

Experiences of Sex Workers in Times of Pandemic: from Lawful to Risk-Producing Environments in Switzerland.

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Abstract

This paper aims to shed light on the difficulties faced by sex workers (SW) during the Covid-19 pandemic. The research was carried out in collaboration with a non-governmental organisation (NGO) supporting SW in canton Vaud, Switzerland.

Drawing on the idea, developed by Scoular (2015), that the law is not sufficient to address the problems faced by SW, we propose to consider Swiss SW's experiences in order to analyse interactions between the law and other societal forces in times of pandemic.

We used a mixed-methods approach (observations, focus groups and questionnaires) to understand the needs of the SW, the assistance that has been offered to them, and the obstacles they have encountered in accessing it since March 2020.

Our findings suggest that SW were confronted with a broad range of financial, administrative, psychological and relational difficulties that were conducive to health risks. We call for political responses and structural changes to promote SW's empowerment and improve their working conditions.

Keywords

Sex work; Covid-19; risks; law; financial difficulties; psychosocial difficulties; mixed methods approach

Introduction: Sex Work Within a Pandemic

Since February 2020, the coronavirus disease 19 (Covid-19) has been a major threat for global health (WHO, 2020). In this context and during several months, many countries locked down their population, declared states of emergency or necessity, closed borders and allowed only essential businesses to open. Aiming to reduce contaminations, Swiss authorities declared a partial lockdown from March 2020 onwards: non-essential businesses had to be temporarily

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closed, public gatherings were limited, and the health authorities strongly recommended the confinement of the general population (FOPH, 2020). Of course, the pandemic did not have the same impact on all individuals and groups: the most socially vulnerable and isolated, such as SW, suffered the most severe consequences. For these reasons, this paper aims to shed light on the specific experiences of sex workers (SW) during the first year of the Covid-19 pandemic.

Worldwide SW defence associations and international networks have expressed their concerns regarding the risks of deterioration in the living conditions of SW due to the pandemic and called for governmental action. The associations feared an increase in hostile policing related to Covid-19 restrictions and the highly negative effects it would have on the wellbeing of SW. For instance, the *Sex workers' rights advocacy network* (SWAN), an organisation defending the rights of SW in Europe and Asia, published a call on 11 April 2020 demanding measures to limit the negative consequences of the pandemic on SW (SWAN, 2020). In order for SW to be able to follow the Covid-19-related health recommendations, SWAN stressed the need to provide financial support to them, to enforce proper access to health care institutions, to refrain from deporting undocumented migrant SW and to decriminalise sex work. Along the same lines, on April 24, 2020, the UN programme for the coordination of actions against the HIV pandemic (UNAIDS) also emphasised the issues mentioned by SWAN, stressing that SW's access to health care and to condoms had been reduced or stopped due to the pandemic and even that HIV-positive SW had lost access to their medication in some countries (UNAIDS, 2020). In addition, UNAIDS highlighted the fact that the closure of erotic massage parlours or hotels has also led to homelessness among SW. Moreover, the International Committee on the Rights of Sex Workers in Europe (ICRSE), argued that persons who have no other source of income than sex work may put themselves in highly risky situations to survive (ICRSE, 2020a). ICRSE also called on governments to provide financial and health support to SW and to cease evicting them from their homes and to stop arresting undocumented migrants. Additionally, in a letter to the European Commission (ICRSE, 2020b), ICRSE called for the inclusion of SW-led organisations in the planning of post-pandemic recovery plans.

Within academia, researchers have also alerted the scientific community and governments on the consequences of the health crisis on SW through commentaries, letters to the editor or essays in international scientific journals. Their concerns pertained mainly to the marginalisation of SW, their stigmatisation based on the stereotype of SW as vectors of disease (Kimani et al., 2020), and to SW' high-risk practices potentiated by the precariousness associated with the public health crisis (Jozaghi & Bird, 2020). Academics also stressed the

importance of considering the specific needs of migrant SW in the management of the crisis (Lam, 2020) by underlining that socially vulnerable persons and immigrants living in densely populated areas are statistically more likely to present comorbidities and chronic diseases, as well as to have limited access to health care, these risk factors potentially leading to serious consequences in case of an infection by Covid-19 (Shadmi et al., 2020). Furthermore, Platt et al. (2020) called for a collective and inclusive response to the pandemic by mobilising SW communities to ensure the preservation of their health and equal rights, as well as the decriminalisation of sex work in order to reduce their marginalisation and discrimination and facilitate their access to social and health care.

These concerns, relayed by associations and researchers close to SW, unfortunately still lack sufficient validation by empirical data. Research on the impact of the pandemic on sex work has been mainly based on analyses of profiles of online SW (see, for instance, for the UK, Brouwers and Herrmann, 2020); it shows that Covid-19 has had a considerable negative impact on the sex industry (Callander et al., 2020), notably through a reduction in visible prostitution premises towards more underground and risky work settings (Azam, Adriaenssens & Hendrickx, 2020). Some organisations also conducted their own studies. For instance, in close collaboration with associations working with SW, ICRSE and SWAN (2020) carried out an assessment of the impact of Covid-19 on SW's access to health services in Europe and Central Asia through questionnaires and web meetings with their association members. Their results suggest that, in all regions, SW have seen their workplaces close and have had little or no access to state support. Many have avoided travelling due to borders closing, the fear of losing their residence permit or, in the case of transgender people, because of identity papers that do not correspond to their gender. This has therefore cut them off from social support from friends and family. The most precarious SW needed to break the sanitary pandemic-related restrictions because of lack of resources to survive and thereby took the risk of being arrested or infected with the disease. In addition, as the priority of the health authorities has been control of the pandemic, SW's access to care has also been increasingly complicated (ICRSE & SWAN, 2020). In Switzerland, the ProCoRe network, a federal network that defends the rights of SW, conducted a survey among its 27 member associations on the effects of the anti-Covid-19 measures on SW. Their findings show that many SW continued to have paid sex during the period when prostitution was banned, out of financial necessity. They also found an increase in precariousness, victimisations, unwanted pregnancies, and sexually transmitted infections (STIs) after the implementation of measures taken by the Swiss authorities to contain the pandemic. For these reasons, the Swiss network also called on the authorities to prioritise the control of Covid-related security concepts and to avoid banning prostitution (ProCoRe, 2021).

