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**Sex workers' everyday security in the Netherlands and
the impact of COVID-19**

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Abstract

The COVID-19 pandemic has laid bare and exacerbates the existing insecurities of sex workers, a highly stigmatised, often criminalised and economically precarious group of workers. In the Netherlands, sex workers continue to experience different forms of violence despite the occupation's legalisation, making it a 'profession in limbo'. This paper therefore seeks to formulate answers to the questions: What are sex workers' everyday experiences of (in)security? And: How has the COVID-19 pandemic influenced these? Given sex workers' historical exclusion from policy formulation, we engage with these questions through collaborative research based on semi-structured interviews with sex workers in The Hague.

Our analysis reveals a stark mismatch between the insecurities that sex workers' experience and the concerns enshrined in the regulatory environment. While the municipality's regulation of the sex industry focuses on sexually transmitted infections (STIs), occupational safety and health issues that sex workers experience also include psychological problems, insufficient hygiene in the workplace and the risk of violent clients. Besides, income insecurity is a key concern for sex workers. The decline in legal workspaces during the past two decades has not translated into higher service rates. Net earnings are further reduced when window operators pass on the risks of illness or damage to sex workers. Furthermore, operators act as powerful gatekeepers of access to remunerative employment. Here, sex workers identify gender-based discrimination with resulting more severe employment and income insecurities for transwomen and male sex workers.

This legal liminality is enabled not only by the opaque legal status of sex work in the Netherlands, but also by the gendering of official regulation. Our study mirrors research from the Netherlands and beyond that documents sex workers' widespread exclusion from COVID-19 support packages. Over and beyond this, we find that immigration status intersects with and mediates these exclusionary processes.

We conclude that, firstly, to effectively address the insecurities that sex workers experience and fear, regulation needs to shift from its current criminal law and public health focus to a labour approach. Secondly, over and above such decriminalization, policies and civil society actors alike need to address the gender and sexual hierarchies that underpin sex worker stigma as well as migrants' discrimination which have come out as powerful mediators of sex workers' insecurities.

Keywords

Biopolitics, collaborative research, gender, insecurities, intersectionality, labour approach, legal liminality, the Netherlands, sex work

Sex workers' everyday security in the Netherlands and the impact of COVID-19

1 Introduction

The COVID-19 pandemic has laid bare and exacerbates communities' existing insecurities. Clearly, this is the case for sex workers, a highly stigmatised, often criminalised and economically precarious group of workers (de Wildt et al., 2020, p.5; European Parliament, 2021, para. AL). We refer to 'sex work' as an alternative to stigmatising language for the labour performed in commercial sex industries (Berg, 2014, p. 693). A few weeks after the first Corona-related national lockdowns in spring 2020, Platt et al. (2020) projected that sex workers' "[...] inability to work, reduced access to health services, and increased isolation are likely to result in poorer health outcomes and increased inequalities, particularly where individuals are largely excluded from formal social protection schemes" (p. 10). Their prediction implies that the way in which sex workers experience this crisis crucially depends on the legal and social regulation of the sex industry.

In the Netherlands, sex work is a legal profession and the stated aim of regulation of the sex industry at national and municipal levels is to improve the status and security of sex workers (Tweede Kamer, 2014; Municipality of The Hague, 2019; van Wijk et al., 2014). Despite this conducive framework, sex workers continue to experience different forms of violence (Aidsfonds and PROUD, 2018a; Breuer and Intraval, 2018; James and Hamburg, 2020; Pitcher and Wijers, 2014; Verhoeven, 2017). Does this imply that the regulation of the sex industry in the Netherlands is ineffective? Or do understandings of desirable conditions in sex work differ?

Before the onset of the COVID-19 crisis in the Netherlands, these questions motivated a small-scale inquiry into sex workers' everyday experiences and practices of security in relation to their work. The feminist qualitative study centred around semi-structured interviews with sex workers. While research participants' gender identities, migratory experiences and work locations varied, they all worked in The Hague, a city where sex work is less visible and less researched compared to Amsterdam's famous red-light district. Zooming in on sex work in the shadow of the Netherlands' seat of government offers an interesting case to compare with other municipal approaches and their effects on sex workers' lives (e.g., Siegel, 2017; Tydeman and Dijkstra, 2020; de Wildt et al., 2020). Follow-up interviews between June and August 2020 enriched the initial fieldwork conducted in 2019. They sought to understand how the outbreak of COVID-19 and related prevention measures have influenced sex workers' experiences of (in)security. Based on this, this paper seeks to formulate answers to the questions: What are sex workers' everyday experiences and practices of (in)security? And: How has the COVID-19 pandemic influenced these?

The paper is based on an innovative methodology that co-creates knowledge with sex workers. Such co-creation of knowledge responds to the feminist call for collaborative research with historically marginalized and stigmatized communities. It is based on the conviction that research for and about women and other marginalized groups is most effectively accomplished through communal rather than hierarchical models of scholarship (Rhoades, 2000, p. 96). More importantly, this orientation is in line with sex workers' demand not to produce knowledge and design interventions about them without them (ICRSE, 2015; NSW, 2013).

Thematically, this paper moves away from the dominant frames of deviant behavior or the transmission of diseases by speaking to an increased interest in sex work as work. Recent special issues on sex work across disciplines, e.g. in *Social Sciences* (2020), *Anti-Trafficking Review* (2019), *Feminist Economics* (2017) and *Sociological Perspectives* (2016), reflect this scholarly attention.

These contributions affirm that, for many sex workers, the entry into sex work represents a key practice to achieve security. For instance, Lam and Lepp (2019) describe that, similar to other migrants, migrant sex workers in Canada have a variety of reasons to take up work in the sex industry: “[...] to meet their basic needs, to attain economic security and advancement, to move away from oppressive circumstances (e.g. low-wage work in other sectors, domestic violence, etc.), to support their families and finance the education of their children, to achieve self-actualisation, and/or to pursue their dreams” (p. 96). This is even more true for trans persons who face severe discrimination not just in the Italian labour market (Botti and d’Ippoliti, 2017; Jones, 2020).

In contrast, many scholarly contributions document that - for diverse contexts - regulation whose stated aim is to end sex workers' exploitation, like anti-trafficking interventions, actually trigger and exacerbate financial insecurity, exploitation, and unsafe practices among sex workers (e.g., Hoefinger et al., 2020; Jackson, 2016; Lam and Lepp, 2019; Lutnick, 2019; Parmanand, 2019; Peterson et al., 2019; Villar, 2019). In the context of the 2016 sex purchase ban in France, Calderaro and Giametta (2019) therefore argue that the “construction of the ‘problem of prostitution’ should be seen in light of broader political anxieties over sexism in poor neighbourhoods and immigration control, which justify the national priorities of security and public order” (p. 155) (see also Lerum and Brents, 2016, p. 20).

