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Huysamen, Monique and Sanders, Teela (2021) Institutional Ethics Challenges to Sex Work Researchers: Committees, Communities, and Collaboration. Sociological Research Online. ISSN 1360-7804

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Version: Published Version

Publisher: SAGE Publications

DOI: <https://doi.org/10.1177/13607804211002847>

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Institutional Ethics Challenges to Sex Work Researchers: Committees, Communities, and Collaboration

Sociological Research Online

1–17

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Abstract

Doing research in the field of sex work studies throws up challenges. Among these are the restrictions and regulatory issues placed on researchers by institutional ethical review processes. We draw on academic research and our personal experiences as two researchers who have been involved with many sex work research projects to illustrate how sex work researchers face a set of challenges relating to ethics – we define these as *institutional ethics* challenges rather than *ethical* challenges. They are the challenges associated with applying for and obtaining ethical approval from research institutions and funders to conduct research on stigmatised and potentially criminalised topics. This article has three aims. First, to discuss the institutional ethics challenges that sex work researchers may encounter when applying for ethical clearance. Second, to assist researchers in making a case for their research by communicating the value of doing research on sex work in contexts where it remains criminalised and by placing the assumed risks associated with sex work research into perspective. Finally, to offer a pathway forward regarding how, guided by co-produced research protocols, researchers and sex work Communities can find common ground for good practice to enhance collaboration and foster genuinely ethical research.

Keywords

participatory action research, research ethics committees, risky research, sex work

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Introduction

Sex work is a highly complex issue, which continues to attract academic, political, and legislative debate. Buying and selling sex and other related activities are governed by a variety of different legal models in different countries. It has been well established that the ethical considerations for conducting research on this complex topic needs to be approached in a nuanced and contextualised manner (Sanders, 2006; Shaver, 2005). Sex work researchers, like all researchers, have ethical responsibilities to ensure that our research practices are respectful, conducted without harm and that our work contributes to improving the lives of our participants, rather than being purely for academic advancement and contribution to knowledge. It is our ethical responsibility to put the necessary measures in place to ensure that our participants are not made vulnerable as a result of participating in our research (as discussed by Simpson and Smith, 2020). As sex work researchers, there falls upon us a heightened responsibility to ensure that our research does not reinforce stigmatised understandings of sex work or perpetuate tired tropes about sex work. These are our *ethical* responsibilities, which should be treated very seriously. However, sex work researchers face another set of challenges relating to ethics – we refer to these as *institutional ethics* challenges rather than *ethical* challenges. They are the challenges associated with *applying* for and *obtaining* ethical approval from our research institutions and funders to conduct research on potentially criminalised topics. This article focuses upon these challenges.

In this article, we draw on both published work by other academics and on our own experiences as two sex work researchers who are based in the UK and who, between us, have extensive experience conducting sex work research projects based in various countries in the global north and south. The second author is also drawing on her experience of supervising and mentoring postgraduate and post doctorate students working across institutions outside of her own. First, we discuss some of the common challenges that researchers could encounter when applying to research ethics committees (RECs) for ethical clearance for research on sex work. We contend that broader social anxieties and stereotypes about sex work may filter into committees' understandings of sex work research, leading to inflated perceptions of risk and vulnerability. We reflect upon the kinds of research questions and practices that are most likely to raise the concerns of ethics committees. We present some possible justifications for why continuing to do work on criminalised topics is important, particularly when researchers believe that policy reform is necessary and that academic research can contribute positively to evidence-based reform. We hope other researchers may be able to adapt these justifications for their own responses to rebuttals from ethics committees.

We then set out the basic legal obligations under which researchers in the UK have to report illegal activities disclosed in interviews as a means of putting some of the associated risks surrounding conducting research on sex work in perspective. We provide references to other helpful texts that provide guidance in this regard, so that researchers may consider and cite these in their ethics applications or in their rebuttals to reviewers' comments. We offer suggestions for writing ethics proposals that clearly evidence the researchers' awareness of the potential risks associated with collecting data that potentially contains criminal disclosures so that researchers may evidence a

reasonable balance between the possible risks and anticipated benefits of their research. Finally, we offer ideas for working with sex worker communities to co-produce good practice research protocols that go beyond the requirements of institutional ethics boards to facilitate and guide truly collaborative ethical research. As a whole, the article will sensitise sex work researchers, particularly new researchers, to some of the possible ethics challenges, and to the broader structural issues that underlie them; equip researchers with some practical tools for pre-empting, addressing, and allaying ethics committee's concerns; and, finally, provide some ideas for developing collaborative ethical research.

