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## Vulnerable and hard-to-reach groups: Understanding their victimisation, offending, and drug use through opportunity-based theories

Molnar Lorena

Molnar Lorena, 2023, Vulnerable and hard-to-reach groups: Understanding their victimisation, offending, and drug use through opportunity-based theories

Originally published at : Thesis, University of Lausanne

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Document URN : urn:nbn:ch:serval-BIB\_350337043C830

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UNIVERSITÉ DE LAUSANNE  
FACULTÉ DE DROIT, DES SCIENCES CRIMINELLES ET D'ADMINISTRATION PUBLIQUE  
ÉCOLE DES SCIENCES CRIMINELLES

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opportunity-based theories**

Thèse de doctorat en criminologie

présentée à la

Faculté de droit, des sciences criminelles et d'administration publique  
de l'Université de Lausanne

par

Lorena Molnar

Directeur de thèse

Prof. Dr. Marcelo F. Aebi

Jury

Prof. Dr. Franco Taroni (Université de Lausanne) : Président

Prof. Dr. Esther Montero Pérez de Tudela (Administration pénitentiaire espagnole et Université  
Loyola à Séville, Espagne) : Experte externe

Prof. Dr. Alexander T. Vazsonyi (University of Kentucky, USA): Expert externe

Prof. Dr. Stefano Caneppele (Université de Lausanne) : Expert interne

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## IMPRIMATUR

A l'issue de la soutenance de thèse, le Jury autorise l'impression de la thèse de Madame Lorena Molnar, candidate au doctorat en droit en criminologie et sécurité, intitulée :

**« Vulnerable and hard-to-reach groups: Understanding their victimisation, offending and drug use through opportunity-based theories »**



Professeur Franco Taroni  
Président du jury

Lausanne, le 17 mars 2023

To my participants for their trust in me to share their voices and perspectives.  
To my grandparents and parents for their hard work and determination.  
To my dear Korbinian and Ursula, and my friends, without whom life would be  
such as tedious journey.



“That’s why the philosophers warn us not to be satisfied with mere learning, but  
to add practice and then training.  
For as time passes, we forget what we learned and end up doing the opposite,  
and hold opinions the opposite of what we should.”  
– Epictetus



# Acknowledgements

Pursuing a Ph.D is a challenging and rewarding adventure. Despite the solitary nature of the work, having supportive family and friends can make the journey much more enjoyable. I would like to extend my heartfelt gratitude to all those who have accompanied me on this journey, professionally and personally. Although this list is not exhaustive, I would like to give special thanks to:

My thesis supervisor **Marcelo F. Aebi**, whom I am lucky to have met. I am grateful for his trust in me, the freedom he allowed me, and his always-available support and guidance.

My **jury members** Franco Taroni, Alexander Vaszonyi, Esther Montero, and Stefano Caneppele for their insightful feedback. I also would like to thank the anonymous reviewers for their contributions to the papers included in this dissertation.

My **participants'** trust and time, as well as the collaborating organisations and their social workers for supporting my research: **Fleur de Pavé, Opre Rom, Aspasia, La Marmotte, Point d'Eau, Sleep-in, Chez Paou, and La Tuille**. Special thanks to good friends such as **Silvia Pongelli, Sandrine Devillers, Guido Biscontin, and Jenny Ros**. Thanks to **Razvan Airinei**, whose good heart will always be remembered. Thanks to Julien, Monique, Mihaela, Estela, Sarah, Sandra, and Vero.

**Current and former colleagues** from the School of Criminal Sciences, among whom I have found wonderful friends: Yuji Hashimoto, Riccardo Milani, Edoardo Cocco, Claudia Campistol, Antonia Linde, Julien Chopin, Sara Aniello, Fiona Langlois, Amandine da Silva, Clara Rigoni, Christine Burkhardt, Stefano Caneppele, Patrice Villettaz, Natalia Delgrande, Olivier Ribaux, Sara Aniello, Lionel Grossrieder, Melanie Tiago, Ahmed Ajil, Giulia Cinaglia, Aurélie Stoll, Manon Jendly, Sam Hauswirth and Dominique Viotti. A special thank you to Yuji Hashimoto for being a fantastic colleague and friend. Despite our different personalities, you have been like a brother to me in academia. The same goes for Edoardo and Riccardo. Thanks also to Cristina del Real, Antonio Diaz, Marc Vallés, and the colleagues from the Spanish Network of Early Career Researchers in Criminology (REJIC).

**My family and friends**, especially my loving parents Iolanda and Francisc, for their unwavering love and for dedicating themselves to giving me the best life possible. To my grandparents, uncles, aunts, and cousins: Ana, Suzana and Francisc, Erica and Eva, Cutu, Doru, Ionut, Szili, and Misi. Fantastic friends such as Laritza Mitjans (and Paula Craciun and Suki), Lorea Arenas (and Juanjo Medina), Cristina del Real, Guille Expósito, Miriam Falcón, Julián Collado, Paloma García, Jenny Ros (and Étienne, Matilda and Éloi), Asier Moneva, Naila Farage, Nadia Meylan, Emilie Moenne, Sophia and Matilda Pannell, Angel Plaza, Ana Gómez, Mari Robles, Eva Alvira, Miguel Garrido, and Nathalie Staffler.

**Korbinian Baumgaertl**, my partner and love, thank you for your kindness and inquisitive nature. You challenge me in my work better than any referee. It is an honour to be in your life, even more so in our shared adventure of raising with love and joy our daughter **Ursula**.

**The University of Lausanne and the Swiss taxpayers for their support of research and making projects like mine a reality.**



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# Abstract

This Ph.D. dissertation is presented under the form of ten scientific articles and a summary report of their main findings. The articles aim to apply opportunity-based theories –such as the *Routine activities*, *Lifestyle*, and *Situational crime prevention* theories– to the study of the victimisation, offending and drug use of vulnerable and hard-to-reach groups. The work started with a reflexion on how to study these sensitive topics among vulnerable collectives that led us to privilege participant observation as the method to collect the data and to adopt a *Grounded Theory* approach to interpret it; in practice, however, we found that most of the time the data fitted the predictions of opportunity-based theories.

Data were collected through interviews, surveys, and observations with roughly 209 hard-to-reach vulnerable individuals, including sex workers (SW), seasonal workers, homeless, and people of Roma ethnicity. Additional data were collected from other sources, including online forums such as Reddit, and media reports.

The results suggest that being a migrant in an illegal situation is a major risk factor for victimisation. Actually, the percentage of victims among these vulnerable groups is much higher than that of the general population. SW and Roma individuals are victims of a rather large range of offences, and homeless individuals are often repeated victims of crime. The perpetrators are diverse and depend upon the subgroup under study: SW are victimised largely by customers and passers-by; Roma people are often victimised by other community members; seasonal workers by companies and employers; and homeless by other homeless individuals. SW are victimised both outdoors and indoors, while homeless and seasonal workers are mainly victimised outdoors, in spaces without social control. In comparison, the prevalence of self-reported offending by the Roma and homeless individuals is lower than the prevalence of their self-reported victimisation, and the same is true for the diversity indexes of offending and victimisation of the Roma. Finally, use of legal drugs, such as tobacco, is common among the participants in our field studies; but SW, Roma, and homeless individuals reported a low level of consumption of illegal drugs.

Our analyses show that opportunity-based theories provide a meaningful framework to understand the victimisation and offending of the hard-to-reach groups studied in this dissertation, to identify their main explanatory variables and, consequently, to propose evidence-based prevention strategies that deserve to be tested in the future. The analyses also show that these situational approaches are based in common sense. For example, SW apply routine precautions to avoid victimisation that can be formalised using the framework provided by situational crime prevention.

# Résumé

Cette thèse de doctorat se présente sous la forme de dix articles scientifiques et d'un rapport de synthèse de leurs principaux résultats. Les articles visent à appliquer des théories basées sur les opportunités – telles que la théorie des activités routinières, la théorie du style de vie et la théorie de la prévention situationnelle de la délinquance – à l'étude de la victimisation, de la délinquance et de la consommation de drogue des groupes vulnérables et difficiles à atteindre. Le travail a débuté par une réflexion sur la manière d'étudier ces sujets sensibles auprès de collectifs vulnérables. Cette réflexion nous a conduit à privilégier l'observation participante comme méthode de collecte des données et à adopter une approche de *théorie ancrée* pour les interpréter ; dans la pratique, cependant, nous avons constaté que la plupart du temps, les données correspondaient aux prédictions des théories basées sur les opportunités.

Les données ont été recueillies par le biais d'entretiens, de questionnaires et d'observations auprès d'environ 209 personnes appartenant à des populations vulnérables difficiles à atteindre, notamment des travailleuses du sexe (TdS), des travailleurs saisonniers, des personnes sans-abri et des personnes d'origine rom. Des données supplémentaires ont été collectées à partir d'autres sources, notamment des forums en ligne tels que Reddit et des rapports des médias.