We apply the concept of everyday security to sex work, an occupation that has been characterized as the ‘ultimate precarious labour’ (Sanders and Hardy, 2013). Crawford and Hutchinson’s (2015) concept of ‘everyday security’ allows us to focus both on the ways in which people experience security projects, strategies, and regulations, and on how people create specific practices “[...] to govern what they understand and interpret as their own security” (Crawford and Hutchinson, 2015, p. 1185). Standing (2011, p. 10) underlines that multiple forms of insecurities are characteristic for precarious work. He distinguishes labour-related insecurities with regard to inadequate income-earning opportunities and — associated — insecure income, employment and job insecurity, insufficient protection against risks for health and safety at work,

the inability to gain skills and use competencies, as well as the lack of a collective voice in the labour market (Siegmann and Schiphorst, 2016, p. 114).

Based on fresh empirical perspectives from the margins of the Dutch labour market, our paper can contribute to the formulation of more inclusive social policy. The comparison of the 2019 situation with changes resulting from the COVID-19 pandemic is not just a timely topic amidst the ongoing crisis, but also enables the critical interrogation of sex workers' (in)securities from the perspective of a massive crisis of public health, employment and social protection. This is also relevant for critical discussions around sex work as work in contexts outside Europe where this situation of crisis represents 'normal' life for many (e.g., Adebisi et al., 2020; Cabezas, 2004; Parmanand, 2019; Ritterbusch 2016; Santos et al., 2021). This way, our paper contributes to pressing global debates about inclusion and exclusion in access to social security.

Our paper is structured as follows. Section 2 provides a sketch of conceptual resources that enable a deeper discussion of The Hague sex workers' experiences of (in)security. We describe our motivation for and experiences with a collaborative research approach in section 3. In addition, this section gives an overview over the way in which research participants were invited as well as our methods to generate and analyse data. It is followed by an overview over relevant regulation of the sex industry in the Netherlands and The Hague, in particular (section 4). Section 5 introduces sex workers' diverse experiences of insecurity and how the COVID-19 pandemic has put the latter under a magnifying glass. In the context of sex workers' 'legal limbo' that shifts power from sex workers to business operators, we pinpoint the role of social regulation through gender norms and hierarchies of citizenship for explaining their heterogenous insecurities. In section 6, the paper concludes with a summary of our findings and an outlook for more inclusive social policy.

2 Diversifying conceptualisations of security in sex work: towards a labour approach

Using the lenses of biopolitics regarding the administration and hierarchies of sexuality and population control, we analyze sex work as a ‘profession in limbo’ - legally liminal – that shapes sex workers’ everyday security. We apply a polymorphous approach towards sex work, in which the diversity of experiences are shaped by intersecting hierarchies of gender, sexuality and citizenship.

Potential insecurities for sex workers are often assessed through the lens of the ‘oppression paradigm’ (Weitzer, 2009). Defendants of this paradigm argue all sex workers are exposed to violence and exploitation. Their worst experiences are usually generalized, and it is argued that they are unavoidable (Weitzer, 2009). Through this lens, sex workers’ (in)securities are not related to the specific working conditions or the contextual legal and social status of the work. Hence, if an image of sex work as inherently harmful is created, changes in these conditions would not improve their safety, nothing would.

The ‘oppression paradigm’ assumes patriarchal gender relations that victimize women and sexual hierarchies that stigmatize remunerated sexual practices (Rubin, 1984; Butler, 2009; Weitzer, 2018). The higher position of non-commercial sexual relations in the sexual hierarchy produces the ‘whore stigma’ that is not only detrimental to sex workers but disciplines most women’s sexuality. This perspective and the underlying hegemonic notions of gender and sexuality are often reflected in policies informed by a criminal law approach to sex work (Heumann et al., 2016), that is further inflected by racialization (e.g., Cabezas, 2004).

The ‘empowerment paradigm’, in contrast, “focuses on the ways in which sex work classifies as work, involves human agency, and may be potentially empowering for workers” (Weitzer, 2009, p. 215). Although this paradigm recognizes sex workers voluntary entry into the industry, it falls into the same gender and sexual assumptions as the opposite view. By focusing only on success stories, this paradigm makes invisible the diverse experiences of sex workers and the effects of the different contexts in which they exercise their work. If the lack of labour rights and its consequences are not considered, if an image where only happy sex workers exist is created, sex workers insecurities are rendered unimportant. In addition, the patriarchal and heteronormative understandings of the organization of sex work that inform both the oppression and empowerment paradigm lead to the invisibilisation of transwomen and male sex workers that aggravates their legal liminality.

Studies looking at sex work from the perspective of legal liminality (Chun, 2009) are aligned with the alternative ‘polymorphous paradigm’: Although exploitation and empowerment are certainly present in sex work, there is sufficient variation across time, place, and sector to demonstrate that prostitution cannot be reduced to one or the other. An alternative perspective, what I call the polymorphous paradigm, holds that there is a constellation of occupational arrangements, power relations, and worker experiences (Weitzer, 2009, p. 215).

Following this approach, we take intersectionality as a key feature of sex workers' experiences of (in)security. Intersectionality, as a theoretical and methodological perspective, makes it possible to see and explore how multiple identities and structures of oppression and privilege operate in different ways and levels (Winker and Degele, 2011).

Scholars using the lens of legal liminality to understand sex workers' experiences argue that their legal status remains ambiguous, like in a limbo, creating a position in which sex work is neither legal nor illegal (Fassi, 2016; Hubbard et al., 2008; Truong et al., 2014). Fassi (2016) states that this legal liminality is contextual, written and performed. This means that the limbo is created by the specific rules where sex workers work, rules which may or may not be enforced (Fassi, 2016, p. 27). This creates an asymmetric situation in which sex workers are not left without obligations and surveillance, but without full labour rights (Fassi, 2016, p. 31).

The idea of a legal limbo makes visible the practical and discursive implications of performing an activity that is neither regulated as work nor punishable as a crime (Fassi, 2016, p. 34). Within this limbo, work-related insecurities can be seen as the operationalization of precarious work (Standing, 2011). The legal limbo also helps us to understand how, without the recognition of sex work as work and a labour approach, it might not be possible to change the existing precarious conditions many sex workers live in. Even more, it is possible to analyze how these conditions are partly produced by this liminal condition (Fassi, 2016, p. 8), understanding how governmentality operates within sex work.

Foucault's concept of governmentality refers to the mechanisms and technologies, the rationalities, techniques, and procedures, by which the state controls specific populations. This is done by re-producing what is considered as 'normal' and what is not, and this is usually justified through the idea of security and protection. Foucault also called this biopower (Foucault et al., 2007, p. 1). The mechanisms of security are created to keep specific behaviors and practices, framed as dangerous, "within socially and economically acceptable limits [...]" (Foucault et al., 2007, p. 6) in specific contexts. The concept of biopower allows us to analyze how municipal and national regulation of sex work emerge from and respond to the desire to control populations and normalizing certain behaviors.