Institutional ethics challenges to sex work research

We use the term RECs to refer to the institutional committees that review research with human participants. They may also be called Institutional Review Boards (IRBs), Human Research Ethics Committees (HRECs), or Research Ethics Boards (REBs) depending on the country and institution. RECs have been an integral part of social science research for some time, building integrity, professionalism, and accountability into the research process. For researchers of human behaviour which is considered to be non-normative, deviant, or risky, RECs have at times been a source of tension, challenge, and in some cases, restriction (Bacon and Sanders, 2016; Haggerty, 2016; Keene, 2021; van Zyl and Sabiescu, 2020: 137; Alvesalo-Kuusi and Whyte (2018: 137)), writing in this journal, reflect on a common tension:

We have been trained as social scientists, and this training is grounded in particular professional standards, rules, and codes. Yet when we have applied those rules and codes in our own research, we find them to be inadequate and not fit for purpose. At times, this has led us to pursue research strategies that break the established ethical rules.

Here Alvesalo-Kuusi and Whyte point to an ethical quagmire: creative, ethnographic, or participatory research approaches, which are often designed specifically to be *more* ethical, egalitarian, and empowering for participants, may be deemed as transgressing established ethics rules and falling short of traditional ethics board standards, not because they are harmful but because they are unorthodox. They call for a rethinking of social science research ethics structures, arguing that when applied inflexibly institutional ethics processes may hamper the development of a research ethics that are genuinely based on public interest.

While researchers should have their work checked and regulated, the levels to which institutional RECs become gatekeepers of what research questions are asked, which communities are studied, and how research happens is increasingly becoming an issue of research censorship. Institutional ethics committees and procedures are in place to ensure that participants are not adversely affected through their participation in research studies. However, they also operate, and increasingly so, as a mechanism for achieving a legal disclaimer that indemnifies the institution against liability for potential harm caused as a result of research activities. Winlow and Hall (2012) argue that RECs have become bureaucratic gatekeepers within the broader managerialist systems of neo-liberal higher

education (p. 400). Consequently, sex work researchers, particularly those conducting research in contexts where sex work remains criminalised (much of the world), are finding that they are met by increasingly risk-averse and conservative ethics committees (Lowman and Palys, 2014). Unlike biomedical or clinical research (see Rudra and Lenk, 2020), it is not possible to standardise or universalise risk assessment processes to guide RECs in assessing humanities and social science research. Ethics committee reviewers must largely use their own discretion and intuition when making assessments and decisions about the nature of the risks and benefits implicated in a particular research project (Webber and Brunger, 2018) and, as we discuss next, many of the ethical issues that arise cannot be pre-empted and develop in the field.

While REC reviewers are likely to be highly experienced researchers, they are less likely to research sex work themselves or to be sensitive to all the nuances and politics surrounding sex work politics. This adds to the likelihood that sex work researchers may find RECs' recommendations at odds with at least some aspects of their research, their knowledge of the field, and with the expectations of the sex work community. Some sex work researchers may find that their research is significantly delayed by the ethical review process as they negotiate multiple revisions of their ethics applications. They may be pressured to make changes to their research design that may compromise the quality, originality, or scope of their research as well as expectations from the sex work community. Others may find that they are unable to obtain permission to carry out their research on criminalised topics at all.

Senior researchers who are established in their field may command more confidence from ethics committees and may enjoy more research freedom as a result. Conversely, new researchers and doctoral students are often perceived as particularly vulnerable; they are in a less negotiable position, often feeling less able to confront RECs decisions, or return with counter-arguments in defence of their original proposal. We hope that this article would be particularly useful for such researchers.

It is important to point out that we are not suggesting that all ethics committees, across all geographical contexts, universities and faculties operate in this way. Many researchers enjoy working with dynamic and open-minded ethics committees that understand the importance of considering context and applying ethics standards and protocols carefully and flexibly. Indeed, both of the authors have also enjoyed the benefits of working with ethics committees of this nature. It is particularly this culture of ethical review that we would like to see being nurtured and promoted across all research institutions.

