

Executive summary

Law in Action: local-level and collaborative governance of prostitution in two European cities – Antwerp (Belgium) and Catania (Italy)

Project Overview

This project comparatively analysed city-based prostitution policies and practices and their effects on sex workers in countries that have adopted a partial criminalisation model of intervention towards prostitution—Belgium and Italy. Within this model, the selling and purchasing of sex is not criminalised, but most prostitution-related activities are punitively sanctioned as ‘illegal’ (e.g. sex trafficking, procuring), or ‘anti-social’/‘uncivil’ (e.g. loitering and public soliciting). The two case studies selected for this research are the cities of Antwerp (Belgium) and Catania (Italy). They have been chosen for their adopted local approach towards prostitution in designated Red-Light Districts (henceforth: RLDs): while prostitution has been collaboratively governed in Antwerp, it has simply been tolerated in Catania. By considering the factors that have led to the development of prostitution policies and practices in these two cities, and their characteristics both within and outside the two cities’ RLDs, the project compared and analysed the effects produced on sex workers across city areas.

Caveat: This report summarises the project’s findings and does so by largely drawing on the following publication: Di Ronco A. (2020). Law in action: Local-level prostitution policies and practices and their effects on sex workers. *European Journal of Criminology*. Doi: <https://doi.org/10.1177/1477370820941406>. For further detail on the findings, their analysis through academic literature, the methodology and its limitations, we refer to the aforementioned publication.

Case studies

Case studies in Belgium and Italy were selected among the local examples of prostitution governance and tolerance. In Belgium, a renowned case of collaborative prostitution governance is that of Antwerp's historical RLD, the "Schipperkwartier" or Skippers' Quarter, which was selected as case study for this research. Since 1999, Antwerp's Skippers' Quarter has highly been renovated and regulated as a result of the coordinated interests of residents, social workers' groups, and the ruling coalition. In Italy, there have been a few and largely under-reported cases where prostitution has been tolerated in specific city areas. An example is provided by the San Berillo district of Catania, where indoor prostitution was allowed during fascist times (when it was legal) and has since served as RLD. For its relatively long history as RLD, Catania's San Berillo district was selected as the second case study for this research.

It is worth noting from the start that the two RLDs are very different, not only for their adopted approach towards prostitution (collaborative governance, in Antwerp, and tolerance, in Catania), but also for their physical appearances and the composition of those involved in the sex market there. Since the early 2000s, the previously degenerated Antwerp's Skippers' Quarter went through a substantial urban and aesthetic upgrading. As a result of this upgrading, the RLD has been transformed into a pedestrian area mostly occupied by prostitution premises (approx. 306 windows in 117 buildings, and one brothel known as Villa Tinto)¹ (see footnote No1). The city thought very carefully about the urban design of the RLD, for example by including open air urinals and appropriate public lightning, avoiding the installation of public benches ("which can attract pimps"), and prohibiting the presence of windows for sex work at the edges of the RLD.² Antwerp's RLDs attracts many sex workers, especially from within the EU (mostly, from Romania and Bulgaria): during the year 2017, for example, approximately 1,513 sex workers were registered by the police in the district (see footnote No1).³

The San Berillo District of Catania differs very much from the Antwerp's Skippers' Quarter. The district, for example, did not go through a similar process of urban regeneration, and currently presents very high levels of physical and social deprivation (run-down buildings and drug dealing, respectively). The district is a residential area for mostly migrant communities, and also hosts a few economic activities especially in its south-eastern and -western edge. Interviewed respondents suggested the presence of around 50 sex workers in the district: they are all thought to be Italian and middle-aged, and to be holders of a regular tenancy agreement or house owners.

¹ PowerPoint presentation by the Antwerp Police, titled 'Prostitutionteam Local Police Antwerp. Results 2017'. Provided by the Antwerp Police.

² Information extracted from the document titled 'De belangrijkste tips vanuit Antwerpen voor een gedoogzone' provided by the City of Antwerp.