3 Research methodology

3.1 Collaborative research approach

To position sex workers (or any marginalized group) as the experts of their own lives and experiences is not only an ethical and epistemological issue, but also a political act (Code, 2015; Harding, 1992). As a feminized occupation, sex workers have been constantly excluded (as women have historically) from the debates and decisions that affect their lives (e.g., Lepp and Gerasimov, 2019, pp. 2-3). Starting from their own experiences and opinions is also challenging the notions about ‘who is the expert’ and ‘who we have to be’ (or who we think we are) to decide for others (Dewey et al., 2018; Dewey and Zheng, 2013; Wahab, 2003).

As a result of this commitment, in the second phase of the study since 2020, we have co-created knowledge with one of the 2019 research participants on board as co-author. Wáleri, a transgender sex worker from Brazil, has been working as a sex professional in The Netherlands, in windows and at home, for the past four years. Our collaboration started with the aim to do follow up qualitative interviews with previous research participants, combined with an ‘open door invitation’ to get involved in the research, more broadly. The process that started this way led to a collaboration in which all three of us joined hands in all stages of the research, albeit in varying degrees.

When describing her research experience, Wáleri foregrounded the deeper reflection about her work and the feeling of being heard: “What seemed to be a simple interview that I agreed to do with a young lady who wanted to collect information for her end-of-year project, took on much larger proportions and somehow directly involved me with a reality that was mine, but that I myself did not know how much there was to be said, reflected upon, and possibly improved upon. I feel that I am part of a relevant project that gives a voice to those who have never been heard, which also awakened in me the desire to go back to study and participate in the changes that our profession needs.”

Wáleri’s insider perspective provided Karin with a rich learning experience: “Her interpretations and demands are rooted in her deep knowledge of sex work in The Hague. Bringing that into a respectful dialogue with Inés and my outsider perspectives, I think was very fruitful. In particular, I strongly feel that Wáleri’s gender identity and experience as a migrant have enabled us to see how differences in gender and immigration status produce very diverse experiences among sex workers.”

For Inés, producing knowledge together with someone directly affected by misrepresentation of sex workers’ experiences and silencing of their voices oriented her research towards societal change: “Wáleri’s participation in this research gave our reflections and interpretations more angles. We were therefore more oriented towards the transformation of the reality that we are analyzing.”

3.2 Research ethics

Our research was informed by notions of ‘responsible research’ and ‘caring’, developed by Code (2015). Apart from its role in being critical and reflexive towards the research process as knowledge production, caring enables the researcher to constantly reflect on the possible and very real effects of the research.

Based on these ethical commitments, we have tried to take into account the vulnerable situations in which sex workers can be, especially given the polarized visions of debates around sex work. Thus, confidentiality and anonymity were two aspects of fieldwork and data generation that needed to be addressed with every participant. We respected the desire of every person to remain anonymous and to protect the data they shared with us. Therefore, all sex workers' names were changed to a pseudonym to protect their identity. In order to enable them to assess possible risks, we informed research participants about which kind of information was going to be processed and shared and in which ways.

Finally, it was crucial to remember and reflect on the fact that some participants might not agree on the representations resulting from the research process. In order to avoid the epistemic injustice involved in such misrepresentation, this implied a constant negotiation and dialogue (Kalman and Sörensson, 2018), which was crucial for the epistemological standpoint of this research and the for the collaborative production of knowledge from multiple and diverse perspectives.

3.3 Research participants

Given the limitations regarding language (since two of the authors do not speak Dutch), the study focuses on English or Spanish-speaking sex workers working in The Hague. Their participation in the study was invited through a combination of chain sampling and maximum variation sampling. The process of chain sampling involves locating information-rich research participants by asking well-situated people for referrals (Patton, 1990, p. 176). It started with gatekeepers from the different non-governmental and self-help organizations - such as the service provider Spot 46 and the sex worker union Liberty - contacting sex workers and inviting them to participate in the project. Moreover, chain sampling was also applied to explore which relevant other actors or public institutions beyond participating sex workers could be included in the research.

Maximum variation sampling seeks to identify central themes cutting across a great deal of participant variation (Patton, 1990, p. 172). We translated this in an effort to work with a diverse group of sex workers to identify both differences and commonalities. In practice, both cis- and transgender women working from windows were interviewed. They form the majority of the licenced sex workers in The Hague. One cisgender man working from home was also interviewed. As a result, the work location varied, too, as some of these participants combine their job in windows with home-based sex work.

The focus on English and Spanish-speaking sex workers produced diversity regarding research participants' nationalities and immigration statuses. While two of them were Dutch, the majority originated from different Latin American countries. Spanish, Italian, or Portuguese nationalities enabled them to work in the Netherlands as EU citizens.

3.4 Qualitative interviews

After three exploratory interviews conducted with key informants from sex workers' or support organizations, one more interview was conducted with an institutional actor, a member of the Security Department – Public Order and Security from the The Hague Municipality. Based on an interview guide, developed both in Spanish and in English, that focused on sex workers' practices and experiences of security, 13 interviews were conducted with sex workers between June and September 2019. Follow-up conversations with three sex workers and with one member of the support organization Spot 46 were performed to ask specific questions about the interpretation of the results. Finally, to explore the COVID-19 related changes, four interviews were conducted with sex workers and one with a member of Spot 46 between June and August 2020.

3.5 Data analysis

The qualitative data so generated was analyzed with computer support. The softwares Nvivo and Atlas.ti were used to code all the information with initial open codes and the gradual development of analytical categories. In the process of open coding, the analytical categories of labour rights, responsibility, precarity and working conditions inductively emerged from the interview data. Additionally, the frequency (or 'groundedness') of the codes provided pointers regarding the centrality of themes for our analysis. Based on that, the team held regular discussion and analysis meetings during which a conceptual mapping was developed inspired by Ligita et al. (2020). We discussed the interview data by examining the most commonly used codes and their relationships. Some citations selected by topic were discussed to identify differences and similarities and to examine extreme cases. We created networks to visualize the results and analyze the connections between codes. Thus, central themes in relation to the research questions could be identified.

4 Sex work in the Netherlands: a profession in limbo

4.1 Regulation of the sex industry in the Netherlands

Although sex work is legal in the Netherlands and there is a common public discourse about improving sex workers' position in society and creating a safe environment for them to work, Post et al. (2019) point to the paradox that "[...] this liberal dream goes hand-in-hand with a growing repression of personal freedom in the Dutch prostitution sector" (p. 115). The anomaly of sex work being regulated by the Ministry of Justice and Security, rather than by the Ministry of Social Affairs and Employment comes about as the result of the occupation being approached as a security issue. It is seen as a 'special profession' with high risks to both sex workers and the public order. The main goal of regulating sex work is thus to protect the general public from the harm caused by it (Post et al., 2019, pp. 114-115). As will be detailed below, perversely, this ambiguous framing as a legalized profession that simultaneously poses security risk leaves sex workers in a 'legal limbo' (Fassi, 2016) and their rights unprotected (Cubides Kovacsics, 2021).