Given that the impact of the Covid-19 pandemic on sex work is still an understudied topic, our study, founded upon the fields of social work as well as criminology, focuses on an in-depth examination of the experiences of SW during the pandemic. It is to be noted that, in Switzerland, sex work is legal and regulated. Persons registered as SW are thus entitled to social and health benefits. Nevertheless, the conditions in which sex work is performed, even in a wealthy and “regulationist” country such as Switzerland, remain precarious and risky (see Földhazi, 2010; Crittin, 2010; Molnar, 2019). Drawing on the idea developed by Scoular (2015) that regulation alone is not sufficient to prevent and address the challenges present in sex work, we consider the experiences of those who practice prostitution in order to analyse the manner in which the law interacts with other forces in society, such as social or material forces.

In the next section, we present our theoretical framework; it combines ideas developed by Scoular (2015), who proposes an interactionist approach between law, discourse and social practices, with the theory of the *risk-producing environment* (Rhodes, 2009). We then present our field of research by detailing the Swiss legal framework regarding sex work, as well as the method used to construct our data corpus. We present our results by focusing on the difficulties experienced by SW since the beginning of the pandemic. Finally, we discuss our findings using a three-level model of analysis: (1) the macro level, that concerns the legal and social forces that have an impact on the difficulties encountered by SW; (2) the meso-level, that concerns material forces; and (3) the micro level, that concerns personal and interpersonal forces.

Legalisation is Insufficient: A Multilevel Analytical Framework

The sociological literature (see for example: Mathieu, 2015; Weitzer, 2009) distinguishes four main stances in the face of prostitution: regulationism, that allows it to exist and provides it with a legal framework (Corbin, 1978); abolitionism, that aims to suppress it by criminalising clients (Dworkin, 1981); its corollary, prohibitionism, that aims to prohibit it and penalise it by criminalising SW; stances such as the pro-sex feminist current, that reclaims it as a job and defines it as sex work (Pheterson, 1996; Tabet, 1987). These currents have an impact on the definitions of prostitution/sex work, the modes of legislation, social and health policies, and the orientation of research in this field.

For example, an abolitionist posture denies the possibility of free and informed consent of women to practice prostitution: it views any recognition of it as an acceptance of the submission and exploitation of women (Farley, 2018). As a result, according to van der Meulen (2011), research founded upon this stance tends to focus on marginal cases and to deny the

diversity of practices and realities. Moreover, it considers SW as unable to participate in research on their situation and incapable of adopting a critical posture. Research has shown that decriminalisation is actually very beneficial for SW (see Benoit et al., 2019). The criminalisation of sex work leads to a lack of legal and health protection for SW and places them in a vulnerable position vis-à-vis authorities and clients (Shannon & Csete, 2010; Vanwesenbeeck, 2017). However, in any legal context, the difficulties faced by SW are exacerbated when they are migrants without legal status, do not speak the local language or lack knowledge about the laws of the country (Rekart, 2005; Sanders & Campbell, 2007).

The above-mentioned appeals from SW-led associations advocate the decriminalisation of sex work and more rights for SW. We agree with these goals but would like to temper their focus by bringing in the critique formulated by Scoular (2015). According to her, the debate on prostitution is excessively dominated by the opposition between criminalisation and legalisation. In support of her position, she argues that the problems related to sex work do not stem only from the legal context but rather from the interactions between *the law* and *the legal, extra-legal discourses, institutions and practices* of the various actors involved in sex work. It is therefore essential to conduct more systemic analyses that attempt to capture the complexity of situations, the diversity of realities on the ground and the interaction between the law and other social forces. An instance of the latter is our recent Swiss study (Ros, 2021), in which we found that, although prostitution is legal in Switzerland, adapted infrastructures are not made available that would enable SW to practice in appropriate work environments and that SW encounter obstacles in accessing the social and health services to which they are legally entitled. Furthermore, the regulation of sex work is hampered by the non-regulation of undocumented migrants. In this regard, a decade ago, Chimienti (2009) also argued that the implementation of cantonal laws on prostitution in Switzerland is problematic because the focus tends to be on the legal status of the SW, which is usually subject to control by law enforcement agents. In that regard, she shows in her study that, during police controls, officers tend to prioritise the administrative situation of the SW (their residence permit) rather than the conditions in which they are working or, say, the practices of managers of erotic massage parlours.

