



HIV/AIDS • GENDER EQUALITY • HUMAN RIGHTS

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INTERIM CASE STUDY REPORT

SEX WORKER & POLICING HUMAN RIGHTS CHALLENGES

An Invitation to Dialogue

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PART 1 – Invitation to the Reader

By documenting their contemporary policing experiences, Sonke Gender Justice (Sonke) and Sex Work Project Partners seek to amplify the voices of the Sex Workers who participated in this research project. Sonke thanks the participants for their courage and willingness to share these frontline experiences. Sonke also thanks the Sex Work Project partners Women's Legal Centre (WLC), Sex Worker Education & Advocacy Taskforce (SWEAT), Sisonke Sex Worker Movement (Sisonke), Centre for Positive Care, PHRU Soweto, WHRI Sediba Clinic, Setshaba Research Centre, Treatment Action Campaign (TAC) Mpumalanga and Peer Educators (Sex Workers trained in human rights and health issues) who assisted in gaining access to participants.

The commonality of Sex Worker experiences reported in the research is indicative of a culture of violence where the offenders, both civilian and police, operate with impunity. To date there has not been any effective strategic engagement or dialogue between policing authorities, Government and Sex Work advocacy organisations in South Africa.

Sonke invites stakeholders across the Sex Work Sector, Government, Policing, Civilian Oversight, Civil Society and Community Members to participate in **positive, forward focused action** to address the challenges revealed by the research.

With this research, Sonke requests your active participation in contributing to the solutions. The Sex Worker advocacy organisations are seeking opportunities and pathways to engage. Please respond to our call for progressive contributions outlined below.

Call for input from stakeholders from 9 June 2017 to 10 July 2017

Stakeholders are invited to:

- **Contribute future focused recommendations and ideas**
- **Help identify potential new partnership opportunities**
- **Open communication and oversight pathways**
- **Plan strategic and short term responses**

Submissions, recommendations, partnership and dialogue opportunities etc. should be sent via email to

donna@genderjustice.org.za by **Monday 10 JULY 2017**

Warning: Some of the detailed material contained in the Witness Statement extracts is very graphic, and may be confronting for readers. Should you be disturbed by the material, the authors suggest counselling support should be sought.

PART 2 Introduction

2.1 Sonke Gender Justice Service Description

Sonke Gender Justice (Sonke) is a NGO that works on violence prevention, and responses to violence in South Africa, and the region. We advocate on law and policy reform on a range of issues related to gender equality and violence, including a National Strategic Plan for Gender Based Violence, prison reform, a ban on corporal punishment in the home, passing of hate crimes legislation, and the decriminalisation of sex work.

We have tracked a number of gender based violence (GBV) cases through the criminal justice system, and are aware of the many challenges that survivors face in reporting these to SAPS, and for SAPS in taking cases forward.

Marginalised and stigmatised groups in society, such as migrants, Sex Workers, homeless people, drug-users and others are particularly at risk of human rights violations, and vulnerable to abuses of power by SAPS and members of the public and private security forces.

2.2 Why Did Sonke Gender Justice Initiate This Research?

- A large volume of human rights violations involving Sex Workers and policing authorities are being reported to the various Sex Worker advocacy organisations including
 - Sex Worker Education & Advocacy Taskforce (SWEAT)
 - Sisonke Sex Worker Movement
 - Women's Legal Centre
 - Other Sex Work Project partners including Wits Health Research Institute (WHRI) Sediba Clinic, WHRI Hillbrow Clinic, Peri-natal Health Research Unit (PHRU) Soweto, Treatment Action Campaign (TAC) Mpumalanga, Centre for Positive Care (CPC) Springs, Setshaba Research Centre etc.
- Violence against Sex Workers is a particularly difficult form of gender based violence (GBV) to uncover and expose to oversight.
- From Sex Worker and advocacy NGO perspectives, there are few successful complaint outcomes using the existing policing complaints mechanisms.
- The research offers the opportunity to understand the current baseline experiences of multiple Sex Workers across different locations.
- Improved oversight and outcomes can only be delivered through a partnership approach.
- Previous sex work research in South Africa had not focused specifically on the context in which policing takes place or civilian oversight mechanisms, to identify opportunities to improve rights based approaches. (See Flick, N (2006) "Enforcing Fear – Police abuse of sex workers when making arrests", SA Crime Quarterly, 15 p.27—33 and "Sex Workers Speak Out – Policing and the sex industry", SA Crime Quarterly, 15, p.13-18)

2.3 Project Purpose & Approach

Aims:

- To establish new ways of working through, and addressing GBV frontline policing challenges in the sex work context.
- To strengthen the pathways for civilian and policing dialogue.
- To generate opportunities for positive partnerships and strategic actions.
- To radically reduce the volume of human rights abuses being experienced by Sex Workers by supporting rights based policing dialogues and approaches.

Objectives:

- To produce a body of research recording the contemporary policing experiences of Sex Workers from a grass roots level.
- To deliver a research report that is flexible enough to serve multiple purposes:
 - As a baseline data record of the current human rights situation in specific areas in Gauteng and Mpumalanga provinces.
 - To illustrate the challenges currently being experienced by Sex Workers and their advocacy organisations across human rights, legal, complaints and procedural domains.
 - To trigger positive solution focused dialogue amongst a range of stakeholders on policing practices, civilian oversight mechanisms, complaints pathways, partnership opportunities etc.

2.4 Sonke's Ongoing Role

- To publish the research and consolidated stakeholder feedback.
- To facilitate advocacy efforts and presentations surrounding the research report.
- To facilitate partnership opportunities and positive, future focused actions.
- As a linkage between the sex work advocacy organisations and policing/civilian oversight mechanisms.
- To promote a co-ordinated, strategic and action driven plan to combat the gender based violence revealed by this research.

3. Research Methodology

3.1 Research Locations

Sex Workers and service providers in Gauteng and Mpumalanga Provinces took part in this research exercise.

3.2 Research Period

Direct witness materials were captured during the period February 2016 to the current date.

Ongoing intensive interviews with service providers who provide support services to Sex Workers across health and advocacy domains are continuing. This material will be included in the consolidated Case Study Report scheduled for September 2017.

3.3 Research Participants

Participants had to be adult Sex Workers who have had experience with the police, and who were willing to consent to be interviewed. They were contacted through existing service organisations, outreach and Sex Worker contacts.

120 male, female and transgender Sex Workers participated in the Case Study report in total:

- 63 Sex Workers provided qualitative interviews, including street, informal brothel, and tavern based workers.
- 57 Sex Workers participated in a survey on policing experiences, which was conducted at one semi-rural location in Gauteng.

3.4 Participant Consent and Ethical Considerations

The research team is committed to ethical gathering of evidence for the Case Study Report and paid careful attention to participant confidentiality and consent. Potential participants were identified by Peer Educators or service providers working with Sex Workers, and invited to provide a statement for the report if the participant had had an interaction with police. If potential participants agreed, they were invited to sign a Client Confidentiality Agreement. This document explained the background of the research activity, and the purposes for which the research report would be distributed.

Participants were offered three options on how their information would be treated:

Option 1 – The participant's identity must be fully protected. The information and evidence may be published, but the participant's actual name must not be used, published or divulged to people outside of the Sex Work project partners group. The participant's age, location and gender could be published.

Option 2 – The participant requires partial confidentiality. Only the participant's first name may be published, not their surname/family name. The participant does consent to age, location and gender being published.

Option 3 – The participant does not require any form of confidentiality. Full name, location and age may be published and distributed.

Notes:

- (a) it was subsequently determined that by identifying the actual location of the event, some of the participants' identities might be able to be deducted by local policing authorities. On that basis, Sonke determined a higher level of confidentiality should be applied. Some entire locations have subsequently been de-identified for reporting purposes.
- (b) To maximize confidentiality and safety of the participants, all participant names have been de-identified and an alias name supplied.

3.5 Qualitative Interviews

63 intensive qualitative interviews were conducted with individual Sex Workers at various sites across Gauteng and Mpumalanga Provinces. The participants worked in a mix of street, tavern and informal brothel environments.

The statements reflect the witness experiences, and are not intended for use as evidence in any legal forum. The experiences and issues revealed in the Witness Statements were recorded purely to document the frontline experiences of the Sex Workers.

All witnesses were asked whether they wanted their details communicated to Women's Legal Centre (WLC) for legal information and advice. Sonke Gender Justice conveyed the details of those who sought further assistance. Anecdotally it should be noted that:

- (a) Sonke Gender Justice has no further contact or role with the witnesses after the initial statement taking for the research project;
- (b) Sonke Gender Justice is not involved in any legal matters or litigation that WLC might subsequently have commenced on behalf of any witnesses;
- (c) The majority of the witnesses did not seek any referral for legal information or advice but wanted their experience recorded for the research purposes; and
- (d) Many of the witnesses expressed strong fear of reprisals if they lodged any formal complaint against police, or identified themselves publicly.

Note: data analysis of individual qualitative statements is continuing. The Final Report scheduled September 2017 will include included collated tables and additional thematic materials. Not all participants Witness Statements extracts appear in this interim report.

3.6 Survey

Sonke Gender Justice were informed of continuing policing challenges at a specific semi-rural location in Gauteng Province. With the assistance of service providers including Setshaba Research Clinic, WLC, Sisonke and SWEAT staff, a Creative Space session was scheduled in February 2017 on site at a tavern where Sex Workers provide services. Potential participants were conveyed to the site from surrounding areas.

The participants were split into two groups. One group was led by a Co-ordinator from SWEAT, the other was led by a Sonke staff member. The Survey was administered in English in written form, however each group were supported with explanations in local languages. Peer Educators assisted the participants to complete the forms where required. The survey was administered in a group format where individuals were invited to complete the survey form. Out of the 70+ participants who attended the Creative Space, 57 Sex Workers returned the completed survey.

3.7 Timelines

In three separate locations across the two Provinces, extensive information was available about recurring events involving multiple Sex Workers over extended periods of time. Timelines reflecting these events have been created for Sites 1, 6 and 7. The timelines assist in demonstrating the frequency and persistence of the individual challenges at specific locations.

The timelines were prepared after extensive consultation and collaboration with partner organisations including SWEAT, Sisonke, Women's Legal Centre, Treatment Action Campaign Mpumalanga, WHRI health clinics with Sex Worker focus. The researchers have made extensive attempts to verify dates and descriptions of events with the relevant service providers to ensure the record is as accurate as possible.

3.8 Service Provider Statements

Statement collection is continuing. The final report issued in September should include a number of detailed statements from various civil society and health organisations which provide direct advocacy, health and legal services to Sex Workers.

3.9 Research Timings

The research approach adopted by Sonke Gender Justice includes maximising participatory processes throughout all stages of the research exercise. To support this approach, the research project has been divided into stages:-

Phase 1 - Evidence and Data Collection

- January 2016 to May 2017
- Working with stakeholders to access and identify potential participants
- Recording participants' stories and experiences

Phase 2 - Interim Case Study Report release for publication and circulation

- Feedback sought from 9 June 2017 to 10 July 2017

Phase 3 - Consolidation of submissions/comments into the final report format

- Report consolidation during August 2017

Phase 4 - Final Research Report published

- Publication scheduled end September 2017

Phase 5 - Advocacy and Action Plan 2017

- October 2017 and ongoing

3.10 Stakeholder Input / Recommendations /Possibilities ...

Sonke invites readers of this Interim Case Study Report to contribute towards the solutions. Stakeholders are invited to submit material via the process outlined in Part 1 above. Ideas might include:

- A strategic action plan responding to the challenges and opportunities revealed by the research?
- A civil society/policing partnership committee?
- Possibilities of side meetings or subcommittees to look at various aspects of the Case Study Report?
 - Operational policing?
 - Civil society/policing/civilian oversight partnerships and engagement?
 - Review existing complaint mechanisms and formulate new strategies?
 - A pilot project focused on the extreme examples of Gender Based Violence (GBV) revealed by the participants?
 - Focus on the identified hot spots to model and test innovative interventions?
- National and Provincial initiatives?

PART 4 - Initial Research Findings

4.1 Recurring Themes

From a combination of the Timelines, Survey and Witness Statements, a series of recurring themes have been extrapolated:

- **Serious criminal offences occurring with high frequency**
 - Torture
 - Assault Occasioning Grievous Bodily Harm
 - Rape and Sexual Assault
 - Unlawful Arrest
 - Unlawful Detention
 - Corruption on a systematic scale at specific locations

For the Part 7 Case Studies, a short summary of the particular offence themes is included at the top of each individual Case Study Site summary. The particular offences are noted in the right hand column of the individual Witness Statements tables.

- **High concentration of incidents** involving a limited number of specific Police Officers or single policing location.
- **Hot spot locations** where the Police Officer and/or Police Station is involved in multiple events over extended periods of time.
- **Common themes** across multiple sites in both Provinces.
- **Policing Neglect of Core Duties** – inhibits the reporting of crimes by Sex Workers which enables further violence to be perpetrated by the same offenders.
- **Complaints barriers** - severe difficulties experienced by individuals and advocacy organisations during individual client arrest and detention stages, but also to engage effectively with policing authorities on a more co-operative strategic approach.

Continuing research data collection and analysis ...

The final version of the Case Study Report scheduled for September 2017 will include more research data to illustrate the basis of the theming.

Sonke is continuing to finalise Timelines with the Sex Work Sector partner organisations, and continuing to gather Service Provider Statements which relate the experiences of health, advocacy and legal NGOs when attempting to assist Sex Workers within the policing environment.

4.2 Reporting Crimes Committed Against Sex Workers

Sex Workers face a particularly high risk of gender based violence (GBV). Extensive research material exists on this point including:

- Reproductive Health & HIV Research Unit, Sociology of Work Unit of the University of the Witwatersrand & Vrije University Amsterdam (2002). “Women at Risk: A study of sex work in Hillbrow, Johannesburg”. 5. Potterat, J. et al (2004).
- “Mortality in a long-term open cohort of prostitute women”. American Journal of Epidemiology, 159(89): 778–785.
- Salfati, C.G., James, A.R. & Ferguson, L. “Prostitute Homicides: A Descriptive Study.” Journal of Interpersonal Violence, 23.4 (2008): 505-543.
- Plumridge, L. & Abel, G. (2001). “A Segmented Sex Industry in New Zealand: Sexual and Personal Safety of Female Sex Workers”. Australian and New Zealand Journal of Public Health, 25: 78–83.
- Thamm, M. (2015). “Life at the margins: Cape Town’s sex workers leverage Women’s Month to highlight violence”. Daily Maverick, 5 August.

This is borne out by the Witness Statements collected through the Research project. The ability to report crimes and have them investigated is a fundamental right under various pieces of South African legislation. South Africa is a signatory to the United Nation’s Declaration of the Basic Principles of Justice for Victims of Crime and Abuse of Power (GA/Res/40/30) which defines victims of crime as “a person who has suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of his or her fundamental rights through acts or omissions that are in violation of criminal law”.

The Minimum Standards on Services for Victims of Crime for Implementing the Service Charter for Victims of Crime in South Africa (<http://www.justice.gov.za/VC/docs/vcms/vcms-eng.pdf>) are applicable to all victims without prejudice of any kind on the grounds of race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth, as set out in section 9 of the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996).

Effective criminal justice processes should result in a system whereby all complainants are able to report crimes to police, with an expectation the police will investigate their complaints. The Minimum Standards also confirms the rights in the Victims’ Charter and in accordance with the Constitution and relevant legislation, will be upheld including

- The right to be treated with fairness and with respect for dignity and privacy
- The right to offer information
- The right to receive information
- The right to protection
- The right to assistance
- The right to compensation
- The right to restitution

The Case Study research materials reveal:-

- Attempts to report crimes by Sex Workers are often unsuccessful. Sometimes the Sex Workers complaints are not accepted by the police when they attend the Police Station simply because they are identified as Sex Workers.
- When complaints are taken and a case number is allocated, the Sex Workers are often not contacted again by the police.
- Attempts by advocacy organisations to assist Sex Workers with reporting crimes and complaints about police conduct, are resource intensive and often do not result in successful outcomes.
- Sex Workers experience systemic policing and criminal justice system challenges including
 - being unable to access policing assistance
 - having crimes committed against them by Police Officers
 - difficulties in lodging and progressing complaints against other members of the public and against Police Officers.
- Individuals often do not want to proceed with formal complaints against Police Officer due to fears for their safety, or threats or intimidation. Many have simply lost confidence in the policing authorities and complaints processes, particularly those who have been ridiculed in the past at the Police Station when they have sought assistance.

4.3 Opportunities to improve Sex Worker complaints processes ...

This Interim Case Study Report demonstrates the difficulties experienced by Sex Workers and their advocates in trying to record formal complaints against both members of the public and also against specific Police Officers. The current environment inhibits accountability for criminal behaviour.

One possibility might be a central register of Sex Worker Policing Complaints which can be monitored by the Sex Work Sector project partners, provincial and national policing authorities.

PART 5 South African Sex Work Environment

5.1 Sex Work & the Law

- South African laws criminalise all aspects of sex work under the Sexual Offences Act, Act 23 of 1957 as amended, including the Criminal Law (Sexual Offences & Related Matters) Amendment Act, Act 32 of 2007. This includes the Sex Worker, the client and anyone affiliated or related to the industry, including those living off the proceeds of sex work.
- Many countries – including South Africa – allow Police Officers wide powers over Sex Workers, including the use of public by-laws and regulations.
- Often Sex Workers are arrested without police following required procedures. They are arrested either because they are “known” to be sex workers, or because police have profiled them as such. For example, Sex Workers report being arrested whilst doing their shopping, visiting friends, when walking along public streets or when relaxing at home etc.
- The misuse of laws, public by-laws and other regulations creates a hostile and violent environment for Sex Workers (Secretariat: The Global Commission on HIV and the Law, 2012).

5.2 Previous Research Findings

Documented violations of human rights from previous South African research on sex work and policing include:

- Rape and gang rape of Sex Workers (Pettifor et al., 2000, Pauw and Brener, 2003, Gould and Fick, 2008);
- Unlawful arrest, for example, when walking to the shops (Fick, 2006b);
- Police demanding bribes such as money or sex from Sex Workers (Pettifor et al., 2000, Fick, 2005, Fick, 2006a, Fick, 2006b, Biradavolu et al., 2009);
- Finding condoms on Sex Workers and using that as “evidence” that sex work has taken place and sometimes confiscating these condoms (Posel, 1993, Pauw and Brener, 2003, Secretariat: The Global Commission on HIV and the Law, 2012, Open Society Foundations, 2012);
- Police not believing Sex Workers when they report crimes - for example, such as having been raped (Brown et al., 2006, Scorgie et al., 2012).

PART 6 Research Survey

6.1 Survey Component

A survey exercise was conducted at a semi-rural location outside a large city in Gauteng Province, the Survey Site. One Witness Statements had previously been taken at this location, however the researchers were contacted by a local service provider, Setshaba Research Clinic, in relation to ongoing complaints being received by Sex Workers about policing issues.

The survey exercise was administered on 17 February 2017, with the assistance of project partners including SWEAT, Sisonke Sex Worker Movement, Women's Legal Centre, Setshaba Research Clinic and WHRI Pretoria Sediba Health Clinic.

Please note that whilst the Survey results have been data entried, the researchers are still running scripts and further analysis is being conducted. The information contained in this Interim Report is sourced from manual counting only and might vary slightly once the final analysis and scripts are available.

6.2 Age & Gender Profile of Survey Participants

Age & Gender Profile of Sex Workers Surveyed			
Age	Female	Male	Transgender
18 – 20 years	0	0	0
21-25 years	5	1	2
26-30 years	20	1	1
31-35 years	15	0	0
36-40 years	8	0	0
41-45 years	3	0	0
46-50 years	0	0	0
51-55 years	0	0	0
56-60 years	0	0	0
61-65	1	0	0
Totals	52 females	2 males	3 transgender

6.3 Average Number of Dependents Supported by Individual Sex Workers

DEPENDENTS SUPPORTED BY SEX WORK INCOME (56 of the 57 surveyed answered this question)							
Age of sex worker	Do you support others from your sex work?		If yes, how many people do you support?		Do you have children?		Average number of other people supported by each sex work
	Yes	No	Number	Comment	Yes	No	Average
18-20	-	1	-	-	0	-	0
21-25	7	-	35	"many"	6	1	5
26-30	22	-	163	"many"	18	4	7.4
31-35	15	-	104	"many"	14	1	7
36-40	8	-	76	-	8	-	9.5
41-45	3	-	13	-	3	-	4.3
46-50	-	-	-	-	0	-	0
51-55	-	-	-	-	0	-	0
56-60	-	-	-	-	0	-	0
61-65	1	-	16	-	1	-	16
Totals	56		407	-	50	6	7.27

A number of Sex Workers indicated "many" rather than inserting a number. These missing numbers result in the table potentially under reporting the number of people being supported.

6.4 Sex Workers Who had Been Arrested

31 of 52 Survey participants who answered this question had been arrested before. Below is a snapshot of the arrest data and the outcome of being arrested.

Sex Workers Who Have Been Arrested Before	
1. Number of Sex Workers who had been arrested	31
2. Average number of times each Sex Worker had been arrested	4
3. Number of Sex Workers who appeared at Court after arrest	4 out of 31 (12.9%)
4. Number of arrested Sex Workers who paid a fine	17 out of 31 (55%)
5. Number who were not charged, not fined and did not appear at Court after arrest	10 out of 31 (32%)
6. Average time spent in police custody/police cells after each arrest	40 hours
7. Total hours of time spent in police custody/cells by 31 Sex Workers reporting an average of 4 arrests each, and 40 hours in custody during each arrest	4,960 hours = average of 6.7 days in custody per Sex Worker

6.5 Sex Worker Trust in Police

SEX WORKER TRUST LEVELS IN POLICE (51 out of 57 surveyed responded, percentages based on 51 responses)		
Do you trust the police?	Number	Percentage
Not at all	21	41%
A little bit	4	8%
Sometimes	14	27%
Yes I trust them	12	24%

6.6 Local Police Behaviour

LOCAL POLICE BEHAVIOUR – IS IT A PROBLEM FOR YOU AS A SEX WORKER? (46 out of 57 surveyed responded, percentages based on 46 responses)			
Policing Behaviour	Number	Percentage	Not answered
There is NO problem	12	26%	11
YES , there is a problem and I avoid them	34	74%	11

6.7 Criminal Policing Behaviour Experienced

PROBLEMATIC SEX WORKER INTERACTIONS WITH POLICE (57 sex workers surveyed. Percentages calculated on number of actual responses to question)							
Policing Behaviour	Yes	%	No	%	Number of times	Comment	Not answered
Harassed by police	31	57%	23	43%	166		3
Intimidated by police	27	53%	24	57%	75		6
Threatened with harm	21	41%	30	59%	43		6
Dropped off somewhere else	22	44%	28	56%	45		7
Kidnapped by police	7	14%	43	86%	16		7
Pepper sprayed by police	13	26%	36	72%	18		7
Physically assaulted	13	26%	36	74%	22		9
Sexually assaulted (raped)	16	33%	33	67%	29		8
Asked to pay a bribe	27	54%	23	46%	62	“Many times” x 2 responses	7
Paid a bribe	26	52%	24		69	“Many times” x 2 responses	7

6.8 Single Witness Statement taken from the Survey Catchment Area

A previous site visit to the Survey Site resulted in a single statement being captured about local policing behaviour. The witness was based at a Guesthouse that leased rooms by the day to Sex Workers. The Guesthouse is located some distance from the nearest town, and Sex Workers either walk or taxi to the location.