National and municipal regulation organizes sex work around a licensing system. The term refers to sex businesses such as windows, brothels, private clubs, or escort agencies that operate under a license, and where sex workers can provide their services (Rijnink and van Wijk, 2020). An unlicensed sector remains alongside this regulated part of the sex industry. The almost 50 per cent decline in licensed enterprises for sexual services between 2000 and 2014 (van Wijk et al., 2014, p. 38) reflects the growing repression of the sex industry in the Netherlands identified by Post et al. (2019). Self-employed sex workers working from home have been excluded from the licensing system since the Amended Bill Regulation of Prostitution of 2014 (Post et al., 2019, p. 112). The prohibition of home-based sex work in most cities is associated with this lack of regulatory reach and based on the assumption that human trafficking occurs more in the privacy of the home.

Outshoorn (2012) describes how regulatory discourses frame the two parts of the Dutch sex industry in national terms. The licensed sector is constructed around an "[...] ethnically undefined Dutch sex worker who willingly chooses to work in prostitution and is the bearer of civil and social rights" (p. 237). Moreover, non-EU citizens cannot work legally as sex workers because they cannot ask for a permit themselves (Verhoeven, 2017, p. 371). Sex workers in the unlicensed part of the industry, in contrast, are cast as 'foreign' and originating from Eastern Europe and West Africa. Van Wijk et al (2010, pp. 202-210) estimate that more than half of the sex workers in the Netherlands are migrants, and a recent report estimates the same for window-based sex workers in The Hague (van Gelder and Veldboom, 2019, p. 19).

Sex workers' contractual status forms an obstacle to the realization of many rights. While, in theory, they can work as self-employed, as employees or in the so-called opting-in system, in practice, very few sex workers are employees, e.g., of a brothel (Breuer and Intraval, 2018, pp. 6, 19; Rijnink and

van Wijk, 2020, p. 22). Under the opting-in arrangement that is common, e.g., in clubs, massage parlours or escort agencies, “the operator withholds income tax and VAT on the earnings of sex workers, as in an employment relationship” (Pitcher and Wijers, 2014, p. 7; van Stempvoort, 2021, p. 68). It is the sex business owner (or operator), rather than the sex worker who decides whether or not to follow this system or to offer an employment contract (Breuer and Intraval, 2018, p. 4). Some municipalities oblige operators to make use of an opting-in arrangement (van Stempvoort, 2021, p. 69). Window-based sex workers are commonly self-employed (van Stempvoort, 2021, p. 70). The opting-in status implies that “[...] sex workers can neither derive any of the rights and benefits of an employee from this arrangement, nor can they derive any of the (tax) benefits of a self-employed worker” (James and Hamburg, 2020, p. 9). Similar to self-employed sex workers, they have no entitlement to sickness benefits, something that sex workers point out as problematic (Bleeker et al., 2018, pp. 2, 40). Besides, these two dominant employment statuses imply that working conditions in the sex industry, including income and occupational safety and health, do not fall under the ambit of the Dutch Labour Inspectorate (Inspectie SZW, 2019).

While their ‘legal limbo’ offers them weak protection of their rights at work, sex workers experience pronounced surveillance in the name of the prevention of public health risks as well as of human trafficking (Musto, 2010, pp. 387-91). Rijnink and van Wijk, 2020, p. 17). Since 1911, sexual exploitation and some prohibited forms of business involving sex work were considered a criminal offense in the Criminal Code (Article 250a). Nevertheless, it was not until 2005, following the ratification of the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, that human trafficking entered the Dutch Criminal Code as a broader concern. The 2009 Law on ‘Regulation of Prostitution and Suppression of Abuse in the Sex Industry’ contained stricter measures to combat human trafficking and controlled the sex industry and sex workers more tightly (Outshoorn, 2012, p. 233). The subsequent establishment of the Human Trafficking Task Force and the 2015 National Prostitution Programme that seeks to facilitate the cooperation of municipalities in terms of policy implementation, particularly to fight against exploitation and human trafficking, mirror the new centrality of the fight against human trafficking in the national regulation of the sex industry in the Netherlands (Daalder, 2015, p. 13).

The resulting increased attention to human trafficking and the framing of the sex industry as its main hub has produced specific strategies and policies that have had a severe impact on sex workers’ lives. For example, policies that prohibit home-based sex work “[...] make it difficult to differentiate between human trafficking and what is simply unlicensed home-based sex work. Thus, officially the police are supposed to track down trafficked persons but in practice their efforts mainly impact independent home-workers who run the risk of receiving hefty fines or even eviction” (James and Hamburg, 2020, p. 14).

4.2 Institutional set-up of sex work in The Hague

Municipalities have been the main shapers of Dutch prostitution policy since the lifting of the ban on brothels (Daalder, 2015, p. 13). Each municipality decides which forms of sex work are allowed, creating specific forms of legal or illegal sex work and associated entitlements (Rijnink and van Wijk, 2020, p. 5). This local regulation is often experienced as ambiguous and unclear by sex workers (Breuer and IntraVal, 2018, p. 22).

In The Hague, while street- and home-based sex work is not allowed, the licensed sector is divided into private houses, clubs and the two window areas in the city - Doubletstraat and Geleenstraat. Since 2008, a limit to the number of 85 licensed sex businesses was established employing an estimated 1,000-1,500 sex workers (Heuts et al., 2012, p. 13; Rijnink and van Wijk, 2020, p. 41). While the exact number of sex workers in unlicensed sectors in The Hague is unknown, these are estimated to be at least a few hundred (Heuts et al., 2012, p. 8).

In 2018, the regional public health service (GGD, for its abbreviation in Dutch) reported a total of 845 sex workers who were tested for STIs. This includes 709 women, 115 men and 21 transgender people, figures which might offer a broader idea of the gender distribution of sex workers in The Hague (van Gelder and Veldboom, 2019, p. 35).

Existing licences have to be renewed annually, for which the formulation of a business plan is required since 2017. The 'General local regulation' for the municipality of The Hague (APV for the Dutch acronym), dedicated to public order and safety regulations, stipulates that this plan should indicate the measures that operators take in the field of hygiene, to protect the health, safety, and self-determination of sex workers as well as clients and for the prevention of criminal offenses (Municipality of The Hague, 2019, p. 53).

This regulation is enforced through through a security network that is chiefly concerned with the guarantee of public health and the prevention of human trafficking. Within the Municipality, three departments are in charge of issues related to sex work. These facets include policy advice, business supervision, which also involves the identification of human trafficking, spatial planning of sex work locations and, last but not least, health services (Anonymous, interview, 2019; Veldboom, interview, 2019). The GGD is in charge of the latter. In addition, the GGD is in charge of inspecting establishments. Apart from the Municipality's departments, the The Hague Economic Intervention Team (HEIT) is in charge of 'tackling abuses' in sex work (Municipality The Hague, 2020, p. 10). Although not only related to sex work, the industry is one of their main focus areas. While its stated objective include both to improve sex workers' position, counter stigma and to prevent human trafficking (Municipality The Hague, 2020, p. 20), the team has focused on the last goal (Veldboom, interview, 2019).