Sex exceptionalism, stigma, and research ethics committees' perceptions of risk

Webber and Brunger (2018) argue that 'cultural perceptions of bodies, power, and risk necessarily shape, and are in turn reaffirmed by, relevant regulatory frameworks such as the norms and practices of research ethics review' (p. 5). Indeed, research shows how dominant social understandings of, and cultural anxieties around, sex may shape how RECs perceive the potential risks implicated in research about sex and sexuality (Irvine, 2012). Rather than understanding sex as a mundane and everyday part of human experience (see Jackson et al., 2010), contemporary society is characterised by sex

exceptionalism, an understanding of sex as special, delicate, private, and as something that should be treated differently to other basic human needs (Webber and Brunger, 2018). Webber and Brunger (2018) contend that

When sex is viewed as an exceptional human activity, sex itself – especially non-dominant sexual expression – is imbued with a seemingly inherent sense of danger that, many suggest, might unduly influence the assessments of REB members. (p. 7)

The understanding of sexuality research as ‘sensitive’ and ‘risky’ then positions our research participants as inherently vulnerable. As Irvine (2012) suggests, ‘two ambiguous but powerful concepts routinely trouble contemporary IRB deliberations on sexuality research: risk and vulnerability’ (p. 31).

As sex work researchers, we must be cognisant that RECs’ assessments of the risk and vulnerability associated with our research may reflect these broader cultural anxieties as much as they do the actual risks implicated in a particular study (Webber and Brunger, 2018). Therefore, sex in a commercial exchange context immediately rubs against cultural norms and values associated with the appropriateness of sex. In turn, some RECs may demand that researchers take disproportionate measures to safeguard against risks to their participants and themselves, such as demonstrating unreasonable assurances about data protection and the ability to safeguard against risks like breaches to security online beyond what is reasonable or possible (Irvine, 2012, 2014). The assumption that talking about sex, particularly non-normative sexual experiences and desires, is an inherently distressing process may also motivate RECs to require researchers to make unreasonable therapeutic provisions for participants (Irvine, 2014). Irvine (2014) contends that

Sexuality research is produced as dirty work by the broad university system, and the practices by which this occurs represent institutionalized bias. As Foucault (1980) has noted, institutions are where ‘power becomes embodied in techniques’, a critique that assumes significance in analyzing the unequal practices of university bureaucracies on specific fields of knowledge and researchers. (p. 638)

As sex work researchers, we engage in research about ‘non-normative’ sexual practices that are stigmatised and understood as socially deviant, and as ‘dirty work’. As a result, we are more likely to encounter inflated perceptions of risks from RECs (Hammond and Kingston, 2014; Irvine, 2012). Sex workers are commonly constructed dualistically, either as vulnerable victims in need of rescuing or as deviant and dangerous women. For example, Irvine (2012) conducted a survey and follow-up interviews with sexuality researchers about their career experiences, including their experiences with RECs. One participant in this study said,

My student was doing interviews with sex workers. The IRB expressed concern that this population was dangerous. They seemed scared that putting the university name on the flier would invite sex workers to campus. (Irvine, 2012: 32)

Discourses that conflate sex work and human trafficking are becoming increasingly dominant (see Smith and Mac, 2018). These human trafficking discourses, and the

anxieties that they elicit, add to the assumed vulnerability of sex workers as research participants, and to the overall assumed risk profile of the study (for instance, that all commercial sex is controlled by organised criminal gangs). Unless the REC reviewer is familiar with the specific nuances and debates around sex work, it is likely (and understandably so), that they would draw on these dominant and culturally available tropes about sex work when assessing the risks and ethical implications of a study. Panel members of RECs are not immune to the onslaught of continual misinformation about the sex industry, levels of sexual exploitation and trafficking, and simplified images and stories appearing on a daily basis across media outlets.