We therefore propose to analyse the difficulties faced by SW since the Covid-19 crisis by situating them within a complex field of political, social, legal, material and interpersonal forces. We draw on Scoular's (2015) ideas, who argues that discourses that focus solely on the rights of SW can lead to an individualization of the problems and solutions associated with prostitution. We also draw on work from the risk-producing environment theory set forth by Rhodes et al. (2005) and on its use in research conducted by Shannon et al. (2008). The

theory of risk-producing environment was initially designed for the analysis of risks in the field of drug use, proposing to shift the unit of analysis from individuals and their behaviours to the environments in which they interact, considering that physical and social spaces play a central role in the production of the risks (Rhodes et al., 2005). Later, Shannon et al. (2008) have used this model to analyse the influence of social and structural violence and power relations in HIV risk among women SW, by proposing three levels of analysis: the micro level, which includes interpersonal relationships and psychological dimensions; the meso level, which includes institutional responses to the problems faced by the individuals involved; and the macro level, which includes laws and social policies.

Our intention is to use these three levels to examine the data from our survey, to analyse the difficulties encountered by SW and to contribute to an understanding of how the different forces at work in the field of sex work are articulated.

Context of the Study

The Legal Framework for Sex Work in Switzerland

In Switzerland, prostitution is legal as long as it is carried out by a person who is an *adult* (18 years old or over), *free* (i.e. not coerced), independent (hence not supported by a third party) and who is either a Swiss citizen or a foreign national residing in Switzerland legally. Swiss citizens can thus directly declare themselves as freelance SW, and citizens of EU-member states can apply for a work permit to practice prostitution in Switzerland. Nonetheless, extra-EU nationals cannot apply for sex work residence permits and therefore cannot legally come to Switzerland for the purpose of working in prostitution. At the federal level, the Swiss Criminal Code (CP, 1937) forbids the exploitation of sexual activity and so-called *pimping*, defined as the encouragement of prostitution by a third party (CP, 1937, Art. 195). Cantonal laws and municipal-level regulations define the modalities of practice and the special measures taken by the authorities to combat the exploitation and undesirable side effects of prostitution.

In canton Vaud, the law on the practice of prostitution (LPros, 2004) has the following goals: guaranteeing that prostitution is practised freely (LPros, Art. 2.a); guaranteeing that preventive health and social measures are implemented (LPros, Art. 2.b); and regulating the times and places of practice, so that public order is not disturbed (LPros, Art. 2.c). The law distinguishes between prostitution practised in erotic massage parlours, and that practised on the public domain. In the case of the former, it is the responsibility of the owner to declare to the competent authorities the place, hours and number of persons working

in the establishment. For the latter, it is the responsibility of the municipalities to define times and places which, in accordance with the LPros, do not cause a nuisance. In Lausanne, prostitution is therefore allowed in legal erotic massage parlours which can be flats, clubs or bars, as well as in a limited outdoor area near the city centre, between 10 p.m. and 5 a.m. However, the area for street sex work is only useful for solicitation because street SW do not have a place in which to perform their services. In this case, they either go to the client's place of residence, to a hotel, or perform the sexual service -illegally- at their own place or in the street.

The Non-Profit Organisation Research Partner

The partner NGO in this study, Fleur de Pavé (FdP), is tasked with supporting and accompanying SW, facilitating their access to medical, social and administrative structures in the canton, and defending their rights. With a strong focus on risk reduction, the NGO employs workers who are either social work-related professionals or former SW; its services include an unconditional open door for SW on its premises during the afternoon and in its mobile trailer during weeknights from 10 p.m. to 1.30 a.m. The social workers of FdP also visit the erotic massage parlours of the canton of Vaud in the afternoon. In all these cases, SW are offered free prophylactic material as well as prevention and orientation information. It is financed by the Social Service of the city of Lausanne and by the Public Health Service of canton of Vaud, as well as by private donations.

FdP, like all NGOs active in the field of sex work, is an essential gatekeeper for contacting SW, who are a hard-to-reach population. In addition, 25 years of existence of the NGO provide the social workers and members of its board a broad knowledge of the field which can provide us with valuable data for our research. It should be noted, however, that the SW in contact with the FdP association represent a particularly precarious and vulnerable category of SW who have needed the services of the association to find solutions to cope with the crisis.

Data Collection and Analysis

Using a mixed-methods approach, we conducted ten observations (30 hours) in the office of FdP and accompanied its social workers to the erotic massage parlours and the designated streets from September to December 2020. During the same period, we also organised two mixed focus groups with SW, social workers and the NGO's board. The first focus group (60 minutes) was composed of two SW, two social workers and a member of the board. The

second focus group (58 minutes) was composed of three SW (one of them also participated in the first focus group²), two social workers and a member of the board.

Conducting mixed focus groups presented the risk that the participants would not have the same capacity to express themselves and that the differences in status would create asymmetries of power and therefore of legitimacy to give their point of view. Nevertheless, we preferred this option for ethical and methodological reasons: (1) ethical, because the SW felt safe with the social workers they knew and trusted, and in addition, some of the social workers are former SW who know the reality of the field well; and (2) methodological, because the social workers as well as the members of the board generalised the situations reported by the SW by referring to similar situations encountered in their interventions.

The focus groups were conducted by the first author of this article in a semi-directive manner, allowing the participants to express themselves freely, while refocusing the discussion on the consequences of the health crisis and ensuring that speaking time was distributed fairly among the participants.