Apart from these public actors, the sex work security network is also officially composed of the service providers Spot 46 and Stichting De Haven as well as the self-help organization Liberty. Being partially publicly funded, the

Municipality sees them as part of its security strategy. They offer information and services related to their work, and they support sex workers in their day-to-day needs. This way, these organizations represent sex workers, both in terms of being consulted by the municipality and by local media.

4.3 Sex workers falling through the cracks of COVID-19 support

In response to the outbreak of the COVID-19 pandemic in the Netherlands, the provision of direct sexual services was prohibited in the Municipality of The Hague as in the rest of the country from 15 March to 1 July 2020 and again from 15 December 2020. When most other industries, including all other contact-related professions, were allowed to open again in May 2020, sex work was still prohibited (Sekswerkexpertise 2021). This changed after the lobbying of sex work-related organizations and the creation of an hygiene protocol the industry had to follow to meet certain biosecurity measures (Sekswerkexpertise et al. 2020).

Mirroring the situation of other countries in which the exclusion of sex workers from COVID-19 support packages was widespread (e.g., Stempvoort, 2021; ICRSE, 2021), despite the payment of taxes and social security contributions by sex workers in the Netherlands, in a situation of crisis, sex workers have fallen through the cracks of social security. Financial support for unemployed sex workers in the form of the Temporary bridging measure for self-employed professionals (TOZO, abbreviated from its Dutch name) was limited to those registered as self-employed in the Chamber of Commerce. Initially, sex workers working within the opting-in system were not entitled to apply to any financial help because as quasi-employees, they cannot register as self-employed (de Wildt et al., 2020, p. 3; van Stempvoort, 2021, p. 68). Yet, self-employed sex workers, too, had difficulties to fulfil the requirements for TOZO, especially the need to hold one of the scarce licences. Even if they did, they could often not access the support (van Stempvoort 2021, pp. 69-70). TOZO was denied at first to some migrant sex workers regardless of their residence status or to those who had less than a year registered. In The Hague, income support for persons employed via opting-in was made accessible only four months into the pandemic (Gemeenteraad Den Haag, 2020, pp. 157, 168). As a result, a big group of sex workers working even within the licensed sector, were not able to access any financial benefits, and some of them had to continue working to be able to make ends meet.

5 Analysing sex workers' heterogeneous experiences: the insecurities of a profession in limbo

Sex workers' experiences of insecurity that come out in our study are more diverse than the concerns enshrined in the regulatory environment. They reflect the intersection of multiple power relations in which their work is embedded.

5.1 'The controls do not serve to protect us' – sex workers' insecurities amidst 'legal limbo'

Work insecurity as the risk of illness or accidents at work (Standing, 2011, p. 10) is one of the most significant risks that sex workers in The Hague experience. The municipality provides related services that centre around awareness raising about safe sex, free vaccination and STI's testing for sex workers and clients through the GGD and Spot 46 (Municipality of The Hague, 2020, pp. 9-12).

Other risks for sex workers' occupational safety and health (OSH) are outside of the municipality's focus, though. Hygiene, for instance, is an ignored aspect of window-based sex workers' work security that strongly depends on each window's operator. Some sex workers express satisfaction about their work conditions in this regard. The operators of their windows take care of cleaning the corridors, rooms, and bathrooms and provide them with clean towels and sheets as well as with access to the shower according to sex workers' needs. This contrasts with the poor physical working conditions that other sex workers experience. For example, Martha, a 50-year-old cisgender woman from the Dominican Republic, refers to poor ventilation and the amount of dust that accumulates in her workspace as a risk factor for her health. This forces her to choose between an unhygienic work environment and the risk of someone unwanted entering her room:

I do not like to work with the door open because I have the right blood to attract anyone, except someone nice ... Then I keep the door closed because I feel better... So that situation affects me a lot... besides the dirt accumulates too much and... I inhale all of it... (2019)

Emotional and psychological health is another important part of sex workers' occupational safety. George, a home-based 26-year-old male sex worker from Belgium and the Netherlands, points out that the lack of guidance and support when starting to work in the sex industry induces psychological stress:

There is also a great psychological aspect, apart from the material safety conditions, a great psychological influence, and that is something you have to learn, and the difficult thing about sex work is that there is no training on how to do the work. Many times, a person enters this job, they cannot discuss it with their friends, they do not have colleagues with whom to evaluate how they would do it, and there is no education that teaches them the best way to

do it. So that makes it very complicated, I think, because you have to learn everything on your own. (2019)

George's and other workers' experience of being unable to talk about their job with friends or family because of the stigma related to sex work parallels Borg (2017, p. 35) who considers the emotional risks associated with discrimination, societal exclusion, the stress of leading a double life, mental issues, and stigma the greatest risks experienced by sex workers in the Netherlands. These stresses are aggravated by the fact that professional support is often difficult to access. James and Hamburg (2020, p. 8) find that migrant sex workers in the Netherlands who would like to have therapy or support due to their work-related stress experience high barriers, like being placed on long waiting lists, never getting an appointment, or being pressured by the therapist to stop sex work.

Sex workers do not consider existing measures effective for improving their work security. Window operators' business plan that includes a protocol on health and safety measures is one of the municipality's key strategies to protect sex workers' security (Anonymous, interview, 2019). Yet, most sex workers are not aware of this protocol or related official documents. Those who are, do not know its exact contents. Carmen, 56-year-old cisgender women from Colombia, sees the Municipality as the only body that can hold operators accountable. According to her, sex workers cannot do this directly: Operators usually do not take their demands seriously or they risk losing their workplace for speaking out, while fearing that the business in question might be closed down, should they approach the municipality (Veldboom, interview, 2019; Pitcher and Wijers, 2014, p. 555). Carmen's proposal in fact means labour inspection, an enforcement mechanism for decent working conditions from which sex businesses in the Netherlands are exempted. Existing checks by the GGD are announced, giving business managers the time to prepare both the workplace and sex workers (Spot 46, personal communication, August 7, 2019). Miriam, a cisgender window-based sex worker from the Dominican Republic soberly recounts: "They let us know when they are going to inspect so we can prepare. We clean and fix" (2019). Rather than experiencing official checks as effective for their protection, sex workers see existing inspections as forms of surveillance, aimed to identify cases of human trafficking and illegal work:

The controls do not serve to protect us. Only to control that we are with papers in order. The only thing is if you're chuleada, it's the only thing that matters to them. (Wáleri, interview, 2019)