Les résultats suggèrent que le fait d'être un migrant en situation irrégulière est un facteur de risque majeur de victimisation. En fait, le pourcentage de victimes parmi ces groupes vulnérables est beaucoup plus élevé que celui de la population générale. Les TdS et les Roms sont victimes d'un éventail assez large d'infractions, et les personnes en situation de sans-abrisme sont souvent des victimes répétées d'infractions. Les auteurs sont divers et dépendent du sous-groupe étudié : les TdS sont largement victimisés par les clients et les passants ; les Roms sont souvent victimisés par d'autres membres de la communauté ; les travailleurs saisonniers par des entreprises et des employeurs ; et les sans-abri par d'autres personnes dans la même situation. Les TdS sont victimes à la fois à l'extérieur et à l'intérieur, tandis que les sans-abri et les travailleurs saisonniers sont principalement victimes à l'extérieur, dans des espaces sans contrôle social. En comparaison, la prévalence de la délinquance autodéclarée par les Roms et les sans-abri est inférieure à la prévalence de leur victimisation autodéclarée, et il en va de même pour les indices de diversité de la délinquance et de la victimisation des Roms. Enfin, la consommation de drogues légales, telles que le tabac, est courante chez les participants à nos études de terrain ; toutefois les TdS, les Roms et les sans-abri ont déclaré un faible niveau de consommation de drogues illicites.

Nos analyses montrent que les théories basées sur les opportunités fournissent un cadre approprié pour comprendre la victimisation et la délinquance des groupes difficiles à atteindre étudiés dans cette thèse, pour identifier les principales variables explicatives de ces phénomènes et, par conséquent, pour proposer des stratégies de prévention fondées sur des preuves et qui méritent d'être testées dans le futur. Les analyses montrent également que ces approches situationnelles reposent sur le bon sens. Par exemple, les TdS appliquent des précautions routinières pour éviter la victimisation qui peuvent être formalisées en utilisant le cadre fourni par la prévention situationnelle de la délinquance.

# Synthesis Report

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## 1. Introduction

Article 47 of the Regulations of the School of Criminal Sciences (*Règlement de l'École des sciences criminelles*, ESC) of the University of Lausanne, adopted on 21 September 2021, states that the candidate to a Ph.D. must present a manuscript describing her research. That manuscript can consist in a summary report (*travail de synthèse*) of articles published in peer-reviewed journals, accompanied by these papers. In the framework of my candidature to a Ph.D. in Criminology conferred by the School of Criminal Sciences, this document constitutes my Ph.D. thesis summary report.

Having decided in accordance with my Ph.D. supervisor, Prof. Marcelo F. Aebi, to write my Ph.D. in the form of scientific articles published in peer-reviewed journals (art. 47.1 of the ESC Regulations), I present hereafter ten articles published in scientific peer-reviewed journals. The documents are as follows:

1. Molnar, L. (2021). The Imperative Need for Criminological Research on the European Roma: A Narrative Review. *Trauma, Violence, & Abuse*, 15248380211048448. <https://doi.org/10.1177/15248380211048448>
2. Molnar, L. (2021). The Law of the Jungle. The Online Hate-speech against the Roma in Romania. *Victims & Offenders*, 16(8), 1108–1129. <https://doi.org/10.1080/15564886.2021.1895391>
3. Molnar, L., & Aebi, M. (2021). Victimization et délinquance des jeunes Roms roumains en Suisse: Une étude exploratoire de terrain. *Criminologie*, 54(1), 251–277. <https://doi.org/10.7202/1076700ar>
4. Molnar, L., & Aebi, M. F. (2021). Discrimination and victimisation of minorities in Spain: The research potential of the EU-MIDIS project. *Revista Española de Investigación Criminológica*, 19(2), 1–27. <https://doi.org/10.46381/reic.v19i2.513>
5. Molnar, L. (2022). Trapped Within Borders : Exploitation of Migrant Seasonal Workers in German Agriculture During COVID-19 Lockdown; Placing the Actors and Understanding Their Roles. *International Journal of Rural Criminology*, 7(3). <https://doi.org/10.18061/ijrc.v7i3.8795>
6. Molnar, L., Biscontin, G., & Pongelli, S. (2021). La consommation de produits psychoactifs et de médicaments chez les personnes travailleuses du sexe dans le canton de Vaud (Suisse). Une étude exploratoire. *Revue Internationale de Criminologie et de Police Technique et Scientifique*, 72, 23–42.
7. Molnar, L., & Aebi, M. F. (2022). Alone against the danger: A study of the routine precautions taken by voluntary sex workers to avoid victimisation. *Crime Science*, 11(1), 3. <https://doi.org/10.1186/s40163-022-00166-z>
8. Molnar, L., & Aebi, M. F. (2023). Risky business : Voluntary sex workers as suitable victims of work-related crimes in a legalised prostitution environment. *Crime Prevention and Community Safety*. <https://doi.org/10.1057/s41300-023-00173-5>
9. Molnar, L., & Ros, J. (2022). Sex Workers' Work-Related Victimization and Drug Use During the First Year of the COVID-19 Pandemic in Switzerland. *International Criminology*, 2(1), 19–31. <https://doi.org/10.1007/s43576-022-00045-2>
10. Molnar, L., & Hashimoto, Y. Z. (2022). Homelessness during the Coronavirus Pandemic. Exploratory Study in Switzerland. *Deviant Behavior*, 0(0), 1–16. <https://doi.org/10.1080/01639625.2022.2039045>

As an annexe to the Ph.D. dissertation, I propose four texts. The first one is an article published in a peer-reviewed journal and the rest are book chapters:

11. Molnar, L., & Pongelli, S. (2019). PreVist project: Prevention of victimisation in sex work in the canton of Vaud (Switzerland). Reflections from the criminological praxis. *International E-Journal of Criminal Sciences*, 9(14). <https://www.ehu.eus/ojs/index.php/inecs/article/view/21307>
12. Molnar, L. (2021). Previst project: the passage from the “object paradigm” to the “choice paradigm”. A Swiss campaign within the general population for crime prevention in sex work, in E. Casado-Patricio, M. Izco-Rincón & A. Paéz-Mérida. *Forjando nuevos caminos: investigaciones noveles en criminología*. Tirant-lo-Blanch.
13. Molnar, L. (forthcoming). Conducting Criminological Practitioner Research with Sex Workers in Switzerland. In A Díaz-Fernández, C del-Real, C., & L Molnar (Eds.). *Fieldwork experiences in Criminology and Security*. Springer Nature.
14. Molnar, L. & Vallés H., M. (forthcoming). Conducting Criminological Practitioner Research with Sex Workers in Switzerland. In A Díaz-Fernández, C del-Real, C., & L Molnar (Eds.). *Fieldwork experiences in Criminology and Security*. Springer Nature.

Publications 11 and 12 focus on applied criminology and develop a prevention programme that seeks to decrease the work-related victimisation of sex workers. Publications 13 to 14 address the fieldwork experience I acquired while conducting research in criminology with SW and the Roma. In my opinion, these publications can be seen as a complement to the dissertation and that is why they take the form of an annexe.

The preparation of this Ph.D. dissertation gave me the opportunity to work and learn from colleagues from different horizons. I am grateful that I could count as co-authors practitioners like Silvia Pongelli and Guido Biscontin, social psychologists like Dr. Jenny Ros and Yuji Z. Hashimoto, in addition to my supervisor, Prof. Dr. Marcelo F. Aebi. I am also grateful to the numerous blind reviewers whose recommendations improved the manuscripts’ quality considerably.

Three articles are written as sole author, four in co-authorship with my Ph.D. supervisor, and three are written in collaboration with colleagues from other disciplines and schools. I was responsible for the data collection, analysis, and drafting of the first manuscript of eight of the ten articles included in this Ph.D. dissertation. The exceptions are Molnar et al. (2021) —in which I shared the task of data analysis and drafting of the first manuscript with Guido Biscontin— and Molnar & Aebi (2021b), which is based on data collected by the European Union Agency for Fundamental Rights. Further details can be found in the section “Contribution of the authors” of each published article.

Article 46 of the ESC Regulations states that the Ph.D. candidate shall demonstrate active participation through a presentation or poster in at least one conference in her domain of expertise. In this respect, alone or together with coauthors, I have already participated and presented results from this Ph.D. dissertation at the following conferences:

1. Molnar, L. & Hashimoto, Y. (2022, September). *Homelessness During the Coronavirus Pandemic. Exploratory Study in Switzerland*. Presented at the 22<sup>nd</sup> Annual Conference of the European Society of Criminology (Malaga, Spain).
2. Hashimoto, Y. & Molnar, L. (2022, September). *Homelessness during the Coronavirus Pandemic: Challenges and Opportunities for data collection*. Presented at the 22<sup>nd</sup> Annual Conference of the European Society of Criminology (Malaga, Spain).
3. Molnar, L. & Ros, J. (2021, September). *One year of Covid-19 pandemic in sex work. Exploring work-related victimisation in a legal framework*. Presented at the 21<sup>st</sup> Annual Conference of the European Society of Criminology (e-conference).
4. Molnar, L. (2021, September). *The law of the jungle: the online hate-speech against the Roma in Romania*. Presented at the 21<sup>st</sup> Annual Conference of the European Society of Criminology (e-conference).