In addition, from January to March 2021, to complement the qualitative data, we conducted a questionnaire in the same canton, interviewing 40 SW from the street, the erotic massage parlours and the Internet. The questionnaire aims to document different dimensions of their lives since the pandemic: their physical and psychological health status; their financial situation; their access to financial and material resources, their social relationships; their sex work practices since the health crisis; their relationships with clients; their substance use; and their victimisation. The last two dimensions will not be addressed in this article and are the subject of another publication (Molnar & Ros, 2022). The questionnaire was conducted with 40 SW, in connection with FdP. Most of the questionnaires were administered face-to-face (n=33) and seven SW working in the canton of Vaud answered the self-administered online questionnaire that we distributed through websites for erotic advertisements. The sample included 38 cis women, 1 trans* woman and 1 non-binary person aged between 20 and 60 years (median age = 34 years). They came from Eastern Europe (n=13), Africa (n=11), Latin America (n=7) and Western Europe (n=6). Twenty of them were not registered as SW with the authorities, which means that they cannot apply for state financial support.

² One of the participants spontaneously asked to take part in a second focus group because she wanted to express herself more about her experiences and felt that she had not always found the right words to do so. In the second focus group, she was indeed more at ease and was able to address new themes.

The questionnaire was not validated before being conducted, as it was originally designed during the pandemic to study the experience of SW since the COVID-19 outbreak. Moreover, as SW are a difficult group to access, the option of selecting a sub-sample in order to test the questionnaire was not feasible. However, it was revised by the partner NGO, who proposed supplementary questions to be included, as well as by a colleague specialised in questionnaire design and analysis.

In agreement with FdP, and based on our experience in the field, we chose not to have the SW who participated in the survey sign a written consent. Indeed, signing a formal document can be a source of stress for people who are particularly sensitive to the preservation of their anonymity. However, we took the time to inform them of the aims of the survey and ensured that they felt entitled to stop the focus groups or questionnaires at any time. To ensure confidentiality, we changed all names and modified details of potentially recognisable situations or SW

For the first part of the project, we kept a field diary, recorded the focus groups and subsequently analysed the transcripts by means of thematic content analysis using Maxqda software. The data obtained through the questionnaire was processed using descriptive statistics. The qualitative and quantitative analysis enabled us to identify four categories of difficulties experienced by SW since the Covid-19 crisis. These are presented in the next section.

The Difficulties Faced By Sex Workers Since the Pandemic

Lydia³ comes from an Eastern European country and works as a street sex worker in Lausanne. During the lockdown related to the Covid-19 epidemic from March 16th to June 6th 2020, she found herself without any income. Three weeks after the start of the lockdown, the Swiss Federal Council announced the implementation of a Loss of Earnings Allowance (*Allocation pour Perte de Gain*) for self-employed workers affected by the epidemic. Lydia visited the FdP office several times to get support with the administrative procedures required to obtain the allowance. She had to wait another three weeks for an allowance of 400 francs per month to be released. As this amount was not enough to pay her health insurance or rent, FdP referred her to an NGO that provides help for people in financial difficulties. The NGO paid one month of rent for her and then, probably overwhelmed by requests related to the

³ All names are pseudonyms. The excerpts quoted were translated from French into English by the first author of the article.

health crisis, did not respond to her subsequent requests. FdP then helped her to pay her rent via a solidarity fund of *La Chaîne du Bonheur*, an organisation which collects donations for humanitarian and social causes. Lydia did not dare to apply for social assistance for fear of losing her residence permit. It must be noted that foreign nationals with temporary residence permits (*Permis B*, maximum five years) are not supposed to apply for social assistance in Switzerland because they are expected to have sufficient resources without state intervention. They may in fact obtain benefits if they apply for assistance, but such a request is likely to have a negative impact on their subsequent application for an extension of their residence permit.

When I meet her at the FdP office in October 2020 during an interview with Stephanie, a social worker of the association, Lydia is still facing great financial difficulties, despite the lifting of the ban on sex work: "There is no one left on the street [no clients], how can I earn enough to pay my bills?". She explains that she will have to go back to her own country to look after her sick son, and that she is very anxious because she fears that borders will close again and that this will restrict her mobility. "Stephanie, my head is exploding!" she repeats during the interview. Stephanie starts by helping her with her administrative work (new application for Loss of Earnings Allowance, requests for delays in paying health insurance bills, etc.), then takes time to listen to her, to talk with her, a complex mix of administrative efficiency and empathy. Lydia cannot sleep and suffers from constant headaches. Stephanie tells me that since the Covid pandemic, many women have severe mental health problems. Even some who "were always smiling" are now very depressed. The situation is extremely stressful because solutions to the precarious financial status of the SW are piecemeal at best and have to be renegotiated every month.

Excerpt from the research journal

Lydia's situation is a fairly representative of the difficulties encountered by SW in financial terms (loss of income during the lockdown, accumulation of bills and lower income since the resumption of work), administrative terms (difficulty in accessing aid that is not adapted to SW and incompatibility between this aid and the residence permits of foreign nationals) and psychological terms (stress caused by the difficulties and uncertainties related to the pandemic). We now present these different difficulties in more detail, based on data from the qualitative (field notes and focus group transcripts) as well as quantitative (questionnaire) data.

Financial Difficulties

The Covid-19 pandemic has led to great financial difficulties and risks of going into debt following the ban on sex work in the spring of 2020, as well as the loss of secondary income derived from such activities as waitressing in bars and nightclubs or cleaning in private homes. Thus, 23 (57.5%) of the SW interviewed said that they had eaten less for financial reasons since the Covid-19 crisis, 35 (87.5%) said that they had spent their savings and ten SW (26%) had to continue providing sexual services between March and June despite the lockdown. In this regard, the survey conducted by the Swiss network ProCoRe (2021) also indicated that the most vulnerable SW continued to work out of necessity even when sex work was prohibited.

