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# Introduction

## Background and purpose of the study

Sex workers are vulnerable to, and experience discrimination, stigma and violence in all spheres of their daily lives. Often the perpetrators of physical and sexual violence against sex workers are police officials. The situation is no different for sex workers in Lusaka, Zambia. The acts of violence and discrimination deny sex workers their fundamental rights and freedoms – including their right to equality, protection from cruel, inhuman and degrading treatment, and to be free from arbitrary arrest and detention.

This research aims to understand the experiences of sex workers and their vulnerability in terms of discrimination, harassment and physical and sexual abuse by police officials. In particular, the research aims to establish from sex workers in Lusaka, Zambia, how police abuse has affected them. This is a preliminary assessment, which is primarily aimed at assisting the Southern Africa Litigation Centre (SALC) to develop relevant advocacy and litigation strategies to address the systemic abuse of sex workers by the police in Lusaka, Zambia. The assessment will provide SALC with a better understanding of the challenges faced by sex workers in relation to the police – which will form the basis for future engagement with the police.

## Methodology

This report is based on a combination of desktop research and limited qualitative research, in Lusaka, Zambia. The desktop research focused on the legal framework within which the police interact with sex workers in Zambia.

The quantitative research took place on 23 May 2016, when SALC, together with Engender Rights, convened a workshop with self-identified sex workers over the age of 18 in Lusaka. At the workshop, questionnaires were distributed to thirty nine (39) sex workers. The purpose of the questionnaires was to develop a preliminary understanding of the relationship between sex workers and police authorities in Lusaka – and the extent of police abuse and arbitrary arrest of sex workers. The questionnaires were translated into Nyanja and Bemba for the sex workers, depending on their preference, and questions were explained to them before they completed the questionnaires. The workshop and completion of questionnaires were facilitated by two Zambian nationals, who have gained the trust of the participants.

Participants were informed that questions could be sensitive, and that they were at liberty to ignore questions if they felt uncomfortable in answering them. Participants were informed that all information would be kept confidential, and that no identifying information would be retained in

the final report. We obtained informed consent from all the participants, and explained to them the purpose of the study in detail, before they signed the consent forms. During the data analysis and writing process, the participants' personal details were withheld – so that it is impossible for readers to attribute views or statements to specific individuals.

Sex workers who attended the workshop and completed the questionnaires, were drawn from different areas in Lusaka: Matero (1), Kaunda Square (3), Kabanana (4), Garden compound (10), and Chipata compound (21).

## Limitations

The research focuses on police abuse, and the harassment and extortion of sex workers in some areas of Lusaka, Zambia, and how these police actions affect sex workers. The research is preliminary and does not claim to be representative of the experiences of sex workers throughout Lusaka or Zambia. Notably, no police officers were interviewed at this stage of the assessment, and it is envisaged that the next step would be to engage the police about the challenges faced by sex workers – and the extent to which this can be ameliorated. At the end of this report, some reference is made to possible complaints mechanisms that sex workers can access in cases of police abuse. These mechanisms were not investigated at this stage of the assessment, and will be engaged further to determine the extent to which complaints can be referred to them. By focusing on sex workers' experiences first – we will be better equipped to bring to the fore the voices and experiences of sex workers, when engaging the police and complaints mechanisms.

The questionnaires were in English, and while facilitators endeavoured to ensure the accuracy of translations and explanations to participants, a margin for possible error is noted.

It was difficult to obtain quantitative data on the actual number of instances when participants were sexually assaulted by the police. We observed that several participants had a very narrow definition of “rape”, and even though they indicated that the police had non-consensual or “forced” sex with them in exchange for not being arrested or detained, they did not always classify it as “rape”.

Any numerical indications in the study are intended solely to emphasise observations. There is no assertion intended, or made, that any of the qualitative or quantitative data in the study are appropriate for statistical extrapolation or generalisations.

Zambia is a landlocked country bordering the Democratic Republic of Congo, Tanzania, Malawi, Mozambique, Zimbabwe, Botswana, Namibia and Angola. We acknowledge that sex workers who are not Zambian might be at increased risk of police harassment, abuse and violence, as a result of their migrant status in Zambia. Participants were, however, not asked about their residence status in Zambia, and how that affected their relationship with police. The issue of cross-border migration for sex work purposes, exposes such sex workers to increased abuse from a range of actors, which requires further research and specific support measures.

Our sample of participants may under-represent the most vulnerable sex workers who may be less willing to participate in a workshop or which may be harder to reach.

In general, there is very little information on the needs and experiences of sex workers and other marginalised groups – especially in the context where such groups are stigmatised and at risk of arrest. Whilst this report seeks to contribute to our knowledge of sex workers’ experiences, the above limitations limit the extent to which these experiences can be generalised.