5. Molnar, L. (2021, August). *Victimisation and delinquency of precarious migrant populations in a (pre)pandemic world*. Presented at the ESC (Ecole des Sciences Criminelles) Doctoral School. University of Lausanne.
6. Molnar, L., Ros, J., & Hashimoto, Y. (2021, May). *L'impact de la pandémie de Covid-19 sur des populations en situation de précarité*. Presented at the webinar “La recherche criminologique en temps de COVID-19: Expériences à l'étranger et en Suisse”, organised by the ESC Working Group on Crime, Criminal justice and COVID-19 pandemic.
7. Molnar, L. (2021, March). *La consommation de produits psychoactifs et de médicaments chez les personnes travailleuses du sexe dans le canton de Vaud*. Presented at e-meeting of the network “Swiss Group on the Study of Addictions (GREA)”.
8. Molnar, L. (2020, September). *Previst project: prevention of the work-related victimisation in prostitution*. Presented at the 20<sup>th</sup> Annual Conference of the European Society of Criminology (e-conference)
9. Molnar, L. (2019, September). *Ethical and methodological challenges of doing participant observation within the Roma*. Presented at the 19<sup>th</sup> Annual Conference of the European Society of Criminology (Ghent, Belgium).
10. Molnar, L. (2019, September). *Victimisation and delinquency of young Romanian Roma in Switzerland*. Presented at the 19<sup>th</sup> Annual Conference of the European Society of Criminology (Ghent, Belgium).

In addition, we have also disseminated our results in reports or through collaborations. For instance, we drew a Key Findings report of our study on the effects of COVID-19 pandemic on the homeless (Molnar & Hashimoto, 2022), collaborated with the Cantonal Police for the writing of an article in their magazine (Braconnier, forthcoming), as well as presented our findings on the effects of COVID-19 pandemic to Fleur de Pavé.

This Ph.D. summary report is organised as follows: Section 2 introduces the general objectives that guided the dissertation; Section 3 illustrates the three opportunity-based theories applied (Routine Activities Theory, Lifestyle theory, and Situational crime prevention Theory); Section 4 presents the techniques followed for the data collection and analyses; Section 5 recapitulates the results of the studies conducted; Section 6 addresses ethical and methodological considerations; and Section 7 discusses the results of all of the papers and compares the victimisation, offending, and drug use of the different sub-populations studied. Appendix 1 includes all my publications in the field of criminology since I enrolled as a Ph.D. candidate at the University of Lausanne. Appendix 2 includes the questionnaires used during the data collection. Finally, Appendix 3 presents the interview guides used during the semi-structured interviews conducted.



## 2. Objectives

This dissertation is guided by four general objectives:

- ❖ To study the characteristics of the victimisation, offending, and drug use of vulnerable and hard-to-reach groups.
- ❖ To apply opportunity-based criminological theories to the study of vulnerable and hard-to-reach groups as a way of identifying the elements that facilitate their victimisation and offending, which in turn allow us to propose prevention strategies based on empirical research.
- ❖ To collect data directly on the field, without intermediaries, but counting on the help of practitioners to discuss them and put them in context.
- ❖ To apply different methods and techniques to the study of the data collected – including the secondary data collected by other researchers and used in some of the articles – with a focus on the ethical and methodological challenges faced when studying vulnerable and hard-to-reach groups.

The specific objectives of the Ph.D. dissertation are described in each of the articles included in it.

## 3. Main Theoretical Framework

This dissertation is inspired by opportunity-based theories, which belong to a paradigm often referred to as the “situational approach” (see Killias et al., 2019). It includes primarily the so-called lifestyle theory (Hindelang et al., 1978), routine activity theory (RAT, Cohen & Felson, 1979), crime pattern theory (Brantingham & Brantingham, 1993), rational choice theory (Cornish & Clarke, 2014), and situational crime prevention theory (Cornish & Clarke, 2003). According to this paradigm, crime is often the result of an opportunity (Felson & Clarke, 1999); conversely, this means that it is possible to prevent crime by reducing the opportunities to engage in it and without trying to change human nature or the social structure of the democratic societies in which we live (Killias et al., 2019). This section explains the main elements of the three theories that are at the core of the thesis: RAT, lifestyle theory, and situational crime prevention theory.

The aim of the dissertation is not to test these theories, but to use them as a solid —i.e. widely recognised in criminology— framework both for the interpretation of the results. By doing that, we follow the path opened by a few scholars who have already applied these theories to some of the groups studied in this dissertation. In particular, Chakraborti and Garland (2012) called for an opportunity-based explanation of hate-victimisation. In that vein, the bias-motivated offences would occur against persons seen as vulnerable —i.e. suitable targets according to the terminology of RAT (Cohen & Felson, 1979). Wallengren et al. (2020) measured the visibility as a predictor the Roma’s victimisation, operationalised in different ways that include external signs, such as symbols and clothes used by the Roma, as well as attitudes of some Roma, such as hiding their background or their vision of how Roma are perceived by others. They found that the visibility of the victims predicted their hate-motivated victimisation (12-month prevalence). More recently, Miin Miin Chai et al. (2023) applied the situational approach to the sexual victimisation of French SW.

The dissertation applies these theories to study the victimisation of seasonal workers during the COVID-19 pandemic (Molnar, 2023), the victimisation of SW (Molnar & Aebi, 2022, 2023; Molnar & Ros, 2022), as well as the victimisation and delinquency of homeless (Molnar & Hashimoto, 2022) and migrant Roma (Molnar & Aebi, 2021a).

### 3.1 Lifestyle theory

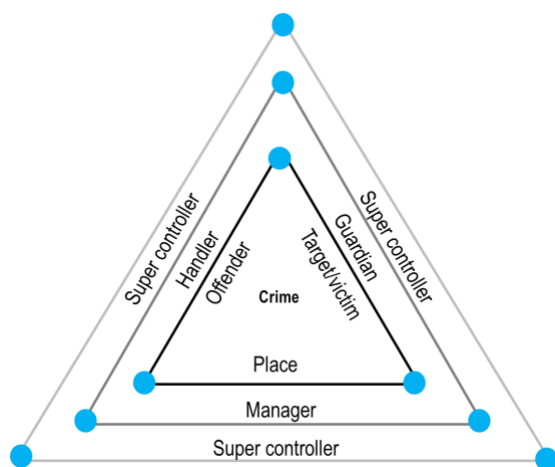
Lifestyle theory (Hindelang et al., 1978) addresses an individual's risk of becoming a victim of a crime. It emerged from the authors' goal to integrate results from early US victimisation surveys to explain the disproportionate victimisation among certain demographic groups. In that respect, the authors postulated that a person's risky lifestyle correlates positively with his/her risk of being the victim of a crime. More generally, they found that the risk of victimisation was higher for young men than for women and adults, and explained this based upon the amount of time spent away from home and the consequent increased likelihood of encountering risks (Hindelang et al., 1978). Nevertheless, they also found that the risks of becoming a victim were higher among SW, as well as other people in contact with criminals.

### 3.2 Routine activity theory

RAT (Cohen & Felson, 1979; Felson, 1986; Sampson et al., 2010; Sherman et al., 1989) is one of the most corroborated theories in criminology (Eck & Madensen, 2015). As stated in its original version, a predatory crime requires the presence of motivated offender and a suitable target, as well as the absence of a capable guardian (Cohen & Felson, 1979). The authors developed RAT to explain the upsurge in home burglaries in the US between 1947 and 1977. That surge defied the previous theories, which predicted that crime would decline if socioeconomic indicators—such as quality of life, purchasing power, or education—were enhanced. The authors postulated that this unusual rise of property crime was attributable to an increase of opportunities to commit crimes that emerged with the social and technological changes of the era. In particular they took into account the increase in single-person households, women's integration into the workforce, the augmentation of outdoor leisure, and the miniaturisation of electronic devices.

The theory was developed over the years (for an overview, see the creative analogy of Eck & Madensen, 2015) and one of its most recent versions consists of a three-layered triangle (Sampson et al., 2010, see Figure 1) that includes many roles in addition to the original ones. In brief, for a crime to happen, a *motivated offender* and a *suitable target* need to converge in the same *place* (Cohen & Felson, 1979; Felson, 1986), in absence of *controllers* such as a *handler*, a *guardian* or a *manager* (Felson, 1986; Sherman et al., 1989), or of *super controllers* that encourage the controllers to prevent crime (Sampson et al., 2010).

**Figure 1. The routine activity theory triangle updated (2010)**



*Adapted from Sampson et al. (2010)*

Controllers, who are the protagonists in the second layer of the triangle, influence offenders, targets and places, and can potentially decrease the risk of offending. For example, a motivated offender might have handlers that can be close persons (e.g., a significant other, parents, or peers) who deter him from committing the crime. In the same vein, a suitable target or victim may be protected by a guardian (e.g., police or informal social control) that provides protection. Further, the location may have a manager (e.g., a concierge, shopkeeper) whose task is to keep the premises safe. The presence of these three roles makes the offence less likely to occur.