Besides, income insecurity is a key concern for sex workers. During the past two decades, earnings of sex workers in The Hague have dropped. This has been the effect of operators passing on of VAT onto windows' rent. In addition, this decline has been traced to greater competition, especially with migrant sex workers from Central and Eastern Europe some of whom are willing to accept lower service rates (Rijnink and van Wijk, 2020, p. 35). A cause of income insecurity that Standing (2011, p. 10) identifies, namely, the lack of protective regulation guaranteeing, e.g., minimum wages or social

security, also applies to our research participants. While the window-based sector in The Hague applies a minimum service rate for sexual services, ironically, this rate makes it more difficult to negotiate a higher amount with clients. Rather than guaranteeing an adequate income, the minimum rate leads to a trade-off between access to clients and access to fair remuneration. Rosa, a 50-year old cisgender woman from the Dominican Republic, suggests that this results in tensions between sex workers who demand the minimum rate and those who ask for less in order to attract more clients: “Many do not want to say it because they get problems [with their peers]... but many of us do it for 20 because we are not doing anything... 20 is better than nothing” (2019). It is telling that the minimum rate was not something demanded and decided by sex workers themselves but established by operators in Doubletstraat to tackle sex workers’ criticism of the high rental prices they charge (van Wijk and Mascini, 2019, p. 11).

Income insecurity also results from risks being shifted to sex workers. Sex workers’ dependency on operators enables the latter to burden sex workers with costs, e.g., for damage done by aggressive clients. Similarly, if sex workers get sick, they still have to pay the rent of the window unless they notify their absence one day in advance. The possibility to shift risks to window-based sex workers results from the peculiar contractual relation with operators that combines a high degree of dependency with a low degree of social protection (Wagenaar and Altink, 2012, p. 11). This dependency is reflected in an experience shared by Vanessa. She describes how her operator used Vanessa’s dependency on her for access to a legal workspace to avoid tax payments. Like this lady, some operators privilege workers who are willing to pay the rent without asking for a payment receipt, allowing operators to avoid taxes:

They wanted to go up 25 ... To 125 euros from October ... I said no. What did the lady do? I work 4 days and she said: ‘one day you don't take the bonus [payment receipt] and you keep paying 100’. (2019)

The role of operators in regulation that sees them as partners in fighting crime contrasts with sex workers’ perception who look at them as their ‘quasi-employer’. Whereas sex workers consider operators important for guaranteeing their occupational safety and health, income and employment security, local authorities foreground their role in the prevention and identification of cases of human trafficking by checking sex workers’ autonomy, criminal activity (van Wijk and Mascini, 2019), and – less so - the sexual health of sex workers. Here, autonomy is understood in terms of working voluntarily, not in the conditions of their work.

Over and above its neglect of many dimensions of sex workers’ material conditions of work, the local regulation of the sex industry aggravates sex worker stigma. Although sexual health-related services are important for sex workers, the focus on them and the neglect of other OSH issues reinforces the stigma that sees sex workers as subjects of unsafe sex practices and bearers of STIs. This focus and the surveillance surrounding it is based on a false idea of sex workers having a higher incidence of STIs than the general population and it ignores the high attention they give to their health. Through this form of

biopower the municipality legitimates the control and surveillance of sex workers. Legitimated under the discourse of protection and security, this can be understood as a practice of governmentality and normalization. The fact that sex workers' bodies and sexuality are seen as the target of public health is naturalized, and other bodies are not seen as the target of these interventions, even if all have an impact on public health.

Sex workers' peculiar contractual relationship with business owners and window operators turns the stated objectives of regulation on its head. Put in place to reduce sex workers' vulnerability to exploitation and increase their independence, in fact, it makes window-based workers highly dependent on operators' inclinations in their access to legal workspace. This, in turn, leaves the door wide open for abuses, such as the tax evasion exemplified by Vanessa's window operator. In sum, the scarcity of legal employment opportunities for sex workers makes what Standing (2011, p. 10) denotes with labour market security – the availability of adequate income-earning opportunities in the labour market – a distant dream for sex workers in The Hague. Window-based workers' contractual relation with operators does not offer employment security to them, while home-based workers in The Hague are in an even more precarious situation of illegal employment at risk of eviction. The network of institutions enforcing regulation that provides the government with control, but neither provide sex workers with labour protection and rights, nor improvements in their social position. Taken together, this creates a situation aptly characterised as the legal liminality associated with a (disguised) criminal approach to sex work.

5.2 'The operator takes advantage since we don't have another place' - gender hierarchies aggravate sex workers' insecurities

The way in which sex workers' work-related insecurities are mediated by hierarchies of gender challenges conventional assumptions about sex work.

Wage theft as the possibility that clients steal from them, end up not paying for the services, or ask to return their money constitutes another great risk that sex workers identify. This happens, for instance, to transgender sex workers who are being asked to return their payment for 'tricking' men about their gender identity. Raquel, a 44-year-old transgender woman and window-based sex worker, had to cover the costs of the window that an angry client had smashed. Like her, sex workers are sometimes told by the operator to return the money to avoid problems with clients. Meike, a 50-year-old, Dutch, home-based, transgender sex worker, explains that such risks are lower in home-based work:

[...] if you work in the window it is difficult because they think you are a woman. And if you do it from home it is [arranged] online, then there is no misunderstanding for example about this... so that makes it a little bit safer.
(2019)

In the absence of formal rules guaranteeing equitable access, operators' decisions to whom to rent their windows, too, are shaped by social hierarchies of gender. Few operators rent out windows to transgender sex workers. The latter are therefore hesitant to report poor working conditions or bad treatment. Vanessa, a 50-year-old transgender woman, explains:

They refuse to lease the room and we have to work in the conditions that are there. And the lady takes advantage [of] that since we don't have another place since they don't give us a window, that's what she takes advantage of and thinks: 'Oh no, these are NOT going to leave'... (2019)

Male sex workers have even fewer opportunities. George explains:

There is only one club in Amsterdam, which is the only one in the entire country, which offers workspaces for men. So, that lack of regularized workspaces, that is a very big problem... Well, that is something that made me feel insecure. (2019)

As a result of such discrimination and exclusion, transgender women and cisgender men are pushed to work illegally since home-based sex work is not permitted in The Hague. The Municipality does not acknowledge this persistent gender-based discrimination and the resulting insecurities, though. Reproducing the gendered underpinnings of the oppression paradigm that focuses on women sex workers as victims of patriarchal oppression and exploitation and invisibilises the existence of male workers who deserve rights and protection, it frames male sex workers' greater invisibility as a result of their choice (Municipality of The Hague, 2015, p. 34). As the Municipality suspects cases of human trafficking rather than lack of legal workspaces when sex workers work from home, a dedicated team is in charge of scanning the pertinent webpages to identify people working from home. The precarious legal status that George and other home-working sex workers experience as a result directly translates into insecure employment and livelihood.