³ The number of sex workers registered in the year 2017 mentioned above (N=1,513) indicates the total number of registered sex workers in the district by the police, regardless of the time they decided to work in the district.

Methodology

This project was based on qualitative research involving seventeen interviews with local key stakeholders and ethnographic observations in the designated prostitution areas. In Antwerp, five interviews were conducted with: the city prostitution officer; the head of the special prostitution team of the police; and three social workers from organisations supporting on- and off-street sex workers through harm reduction practices (Boysproject, FreeClinic, Ghapro). In Catania, twelve interviews were carried out with: two social workers from the city's social services; one civil servant from the public order unit; six social workers from four third-sector associations (1 from Trame di Quartiere, 3 from LILA, 1 from Penelope, 1 from Futura89); two officers of the migration and prostitution unit of the police; and one sex worker considered the reference point for all sex workers in the RLD. Sex workers' associations were not interviewed: at the time of the research, there were no associations locally active in Catania, while in Antwerp UTSOPI (a collective of sex workers mostly active in Brussels) was just starting a project with Ghapro.

To gain a more comprehensive understanding of the inter-personal and spatial dynamics of the chosen localities, ethnographic observations were also carried out in the two RLDs for two consecutive weeks (28 January—10 February 2019, in Antwerp; 11—24 March 2019, in Catania). During the observations, informal interviews were carried out with residents, businesses, sex workers, workers of third-sector associations, and passers-by (28 in Catania, 7 in Antwerp; total: 35). In Catania, fieldwork activities also included the attendance of eight open events organised by the stakeholders on various topics (including the history of San Berillo, sexuality, and migrants in Catania) and a ride along with a third-sector association. As supplementary data, the research also relied on stakeholders' websites, and on documents provided by them (e.g. annual reports). For more information on the methods used and the limitations of the research, please see [Di Ronco \(2020\)](#).

Focus on Antwerp

Best practices

- Collaborative prostitution governance.

Since 1999, the city, police, third-sector and residents' associations have come together to collaboratively govern prostitution in the RLD. The 1999 prostitution policy, in particular, has been introduced with the twofold aim of tackling prostitution-related crime and nuisance and improve sex workers' working conditions, health and wellbeing. To address the problem of crime and nuisance, the city introduced, among others: i) regulations to tightly regulate prostitution premises (e.g. their health and safety requirements) and their managers/owners inside the RLD; ii) bans on street-based sex work, which is punitively sanctioned mostly through fines and place bans; and iii) a specialised prostitution team with an office at the heart of the RLD (by the brothel Villa Tinto). Some of these measures will be discussed in more detail below. Support to sex workers has been offered in particular by three third sector associations (Violett, FreeClinic and BoysProject), which operate according to the principles of harm reduction both inside the RLDs and across urban and rural areas through outreach activities and regular drop-ins for sex workers. Of relevance here is the importance of collaboration between different actors: they meet regularly to discuss, among others, shared issues and aggregated data (not individual cases), academic studies and evidence, and examples of prostitution governance from neighbouring countries.

- Collaborative governance of sex trafficking.

The city also collaboratively governs the problem of sex trafficking through a *task force* made by the city, the police and the financial investigation unit, often in addition to the prosecutor's office, the youth investigation team and labour inspectors. A similar multi-agency partnership has also been found in Catania (see below). The presence at the local level of multi-agency partnerships on the topic of human and sex trafficking was not an initial focus of the research project; however, it became increasingly important during the course of the fieldwork and was therefore included in the analysis. The local attention to sex trafficking is certainly also the result of the European⁴ and national policy focus on the problem.

⁴ The main instrument at the EU level focusing on trafficking in human beings is Directive 2011/36/EU, which extended the scope of Framework Decision 2002/629/JHA along with the 2000 UN Palermo Protocol and 2005 Council of Europe Convention on Action Against trafficking in Human Beings (both ratified by all member states). Article 5 of the EU Charter for Fundamental rights, which prohibits trafficking in human beings, also needs to be mentioned here.

