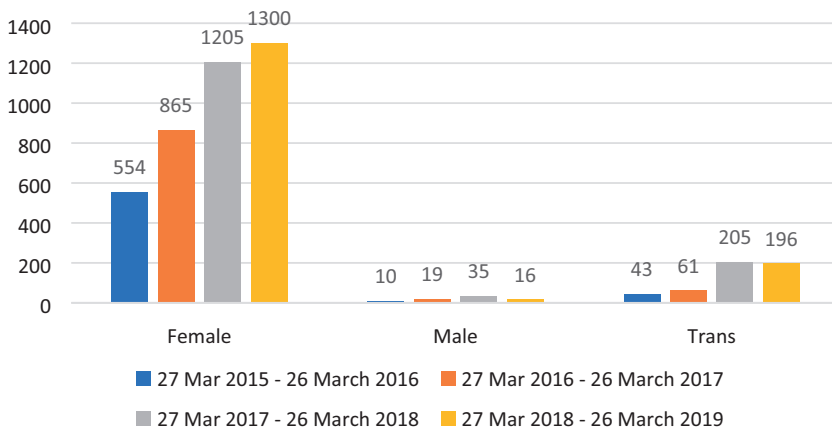
As Chakraborti et al. (2014) found in the largest UK study of hate crime, whilst ‘often it is the more violent and extreme acts of targeted hostility which attract

political and academic attention’ whilst ‘the experiences and cumulative harms of the more “ordinary”, everyday forms of abuse, bullying, and harassment go unacknowledged’ (p. 15). In their study, verbal abuse emerged as the form of hate crime most likely to have been experienced by their respondents, followed by harassment and property crime (e.g. burglary, theft or damage to victims’ houses or cars). The increase in reports for these crime categories in the UM data alongside assaults with a weapon, robbery and damage to property plus the increases in all, but three of the crime types overall are concerning and require further investigation.

UM records the gender of the sex worker making the report (or the gender of the victim if the report is being made by a third party) (see Figure 2). The gender identities used in the scheme are female, male or trans. Trans encompasses both transvestite and transgender. The majority of trans workers in Ireland are trans women (Ellison et al., 2019). Predominantly, victims of crime reporting to UM identify as female ( $n = 3924$ ) or trans ( $n = 505$ ). Male victims were represented ( $n = 80$ ). Crime reports received from trans sex workers have increased sharply in recent years from ( $n = 61$ ) in the period between 2016 and 2017, with a 236.07% increase to ( $n = 205$ ) during the period between 2017 and 2018. Reporting remained high during the period between 2018 and 2019 ( $n = 196$ ). This increase in crimes reported by transgender sex workers is concerning and requires further exploration.

We can look to European research to interpret trends in the UM data. Transgender Europe (Fedorko and Beredo, 2017) has identified a disproportionate number of transgender and gender diverse migrant sex workers as victims of crime. As well as identifying anti trans and sex worker bias and hatred as the main causes for high levels of violence against trans sex workers, they point to:

Current trends contributing to the marginalisation and exclusion of trans and sex worker communities, such as the criminalisation of migration and sex work, the use of punitive approaches to ‘tackling’ poverty, homelessness, and drug use, increasingly



**Figure 2.** Gender of victims of crime incidents reported to UM 2015–2019.

**Table 4.** Types of threat reported to UM 2015–2019.

Incident	27 March 2015–26 March 2017 Frequency (%)	27 March 2017–26 March 2019 Frequency (%)	Percent increase/decrease
Threat of police	118 (41.11%)	234 (48.85%)	98.31%
Threat of eviction	59 (20.56%)	79 (16.49%)	33.90%
Threats of reputational damage	110 (38.33%)	166 (34.66%)	50.91%

precarious living and working conditions, and growing racial, gender, and economic disparities. (Fedorko and Berredo, 2017: 4)

Of particular interest here in light of the current article's focus is a recent study of the relationship between the wider transgender community and An Garda Síochána (the Irish police force). Haynes and Schweppe (2018) reported low levels of trust of, and satisfaction with, the Gardaí amongst the trans population compared to the general population. Their report specifically recommended further research into trans sex workers' experiences of crime.