Nevertheless, handlers, managers, and guardians are not always motivated to comply with their task. To address this issue, Sampson et al. (2010) proposed a third layer that includes super controllers (e.g., regulatory agencies, the media, family relationships, courts, or markets) that would motivate or verify whether the controllers comply with their duties, and even influence other super controllers. The authors divide them in three types:

- a) Formal (composed of organisation, contractual, financial, regulatory and courts);
- b) Diffuse (composed of political, markets, and media super-controllers);
- c) Personal. (composed of groups and family).

Regarding *formal super controllers*, Sampson et al. (2010) offer the example of multinational firm (organisational super controller) that develops rules and procedures about the way work is to be conducted, or a nightclub chain that replaces glass beer mugs by polycarbonate mugs to prevent injuries in bar fights. In addition, contractual arrangements that provide obligations among parties or an insurance company that pressurise a rental car company to reduce thefts under the threat of increasing the price are other examples of super controllers. Among the *diffuse super controllers*, the authors state that these are not institutions nor individuals, but collections such as a media report that would stimulate regulatory agencies. Regarding the third type of super controllers, *personal super controllers* rely on personal and informal sets of connections to influence the controller -e.g. parents that influence other parents to keep their kids out of trouble, for instance.

Super-controllers influence the controllers by using situational crime prevention strategies (Cornish & Clarke, 2003) that increase controllers' risks and decrease their efforts, rewards, excuses, and provocations. Therefore, following a rational choice perspective (Cornish & Clarke, 2014), the controllers would tend to decide to prevent crime because it would be the option in their best interest. To clarify, all of these elements (offender, target/victim, handler, guardian, manager, and super-controllers) are roles and not specific people. In that sense, a person can be both a victim and an offender during the same day, or may be a handler in a specific situation, but an offender in another (Eck & Madensen, 2015).

### 3.3 Situational crime prevention

The situational approach paradigm has its roots in the work of Leslie Wilkins at the Home Office Research Unit in the late 1950s, but was formalised only in 1976 with the publication of *Crime as Opportunity* (Mayhew et al., 1976), followed in 1980 by *Designing out Crime* (Mayhew et al., 1980). From a situational approach perspective, the number of crimes depends upon, among other things, the number of targets available, their attractiveness, their ease of access, the risks associated with the potential crime, and the perceived legitimate alternatives. Accordingly, Mayhew and Clarke (1976) developed a first inventory of eight situational crime prevention techniques. In the following years, an immense amount of empirical research, reviews, and theoretical contributions was conducted on this topic (see, e.g., the volumes of the collection *Crime Prevention Studies*<sup>1</sup> from the POP Center).

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<sup>1</sup> <https://popcenter.asu.edu/content/crime-prevention-studies>.

Consequently, the inventory grew over time such that, since the 2000s, it includes 25 techniques that Cornish and Clarke (2003) summarised (Table 1).

These 25 techniques of situational crime prevention belong to five main categories or strategies. The first consists of increasing the efforts the perpetrator requires by making the targets less vulnerable, controlling the access to facilities, screening the exits, deflecting offenders, and controlling the tools or weapons useful for committing a crime (see examples in Table 1). The second consists of increasing the risks of committing an offence by increasing guardianship and natural and formal surveillance, and by reducing people's anonymity. The third involves reducing the rewards obtained from the offence and entails concealing or removing targets, identifying property, disrupting the markets, or denying the benefits of the crime. Another strategy is based upon reducing provocations by reducing frustrations, stress, and emotional arousal, avoiding disputes, neutralising peer pressure, and discouraging imitation. Finally, the strategy of removing the excuses is related to the neutralisation techniques offenders use to justify their acts that Sykes and Matza (1957) developed. This involves setting clear standards and instructions, activating conscience, facilitating compliance, and controlling drugs and alcohol.

Police departments that apply intelligence-led and problem-oriented policing have often used these situational crime prevention techniques directly or indirectly and a general overview of their use can be found on the POP centre website (<https://popcenter.asu.edu/>). In one of the papers on SW's routine precautions (Molnar & Aebi, 2022), the particularity of our approach compared to the previous ones is that we do not emphasise what the police or an institution can do to prevent crime, but the techniques that victims practise to prevent it, and the way these techniques are unintentionally similar to those proposed by Cornish and Clarke (2003). In fact, after an exchange of emails with Ronald Clarke, we decided to frame these prevention measures according to the label of "routine precautions" proposed by him and Marcus Felson (Felson & Clarke, 1995, 2010). In that context, routine precautions differ from situational crime prevention techniques because the latter are based upon evidence of what works empirically; in contrast, the routine precautions that citizens take are not necessarily effective, may backfire, and could also lead to crime displacement (Cornish & Clarke, 2003). Still, both concepts are related because researchers can develop situational crime prevention techniques by applying science to the routine precautions that citizens take. Specifically, by placing routine precautions in a theoretical framework and applying the scientific method to study them, one can produce a set of distinct opportunity-reducing techniques that can be tested empirically later.

**Table 1. Twenty-five techniques of situational crime prevention (adapted from Cornish and Clarke, 2003).**

<b>Increase the Effort</b>	<b>Increase the Risks</b>	<b>Reduce the Rewards</b>	<b>Reduce Provocations</b>	<b>Remove Excuses</b>
<p><i>1. Target harden:</i></p> <ul style="list-style-type: none"> <li>a. Steering column locks and immobilisers</li> <li>b. Anti-robbery screens</li> <li>c. Tamper-proof packaging</li> </ul>	<p><i>6. Extend guardianship:</i></p> <ul style="list-style-type: none"> <li>a. Take routine precautions: go out in group at night, leave signs of occupancy, carry phone</li> <li>b. “Cocoon” neighbourhood</li> </ul>	<p><i>11. Conceal targets:</i></p> <ul style="list-style-type: none"> <li>a. Off-street parking</li> <li>b. Gender-neutral phone directories</li> <li>c. Unmarked bullion trucks</li> </ul>	<p><i>16. Reduce frustrations and stress:</i></p> <ul style="list-style-type: none"> <li>a. Efficient queues and police service</li> <li>b. Expanded seating</li> <li>c. Soothing music/muted lights</li> </ul>	<p><i>21. Set rules:</i></p> <ul style="list-style-type: none"> <li>a. Rental agreements</li> <li>b. Harassment codes</li> <li>c. Hotel registration</li> </ul>
<p><i>2. Control access to facilities:</i></p> <ul style="list-style-type: none"> <li>a. Entry phones</li> <li>b. Electronic card access</li> <li>c. Baggage screening</li> </ul>	<p><i>7. Assist natural surveillance:</i></p> <ul style="list-style-type: none"> <li>a. Improved street lighting</li> <li>b. Defensible space designs</li> <li>c. Support whistle-blowers</li> </ul>	<p><i>12. Remove targets:</i></p> <ul style="list-style-type: none"> <li>a. Removable car radio</li> <li>b. Women’s refuges</li> <li>c. Prepaid cards for pay phones</li> </ul>	<p><i>17. Avoid disputes:</i></p> <ul style="list-style-type: none"> <li>a. Separate enclosures for rival soccer fans</li> <li>b. Reduce crowding in pubs</li> <li>c. Fixed cab fares</li> </ul>	<p><i>22. Post instructions:</i></p> <ul style="list-style-type: none"> <li>a. “No Parking”</li> <li>b. “Private property”</li> <li>c. “Extinguish camp fires”</li> </ul>
<p><i>3. Screen exits:</i></p> <ul style="list-style-type: none"> <li>a. Ticket needed for exit</li> <li>b. Export documents</li> <li>c. Electronic merchandise tags</li> </ul>	<p><i>8. Reduce anonymity:</i></p> <ul style="list-style-type: none"> <li>a. Taxi driver IDs</li> <li>b. “How’s my driving?” decals</li> <li>c. School uniforms</li> </ul>	<p><i>13. Identify property:</i></p> <ul style="list-style-type: none"> <li>a. Property marking</li> <li>b. Vehicle licensing and parts marking</li> <li>c. Cattle branding</li> </ul>	<p><i>18. Reduce emotional arousal:</i></p> <ul style="list-style-type: none"> <li>a. Controls on violent pornography</li> <li>b. Enforce good behaviour on soccer field</li> <li>c. Prohibit racial slurs</li> </ul>	<p><i>23. Alert conscience:</i></p> <ul style="list-style-type: none"> <li>a. Roadside speed display boards</li> <li>b. Signatures for customs declarations</li> <li>c. “Shoplifting is stealing”</li> </ul>
<p><i>4. Deflect offenders:</i></p> <ul style="list-style-type: none"> <li>a. Street closures</li> <li>b. Separate bathrooms for women</li> <li>c. Disperse pubs</li> </ul>	<p><i>9. Utilise place managers:</i></p> <ul style="list-style-type: none"> <li>a. CCTV for double-deck buses</li> <li>b. Two clerks for convenience stores</li> <li>c. Reward vigilance</li> </ul>	<p><i>14. Disrupt markets:</i></p> <ul style="list-style-type: none"> <li>a. Monitor pawn shops</li> <li>b. Controls on classified ads.</li> <li>c. License street vendors.</li> </ul>	<p><i>19. Neutralise peer pressure:</i></p> <ul style="list-style-type: none"> <li>a. “Idiots drink and drive”</li> <li>b. “It’s OK to say No”</li> <li>c. Disperse troublemakers at school</li> </ul>	<p><i>24. Assist compliance:</i></p> <ul style="list-style-type: none"> <li>a. Easy library checkout</li> <li>b. Public lavatories</li> <li>c. Litter bins</li> </ul>
<p><i>5. Control tools/weapons:</i></p> <ul style="list-style-type: none"> <li>a. “Smart” guns</li> <li>b. Disabling stolen cell phones</li> <li>c. Restrict spray paint sales to juveniles</li> </ul>	<p><i>10. Strengthen formal surveillance:</i></p> <ul style="list-style-type: none"> <li>a. Red light cameras</li> <li>b. Burglar alarms</li> <li>c. Security guards</li> </ul>	<p><i>15. Deny benefits:</i></p> <ul style="list-style-type: none"> <li>a. Ink merchandise tags</li> <li>b. Graffiti cleaning</li> <li>c. Speed humps</li> </ul>	<p><i>20. Discourage imitation:</i></p> <ul style="list-style-type: none"> <li>a. Rapid repair of vandalism</li> <li>b. V-chips in TVs</li> <li>c. Censor details of modus operandi</li> </ul>	<p><i>25. Control drugs and alcohol:</i></p> <ul style="list-style-type: none"> <li>a. Breathalyzers in pubs</li> <li>b. Server intervention</li> <li>c. Alcohol-free events</li> </ul>