Statement No. & Alias Name	Witness Description	Summary of Witness Statements	Summary of Policing issues
15. Ofentse's Story	Female 25 years old Supports 3 other people from her sex work	<ul style="list-style-type: none"> Witness works at (named) Guesthouse. She reports if police see her walking along the road, they stop and tell her to get into the police car. If she refuses to get in, the witness is threatened with arrest. Witness states there is normally two male police officers in the car, often they are different people. She does not know which Police Station these police come from as there are a number of Police Stations in the area and they drive all over. Most of the Police Officers who demand free sex are white men. When the witness gets into the police car, the police start touching her genitals. They want sex. If she refuses to give them free sex, they tell the witness they will pay her later. Sometimes they do pay her later, but sometimes afterwards they say they have no money to pay her. When the witness is in the police car, she is too frightened to say not to the police and refuse them sex. They sometimes want oral sex, sometimes full sex, sometimes they wear condoms, sometimes they won't. Even when she tells the police they are hurting her during the sex they demand, the police do not stop. This has happened to the witness three times in 2015. Now when she sees the police she refuses to get into the police car. She would prefer to be arrested than get into the police car. <p>March 2015 event</p> <ul style="list-style-type: none"> The witness was doing her shopping in town. Two Police Officers approached her in the street. The black Police Officer asked her for her papers. The witness told him she did not have papers for South Africa. The witness thinks she recognises this Police Officer and he knew she was a Sex Worker. The black Police Officer told her to pay him 700 rand or he would arrest her. The witness told him she did not have any money. The same Police officer asked what she would offer them. Both Police Officers took her bag and searched through 	<ul style="list-style-type: none"> Corruption Stealing Sexual assault and rape Ongoing Harassment & Intimidation Threats of unlawful arrest

		<p>it. They found 300 rand and wanted to keep it all.</p> <ul style="list-style-type: none"> • The witness insisted they could only have R200, that she needed R100 for her taxi. • The Police Officers also wanted to take her phone. The witness told them no, they should just arrest her instead. She told them she would not give them money and the phone as well, she would prefer to be arrested than have them steal her phone. • The Police Officers just took the R200. • The witness reports being very scared of the police. They either demand sex or a bribe, or just steal from the Sex Workers. • Signed handwritten statement dated 25 April 2016 held on file by Sonke Gender Justice. Attempts to locate witness again to sign formal statement were unsuccessful. Witness is no longer working at the location. <p>“When I’ve been in the car, I’ve been too frightened to say no to the police and refuse them any sex. Sometimes the police want oral sex, sometimes full sex. Sometimes they use condoms, sometimes they refuse to use one ...Even if I tell the police they are hurting me when they are having sex with me, the police do not care and do not stop. They can very rough and it hurts”.</p> <p style="text-align: right;">Ofense’s Story</p>	
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PART 7 Site Case Studies

7.1

CASE STUDY ONE – SITE 1 (Pretoria West, Gauteng Province)

7.1.1 Site Description

The Bush is a section of open, undeveloped land located in Pretoria West. There are no buildings or infrastructure on the land. At various times it has low scrub growth covering sections of it. There is a dry riverbed slightly below general street level, which is often used as a pathway by members of the community. The land is not fenced.

Sex Workers have for many years used the vacant land as a location to provide services.

7.1.2 Summary of Policing Issues at the Site

Sex Workers at the Bush indicate there has been a breakdown in the relationship between themselves and the local policing authorities.

A 12 month snapshot of incidents and events from 22 May 2015 to 24 May 2016 appears in Section 7.1.3 of this Case Study. The timeline is also supported by Section 7.1.4 of this Case Study One, which summarises the signed Witness Statements held on file by Sonke relating to the Bush, Pretoria. These statements document the individual experiences of Sex Workers at the Bush, Pretoria.

The main themes identified at the Bush, Pretoria are outlined below.

Breakdown in Complainant/Policing Relationship

Whilst sex work is clearly illegal in South Africa, there has been a clear breakdown in the relationship between the police responsible for enforcing the law, and the Sex Workers based at the Bush.

Attempts by service providers to facilitate communication of crimes and transmission of information relating directly to crimes, has been unsuccessful to date. The timeline in particular records attempts to convene meetings, supply written documentation, facilitate action etc. Service provider and advocacy organisations attempts to engage different hierarchal levels of the policing services have simply not been effective to date.

Many serious crimes that pose a public health risk are currently not being reported to police at this location due to the conduct experienced by Sex Workers both at the Police Station, as well as in the field. This has a wider impact on the general community in terms of HIV/AIDS prevention, the health of the individual Sex Workers and the possibility of further crimes being committed by the same offenders against other members of the community.

Police Neglect

In two different instances involving crimes causing physical injury, the suspect was physically in police custody. One suspect was allegedly released on the basis the complainant was a Sex Worker. The other complainant does not know whether police charged the suspect or not as he appeared to have left the Police Station and she was not contacted again by police.

In the case of the Sex Worker found dead in November 2015 at the Bush, proactive attempts by Sex Workers and health clinic staff to engage with police have resulted in threats to arrest the Sex Workers. It is unclear whether any investigation of this murder has occurred.

Destruction of condoms

A number of the Sex Worker Witness Statements describe the burning or confiscation of condoms by police. These condoms are distributed through public health services, as part of the national strategy to combat HIV/AIDS and new infections as overseen by the Department of Health.

Sex Workers face a high risk of infection and are supported by health clinics to access and use condoms on a daily basis. The policing actions clearly demonstrate one government department acting in contradiction of the initiatives and policies of another department. One government department is destroying the public health resources supplied by another department.

Corruption

A limited number of individual Witness Statements were taken at this location. Corruption was mentioned by one witness.

7.1.3 Timeline Snapshot of Policing Issues

TIMELINE OF POLICING INCIDENTS INVOLVING SAPS & METRO POLICE			
Location: The Bush, Pretoria, Gauteng Province			
No.	Date:	Description of Alleged Incident	Main Issues
1.	May 2015	<ul style="list-style-type: none">Multiple Sex Workers arrested by SAPS at the Bush.Peer Educators from WHRI Pretoria health clinic were arrested despite producing a letter explaining the Peers were involved in a Department of Health supported health project in Tshwane.Police refused to read that letter, refused to contact the manager of WHRI Pretoria, refused to tell the Peer Educators the charges they were arrested for, refused to provide Police Officers names.Peer Educators were released from custody 2 hours later and left to make their own way back to the workplace, a considerable distance away.Manager of WHRI Pretoria health clinic attempted to	<ul style="list-style-type: none">Unlawful arrestUnlawful detentionRefusal to engage with stakeholders

		<p>speak to the arresting officer who refused to “speak to that white man”. This same Police Officer also would not read the letter that the Peer Educators had explaining that they were involved in a Department of Health supported health project in Tshwane.</p> <ul style="list-style-type: none"> • Manager of WHRI Pretoria health clinic attempted to confirm a suitable date to meet with police and explain the WHRI Pretoria health clinic project so the health clinic and police could work together in addressing the health needs of Sex Workers instead of driving them deeper into hiding making accessing of health services even more difficult. • Police refused to engage despite the WHRI Pretoria manager’s efforts. No meeting occurred. 	
2.	July 2015	<ul style="list-style-type: none"> • 8 Sex Workers arrested for attempting prostitution by SAPS including a Peer Educator from WHRI Pretoria health clinic. • Listed to appear at Pretoria Court on specified date in July 2015. 	<ul style="list-style-type: none"> • Unlawful arrest • Unlawful detention • Ongoing Harassment & Intimidation
3.	July 2015	<ul style="list-style-type: none"> • Paralegal from Womens Legal Centre (WLC) attended Pretoria Court. Matters adjourned to specified date in August 2015. 	
4.	July 2015	<ul style="list-style-type: none"> • Six Sex Workers arrested by Metro Police. • Rubber bullets used on Sex Workers during arrest. • Women’s Legal Centre holds a joint statement on file by three witnesses stating they were chased by police in vans and on motorcycles. The witnesses indicate rubber bullets were fired at them, one was hit with a stick and another kicked by police. • Photographs were taken before the witnesses were put in a police van. • Witnesses report being verbally abused by police including being called magoshas etc. • Personal belongings of the witnesses were burnt by police, including condoms supplied through the Department of Health. • Photographs of fire available. • Matters listed at Court on specified date in August 2015. 	<ul style="list-style-type: none"> • Unlawful arrest • Unlawful detention • Level of police violence during arrest • Physical assaults • Verbal abuse • Malicious damage to property by police burning the personal belongings • Public health issue of burning condoms • Ongoing Harassment & Intimidation
5.	August 2015	<ul style="list-style-type: none"> • WLC Attorney appeared at Pretoria Court following the arrests on specified date in July 2016. Only one Peer Educator appeared. The other 7 Sex Workers did not appear and could not be located. • Matters marked Noll Prosequi by Prosecutor after WLC Attorney kept waiting for hours by prosecution authorities. • Paperwork for those arrested and listed before the 	<ul style="list-style-type: none"> • Unlawful arrest • Unlawful detention • Matters dismissed Noll Prosequi

		<p>Court do not contain case numbers on the Notice to Appear, no investigating officer was allocated to the cases and the court room allocated does not exist.</p> <ul style="list-style-type: none"> • Copy of charge sheets and court outcomes held on file by WLC and Sonke Gender Justice. 	
6.	August 2015	<ul style="list-style-type: none"> • WLC attorney appeared on behalf of the six Sex Workers who were arrested on specified date in July 2015. • Oral representations made to the Prosecutor and the matters were marked Noll Prosequi. • Copy of charge sheets and court outcome held on file by WLC and Sonke Gender Justice. 	<ul style="list-style-type: none"> • Matters dismissed Noll Prosequi
7.	August 2015	<ul style="list-style-type: none"> • WHRI Pretoria health clinic conducting outreach services at the Bush. • As soon as the WHRI mobile clinic van left, SAPS arrived. Condoms just distributed by health clinic were confiscated, Peer Educators and Sex Workers arrested. 	<ul style="list-style-type: none"> • Unlawful arrest • Unlawful detention • Confiscation of condoms • Ongoing Harassment & Intimidation
8.	Date not specified	<ul style="list-style-type: none"> • Meeting with Pretoria West Station Commander and Sex Work Sector stakeholders including the Sex Worker Education & Advocacy Taskforce (SWEAT), WHRI Pretoria health clinic, WLC. • Captain (named officer) was the note taker, tasked to arrange next meeting and implement continuing regime of meeting every second month. • No meeting Minutes received and no further meetings scheduled by police. 	<ul style="list-style-type: none"> • Refusal to engage with stakeholders after initial meeting • Refusal to investigate/action complaints
9.	November 2015	<ul style="list-style-type: none"> • Sex Worker Queen Koketso murdered and body found by another Sex Worker at the Bush in the early morning. • Sex Workers went to police to report murder and offered to give statements of a suspicious person in the area. • Police refuse to take statements from the Sex Workers. 	<ul style="list-style-type: none"> • Police neglect – refusal to investigate the death of a Sex Worker • Police neglect – refusal to take Witness Statements concerning a murder
10.	November 2015	<ul style="list-style-type: none"> • Memorial Service for murdered Sex Worker organised by WHRI Pretoria health clinic, held on specified date in November 2015. Approximately 80 people attended including the victim's Mother, and Sex Workers. • Police were invited to attend, and made numerous commitments to attend. • The Police Officer responsible for investigating the murder was specifically requested to attend to take 	<ul style="list-style-type: none"> • Neglect – refusal to investigate the murder of a Sex Worker • Neglect – refusal to take Witness Statements • Refusal to engage with stakeholders

		<p>statements from the witnesses who live and work at the Bush where the murder occurred and the body was found.</p> <ul style="list-style-type: none"> • The Investigating Officer did not arrive so Captain (named) (Head of Social Crimes – Pretoria West Police Station) and Lt Col. (named) (Acting Station Commander) were contacted by telephone by the Manager of WHRI Pretoria health clinic. • Police gave assurances they would attend within an hour. Two hours later the health clinic Manager attended the Pretoria West Police Station to personally address the Station Commander. Captain (named) identified four officers that needed to follow the Manager to the memorial site for the purpose of taking statements. • These identified officers never arrived and an official complaint was laid with the Station Commander. • Outcome of complaint unknown. 	
11.	November 2015	<ul style="list-style-type: none"> • Policing operation conducted at the Bush. • Sex Workers were arrested and taken to Pretoria West Police Station. • Charge sheets for those arrested did not have case numbers on them. • Sex Workers listed to appear to appear at court on specified date in December 2015. 	<ul style="list-style-type: none"> • Unlawful arrest • Unlawful detention • Ongoing Harassment & Intimidation
12.	November 2015	<ul style="list-style-type: none"> • Police entered the Bush and set fire to the shacks and personal possessions of the Sex Workers. • A WHRI Pretoria health clinic Peer Educator questioned the commanding officer, Lt Col (named) who allegedly responded he would drive them out and keep them in jail for the weekend as they will then be out of murder's way. 	<ul style="list-style-type: none"> • Unlawful arrest • Unlawful detention • Malicious damage to property • Ongoing Harassment & Intimidation • Threats made by police including to unlawfully arrest and detain potential witnesses to a serious crime
13.	November 2016	<ul style="list-style-type: none"> • Late night on (specified date in) November, police again burnt down the shacks at the Bush. 	<ul style="list-style-type: none"> • Malicious damage to property • Ongoing Harassment & Intimidation
14.	November 2015	<ul style="list-style-type: none"> • Joint Press Release issued by SWEAT and WLC about the ongoing policing issues at the Bush. 	Copy to be included in Final Case Study Report
15.	December 2015	<ul style="list-style-type: none"> • A Peer educator working at the Bush contacted the WRHI Pretoria health clinic Manager to inform him Metro Police were burning down the make shift shacks 	<ul style="list-style-type: none"> • Malicious damage to property • Ongoing

		<p>and personal property of the Sex Workers operating at the Bush.</p> <ul style="list-style-type: none"> The WRHI manager contacted the SWEAT Provincial Manager and they both attended the Bush to witness the aftermath of the fire. 	Harassment & Intimidation
16.	December 2015	<ul style="list-style-type: none"> WLC Attorney appeared at court on behalf of the Sex Workers arrested on a specified date in November 2015. None of the Sex Workers appeared at court. 	
17.	March & May 2016	<ul style="list-style-type: none"> Sex Workers report to WHRI Pretoria health clinic that a serial rapist is operating at the Bush. Sonke Gender Justice holds on file three statements by Sex Workers raped by what appears to be the same offender. One witness alleges a client rape on specified date in March 2016 at knifepoint involving throttling her and threats to kill. One witness alleges a client rape on specified date in May 2016 at knifepoint involving throttling and threats to kill. Another Sex Worker relates a rape in 2008 where the suspect matches the description given by the other two recent victims. This witness did involve police, the suspect was caught by passers by and detained at the Police Station. But – this alleged offender was later released by police due to the witnesses' status as a Sex Worker. Neither of the two recent victims reported the rape incidents to Pretoria West Police Station given the past and continuing policing behaviour. Both these witnesses report being more frightened of police than of their rapist. 	<ul style="list-style-type: none"> Neglect – release of suspect held in police custody in 2008 without charging despite direct witness identification Breakdown in police and community relationship potentially enabling a serial rapist to continue operating without investigation
18.	May 2016	<ul style="list-style-type: none"> Metro police and council staff set fire to The Bush again. WHRI Pretoria Manager followed up with Ward Councillor. The inquiries revealed police had an instruction from the Mayor's Office to conduct the burning exercise. 	<ul style="list-style-type: none"> Malicious damage to property Ongoing Harassment & Intimidation
19.	May 2016	<ul style="list-style-type: none"> Media release about ongoing harassment of Sex Workers by police and Mayoral activities by SWEAT and Sisonke. 	
19.	May 2016	<ul style="list-style-type: none"> Mayoral event at the Bush, Sex Workers were rounded-up at the location to be part of the audience. Mayor allegedly promised to rid the city of crime and filth and would start by closing the Bush. SWEAT and Sisonke issued a written appeal to Honourable Members of Parliament, Government 	

		Officials and Public Servants. No response was received.	
20.	May 2016	<ul style="list-style-type: none"> Sonke Gender Justice staff had disclosed a brief overview of the policing challenges at the Bush to senior police at a policing event hosted by the Institute for Security Studies in Pretoria. The staff member was supplied with contact details for senior policing authorities to follow up the issues. On specified date in May 2016 SWEAT sent an email to SAPS Colonel (named) and a SAPS Commander (named) outlining the problems concerning the uninvestigated Sex Worker murder from November 2015, and the ongoing crimes by a suspected serial rapist at the Bush. This original email was followed up by another email from Sonke. Copies of the statements of the three witnesses mentioned in item 17 above were provided by email, together with a timeline summary of ongoing policing incidents with Sex Workers. SAPS Colonel (named) advised SWEAT and Sonke Gender Justice that the Provincial Commissioner of Gauteng would be in further communication. A date and time was nominated for that meeting by Provincial SAPS senior policing authorities. SWEAT and WHRI Pretoria health clinic staff attended on the day and time nominated, but the policing authorities did not attend the meeting they had nominated. No further correspondence has been received from the Provincial policing authorities on the issue raised and documents sent to the police. 	<ul style="list-style-type: none"> Neglect – failure to respond to stakeholders Neglect – failure to investigate rape allegations Neglect – failure to investigate Sex Worker murder Neglect – failure to action complaints Refusal to engage with stakeholders about active crimes

7.1.4 Witness Statements from Sex Workers at the Bush, Pretoria

Statement No. & Alias Name	Witness Description	Summary of Witness Statement	Summary of Policing issues
14. Siphos's Story	Female 34 years old Supports 6 other people from her sex work	March 2016 event <ul style="list-style-type: none"> Witness accepted a client, whom she would still recognise due to distinctive scarring on his chest. The man pulled out a knife, squeezed her neck hard, and took her handbag. The man took down her trousers and raped her twice at knifepoint whilst throttling and choking her. Witness could not scream or call out for help. The man threatened to kill her, told her he had raped and killed others, then stole her cell phone. Witness did not report the incident to police, 	<ul style="list-style-type: none"> Breakdown of policing relationship which prevents reporting of serious crimes

		<p>stating she is more frightened of police than of the rapist.</p> <ul style="list-style-type: none"> • Witness reports two other Sex Workers in same location having been raped by the same offender and also not reporting the crime to police. • Signed statement dated 10 May 2016 held on file by Sonke Gender Justice. <p>“He took down my trousers and raped me twice. He did not use a condom. I was too frightened to scream and he kept choking me anyway. He told me he would kill me if I screamed. I was terrified he would kill me. He told me he was a rapist and a killer, he had done it before.”</p> <p style="text-align: right;">Sipho’s Story</p>	
30. Buyiswa’s Story	<p>Female</p> <p>34 years old</p> <p>Supports 2 other people from her sex work</p>	<p>May 2016 event</p> <ul style="list-style-type: none"> • Witness was working alone on a rainy morning, a man whom she describes in detail came up to her. He had distinctive scarring. • Witness agreed on business with the man, walked to a nearby shipping container, then to some thick bush to get out of the rain. The man pulled out a knife, told the witness he was going to rape her, if she screamed he would kill her. • The man removed her trousers and began to rape her. He hit her hard to the face with his hand. The man then pulled out Vaseline and rubbed it on his penis, and then anally raped her without a condom. • The man offered her a choice of being killed or instead he would steal her shoes. He took her shoes and her money which totalled 80 rand. • The witness remained on the ground for some time in shock. She thought about reporting the rape and robbery to police, but says the police make fun of the Sex Workers and won’t take them seriously when they try to report crimes so she went home. The next day she attended the clinic for help with her injuries. • The witness would recognise this man again. • Signed statement dated 18 May 2016 held on file by Sonke Gender Justice. <p>“The man pulled out a knife and held it up. He told me if I didn’t want him to kill me, I had to do everything that he said. I felt very scared and thought he would kill me, and there was nobody around to help me ... I stayed there for a while because I was very shocked and I hurt because he had hit me with his hand on my face. I then got up, and thought about going to the police to report it. I decided not to go to the police because they don’t take us Sex Workers seriously.”</p> <p style="text-align: right;">Buyiswa’s Story</p>	<ul style="list-style-type: none"> • Breakdown of policing relationship which prevents reporting of serious crimes.