RECs also consider, and increasingly so, the potential risks of the research or field-work environment to the researcher (Keene, 2021; Webber and Brunger, 2018). The stigma associated with sex work may pose a set of challenges to researchers, particularly women researchers, seeking ethical clearance for their study. RECs may view sex work research projects as ‘too risky’ because they render the researcher vulnerable. For example, men who pay for sex are stereotyped as exploitative, violent, and abusive, or as hypersexualised or perverted (Sanders, 2008). To the contrary, research shows that this profiling is incorrect, and that male clients are a heterogeneous group who represent men for all walks of life (Huysamen, 2020; Sanders, 2008; Smith, 2019). This trope of the male client as dangerous, predatory, or perverted can lead ethics committees to imagine researchers, particularly women researchers, as inherently vulnerable and at risk (see Hammond and Kingston, 2014).

Some RECs could refuse to grant a study ethical approval based on concerns that the researcher is too vulnerable, and suggest substantial methodological changes, so there are no in-person contacts, or place undue demands on researchers to put measures in place to guarantee their own safety. Sex work researchers may find RECs require them to employ safety measures that might not have been expected if they were interviewing participants about parenthood, for example. As two women researchers who have conducted interviews with men who pay for sex in the UK, South Africa, Kenya, and online, we have both had to field numerous concerns from ethics committees (and others) about our safety. However, neither of us has experienced direct threat of harm to ourselves during an interview, despite between us having interviewed hundreds of men who pay for sex. Conversely, the first author has reflected elsewhere (Huysamen, 2016) about how participants tended to perform hyper-respectability in face-to-face interviews, going out of their way to be polite and chivalrous. The second author experienced high levels of professionalism and respect from male participants, many of whom came to university offices for interviews (Sanders, 2008).

Researching sex work in criminalised contexts

Sex work remains either partially or fully criminalised in many contexts across the globe. In the UK, where we are writing from, the laws around sex work are complex. While the buying and selling of sex is legal, many associated activities (like brothel-keeping, pimping, soliciting, or buying sex in a public place, and selling sex from the same property as another person) are criminalised (see Smith and Mac, 2018, for an outline of various legal models). Conducting sex work research in places where it is

criminalised is likely to intensify the RECs' concerns around risk and vulnerability. When sex work is criminalised, ethics committees may be concerned that participating in sex work research may incriminate participants and that this may have negative consequences for them, the researcher, and the research institution. To provide an example from our own research practice, the first author submitted an ethics application for an international study about neurodiversity and paying for sex and pleasure involving online interviews with purchasers of sex. The online nature of the study meant that it could be open to people from anywhere in the world, providing that they had Internet access. The study was initially denied ethical clearance based on the concern that some participants may live in jurisdictions where sex work is criminalised. In order for ethical clearance to be granted, the REC requested that the project be reduced to a national UK study to ensure that clients from countries where sex work is criminalised were excluded. The other alternative presented by the REC, if the study was to remain open internationally, was to replace the in-depth qualitative design with an online survey where no identifying details were collected so that anonymity could be assured. In this example, the researcher is required either to significantly reduce the reach and scope of the study or to abandon the research design, and quite likely the ontological and epistemological assumptions and values that underpin it. However, after putting forward a firm argument against the faulty assumptions of inherent risk and vulnerability associated with the study and making a strong case for value of this kind of research, the study was granted full ethical approval.

While this is but one example from one encounter with an REC, it reflects a larger propensity for some RECs to privilege online survey data over in-depth qualitative or ethnographic research because of the reduction in the perceived risk to both participant and researcher. Quantitative surveys can generate powerful data for lobbying and advocacy. However, this method is largely limited to answering questions the researcher has conceptualised. Producing only quantitative data on the sex industry in the absence of in-depth personal accounts of people's experiences risks producing narrow understandings that may miss some of the complexity of people's experience. While conducting research in jurisdictions where sex work is decriminalised or legalised remains important, to conduct research only in these contexts is to silence the experiences of those who participate in the industry under criminalised conditions. Given that most of the world currently criminalises some or all of the sex industry and relationships within it, this thinking would mean most sex work research would be prohibited. Another key point here is that, given that sex work remains criminalised in most parts of the global south, it also perpetuates a privileging of voices in the north – exactly what needs to be altered in criminological and sociological understandings (Carrington et al., 2016). In the section that follows, we suggest some strategies that researchers might employ to make the case for why their 'risky' sex work research should be approved by RECs.