## 4. Methods

The methodology of this dissertation was developed keeping in mind two epistemological approaches: Grounded theory (Glaser & Strauss, 2000) and Post-positivism. Both are presented in this section, which also describes and discusses the research techniques used to gather the data analysed in it. It must be mentioned since the beginning, however, that most of the time the empirical evidence showed us that it was not necessary to develop a new theory grounded in the data collected to explain the phenomena under study. Most of the time, the latter could be explained using opportunity-based theories which, consequently, became the main theoretical framework of this dissertation (see Section 3).

### 4.1 Background and General Definitions

The fieldwork of this dissertation took place from 2016 to 2021. This means that it was heavily affected by the COVID-19 pandemic, which forced us to restructure the work several times. The reverse of the medal is that the situation enhanced creativity and allowed us to explore new methods, leading us, for example, to collect online data such as the one available in online forums.

During the above-mentioned period, together with several colleagues (Prof. Dr. Marcelo F. Aebi, Dr. Jenny Ros, Silvia Pongelli, Guido Biscontin, and Yuji Z. Hashimoto), we studied the victimisation, offending, and drug use of vulnerable and hard-to-reach groups through the prism of opportunity-based theories (Cohen & Felson, 1979; Cornish & Clarke, 2003; Hindelang et al., 1978). The four groups studied are the following:

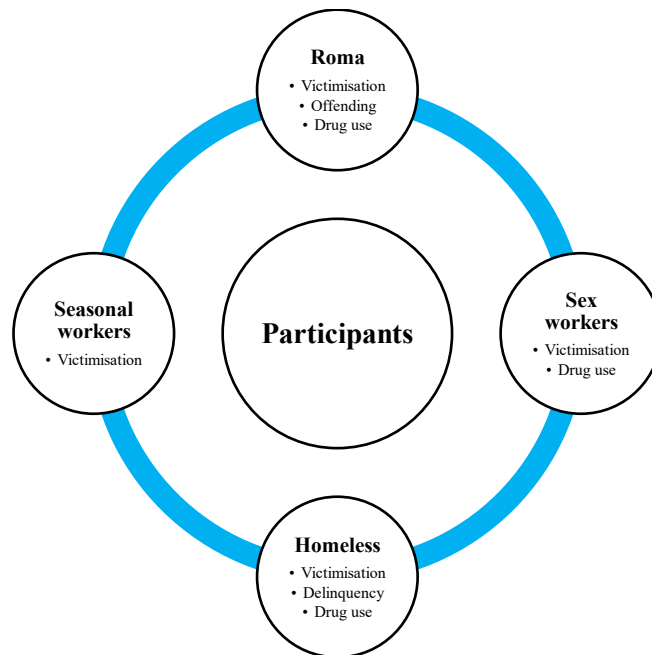
- (1) ***Sex workers***: Cisgender and transgender women who perform sexual practices in exchange for goods, most often money.
- (2) ***People of Roma ethnicity***: European Union citizens who are of Roma ethnicity. Migrant Roma in Switzerland as well as Romanian Roma in their own country are studied herein.
- (3) ***Homeless***: Individuals who have no stable domicile and who reside in Switzerland, at least temporarily.
- (4) ***Migrant seasonal workers***: Individuals who leave their home country for some months every year to work in agriculture abroad (in this case, in Germany).

These four groups shared two main characteristics (1) they are hard to reach and (2) they are vulnerable. This vulnerability can be attributed to enduring (a) social exclusion, (b) stigmatisation, and (c) precariousness. Often, these four subtypes overlap, e.g., some SW may be homeless, Roma, and seasonal workers or all of these.

Figure 2 synthesises the phenomena studied in each of the subgroups. We studied SW, homeless, and Roma in Switzerland in the cantons of Geneva, Vaud, Fribourg, and Valais (nearly the entire French-speaking part of Switzerland, or as it is known in French—*La Suisse Romande*). The fraud and exploitation of Romanian workers in Romania and Germany, as well as the anti-Roma hate speech in Romania were also addressed. The choice of the phenomena was context-dependent, in the sense that even if, as stated in Section 2 (Objectives), we intended to explore three phenomena (delinquency, victimisation and discrimination) in all the papers, in some cases we were obliged to prioritise one or another (e.g., studying only the group's victimisation, but not its offending). The reasons for that were sometimes logistic and sometimes strategic. If we had been too ambitious during the data collection, the research and access to the field may have been compromised. In Section 6, we discuss more ethical and methodological considerations with respect to the data collection.



**Figure 2. Vulnerable and precarious subjects of study: Phenomena investigated.**



The studies included in this dissertation are based on three indicators: the *prevalence* of victimisation and/or offending, their *incidence*, and their *variety*. Prevalence refers to the proportion of members of a sample who have been victims or perpetrators of an offence during a given period of time (Aebi, 2006). It can be expressed in percentages or proportions and indicates, for instance, how many individuals were implicated in a physical assault. Incidence refers to the number of offences a victim has endured or a perpetrator has committed during a period of time (Aebi, 2006). It can indicate, for example, the number of physical assaults an individual committed. It is also useful to test the existence of the so-called *repeated victims*, a particularly vulnerable category. Finally, variety refers to the number of *different* offences a victim has endured or a perpetrator has committed during a period of time (Aebi, 2006). This indicator is one of the clearest indicators of the implication in victimisation or offending (Aebi, 2006). In the papers, these three indicators (prevalence, incidence and variety) are expressed as rates based, in the case of incidence and variety, on the average number of offences committed or suffered by each member of the sample.

This thesis uses qualitative methodologies, such as participant observations, interviews, and content analysis of secondary data, as well as quantitative methods based on the statistical analyses of surveys administered during the fieldwork or conducted by international agencies (see Sections 5 and 6). Throughout the process, our methodology was inspired by Grounded Theory, which guided the procedures, and provided sufficient flexibility to explore new and understudied phenomena. Our (*royal plural*) access to the field was possible because of (1) Our double role of researcher and practitioner (or as we express it in French, *ma double casquette*) as well as (2) Our professional network. In fact, part of the data collection for this dissertation began long before we enrolled in the doctoral programme, because we had been working in Lausanne since 2016 as a social worker supporting SW and people of Roma ethnicity.

The association that hired us –the NGO *Fleur de Pavé*– took into account our background in criminology and asked us to collaborate in two studies, one on SW’s victimisation and one on SW’s drug use in the canton of Vaud. These studies allowed us to design and coordinate a victimisation prevention project in sex work, *Previst*, for two years (Molnar & Pongelli, 2019, 2020). The data collected during that time were useful for the

association, but were not analysed in depth until the beginning of the Ph.D. It is also at that moment that we started surveying and interviewing SW, homeless, and seasonal workers in light of the COVID-19 pandemic, as well as analysing other sources. This was the case for the EU-MIDIS survey that gathered data on the Roma's victimisation and discrimination (European Union Agency for Fundamental Rights, 2016), online forums that addressed the anti-Roma hate speech (Molnar, 2021a), as well as media reports about the precariousness and difficulties faced by Romanian seasonal migrants in Germany during the pandemic (Molnar, 2023). It is also worth mentioning that our linguistic and ethnic background facilitated conducting the thesis because we were born in Romania, we grew up in Spain and we are fluent in Romanian, Spanish, French, and English, which allowed us to translate all the data collection instruments into these languages.