31. Michelle's Story	Female 29 years old Supports 4 other people from her sex work	<p>2008 event</p> <ul style="list-style-type: none"> • Weekday around midday at the Bush, Pretoria. • Witness accepted a client. The client had distinctive scarring and the witness would recognise him again. • Witness asked for payment before having sex. Instead, the man grabbed her by the throat and began choking her. He continued to choke her as he had sex with her. • When he was finished, the man kicked her, stole her money and ran off. She screamed for help and men from a nearby garage caught the man. • Police attended, the witness and alleged rapist were conveyed to Pretoria West Police Station. The witness identified the man as her rapist. • Once the witness disclosed she was a Sex Worker to police, they told her to leave the Police Station because she was a <i>magosha</i>. Police let the man go. • Signed statement dated 18 May 2016 held on file by Sonke Gender Justice. <p>“The police would not help me. They said I must leave the Police Station because I was a <i>magosha</i>. I felt very upset with the police not helping me. I left the Police Station without being able to have the man charged with hurting me. The man never paid for the sex, stole my own money and hurt me. The police just let the man who raped me go.”</p> <p style="text-align: right;">Michelle's Story</p>	<ul style="list-style-type: none"> • Neglect – failure to action a complaint of rape, assault and robbery despite having suspect in custody and victim with obvious injury
32. Kate's Story	Female 30 years old Supports 3 other people from her sex work	<p>December 2015 event</p> <ul style="list-style-type: none"> • Witness was drinking a can of Coke. Nearby four men and a lady were drinking alcohol and taking “cat” in power form. • A client arrived, the witness went into her shack with the client, leaving the can of Coke outside. • When the client left, the witness came back outside and drank the rest of the Coke. She immediately felt dizzy and realised she had been drugged. • Witness ran onto the roadway for help, police stopped and she got into the police vehicle and fell unconscious. • Witness woke up in hospital, blood testing confirmed she had been drugged. • Witness did not go back to the Police Station to make a formal report. Police never checked on her whilst she was in hospital. • Witness states she didn't make a formal report because of the treatment of Sex Workers by the police, they do not take the Sex Workers seriously when they attempt to report crimes. <p>September 2015 event</p> <ul style="list-style-type: none"> • A man drove his car into the Bush, parked near the 	<ul style="list-style-type: none"> • Neglect – failure to follow up after client taken to hospital in unconscious state • Failure to action complaint of burning of personal possessions, outcome of suspect's arrest unknown

		<p>Sex Workers and was watching them. The Sex Workers asked the man to leave. The man walked back to his car, pulled out a gun and threatened to kill the Sex Workers, who ran away.</p> <ul style="list-style-type: none"> • The man then set fire to the Sex Workers' shacks and burnt all their belongings inside. • The group of Sex Workers went to the Police Station and each made statements, a case was opened by police. • Police arrested the man, and took his car back to the Police Station. • Witness noticed the car was gone from the Police Station on Monday morning. The witness has never been contacted again by police, and never went to Court to give evidence. She wanted the man charged with burning all her property. • Signed statement dated 18 May 2016 held on file by Sonke Gender Justice. <p>"I didn't go to the Police Station and make a formal report because the police treat us Sex Workers very badly. When we try to open cases, they don't take us seriously and tell us its because we are Sex Workers. They laugh at us and call us names".</p> <p style="text-align: right;">Kate's Story</p>	
33. Keri's Story	Female 52 years old	<p>November 2015 event</p> <ul style="list-style-type: none"> • Witness reports the police arrived in two or three police cars around 9.00am. 7 or 8 Police Officers approached the Sex Workers. • A couple of police started to demand money from the Sex Workers. If they didn't pay the bribe, police told them they would be arrested. • Other Sex Workers also paid the police so they would not be arrested either. • The witness would recognise these police again as they have come to demand bribes before. • The witness has very little money to live on and doesn't want to pay any more police bribes. • The witness would recognise the two police she paid as they have come to the Bush and demanded money from the Sex Workers before. • Signed statement dated 18 May 2016 held on file by Sonke Gender Justice. <p>"I gave the first Police Officer 60 rand, and the second Police Officer 40 rand. I tried to argue that I'd already paid two, but another Police Officer also asked for money. I told him I couldn't pay again".</p> <p style="text-align: right;">Keri's Story</p>	<ul style="list-style-type: none"> • Bribery & Corruption • Ongoing Harassment & Intimidation
34. Bontle's Story	Female 43 years old	<p>February 2016 event</p> <ul style="list-style-type: none"> • Witness states a man living under the bridge at the location has previously paid her for sex, then stolen that and other money from her. She did not report 	<ul style="list-style-type: none"> • Neglect – police aware of suspect's location but no

	Supports 3 other people from her sex work	<p>these crimes. Whenever the man sees the witness, he throws bricks at her.</p> <ul style="list-style-type: none"> • In February 2016 the witness was struck by a brick thrown by this man. She attended Pretoria West Police Station and reported the assault and went to the hospital for treatment to her leg where the brick struck her. • The witness received medical treatment and then returned to the Police Station to open a case and was given a case number. • Witness was told by police they would contact her again when they arrested the man. • She saw the man at the Bush and contacted police. Police arrived but did not catch the man. She has never heard from the police again. • Signed Witness Statement dated 18 May 2016 held on file by Sonke Gender Justice. <p>“I followed up with the police when I saw the man again at the Bush. Police came and chased the man but he ran away. I have never heard from the police again about this matter”.</p> <p style="text-align: right;">Bontle’s Story</p>	further attempts made to arrest him
35. Tina’s Story	<p>Female</p> <p>33 years old</p> <p>Supports 8 other people from her sex work</p>	<ul style="list-style-type: none"> • Witness reports ongoing problems with Pretoria West police since moving to Pretoria in 2015. <p>December 2015 event</p> <ul style="list-style-type: none"> • A white male Metro Police Officer kept coming to the Bush and setting the Sex Workers shacks on fire. He would come on a motorbike and call them <i>magoshas</i>, bitches, fucking bitches. • The witness felt constantly embarrassed and harassed by this person. • Sometimes the Metro police would chase the Sex Workers on motorbikes. When they caught them, the Metro police would take photographs of them. Other times they just chased them to harass the ladies. • In January 2016 the witness was arrested with other Sex Workers at the Bush. Those who had money paid a fine of R150. The rest received slips telling them to pay fines. • The witness is scared of both SAPS and Metro police. She runs when she sees them as they treat the Sex Workers very badly. • Signed statement dated 27 May 2016 held on file by Sonke Gender Justice. <p>“From December 2015, a Metro Police Officer, a white Police Officer, kept coming and setting fire to the Sex Worker shacks. He came on a motorbike. He called us names like you ‘magosha bitches, you fucking bitches’. He would deliberately try to embarrass and harass us a lot”.</p> <p style="text-align: right;">Tina’s Story</p>	<ul style="list-style-type: none"> • Ongoing Harassment & Intimidation • Malicious damage to property • Verbal abuse by police

7.2

CASE STUDY TWO – SITE 2 **(De-identified) Gauteng Province**

7.2.1 Site Description

This site location is known to Sonke Gender Justice. It is within the greater Johannesburg area. The site is located outdoors on public bushland which has a mixture of trees and shrubs. There are no buildings, infrastructure or fencing at this location. Sex Workers use this location to provide services during the day time.

Witnesses at this location expressed fear of reprisals should the location be identified publicly. Confidentiality Agreements signed by each witness require Sonke to remove any identifiers which link them to the specific site location. This includes the name of the Police Station and the identities of individual Police Officers .

7.2.2 Summary of policing issues at Site 2

Detailed themes extrapolated from this site include high levels of systematic violence used by police against Sex Workers including striking them with sticks, sjamboks and hands. These assaults have resulted in medically documented injuries and attempts to lodge complaints against the offenders. The intervention of Sex Worker advocacy organisations has been required to ensure police accept complaints when witnesses attempt to lodge them. The same Police Officers are regularly involved in similar physical assaults on Sex Workers.

Sex Workers from this site are continually unlawfully arrested by police, unlawfully detained for extended time periods in cells which fail to meet any basic standards including a non-working toilet. Witnesses report being arrested whilst doing their shopping. Sex Workers are routinely denied access to their antiretroviral medication, increasing the public health risk. The Sex Workers are not appearing in Court but are being dropped off outside the Court after extended periods of detention in police cells.

Allegations of serious crimes by Police Officers have not been investigated. The witnesses from the location report particularly problematic behaviour – sexually perverse and violent – by one identified Police Officer, which have not been fully investigated. One complaint is currently on foot but the Police Officer the subject of that complaint continues to harass and intimidate Sex Workers at this location. The witness lodging the complaint was again arrested as recently as one week ago.

Sex Workers at this locality report two Sex Workers being murdered in 2017. Witness reports have been refused by police. It is unclear what stage of investigation or whether any investigation is occurring

concerning these murders. A total of eight witnesses at this site report consistently violent behaviour from police, which is ongoing as at date of publication of this interim Case Study Report.

7.2.3 Witness Statements from Sex Workers at Site 2

Statement No. & Alias Name	Witness Description	Summary of Witness Statements	Summary of Policing issues
54. Gugu's Story	Female 39 years old Supports 4 other people from her sex work	<p>March 2017 event</p> <ul style="list-style-type: none"> Witness was standing at the side of the road at Site 2. A police car came with four Police Officers, three males and one female. Witness was chased along the road, police caught her and told her to go home or she would be taken to the cells. Witness went home. <p>January 2017 event</p> <ul style="list-style-type: none"> Witness was with a client at Site 2. A police car came with two ladies and two male Police Officers. They were from Site 2 Police Station. The police spoke to the witness's client and took R300 from him, then told her and client they could leave. <p>Unknown date in January 2017</p> <ul style="list-style-type: none"> Witness was arrested with another Sex Worker at Site 2 whilst standing near the road, and taken back to Site 2 Police Station. The cell was dirty, the toilet did not work, there was no water, the blankets were wet and the cell stank. Police would not give client access to her ARV medication. Witness and other lady kept overnight in the cell with one meal only. The witness and other lady were taken to (named) Court and put in the Court cells. The Magistrate let both the witness and the other lady go as he said this was not a crime and he refused to deal with it. They left the Court. Signed statement dated 27 March 2017 held on file by Sonke Gender Justice. <p>"The police got out, came up to my client and talked to him. The police took 300 rand from the client and told us we had to go. My client and I walked away".</p> <p style="text-align: right;">Gugu's Story</p>	<ul style="list-style-type: none"> Bribery & Corruption Unlawful arrest Unlawful detention Cell conditions Refusal to allow access to ARV medication in custody
55. Zandile's Story	Female 41 years old	<ul style="list-style-type: none"> Witness reports lots of problems with police at Site 2. Sometimes the police want sex, sometimes they want money. If the witness refuses, police arrest her and lock her up. 	<ul style="list-style-type: none"> Unlawful arrest Unlawful detention Cell conditions

	<p>Supports 1 other person from her sex work</p>	<p>February 2017 event</p> <ul style="list-style-type: none"> • Witness was arrested three times in one week by police from Site 2. She has been arrested whilst shopping, whilst visiting at other people's properties, standing in people's yards etc. • During February 2017 she spent four weekends in the Police Station cells at Site 2. The cell is dirty, the toilet doesn't work, the police put their food on the dirty floor. She has been fed once in the morning, and at night bread and soup which is put on the dirty floor again. • Three times police have taken her to a different Police Station and dropped her at the Police Station gate, instead of taking her into the Court. • During this event, the witness reports the Court staff told the police to stop dropping people off there, not to arrest the Sex Workers and that the Magistrate does not want the Sex Workers in Court. • The police then drove the witness to another Court. She was put in the Court cells. Another Police Officer came and told the witness there was no court listing for her. He released her from the cells and let her go. • The witness had to hike back home as she did not have any money with her. • Witness has been arrested and dropped off at the Court up to 6 times in one month. She has been arrested by the police at Site 2 approximately 30 times but February 2017 was really bad. • Witness lodged a complaint with the Police Station Commander. Witness was told the officers are doing this without his instruction. <p>June 2016 event</p> <ul style="list-style-type: none"> • Witness negotiated paid sex with a (named) Police Officer from Site 2 Police Station. • After the sex, the Police Officer refused to pay the witness and threatened to drop her off somewhere else or arrest her if she kept asking for money. <p>Sex Worker murder</p> <ul style="list-style-type: none"> • Witness described the injuries sustained by a local Sex Worker who was found dead. She described how other Sex Workers had told her about a particular Police Officer who gets the Sex Workers to carry out a certain sex act with an object. The witness believed the deceased Sex Worker was found with an injury consistent with that sex act and she felt scared of this Police Officer. • Witness went to the Police Station at Site 2 and told them of her concerns. Witness was not believed and police would not take a statement from her. 	<ul style="list-style-type: none"> • Ongoing Harassment & Intimidation • Bribery & Corruption • Neglect – refusal to take statement relating to a serious crime of murder • Threat of unlawful arrest
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		<p>Policing complaint on foot</p> <ul style="list-style-type: none"> • A different Sex Worker from Site 2 has lodged a complaint against a Police Officer who lives near the location. This witness gave evidence at a disciplinary hearing which was postponed. • After this the Witness reports the same Police Officer attended Site 2 and chased her and other Sex Workers through the bushland. Even her customer was running away with them. • The witness is fearful this Police Officer will kill her if he finds her. • Signed statement dated 27 March 2017 held on file by Sonke Gender Justice. <p>“The Court staff told the police to stop dropping us Sex Workers in the yard at the Court House. They told the police that we shouldn’t be arrested and the Magistrate does not want us in Court.”</p> <p>“I told them about the Police Officer using the (named item) on the Sex Workers and I thought he was involved in the murders. The police said I might be lying and it’s not him. They refused to take a statement from me”.</p> <p style="text-align: right;">Zandile’s Story</p>	
56. Nokathula’s Story	<p>Female</p> <p>29 years old</p> <p>Supports one other person from her sex work</p>	<ul style="list-style-type: none"> • Witness reports lots of problems with police at Site 2. She has been arrested many times. <p>March 2017 event</p> <ul style="list-style-type: none"> • Around 11.00am the witness was sitting under a tree. A police car came with five people in it, four men and a lady. • The police started chasing the witness and another Sex Worker. They were both caught and pushed into the police van. Another lady was arrested nearby. Police drove to another location and arrested another lady. • They were all taken to the Police Station at Site 2. • Police typed up statements and told the women they must all sign their statement. The witness wasn’t allowed to read the statement before she had to sign it. Police charged them around midnight. They were photographed. • Once they all signed the statements, the police put them in the cell. The blankets were dirty and smelly, the sponges were dirty and smelly. The toilet did not work in the cell, it was covered with a blanket it smelt so bad. The cell was very dirty. • Around 8.00am the police took their fingerprints and DNA samples and put them back in the cell. • Around 9.00am they were taken to (named) Court and put into the cells. • Police came to the cells and said if we wanted to go home, the Sex Workers must buy the police 	<ul style="list-style-type: none"> • Unlawful arrest • Unlawful detention • Bribery & Corruption • Ongoing Harassment & Intimidation

		<p>some beer. The ladies paid 80 rand (20 rand each) and gave it to the police. The police unlocked the cell and let them go. The ladies had to hike back to where they were arrested.</p> <ul style="list-style-type: none"> • The witness reports being very scared of police, she runs when she sees the police van. • Witness reports she has been arrested by police waiting for taxis, inside shops whilst doing her shopping. <p>March 2017 event</p> <ul style="list-style-type: none"> • A Police Officer from another location arrived when the witness was sitting at the roadside. She ran inside the bushes and the Police Officer ran towards her. He pulled up his tshirt, the witness was scared he would shoot her but didn't see a gun. The witness and another Sex Worker ran away and the Police Officer left. • Witness states the police are always chasing the Sex Workers at Site 2. They are sworn at, made to show their vaginas to the police. They call the Sex Workers <i>magoshas</i> and take money from their clients. • Signed statement dated 27 March 2017 held on file by Sonke Gender Justice. <p>"The police are always chasing us, swearing at us, asking to see our vaginas. Sometimes I pay the police to make them go away or stop harassing me ... the police are stealing from us, and also from our clients".</p> <p>"Even if I am waiting for a taxi at the shops, even when I'm inside the shop, the police come and tell me to get into the police van. They say that even if I'm not with a client, I might be on my way to a client. It doesn't matter that I am just shopping".</p> <p>Nokathula's Story</p>	
57. Sibongile's Story	<p>Female</p> <p>28 years old</p> <p>Supports 3 other people from her sex work</p>	<ul style="list-style-type: none"> • Witness is Zimbabwean and has been arrested approximately 6 or 7 times because she did not have the correct papers. She was always released after a couple of days in custody. • Witness states the police from Site 2 ask for bribes, it is nearly an everyday thing. Sometimes she pays the police to get them to go away. <p>November 2016 event</p> <ul style="list-style-type: none"> • The witness was sitting at the side of the road at Site 2 reading a book. She saw a police car stop nearby. • The witness heard screams and looked up, and was struck to the left side of the face by a sjambok used by a Police Officer. • When the witness tried to stand up, she was 	<ul style="list-style-type: none"> • Serious assault by Police Officer using a sjambok and gun • Neglect – refusal to take a complaint from witness • Ongoing Harassment & Intimidation

		<p>struck again with the sjambok and fell to the ground. When she tried to stand up again, the Police Officer used his gun to strike her across the forehead.</p> <ul style="list-style-type: none"> • The witness picked up some dirt and threw it in the Police Officer's face. When he wiped his face, she tried to get up and run. The Police Officer kept hitting her and she fell over again. She held the sjambok so he couldn't continue to strike her. • The Police Officer put his foot across her neck and tried to choke her. The witness tore at his shirt. • A car with one man in it drove past and the Police Officer got off the witness. • This Police Officer does not work at Site 2, but lives near there. The witness knows and recognises this Police Officer. • The witness suffered injuries including a black eye, bleeding from the forehead and had a lot of swelling and bruising. She went to (named) medical clinic and a J88 form was completed to document her injuries. • The witness attended (named) Police Station. They chased her away, verbally abused her and refused to do anything to help her. • The witness hiked to the Police Station at Site 2. She opened a case there against the Police Officer who had assaulted her. The Police Officer was put on disciplinary charges. • The witness says nothing has happened to that Police Officer. He is still working. <p>March 2017 event</p> <ul style="list-style-type: none"> • This same Police Officer came back to Site 2. He braked the vehicle hard and stopped near the witness. Some white people stopped their car to take some photos and the Police Officer drove off. The witness did not report this as she did not think the police would help her. • Witness is scared this Police Officer will hurt her again. • Signed statement dated 27 March 2017 held on file by Sonke Gender Justice. <p>"I went to the Police Station at (named). They chased me away like a dog. The police there refused to take a complaint from me. They called me names, told me to stop being a prostitute, there was nothing they could do about it".</p> <p>"I am scared of this man, I am scared to testify against him, I don't know what he will do. I think he will hurt me again".</p> <p style="text-align: right;">Sibongile's Story</p>	
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<p>58. Thabang's Story</p>	<p>Female 41 years old Supports 11 other people from her sex work</p>	<ul style="list-style-type: none"> • Witness states she has had ongoing problems with the police at Site 2. When police from Site 2 Police Station come to arrest the Sex Workers, they always want free sex. This has happened around 6 times to the witness. She usually has sex with them for free so they don't arrest her. • One of the Police Officers who used to ask for sex has died. The other two Police Officers are still there. They use condoms when they have sex with her. • Witness states normally the police arrest the Sex Workers on Fridays. They take their fingerprints and saliva for DNA tests. The Sex Workers are not with clients when they get arrested. • The police keep the arrested Sex Workers in the cells from Friday to Monday and don't feed them. They feel hungry and sick from not eating. • The police will not let them have their ARV medicine when in police custody. • The cell toilet does not work and the police won't fix it. It smells. They have to live with the unflushed toilet for days. • On Mondays, the police take them to (named) Court or (named) Court. They leave the Sex Workers in the car park. They don't appear in front of the Magistrate, they are left to make their own way home. It is a long distance to hike. • One day the witness took herself into the Court to ask what had happened. The Magistrate told the witness he was tired of the police from Site 2 arresting the Sex Workers and bringing them to Court. • The Magistrate told the witness to look at the name tags of the Police Officers who are arresting them and make a complaint against the police. • The witness is too scared to make a complaint against the police. <p>March 2017 event</p> <ul style="list-style-type: none"> • The witness was jumping out of a taxi at the side of the road at 10.30am. A police van came and stopped nearby. • The police said they had been sent by the Station Commander at Site 2 to arrest Sex Workers for selling sex. She was told to get into the police van. • Another Sex Worker with the witness was also arrested. The police dropped them off at the side of the road some distance away. <p>March 2017 event</p> <ul style="list-style-type: none"> • On Human Rights Day at 12.30pm the witness was waiting for a client at a guesthouse. A police van arrived with four police offices. • One of the Police Officers asked the Sex Workers 	<ul style="list-style-type: none"> • Bribery & Corruption • Unlawful arrest • Unlawful detention • Cell conditions • Refused access to ARV medicine • Required to display genitals • Serious assault by Police Officer • Ongoing Harassment & Intimidation
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		<p>to flash their vaginas for him and the witness did so.</p> <ul style="list-style-type: none"> The Police Officers told her to leave the guest house and she did. <p>January 2017 assault of another Sex Worker</p> <ul style="list-style-type: none"> Witness states at midday she was getting out of a taxi and another (named) Sex Worker called out to her. This friend was covered in bruises and big marks, including her face. The friend told the witness that a Police Officer had come and beaten her up the previous day using a weapon that looked like long black rubber piping, similar to what security guards use. The witness urged her friend to make a complaint against the Police Officer. Her friend was too scared to do that. The friend went to a local clinic for help with her injuries. She moved away soon after as the witness states she was too frightened of the police to stay in that area. <p>Murder of a Sex Worker in February 2017</p> <ul style="list-style-type: none"> The witness states that the bruises she saw all over her friend's body were very similar to the bruises on the body of another Sex Worker who was found dead in February 2017. Signed statement dated 27 March 2017 held on file by Sonke Gender Justice. <p>"The Magistrate said he was tired of (Site 2) police for arresting the ladies and taking us to Court for nothing. He told us to look at the name tags of the Police Officers who arrest us, and then make a complaint against those police. I have never done this as I am scared it will make the police angry. I am worried they might hurt me if I make them angry".</p> <p>"One of the Police Officers asked the Sex Workers to flash their vaginas for him. I showed the Police Officer my vagina".</p> <p style="text-align: right;">Thabang's Story</p>	
59. Violet's Story	<p>Female</p> <p>37 years old</p> <p>Supports 15 other people from her sex work</p>	<ul style="list-style-type: none"> Witness states she has been arrested many times by police at Site 2, more than 20 times she thinks. Sometimes the police from Site 2 take her to (named) Court. When she gets there, the Court staff chase her away as there is no case on the roll against her name. At (named) Court, she has never once gone before the Magistrate. Sometimes the witness pays the police to not arrest her. Sometimes the witness has to have sex with the police instead of paying money not to be arrested. 	<ul style="list-style-type: none"> Bribery & Corruption Unlawful arrest Unlawful detention Ongoing Harassment & Intimidation Serious assault using a sjambok Sexual assault

		<p>October 2016</p> <ul style="list-style-type: none"> • An identified Police Officer from outside the area lives locally in Site 2. • Witness states the identified Police Officer pretended to be a client and she went with him into the bushes. • Once undressed, the Police Officer produced a sjambok and beat her up. He hit her many times, she had lots of cuts from the sjambok, was in a lot of pain and felt very scared. The witness was screaming for help. • The Police Officer would not stop hitting her. He picked up a stick and made her put it inside her vagina and perform a sex act with it. The witness was bleeding from her vagina and it hurt a lot. • The Police Officer eventually let her go. She got dressed and went to (named) hospital for medical treatment. They did a J88 and recorded her injuries. • The witness made a complaint to police at Site 2 Police Station. The complaint number was allocated and is still being investigated. The Police Officer is still working. There is a disciplinary hearing but it was adjourned with no result. • Signed statement dated 27 March 2017 held on file by Sonke Gender Justice. <p>“This man then took out a sjambok and beat me up. He told me Jesus didn’t like what I was doing. This man hit me many times. I had lots of cuts from the sjambok. I was in a lot of pain and felt very scared. I was screaming for help. The man would not stop hitting me. The Police Officer got a stick and told me to put it inside my vagina. It hurt when I put the stick inside me”.</p> <p>Violet’s Story</p>	<p>– forcing the Sex Worker to insert an object which caused pain and bleeding</p>
<p>60. Claudia’ Story</p>	<p>Female</p> <p>35 years old</p> <p>Supports 5 other people from her sex work</p>	<ul style="list-style-type: none"> • Witness reports lots of problems with police at Site 2. Sometimes they want to look at her vagina or her breasts. Sometimes they chase her, sometimes they want money. • If she won’t give the police money, the witness reports the police then arrest her. • They won’t let the witness have access to her ARV medicine in police custody. They just keep her during the day, and then release her to go home that same day. Now they sometimes keep her overnight as well in the cells. <p>March 2017 event</p> <ul style="list-style-type: none"> • Police came and chased her away around 8-9am. • They left, then came back. Another Sex Worker was hiking along the road and they arrested her. Then the police found and arrested the witness. • The other arrested lady was on ARV medicine. At 	<ul style="list-style-type: none"> • Bribery & Corruption • Required to expose genitals • Unlawful arrest • Unlawful detention • Violence used during unlawful arrest • Refusal of medication in custody • Cell conditions • Physical assault

		<p>the Police Station the other lady started to foam at the mouth and was vomiting blood in the cell.</p> <ul style="list-style-type: none"> • Police refused to let the lady have her medicine even when she was vomiting blood. They only gave them one small piece of bread and some juice. • The cell was dirty, there was poo on the floor. The toilet did not work. She was photographed and fingerprinted. • The police took both the witness and the other lady to (named) Court the next day and put them in the Court waiting cells. The other lady started vomiting blood again and they released her from the Court cells. • Around 2pm in the afternoon the police just opened the cell door and told the witness to go. She never appeared before the Court. She had to hike home. <p>January 2017 event</p> <ul style="list-style-type: none"> • The witness was at Site 2 around 11am-1pm with another Sex Worker. Police arrived, she ran off. • One of the Police Officers caught her, and hit her many times in the back very hard. He put her into the police car but another Police Officer told him no, to let her out as other ladies were also running. <p>2016 event</p> <ul style="list-style-type: none"> • This witness was arrested last year by a Police Officer from Site 2. She did have a problem with her knee, but that Police Officer slammed her knee into a car and she still has pain and problems from that damage. • Signed statement dated 27 March 2017 held on file by Sonke Gender Justice. <p>“I have a lot of problems with police from (Site 2) Police Station. Sometimes they want to look at my vagina and my breasts. Sometimes they chase me, sometimes they want money. If I don’t give them money, they arrest me. When I am arrested, they do not let me have medication at all”.</p> <p style="text-align: right;">Claudia’s Story</p>	<ul style="list-style-type: none"> • Ongoing Harassment & Intimidation
61. Fikile’s Story	<p>Female</p> <p>43 years old</p> <p>Supports 4 other people from her sex work</p>	<ul style="list-style-type: none"> • Witness reports lots of problems with Site 2 police. Sometimes she pays them money to stop them arresting her, sometimes she has to show them her vagina as well. <p>January 2017 event</p> <ul style="list-style-type: none"> • The witness was standing under a tree on the side of the road where Sex Workers look for clients. • A police car with four police in it arrived. They got out and chased the witness and two other Sex Workers. The police did not catch them and left. • 30 minutes later the police came back. The 	<ul style="list-style-type: none"> • Serious assault using a weapon • Ongoing Harassment & Intimidation • Neglect – refusal to take complaint of crime

		<p>witness ran to another location. Two male Police Officers were there waiting.</p> <ul style="list-style-type: none"> • One of the Police Officers beat her with a stick he took from a tree, hitting her around the arms and back. He hit her 6 times she thinks whilst she was screaming and asking why he was hitting her. • The witness had bruises and couldn't move one of her arms. The witness told the Police Officer he was assaulting her, was told he would slap her. • The other Police Officer stayed there praising the Police Officer who was beating her with the stick. • Witness knows these two Police Officers and which Police Station they come from – Site 2. They do not wear their police badges. • The witness went straight to the Police Station at Site 2 and wanted to make a complaint of assault. The police at Site 2 refused to take her complaint, saying they must investigate first and then come back to her. • The witness was in pain from the beating with the stick and went to a doctor for treatment. The Doctor wrote a J88 and gave her pain medication. The witness took the J88 to the Site 2 Police Station. • The witness was never contacted by the police from Site 2 again about her complaint. It was the senior Police Officer at Site 2 Police Station who would not take her complaint. • Since January, the witness reports being arrested nearly every day. Every time she sees these Police Officers she runs away. • The witness provides a further incident when arrested when in a car with a client on a specified date in March 2017, of being driven around and dropped off by police at another location. • On specified date in March 2017 the witness was standing at the roadside at Site 2. The police arrived and chased her. They could not catch her. • The next day the police came back again and tried to catch her. Since then the witness has been in hiding so the police won't chase her again. • The witness is very scared of the police. • Signed statement dated 27 March 2017 held on file by Sonke Gender Justice. • (NOTE – since the date of this statement, the witness has been re-arrested multiple times.) <p>“After that, I get arrested nearly every day since that date in January. Every time I see these Police Officers, I run to the trees. I have cuts and scratches all over my body, as I always have to run when I see this Police Officer”.</p> <p>Fikile's Story</p>	
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7.3

CASE STUDY THREE

SITE 3 – (De-Identified), Gauteng Province

7.3.1 Site Description

This site is a residential street in a large city in Gauteng Province. A number of houses in a row are utilised as informal brothels. Sex Workers rent a room on site to conduct their activities from. Each house is fenced and the rooms of the Sex Workers are not visible from the street.