Strategies for addressing REC concerns about 'risk' in sex work research

All social science researchers are beholden to basic ethical responsibilities. We summarise these as: (1) a reasonable balance between research risks and anticipated

benefits; (2) the informed, rational, and voluntary consent to research participation; (3) appropriate protection of private and confidential information; and (4) equitable and non-coercive recruitment of research participants. Individuals are then obliged to fulfil other professional and institutional bodies' specific rules and guidelines, so that considerations are often a balance between the research institution, external bodies, and the participant community. Constructing a response to an REC that has concerns about the risks associated with a study involves making a strong and clear case for how the study does strike a balance between the potential harms and benefits. In this section, we discuss how a researcher can make this case for their research by (a) outlining the benefits of doing the research and (b) putting the potential risks associated with the study into perspective.

Communicating value of the research: the importance of research for policy

While there may be some potential risks implicated in collecting data which could contain criminal disclosures, if these risks are appropriately mitigated they are outweighed by the benefits of conducting novel and internationally relevant research that generates knowledge about sex work, and holds the potential to contribute to legislative and policy impact and reform.

When a researcher is met with a particularly risk-averse REC that blocks research on the grounds that sex work is criminalised, the researcher could remind the REC that the social sciences have long traditions of researching social behaviours linked to criminality. Disciplines like criminology have been built upon the study of criminal and deviant behaviour and societies' responses to them. These disciplines highlight the value of researching these issues for drafting better laws or designing policies that are more effective. This argument holds particular weight in relation to research into criminalised behaviours and practices and issues related sexual and reproductive justice (like sex work, abortion, or drugs) where there is ongoing lobbying and advocacy for legal reform. To curtail research because the issue is criminalised is to hinder social scientists' ability to contribute meaningfully to policy change. If all research on women's experiences around access to abortion were vetoed on the grounds that abortion was criminalised, there would be far less nuanced empirical evidence to support lobbying and advocacy for access to safe and legal abortions that women in many countries now have access to (and for which many others are still fighting). Researchers who are conducting research in contexts where sex work remains fully or partially criminalised can argue that their research may contribute meaningfully to public discourse and legal reform. A meta-analysis and systematic review of international research on sex work clearly showed that the criminalisation of sex work is linked to poor physical, sexual, and mental health outcomes for sex workers (Platt et al., 2018). The criminalisation of sex work is harmful for sex workers' health and well-being. A researcher can reasonably argue that conducting research around sex work in these contexts and contributing to the evidence base for the decriminalisation of sex work is important, and certainly can outweigh the potential risks.

Putting 'risk' into perspective

Researchers are not obliged to conduct 'risk-free' research. Disciplinary advancement, policy change, and solutions to social problems often come from innovative and risky research. In some cases, certain risks cannot be entirely eliminated without compromising the integrity of the study (Whitney, 2016). Researchers are obligated, however, to demonstrate that their research strikes a reasonable balance between research risks and the anticipated benefits. To demonstrate this balance, we suggest some strategies that researchers might employ to put the (often-inflated) risks associated with sex work research into perspective for RECs.

Citing the facts on obligations to disclose. Research on criminalised issues can raise REC's concerns about the researcher's legal obligation to report any illegal activity participants disclose and the resultant implications thereof for the participant, researcher, and institution. However, often such concerns are not based on legal realities. When constructing a response to an REC that has flagged such concerns, it can be useful to lay out researchers' legal responsibilities to disclosure by citing the relevant legislation and associated literature. To this end, for the UK context, we have found the University of Sheffield's (2020) research ethics policy note, *Research Involving Illegal Activities*, and journal articles by Elliott and Fleetwood (2017) and Feenan (2002) useful as they set out the relevant legal statutes. In short, researchers do not have a legal responsibility to report criminal activity (Elliott and Fleetwood, 2017). According to UK law, there is no general legal obligation for an ordinary citizen or resident in the UK to report all illegal activity that they observe or to which they become privy. Researchers do not have any specific obligations to disclose information around illegal activity beyond those that are imposed upon them as ordinary residents or citizens of the UK. Therefore, sex work researchers are unlikely to find themselves in a situation where they are legally obliged to report a crime that they learn about during the research process.