## **4.2 Post-positivism and Grounded Theory**

This thesis is guided by a post-positivist philosophy (see Phillips & Burbules, 2000). Post-positivism, also referred to as post-empiricism, entails the observation of reality and helps the researcher develop reflexivity at the same time. It is a philosophical and theoretical position as well as a framework that addresses the critiques of positivism by stating that researchers' theories, hypotheses, backgrounds, values, and similar aspects of their cosmovision are susceptible to influence the outcome of research. To minimise biases, post-positivism proposes identifying their possible sources of biases and controlling them to the extent possible: It is imperative to be critical of oneself and develop an introspective reflection of one's beliefs, attitudes, and emotions (Emerson et al., 2011). During the research projects reported here and in nearly all articles, I –alone or with co-authors– tried to develop a methodological and ethical reflexion about the research itself. In addition, we debriefed with our peers, when necessary, to remain aware of our prejudices, emotions, and other factors that would affect the data collection, analysis, and interpretation, hence increasing our level of introspection and, hopefully, neutrality. More details of our post-positivist approach are to be found in Section 6.

As mentioned at the beginning of Section 4, we started this dissertation considering that it would give us an opportunity of applying a Grounded Theory (GT) approach. GT was originally proposed by Glaser and Strauss (2000) and constitutes a valuable method to address understudied topics. Its primary goal is to build a theory from the bottom-up, starting from the empirical findings, with no prior positions or hypotheses, using all types of data and applying inductive and/or iterative methods. In this thesis, data were collected following a GT approach mainly because some topics had seldom been studied before (for example, the victimisation of SW in a country where prostitution is legal) and therefore data collection and analysis were conducted through an iterative process. However, the analysis of the data showed us that it was unnecessary –and perhaps too arrogant from our side– to try to develop a whole new theory to explain our findings. In practice, most of them can be explained using opportunity-based theories.

## **4.3 Doing participant observation**

We used participant observation to study homeless individuals –15 hours (Molnar & Hashimoto, 2022)–, SW –1,100 hours in the first study (Molnar & Aebi, 2022) and 50 hours in the second (Molnar & Ros, 2022)–, as well as Roma people for 130 hours (Molnar & Aebi, 2021a).

During the participant observation with the SW, we took the role of a researcher-practitioner and, before developing further instruments, we sought to understand the context



and the group as much as possible. Hence, we first familiarised ourselves with the setting in which sex work takes place in the canton of Vaud and its characteristics, while establishing a rapport of trust with the SW. It was only afterwards that we developed systematic data collection instruments. In this way, our first observations helped us conduct the subsequent interviews and surveys.

The approach was similar in the Roma study, which took place in two cities of Switzerland. Before conducting the research, we were already working as a social worker and carrying out interventions and workshops with them, while accompanying them in their daily lives. The workshops covered healthy habits for Roma women and tolerance of homosexuality for Roma men.

Finally, we found a way of conducting face-to-face our study with homeless people, while respecting the security measures imposed during the pandemic. In that context, we worked alone in the field for two months and managed to interview 12 persons. The COVID-19 pandemic limited the potential for observation seriously, but the time spent in the field helped us contextualise the data.

#### **4.4 Designing and conducting surveys**

Based on the available literature, we designed and implemented surveys to study the general drug use of SWs (Molnar et al., 2021) and their specific drug use and victimisation during the COVID-19 pandemic (Molnar & Ros, 2022), the victimisation and offending of Roma individuals (Molnar & Aebi, 2021a), as well as the victimisation, offending, and drug use of homeless persons (Molnar & Hashimoto, 2022). The construction of the questionnaires was also informed by our previous participant observation. All surveys were translated from French to Romanian, Spanish, and English and can be consulted in Appendix 2 (in English). They were administered using techniques such as Computed Assisted Personal Interviewing (CAPI), Paper and Pencil Personal Interviewing (PAPI), and Computer Assisted Self-Interviewing (CASI), either alone or in combination.

In all the studies we used convenience samples that include all the individuals who were willing to participate in the surveys, while keeping in mind the construction of a final sample that would include an appropriate diversity of profiles. For instance, in the case of SW, we sought to include those not working in the streets or in erotic massage salons by also disseminating the questionnaire online via erotic websites of the canton of Vaud. In the case of the Roma, we included only young people aged 12 to 25 years, because we were interested in studying juvenile delinquency.

The duration of the data collection was heterogeneous across studies: We needed approximately seven months to collect data on Roma's victimisation and offending (N=27) (Molnar & Aebi, 2021a) as well as SW's drug use (N=91) (Molnar et al., 2021); approximately six months for the data on homeless' victimisation, offending, and drug use (N=32) (Molnar & Hashimoto, 2022); and only three months for these relating to the SW's experiences during the COVID-19 pandemic (N=40) (Molnar & Ros, 2022). We collected the data for the first two studies by ourselves, while for the third we shared the task with night shelters' social workers, who distributed questionnaires among the homeless and sometimes interviewed the users. For the fourth study, data collection was conducted together with Jenny Ros (Molnar & Ros, 2022). She conducted most of the surveys with the SW that were asking for administrative aid in the premises of the NGO, while we accompanied the NGO's social workers to the erotic massage salons in the afternoons, and in the street at night.

Data were mainly analysed via descriptive statistics because of the small size of the samples. In particular, we worked with indexes of prevalence, incidence, and diversity of offending and victimisation.

#### **4.5 Conducting interviews**

We used two different approaches to conduct the face-to-face semi-structured interviews with 14 SW and five seasonal workers (the interview guides can be consulted in Appendix 3). For the first study, we wanted to ensure that the sample included all voices in the SW population working in the Canton of Vaud; consequently, we interviewed cisgender and transgender SW working in both legal and illegal situations. The inclusion of transgender SW was particularly relevant as they have been understudied in the available literature (Weitzer, 2005). The interviews took place from May to September 2017 and followed a semi-structured protocol that began with general questions about their situation in Switzerland, focused then on their experience as SW and, finally, on the sensitive issue of their victimisation. As usual in these cases, interviewees were given the opportunity to speak freely and share anecdotes or stories, which allowed follow-up questions to be formulated spontaneously and according to their responses.

The COVID-related lockdowns and the closure of borders forced us, for the second study, to look for alternative ways of finding and interviewing seasonal workers in agriculture. Hence, from May to October 2020, we contacted eight Facebook groups of Romanian diaspora and posted several messages calling for participants. We also used the snowball technique by contacting acquaintances who could put us in contact with Romanians working in seasonal labour. A small number of people replied, and we conducted the interviews via WhatsApp video-calls and Facebook video. We followed a semi-structured interview format and focused on the way in which their work in agriculture was organised during the pandemic. In particular, we questioned them about the recruitment process, their tasks, time schedules, work permits, contracts and wages, as well as on the challenges and dangers in the sector. All participants signed consent and information forms. In total, we interviewed five persons, four workers in German agriculture and the sister of one seasonal worker in Germany during the pandemic.

We used the software *NVivo* (Castleberry & Nolen, 2018) to conduct a content analysis of the interviews. A first horizontal analysis –going through each transcript– helped us to identify recurrent topics, while a subsequent transversal analysis –identifying each of those topics across transcripts– allowed us to analyse each topic in greater depth.

#### **4.6 Collecting open data**

We collected open data from online forums such as Reddit and Facebook, as well as from mass media reports. For the study on the victimisation of seasonal workers, we combined data from 140 Romanian media reports (journal articles, videos, and photos) and 93 Facebook posts with the five interviews mentioned in the previous section. All the strategies of data collection took place in parallel: While we recruited participants for the interviews, we monitored the media activity and complemented our sampling with Facebook posts about job offers published online.

Media reports were collected through *Google news* using several keywords in Romanian (*agricultura covid sparanghel Romania, sparanghel Germania*). We selected all relevant articles from March until October 2020, saved them in HTML format, and introduced them in a database. We also complemented our Facebook sampling by gathering job announcements published by recruitment agencies in the same groups where we were recruiting participants for the interviews. In addition, we also gathered the comments of the

Facebook users on those announcements. The content analysis of all these data was also conducted using the software *NVivo* (Castleberry & Nolen, 2018).

We used “Reddit Romania” to collect data on the hate speech against the Roma in Romania. Reddit Romania is an open-access forum and a highly popular platform with a clear geographical delimitation of its community that is evident from its title. Using the keywords “Roma” and “Gypsie” in Romanian (*Romi, tigan*), we gathered all the public discussions in the platform from 2016 to August 2020. In this way, we collected 127 main comments and 4,009 sub-comments in response to them (N=4,136). Ten final codes emerged when we analysed these data using *NVivo*. They were compiled in a total of 1,296 segments of content that corresponded to approximately one segment-one comment, except for some posts that were coded in more than one category because they referred to several topics.