The Sex Workers often sit out the front of the houses on the public footpath to indicate their availability. There are a number of small informal businesses in the street, mainly focused on car repairs and maintenance.

7.3.2 Summary of Policing Issues at the Site

The priority issue reported at this location related to corruption. Multiple witnesses reported SAPS officers attending the premises up to twice daily to request and receive bribes to not arrest the Sex Workers at the location. All police seeking bribes were identified as working from a single Police Station location. If bribes are not paid, the witnesses report being “arrested” and kept in the police van until they paid the bribe requested.

7.3.3 Witness Statements from Sex Workers at Site 3

Statement No. & Alias Name	Witness Description	Summary of Witness Statements	Summary of Policing issues
1. Keletso's Story	Female 39 years old Not a Sex Worker	<ul style="list-style-type: none">This witness is the wife of a security guard at an informal brothel. They live onsite in a separate house. Witness has twins aged 14 months and a 4 year old child. December 2015 event <ul style="list-style-type: none">Approximately 7pm on a Friday evening the witness took one baby and her other young child to go to a shop metres away from their front gate. The other twin baby was sleeping.As she stepped through the gate, a Police Officer closed the gate behind her and ordered her and the children into the police van.The witness asked why, and was told she was in the wrong place at the wrong time. She was arrested and had to climb into the back of the police van with the baby and other young child.The other twin baby inside the premises woke and	<ul style="list-style-type: none">Bribery & CorruptionUnlawful ArrestUnlawful DetentionChild endangerment

		<p>started to cry loudly. The witness told police she could not leave the baby inside by itself. Police told the witness they did not care.</p> <ul style="list-style-type: none"> • Two Sex Workers from the premises were also arrested and put in the police van with the witness and children. • Police drove them to the (named) Police Station. The witness was trying to keep the baby and infant shielded as there was nothing to hold onto in the back of the van. The baby and the other young child were screaming and crying. • Whilst the witness was still inside the van, the Police Officers asked what the witness had been doing. She told them she was buying a drink for the young child and she needed to get home to the other baby who was now left alone. • Police said they did not care and threatened to call child services and have her children taken away. • The witness knew her legal rights and demanded the evidence on which they arrested her. The police man got very angry, went inside the Police Station, leaving them in the back of the police van. • The police man returned and asked how much money she was going to give them. The witness replied she had no money and hadn't done anything wrong. • The other two women in the police van negotiated the bribe and each paid the police R150 to be released from the police van sitting in the (named) Police Station car park. • The witness did not have money and was allowed to call a friend to bring the money and her other baby to the Police Station so police would let her go. The police started to drive slowly back towards the informal brothel. • The witnesses' friend was walking to the Police Station with the other baby and the police van stopped. She was allowed to take the baby from her friend inside the van with her other children. The baby was very distressed and upset. • The witness paid the R150 to police that her friend had brought to her. The police drove her and her children back to the informal brothel and then left. She arrived back around 8pm. • The witness did not want to pay the bribe but had to pay to get herself and her children out of the police van. • Signed statement dated 7 April 2016 held on file by Sonke Gender Justice. <p>"My other twin baby who was still inside the house, must have woken up and began crying and screaming. I told the police officer that I couldn't leave because</p>	
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		<p>my other baby was still inside. He said ‘I don’t care. You are lying’. My baby could clearly be heard crying inside the house”.</p> <p style="text-align: right;">Keletso’ s Story</p>	
<p>7. Rose’s Story</p>	<p>Female</p> <p>36 years old</p> <p>Supports other people from her sex work but number not specified.</p>	<ul style="list-style-type: none"> • Witness works at Site 3 at an informal brothel. <p>December 2015 event</p> <ul style="list-style-type: none"> • Witness received a phone call from her friend Keletso (alias) who asked her to collect her baby who was alone in another building on site. Keletso told the witness she also needed R150 before the police would release her, her other baby and young child. The witness had to bring the money and the baby to the Site 3 Police Station. • The witness went to the room where the baby was. The baby was hysterical, crying and screaming. The witness could not calm the baby down. • She started to walk towards the Site 3 Police Station. The police van met her down the road. Her friend Keletso was in the back of the police van with her other children. • The witness gave Keletso the baby and the 150 rand, then walked back to the brothel. • Signed statement dated 15 April 2016 held on file by Sonke Gender Justice. <p>“Keletso asked me to collect her baby (sex) who was in a room alone in another building, and to bring (the baby) and R150 to the police station. Keletso told me she needed to pay police R150 before they would release her and the two children already with her ... I went into the baby’s bedroom. (The baby) was hysterical, crying and screaming. I tried to calm (the baby) down but (the baby) needed to be breast fed so I couldn’t calm (the baby) down”.</p> <p style="text-align: right;">Rose’s Story</p>	<ul style="list-style-type: none"> • Bribery & Corruption • Unlawful arrest • Unlawful detention • Harassment & Intimidation
<p>2. Mpho’s Story</p>	<p>Female</p> <p>35 years old</p> <p>Supports 8 other people from her sex work</p>	<p>December 2015 event</p> <ul style="list-style-type: none"> • 4 months earlier the witness reports she was sitting outside the informal brothel on the footpath with two other Sex Workers. • A police van arrived with two Police Officers. The fat Police Officer told them they were arrested and to get into the police van. They got inside it. • The police drove them around for a short time. The fat Police Officer asked for money to let them out of the police van. If they did not pay, they would be locked up for the weekend. • The price was R100 per woman. None of the ladies had any money with them to they were allowed by the police to call another person at the brothel to bring the money for them. • The police van drove the corner near the brothel. The witnesses’ friend came with 300 rand and paid 	<ul style="list-style-type: none"> • Bribery & Corruption • Unlawful arrest • Unlawful detention • Ongoing Harassment & Intimidation

		<p>the money to the police. The police then let them out of the back of the police van and they walked back to the brothel.</p> <ul style="list-style-type: none"> • Witness alleges the police asked for bribes a lot at this location. They approach the Sex Workers and say “money for a cold drink” which means they want money. The Sex Workers pay the police, or they are arrested and the police demand bigger bribes to let them go. • When the police ask for “money for a cold drink” the witness pays them around R20 each time. She pays the money because she doesn’t want to be arrested or locked up over the weekend. • Witness has never received any paperwork from the police for the money she has to pay them. • Whenever this fat Police Officer is on duty, he comes to the brothels in that street and demands “a cold drink” from all the Sex Workers he knows in the street. • If he doesn’t know the Sex Worker, he arrests them and demands a larger bribe. After that he knows them and just asks for money “for a cold drink”. • The Police officer comes to the street a lot to demand money. • Signed statement dated 7 April 2016 held on file by Sonke Gender Justice. <p>“The police come to the brothels along my street a lot. They approach the sex workers and say ‘we want money for a cold drink’, which means they want money from us. We have to pay the police when they do this or they arrest us and demand bigger bribes to let us go”.</p> <p style="text-align: right;">Mpho’s Story</p>	
3. Thembi’s Story	<p>Female</p> <p>38 years old</p> <p>Supports 2+ other people from her sex work</p>	<ul style="list-style-type: none"> • This witness also supports an unspecified number of children from her sex work. • The witness worked in a hotel in (named city) doing sex work. Police were constantly harassing them so she moved to her present location to work in an informal brothel, thinking there would be less harassment. <p>October 2015 event</p> <ul style="list-style-type: none"> • During the day the police came to the brothel. She was sitting down the street on the footpath using the free wifi connection there. The police arrested her and three other Sex Workers who were sitting further up the road, outside the brothel on the public footpath. • She would recognise the police again because they come to the brothels in the street a lot. • All four Sex Workers were conveyed to the Site 3 Police Station. Police did not take any statements or complete any paperwork. 	<ul style="list-style-type: none"> • Unlawful arrest • Unlawful detention • Bribery & Corruption • Ongoing Harassment & Intimidation

		<ul style="list-style-type: none"> Two of the Sex Workers were Zimbabwean and did not have their papers with them. Police charged them R300 each as a bribe to be let go. A total of R600 was paid to the police. The police then let all four Sex Workers go and they walked back to the brothel together. <p>March 2016 event</p> <ul style="list-style-type: none"> The witness was sitting outside the brothel in the public street. Four other ladies were sitting with her. A police van arrived with three Police Officers in it. One of the police pointed at each of the ladies and said “20, 20, 20, 20 and 20”, meaning they had to pay a bribe of R20 each. The witness has no money and could not pay as she had just started to work and hadn’t been paid yet. Another lady went inside to get the money for the Police Officer. He followed her inside. When they came back out, the Police Officer had arrested the Sex Worker and then put her in the police van. The other Sex Workers each paid their R20 bribe. The police drove off with the other Sex Worker inside the police van. The witness doesn’t want to pay the police bribes but does not want to be kept in the police cells as she cannot earn money when in police custody. Signed statement dated 7 April 2016 was held on file by Sonke Gender Justice. De-identified copy only available 19/4/2017. <p>“I do not want to pay bribes to the police but I do not want to be arrested and kept in the police cells as I cannot earn money when I am locked up by police for not paying their bribes ... I feel I have to pay the police bribes otherwise the police will make things difficult for me. They police never give us sex workers paperwork or receipts when they demand money for us”.</p> <p style="text-align: right;">Thembi’s Story</p>	
8. Busi’s Story	<p>Female</p> <p>33 years old</p> <p>Supports 6 other people from her sex work</p>	<p>March 2016 event</p> <ul style="list-style-type: none"> Approximately 3pm the police from Site 3 Police Station came to the location in one police van. There were three Police Officers. The witness was sitting outside the brothel with four other Sex Workers. One of the police told them they each had to pay R20 to the police, so a total of R100. The other four women paid the police bribe. Witness states if the Sex Workers don’t pay the police bribe, the police arrest them. She went inside to get money to pay the police. One of the officers followed her inside, and she 	<ul style="list-style-type: none"> Bribery & Corruption Unlawful arrest Unlawful detention Ongoing Harassment & Intimidation

		<p>tried to explain she was getting the money.</p> <ul style="list-style-type: none"> • This Police Officer demanded to know why she was running away, told her to keep quiet and why was she saying police wanted money, did she want other people to hear? The Police Officer then told the witness to get into the police van. • The witness thought she was arrested and got inside the police van. • The police drove to Site 3 Police Station and parked outside. They called another Police Officer to come outside. • Witness was told she had to pay this Police Officer R20 before she was allowed to go. The witness paid this Police Officer and was allowed to walk away back to the brothel. • Signed statement dated 7 April 2016 held on file by Sonke Gender Justice. <p>"I tried to explain that I was getting the money for them. One of the officers told me I was running away, to keep quiet and why was I saying police wanted the money, did I want people to hear that? I was told to go and get into the police van ... I walked outside and got inside because I thought I was under arrest".</p> <p>Busi's Story</p>	
4. Cindy's Story	<p>Female</p> <p>28 years old</p> <p>Supports 6 other people from her sex work</p>	<ul style="list-style-type: none"> • Witness states the police come to the brothels at Site 3 a lot. Sometimes they come twice a day, police from day shift and then the night shift police. The police are always from Site 3 Police Station. <p>March 2016 event</p> <ul style="list-style-type: none"> • The police last came on that date (statement was drafted in late February, amended and updated, then signed early April). • The witness ran away that day as she did not have any money to pay them. • Witness pays the police bribes because otherwise they arrest the Sex Workers. If they are arrested, more money has to be paid to get out of the police cells. The witness is afraid of the police. <p>Winter 2016 event</p> <ul style="list-style-type: none"> • The witness was with a male friend (not a client) when the police arrived. The police arrested the witness and put her in the police van. • The two male Police Officers demanded money and the witness paid them R200 to get out of the police van. • Her friend's car was parked on the street outside the brothel. The police wanted to look at his car papers but he did not have them with him. • The police threatened to take the witnesses' friend's car. The witness realised the police wanted to be paid and told her friend to pay the police money. 	<ul style="list-style-type: none"> • Bribery & Corruption • Ongoing Harassment & Intimidation

		<ul style="list-style-type: none"> • The witnesses' friend paid the police R200. • The police took a total of 400 rand from them and did not give any paperwork or receipts to them. • The police came from the Police Station at Site 3. • Signed statement dated April 2016 held on file by Sonke Gender Justice. De-identified copy only available 19/4/2017. <p>"I feel like I have to pay the police to stop them harassing me. I feel very intimidated and scared when I see the police. I do not want to pay bribes to the police because it means I have less money to support all of my family".</p> <p>Cindy's Story</p>	
5. Anna's Story	<p>Female</p> <p>35 years old</p> <p>Supports 4 other people from her sex work</p>	<p>March 2016 event</p> <ul style="list-style-type: none"> • The witness was sitting outside the brothel on the public street before lunchtime. Witness heard some of the other ladies say "The (tribal group) man is here". This man is a Police Officer at Site 3 Police Station. • The Police Officer approached the witness and said "Give me money for a cold drink". When he says this, the witness knows he wants money from the Sex Workers. The witness is scared of being arrested so always pays this Police Officer R50. • There was another female Police Officer with the man. She did not ask for money. • The male Police Officer comes to the brothel a lot. • Police often demand money from the Sex Workers in the street. The male Police Officer has already been there maybe 10 times this year to demand money. Everyone just gives him money as they are frightened of being arrested. • When this Police Officer doesn't know the Sex Worker, he arrests them and puts them in the police van. Then he demands money from them. If he arrests a Sex Worker, he asks for a bigger bribe. Once he knows the Sex Worker, he just asks for "money for a cold drink". • Signed statement dated 7 April 2016 held on file by Sonke Gender Justice. <p>"I have less money to send my family because this police officer is always demanding money from us. I don't want to pay his bribes but I feel I have to or he will cause me trouble".</p> <p>Anna's Story</p>	<ul style="list-style-type: none"> • Bribery & Corruption • Ongoing Harassment & Intimidation
6. Dorah's Story	<p>Female</p> <p>27 years old</p> <p>Supports 5 other</p>	<p>19 March 2016 event</p> <ul style="list-style-type: none"> • The witness was sitting on the public footpath outside the brothel at Site 3 with four other Sex Workers. It was night time and dark. • A police van came along with two Police Officers in it. The police told the Sex Workers to get into the 	<ul style="list-style-type: none"> • Bribery & Corruption • Unlawful arrest • Unlawful detention

	people from her sex work	<p>van. The witness felt scared.</p> <ul style="list-style-type: none"> • After driving around for approximately one hour, the police asked if the Sex Workers wanted to spend the weekend at the Police Station or whether they wanted to give the police “money for a cold drink”. • None of the Sex Workers had any money with them. They asked to go back to the brothel to get some money to give to the police. • The police wanted R100 from each lady. The Sex Workers did not have that much, so the police said R50 each. They drove the Sex Workers back to the brothel. • As the Sex Workers got out of the police van, the police took each lady’s cell phone. The ladies went inside to get the money. When they came back and each paid the R50, the Sex Workers were handed back their cell phones by the police. • The police are from the Police Station at Site 3. • Signed statement dated 15 April 2016 held on file by Sonke Gender Justice. <p>“I feel like I have to pay the police bribes otherwise the police keep you for hours. They just drive you around in the van and it’s freezing cold inside. This has happened to me a lot ... Often the police want money just before the end of the month. They demand bribes more often then.”</p> <p style="text-align: right;">Dorah’s Story</p>	<ul style="list-style-type: none"> • Ongoing Harassment & Intimidation
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7.4

CASE STUDY 4

SITE 4 – Greater Johannesburg Area, Gauteng Province

7.4.1 Site Description

The Witness Statements reported in this section cover the greater Johannesburg area. Some Police Stations are mentioned in one statement, others are mentioned multiple times. Each different Police Station has been given a different letter identifier eg Site 4a, Site 4b, Site 4c etc.

This section contains information about historical events, plus more recent policing incidents to illustrate that the human rights violations have been ongoing for many years across multiple sites.

These statements are all taken from street based Sex Workers.

7.4.2 Summary of Policing Issues at the Site

The priority issue reported at this location relates to policing violence against Sex Workers, including sexual assault, sexual slavery, and torture. They involve serious criminal offences.

Police corruption by way of cash bribes or free sex are also prevalent in the reports. Statements indicated both clients of Sex Workers and Sex Workers are at risk of these corrupt activities.

The police involved in these acts are from various Police Stations across the greater Johannesburg area.

7.4.3 Witness Statements from Sex Workers at Site 4

Statement No. & Alias Name	Witness Description	Summary of Witness Statements	Summary of Policing issues
11. Nomsa's Story	Female 24 years old Supports 2 other people from her sex work	Sites 4b <ul style="list-style-type: none">• In 2012 the witness was working in (named) town in Johannesburg. She had lots of problems with police because she was young and they wanted free sex.• The brothel the witness worked at was opposite 4b Police Station. The police who demanded free sex came from there.• The witness states the police always wanted sex with no condom. If she refused to have sex for free without a condom, they would arrest the witness and keep her in police custody. Once arrested, police would not let her go until she had sex with them.	<ul style="list-style-type: none">• Sexual assault and rape• Bribery & Corruption• Unlawful arrest• Unlawful detention• Ongoing Harassment & Intimidation• Refusal to allow access to medication in custody

		<ul style="list-style-type: none"> • The police would come to the brothel in groups of two or three to demand free sex or bribes. <p>September 2012 event (Site 4b)</p> <ul style="list-style-type: none"> • The witness refused to have sex with the police on a Friday night. The police arrested her and kept her in custody until Monday morning. She would only be released on payment of a 150 rand bribe. If she didn't agree to pay, the police would keep her longer. She was not allowed to contact anyone. • Three times she had to either have free unprotected sex or pay these police a bribe. • Police would usually arrest her on the Friday night, have sex overnight with her until Saturday morning in the cells. That morning, they would put her back in a cell with other women. When the night shift came on, the police would move her back to a cell alone and rape her again. When all the police had finished with her, the witness would be taken from the cells back to the brothel late Saturday night. • On the way back to the brothel, the police would often demand that the witness buy them food or alcohol. They would ask how many clients she would have that night, how much money the witness was likely to earn. They would call back at the brothel later that night to collect the food and alcohol. • The witness was forced to have sex with the police so many times they used to joke she was their "girlfriend". • Sometimes a different police car with different police would come back the same night. They would tell the brothel manager that the police wanted their "girlfriend". They were referring to the witness. The brothel owner would tell the witness she had to have sex with the police or they would interfere with the brothel more. • The witness suffers from asthma. Whenever she asked for her medicine in police custody, they never gave her access. The police would threaten if she kept asking for the medicine they would tell the witnesses' aunt that she had been arrested for sex work. • To stop the police rape and abuse, the witness moved away. She could not remain living with her aunt because of the continual police abuse. <p>October 2015 event (Site 4a)</p> <ul style="list-style-type: none"> • The witness moved to (named place) in Johannesburg. She has had some contact with Metro Police at Site 4a. • The witness was chased by Metro Police near (named) Market in the CBD. The police had a 	
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		<p>sjambok, and were calling the Sex Workers <i>magoshas</i>. The witness did not get hit as she ran very fast.</p> <ul style="list-style-type: none"> • Another Friday night the Metro Police came again with the sjambok. The witness told the police she would report them to Sisonke and SWEAT. The police left and have not come back with the sjambok. • Witness reports ongoing incidents of daily harassment by Metro Police. • Signed statement dated 14 April 2016 held on file by Sonke Gender Justice. <p>“Police raped me each time I was in police custody. They would take me to an empty cell and assault me. I asked to be taken home a number of times. The Police would say ‘No, you stay here so we can have sex with you’”.</p> <p>“The Metro Police now come nearly daily to the area where I work. They call us <i>magoshas</i>, take the chairs that we sit on and generally harass us. If we don’t run fast, they arrest us and take us to Site 4a Police Station”.</p> <p style="text-align: right;">Nomsa’s Story</p>	
10. Thuli’s Story	<p>Female</p> <p>45 years old</p> <p>Supports herself from sex work</p>	<p>2006 event (Site 4c)</p> <ul style="list-style-type: none"> • The witness moved to Johannesburg. The police raided the compound she was staying at around two nights later. • When the police found a male client with a Sex Worker, the police demanded a bribe to let the customer go. The witness and her friend did not have customers so couldn’t pay the bribe and were arrested. • The witness and her friend were put in the back of a large police van filled with foreign men. The police drove around and raided a number of properties. The witness thinks she was in the van for three hours. • The men in the van were touching the witness and the other lady. They were only wearing short nighties as the police had refused to let them get dressed properly. They were taken to Site 4c Police Station and put into a cell with all the foreign men. • Around 5am in the morning the witnesses’ friend had her bail paid by someone for her. She left, and the witness was left alone in the cell with the foreign men. • A Police Officer came to take her fingerprints. He said she would have a criminal record unless the witness had sex with him. The witness was terrified in the cell and needed to get out. She agreed to have sex because she was so frightened. The Police 	<ul style="list-style-type: none"> • Sexual assault and rape • Unlawful arrest • Unlawful detention • Abduction • Sexual slavery • Ongoing Harassment & Intimidation • Bribery and corruption