Moreover, according to information gathered during our observations on the street and in the erotic massage parlours, the number of clients since the official resumption of activity in June 2020 has dropped considerably.

Some SW who used to travel to other cities to meet clients are now faced with a new financial risk that they are reluctant to assume: that of paying for transportation and risking a client no-show, as Agathe (a sex worker) explains in the following excerpt:

There are those [the clients] who call, you might have fifteen calls a day even, nobody comes. You give the address, or you arrive, that's why we also tell ourselves at one point, except if it's in Lausanne, we say to ourselves that well, "if I arrive and he doesn't take me, I can get home on foot and that's that". But it still goes on, we can't go to the client's house if it's outside of town, for fear of being rejected, of not being let in.

Agathe, SW, excerpt from a focus group

On this issue, five of the ten SW interviewed who had to work between March and June 2020 report having travelled at least once to another city to meet a client who never showed up.

Administrative difficulties

Various types of state financial assistance and community-based support were offered to the SW in order to alleviate the difficulties caused by the cessation of their activity. The SW who were registered to the authorities were entitled to receive social assistance or a Loss of Earnings Allowance. FdP also co-ordinated financial support (e.g. contribution to their

telephone, rent or health insurance bills), vouchers (to buy food in supermarkets) and food parcels (mainly distributed by volunteers). These aids were made possible by donations from NGOs, private individuals and the City of Lausanne. 27 of the SW interviewed (67%) used at least one of these aids. Six SW (15%) requested Loss of Earnings Allowance, four received social assistance (10%), nine used financial aid from the partner association (22.5%), 20 got food vouchers (50%) and 17 got food parcels (42.5%).

However, SW faced a range of difficulties in accessing this assistance. Applying for social assistance entails the risk for non-Swiss SW with temporary permits (B permit) of losing their residence permit, as in Lydia's situation. Furthermore, the SW who were eligible for Loss of Earnings Allowance had to go through complex procedures and then wait many weeks for the release of their subsidy, the amount finally obtained being much too low to cover their daily expenses: according to FdP, SW who applied for Loss of Earnings Allowance received an average of 500 Swiss francs per month during the first wave of the pandemic.⁴ This average has probably gone down since the end of 2020, as claims are seldom successful, according to FdP board.

This financial and administrative situation leads some SW to live in paradoxical situations, as in the case of Nora who, whatever she does, risks expulsion from the Swiss territory:

Nora did not apply for social assistance as this would entail the risk of losing her residence permit. She was evicted from her flat because she could no longer pay her rent due to the drop in income caused by the health crisis. The Protestant Social Centre⁵ helped her to appeal against the eviction. Now Nora is in a situation that she considers "impossible": without money and without a flat, she risks being expelled from the country. She is therefore forced to go on social assistance, but explains "they tell me to go on social assistance, but if I go on social assistance, I lose my resident permit!

Excerpt from research diary

In addition, the procedures for accessing support were described in the focus groups as too complicated for the people concerned to carry out independently, particularly for reasons of language, social or computer skills. During the lockdown, face-to-face exchanges were

⁴ By way of comparison, according to the Swiss Federal Statistical Office, the median Swiss salary is CHF 6,538: (<https://www.bfs.admin.ch/bfs/fr/home/actualites/quoi-de-neuf.assetdetail.11927345.html>)

⁵ Provides financial and legal assistance to people in need.

replaced by telephone contacts, causing communication difficulties and overloading the lines. In the following excerpt from a focus group, Stephanie (social worker) and Anna (SW) discuss these difficulties:

Stephanie: [...] people [SW] didn't know what they were entitled to, they didn't know where to ask for help,

Anna: so there was also the situation that we can't know where to ask for help, where to ask and where it will be ok. So when I asked for information, well, I was only advised, apart from FdP, I was only advised to go to [name of a NGO]. And sometimes even [name of a NGO], to call, you go and call the main office number, they'll tell you "no, it's not this office", they give you the number, you call, you call, and again the answering machine for a week or more.

Stephanie: yeah yeah,

Anna: always the answering machine the answering machine, nobody picks up. You go back to the previous number, they tell you "it's not like that!", they don't give you the numbers like that, sometimes you get worn out. So you don't know exactly where to ask for help. You don't know. As I said earlier, if I can really find something [a job] to do, I do it.

Excerpt from a focus group

The health crisis reveals a mismatch between social policies and the needs of the people concerned: support is not adapted to the situations experienced by SW; as a result, it keeps them in a precarious and dependent position. The pandemic has given rise to a great deal of community solidarity, for example, many people have offered to distribute food parcels at FdP on a voluntary basis, and the organisation has received many donations of clothes and basic supplies. However, state financial support, beyond its regular subsidy to the NGO and an extraordinary donation of 50,000 Swiss francs by the city of Lausanne, has not been adapted to this target group.

Psychological Difficulties

SW showed high levels of stress and psychological discomfort as a consequence of the extraordinary events of 2020. Focus group participants reported that few SW have the computer skills to apply for financial support online. However, most support providers did not

offer the option of applying by telephone. This logistical complexity, as well as the length of time the SW had to wait before receiving answers (sometimes negative, often insufficient) to their requests, greatly contributed to the stress and psychological discomfort they experienced. In the following excerpt from a focus group, Stephanie (social worker), Anna (SW) and the researcher discuss these difficulties:

Stephanie: it's true that aid also has its limits, as she says, at [name of an NGO] the first requests were answered immediately, and then there are some, some...