UM tags some reports to indicate the perpetrator-made specific types of threats (see Table 4). This is done by UM administration based on text occurring in a free text field entitled: 'Description of Incident'. Here, the UM member has the opportunity to provide details of some specific threats that the perpetrator made. The three most common types of threats reported are threats by the perpetrator to contact the police, threats of eviction and threats of reputational damage. Our analysis of the data indicates that sex workers' reports of perpetrators' threats to report them to police have risen most significantly (98.31%) since 2017. This may indicate that a growing number of perpetrators believe that threatening sex workers with police action is an effective form of intimidation. Here, we interpret these threats as hate incidents because they fit within our working definition of hate crime as acts that target perceived vulnerability. These involve an awareness on the part of the perpetrator that the victims' sex working status can be used against them and create problems for them, for example, if they are outed publicly or to a specific party, be that police, landlords, employers, universities, family or friends.

It was common for UM reports to contain descriptions of threats to inform various parties that the victim was sex working. Thereby, exploiting a perceived vulnerability that sex workers would not want to be identified or 'outed' to those parties. Most frequently, perpetrators' threats involved exposure to the police, media and parties who had control over or were linked to their home and/or work accommodation; for example, landlords, or hotel staff. Often sex workers received threats of outing to one or more of these parties. Sanders et al. (2018) found that amongst the key disadvantages of online sex work which sex workers identified were worries that neighbours, friends, family or police would find out about their sex work. Hence such threats can create a great deal of anxiety and fear.



### *Informing the police and claiming to be police officers*

Frequently, sex workers cited perpetrators' threats to report them to the Gardaí. This demonstrates offenders' awareness that sex workers are fearful of the Gardaí and their use of that fear and perceived vulnerability as a form of coercion. Some used the threat as part of attempts to extort free services or money. This is demonstrated in the following reports: 'A trans sex worker reported that a man is threatening her that if she will not agree to unprotected sex he will send the police to her apartment' (Clare 2018). 'Man has called the lady 20 times now. He is saying that he will call the guards if the lady doesn't leave the apartment that she lives in' (Dublin, 2019). Further:

A female sex worker reported that a man made a booking and when he got to her hotel room he demanded money or he would report her to the hotel staff and garda. The lady says he was very aggressive and she was very scared. (Dublin, 2018)

Some reports from migrant workers highlighted how some of those targeting sex workers utilised the perceived immigration status of the worker as part of their threat in relation to police: A female sex worker reported that a violent and aggressive man came to visit her. He threatened to call the police on her if she was not with him for free. He said to her that in Ireland she was illegal and that he can call the police on her (Sligo, 2019).

Ellison et al. (2019) argued that amongst sex workers in NI, threats of reporting the worker to the police or of causing reputational damage, which were commonly reported to UM, 'are done entirely on the basis of perceived vulnerability and that the sex worker is powerless to fight back' (p. 153). They observe that in NI, 'Even in a situation whereby it is the client not the sex worker breaking the law, the client has the power to enact considerable harm against the sex worker' (p. 154).

Their study flagged up a range of issues for sex workers in NI which caused anxiety about identification to the police, in a context where they were not committing a crime selling sexual services but clients are by purchasing services. These included to avoid the client causing problems by reporting them to police, fear of being recorded as a sex worker by police, being prosecuting for brothel keeping, of losing accommodation and fear of action regarding immigration status for some migrant workers.

Some sex workers' reports to UM ( $n = 58$ ) mentioned perpetrators' impersonating a police officer between 2015 and 2019. Qualitative data illustrate how the police officer guise could be used often including perpetrators' attempts to extort free services or force sex workers to provide services they did not want to provide. For example:

A trans woman sex worker reported that a man came to see her and her friend and then began threatening them, saying he was police, and if they didn't do what he wanted he would hurt them, and also that he could denounce them to their landlord. (Dublin, 2015)

Despite the fact that impersonating a police officer is a crime and that it is not a crime to sell sexual services, while sex workers report such incidents to UM, they remain reluctant to report these incidents to the police.