Finally, we also conducted a narrative review of publications on Roma’s victimisation or offending from 1997 to 2020. Using the search engines Web of Science and Google Scholar for articles and books –and Google for official reports– we identified 70 publications. For the narrative review, we kept the 44 (articles in peer-reviewed journals, reports, and books) that focus on victimisation or offending and have been published in English, French, Romanian, or Spanish.

## 5. Results

This section summarises the results of the articles, putting them in the general framework of the dissertation and incorporating additional information like maps or supplementary graphs. We separated our findings in two main blocks: (a) Section 5.1: General prevalence of victimisation, offending and drug use, where we address the cases of the Roma and the homeless, and (b) Section 5.2: Work-related prevalence of victimisation, where we address the cases of the SW and the seasonal workers.

### 5.1 General prevalence of victimisation, offending and drug use

#### 5.1.1. Roma people: Victimisation, drug use, offending, and discrimination

This section summarises the articles: “The Imperative Need for Criminological Research on the European Roma: A Narrative Review” (Molnar, 2021b); “The Law of the Jungle. The Online Hate-speech against the Roma in Romania” (Molnar, 2021a); “Victimisation et délinquance des jeunes Roms roumains en Suisse : Une étude exploratoire de terrain” (Molnar & Aebi, 2021a), and “Discrimination and victimisation of minorities in Spain: The potential of the EU-MIDIS project” (Molnar & Aebi, 2021b). Inevitably, some sections are repetitive with the articles, nonetheless necessary for this synthesis report to be self-sufficient. Figure 3 illustrates the empirical studies that we conducted regarding the Roma’s victimisation or delinquency.

**Figure 3. Empirical studies conducted about the Roma**



#### Roma people: Definitions and background

In our work, we focus on the European Roma, thought to have originated from India (Martínez-Cruz et al., 2016) and settled in Europe beginning in the 13<sup>th</sup> century, where they are the largest minority today. The Council of Europe estimates that approximately 11 million Roma live on the continent and approximately six million in the European Union. *Rom* means literally man of the Roma ethnic group or husband (*Council of Europe: Descriptive Glossary of Terms Relating to Roma Issues*, 2012). The Council of Europe (2012a) uses this word to refer to the Roma, Sinti, Kale, Travellers, and the Eastern groups, such as the Dom and Lom, as well as those people who identify themselves as Gypsies. The Roma are subdivided as well into other groups, such as the Kelderash, Lovari, Gurbeti, Churari, Ursari, etc. (*Council of Europe: Descriptive Glossary of Terms Relating to Roma Issues*, 2012). Specific descriptions of each group are found in our articles, particularly in Molnar (2021b). Throughout history, the Roma have been considered –at a European level– “aliens” and “burdens to progress” (van Baar, 2011). Further, they have been labelled as criminals by nature by biological determinist scientists like Cesare Lombroso (1887/2006), they were persecuted and executed during the German National Socialist regime (1933–1945) and, after World War II, they were redistributed massively and obliged to become sedentary in Eastern Europe and England (Fraser, 1995/1992).

The Roma are the second-largest minority in Romania today, after the Magyars, and constitute 3.1% of the country’s population. During the 20<sup>th</sup> century, Romania was a satellite

state of the Soviet Union until 1958 and it remained under the communist dictatorship of Nicolae Ceausescu until 1989. Today, the country still faces major challenges related to public corruption, low trust in the authorities, the lack of a long-term strategy in many domains, as well as its population's poverty and elevated level of emigration in search of a better future abroad (Cuturela et al., 2018; Stiftung, n.d.).

In order to tackle the discrimination and alienation that the Roma still endure today, the EU has drawn from the 2000s legal frameworks and inclusion strategic plans (Lecerf, 2022). At the European level, there are general legal frameworks that apply as well to the Roma regarding the combat of social exclusion and discrimination, these being *The Treaty of the EU*, *The Treaty on the Functioning of the European Union*, the *Charter of Fundamental Rights of the EU*, and the *Racial Equality Directive (2000/43/EC)*. In addition, the directive on the rights, support and protection of victims of crime (2012/29/EU) refers especially to victims of hate-motivated offences (Lecerf, 2022). Most recently, the European Commission adopted the EU Roma strategic framework for equality, inclusion and participation for 2020-2030 (European Commission, 2020). The new EU Roma strategic framework's objective is to foster equality, inclusion and participation, education, employment, housing, and health. It is to mention that it was stated that the main weakness of the former plan (2010-2020) was its non-binding nature (Lecerf, 2022). Even though the new framework remains non-binding, the Commission has strengthened the monitoring and requires the member-States to improve data collection, reporting and monitoring, through the use of a portfolio of indicators and objectives. On 12 March 2021, the Council adopted a recommendation on Roma equality, inclusion and participation (*Council Recommendation of 12 March 2021 on Roma Equality, Inclusion and Participation 2021/C 93/01*, 2021), stepping up the Member States' commitment to fight discrimination against Roma people effectively and expanding its scope, suggesting measures to tackle online and off-line discrimination, for instance.

However, concrete data on the effectiveness of the Roma inclusion programmes is scarce (see Bartlett et al., 2015; Open Society Institute, 2010). Bartlett et al. (2015) studied the implementation of the Roma integration programmes in Bulgaria, France, Hungary, Italy, Romania, Slovakia, and Spain and found, among other deficiencies, limited evidence-based policies and interventions, ill-developed targeting (in terms of time frames, measures, etc.), as well as failure to apply a holistic perspective on the Roma's inclusion. The authors highlighted that in New EU Member States, the policies and action plans even though were well developed, lacked proper funding and implementation. On the other hand, in Old Member States, Roma integration policies were from starters poorly developed (except for Spain). This assessment can nevertheless change for the Roma Integration Plan 2020-2030, since, as mentioned above, the authorities planned to strengthen the monitoring (European Commission, 2020). Furthermore, some of these critiques are highlighted by other scholars, namely Matache (2017) who criticises the nature of the policies per se, as well as Magazzini (2020) who found large differences in how 'inclusion' is understood in Spain vs Italy. For instance, the latter points out that whilst the Spanish framework is related mainly to socio-economic factors, the Italian focuses on cultural mediation. In addition, according to Zeljko Jovanovic, director of the Open Society Roma Initiatives Office, it is unclear how much of the funds allocated to vulnerable groups benefited the Roma (The Brussels Times, 2020, p. 1). Last, Bartlett et al. (2015) argue that anti-discrimination is still a pending task. In that sense, it seems that EU anti-discrimination ruling has not been embedded in the Member States' practices.

## **Review of the Roma's victimisation and offending**

Because information on the Roma appeared to be highly fragmented, we conducted a narrative review (Molnar, 2021b) in which we investigated the European publications (1997-2020) in English, French, Romanian, and Spanish that addressed the Roma's victimisation or offending.

The studies selected suggested that, first, Roma people are victims of hate crimes with devastating consequences (European Union Agency for Fundamental Rights, 2016; Greenfields & Rogers, 2020; James, 2014, 2020; Molnar & Aebi, 2021a; Wallengren, 2020). The prevalence of these crimes is higher for less serious offences, such as ethnically motivated insults or inappropriate staring (approximately 30% in Europe, except for the UK, where the prevalence is even higher), while more serious crimes, such as bias-motivated physical assaults, maintained a prevalence of 5% in Europe. In addition, they are often confronted to repeated victimisation. For example, the EU-MIDIS II study found that 39% of the victims experienced ethnic-based harassment six or more times in the previous year. In particular, men and youth Roma are over-represented among the victims of ethnicity-based offences.

Second, the literature stressed that Roma children and women are victims of domestic violence to a greater degree than other groups, although the Roma tend to oppose violence against women in their discourses (Briones-Vozmediano et al., 2019; Dan & Banu, 2018; Hasdeu, 2004; Kozubik et al., 2020; Muftić et al., 2019; Oliván Gonzalvo, 2004; Tokuç et al., 2010; Velentza, 2020; Villacampa & Torres, 2020; Vives-Cases et al., 2018). Some Roma children are exposed to physical violence, physical and emotional neglect, crime, and drug use within the family, as well as early marriages to a higher degree than autochthonous children or foreigners' offspring. As far as intimate partner violence (IPV) is concerned, the prevalence of physical IPV is between 30-40%, while psychological violence reaches 40%-90%. In addition, the Roma appear to distrust victim assistance services and, accordingly, do not use them.

Third, trafficking in human beings (THB) was highlighted as a worrying phenomenon among certain Roma groups in Europe (van Dijk et al., 2014; Gavra & Tudor, 2015; Vidra et al., 2018), in particular, forced begging and sexual exploitation. In addition, selling their newborns was a recent form of THB among the Roma in Bulgaria. All of these phenomena appear to occur within the Roma groups, suggesting that both victims and perpetrators are mainly Roma. Similarly, some Roma communities tolerate the engagement of their members in specific types of criminal activities including THB, smuggling, drug trafficking, and pimping (Gavra & Tudor, 2015; Georgoulas, 2009; Giménez-Salinas et al., 2012; Hagan & Radoeva, 1997; Lopez Riopedre, 2017; Stan, 2019). In addition, adult offenders from the community are often responsible for initiating children and youth in these kinds of practices.