Against the backdrop of the 'legal limbo' that affects all sex workers in the Netherlands based on clashes between the formal legal order and ideologies of sexuality (Menjívar and Bibler Coutin, 2014, p. 328), gendered notions of what counts as 'normal' or 'recognizable' further entrench sex workers' precarity. This turns the common perception of sex work as risky because of (cisgender) women's vulnerability under patriarchy upside down. Other than assumed in the oppression paradigm that perceives insecurities experienced by sex workers as 'a quintessential expression of patriarchal gender relations' (Weitzer, 2009, p. 214) that subjugate (cisgender) women engaged in commercial sex to exploitation and violence, the aggravated income and employment insecurity that trans and male sex workers in The Hague experience are rooted in operators' trans- and homophobia.

5.3 Sex workers' magnified precarity in pandemic times

The regulation of the sex industry in The Hague in the first year of the COVID-19 pandemic was 'a magnifying glass' (Veldboom, interview, 2020) for the fact that a large group of people work under very precarious conditions in this industry (van Stempvoort, 2021, 69).

During the closure of the sex industry between March and July 2020, sex workers' existing high employment and income insecurity rose massively. For those involved in direct sexual services, securing their livelihood through work was no longer a feasible option. While COVID-19-proof, digital sex work, e.g., for providing webcam sex services, proved to be near impossible due to municipal regulation. Apart from the different skills and technical equipment required (van Stempvoort, 2021, pp. 70-71), for many sex workers this was not an option because they had no private space for it. Even before the pandemic, home-based sex workers risked double punishment. For reasons of privacy, the municipality cannot fine violations of the rule that prohibits home-based sex work in The Hague, but merely notifies the person (Municipality of The Hague, 2020, pp. 20-22). Often, the municipality then conveys to the sex workers' landlord that sex work is undertaken in their property. Typically, landlords will then discontinue the rental agreement with the sex worker since, otherwise, they themselves risk a heavy fine (Veldboom, interview, 2019). As a consequence, not only will the sex worker be left without a home, but also without a stable income.

Although working online was not officially prohibited as it does not imply physical contact, the police kept persecuting sex workers who advertised online, arguing they could not work from home. They even threatened to fine sex workers who kept their ads online (Veldboom, interview, 2020; SekswerkExpertise, 2020, p. 11). But sex workers wanted to keep them, even if they were not working in person or not at all, to keep the contact with their clients or to work digitally. Different organisations pointed out that no other service provider was asked to remove its advertisement during lockdown and protested this discriminatory treatment of sex workers. The discrimination regarding advertisements further hampered outreach to possible clients and has provided a window of opportunity for abolitionists. Following efforts of the US government to curb the use of internet facilitation for sexual services (Weitzer, 2019, pp. 407-408), this is reflected in a series of parliamentary initiatives to restrict the use of online platforms for sex work (Tweede Kamer, 2021).

Once window-based sex businesses re-opened, sex workers' work insecurity increased when operators prioritized their earnings over sex workers' OSH. Some sex workers started working immediately when sex business were allowed to re-open and sex services were permitted again in July 2020. Others, like Adriana, a cisgender woman who has been in the industry for more than 20 years, decided to wait a little longer to gauge whether the return to work would feel safe. The experience of those who went back to work were diverse. Some workers encountered safe conditions, with operators following the recommendations by providing antibacterial gel, several towels and sheets to change after each client, cleaning alcohol, other cleaning products, making a thermometer available, and providing sex workers with face masks. Others did not have support from the operators, who even told them that their safety was their own responsibility. Adriana illustrates this based on a neighbouring worker's experience:

So I have contact with one girl there, that she works next to my room, and she says nothing changes. Only you get one-liter alcohol and one spray to clean around the bed. But the towel... you work with the same towel all day. I said: 'you [are] crazy'. (2020)

As explained above, sex workers who wanted to shift their work to their home for a more effective guarantee of hygienic and safe conditions were punished with illegality. On top of these heightened health risks, for some of the sex workers who returned to work, income insecurity increased, too. With both sex workers and clients concerned about a COVID-19 infection, overall, the number of clients had dwindled, further aggravated by sex workers limiting themselves to regular clients (see also de Wildt et al., 2020).

Over and above these increased insecurities, the pandemic also revealed how hierarchies of citizenship aggravate sex workers' conditions. Migrant sex workers had diverse experiences with the public financial support in terms of accessing information about it, and the ease or difficulty as well as the success of the application. Carmen and Wáleri's experiences exemplify some of these differences:

For me it was easy, I passed it and I had no problem... For other girls it was not like that... for some until now [July 30] help is coming (Carmen 2020).

On March 22 when it closed, we passed the papers and mine came out on June 17, and it didn't come out complete, it came out 2 months and I still have one missing (...) (Wáleri 2020).

This diversity of experiences can be explained by the measures' implicit bias against applicants with poorer language skills and insecure immigration status. Some sex workers had trouble understanding the information provided on COVID-19-related support because the language and the technicality of the required information formed a barrier. The greater complexity of an alternative application for social security (*bijstand*) made this form of support even less accessible for non-Dutch natives. More generally, our research participants pointed out that not being Dutch makes it more difficult, for example, to access public services, register at the Chamber of Commerce, pay taxes, communicate with public servants, etc.. Earlier, Borg (2017, p. 47) flagged that migrant sex workers' difficulties to navigate the system is a source of stress and insecurity in itself. For some sex workers, having Dutch speaking networks is the only reason they now have access to their rights and know how to navigate the system. Confirming Borg (2017, p. 33) who identifies language proficiency as one of the most crucial empowering factors in sex work, related to the migratory status and nationality, in our study, too, it emerges as an enabling factor for sex workers to realise their rights. Over and above these skills, for persons who have resided in the Netherlands for less than five years, submitting an application for *bijstand* may have negative formal consequences for their residence permit, making it "[...] conceivable that this barrier excludes a substantial group from emergency aid" (van Stempvoort, 2021, p. 68).

The lack of sex workers' social security that COVID-19 put under the magnifying glass often exacerbated existing dependencies. Once savings were

depleted, some sex workers asked operators or clients for loans in order to make needs meet (Wáleri, interview, 2020; see also de Wildt et al., 2020). The consequence of this is that they would have to work without or for little pay for some time to return the money after the lockdown. While financial dependency is considered an indicator of exploitation (Hoge Raad der Nederlanden, 2019), such perverse consequences of the failure of the state to guarantee sex workers' social security do not figure in the often scandalistic public discourses about sex work in the Netherlands (see e.g., Outshoorn 2012, pp. 237-239).