There are, however, some exceptions. In the UK, there are legal obligations to disclose information that is discovered in the research context if it relates to child protection offences, such as the physical or sexual abuse of minors, the physical abuse of vulnerable adults, and crimes covered by the Terrorism Act 2000 (see Elliott and Fleetwood, 2017, for detailed discussion on what researchers should know about the Terrorism Act). Given these exceptions, all researchers (not just those studying criminalised activities) should inform participants of the circumstances under which they would have to breach the confidentiality. There are also moral obligations around a 'duty of care' to report onwards if researchers are concerned for the immediate safety of their participants. When developing participant information sheets, researchers should explicitly state that the confidentiality of the interview will be breached in the event of the above exceptional circumstances (physical or sexual abuse of minors and vulnerable adults, activities related to terrorism), as well as in instances where there is a perceived direct and immediate harm to the participant or to someone else. If researchers can demonstrate that they have incorporated these considerations around disclosure into the informed consent process, they could state that they have in place reasonable measures to mitigate the limited risks associated with disclosure of illegal activity in the research process.

Protection of data: risks in everyday life. In research where participants may disclose their involvement in criminalised activity, there is some risk that data is illegally accessed, linked to the participant, and used by a third party to their detriment in some way. With sex work research increasingly taking place online, these security questions, including the tracing of digital footprints, are very contemporary. To mitigate these risks, any study must have in place strict data protection procedures for maintaining the participants' anonymity, such as delinking individuals' identifiers from the main data and storing interview data anonymously, safely, and securely on institutional servers, as well as a clear timeline for destroying raw data or processes for archiving and re-use. If conducting research online, they must ensure they are using secure platforms and applications to collect data, giving particular consideration to transferring data and long-term storage. The UK data service (<https://www.ukdataservice.ac.uk/>) provides a wealth of information on how to manage data safely and ethically. If the researcher has put all measures in place to manage the data securely this should be enough to satisfy ethics committees. There should not be expectations that, because the research is about sex work, researchers must mitigate all possible risks, including those that may be beyond their control.

Sex work researchers might find that disproportionate demands are placed upon them to ensure the anonymity of participants beyond reasonable limits. In response to such concerns from RECs, there may be instances where the researcher could argue that the risks involved in participating in the study would not exceed the risk participants encounter in their ordinary lives (for a more detailed discussion on this, see Webber and Brunger, 2018). For example, RECs may block research that uses online interview methods because the researcher cannot guarantee that the participant's Internet network will be secure during the interview, and that the interview could therefore be infiltrated and used to implicate them in sex work activities. However, researchers interviewing participants who regularly use online platforms for sex work-related activities may argue that the interview does not exceed the risks that they would ordinarily face when they engage with sex work online. If participants have knowingly and freely consented to participation in a study and are made fully aware of any risks implicated therein, and if researchers have taken reasonable measures to protect participants' anonymity and their practices adhere to national data protection acts and regulations, then the researcher can make the case that they have satisfied their ethical obligations in terms of confidentiality and data security.

Using citation to challenge sex exceptionalism and stigma. Finally, we suggest that making panels aware of the extensive research that has gone before, by using citation, can be a valuable tool for challenging stigmatising understandings of sex work and faulty assumptions about risk and vulnerability associated with sex work research. There is a rich and ever-growing body of ethically minded empirical research produced by researchers across the globe that we can draw upon to support our own research. In cases where RECs are apprehensive about approving research conducted in jurisdictions where sex work is criminalised, researchers can cite the work of other researchers from established research institutions (signalling that they would have undergone a rigorous REC application themselves) who have published their research about sex work in these contexts (see Huysamen and Boonzaier, 2018, for research on South Africa; Krüsi et al., 2012, for

research in Canada; Lahav-Raz, 2020, for research in Israel; and Sanders et al., 2020, for research in the US). Where REC concerns are clearly based on exaggerated ideas about the sex industry, researchers can cite work that debunks the conflation of sex work and human trafficking (Smith and Mac, 2018), provides evidence that challenges assumptions of sex workers as inherently vulnerable (Agustín, 2007; Brown and Sanders, 2017), or that talking about non-normative sexual practices is inherently distressing (Irvine, 2012). In cases where researchers are discouraged from doing research on male clients on account of their own vulnerability, they can draw on research that repeatedly disqualifies assumptions of purchasers of sex as a homogeneous and inherently dangerous group (Hammond and Kingston, 2014; Huysamen, 2020; Kingston et al., 2020; Sanders, 2008; Smith, 2019).