Practices that need consideration/special attention

- The Antwerp's experience teaches us that implementing a model of collaborative prostitution governance at the local level does not mean that all involved stakeholders are given equal weight and similar incisive powers. In Antwerp the local governance of sex work tends to be dominated by the city and the police. This dominance is evident in the following practices:
 - o Mandatory registration for all sex workers both within and outside the RLD by the police.

The police register all sex workers both within and outside the RLD in a database called *pandkalender*. Among the information included in this database, there are: sex workers' nicknames, their contact details, face photo, and the photograph of their passports. The police checking of passports during the registration process does not go without consequences for migrant sex workers without a visa. As academic literature and relevant associations' reports suggest (see e.g. Aalbers and Sabat, 2012; TAMPEP, 2015; Sanders and Laing, 2017; Jahnsen and Skilbrei, 2017; Vuolajärvi, 2019; ICRSE, 2020), tight police controls usually result into migrant sex workers being more fearful of police enforcement, more vulnerable to violence and abuse, and more exposed to the risk of their work being regulated and exploited by third-parties.

Inside the RLD, control on sex workers, clients, possible pimps, and eventual offenders (committing e.g. mugging offences in or just outside the RLD) is exercised also through surveillance technologies with facial recognition software, collecting data and cross-checking it with different databases.

Outside the RLD, the city accompanies the police during *proactive* in-house checks of sex workers – particularly targeting the considered vulnerable ones, who are thought to be likely victims of trafficking and exploitation (for a critical analysis of similar practices in the Nordic countries, see Jahnsen and Skilbrei (2018) and Vuolajärvi (2019)). The approach is tolerant towards indoor sex workers who are EU nationals or holders of a valid visa, and are adults working independently. In these proactive in-house checks, however, possible issues arise when especially women cannot speak Dutch or English, and do not have a regular visa.

Quite understandably, registration of sex workers by the police in the *pandkalender* is positively assessed by law enforcers and local governing authorities as it offers them useful insights into the characteristics of commercial sex in the city. As illustrated above, however, these proactive police checks are associated with negative effects especially on migrant women sex workers with no valid visa, who are not allowed in the RLD and are made more vulnerable to violence and exploitation.

- The administrative practice of closing down prostitution premises for suspicion of trafficking or financial irregularities.

According to the interviews with the city of Antwerp and the police, among the prostitution premises that are mostly affected by this measure there are hotels and massage parlours. Hotels, in particular, have been asked to collaborate with the city and the police in the identification of minors involved in prostitution, and have been sensitised towards that end mostly through awareness campaigns and the threat of administrative closure (for similar hotel-police partnership agreements in Norway, see Jahnsen and Skilbrei, 2018). Especially when applied against massage parlours, however, this administrative measure may have negative effects on sex workers. In particular, according to support services, intense controls on erotic businesses have led these businesses—and sex workers working in them—to leave the city of Antwerp. This has also translated into the ‘disappearance’ of sex workers from the radar of support services, which are losing their contact with sex workers. If the rationale for closing down prostitution premises in general and massage parlours in particular is to ‘protect’ victims of trafficking and exploitation, making them leave the city probably does not fit the bill—it only displaces the ‘problem’ to other areas or cities.

- Street-based sex work has been banned by the city and sex workers and their clients are fined for them causing nuisance.

There is abundant literature on the negative effects that civil or administrative fines have had on sex workers especially in terms of endangering their safety (for examples in Spanish cities, see Villacampa and Torres, 2013, and Villacampa, 2017; for examples in England, see Sagar, 2007, 2010; Neville and Sanders-McDonagh, 2018). This literature advises against the use of fines and place bans against sex workers, their clients, and other ‘uncivil’ people.⁵ In Antwerp, in addition, fines are usually cancelled for street-based sex workers with a drug addiction who accept to go on rehab. As highlighted mostly in UK-based literature (see e.g. Scoular and O’Neill, 2007; Sanders, 2009; Neville and Sanders-McDonagh, 2018), practices that encourage sex workers’ self-governance through techniques of responsabilisation, and punitively sanction the ones who do not conform, are very problematic and should be avoided.