6 Discussion and outlook

Our analysis brings to the fore a great diversity of sex workers' needs in terms of their security, needs that remain unaddressed in the governance of the sex industry in the Netherlands. Sex workers' everyday insecurities revolve around different concerns regarding their occupational safety and health, highlighting that work insecurity is more multi-faceted than STIs alone. The exceptionalism of sex work in Dutch regulation rooted in sexual hierarchies that look at commercial sexual services with suspicion turns sex work into a 'profession in limbo' – legalized, but unprotected. This context that leaves them with weak rights and their enforcement by the state strengthens the position of operators. Given their resulting dependency from such 'quasi-employers', sex workers' concerns about their health, hygiene and safety are intertwined with employment and income insecurities. It disciplines them not to speak out about degraded working conditions for fear of losing access to a legal workspace. Turning dominant discourses on sex workers' insecurities topsy-turvy that foreground cisgender women sex workers' vulnerabilities, we explain part of the diversity of sex workers' experiences with gender hierarchies that exacerbate employment and income insecurities for transwomen and male sex workers. Acting as a magnifying glass for insecurities that sex workers have faced for long, the COVID-19 pandemic and the containment measures it brought made visible how the sexual and gender norms that informally govern sex workers' working conditions intersect with hierarchies of citizenship, complicating access to COVID-19 support for migrant sex workers, in general, and even more so for those without an EU-nationality.

Out of the limbo through a labour approach

To effectively address the insecurities that sex workers experience and fear, a shift in regulation from its current biopolitical focus to a labour approach is necessary. Verhoeven (2017, p. 371) describes a mix of a criminal and administrative law approach in the Netherlands that seek to combine the fight against human trafficking with better control and regulation. The findings presented above raise question marks about whether this two-pronged approach serves sex workers' security. Similar to the experiences from other contexts reported in the introduction, they demonstrate that the focus on human trafficking in fact increases sex workers' everyday insecurities, especially by conceptualizing the private space as prone to trafficking and by illegalizing home-based sex workers based on such an understanding. While sex workers' 'autonomy' has become a litmus test for Dutch law enforcement to distinguish between voluntary and forced sex work, focusing on the role of pimps, this ignores sex workers' dependency from operators and the degrading working conditions that may result from it.

Similarly, the narrow focus of municipal regulation on sex workers' health as STI prevention reproduces misleading imaginaries of sex workers as vectors of disease who pose a risk to public health (e.g., Hubbard et al., 2008, pp. 137-138; Vanwesenbeeck, 2001, p. 245) rather than addressing the wider range of

work insecurities that sex workers face. Taken together, sex work governance seems to be motivated by an urge to control populations rather than by their recognition as an occupational group that deserves rights and respect. Heumann et al. (2016, pp. 181-182) label this alternative as a labour approach to sex work. They argue that it starts from the recognition that sex work is work like any other, respects sex workers' knowledge and demands, and therefore involves their representatives in relevant policy debates. Being work like any other has been translated as a demand for the decriminalization of sex work, implying that "[...] no particular laws other than regular employment laws address commercial sex" (Vanwesenbeeck, 2017, p. 1631; also see Soa Aids Nederland, 2018b). Shifting the supervisory authority of employment in the sex industry to the Ministry of Social Affairs and Employment as demanded in recent parliamentary debates (Tweede Kamer, 2021) and broadening the mandate of the Dutch Labour Inspectorate to monitor working conditions in the sex industry beyond suspected cases of human trafficking would be logical consequences of such decriminalization.

Taken seriously, an important implication of a labour approach to sex work in The Hague would be to critically interrogate the mapping of public regulation and sex workers' security. Municipal regulation that limits sex workers' employment to public spaces in windows, clubs etc. and prohibits home-based work is justified in the name of protecting sex workers by making them visible. We show that this logic in fact produces more precarity for some sex workers while the privacy of their home may enable a better screening of clients and a more effective guarantee of their occupational safety and health. Besides, invisibility can be a strategy to resist the impact of the stigma related to sex work by reducing the emotional stress that comes with public discrimination, stigma and violence (Ham and Gerard, 2014, p. 307; Weitzer, 2009, pp 221-222).

Decriminalization is not sufficient, though. Public policy and civil society actors alike need to address the social regulation of the sex industry through gender and sexual hierarchies that underpin sex worker stigma as well as migrants' discrimination which have come out as powerful mediators of sex workers' insecurities. Other studies have shown how policies that do not take sex worker stigma into account in fact reproduce and exacerbate it (Foley, 2017; Pitcher, 2019). In our study, a heteronormative understanding of the labour process in sex work - where men are looking for sex sold by cisgender women and where gay men should not be visible - in combination with the role of operators as powerful mediators of remunerative employment in the sex industry complicates transwomen and male sex workers' access to remunerative and safe workspaces. Similarly, hierarchies of citizenship pose hurdles to the effective guarantee of their rights to migrant sex workers even in the licensed sex industry. The wide-spread public portrayal of migrant sex workers as victims of human trafficking (Outshoorn, 2001, p. 485) obscures their actual needs and demands.

Starting from the views of sex workers who participated in this study, a consistent application of a labour approach would include specific rules that prevent gender-based discrimination in accessing workplaces, and concrete

strategies to promote the rental of spaces for all genders and the opening of new places for men. For guaranteeing employment security, the number of licenses should be unfrozen in order to offer more job opportunities that match the demand for it. By recognizing other forms of ‘normality’, understanding sex work as a profession open to all genders, the governance around it would not discriminate trans and male workers. In this sense, legal and social regulation will not centre around gender, sexuality and citizenship, but around labour rights.

To ensure that all people in the sex industry can choose the safest form of work according to their particular needs, and to increase income and employment security, independent workers (including those working from home, in other private places, or virtually) must also be entitled to social security, with clear and accessible information (de Wildt et al., 2020, p. 27). Along the same lines, the best way to protect non-EU migrants is precisely by granting them work permits so that they can exercise sex work legally with the protections and rights of any worker, because it is actually the illegal status they are forced to work in –produced by the binary of the migrant victim of trafficking versus the empowered citizen– what makes them vulnerable and unprotected (van Stempvoort, 2021, p. 72).

With the aim of supervising working conditions, an anonymous system of complaints should be created, without this being a risk of business closure, in order to avoid that workers have to choose between not losing more spaces and good working conditions. Likewise, it is necessary to create more concrete, clearer and enforced guidelines on health and safety at work, which should be built by consulting sex workers about work security needs. These guidelines should be socialized with the workers so that they know how to demand their rights.

Regarding sex workers’ training and emotional wellbeing, spaces should be created (de Wildt et al., 2020, p. 24; Breuer and Intraval, 2018, p. 72) for sex workers to meet other sex workers, create support networks, learn about their rights and how to access them, and share security strategies in their work. Access to psychological and emotional therapy should be also guaranteed, without discrimination or pressure about exiting the industry.

The binary understandings within sex work that separate it from regular labour norms do not serve to protect sex workers. Instead, regulation should take sex workers experiences and diverse needs into account and acknowledge the benefit of different work alternatives for accessing labour rights and protection. Through the lens of the polymorphous paradigm we take on board for our analysis and understanding intersectionality as a key feature of sex workers’ experiences of (in)security, sex work regulation in The Netherlands is revealed as a limbo that does not leave workers without obligations and surveillance, but without full labour rights. If sex work is seriously treated as any other work by state regulation, sex workers’ position will improve, and their everyday insecurities will decrease: it would stop being a Profession in Limbo.

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