		<p>Officer did not use a condom.</p> <ul style="list-style-type: none"> • After the Police Officer finished having sex with her, he took her back to the compound where she had been arrested. The witness names the Police Officer. He told the witness that she was now his girlfriend and he would come back again. • The witness was too scared to leave the compound as she thought this Police Officer would be waiting at the gate for her. When police came to the property, she would jump the back fence. • The witness moved to (named) suburb in Johannesburg to get away from the Police Officer. • Approximately six months later, the witness was at a local tavern. A man came up to her. It was the Police Officer who made her have sex in the cells at the Police Station. The Police Officer told her she could not run, and took her back to the Police Barracks at (named location) and made the witness have sex with him again. • The witness was too frightened to say no to the police officer. Every weekend this Police Officer would find the witness and take her to the Police Barracks at (named location). • The witness tried to avoid the taverns to hide from the Police Officer. Other police would see her and tell the man who kept raping her. Sometimes the police would make her go with them and deliver her to the Police Officer's room at the Police Barracks. The Police Officer continued to sexually assault the witness most weekends for nearly six months. • The abuse stopped when the Police Officer received a transfer back to his home town. The witness names the Police Officer and his home town. <p>2014 event (Site 4a)</p> <ul style="list-style-type: none"> • Around 8pm on a weeknight at 8.00pm the witness was with a client, chatting to him. A police riot vehicle stopped. • One of the Police Officers took his pepper spray and sprayed the witness and her client. • The police told the witness and her client to go straight home, if they found them there again the police would hurt them. • The police were from Site 4a Police Station. <p>December 2015 event (Site 4d)</p> <ul style="list-style-type: none"> • The witness was at Site 4d at 9.30pm on a week night, walking from one location to another. A police van drove up and stopped beside her. • The police in the van demanded money from the witness. She asked for what? They asked where she was going, the witness said she was catching a bus as there was a bus stop nearby. 	
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		<ul style="list-style-type: none"> The police said the only women around were <i>magoshas</i>. The driver told the witness to come closer to the vehicle. The Police Officer put his hand up her skirt and felt her genitals. He laughed and told the other Police Officer he could feel heat there, and the friend should feel the witness too. The police told the witness to model and turn for them, lift up her skirt to entertain them. The passenger told the witness to come around to his side of the vehicle. This Police Officer made the witness feel his penis which was erect. This Police Officer told the witness that because she had no money now, she must go and do sex work to earn money, and he would come back later for the money and sexual pleasure. Signed statement dated 14 April 2016 held on file by Sonke Gender Justice. <p>“I was too frightened to say no to the police officer. He had a gun and I thought he would hurt me. The police officer told me I was his girlfriend and every weekend he would come and find me and take me to the police barracks to have sex with me. He used to lock me in his room whilst he was on duty, and then come back and have sex with me. The barracks were full of police officers, I thought they would hurt me if I yelled or tried to get help. I could hear other ladies screaming from other rooms in the police barracks”.</p> <p style="text-align: right;">Thuli’s Story</p>	
25. Dipuo’s Story	<p>Female</p> <p>35 years old</p> <p>Supports 2 other people from her sex work</p>	<p>April 2016 (Site 4a)</p> <ul style="list-style-type: none"> The witness was working on (named) Street in Johannesburg. There were other Sex Workers around. A police van stopped near the witness. The other Sex Workers ran away. The witness was running but one of the Police Officers grabbed her by the back of the clothes and threw her on the ground. It hurt the witness. Three Police Officers dragged the witness along the ground to the police van. They beat the witness very hard around the head, punching her. The witness was bleeding and injured. She would recognise these police again, they come from Site 4a Police Station. The witness was put in the back of the police van and driven to Soweto. The police dumped her bleeding on the street from out of the back of the police van. She had no money to get home, was very hurt and bleeding. The witnesses’ clothes were covered in blood. People in the street came to help the witness. They called an ambulance, and she was taken to (named) hospital. She stayed there for two days. 	<ul style="list-style-type: none"> Assault occasioning grievous bodily harm Assault Unlawful arrest Unlawful detention (put in police vehicle) Failure to seek medical treatment for victim

		<ul style="list-style-type: none"> The researcher noted the witness still had obvious injury to her face, and significant difficulty hearing. This witness was put in a taxi to return to the hospital for further treatment immediately after completing the signed statement. Signed statement dated 14 April 2016 held on file by Sonke Gender Justice. <p>“The police beat me around the head very hard. They were punching me and I was bleeding. They hit me so hard a tooth flew out of my mouth. I started to bleed from both my ears as well as my mouth ... Since the police beat me up I cannot hear properly. I am worried that I will be deaf from the damage they did me. My mouth is still swollen with a big lump on my jaw on the right hand side, the same place where the tooth flew out of my mouth when the police hit me so hard. I am still in a lot of pain”.</p> <p style="text-align: right;">Dipuo’s Story</p>	
28. Meghan’s Story	<p>Female</p> <p>48 years old</p> <p>Supports 4 other people from her sex work</p>	<p>June 2002 event (Site 4e)</p> <ul style="list-style-type: none"> Witness was working at Site 4a. She was wearing a mini skirt. When the client finished, the witness states the client beat her up, took her cell phone and money. The witness attended Site 4e Police Station to report the robbery crime against her. She could describe the client. Two police ladies and one male Police Officer spoke with the witness. They asked why she was wearing a mini skirt. The witness was told if she wanted to open a case, she had to go home, change clothes and come back dressed nicely. The witness left the Police Station crying. Signed statement dated 13 May 2016 held on file by Sonke Gender Justice. <p>“I wanted to make a statement about sexual assault and robbery. I could describe the man who robbed me”.</p> <p style="text-align: right;">Meghan’s Story</p>	<ul style="list-style-type: none"> Neglect – refusal to take a complaint of crime or investigate it
26. Angie’s Story	<p>Female</p> <p>27 years old</p> <p>Supports 6 other people from her sex work</p>	<p>2014 event (Site 4f)</p> <ul style="list-style-type: none"> Around 8am in the morning during summer time, the witness was working at Site 4f. She met with a client, they agreed on the cost of R50. The witness went with the client to his home in Yeoville. When they arrived at the client’s home, the man pulled a gun, and identified himself as a Police Officer to the witness showing her his police card. The man made the witness lie down, and inserted the gun into her vagina, and moved it in and out. The gun was black in colour. The witness asked the man to stop, he told her to shut up. The witness said it felt very painful and 	<ul style="list-style-type: none"> Torture Sexual Assault Bestiality Neglect – refusal to take a complaint of crime

		<p>she was very scared. She thought the man might kill her.</p> <ul style="list-style-type: none"> • The man called his dog over and made it have sex with her. The witness suffered injuries. • When the dog moved away, the witness ran away even though the man still had his gun out. She ran to Site 4f Police Station. • When she arrived at Site 4f Police Station, a lady Police Officer spoke to the witness. The lady Police Officer told the witness that before she could speak to police, the witness had to go home and have a bath because she smelt. The witness told the lady Police Officer a dog had had sex with her, she wanted to go to hospital. • The witness describes in detail the female Police Officer who would not help her, the witness would recognise the off duty Police Officer who assaulted her again. • The witness was very upset. She went home, had a bath, went to the doctor and got some medication. She was too scared to go back to the Police Station again. The witness didn't think they would help her anyway. • Signed statement dated 13 May 2016 held on file by Sonke Gender Justice. <p>"The man called his dog over, and got the dog to have sex with me. It was a big dog, (described) in colour. I felt the dog's penis in my vagina. The dog hurt me, his claws scratched me. My vagina was bleeding it hurt so much".</p> <p style="text-align: right;">Angie's Story</p>	
29. Taylor's Story	<p>Female</p> <p>35 years old</p> <p>Supports 3 other people from her sex work</p>	<p>1997 event (Site 4g)</p> <ul style="list-style-type: none"> • It was a summer night and the witness was walking down a road. Two police stopped and spoke with her. They told the witness they were arresting her and took her to a local park. • The witness asked the police what they were going to do. They told the witness she must "fuck" with them so they would leave her alone. • The witness felt very scared, and had sex with both the Police Officers because she thought they would hurt her or take her to the Police Station. One of the police used a condom, the other did not. • The police came from Site 4g Police Station. The witness would recognise them again. <p>March 2016 event (Site 4a)</p> <ul style="list-style-type: none"> • The witness was downtown near (named) Street. It was daytime, around 10.00am. • A police car came to the witness, with two Police Officers inside it. One was coloured, the other was black. The coloured Police officer sprayed pepper spray into the witnesses' face, and slapped her. 	<ul style="list-style-type: none"> • Sexual assault and rape • Assault • Unlawful arrest • Unlawful detention • Cell conditions • Refusal to allow phone call

		<ul style="list-style-type: none"> The other Sex Workers ran away. The witness would recognise both these Police Officers again. They come from Site 4a Police Station. <p>May 2016 event (Site 4a)</p> <ul style="list-style-type: none"> The witness was at the same location in (named) Street, it was night time. The same coloured Police Officer came back to the location, he was with one other police man in a police van. The coloured Police Officer said the Sex Workers were under arrest, so the witness and five other ladies go into the back of the police van. They were taken to Site 4a Police Station and kept overnight in the police cells which were dirty, cold and the police would not give the witness a blanket. The witness asked why she had been arrested. The police just locked the cell door in her face. She asked to make a phone call and police refused. The next day around 11.00am the police let the witness and other women go. Signed statement dated 13 May 2016 held on file by Sonke Gender Justice. <p>“The coloured police officer sprayed pepper spray into my eyes, and slapped me. I felt a lot of pain. Other sex workers ran away. The police told me to just go and I walked away. I would recognise these police officers again. These police came from (Site 4a) Police Station”.</p> <p>Taylor’s Story</p>	
27. Jess’ Story	<p>Female</p> <p>29 years old</p> <p>Supports 2 other people from her sex work</p>	<p>2007 event (Site 4h)</p> <ul style="list-style-type: none"> The witness was assaulted and robbed by a client. She could identify the man. He stole her money and cell phone and refused to pay her. The witness attended the 4h Police Station. When she told the police she was doing sex work, the police laughed at her and called her a <i>magosha</i>. There were two female and one male Police Officer laughing at her. They told the witness that she was not supposed to be doing that work and she was the one who should be arrested. The witness left without opening the case because the police would not help her, they just laughed. The witness has never reported any other crimes to the police because she knew she would get the same treatment and they would not help her. <p>May 2016 event (Site 4h)</p> <ul style="list-style-type: none"> Saturday night at 9.00pm, the witness was paid by a client with a R50 note. When she went to buy something later that night, she realised the R50 note was fake. She wanted to report it to the police but was too scared they would laugh at her. 	<ul style="list-style-type: none"> Neglect – refusal to take a complaint of a crime and investigate

		<ul style="list-style-type: none"> Signed statement dated 13 May 2016 held on file by Sonke Gender Justice. <p>"I cannot report abusive or violent clients since 2007 because I am scared that I will be arrested for doing sex work and they will not take my complaint seriously".</p> <p style="text-align: right;">Jess' Story</p>	
17. Paballo's Story	<p>Female</p> <p>31 years old</p> <p>Supports 6 other people from her sex work</p>	<p>2005-2006 events (Site 4h)</p> <ul style="list-style-type: none"> The witness worked at a brothel at Site 4h in 2005-2006. The police from 4h Police Station would come every weekend on the Friday afternoon and collect money for every lady on the premises. It didn't matter if a person was just having a drink, or whether the person was actually doing sex work. The police would collect everyone, put them in the police riot vehicle, take them to Site 4h Police Station and keep them in custody all weekend. The police would make the Sex Workers pay a fine of 300 rand for loitering before they would be released from the Police Station. If someone didn't have money to pay, they would be kept in the cells all weekend and just released on Monday morning. <p>April 2016 (Site 4i)</p> <ul style="list-style-type: none"> Around 3.30pm the witness had accepted a client whilst working at Site 4i at a brothel. The witness turned to get a tissue, leaving her phone on the bed. After the client left, the witness realised the client had stolen her phone, there was nobody else who could have moved it. The client was a regular, so the witness would recognise him again. The client had to keep working that day to earn money to buy food for the people she supports. The next day the witness attended the Site 4i Police Station to report her stolen phone. The man who served her was Constable (named). This Police Officer said he didn't want to interfere in prostitution matters, and called another Police Officer over. The new Police Officer started to interrogate the witness. She was told that she had no evidence that the client had stolen her phone as she didn't physically see him take it. The witness wanted to make an affidavit recording her story to prove she tried to report the crime. This Police Officer refused to take an affidavit from the witness. The original Constable called another Police Officer over, and the witness repeated her story for the third time. She then realised the police were just amusing themselves with her and didn't intend to help her. The witness left the Police Station. Signed statement dated 10 May 2016 held on file by Sonke Gender Justice. 	<ul style="list-style-type: none"> Bribery and corruption Unlawful arrest Unlawful detention Neglect – refusal to take a complaint of crime and investigate

		<p>“It didn’t matter if you were just having a drink or doing sex work, they would collect all of us and put us in the back of a police riot vehicle. They would take us to the police station and keep us there all weekend”.</p> <p>Paballo’s Story</p>	
<p>12. Rosinah’s Story</p>	<p>Female</p> <p>38 years old</p> <p>Supports 8 other people from her sex work</p>	<p>2000 events (Site 4g and 4j)</p> <ul style="list-style-type: none"> • The witness was working from the street at Site 4g. She had noticed police harassing Sex Workers at that location. • One week day a police van from Site 4i with two Police Officers stopped near the witness, who was with two other ladies. The police told them they were under arrest. The witness asked why they were being arrested. The police told the witness that they were being arrested because they were sitting in a corner and their business was not legal. • The witness and two other ladies were conveyed to Site 4j Police Station and kept them overnight in the cells. • The witness did not pay a fine and did not have to go to Court. She was given paperwork which indicated a crime of loitering. • Two days later the same police saw the witness at the same location. There was another Sex Worker nearby. • The witness told the police that she had to make money to support other people. One of the Police Officers slapped her across the face. She and the other Sex Worker tried to run away. The police got out of the car and chased them with a sjambok. • The witness was hit in the back by the sjambok and her back started to bleed. She has a scar from this injury. • The other lady jumped over a fence but there were dogs in the yard and they attacked her. She was bleeding very badly. • When the police saw both the Sex Workers were bleeding, they left. A security guard from ADT nearby saw what had happened and took the two women to the nearby Site 4j Police Station. • When they tried to make a complaint to police about being chased and hit with the sjambok, the police at the station would not take their complaint. They told the witnesses they couldn’t make charges against the police, the police did the right thing by beating them and it was the women’s own fault for being on the street. • The witness asked to talk to the Station Commander and was told to come back the next day. • It was clear to the witness that the police would not 	<ul style="list-style-type: none"> • Assault with a sjambok • Neglect – refusal to take a complaint of crime and investigate • Ongoing Harassment & Intimidation • Sexual assault and rape • Torture – discharging pepper spray in closed environment and crushing people inside

		<p>take their statements and were not going to help them that day, or the next day.</p> <ul style="list-style-type: none"> • The police told the witness and the other lady they were useless, they didn't have a lawyer and were wasting their time. • They left the Police Station and the witness did not go back the next day. <p>2003 event (Site 4g)</p> <ul style="list-style-type: none"> • The client was working near Site 4g. The police from Site 4g would chase them with their police dogs and hunt the Sex Workers down. The witness was chased many times. She has scratches and scars and marks all over her body from jumping fences and walls to avoid the dogs. The dogs would bite and attack if they caught the witness. • In the early hours of one Friday morning, the witness was arrested at Site 4g, along with 18 other Sex Workers. • One of the Police Officers told the witness that she would stay in custody until Monday morning when she would go to Court. This Police Officer told the witness that if she slept with him and had sex, he would let her go. The witness refused, because she felt safer staying with the other arrested Sex Workers than going with this male Police Officer. • On Monday the witness and others appeared at (named) Court. The Magistrate refused to deal with the matters, said it was all time wasting, and told the Sex Workers to all go home. All 19 of the Sex Workers were released filthy and smelling after 3 days in the cells. • That Monday night, the police came back to the same location where the witness had been arrested the last Friday night. The police laughed, and arrested six of the Sex Workers again. They did not take the Sex Workers to the 4g Police Station. Instead they drove them to the N1 Freeway near the first toll gate around 1am in the morning. • All six Sex Workers had no money so they started walking back to Johannesburg. Around 4am a truck driver picked them up and dropped them back in Johannesburg. • The witness was arrested again two days later at the same location. She and another Sex Worker were driven to Zoo Lake. The police demanded sex and refused to use condoms. The police threatened that if both ladies didn't give the police sex, they would be driven to Sun City (a prison in Johannesburg) and be dropped off there with no way to get home. • The witness felt she had no choice but to have sex with the police. The two officers kept swapping between her and her friend. Neither Police Officer 	
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		<p>wore a name badge. The witness recalls seeing a name printed on one of the Police Officer tshirts as he was lying on top of her, but cannot remember that name now she was so scared and upset.</p> <ul style="list-style-type: none"> • When the Police Officers finished having sex, they told the witness and her friend to run away, then drove off. • The witness attended Site 4a Police Station the next day to report the rapes and lay charges against the two Police Officers. The police were laughing at her as she told the story of what had happened. She named one of the Police Officers from the name she had seen on his tshirt. The police did write down her details, and told her to come back in two days time. • The witness returned to Site 4a Police Station two days later. When she arrived, the rapist Police Officer from 4g Police Station was waiting for her. He told the local police from Site 4a that he had been trying to arrest the witness, and she had stolen his mobile phone. A lot of police came and laughed at her, called her a <i>magosha</i> and told her to stop telling lies. The witness left the Police Station feeling very embarrassed and upset. • This same Police Officer from Station 4g kept harassing the witness after this. He told the witnesses' friends that he was going to shoot her, kill her, hurt her. The witness was terrified and stayed away from the location for three years. <p>June 2013 event (Site 4a)</p> <ul style="list-style-type: none"> • One week night in winter, the police arrested approximately 50 Sex Workers from various locations in the CBD. • Witness states they were all jammed into the back of one of the police riot vehicles and driven to Site 4a Police Station. The police parked and left the vehicle. It was hard for the witness to breathe because they were so crushed together inside. • The police unlocked the door, sprayed the inside with pepper spray and relocked the door. People were screaming and yelling. Around 30 minutes later the police unlocked the door. • All those arrested were told they were being charged, and were put in the cells. The next day they were just released with no charges and no paperwork. • The witness now runs whenever she sees the police. She hasn't had any further incidents because she is so careful to avoid them. • Signed statement dated 14 April 2016 held on file by Sonke Gender Justice. 	
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		<p>“They told us that if we didn’t have sex, they would take us to Sun City (a prison in Johannesburg) and drop us off there with no way to get home. I felt I had no choice so had to have sex. The two police officers kept swapping between myself and my friend. Neither police officer wore their name badges. Whilst one of them was lying on me, I saw his tshirt which had a name printed across it. I can’t remember it now, I was so scared and upset but I remember seeing the tshirt. When the police officers had finished, they told us to run away, then they drove off”.</p> <p>“The police officer from (Site 4a) kept harassing me for three months. He continued to tell my friends that he would shoot me, he would kill me and he would hurt me. I was terrified this man would kill me”.</p> <p>Rosinah’s Story</p>	
16. Refilwe’s Story	<p>Female</p> <p>35 years old</p> <p>Supports 4 other people from her sex work</p>	<p>2011 event (Site 4L)</p> <ul style="list-style-type: none"> • The witness was working as a street based Sex Worker at Site 4L. It was around midnight on a weeknight and winter time. The witness was new to the area. • A Police Officer driving alone stopped his police van, chased and caught the witness. He told her to get into the front seat of the van. The witness describes the Police Officer in detail. • The Police Officer drove for a short time, touching the witnesses’ legs, saying she would have to have sex with him or he would arrest the witness. • The witness told the Police Officer she would have sex with him to stop him arresting her. The witness negotiated with the Police Officer to wear a condom during the sex. • The Police Officer drove to somewhere dark behind some buildings in Site 4L. When he was finished having sex with her, he drove the witness back to where he had originally caught her. <p>“The police officer drove around for a short time, he was touching my legs, telling me I had to have sex with him or he would arrest me. I told the police officer I would have sex with so he would not arrest me”.</p> <p>Refilwe’s Story</p>	<ul style="list-style-type: none"> • Sexual assault and rape • Unlawful arrest • Bribery & Corruption
22. Baleka’s Story	<p>Male</p> <p>34 years old</p> <p>Supports himself from his sex work</p>	<p>November 2015 event (Site 4k)</p> <ul style="list-style-type: none"> • Just after pay day at the end of November 2015, the witness was with another Sex Worker driving to a particular location in a taxi. They were talking with the driver about the location being a hot spot for Sex Workers. • The witness and his friend confirmed to the driver they were Sex Workers. They negotiated business with the taxi driver. They bought some alcohol and 	<ul style="list-style-type: none"> • Bribery & Corruption • Harassment & Intimidation • Sexual assault – photographing genitals