⁵ Civil and administrative orders have been issued in recent years in EU cities against a wide range of ‘uncivil’ behaviour and people, including sex workers and their clients. For the disputed legality of these measures, see Di Ronco, A., & Peršak, N. (2014). Regulation of incivilities in the UK, Italy and Belgium: Courts as potential safeguards against legislative vagueness and excessive use of penalising powers?. *International Journal of Law, Crime and Justice*, 42(4), 340-365. For more different perspectives on incivilities regulations in EU cities, see Persak, N. (2016). *Regulation and social control of incivilities*. London: Routledge.

Focus on Catania

Best practices

- Relative low control on sex work in the RLD.

Sex work in the Catania's RLD tends to be tolerated for historical reasons: during fascism (1922-1943), prostitution in the district was legal if exercised in 'tolerance houses'. Prostitution has been tolerated there also after the adoption of the 1958 Merlin Law abolishing the previous regulation on indoor prostitution. In the past, when prostitution in the RLD had become 'too visible' with street sex workers soliciting outside the district, the city adopted punitive solutions, including the organisation of a notorious police raid in San Berillo in the year 2000 and the issuance of administrative fines (which were applied against street-based sex workers until 2018). The 2000 police raid, in particular, especially targeted non-EU sex workers working in the district without a regular visa, who were ultimately arrested and deported. Since then, only sex workers with a regular visa and a tenancy agreement or property are to be found in the RLD. Control by the police in the area is visible and regular. However, it mostly addresses drug dealing and squatting, rather than sex work, which is not considered a problem. This was confirmed by respondents.

- Governance of sex trafficking.

In Catania, a *multi-agency counter-trafficking network* has been established since 2015, the year when migrants' sea arrivals in Sicily reached one of their peaks.⁶ The network is made by law enforcement bodies (incl.: the public prosecutor's office, the police, juvenile courts, and the Territorial Commissions for the Recognition of International Protection), international associations (the IOM) and third-sector associations supporting trafficked victims (incl.: Penelope and Futura89). Many of the interviewed actors stressed the key role played by this network in allowing for the successful identification, investigation and prosecution of organised networks, and for the protection of victims. Contact between these bodies has also been described as direct and immediate, and based on mutual trust (see also De Felice, 2020). Although the focus of the network is on tackling sex trafficking of migrant women, some of these bodies have individually also considered the problem of migrant men exploited in agriculture (e.g. Penelope).

⁶ See <https://data2.unhcr.org/en/situations/mediterranean/location/5205>.

Practices that need consideration/special attention

- When it comes to prostitution in the city of Catania, the focus is on sex trafficking and exploitation, **not** so much on improving the **safety** of sex workers across city areas. The practices implemented, including the ones illustrated below, reveal a quite polarised conceptualisation and framing of migrant sex workers, who are either understood as victims of sex trafficking who need to be protected, or irregular migrants to be criminalised.
 - Police use immigration law and the sex trafficking frameworks in their policing of prostitution.

In Catania, the focus of the police is on tackling irregular immigration and sex trafficking/exploitation. Romanian, Bulgarian and Nigerian women in particular are usually considered the most likely victims of human trafficking and sexual exploitation by ethnic organised networks. In addition to special police actions aimed at cracking down on these organised networks, the police tend to control street-based migrant women sex workers during regular and extraordinary checks, where their documents are checked; these checks are usually carried out by the immigration unit of the police. These police actions and control suggest that migrant women sex workers in Catania are heavily scrutinised by the police both for their (possibly irregular) migrant status and for them being considered possible victims of trafficking. However, a different treatment awaits sex workers after being stopped by the police, depending on whether they are recognised victims of sex trafficking: whilst trafficked victims can count on different forms of institutional protection, irregular migrant sex workers are usually arrested and deported. Informally interviewed Nigerian on-street sex workers revealed the perceived high presence of police in all prostitution areas and their high fear of being arrested and deported when found without a regular visa (a similar effect was also registered by sex workers in Spain after the adoption by many cities of punitive civic ordinances; see Villacampa and Torres, 2013, and Villacampa, 2017).