Looking forward: the co-production of ethical research

Based on our experience of designing and setting up projects within sex work communities in the global north and south, and managing those relationships throughout the whole process and beyond, we have some suggestions for moving forward. Our experience, and that from our networks, demonstrates that the real ethical issues happen within the set-up of projects, fieldwork processes, relationships, and legacy, and that the ‘in situ’ ethics are what need most attention. Our observations are echoed by other researchers who call for rethinking institutional ethics process (Alvesalo-Kuusi and Whyte, 2018; Tomaselli, 2016; van Zyl and Sabiescu, 2020).

Sex work research as a discipline, which plays an important part in gathering evidence for change that promotes the human rights of sex workers, would benefit hugely (in terms of time, efficiency, ethics, and enhanced research integrity with partners) from the development of a shared set of research protocols that guides collaborations between academic researchers and sex work communities and their representatives. These research protocols would be co-produced, led by sex work communities in conversation with researchers. This would allow sex work communities to set out their expectations and stipulate the conditions under which they would like to work with researchers. It would also allow these community groups better insight into understanding the structures and limitations within which researchers have to operate. The end goal would be to have a set of ‘gold standard’ benchmarks to be referred to when designing, carrying out, and disseminating research in different contexts. The co-production of research protocols could facilitate a more equitable research process. These would in turn support and facilitate the completion of institutional ethics processes. Joined research protocols would provide RECs with further security around the integrity of the proposed project and offer evidence of the established relationships with the researched community. The benefits of a co-produced set of ethics for sex work research are significant. From our international research experiences, we resist the ‘one size fits all’ approach to ethics. Our critique of institutional ethics processes is that taking predetermined principles and applying them to any project is not considering the context, culture, legalities, and environment specific to that community. However, developing an understanding of what ethics means within each individual context could work towards a more universal set of ethical principles researchers could refer to across the globe.

In thinking about developing these ethical guidelines for researchers, we suggest that the principles of participatory action research (PAR) should underline project approach and design. Built up over 20 years, sex work research now has a solid baseline of collaborative research which has peer researchers involved in the research process (see Garcia-Moreno et al., 2005; Guha, 2019; Oliveira, 2019; Oliveira and Vearey, 2015; Richter et al., 2014; Rickard, 2003; Schuler, 2017; Scorgie et al., 2013; Wahab, 2003; Yingwana, 2017, 2018). Building on the feminist praxis thinking from Maggie O'Neill (2001, 2007), the democratic inclusion of participants in the research process is key. Bowen and O'Doherty (2014) explain how PAR approaches can address 'power in knowledge production within marginalized communities' offering a framework where community members can become participants in the process and not the subjects of research interest (p. 53). These authors outline how this can happen through the phrases of conceptualisation, design, implementation, analysis, and (re)presentation and action.

O'Neill (2010) further advocates for a 'feminist cultural criminological analysis' of sex work, by adopting PAR methodologies which can 'foreground the diverse voices and experiences of sex workers, challenge the current focus on abolitionist criminal justice regimes and outcomes, and offer an alternative framework for a cultural materialist analysis of sex work' (p. 210). These collaborative approaches to doing sex work research confront the divisions between academia and political change, developing a form of 'academe activism' that uses the research process with the sex work community to stand up for social justice and human rights of sex workers (Connelly and Sanders, 2020). Academic advocacy work has been given attention recently, partly for the politicisation of academic inquiry, but equally the responsibility on academics to include sex workers as co-researchers (Weitzer, 2010). Mgbako (2016) describes the African context of sex worker activism within the context of global sex worker rights, a cause which uses evidence and research to fight against criminalisation. These trends towards the inclusion of the sex work community in the academic research process provide examples of ethical research. We know from these PAR approaches that such benchmarks can map a positive path going forward, for newcomers to learn from and for existing scholars to be able to promote a careful partnership model of research between stakeholders.