		<p>parked in a safe place.</p> <ul style="list-style-type: none"> • A police car drove past with blue lights. A short time later it came back and stopped. Two Police Officers got out, descriptions provided. They searched the taxi but didn't find anything. The police told the witness, his friend and the taxi driver to be safe. • The driver explained he was parking overnight because he didn't want to have to drive to collect the taxi again in the morning. One of the Police Officers said they had thought the men were having sex with Sex Workers. The police left. • Approximately 30 minutes later the witness and other two men were engaging in oral sex. Their pants were down but they still had on shirts. The taxi door was pulled open, and the witness heard yelling "police, police, police, freeze, everybody out". The witness recognised the two police from earlier. • The short Police Officer asked who was the woman? He said both the other men must have been eating and fucking the witness because he was the shortest male. The short Police Officer made all three men stand on the grass without their pants, reversed his torch to give a wider light, and told all three men to put their hands up while they both pointed at the men. The witness thought the police were going to shoot them. • The taxi driver kept putting his hands down to cover his genitals, but the police kept making him put his hands up. They made the witness and the two males turn around and show police their bottoms, made comments about the witnesses' bottom being like rugby balls and asked who was going to be first to eat the rugby balls. • The taxi driver said something to the police. The short officer followed him to the taxi, the witness saw the taxi driver pick something up and give it to the Police Officer. The witness thought it was a bribe. The Police Officers then seemed friendlier and happier. • They told the witness and the other two males not to do what they had been doing. The tall Police Officer pulled out a phone and took photographs of the witnesses' penis and groin while the other one held the torch. The police then left. • The police came from Site 4k Police Station and the witness would recognise them again. <p>"They made us turn so they could see our bottoms. They said I had rugby ball buttocks – they were making fun of me. They asked the other two men who was the first to eat the rugby balls. They made us</p>	
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		<p>turn and face them againI feel very humiliated and traumatized. I think the police officer will send the photos to other people. He photographed my face and also photographed the other sex worker".</p> <p>Baleka's Story</p>	
<p>23. Kego's Story</p>	<p>Male</p> <p>32 years old</p> <p>Supports 1 other person from his sex work</p>	<p>25 November 2015 event (Site 4k)</p> <ul style="list-style-type: none"> • Witness was with another Sex Worker in a taxi travelling to a location frequented by Sex Workers. • They had a discussion with the taxi driver, and stopped the vehicle at a (named) place. • The witness noticed a police car drive past with flashing blue lights. Around 20 minutes later, the police car came back and stopped where the taxi was parked. • The police searched the taxi but did not find anything. They asked why three guys were parked together at night in a taxi. They left. • The witness, other Sex Worker and the taxi driver got in the back of the taxi and started to have oral sex. • Around 30 minutes later, the police car came back without the police car, they walked up to the taxi. The witness recalls torches being shined inside, with both Police Officers pointing their guns at the occupants through the glass. One of them opened the sliding door very fast, and pointed his gun directly at the witness, and told them to all get out. All three men had their pants and shoes off, but their shirts on. • The police were asking questions like who is the woman here, why are you naked? • The police made the three men put their hands in the air, turn around show the police their bottoms. The tall Police Officer took a number of photos. They were laughing at the three men. The police officer taking the photos said they had found a miracle tonight and he needed to take photos to show people. The witness believes he was taking the photos for himself, not for policing purposes. • The taxi driver was very panicked and scared. He went with the short Police Officer to the side of the taxi and the witness could not hear what they said. • The short Police Officer called the taller one over. The two Sex Workers were then allowed to get dressed. • The witness saw the taxi driver give the short Police Officer something, with the tall Police Officer watching on. The police attitude changed then, the witness thinks the driver paid the police a bribe. • The police told the men if they found us there again there would be trouble. They would arrest the men, put them in the cells without charging them, and they would tell other men in the cells about 	<ul style="list-style-type: none"> • Harassment & Intimidation • Public humiliation • Sexual assault - taking photos of genitals • Bribery & Corruption

		<p>them and get them to harass the witness and his friend.</p> <ul style="list-style-type: none"> • The police told the taxi driver that if he was caught there again, they would tell his wife, his employer and the family. • Signed statement dated 13 May 2016 held on file by Sonke Gender Justice. <p>“I saw the taxi driver take something from his driver’s side of the taxi, and I saw him give that thing to the short police officer, with the tall officer just standing there with them. The polices’ attitude changed straight after the short police officer received the thing from the taxi driver, I think the taxi driver paid them a bribe”.</p> <p style="text-align: right;">Kego’s Story</p>	
24. Karabo’s Story	<p>Transgender</p> <p>39 years old</p> <p>Supports 3 other people from his sex work</p>	<p>May 2016 event (Site 4k)</p> <ul style="list-style-type: none"> • At 11.00pm at night the witness was near Site 4k looking for clients. He had noticed some police in the area. • A regular client called the witness over. He got into the car and the client started driving around. They were just talking. • A police van flashed its lights behind them and the client stopped the car. Two Police Officers walked up to the car, one was tall, dark and skinny. The other was average size. The witness provided the name of the average sized Police Officer. They are from Site 4k Police Station. • Both the police told the witness and the client to get out of the vehicle. They asked the client why did he pick up a prostitute? The police asked if the client was married? The client told the police he was trying to give the witness a lift. The client was wearing a wedding ring so it was obvious he was married. • The police wanted the client’s wife’s phone number. The client refused to give it to them. Both the police then demanded a bribe. They told the client if he didn’t give them something, they would arrest him, or take him and the witness to show his wife what the client was doing, picking up prostitutes at night. • The client gave the police R500 or R600. The witness saw the money being given to the shorter Police Officer. They let the client drive off but made the witness stay there with them. • The witness demanded something from the police because they had scared the client away. The short Police Officer pulled out his pepper spray and sprayed the witness in the face. The witnesses’ eyes and face were burning. The police drove off. • Some other Sex Workers saw what had happened 	<ul style="list-style-type: none"> • Bribery & Corruption • Ongoing Harassment & Intimidation • Assault • Misuse of pepper spray • Neglect – failure to take a complaint of crime and investigate

		<p>to the witness and came to help.</p> <ul style="list-style-type: none"> • Witness reports police demanding bribes from the witnesses' clients over 5 times already in 2016. • Signed statement dated 13 May 2016 held on file by Sonke Gender Justice. <p>"I have not reported this event to police because when I've tried to report things to (Site 4k) police before, they say we are sex workers, we are doing illegal work, and they chase us away. I do not think the police will take a report from me, as they just threaten me and I've (been) put in the cells and chased away before for trying to make a complaint ... Five of my clients have already had to pay bribes to police, here in (Site 4k) and also in (Site 4L)."</p> <p>Karabo's Story</p>	
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7.5

CASE STUDY 5

SITE 5 – (De-Identified), Gauteng Province

7.5.1 Site Description

These three Witness Statements relate to a single event of bribery and corruption.

The three witnesses reside in a residential flat in a residential area between Johannesburg and Pretoria. Two of the residents conduct sex work from the premises. The other person is a Peer Educator from a health service which provides direct services to sex workers. Two of the three witnesses are related. This site was included as it provides three witnesses to the same event, all interviewed separately but providing identical versions of events to corroborate the details.

7.5.2 Summary of Policing Issues at the Site

The issue reported at this location is corruption. One witness did recount some historical events involving police including rape. That information has been inserted in Case Study 4 above.

7.5.3 Witness Statements from Sex Workers at Site 5

Statement No. & Alias Name	Witness Description	Summary of Witness Statements	Summary of Policing issues
16. Refilwe's Story	Female 35 years old Supports 4 other people from her sex work	December 2015 event <ul style="list-style-type: none">The witness used to do sex work but now works for a health clinic as a Peer Educator.The witness was visiting family in Swaziland when she received a call from her flatmates that police were at the door and wanted to come inside and search for drugs. The witness told the police not to let the police in without a search warrant. January 2016 event <ul style="list-style-type: none">The witness was home asleep in bed. After midnight, her bedroom door opened and police came into her bedroom. They told the witness to get out of bed and to stop pretending she had been sleeping because they knew she had been doing sex work.The witness describes the police officers in detail. They came from Site 5 Police Station.The witnesses' two flatmates were in the lounge	<ul style="list-style-type: none">Bribery & CorruptionHarassment & Intimidation

		<p>room. The police asked the witness what was happening here. He said this one is selling sex, and pointed at her female flatmate, telling the witness that all of them must know it and they must all be doing it.</p> <ul style="list-style-type: none"> • The Police Officer pointed at the witnesses' female flatmate and said "This one's phone number is on the internet, I called her and this is where she told me to come". The Police Officer told all three of them to get dressed, they were under arrest and would be taken to the Police Station. • The witness asked to make a phone call but was refused. She had wanted to phone her boss to find out what she should do. • The witness went back to the bedroom to change from her pyjamas into clothes. • The witness spoke to the short Police Officer and offered him money if he would not arrest her as she was very scared of being taken to the Police Station. The tall Police Officer listened quietly and did not say anything. • The short Police Officer wanted a bribe of R200 before he would release all three people. The witness agreed to pay that amount and took the money out of her clothes. • The witness handed the R200 to the short Police Officer. He took it but did not supply a receipt or any paperwork. He told the witness they must stop doing sex work from the house or police would come back. The police left around 2.00am. • The witness would recognise the Police Officers again. <p>"He wanted R200 before he would release all three of us. I agreed to pay the short police officer R200. I already had the money in my pyjamas as I had grabbed it earlier when the police were in my bedroom".</p> <p style="text-align: right;">Refilwe's Story</p>	
20. Thandi's Story	<p>Male</p> <p>30 years old</p> <p>Supports 1 other person from his sex work</p>	<p>January 2016 event</p> <ul style="list-style-type: none"> • The witness was at home around 7pm. The sliding door in the lounge room was unlocked. The witness saw four male and one female Police Officer walk through the door into his lounge room. • The police told the witness they had been told that drugs were being sold from the property. They asked the witness and his two friends where they worked, what kind of work they did. • Once Police Officer picked up the witnesses' phone and started looking through it. The witness asked for his phone back, it was private. 	<ul style="list-style-type: none"> • Unlawful entry • Illegal search • Harassment & Intimidation • Bribery & Corruption

		<p>He was handed his phone.</p> <ul style="list-style-type: none"> • A different Police Officer asked where the girls were. They searched one of the witnesses' male friends. • The witness told the police to leave because they had no search warrant to come inside his house. The police left and said they would be back. <p>January 2016 event</p> <ul style="list-style-type: none"> • Around midnight the witness received a call from a man who he thought was a client. They agreed on business. The witness gave the man on the phone his address to come to and asked him to wait at the front security gate. • A car arrived at the gate shortly after, the witness opened the gate. As they walked back inside, the witness noticed they were Police Officers. • One Police Officer walked straight past the witness to the bedroom area. He was short and had dark skin. The other officer stayed with the witness in the lounge room. • The witness told the police the girls were sleeping. The short Police Officer was very aggressive and searched through all the rooms. He got both the witnesses' flatmates out of bed after waking them up. He told them to come to the lounge room. • The short Police Officer asked for their identification. One of his flatmates had an out of date passport. The other flatmate asked to speak to the short Police Officer and they had a discussion. My flatmate negotiated a bribe with the police. The short Police Officer took the money, then they left. • Signed statement dated 18 May 2016 held on file by Sonke Gender Justice. <p>"My flatmate with the ID card negotiated a bribe with the short police officer, to stop them arresting all three of us. The short police officer took the money. The police then left. They were at my house approximately 20 or 30 minutes in total. These police officers come from (Site 5) Police Station".</p> <p style="text-align: right;">Thandi's Story</p>	
21. Nomvula's Story	<p>Female</p> <p>29 years old</p> <p>Supports 2 other people from her sex work</p>	<p>January 2016 event</p> <ul style="list-style-type: none"> • The witness was asleep in bed. She heard people talking. She was still sleepy but got up and saw police were leaving the house. She said hello as they left and went back to bed. <p>January 2016 event</p> <ul style="list-style-type: none"> • The witness was sleeping and woke up to find a police man in her bedroom. He was short. He told her to get up and got to the lounge room. 	<ul style="list-style-type: none"> • Bribery & Corruption

		<ul style="list-style-type: none"> • When she walked into the lounge room, the witness saw another tall Police Officer. They asked her what was happening. The witness responded she had been asleep and didn't know. The short Police Officer told the witness that she must know what is going on in the house, the witness was sharing a room with her flatmate. The witness kept repeating she did not know what was happening. • The short Police Officer told the witness that her flatmate must wake her up when he has clients at the house as they would need the bedroom to do business. The Police Officer asked if the witness was a Sex Worker. She told him no. The short Police Officer kept calling her a liar and that she must be part of it. • The short Police Officer asked for her identification. The witness gave him her passport which had expired. He wanted something more up to date but the witness did not have anything. • The short Police Officer said he was taking them to the cells and the witness would be deported. The tall Police Officer was also asking her questions, but he was being polite. The short Police Officer was very aggressive. • The witnesses' female flatmate called the short Police Officer into a bedroom. When they came out the witness noticed her flatmate now had the witnesses' passport in her hand. • The flatmate told the witness she had paid a bribe to the police to stop them arresting all three of the residents. • Signed statement on file dated 18 May 2016. <p>“The short police officer said my male flatmate must wake me up when he has clients at the house as they would need the bedroom to do business. He asked me if I was a sex worker. I told him I was not a sex worker. He said that I must know, and I must be part of it. The short police officer kept calling me a liar”.</p> <p style="text-align: right;">Nomvula's Story</p>	
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7.6

CASE STUDY 6

SITE 6 – (De-Identified), Mpumalanga Province

7.6.1 Site Description

The site is a large rural town in Mpumalanga Province. A number of houses in residential streets are utilised as informal brothels. Sex Workers rent a room on site to conduct their activities from. Each house is fenced. Sometimes the Sex Workers sit out the front of the houses to indicate their availability. All policing incidents involve the same Police Station.

7.6.2 Summary of Policing Issues at the Site

The priority issue reported at this location relates to unlawful arrest, unlawful detention, violence by police against Sex Workers, ongoing harassment and intimidation. Issues are systematically recurring, affecting multiple Sex Workers.

There is also an instance of neglect/corruption where the witness suffered a life threatening injury but the police investigation was stopped against her wishes. Given the evidence available of the victim's gunshot injuries and seizure by the police of the firearm used to shoot the victim, there appears to be no legal or valid grounds for discontinuing this investigation and refusing to prosecute a crime which nearly killed this Sex Worker and has left her with permanent injury.

The same locations and Sex Workers are targeted by police at this site. Assaults by police within the police station, in the charging area, within police vehicles and at the informal brothels appear common. One arrested client of a Sex Worker was beaten by police within the charge room in front of multiple Sex Worker witnesses. Photos were taken by witnesses to the event to document this person's injuries sustained within the Police Station.

Reports of brutality and cruelty are consistently reported by the various witnesses. Multiple witness statements corroborate the same events.

The Women's Legal Centre has appeared at Site 6 court on a number of occasions for Sex Workers. These police charges were all dismissed.

There is also anecdotal evidence of harassment of legal representatives, including intimidation and harassment whilst inside the Police Station.

7.6.3 Timeline Snapshot of Policing Issues

TIMELINE OF POLICING INCIDENTS INVOLVING SAPS & METRO POLICE Location: Site 6 (De-identified), Mpumalanga Province			
No.	Date:	Description of Alleged Incident	Main Issues
1.	December 2014	<ul style="list-style-type: none"> Three Sex Workers arrested for prostitution. A Police Officer unknown to these women drove them around 200 metres, pepper sprayed them, hit the clients and dropped them off in bushland. WLC holds a copy of Witness Statement. Case of assault opened against this Police Officer. Client instructed WLC to close file, she no longer wanted to proceed against the Police Officer. 	<ul style="list-style-type: none"> Unlawful arrest Assault Intimidation
2.	December 2014	<ul style="list-style-type: none"> Sex Worker arrived home, shortly after was shot three times by her landlord when she opened the door. Ambulance and police attended. Firearms seized. Witness sustained serious life threatening injuries, and significant scarring. Witness wanted the landlord charged with serious offences including attempted murder, inflicting grievous bodily harm etc. Police Officer managing investigation threatened the witness that she would be deported if she proceeded. Case closed against her wishes and guns returned to the landlord who shot and nearly killed her. Sonke holds signed statement on file. WLC attempting to relocate this client to lodge damages claim. 	<ul style="list-style-type: none"> Neglect and possible corruption – refusal to investigate serious crimes that caused life threatening injury Harassment and Intimidation of witness by police
3.	June 2015	<ul style="list-style-type: none"> Incident at informal brothel involving the Site 6 Station Commander. Sex Workers threatened they had seven days to leave the location. Two clients arrested when they entered the brothel premises. 	<ul style="list-style-type: none"> Harassment & Intimidation Threats made by police
4.	September 2015	<ul style="list-style-type: none"> Sex Worker was walking along a street with two other ladies. Police chased and caught them around 8pm. Witnesses detained by police until 3.00am, not charged or provided with any paperwork, simply locked in cells for 7 hours. 	<ul style="list-style-type: none"> Unlawful arrest Unlawful detention Harassment & Intimidation
5.	October 2015	<ul style="list-style-type: none"> SAPS conducted a raid at an informal brothel in (named) Street (different location to item 5 below). When police entered the yard, one Sex Worker struck with a knobkerrie, kicked repeatedly and sustained a permanent neck injury. Police left. Witness attended the Police Station the next day to lodge a complaint against police. She never received a case number. The witness followed up again with no result. 	<ul style="list-style-type: none"> Assault Excessive violence used by police Police Neglect – refusal to take a complaint of a serious crime

6.	November and late November 2015	<ul style="list-style-type: none"> • SAPS conducted a number of raids on an informal brothel in (named) Street during November. • During one incident, a Sex Worker was struck with the barrel of a police gun, another was threatened a knife, and another dragged by her hair. • Multiple Sex Workers arrested and forced into police van. Cell conditions filthy and refused access to clean sleeping pallets and blankets. • Property damage caused. Landlord lodged complaint with police. WLC advises landlord received compensation for damage. • WLC have lodged formal complaint with police on behalf of Sex Workers. • WLC represented Sex Workers. All matters dismissed at Court. One Sex Worker had paid 500 rand bail but police refused to refund it even though her matter was never listed at Court. • One Sex Worker refused sanitary pads and taunted by police when she got her period and was kept in custody for days. • WLC reports Sex Workers were arrested without any charge, and when they tried to open assault cases against the police, the police refused to open the cases. 	<ul style="list-style-type: none"> • Assault • Assault using a weapon ie knife, gun barrel • Verbal abuse • Excessive violence used by police • Unlawful arrest • Unlawful detention • Malicious damage to property • Cell conditions
7.	December 2015	<ul style="list-style-type: none"> • Public march by Sex Workers – Police and Metro Police denied Sex Workers permission to March 	<ul style="list-style-type: none"> • Breach of Freedom of Speech and Right to Assembly
8.	March 2016	<ul style="list-style-type: none"> • (One witness reported the date of this event as February 2016, another reported it as March 2016. The balance of Sex Workers interviewed recorded it in March.) • Police raided an informal brothel in Site 6 at 2.00am. Nine Sex Workers all arrested whilst sleeping etc. • Excessive violence used during arrests, slapping and swearing at the Sex Workers. Sjamboks used to beat people. • Property damage caused by police to premises. • Multiple Sex Workers forced into one police van. Some were in light clothing, some with very limited clothing but not allowed to dress warmly before arrest. • Station Commander allegedly made threat to burn down the brothel houses with the Sex Workers inside. • When they started to sing in the police van, police discharged pepper spray in the tight confines and closed the window. People in the police van suffered breathing difficulties. • Police refused to let them access warm clothes were delivered to Site 6 Police Station. • Police beat one of the arrested clients badly in the charge room after he asked for permission to go to the toilet. When the client wet himself, an identified 	<ul style="list-style-type: none"> • Unlawful entry • Unlawful arrest • Unlawful detention • Excessive use of violence by police • Torture – discharging pepper spray within confined space • Misuse of pepper spray • Cell conditions • Abuse of legal advisor, refusal to allow access to clients, swearing at legal advisor

		<p>Police Officer beat this person. Photographs taken to document the injuries from the police beating in the charge room.</p> <ul style="list-style-type: none"> • Police kept the Sex Workers in custody until the next night, then released with paperwork to attend Court on a specified date in March 2016. • When WLC staff attended to apply for police bail, police denied bail, swore at the legal advisor within the Police Station after keeping them waiting for hours. Police denied the Sex Workers' legal advisor access to the clients, swearing and abuse towards legal advisor recorded on mobile phone. • WLC heard the Station Commander and a warrant officer arguing about whether the ladies were allowed to have blankets in the cells due to the very cold conditions. Incident recorded on a mobile phone. Sex Workers were refused warm clothes despite the wet conditions in the cell from a leaking roof. • Matters were withdrawn by Prosecutor at Court when WLC attended. 	
9.	March 2016	<ul style="list-style-type: none"> • WLC conducted a human rights defenders training with Sex Workers after reports of numerous incidents involving police from Site 6. • WLC took statements from arrested Sex Workers appearing at Court on a specified date in March 2016. 	
10.	March 2016	<ul style="list-style-type: none"> • WLC attended Court on behalf of Sex Workers arrested in the early hours of a specified date in March. • Matters no billed at Court. • Legal advisor and others attended the Site 6 Police Station to speak with (named) Police Captain. • Legal advisor told to "voetsek" by Police Captain. 	
11.	23-27 May 2016	<ul style="list-style-type: none"> • Sonke Gender Justice conducted outreach at Site 6 to collect Witness Statements of ongoing incidents involving police. 19 individual Witness Statements collected from two different sites in Mpumalanga. • Witness Statements reveal multiple serious offences being committed by police against Sex Workers. 	<ul style="list-style-type: none"> • Torture • Assault • Assault inflicting grievous bodily harm • Unlawful arrest • Unlawful detention • Cell conditions • Ongoing systematic harassment & intimidation • Property damage
12.	June 2016	<ul style="list-style-type: none"> • Eight Sex Workers scheduled to appear at Site 6 Court from March arrest. • Legal Aid represented the clients on the day after request from WLC. 	
13.	June 2016	<ul style="list-style-type: none"> • WLC appeared at Site 6 Court on behalf of arrested Sex Workers. Matters provisionally withdrawn by prosecutor. WLC holds copies on file of court dockets, notices to appear etc. 	