### *Accommodation*

Threats to expose sex workers to those who had influence over their home and/or work accommodation manifested in a number of ways:

Two female sex workers were working from a hotel room and took a booking with two men, the booking went ok until after services were provided. The men started to make a big fight breaking things in the hotel room and said if the women didn't give the money back they will go to reception and get them kicked out. Victims did not report to the police but consented to data share. UM had received two previous similar reports which matched the numbers used by these men. (Galway, 2017)

We find similar evidence here:

A female sex worker reported phone abuse from a man who found out where she was staying then said the hotel was 'aware you are prostitute and are waiting on Garda to arrive'. He later said 'I will continue until all you whores are caught, you dirty, filthy, tramp'. (Meath, 2018)

One worker described graffiti outside his apartment; the male sex worker reported harassment and stalking, including that he found written in black marker on the post office boxes in his apartment 'Apartment \*\*\* prostitution and selling drugs' (Dublin, 2019).

Ellison et al. (2019) in their evaluation research in NI reported that the fear of potentially being evicted following a police investigation was identified by a number of sex workers in their research, and this was one of several factors preventing reporting of crime to the Police Service Northern Ireland (PSNI).

### *Specific reference to hate crime and experiences of other forms of hate crime and intersectional experiences of hate*

Specific direct reference to hate crime in sex workers' reports was rare but did occur. For example, a female sex worker reported that she received what she described as 'hate crime texts' from a man. She gave examples like: 'What are you doing in Cork slut?' (Cork, 2016). We find further evidence of this framing in the following report:

A female sex worker reported that her two female sex worker friends were attacked and robbed. She said her friends had all their money taken and were hit in their faces and had to be taken to the hospital. She says her and her friends are now afraid to

work in the South of Ireland and that the men who do this are criminal people who hate escorts. (Dublin, 2017)

Working within a definition of hate crime, which understands hate crime as crime motivated by hostility or prejudice, we noted that sex workers' reports of crimes of various kinds which contained evidence of hate manifested in hostile and derogatory attitudes towards sex workers and were expressed verbally or text-based. The following quotations provide examples of the most commonplace forms of abuse: 'A female sex worker reported phone abuse and harassment from a man saying in the last message he ended by calling her 'another pimped out prostitute' (Limerick, 2018). Below, we provide a more explicit example:

A female sex worker reported that she had been violently attacked... She said that whilst the man was hitting her, he was saying 'you fucking whore, you'll get it, where's the money you stole from me?' Despite it being the case that he'd never paid her any money. Reporting the next day, she said she was still crying and shaking. (Dublin, 2015)

As public understanding of formally recognised forms of hate crime is limited, and with sex worker hate crime not formally recognised in Ireland, and no public discourse or understanding of the conceptualisation of targeted hostility towards sex workers as hate crime, it is not surprising that sex workers were not self-identifying sex worker hate crime.

Some sex workers reported other forms of hate crime. It was not unusual for these reports to reflect sex workers' intersectional experiences of hate that entwine with multiple forms of hate. Homophobia appears in several male sex workers' reports:

A male escort reported that a man called him pretending to be a client. When the supposed client called back saying he had arrived at the escort's street, the escort could see it was a group of teenagers. The escort says they then started sending messages with hate against escorts and the LGBTQ community. (Dublin, 2016)

In the following report, anti-migrant, homophobic and whorephobic hate are present:

A male sex worker reported a man has posted several open threats against sex workers, especially if they are Brazilian and LGBTI+, saying that he will personally hunt them down, and report them to the Garda and immigration, so they are arrested and go back to Brazil as criminals. One thing he'd said was 'Me, together with the Garda and the immigration, will go after each one of you to send you back to Brazil, from where you never should have left'. (Dublin, 2017)