Anna: yeah they didn't answer me otherwise, now on top of that there's the August bills, [...]. So, what the lady [a social worker at the NGO] told me was that she was right. The lady reasoned with me, she said, even if you don't pay, they can't take away your insurance, but that's not what makes you happy, it's not that. And then I even have a promise of a knee operation, which I was told was worn out, that I had to take the programme to have the operation. So I haven't seen this programme yet. But it's there, because I can't even walk well with it. It's all there. When you ask for help it doesn't come right away. You don't know when it will happen.

Researcher: yes it must be stressful.

Anna: yes it's stressful so they can't even tell me when.

Excerpt from a focus group

In the face of this health crisis, some basic needs in terms of food, health or housing can no longer be met; the risk of going deeper and deeper into debt is high, and so is the psychological distress resulting from an accumulation of unpaid bills. FdP had to adapt its practices to deal with this unprecedented situation:

And even for us, we found ourselves making applications, yeah applications [for Loss of Earnings Allowance] by telephone with a person who could barely spell her first name in French, it was very complicated. Then there was the whole food part that we had to set up, we were overwhelmed, we had to organise an appointment system, yeah. We really saw people coming in by the hundreds, it was crazy. Of a poverty that is not visible.

Stephanie, social worker, excerpt from a focus group

This disruption of the delicate balance that already characterised the daily lives of SW, combined with uncertainties, exhausting procedures and paradoxical situations, led to anxiety and psychological difficulties. These were exacerbated by the isolation and loneliness caused by losses of contact with relatives and clients, as described by Agathe and Jeanne in the following focus group excerpt:

Agathe: As if Covid was transmitted through the telephone, you call and the person doesn't pick up! I was all alone, I was walking around in circles at home.

Jeanne: there were some girlfriends who were running away from us. "They said, "Nooooo, I can't say hello to them because they're ill".

Agathe: Even though we repeated the test twice! but now there is no problem. But even until then, there are people who avoid us.

Excerpt from a focus group

This excerpt echoes concerns raised by Kimani et al. (2020) about the potential for SW to be stigmatised and isolated because of the stereotype that they are more likely to carry disease.

Regarding the psychological impact of the health situation, the results of the questionnaire show that 33 SW (82.9%) said that Covid-19 had a negative or very negative impact on their lives, 28 SW (70%) said that they had felt unhappy (very unhappy, unhappy and a little unhappy) since the Covid-19 crisis and 19 SW (49%) said that they had felt anxiety (always or very often). Almost half (47.5%) of the respondents to our questionnaire say that they stopped meeting their friends and family during the lockdown.

FdP's social workers therefore had to cope with increased psychological distress and provide support while feeling they lack specific training as well as practical solutions, as expressed by Paula (FdP board member) and Marianne (social worker):

Paula: But afterwards, when you have other requests or other suffering, it's really this distress which, well, for us it's not our job, it's not, it was also another stage.

Marianne: we don't actually have those skills.

Paula: no, we don't have the skills and above all you don't know who to refer them to, in other words, yes, we have one or two therapists that we know now, but there too, afterwards, it's

expenses, it's sessions that cost, so yes, you can say, you can call such and such a practice, we know that they have a non-judgmental approach, that you can tell them everything you're going through, what your work is, etc., you don't need to worry about that, but afterwards, it's not a free service, and that we couldn't really help with.

Excerpt from a focus group

Listening and sharing being core tasks of a support organisation, the requirement to reduce physical contact also caused difficulties in carrying out social support and prevention missions.

Issues in Relations with Clients

The unprecedented situation of instability and vulnerability experienced by SW since the beginning of the crisis may have led them to engage in "high-risk" practices. Indeed, 15 SW (37.8%) interviewed said that they had been contacted by clients to have sex during the ban on sex work, and eight SW (22.9%) had been confronted with clients who insisted on having sex during the ban. In addition, some clients might have taken advantage of the SW's fear of losing work to demand lower prices for the services and to request unprotected sex: 30 SW (78.9%) reported that clients negotiated more frequently on the price of services and 15 SW (40.5%) reported that clients were more likely to insist on having unprotected sex. These difficulties were also reported in the focus groups, as in the example of Agathe (SW):

Agathe: and then they don't pay us normally anymore, like they used to, we have enough problems, usually if someone gave you 100 francs, there are some who even talk about 20 francs!

Researcher: this is still getting lower since Covid?

Agathe: yes, it's even gone lower.

Researcher: and how do they justify that? What do they tell you?

Agathe: we don't know, they tell you "there's still Covid and you always want to charge a lot of money, (ironic tone) we are taking a RISK by coming to you". To make 100 francs you really have to get going (laughs).