14.	October 2016	<ul style="list-style-type: none"> Strategic meeting of Sex Worker service providers held in Johannesburg to address ongoing issues occurring at Site 6. Minutes record SWEAT was in contact with 70 Sex Workers in Mpumalanga to make complaints through the Sex Worker helpline, SWEAT and Sisonke. Note that Sex Work service providers met with MEC of Health, AIDS Council Co-ordinator and CEO notified and Social Crimes contact person notified of ongoing problems. 	
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7.6.4 Witness Statements from Sex Workers at Site 6

Statement No. & Alias Name	Witness Description	Summary of Witness Statements	Summary of Policing issues
37. Mapula's Story	<p>Female</p> <p>36 years old</p> <p>Supports 5 other people from her sex work</p>	<p>December 2014 event</p> <ul style="list-style-type: none"> Witness arrived home from work at 4am. She went into her house she rents on her landlords' property. The witness heard a noise at the door. The witness opened the door to see her landlord standing there pointing a gun at her. She raised her hand, was shot in the arm. The Landlord then shot her twice more in the stomach and she fell to the ground. A neighbour called the police and ambulance. The witness told the police the landlord had shot her when she answered the door. The landlord claimed he thought a nyaope boy was breaking in, claimed her only shot the witness once. Police questioned how there were two bullet holes in the witnesses' shirt. The police asked if the landlord knew the rules of the gun – to shoot in the air first as a warning. The witness was taken to (named) hospital. She was in a critical condition and was then taken to (named) hospital. She was operated on and spent 2 weeks in a coma. When the witness was discharged from hospital, the witness attended (named) Police Station to open a case. She was told to go to the CID Department. She went there and told a white Police Officer what had happened. The witness said the Police Officer told her that there was "no case for a sex worker like you". The same white Police Officer attended the witnesses' home two weeks later. He threatened her, saying she was a Swazi and that she was not allowed in South Africa. The witness insisted her 	<ul style="list-style-type: none"> Police neglect – refusal to investigate and prosecute a serious crime involving a shooting occasioning grievous bodily harm Threats made to the witness to leave the country and return to Swaziland Harassment & Intimidation

		<p>passport showed she was validly in South Africa. The Police Officer refused to accept this and told her she must go back to Swazi, if she wanted to continue with the case she would be in trouble.</p> <ul style="list-style-type: none"> • The witness tried to negotiate with the Police Officer, telling him one of the bullets had gone into her liver and that she would never be able to work properly again. The Police Officer told her he did not care, she was a Sex Worker. • On a specified date in May 2016 the witness phoned the police to follow up her case. She claims the police closed the case, and dropped the charges without her consent. The police told her they had given the gun back to the landlord who shot her which is how she knew they had closed the case. • The witness has large scarring across her stomach, and cannot work. It costs her money to get medical treatment from being shot. She wants the landlord who shot her punished, and also the Police Officer who would not help her. • Signed statement dated 24 May 2016 held on file by Sonke Gender Justice. <p>"I felt very upset that the police would not help me. Because I was not South African and was a sex worker, the police were discriminating against me. I still want the police to take action against the man who shot me. I want the police officer who refused to help me, punished. He had no right to refuse to help me ... I have large scars on my stomach and I can't work properly. Even my arm where I was shot is very weak and I can't work properly."</p> <p style="text-align: right;">Mapula's Story</p>	
48. Thandeka's Story	<p>Female</p> <p>23 years old</p> <p>Supports 3 other people from her sex work</p>	<p>September 2015 event</p> <ul style="list-style-type: none"> • The witness was in (named) Street at Site 6 at night time. She was walking with two other ladies. • A police car drove past, and then stopped down the road and two Police Officers got out. They swore at the ladies saying "Voetsek". The ladies ran away with the police chasing them. Two ladies were caught. • The witness and another lady were taken to the (Site 6) Police Station around 8.00pm. They were not told why they had been arrested, were not given any paperwork or told of any charges. • Approximately 3.00am the police let the witness and the other lady leave the holding cells. They were driven back to the street location where they were arrested, and told not to go near a (named) Guest House any more. <p>March 2016 event</p>	<ul style="list-style-type: none"> • Unlawful arrest • Unlawful detention • Cell conditions • Matters no billed at Court

		<ul style="list-style-type: none"> • The witness was sitting on her bed eating fruit salad in her room at the brothel. • 3 Police Officers came into her room and told her to go outside the house. She couldn't even put her shoes on. When she arrived outside, there were lots of police. • The Station Commander Mr (named) of (Site 6) Police Station used his cell phone to call for more police vehicles. Two vans arrived and around 10 people including the witness were taken to the (Site 6) Police Station. • When we arrived at (Site 6) Police Station, Mr (named) wrote down their names. They were taken to the police cells, which stank of faeces and urine. • All ten people stayed overnight in the cell. About 10.00am the next day a police officer came and said he was releasing them, he did not know why they had been arrested. As they were being escorted out of the cells, the Station Commander Mr (named), told the white Police Officer to take them all back inside the cells. • About 1pm two Police Officers came and opened the cells. Another (named) Police Officer took their fingerprints and names etc. They were put back again in the holding cells. • They were released approximately 4pm, and given a Court date of (named date). The matter was listed on that day, adjourned then to two other dates. • (Note – Subsequently Women's Legal Centre represented the clients and the charges were dismissed in June 2016). • Signed statement dated 25 May 2016 held on file by Sonke Gender Justice. <p>"The police cell was stinking of faeces and urine. There were five blankets but ten of us. The blankets were wet. There were only two foam mattresses and the cell was very dirty".</p> <p style="text-align: right;">Thandeka's Story</p>	
49. Zinzi's Story	<p>Female</p> <p>27 years old</p> <p>Supports 5 other people from her sex work</p>	<p>October 2015 event</p> <ul style="list-style-type: none"> • Witness was at the brothel where she works at Site 5, approximately 9pm. A few police cars parked outside the gate of the property. • A Police Officer called for the witness to come over to him. The witness said no, he should come to her. The Police Officer came over and grabbed her hands, she struggled. • More Police Officers came into the brothel yard. Around 5 Police Officers were beating the witness. They were punching her and hitting her with a knobkerrie. She felt pain, was screaming 	<ul style="list-style-type: none"> • Assault with a weapon • Unlawful entry • Unlawful arrest • Unlawful detention • Unlawful use of pepper spray • Neglect – refusal to investigate

		<p>and yelling out why were they beating her? The police said she was selling “pussy”.</p> <ul style="list-style-type: none"> • The witness fell to the ground and the police kept hitting her. One Police Officer kept striking her leg against the wall. She was bleeding near the wrist. The police hurt her neck during this assault and she cannot turn her neck properly ever since. • The witness heard one of the other Police Officers ask why they were beating the witness. The other police then stopped hitting her. She continued to lay there. A female Police Officer helped her to get up off the ground, told her not to go outside the property that day and the police left. • The witness sustained bruising to her leg and neck and a cut near the wrist. • The witness went to the Site 6 Police Station the next day (Friday) to make a complaint about the police beating. • The police told her they had opened the case, but she never received a case number or an sms like she was supposed to. • The witness went back to the Site 6 Police Station the next Monday to ask about her complaint and why she didn’t receive the SMS police told her would come. The Station Commander at Site 6 Police Station told her the system was slow, she must wait for the SMS. The witness never heard back from the police about her complaint. <p>February 2016 event</p> <ul style="list-style-type: none"> • The witness was at the brothel approximately 2.00am. Some ladies were having a drink, some were asleep, others were relaxing. • Suddenly the police were inside the house. The witness was asleep in her room with a male person. She woke up to find four police in the room, armed with sjamboks. • The police ripped the blankets off her and the male person and started to beat them with sjamboks around the back and body. • The police then took them outside and made her and the male person get into one of the police vans. Other ladies were also arrested and made to get into the van. Some people who were friends of the sex workers, not clients, were also arrested. Everyone was forced into the van. • The witness and three others were put in one van. They started singing. A Police Officer came and looked in the back of the van. A different Police Officer then sprayed pepper spray into the van window. The witness had a lot of pain, she could not breathe properly and her eyes hurt. • The police drove them to Site 6 Police Station and 	assault by police
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		<p>taken to the Charge Room. One of the clients had to go to the toilet and asked permission. He was refused permission, and later wet himself. When this happened, Mr (named) Police Officer hit the client a lot of times, made the client do push ups, grabbed him by the neck and forced him to the ground with his boots. The client was bleeding from the Police Officer hitting him.</p> <ul style="list-style-type: none"> • The witness and others were put in a cell. It was clean, but very cold. There was one blanket and one foam mattress for 14 people in the cell. • Police then took the witness and others one by one from the cell to speak with them. The witness says she was not asked what she was doing, but was told by police she was a Sex Worker. The Police Officer (named) who beat the client told the witness that if he saw any of them even wearing a mini-skirt, he would burn the house down and burn the Sex Workers. The witness was then taken back to the cells. • The witness and others were kept in the cells until 10.00pm on Sunday night, just before the detention period expired. The police gave the witness a piece of paper, saying they had to pay 500 rand or go to Court. Witness thinks she was charged under the Immorality Act. • Witness attended Court three times. Women's Legal Centre presented them at court. On 18 March 2016 the case was closed with no action. • Signed statement dated 24 May 2016 held on file by Sonke Gender Justice. <p>"I fell down to the ground and they kept hitting me. One of them was trying to break my leg, he kept striking it to the wall. That hurt a lot. I was bleeding near the wrist. The police hurt my neck and I can't turn my neck properly ever since".</p> <p style="text-align: right;">Zinzi's Story</p>	
39. Precious' Story	<p>Female</p> <p>23 years old</p> <p>Supports 6+ other people from her sex work</p>	<p>March 2016 event</p> <ul style="list-style-type: none"> • Approximately 9pm, the witness was at the brothel with her house mates. She was in the bathroom, other ladies were in the lounge room eating, some were sitting outside. • Approximately 15 police arrived and came into the house, they were kicking people and swearing at the Sex Workers. The witness could identify some of these police. They come from Site 5 Police Station. One was a white man with a thin body structure. The police officer who was kicking the witness was short and fat. Another Police Officer was dark, tall and looked "very scary". The police did not tell anyone their names. 	<ul style="list-style-type: none"> • Unlawful arrest • Unlawful detention • Harassment & Intimidation • Unlawful use of pepper spray • Cell conditions • Matters no billed at Court

		<ul style="list-style-type: none"> • The Sex Workers were taken to Site 6 Police Station and put in a queue as their details were taken down one by one. The police were insulting the ladies, calling them useless. • The witness asked why she had been arrested and was told to keep quiet. • The witness spent the night at the Police Station in the cells with the other ladies. The cell was wet and dirty, it had two blankets only which were wet and smelling. • The next morning around 8.00am a police officer told them to come out and go home. As they were leaving, another Police Officer said no, they had to come back inside. Around 5 hours later another officer came and asked if they wanted to go to Court or to speak with him. The ladies all chose to go to Court as they didn't know why they had been arrested. • The ladies were fingerprinted and made to sign a document which said they had to go to Court. • The police told the ladies that they did not want to see them on the street anymore. They were making (Site 6) dirty and were told to stop their nonsense. They were then allowed to leave. • The witness went to Court on (named) date. • (Note – the matters was adjourned and subsequently dismissed when the ladies were represented by the Women's Legal Centre.) • Signed statement dated 27 May 2016 held on file by Sonke Gender Justice. <p>"I am scared of the police because they were threatening us and told us they would teach us a lesson. The (Site 6) Police Station are the first ones to harass me. I worked as a sex worker before in (named location) and never had any problems with police They were not like the (Site 6) police".</p> <p>Precious' Story</p>	
40. Lucia's Story	<p>Female</p> <p>39 years old</p> <p>Supports 7 other people from her sex work</p>	<p>March 2016 event</p> <ul style="list-style-type: none"> • Witness was at home around midnight in the bedroom she shares with another lady. They were fully dressed with her flatmate sitting her on bed, the witness was about to change into her pyjamas. • The bedroom door was pushed open, two Police Officers entered the bedroom. They were asked what they were doing. The witness told the police they were about to go to sleep. The police left the room and she could hear them inside other rooms in the house. • Approximately 3 minutes later the police came back and told her they were being arrested. She asked why and was told to ask her colleagues as 	<ul style="list-style-type: none"> • Unlawful arrest • Unlawful detention • Assault • Harassment & Intimidation • Unlawful use of pepper spray • Cell conditions

		<p>this place was a brothel.</p> <ul style="list-style-type: none"> • The police made them go outside and get into the police vans. • Another lady and her boyfriend came outside. The lady told the witness she and her boyfriend had been beaten up by the police when they were asleep in bed. Her boyfriend was also arrested. • The ladies in the van started to sing. One Police Officer sprayed them with pepper spray through the bars. The witness felt pain. • The police drove them to Site 6 Police Station. When they were in the charge room area, one of the (named) Police Officers beat up one of the clients very badly, he was bleeding from the mouth. • The police locked them in the cells. The cell was filthy, the toilet was not working and was leaking some water because it was blocked. There were two blankets and two mattresses but 10 or 12 people in the cell, they were very crowded. • They were kept in the cell overnight, and released around 10.00pm the next day. The witness thinks the police gave her some paperwork but this was her first time arrested and she felt so shocked and upset she can't remember. • Signed statement dated 25 May 2016 held on file by Sonke Gender Justice. <p>"It was very painful, my eyes were itching and my nose was burning inside. We were all coughing so much it was like we were all going to vomit. I felt very sick and very, very scared".</p> <p style="text-align: right;">Lucia's Story</p>	
44. Neo's Story	<p>Female</p> <p>27 years old</p> <p>Supports 4 other people from her sex work</p>	<p>June 2015 event</p> <ul style="list-style-type: none"> • Witness was sitting outside her home and talking with some other Sex Workers. Two police vans came into the street and stopped at the house. There were three Police Officers in one van, the Station Commander of Site 6 Police Station and other police were in the other van. • The Station Commander told the Sex Workers that by the end of the day they should take their things and leave Site 6. He said they were not born there and were corrupting Site 6. He told the witness to tell the landlady to take her stuff and go as well. They would be back at 7pm to check. • The police returned to the property at 7.00pm, with perhaps 7 police vans. The Station Commander at Site 6 was with them. • The police came inside and checked the rooms. 	<ul style="list-style-type: none"> • Unlawful arrest • Unlawful detention • Unlawful entry • Ongoing Harassment & Intimidation • Misuse of pepper spray • Cell conditions

		<p>Two ladies were with clients. The police took the clients and said they were arresting them for buying sex.</p> <ul style="list-style-type: none"> • The Station Commander told the Sex Workers he was giving them all 7 days to move out of Site 6. <p>November 2015 event</p> <ul style="list-style-type: none"> • The witness had moved to another house at Site 6. • On a Friday night around 9pm, 8 police vans arrived with lots of police and a minibus. The witness was inside with a friend. • A Police Officer came into the room, grabbed her hard around the stomach and used some kind of electric shock thing on her a number of times. • All the ladies were pushed outside to the police vans. The police were trying to force them all into one van, but there was no room left. T • The witness was forced into the van, she couldn't breathe properly. The other women were screaming and yelling. • The police van drove them to Site 6 Police Station. • In the charge room, the witness asked why she had been arrested and was told it was for some kind of sexual offence. The ladies were all finger printed then put into the cells. • The cells were dirty, wet and cold. Police refused to give the witness and other ladies any blankets. They stayed in the cell overnight. • In the morning, the police told them to pay a fine of R500 each. Those who had money paid. The ones who could not pay had to stay until the following Sunday in police custody. The witness could pay so she was released. <p>March 2016 event</p> <ul style="list-style-type: none"> • Approximately 2am the witness was sleeping. Witness alleges the police came over the property fence, came inside the property and arrested everyone. This included 3 male clients who had been with Sex Workers, plus another five male friends who were not clients. • The ladies were put in the back of a police van. They started singing. One Police Officer came and pepper sprayed all four of them. The witness could not breathe, some of the other ladies' eyes were damaged. • The witness told police she knew her legal rights when they arrived at Site 6 Police Station. She asked to use a telephone, it was very cold at the Police Station and the ladies needed coats and jackets to keep warm. Police refused to let her make a phone call. • Another lady still had her cell phone so she 	
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		<p>texted back to the house to ask people to bring warm clothes. When the people arrived with their warm clothing, the police refused to let them have the jackets. The police did give them blankets instead.</p> <ul style="list-style-type: none"> • The witness was put into the cells around 4.30am. Before this, one of the clients had asked to use the toilet but they wouldn't let him so he eventually wet himself. • They stayed in the cells overnight. In the morning the police made the witness and others clean the cells. They were taken one by one to make statements. Around 9pm that night they were let go home and given paperwork to attend Court on a specified date in March 2016. (Note – these matters were subsequently no billed at Court when the Women's Legal Centre represented the client and others.) • Statement held on file by Sonke Gender Justice dated 25 May 2016. <p>“The police tried to force us into the police vans. But there was already around 15 girls in the van they tried to force me into. The police kept pushing and shoving us even though there was no room. They forced me to squeeze into the van. I couldn't breathe properly, there was no room. The ladies were yelling and screaming”.</p> <p style="text-align: right;">Neo's Story</p>	
42. Nerima's Story	<p>Female</p> <p>33 years old</p> <p>Supports 8 other people from her sex work</p>	<p>November 2015 event</p> <ul style="list-style-type: none"> • At midnight the witness was asleep in bed. The police came into the house yard and lit up the windows with torches from outside. They kicked in and broke the front door. • More than 15 police from Site 6 Police Station came inside the house. The landlord from the front house on the property came and asked why police were doing this, because everyone was asleep. • The witness states the police kicked in another door to the kitchen. 5 police came into her bedroom and pulled the blanket off her bed. They told her to wake up, then to stand up. • The witness was sleeping naked and felt embarrassed. She pulled the blanket up. • The police left her room and went to a wardrobe in the hall. They kicked the wardrobe door and broke it. The witness stayed in her room but could hear people being beaten up in other rooms in the house. • The police left shortly after. One of the other girls said she'd been beaten by a Police Officer's 	<ul style="list-style-type: none"> • Unlawful entry • Unlawful arrest • Unlawful detention • Property damage • Misuse of pepper spray • Intimidation & Harassment • Cell conditions • Matters no billed at Court

		<p>gun.</p> <p>March 2016 event</p> <ul style="list-style-type: none"> • Around 9pm the witness was waiting outside the house yard for a client. No clients came so she went inside and made a meal. • As she sat down on her bed to eat the meal, Police Officer (name) from Site 6 Police Station came into her bedroom. He told the witness all the ladies had to exit the house. There were 8 or 9 police. • As the ladies were led out of the gate, there were other police in the street. They were handed over to them. The Site 6 Station Commander used his cell phone to call for two police vans to come. • The police made all the ladies get into the vans when they arrived. The vans drove to the Site 6 Police Station. • The police cells smelled of urine, the blankets were wet and dirty. There were more than 10 ladies but only two sleeping sponges. • Around 10am the next day a white Police Officer was about to let them leave the Police Station. The Station Commander (named) of Site 6 said they could not be released because they had not yet been charged. • At 1pm Mr (named Police Officer) took them from the cells, fingerprinted and released them to go to Court on a specified date in April 2016. • The witness did not understand the papers the police gave her so threw them away. • The witness and others went to Court on 4 April, and in May and (updated) in June 2016. • Note - The Women's Legal Centre represented the ladies and the police charges were dismissed in June 2016.) • Signed statement dated 25 May 2016 held on file by Sonke Gender Justice. <p>"The police kicked the second door to the kitchen. As they kicked down this door, they went into the kitchen. This leads to (the witnesses') bedroom. Five police officers came into (her) bedroom and pulled the blanket off the bed. As they pulled the blanket from me they said "Hey, hey, wake up". I asked why I had to wake up? They told me to stand up. I asked why they were doing this? I was sleeping naked. I felt very embarrassed because all the police officers were men".</p> <p style="text-align: right;">Nerima's Story</p>	
45. Ketso's Story	<p>Female</p> <p>26 years old</p>	<p>March 2016 event</p> <ul style="list-style-type: none"> • The witness works from an informal brothel at Site 6. After 9pm on a Thursday night, she and 	<ul style="list-style-type: none"> • Unlawful arrest • Unlawful detention

	Supports 3 other people from her sex work	<p>another Sex Worker were standing at the gate of the property waiting for a client to come along. The police walked up to them so both fled inside the gates and the house. The police chased them.</p> <ul style="list-style-type: none"> • When the police caught them, the witness and the other lady were told they were being arrested for loitering. Police called for police vans to come. • Around 10 women were arrested in total for loitering. They forced all the women into the one police van. They were all crushed up. Women inside the van were telling police it was all full but the police kept pushing more women into the van. The police told the ladies they were not so much special and to get inside the van. • The police drove the van to the Site 6 Police Station, with all the other empty vans following. • At the Site 6 Police Station, the police asked their names, gave them some papers and made them go into a cell. It was raining, the roof was leaking so the blankets were wet. The witness and others asked for jerseys but this was refused, even the ones the landlord had brought down to the Police Station. • The witness and others were kept in the cold cell overnight. The next day at 3pm they were given something to eat. They were allowed to leave the Police Station around 4.30pm. • The paperwork given to the witness said she must go to Court on 4 April 2016. She did so, and the charge was loitering. It was adjourned to May, and then again to June. • (Note – Women’s Legal Centre represented the Sex Workers and the matters were no billed at Site 6 Court.) • Signed statement dated 27 May 2016 held on file by Sonke Gender Justice. <p>“It was very cold, rain was coming in the roof so the blankets were wet. When we asked for jerseys, the police would not give us the jerseys that our landlord had brought down to the Police Station for us. We were freezing in the cells”.</p> <p>Ketso’s Story</p>	<ul style="list-style-type: none"> • Mistreatment by forcing so many into one police van • Misuse of pepper spray • Ongoing Harassment & Intimidation • Cell conditions • No billed at Court
33. Thendo’s Story	<p>Female</p> <p>25 years old</p> <p>Supports 5 other people from her sex</p>	<p>November 2015 event</p> <ul style="list-style-type: none"> • The witness was asleep in her rental flat. The back door was kicked in and around 10 or 15 police came inside. Her two flatmates were out, she was home alone. • Four police came into her bedroom. One of them hit her with the long barrel of his gun, it hurt her. This officer hit the witness a number of times, 	<ul style="list-style-type: none"> • Property damage • Assault with a weapon • Unlawful arrest • Unlawful detention • Property

	work	<p>telling her she had been disrespectful the week before when she refused to open the door.</p> <ul style="list-style-type: none"> • The police man were saying the Sex Workers were making the town dirty and if they kept staying there even with this warning, the Sex Workers would know who they were dealing with. • One of the Police Officers had a knife in his hand and threatened the witness. He ran the knife down her forehead, she jerked her head back. • The witness came out of the bedroom when the police were searching the rest of the house. She went to the landlord in the front house on the block. When the witness and the landlord came back, the police had left the house. There are photos of the damage caused by the police. The landlord lodged a complaint with the police and was given a complaint number. • The Police Officer who hit the witness with the long gun was very tall and of dark complexion. Another Police officer was short. The witness would recognise them again, she has had lots of experience with these police. Some of them spoke (named) language. The witness would recognise these police from Site 6 again. <p>March 2016 event</p> <ul style="list-style-type: none"> • Witness states the police come to the informal brothel she lives at a lot. • On a Thursday night at 8.30pm the witness was at home with her friends. One of them was in the shower, some were eating dinner, others were just sitting talking. There were around 10 women inside the flat. • The police came in the unlocked back door. They made the lady get out of the shower naked and would not let her get dressed. She stayed naked until she could get dressed in the back of the police van. • The police were beating the Sex Workers, forcing them into the van. The landlord was trying to stop the police being so rough with them. The police ignored him. • They were taken to Site 6 Police Station and kept overnight in the cells without being charged. The cells were wet, they had no blankets. • The Women's Legal Centre staff (WLC) came to the Police Station. The police would not let them see the ladies in the cells including the witness. • The next morning WLC and TAC staff were told the witness and other ladies were going to Court. WLC and TAC left to go to Court. Hours later, the witness and others had not left the Police Station. • TAC and WLC staff came back to the Site 6 Police 	<p>damage</p> <ul style="list-style-type: none"> • Cell conditions • Harassment & Intimidation • Misleading legal representatives & refusal to allow access
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		<p>Station. The witness and others were released from the cells around 4.30pm. The charge sheet said "loitering".</p> <ul style="list-style-type: none"> Signed statement dated 25 May 2016 held on file by Sonke Gender Justice. <p>"The cells were cold and wet, there was water lying on the ground. We had no blankets, the rain leaking into the cell. We asked for blankets but the police refused to give us any because we had been 'rude' to them".</p> <p style="text-align: right;">Thendo's Story</p>	
46. Joyce's Story	<p>Female</p> <p>29 years old</p> <p>Supports 9 other people from her sex work</p>	<p>November 2015 event</p> <ul style="list-style-type: none"> The witness was standing on (named) Street in Site 6 waiting for a client to come along on a Friday night. Four police vans came and stopped outside the brothel. Maybe 8 or 10 officers got out. One of them grabbed the witness by her hair, dragged her to the police van. He threatened to pepper spray the witness because she complained of the pain from her head. This Police Officer comes from Site 6 Police Station. More police came out of the brothel with other Sex Workers. They were also put in police vans. They were driven to the Site 6 Police Station and put into the cells. There were no blankets and no sleeping sponges. The cell was very dirty and it smelled a lot. The next morning around 10.00am the witness reports other ladies were discharged but four of them including the witness were kept in custody. The witness got her period and asked the police for pads. They refused. The witness was kept in custody all that day and overnight. On Sunday around 10.00am the witnesses' boyfriend attended the Police Station and paid 500 rand. He was given a receipt for it. The police told the witness and her boyfriend that they would get the R500 back when she attended Court. The witness attended Site 6 Court on the date nominated by police. There was no case in her name. She asked the Court staff how to get her boyfriend's money back. The witness was told by Court staff to go back to the Police Station and ask for her money back. The witness went to the Site 6 Police Station with her boyfriend to obtain the refund of 500 rand. The police refused to give the money back. They told the witnesses' boyfriend he must get his money back from the witness as he had already 	<ul style="list-style-type: none"> Unlawful entry Unlawful arrest Unlawful detention Cell conditions. Refusal to supply sanitary napkins Ongoing Harassment & Intimidation Misuse of pepper spray