Reports including xenophobic, racist hate, targeted at migrant workers were not uncommon:

‘A female sex worker reported abusive calls and messages from a man saying things like ‘fuckin bitch go back to your country’ (Dublin, 2019). Other examples include: ‘A male sex worker reported a man called saying offensive and threatening things, like all escorts should leave this country, all escorts should die and more’ (Dublin, 2017). And finally:

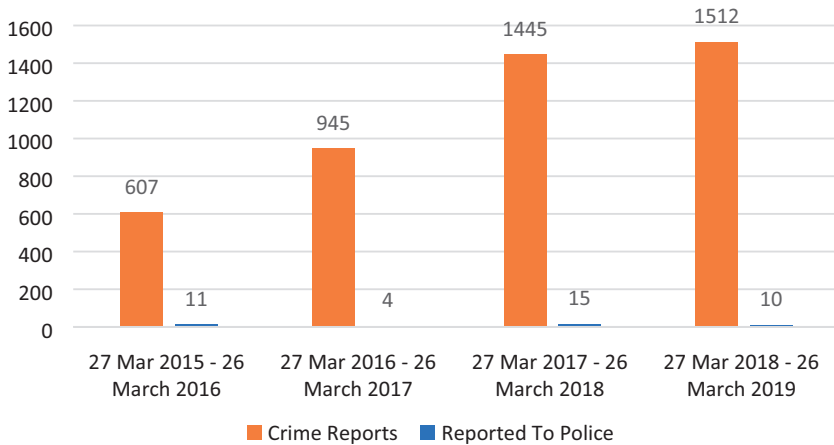
A female sex worker reported being sexually assaulted by a man who told her she was a bitch and threatened her that she didn’t know who he was and that she is not a woman and she should go back from where she came from. She said he was a totally racist person. [Dublin, 2018]

Amnesty (2016) found that changes to sex work policy in Norway, which included the introduction of the criminalisation of sex purchase, had led to a hardening in attitudes to sex workers. Amnesty reported that negative attitudes to sex workers were more common and that migrant workers reported discrimination from the public, which interwove racism and anti-migrant sentiment. We observe that the hate language reported to Amnesty by migrant sex workers was very similar to that contained in UM reports. Joyce et al. (2017) analysed the invisibility of anti-Irish Traveller and anti-Roma hate in Ireland. With limited documentation of such hate, some sex workers described experiences of such hate crime; in these cases, in relation to abusive texting: a female sex worker reported that a man texted her ‘Fuck u ye gypo’ (Monaghan, 2016).

Our preliminary analysis of UM qualitative report data shows that not only sex workers are the targets of sex worker-targeted whorephobia but also can be the victims of other forms of hate crime too. Sex workers from other structurally marginalised groups and communities who experience prejudice and hate crime, such as black and ethnic minority communities (including migrant and Traveller and Roma communities) and the LGBT community, are targets of a range of hate crimes, and those forms of hate can intersect within the work-based victimisation they face as sex workers.

### *Sharing information with and reporting to the police*

The number of sex workers reporting a crime incident into UM and who indicate that they have also reported it to the police (or plan to do so) is extremely low (see Figure 3). From our sample, the sum total of sex worker reports made to the scheme and to the police was 40. In the period 2015–2016 11 (1.81%), in 2016–2017 4 (0.42%), in 2017–2018 15 (1.04%) and in 2018–2019 10 (0.66%). UM reports that when temporary rises in crime reporting occur, then, UM can usually attribute this to specific work done to support sex workers to report to police. For example, in recent years, SWAI have tried to encourage and facilitate reporting to the police in response to some particular incidents, usually repeat offender violent robberies, which directly result in several workers making police reports with SWAI support.