This is not to assume that PAR and principles of co-production are unequivocally ethical and immune to the power imbalances with which traditional research methods are fraught. Neither is it to say that PAR is immediately possible for all communities and all researchers. Moreover, some sex work communities and organisations may choose to conduct their own research, independent of academic researchers. Sex work researchers working with marginalised migrant populations have reflected upon how participatory approaches often throw up even more ethical dilemmas and questions than other forms of research (Oliveira, 2016; Oliveira and Vearey, 2020). The tensions around setting up, designing, delivering, and publishing research with sex workers and the difficulties of 'sharing authority' (Rickard, 2003) are laid out by several researchers. These critical reflections of PAR research processes further point to the value of producing joint protocols (informed by discussions between sex workers and researchers that grapple with these issues) to guide the research process. Moreover, the 'significant tensions between collaborative, reflexive, community research and academic modes and structures'

(Wahab, 2003: 625) are illuminated specifically in sex work research. For example, Connelly and Sanders (2020) describe the institutional barriers to adopting PAR as the clunky university systems stifle innovation in research design and administration. However, there are pathways forward to overcome these barriers (see Bowen and O’Doherty, 2014), including developing joined research protocols, so that PAR can be embedded into research approach and delivery.

Research in sex work is becoming increasingly difficult on many levels. Funding is shrinking for social science interests, unless there is a clear health-led set of questions and outcomes. The politics of sex work is ever-heated, as fractions across the feminist divide demand funds for each cause, often competing against anti-trafficking ideas, the modern slavery agenda, and topics that appear much higher on government agendas. With this increasingly difficult funding landscape, there is a risk that research about sex work becomes increasingly localised and smaller in scale. While there is always a place for such pioneering small-scale research, journals are also drowning in this form of approach and data on sex work, limiting the expansion of the discipline and our knowledge about the important questions around trends, patterns, and changes in a changing sexual economy.

We have (possibly idealistic) hopes that researchers can actively initiate jointly written protocols to bring together allies, with the aim to set out some very clear requirements from activists groups about how academics should ethically engage with sex workers. These collaborations can be used to strengthen arguments within academia about the importance and integrity of this kind of research. With a joint protocol in hand, there is every chance that research will be better, that relationships between sex work community and academics will be mutually understood and respected for fruitful collaborations, and that academics will not have to fight with RECs to conduct valuable research.

Concluding thoughts

The social sciences have a long and important history of researching social behaviours that are linked to criminality or are criminalised by legal frameworks. For sex work researchers working towards the decriminalisation of sex work, like other researchers producing an evidence base for greater access to safe and legal abortions or better drug policies, our research on criminalised topics and behaviours is a crucial part of what makes our work so important to politics and society. Our work contributes to evidence-based legal and policy reform that has strong motivations to improve social justice and human rights and address structural inequalities. To have our research vetoed on the grounds that research into criminalised topics is too intrinsically ‘risky’ hinders our ability to encourage or contribute to social change.


While we are writing from the UK, what we present has clear international relevance. Our practical suggestions can be easily adapted for other contexts. Many of the core issues we address have application beyond sex work and may be relevant to research on other criminalised, stigmatised, or ‘non-normative’ practices and topics, such as research on drugs, abortion, sexuality and disability, kink, and pornography. It is often these ‘sensitive’ subjects that elicit additional layers of caution among ethics reviewers.

Finally, we draw on our own experiences and that of many others across the globe¹ to contend that the real ethical issues are not always best addressed via an ethics committee. The ethics challenges we face getting through these committees are often almost entirely different to the challenges we face when trying to do ethical research about sex work and with sex workers. We are not suggesting that sex work researchers need not put measures in place to ensure their own safety, or that there are no potential risks for participants associated with sex work research. However, we argue that stigma and tired stereotypes about sex work can creep into RECs' understandings of our work to inflate perceptions of risk and vulnerability. In responding to the concerns and demands of RECs, researchers may need to distinguish between legitimate requests to mitigate the actual risks associated with their particular study and demands based on faulty understandings of the nature of sex work (selling and buying) and the resultant exaggerated perceptions of risk to participants and researchers. This article has offered suggestions for how sex work researchers could respond to (or even pre-empt) RECs' concerns around research risks in ways that put these risks into perspective. The stigmatised status of sex work, and those associated with it, undoubtedly affects academics when they are up against funders or RECs. However, with a joint initiative to strengthen the base from which our research comes, there is resistance to this stigma, sidestepping, and risk averseness. Knowledge is power, and together we are stronger.

Funding

The author(s) received no financial support for the research, authorship, and/or publication of this article.

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Note

1. See the international collection by Dewey et al. (2018).

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Date submitted 13 July 2020

Date accepted 24 February 2021