Excerpt from a focus group

Several authors have shown that financial pressures on SW are the main explanation for practices that involve risks of sexually transmitted infections (STI) (Meystre-Agustoni et al.,

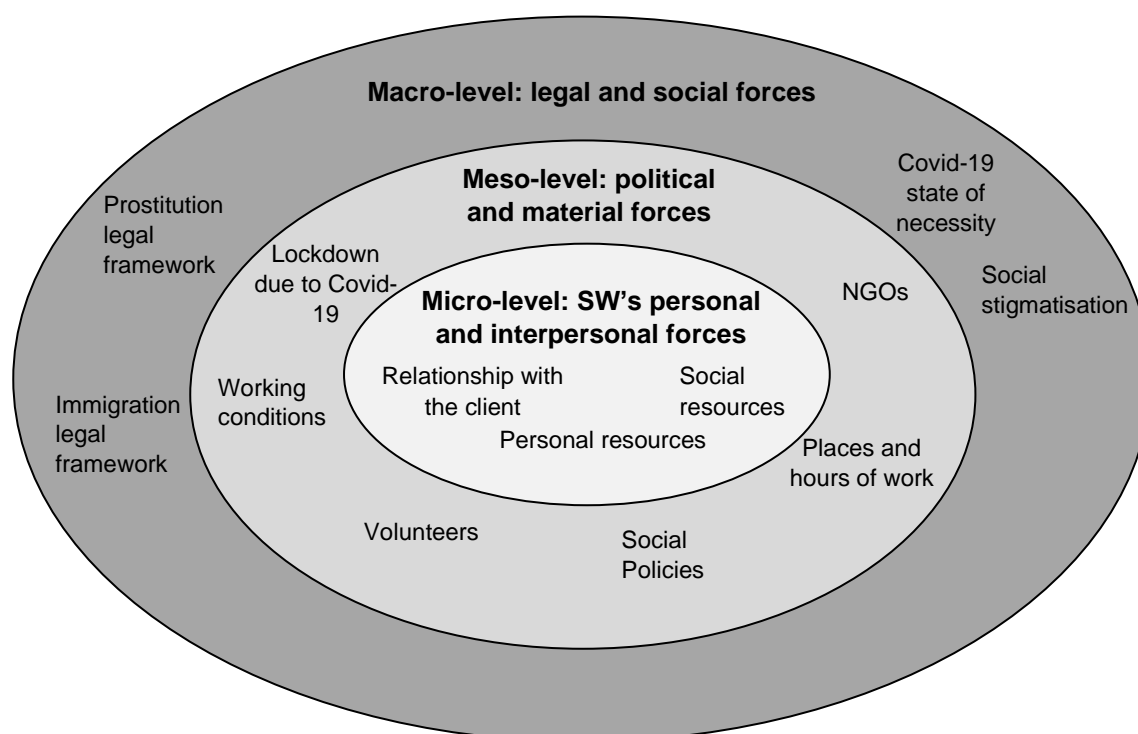
2008; Gloor et al., 2011; Lociciro et al., 2017), as unprotected sex increases the price charged for services (George et al., 2019). Moreover, any rise in the precarious and hidden character of the conditions in which SW operate results in correspondingly higher risks of violence - and in lowered chances of negotiating safe sex (Shannon et al., 2008). In a previous study carried out in the same local context before the health crisis (Ros, 2021), we already noted that poor working conditions placed the SW in a position of vulnerability with regard to clients who disregard safety precautions.

Discussion

The Covid-19 crisis has exacerbated difficulties for SW and worsened problems already present before the pandemic such as financial difficulties, difficulties in accessing state financial support, psychological insecurity, and difficulties in dealing with clients (see Appendix: summary of the data). These difficulties are part of complex environments subject to political, social, legal, material and inter-individual forces. Reflecting on the articulation between these different forces enables us to move away from a dichotomous perception of SW as either victims or right bearers (Scoular, 2015) and to shift the unit of analysis, from individuals to risk-producing environments – as proposed by Rhodes (2009) and Shannon et al. (2008).

Figure 1 provides a schematic representation of these different forces in a three-level analysis of the environment of sex work during the Covid-19 pandemic in Switzerland.

Figure 1: multilevel analysis of the environment of sex work during the Covid-19 pandemic



The macro level concerns legal and social forces, that encompass the other forces. Prostitution is legal and regulated in Switzerland; the legal character of sex work grants SW some rights (to certain types of social and health protection), as well as access to places where they can practice (erotic massage parlours or designated spaces in the public domain). This legal framework relating to prostitution is connected with the legal framework relating to migration because, for SW who are not Swiss citizens, their rights are determined by their nationality - as EU citizens or nationals of other countries - and by their legal status. Consequently, only Swiss and EU-citizens can actually benefit from the rights derived from the regulation of prostitution. However, many of the SW we met in the course of our study do not have resident status and cannot even apply for it because they are not EU nationals and are not eligible for work permits. Thirdly, during the pandemic, Switzerland introduced a “state of necessity” that carried its own regulations regarding sex work. In this context, SW with legal status had access to state support via either the allowance for loss of earnings or social assistance benefits. Lack of legal status constituted a direct obstacle to accessing state financial support; undocumented SW thus needed to work even during lockdowns because of the lack of any alternative financial resources. In addition, the inability to obtain a work permit can lead to difficulties in finding accommodation that would enable SW to work in decent conditions. The last element identified - the stigma attached to sex work- can also be seen, for SW in both legal and illegal situations, as a social force that impacts their working and living conditions, for example by labelling them as disease carriers during the coronavirus pandemic and isolating them.

The meso level concerns the material forces (working conditions, places and hours of work) as well as the concrete implementation of the laws mentioned in the macro level (political and institutional application of the prostitution and migration laws as well as the state of necessity). State measures as well as actions by NGOs and volunteer groups were set in motion in reaction to the financial difficulties encountered by SW since the beginning of the Covid-19 crisis. Social assistance and Loss of Earnings Allowance were offered to self-employed SW affected by the pandemic. However, state measures in particular were ill-adapted and difficult for SW to access, for reasons related to their residence status or their ability to apply to the relevant offices. In order to overcome these difficulties, various associations coordinated urgent short-term financial assistance as well as the distribution of vouchers and food parcels. Associations that usually focus on social work and support thus had to reorient their activity towards a type of intervention that can be described as humanitarian aid (Fassin, 2004). In canton Vaud, we also saw a strong mobilisation of volunteers to help distribute basic necessities.