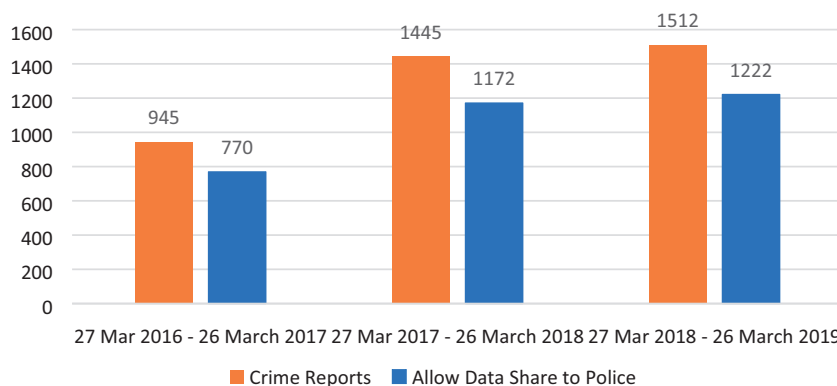
**Figure 3.** Crime incidents reported to police 2015–2019.

The majority of crime incidents reported to UM by sex workers appear not to be reported to the police. This is particularly low when compared to the documented level of reporting to the police for reports from sex workers reporting into the NUM scheme in the UK. Connelly et al. (2018) analysed 2056 reports submitted to NUM between 2011 and 2016 and found that in nine out of ten cases (90%), the sex worker had given anonymous consent to share report data with the police, whereas in only two out of ten cases (20%) gave their full consent (permission to report formally) compared to no more than 1.81% in any of the years examined for UM. Whilst reporting to the police has been consistently low, UM data indicate that reporting levels have not improved since Ireland introduced the 2017 Act.

As with NUM, UM members are more willing to give UM permission to share data anonymously with the police. The number of sex workers reporting a crime incident to UM who indicate that they give permission for UM to share anonymously details of the offender with police is high (see Figure 4). In the period 2016–2017 770 (81.48%), in the period 2017–2018 1172 (81.11%) and in the period 2018–2019 1222 (80.82%). This variable is not available for the period 2015–2016 because UM only began collecting this data in late-2015.

### **Conclusions: Protections, social justice and decriminalisation**

Our analysis of UM data highlights the types of victimisation sex workers in Ireland are experiencing. It highlighted the wide spectrum of victimisation sex workers experience, including serious sexual and violent crime as well as online and in-person abuse, harassment and hate crime. Our data seem to call into question the argument that because sex workers are no longer criminalised through soliciting laws but their clients are, they will be empowered to come forward and



**Figure 4.** Crime incidents where victim allows anonymous offender data share to police 2016–2019.

report crimes to the police. The data reveals instead that sex workers' experiences in Ireland resonate with what has happened in other countries where purchasing laws were introduced. It appears that most crimes reported to UM are not also reported to the police. Sex work remains stigmatised. Sex workers wish to remain invisible to the authorities particularly the police. It ignores the reality that other laws and policies that remain in place around activities such as brothel keeping, renting premises for prostitution, advertising sexual services and immigration policies place sex workers in positions of greater precarity and vulnerability to violent and other crimes.

We support and call for further research with the wider sex work community and with specific cohorts of sex workers to explore the varied and intersectional experiences of victimisation amongst sex workers in Ireland. Participatory models of research have been identified as ethical ways of working with sex work communities to identify community needs and experiences (O'Neill, 2010). This should involve existing sex worker-led and peer-based organisations already involved in monitoring and supporting sex worker victims of crime in Ireland such as SWAI and UM. Such research could assist with evaluating and informing the development of law, policy and support interventions. Platt et al. (2018: 45) stress the importance of 'participatory research to document the context specific ways in which criminalisation or decriminalisation interacts with other structural factors and policies related to stigma, poverty, migration, housing and sex worker collective organising, to inform locally relevant interventions alongside legal reform'.