		<p>“paid” for her.</p> <ul style="list-style-type: none"> • The witness knows this Police Officer who made this comment. The witness and her boyfriend left without the R500. <p>March 2016 event</p> <ul style="list-style-type: none"> • On a week night, the witness was using the toilet at the brothel. The police came inside the house. • One of the police told the witness to get off the toilet and come outside as she was being arrested. • The witness asked why she was being arrested. The Police Officer told her because she was selling her body. The witness asked to put her shoes on and was refused. The witness knows this Police Officer who refused. • Around 10 ladies were arrested and put into one police van. It was very squashed inside, the windows were closed and police kept pushing more people into the van. • The witness and the other Sex Workers started to sing. One Police Officer opened a window, pepper sprayed them, and closed the window again. Everyone was coughing and choking inside the van. • The police drove to Site 6 Police Station. The ladies telephoned the landlord and asked him to bring down some warm clothes because they were freezing. The witness was barefoot on the cold, wet cell floor. The blankets were also wet because it was raining and the roof leaked. • The next morning one Police Officer opened the cell door and went to let them leave. Another Police Officer stopped them and said the <i>magoshas</i> had not been charged. They had to go back into the cell. • Nearly two hours later the police took their fingerprints, wrote things down and discharged the ladies. They were told to go to Court on a particular day. • The witness says she was given paperwork by the police, but did not understand it. She thought she was charged with sexual harassment and loitering. She went to Court in April, then May. • (Note – Women’s Legal Centre represented the witness and the charges were not billed at Court in June 2016.) • Signed statement dated 25 May 2016 held on file by Sonke Gender Justice. <p>“I got my period, and asked for pads. They police would not give me any pads. I had to use my clothes to catch the blood. I felt very embarrassed and upset. The police made fun of me. They called me</p>	
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		dirty, said I couldn't even buy a pad".	
		Joyce's Story	
47. Jade's Story	<p>Female</p> <p>31 years old</p> <p>Supports 4 other people from her sex work</p>	<p>March 2016 event</p> <ul style="list-style-type: none"> • The witness was in the shower at the brothel around 9.30pm on a Thursday night. She heard a noise outside, heard people shouting police were there. • The witness felt very scared and tried to climb up into the ceiling void through the manhole. • The police came into the bathroom and told her to get down. She was still naked and felt embarrassed. • As the witness was naked, she asked the police to let her get dressed. They refused and made her walk outside with them naked. The witness picked up some clothes from the floor as they left the bathroom. • In the house yard, the witness and others tried to negotiate not being put into the police vans. One officer said they must be let go, another was saying they must be put into the van. The landlord of the property asked police not to arrest the ladies. • The police forced all 10 ladies into the one police van. They used physical force to make them fit. The witness found it hard to breathe and could not get dressed as there was no room to move. • The police drove the van to Site 6 Police Station. As soon as she got out of the van, the witness got dressed. • The police took them inside Site 6 Police Station and collected their names. • The witness and others were put into a cell which was wet and dirty. The rain was lying on the floor where the ladies were supposed to sleep. • Around midnight, the witness and others asked for some blankets and water. The police refused. • The landlord came to see them and brought jerseys and jackets as he knew the witness and others had little clothing with them. • The police would not let him see the ladies and would not give them the warm clothes. They did not receive the clothes until around 4pm the next day when most of them were released. • Around 8.30am the next morning, a Police Officer came to the cells and was going to release them. The Station Commander asked what he was doing, and told him to take the ladies back to the cells to be charged. • The police charged the ladies and they were allowed to leave the Police Station around 4pm. • The witness attended Court in April and May on the charge of loitering. 	<ul style="list-style-type: none"> • Unlawful arrest • Unlawful entry • Unlawful detention • Ongoing Harassment & Intimidation • Refusal to let witness dress • Cell conditions

		<ul style="list-style-type: none"> • (Note – Women’s Legal Centre appeared at Court on behalf of the witness. Charges were no billed.) • Signed statement dated 25 May 2016 held on file by Sonke Gender Justice. <p>“I feel very frightened of the police. The police told us when they released us that whenever they found us anywhere, even when shopping, they would arrest us. We were told that we could only leave our house on the Court date ... I think the police are harassing me and I want them to stop.”</p> <p style="text-align: right;">Jade’s Story</p>	
50. Smangele’s Story	<p>Female</p> <p>36 years old</p> <p>Supports 3 other people from her sex work</p>	<p>November 2015 event</p> <ul style="list-style-type: none"> • Around 10-11pm, the witness was at home at the brothel in her room with a friend, sitting talking. • Suddenly police were in the bedroom and told them to go outside. They did so. • Police made them get into a police van. Around 16 ladies were made to get into the vans. • There was no space, but police kept pushing the ladies and squishing them into the van. • The witness found it hard to breathe, the police were driving badly and they were getting hurt. The police told them to shut up. • They were taken to Site 6 Police Station and to the cells. Police asked a lot of questions. • The cell was very dirty. • The witness and others were charged with prostitution, and were told to pay 500 rand for bail. Some ladies had money and paid so were released. The witness did not have any money and had to stay in the cell overnight. • The next morning a friend tried to bring food for the witness. The police would not let her have it. • Around 4pm on Saturday the police took the witness from the cell, made her sign documents and fingerprinted her. The witness asked about Court as she was not going to pay the 500 rand. The police said she must not ask that, she must come back and pay 500 rand to the police within 21 days. • This witness left town on the following Monday and has not returned to Site 6 because she is frightened of the police. • One of these same Police Officers drives past where the witness now lives in a different place (named town). This Police Officers swears at the Sex Workers, sometimes she comes and throws around the chairs they use to sit on when waiting for clients . • Signed statement dated 27 May 2016 held on file by Sonke Gender Justice. <p>“The cell was dirty and smelly, the toilet was broken and full of shit. We were not offered any food or</p>	<ul style="list-style-type: none"> • Unlawful entry • Unlawful arrest • Unlawful detention • Cell conditions • Ongoing Harassment & Intimidation

		water ... I feel frightened of the police. “ Smangele’s Story	
36. Reabetswe’s Story	Male Not a Sex Worker Landlord of brothel property	December 2015 event <ul style="list-style-type: none"> • This witness is the Lessee of a property used as an informal brothel. There are two houses on site. Witness lives in the front house, Sex Workers live in the back house. • On 30 November or 1 December 2015 the witness was asleep around 1.30am. The front property gate was closed but not locked. He heard loud knocking noises, and he asked who it was at the door. They said police and broke down the door. • Some of the police came into the witnesses’ house, some went into the back house. The witness kept asking what the police were searching for. He asked to see a search warrant but was ignored. • Police broke various doors and wardrobes in the house. The witness has photos of the damage. • The witness could hear other police shouting at the ladies in the back house. He went outside to check what was happening. • The witness saw police beating the Sex Workers and telling them to wake up. They were hitting the ladies with guns and fists. Some had knives. The Station Commander saw this happening. • The witness asked the Station Commander why they were doing this. The Station commander said they were closing the house the girls lived in because they were doing sex work. • The witness told the police that if the girls were asleep in bed, how were they doing sex work? The Station Commander said the girls were not listening. • The witness reports the police arrested the girls from the back house and started to force them into police vans, pushing and shoving the girls and hitting them with the guns. Some of the girls were obviously injured but the police would not stop hurting them. • The witness drove the Site 6 Police Station and went inside. The police refused to tell him what the ladies had been charged with. • The witness reports police coming in large numbers to his premises. Each time they beat the girls and arrest them. This has happened maybe four times. • The witness lodged a formal police complaint and was given a case number (provided). As at the date of interview (May 2016), police had not contacted him about the complaint from the first incident. 	<ul style="list-style-type: none"> • Unlawful entry • Unlawful arrest • Unlawful detention • Property damage • Assault • Ongoing Harassment & Intimidation

		<ul style="list-style-type: none"> • The police told the witness they would keep doing this until the ladies leave town. • Signed statement dated 25 May 2016 held on file by Sonke Gender Justice. <p>“I saw police starting to beat the girls in the back house, telling them to wake up. They were hitting the girls with fists and guns and some of the police were holding knives. They were very aggressive and frightening. The girls were screaming”.</p> <p>Reabetswe’s Story</p>	
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7.7

CASE STUDY 7

SITE 7 – (De-Identified), Mpumalanga Province

36.7.4 Site Description

The site is a large rural town in Mpumalanga Province. A number of houses in residential streets are utilised as informal brothels. Sometimes the Sex Workers sit out the front of the houses to indicate their availability.

7.7.2 Summary of Policing Issues at the Site

The priority issue reported at this location relates to torture, unlawful arrest, unlawful detention, violence by police and malicious damage. There is systematic, ongoing harassment and intimidation of Sex Workers occurring at this site.

Attempts by Women's Legal Centre to progress complaints against police in this location have not been successful to date.

7.7.3 Timeline Snapshot of Policing Issues

TIMELINE OF POLICING INCIDENTS INVOLVING SAPS & METRO POLICE			
Location: Site 7 (De-identified), Mpumalanga Province			
No.	Date:	Description of Alleged Incident	Main Issues
1.	July 2015	<ul style="list-style-type: none">Sex Worker was sitting outside an informal brothel, a police car drove past so she ran inside.Police entered the brothel. Female Police Officer ran a cold bath in the middle of winter, made the ladies undress in front of male Police Officers, and then forced Sex Workers into the cold bath to wash off their "prostitution".Female officer beat those who refused.Same female Police Officer made the male officers hold the Sex Workers, and forced used condoms from the dustbin into their mouths.Police came back again on Saturday, threw the Sex Workers' belongings around whilst searching for "drugs". Nothing found.SWEAT lodged complaint with police. Outcome unknown.	<ul style="list-style-type: none">TortureAssaultOngoing Harassment & Intimidation

2.	2013, 2015 and 2016 Incidents	<ul style="list-style-type: none"> One witness recounts multiple incidents involving a female Police Officer from Site 7. Witness recounts police collecting ladies and dropping them outside of town with no way to get back except for walking, striking her with an electric shock multiple times. Witness reports being dropped out of town more than 10 times. 	<ul style="list-style-type: none"> Kidnapping – making the Sex Workers getting into a police vehicle, torturing them with electric shocks and dropping them isolated places
3.	March 2016	<ul style="list-style-type: none"> Sex Workers was asleep at an informal brothel. Around 10-15 police arrived, searched her room including the female Station Commander. Multiple Sex Workers arrested, made to walk through public streets into town to a taxi rank. Some were nearly naked as they had been sleeping at time of arrest. Female Police Officer threatened to teach them a lesson if she found them at the brothel again. 	<ul style="list-style-type: none"> Unlawful arrest Unlawful detention Harassment & Intimidation Kidnapped and dumped in bushland Threats made
4.	April 2016	<ul style="list-style-type: none"> Police conducted a raid on an informal brothel. Police destroyed Sex Workers' medication, poured water over a Sex Worker's bed, vandalised furniture and chased clients out of the brothel. Joint press release issued by Sex Worker service providers. 	<ul style="list-style-type: none"> Malicious damage Assault Harassment & Intimidation
5.	May 2016	<ul style="list-style-type: none"> Site 7 SAPS conducted an operation against Sex Workers and raided a brothel. Sex Workers told by police to pack their bags because the police did not want prostitution in Site 7. Station Commander (named) involved, told Sex Workers to go back to their own country. Constable shouted at service provider Peer Educators for giving Sex Workers condoms as part of the National health initiative to prevent transmission of HIV/AIDS. Registration numbers of police vehicles involved in raid recorded. Believe some of those present were part of the Community Policing Forum for Site 7. 	<ul style="list-style-type: none"> Harassment & Intimidation Xenophobia
6.	May 2016	<ul style="list-style-type: none"> Station Commander and other police from Site 7 attended an informal brothel. One (identified) Police Officer threw the Sex Workers' mattresses and clothes on the floor and poured cold drinks over them. Sex Workers could not sleep on the wet bedding. One person paid the police a bribe of 500 rand, and the two female Police Officers then left the brothel. 	<ul style="list-style-type: none"> Malicious damage. Harassment & Intimidation. Bribery & Corruption
7.	June 2016	<ul style="list-style-type: none"> SWEAT held a human rights training workshop with 15 Sex Workers at Site 7. 	
8.	June 2016	<ul style="list-style-type: none"> Sex Work Stakeholder meeting held with SWEAT, Sisonke Sex Worker movement, WLC, Re-Action and Section 27. SAPS requested training at this meeting. When the service providers attempted to arrange that training 	

		for police, SAPS did not respond.	
9.	August 2016	<ul style="list-style-type: none"> • 16 Sex Workers arrested during raids on four brothels, Station Commander present. • Property vandalised by police, TV broken, laptops broken, money stolen, Identity Documents and Passports confiscated, medication thrown around and damaged, blankets on beds had water poured over them. • Some Sex Workers released from police custody the same day. Others were kept in custody for longer periods then released on bail. Listed at Site 7 Court on a specified date in September 2016. • WLC appeared for the Sex Workers. Charges were withdrawn. 	<ul style="list-style-type: none"> • Malicious damage to property • Unlawful arrest • Unlawful detention • Harassment & Intimidation • Stealing
10.	September 2016	<ul style="list-style-type: none"> • Police attended a Sex Worker's home and arrested two Sex Workers. • Police threw food on the floor, vandalised property, wet her blankets, threw her medication around and threatened to tell the Sex Workers' children that their mother was a Sex Worker. • Private solicitor instructed by WLC to assist Sex Workers in police custody. • Complaint made to WLC by Sex Worker. One of the witnesses no longer wishes to proceed with complaint. 	<ul style="list-style-type: none"> • Malicious damage to property • Unlawful arrest
11.	September 2016	<ul style="list-style-type: none"> • SWEAT with support from the South African National Aids Council made a complaint to SAPS. • SAPS acknowledged receipt of the complaint on a specified date in September 2016. • Outcome of complaint unknown. 	
12.	September 2016	<ul style="list-style-type: none"> • WLC, NGO service provider staff and a reporter from Mail & Guardian travelled to Site 7 Police Station to consult with six clients in custody for illegal immigration. • Police denied clients were at the Police Station or in custody. The Custody Book clearly showed the client names in the Occurrence Book. • WLC hold statements on file relating to this event. • Article published in Mail & Guardian. 	<ul style="list-style-type: none"> • Police – denial of clients being in police custody
13.	September 2016	<ul style="list-style-type: none"> • Service Provider staff and Sex Workers attended Site 7 Police Station to have a demonstration against police conduct. • Police refused to accept copy of complaint letter. 	
14.	September 2016	<ul style="list-style-type: none"> • Six Sex Workers were in police custody from • WLC negotiated with Prosecutor to have matters struck from the roll and clients released. 	

7.7.4 Witness Statements from Sex Workers at Site 7

Statement No. & Alias Name	Witness Description	Summary of Witness Statements	Summary of Policing issues
50. Smagele's Story	Female 36 years old Supports 3 other people from her sex work	<p>2013 incidents</p> <ul style="list-style-type: none"> • Witness worked in an informal brothel at Site 7 in 2013. She had lots of problems with a female Police Officer based at Site 7 Police Station. • Whenever the witness stood outside the brothel in the street, and this female Police Officer was on duty, there were problems. • The Police Officer would stop the police car and make the witness and other lady get inside it. • The Police Officer would drive them a long way out of town and leave the witness and the other lady there. When she was driving, the Police Officer would hit them with the electric shock thing all the time. • The Police Officer kept telling them they must move out of town and go back where they came from, and must do this "shit" to our own place. • Witness named the female Police Officer as Mrs (name). • This being forced into the car and driven out of town happened around 10 times to this witness by this same Police Officer. • Signed statement dated 27 May 2016 held on file by Sonke Gender Justice. <p>"I feel frightened of the police. Sometimes they hurt us, sometimes they pepper spray us sex workers. Sometimes they torture us with the electric shock thing".</p> <p style="text-align: right;">Smagele's Story</p>	<ul style="list-style-type: none"> • Torture • Abduction and dropped off • Unlawful arrest • Unlawful detention • Ongoing Harassment & Intimidation
41. Nolo's Story	Female 25 years old Supports 2 other people from her sex work	<p>December 2015</p> <ul style="list-style-type: none"> • Witness was walking along a street by herself around 11.30am. The second in charge to the Station Commander and another Police Officer from Site 7 (named police station) were dressed in normal clothes. They walked up to the witness as she was about to enter the gate of where she lives. • The female Police Officer put her hands in the witnesses' pocket. She found a small amount of ecstasy. The police took her belt, money, phone and shoes from her. • The witness was taken to Site 7 (named police station). The police made up and wrote out a statement for her. The witness read the statement the police made up and it was not 	<ul style="list-style-type: none"> • False charge • Fabricating evidence • Unlawful entry • Abducted and dropped off

		<p>true. The police had written that she had a bag of heroin. The witness does not know what heroin is and did not have any of whatever it is.</p> <ul style="list-style-type: none"> • The witness was put into the police cells. She asked other people in the cells what heroin was and was told it was a drug. • The witness was taken to Court the next day. The witness told the Legal Aid lawyer she did not have a bag of heroin, but a small amount of ecstasy. She was given R1000 rand bail, but it was not paid so she stayed in custody from December until a specified date in March 2016 when she went to Court again. • On 11 March the witness was given a warning by the magistrate and was let go. <p>March 2016 event</p> <ul style="list-style-type: none"> • The witness was asleep in her bed at the brothel. Around 10 to 15 police came to the brothel around 9.00am. The police came inside and woke everyone up. • The police stripped down the witnesses' bed. The second in charge of Site 7 (named) Police Station was there. She said to the witness "You, you are the one". • Approximately seven Sex Workers were arrested. They were forced by the police to walk into town. They had to wait for 10 to 15 minutes for a police van to arrive. Most of the ladies had been woken up by police so they were only dressed in short pyjamas or were very exposed. Some were wearing towels, one lady was nearly naked. People in the community passed near the taxi rank where police had made them stand in public view. The witness felt very embarrassed. Police did not tell her what she was arrested for. • A police van arrived and took them to the Site 7 (named) Police Station. • The police claimed they found the drug "rock" in one of the brothel rooms. They just picked one of the arrested girls and said it was her drug, but they never found the drug on her at all. The lady stayed in police custody and was still locked up in May 2016 because she would not admit the drug was hers. • The police released the rest of us. • Signed statement dated 26 May 2016 held on file by Sonke Gender Justice. <p>"The police told the five of us they released that we must go back home, not do sex work and that if the lady police officer ever found us there again she would teach us a lesson as we don't listen. She drove us far away in the middle of the bush. We</p>	
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<p>38. Nthabis’ Story</p>	<p>Female</p> <p>22 years old</p> <p>Supports 2 other people from her sex work</p>	<p>March 2016 event</p> <ul style="list-style-type: none"> • Witness was asleep in bed at 8.00am. The front gate to the brothel property was open. • Many Police Officers arrived inside the house. The Station Commander from Site 7 (named) Police Station was there. They made all the girls wake up. Six Police Officers came into the witnesses’ bedroom. • The police made all the girls go outside, all six of them. Some were naked, some were dressed. • The police came outside and said they had found a small piece of the drug “rock” inside one of the girl’s bedrooms. The police told the witness and others that they were all under arrest because the police did not know who owned the “rock”. • The police made all the witness and other ladies walk to town to the taxi rank. It took a while to walk that far. Some had shoes, others were barefoot. Some did not have clothes on. The police would not let anyone get dressed or lock the house up before walking into town. • The witness was very cold and felt very embarrassed. She thought she stood there naked in public for nearly an hour. Members of the public were laughing at the Sex Workers, calling them names. Members of the public told the Sex Workers they were embarrassing black people by doing this business. • A police van came and took them to Site 7 (named) Police Station. The witness and others were placed in the cells for around five hours. They asked for food but were refused. • The witness and all but 2 other people were released. The police said they must all get back into the police van. • The police drove far away from where they live. The witness and others were made to get out of the van in the bush with no way to get back except by walking. • The witness was still naked, some had no shoes on. Someone asked the Station Commander who drove them how they were supposed to get back. This Station Commander of Site 7 (named) Police Station beat one of the girls and told the witness 	<ul style="list-style-type: none"> • Unlawful entry • Unlawful arrest • Unlawful detention • Public humiliation • Abduction and drop off • Assault

		<p>and others what she would do if found them inside the brothel again. The Station Commander then drove off. They walked for around an hour to get back to town.</p> <ul style="list-style-type: none"> • The next day the witness and another Sex Worker went back to the Police Station to see if the other two ladies were being kept or released. • One of the ladies at Court was released on bail. The other lady denied the drugs were hers and was refused bail as she pleaded not guilty. The Magistrate at Court said she would just stay in police custody until she told the truth. • The lady police accused of having the drug “rock” is still in police custody as of May 2016. Another lady saw her in the cells at a different Police Station, they keep moving her around. • Signed statement dated 26 May 2016 held on file by Sonke Gender Justice. <p>“I feel embarrassed that the police made us parade naked in public and let members of the community call us names and laugh at us. I feel very upset they left us in the middle of nowhere with no way to get back home”.</p> <p style="text-align: right;">Nthabis’ Story</p>	
51. Mbali’s Story	<p>Female</p> <p>26 years old</p> <p>Supports 4 other people from her sex work</p>	<p>July 2015 incident</p> <ul style="list-style-type: none"> • The witness was at the brothel around 7pm, sitting outside with other Sex Workers. • A police van passed by, the ladies all ran inside. • The police van came back and police came into the premises. There were about five police man and a white police woman. • The white lady Police Officer opened the cold taps in the bath and said the girls must take off their clothes and get into the bath one by one. It was winter, and very cold. The Police Officer said the witness and others must wash off their prostitution. • The male police officers were watching so they saw the ladies naked. Those ladies who refused to get into the bath were beaten by the white lady with her hands. • When they finished bathing, the white woman said the prostitutes must eat condoms out of the dustbin. She was shouting her husband had been taken by a prostitute so she was going to teach prostitutes a lesson. The other ladies refused to eat the used condoms. The male Police Officers grabbed those ladies so the white woman could force the condoms into each lady’s mouth. • Before the police left, they told the witness and 	<ul style="list-style-type: none"> • Unlawful entry • Unlawful detention • Torture and abuse • Creating a public health risk

		<p>others they must leave the house and not be there. The police would come back tomorrow and arrest them all if they were there.</p> <ul style="list-style-type: none"> • The next day, different police came to the brothel saying they were searching for drugs and other illegal things. They threw the ladies' clothes and blankets on the floor. There were lots of police that day. • The witness left the location a few days later after she had earned enough money to travel home, because she was so frightened of police at Site 7. • Signed statement dated 27 May 2016 held on file by Sonke Gender Justice. <p>"The police woman told us we must wash off our prostitution. The male police officers were watching us so they saw us naked. Some ladies refused to get into the bath, this white woman beat those women who refused to get in with her hands ... the other ladies refused to eat the used condoms. The male police officers grabbed those ladies so the white lady could force the condoms into each lady's mouth".</p> <p style="text-align: right;">Mbali's Story</p>	
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