- Support services are not available to sex workers in the RLD.

No third-sector association actively operates in the RLD, offering health and other support services to sex workers working there. At the time of the research, the third-sector association Penelope, which supports street-based sex workers through harm reduction practices, was only active outside the district, where victims of trafficking were thought to be present (i.e., in the city centre outside the RLD and in the main highways Catania—Lentini and Catania—Gela). Worth noting is the fact that this association receives public funding mainly to facilitate the identification and protection of victims of sex trafficking (not for promoting harm reduction practices towards sex work).



Outreach social workers from Penelope have reported having made attempts in the past to reach out on sex workers in the RLD; since these had not been well received by sex workers, the decision was made to avoid the RLD during outreach activities. As a result, health checks are no longer freely available in San Berillo—it is now up to the individual sex worker to get health checks at the hospital, if they want to. This should ideally be changed in the future, with outreach activities also including the RLD.

Recommendations

▪ For Antwerp:

- A greater role in the governance model should be played by third-sector associations and, most importantly, by sex workers themselves and their associations (e.g. UTSOPI?). A greater attention to the voices of sex workers could help clarify the impact that certain policies and practices have on them. For example, do police checks and registrations help increasing the trust that sex workers have in the police and their likelihood of reporting violence? Would registrations carried out by third-sector associations (rather than by the police) work otherwise better for them? This may be something that relevant stakeholders may want to ask sex workers; possible changes to implemented policies and practices could be discussed on the basis of their responses.
- A greater attention should be paid to sex workers' social security rights (pension, unemployment benefits, family benefits, healthcare, sickness, maternity etc.), which are guaranteed in other Belgian cities (for the example of Ghent, see Weitzer and Boels, 2015). Following from the point above, it may be worth asking sex workers (through e.g. anonymous surveys administered by third-sector associations and made available to sex workers in their offices) if they wanted their social security rights to be guaranteed and, if so, which ones and how. Solutions could be thought out on the basis of the suggestions that sex workers would make in the questionnaires.
- Remove punitive fines for street-based sex workers, as well as the conditional cancelling of fines for drug-addicted sex workers who accept to go on rehab, as both these measures have been negatively assessed by the relevant academic literature. The last point of this section on Recommendations could help thinking about different venues on how to regulate on-street sex work at the local level.

▪ For Catania:

- Support services should be provided to sex workers across city areas, i.e. also in the RLD.
- Reduce controls on prostitution across city areas (see points below).

▪ **For both:**

- Reconsider some of the adopted policies and practices that make migrant sex workers more vulnerable to violence and third-party exploitation. These include: 1) *mandatory registrations*; 2) *proactive police checks* (both on- and off-street); and 3) *closures of prostitution premises* for financial irregularities and suspicion of trafficking. These policies and practices usually rely on a very polarised framing of the ‘problems’ posed by prostitution, which tends to be solely crystallised around images and discourses of irregular immigration or victimhood (for a critical account of policies based on the concept of sexual humanitarianism, see Mai, 2018).
- Pragmatic solutions to the prostitution-related ‘problems’ should rather include the establishment of designated prostitution zones where sex workers—including migrants without a visa—can work without fear of being arrested or checked by the police, and where the police are present only to ensure sex workers’ safety. The establishment of these areas in the UK has proven effective in terms of enhancing sex workers’ perceived safety and their level of access to support services; it has also improved the relationship between sex workers and the police, which has translated into a higher rate of reporting of incidents of violence (for the case of the Leeds managed area, see in particular Sanders and Sehmbi (2015) and most recently Roach et al. (2020)).

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