In highlighting that in Ireland some of the problems identified in other jurisdictions with the Nordic model, particularly its effects on violence and discrimination against sex workers are manifested, this article offers further support for decriminalisation. We also argue for the full decriminalisation of sex work in light of the weight of international research evidence which demonstrates

decriminalisation provides the best framework for safety and reducing sex worker victimisation. Where it has been enacted in New Zealand, it has enabled a more radical and 'a dramatic shift in the approach to policing sex work' (Armstrong, 2017: 1), with much greater trust amongst sex workers in the police and a sense of responsibility amongst the police for sex worker safety, enabling police to take a 'proactive interest in sex worker safety' (p. 14). It has provided sex workers with legitimacy through the 'realisation of employment, legal, health and safety rights' (Abel and Fitzgerald, 2010: 256). Such recognition and enforcement of labour rights and work-based protections are all vital elements in reducing work-related crime victimisation.

In March 2020, the Department of Justice and Equality is legislatively required to review the 2017 Act, and this includes the impact of the law on the safety and well-being of people in sex work. We hope that this will produce additional independent academic research on sex workers' victimisation. The increase in crimes reported to UM across many crime groups since the introduction of 2017 Act is concerning. The persistent and very low levels of reporting of all crimes against sex workers reported to UM which are, in turn, reported to the police is a red flag. It suggests that in Ireland, many sex workers feel unable and afraid to report to the police, and their rights to protection and justice are curtailed. We urge proactive initiatives to improve access to justice for sex workers and to improve sex worker rights to security of the person, non-discrimination and equal protection of the law, including when sex workers are victims of crime. Platt et al. (2018: 45) concluded that all forms of sex work criminalisation 'deprioritise sex workers' safety, health and rights and hinder access to due process of law' and recommended decriminalisation of sex work. At the same time, they argued that legal reform needs to be accompanied by policies to reduce 'structural inequalities, stigma and exclusion – including introducing anti-discrimination and hate crime laws that protect sex workers and sexual, gender, racial and ethnic minorities' (Platt et al., 2018: 45).

Law and policy needs to be refocused on making sex workers' lives safer and improving the relationship sex workers have with the police. This is a social justice issue. Changes to policing policy and practice which improve responses to crimes against sex workers and prioritise safety are needed. There may be some practical learning from policing initiatives which have refocused on sex worker safety and have demonstrated success in increasing reporting to the police and enabling access to justice: for example, the approach of treating crimes against sex workers as hate crime adopted in Merseyside (Campbell, 2018); introducing Police Sex Work Liaison officers located in units not involved in enforcement activity linked to sex work but with a remit of encouraging reporting and building confidence in the police, as enacted with some positive progress in PSNI (Ellison et al., 2019) and some UK forces (Brown et al., 2019). Such policing initiatives need to be developed through processes which include sex worker-led groups who are well placed to advise about policy and practice changes which enable sex workers to feel safe to report crimes committed against them and identify how sex workers can be best



made aware of their rights as victims in the criminal justice system. Such a refocus of law and policy we would suggest is needed in Ireland to ensure that sex worker safety is not collateral damage in the future development of sex work policy in Ireland.

### Authors' Note

Lucy Smith is Coordinator of UglyMugs.ie and Rosie Campbell was Chair of National Ugly Mugs at the time of writing.

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### Notes

1. The term 'ugly mugs' originated in Australia, where local sex workers reluctant to report to the police shared details of concerning individuals targeting sex workers with each other. Practitioners from the UK and Ireland adopted this practice within outreach and support services since the 1980s. National schemes were established in the UK (National Ugly Mugs) and Ireland (UglyMugs.ie). UM was established in 2009 as an online ugly mug scheme, with the aim of improving the safety of sex workers and reducing crime, by bringing workers together to share information about potential dangers. UM has been collecting data about crimes against sex workers for over a decade and is the primary third-party reporting scheme for sex workers in Ireland.
2. UM membership numbers are all Ireland figures as UM only asks its members to select a country as their location when registering or updating their profile and Ireland or another country are the selections. It is therefore not possible to split UM members into ROI and NI groups.

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