The micro level concerns SW's personal and interpersonal strengths. The former refers to personal skills or resources, such as language or IT skills that could be called upon to reorient one's activity in times of crisis (for instance, towards online sexual services) or to call upon support independently. Most of the SW who participated in our survey belong to a particularly precarious population lacking such resources as well as social resources, as their friends and families mostly reside in their country of origin. This places them in a position of vulnerability and isolation, which can sometimes lead to psychological suffering. In terms of interpersonal forces, our survey found difficulties in dealing with clients who were more insistent on having unprotected sex and on lowering the price of services.

This multilevel modelling highlights the fact that it is neither solely laws nor individual behaviours but the interaction between different forces that creates difficulties (financial, administrative, psychological and relational) that can lead to risks for SW, especially in times of pandemic. This is why we believe that public policies on risk prevention should take into account these different forces in order to allow for better working conditions in sex work, for example by creating safe workplaces with SW, by regulating the prices of the erotic massage parlours market or by adapting the conditions of access to state financial support to the realities and capacities of the SW. This would improve their financial situation, reduce their psychological distress, and thus promote their empowerment and their ability to negotiate the price and nature of their services. Without these structural improvements, SW will not be able to fully benefit from the rights provided by a regulatory legislative framework.

We would like to make a few more methodological clarifications regarding our data. The individuals who took part in our survey belong to a category of SW who are socially vulnerable: most of them have few financial resources, few resources in terms of literacy or IT skills, or do not have a residence permit. Their experience is therefore not representative of that of all categories of SW (particularly escorts or SW working exclusively online) in canton Vaud or elsewhere in Switzerland. Furthermore, as scholars from other contexts also noted (Shaver, 2005), it is impossible to know whether the sample is representative because the actual size and characteristics of the population of SW in Switzerland are unknown. Nonetheless, our mixed-approach methods are an asset in this regard: cross-referencing our qualitative data with our quantitative data allowed us to better capture a reality that is complex to document - that of marginalised and hard-to-reach people. Finally, our data deals with a specific local phenomenon: the consequences of the ban on sex work in the canton of Vaud during the spring of 2020. However, the analysis we conducted does reveal dynamics that were present before the crisis; it can likely be transposed to other contexts, including those that are much more precarious than regulated environments.

Conclusion

This article represents a contribution to the scientific literature on sex work in times of pandemic. We have proposed a three-level analysis, micro, meso and macro, that comprehensively addresses the different forces at work in the difficulties faced by SW. They show that the legalisation of sex work, although essential to guarantee access to resources, rights and satisfactory living conditions, is not sufficient if it is not accompanied by appropriate implementation providing real access to rights nominally derived from the legal framework. This is why the articulation between legal provisions concerning prostitution and the rights of migrants is so important, as is the design of more inclusive public policies as well as the central place to be afforded not only to the voice of professionals involved in social intervention but also to that of the SW themselves.

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Appendix: Summary of the Data

	Qualitative data	Quantitative data
Financial difficulties	<ul style="list-style-type: none"> • Loss of income during the lockdown • Loss of secondary income • Drop of the number of clients • Risk of client no-show • Risks of going into debt 	<ul style="list-style-type: none"> • 23 SW (57.5%) said that they had eaten less for financial reasons • 35 SW (87.5%) said that they had spent their savings • 10 SW (26%) had to continue providing sexual services between March and June despite the lockdown.
Administrative difficulties	<ul style="list-style-type: none"> • Aids offered: Loss of Earnings Allowance, financial support coordinated by FdP, vouchers and food parcels. • Difficulty in accessing aid that is not adapted to SW (complex procedures) and not sufficient • Incompatibility between this aid and the residence permits of foreign nationals 	<ul style="list-style-type: none"> • 27 SW (67%) used at least one of these aids. • 6 SW (15%) requested Loss of Earnings Allowance • 4 SW (10%) received social assistance • 9 SW (22.5%) used financial aid from the partner association • 20 SW (50%) got food vouchers • 17 SW (42.5%) got food parcels

Psychological difficulties	<ul style="list-style-type: none"> • Psychological discomfort caused by the difficulties and uncertainties related to the pandemic • Anxiety caused by exhausting procedures and paradoxical situations • Isolation and loneliness caused by losses of contact with relatives and clients • Lack of specific training as well as practical solutions faced by FdP 	<ul style="list-style-type: none"> • 33 SW (82.9%) said that Covid-19 had a negative or very negative impact on their lives • 28 SW (70%) said that they had felt unhappy (very unhappy, unhappy and a little unhappy) • 19 SW (49%) said that they had felt anxiety (always or very often). • 18 SW (47.5%) say that they stopped meeting their friends and family during the lockdown.
Issues in relations with clients	<ul style="list-style-type: none"> • Risk to engage in "high-risk" practices • Some clients demand lower prices for the services and to request unprotected sex. 	<ul style="list-style-type: none"> • 15 SW (37.8%) said that they had been contacted by clients to have sex during the ban on sex work • 8 SW (22.9%) had been confronted with clients who insisted on having sex during the ban • 30 SW (78.9%) reported that clients negotiated more frequently on the price of services • 15 SW (40.5%) reported that clients were more likely to insist on having unprotected sex