Fourth, research highlighted that, in general, youth delinquency and offending among the Roma does not differ significantly from that of the non-Roma, although Roma adolescents face more deprivation (Gerevich et al., 2010; Gutiérrez-Sánchez, 2015; Kolarcik et al., 2016; Molnar & Aebi, 2021a; Petek et al., 2006; Vazsonyi et al., 2016). In that context, it is worth mentioning that our review, published in 2021, missed an article published a few months earlier by Vazsonyi et al.'s (2020) that reached similar conclusions. The exceptions to the similarity between Roma and non-Roma are drug use, in which Roma youngsters are more implicated than non-Roma (Petek et al., 2006) and, according to our research, sex work, in which several adolescents and post-adolescent Roma in Switzerland were engaged (Molnar & Aebi, 2021a).

Finally, research has shown that both Roma men and women are overrepresented in prison and face many difficulties when re-entering society after release due to their precarious background (Cerezo, 2017; Durnescu, 2019; Durnescu et al., 2002, 2016; Equipo Barañí, 2001; Martín Palomo, 2002; Molero, 2004).

## Roma: Findings

### *Study 1. Victimization and offending of Romanian Roma youngsters in Switzerland*

The data collection from our first empirical article on the Roma (Molnar & Aebi, 2021a) was conducted in the framework of our Master's thesis. These data (N=27) were further exploited and analysed during the Ph.D. Our findings show that the most common victimisation among the young Romanian Roma staying in Switzerland are (1) verbal assaults related to begging, (2) domestic violence (from parents to their offspring), and (3) theft. On the other hand, the crimes committed by more participants are (1) fights and (2) IPV and both of them are most often bidirectional.

We found that victimisation and delinquency are positively associated, in the sense that those who committed more crimes reported that they had suffered more victimisations as well. This is illustrated in Table 2, which presents the prevalence of victimisation and offending. In addition (not shown in Table 2), it is worth noting that, although victims did not report their victimisation to the police, they had a positive image of them, a finding that coincides with that observed when studying SW.

**Table 2. Young Roma's lifetime prevalence of victimisation and delinquency (N=27)**

	<b>Victimisation</b>	<b>Offending</b>
<i>Theft (n = 27)</i>	11 (40.7 %)	5 (18.5 %)
<i>IPV (n = 24)</i>	8 (33.3 %)	10 (41.7 %)
<i>Domestic violence (n = 27 victimisation; n = 26 offending)</i>	14 (51.9 %)	3 (11.5 %)
<i>Physical assault (n=27)</i>	9 (33.3 %)	19 (70.4 %)
<i>Ethnicity-motivated assault (n = 25)</i>	9 (36 %)	
<i>Victimisation due to begging (n=25)</i>	14 (56 %)	
<i>Cyber-insults (n = 22)</i>	8 (36.4 %)	6 (27.3 %)
<i>Sexual abuse/assault (n = 24)</i>	4 (16.7 %)	
<i>Prostitution (n = 22)</i>	6 (27.3 %)	
<i>Drug use (n = 25)</i>	7 (28 %)	
<i>False confessions to the police (n = 24)</i>	2 (8.3 %)	
<i>Burglary (n = 24)</i>		0
<i>Sale of drugs (n = 24)</i>		0
<i>Threats (n = 26)</i>	0	0
<i>Lambda variety (average)</i>	3.3	2.1

## Study 2. Online hate speech against the Roma in Romania

Our second empirical study (Molnar, 2021a) addressed the hate speech suffered by the Roma in Romania. The analysis revealed that most Romanian users of the online forum Reddit expressed hatred and rejection towards the Roma, especially with respect to their supposed deviance and criminality. Although the hate speech against the Roma appeared to be socially tolerated in the platform, some users –to whom we referred as the *Dissidents*– expressed nuanced visions about the tensions between Romanian Roma and the rest of Romanians. Table 3 illustrates the main topics discussed on the platform.

**Table 3. Anti-Roma hate-speech: Distribution on the codes, frequencies and percentages (n=1,296 segments)**

	No of coding references	%
(1) Criminality/deviance (-)	309	23.8
(2) Insults, disgust and violence and punitiveness (-)	254	19.6
(3) Defense of the Roma and more nuanced views (+)	177	13.7
(4) Critics of political correctness and positive discrimination (-)	147	11.3
(5) Cultural essentialism (-)	116	9.0
(6) General distrust and criticism towards Romania (=)	114	8.8
(7) Culture and history of the Roma (=)	64	4.9
(8) Tips against victimisation (-)	58	4.5
(9) Group differentiation (-)	36	2.8
(10) Fear towards the Roma (-)	21	1.6
Total	1296	

*Note: (-) negative content regarding the Roma; (=) neutral content; (+) positive content.*

The most interesting finding of the analyses was that, when discussing about the Roma, the Reddit users expressed in many instances mistrust and disappointment with the Romanian public authorities. In our view, the latter is an important issue and one could argue that the failures of the Romanian State contribute to the anti-Roma hate speech and, ultimately, to their discrimination and victimisation. In particular, while seeking to understand the factors influencing the hostility and hate speech that Romanians express toward the Roma, we identified the following three main variables (whose interaction is illustrated in Figure 4)<sup>2</sup>:

(1) **The need to survive alone with no State assistance** (the *law of the jungle*): In our study, the users of Reddit Romania manifested a general feeling of distrust of, and disappointment with, the Romanian public system—which objectively faces serious economic challenges. They expressed that public servants are deceiving and treating them unfairly in benefit of the Roma population.

(2) **The feeling of threat.** Three types of threat were identified:

(a) Personal safety: Some expressed fear of the Roma and also felt unprotected from crime and not listened to or helped if they became a victim;

<sup>2</sup> However, we must clarify that the causal direction of this model is unclear because we cannot know which of these factors emerged first and we do not know whether there are other confounders that influence the hostility toward the Roma.

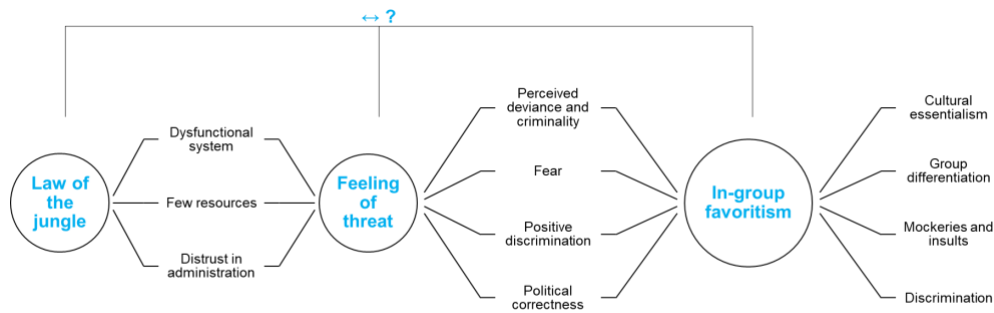


(b) Access to resources: The Roma were perceived to have more access than the Romanians to resources available illegitimately;

(3) Freedom of speech attributable to the imposition of political correctness, a fact that, in the users' view, leads to injustice and to blaming the Romanians unfairly for being racist and unwilling to integrate the Roma into society.

(3) **The need to favour their own group's priorities** (in-group favouritism).

**Figure 4. Theoretical scheme of the factors associated with the Romanians' hostility to the Roma.**



It is noteworthy that this study has been quoted in EU report The impact of disinformation campaigns about migrants and minority groups in the EU (Directorate-General for External Policies of the Union, 2021).

## Roma: Discussion of the results and recommendations for research and practice

In our publications (Molnar, 2021a, b; Molnar & Aebi, 2021), we suggested that, first, further rigorous post-positivist research (Phillips & Burbules, 2000), particularly quantitative, is needed. The latter would allow former research to be replicated. In our view, the areas of special interest are (1) the causes of anti-Roma discrimination other than ethnicity (such as visibility or begging), (2) the victimisation of Roma children, (3) the Roma's lack of institutional trust, and (4) the relation between Roma's victimisation and offending. To address this challenging task, we proposed a pragmatic solution: Including a question about the participants' ethnicity in crime victims' surveys (such as, hopefully the next European Project *VICTIM'S VOICES* that has been submitted to the European Union for funding), as well as in self-reported delinquency studies. Furthermore, we also recommended exploiting the databases of the EU-MIDIS I and II projects, conducted by the European Union Agency for Human Rights (2009; 2017). These analyses would allow a better understanding of risk and protection factors (Molnar & Aebi, 2021b).

Our study on the online hate speech against the Roma (Molnar, 2021a) suggests that Romanians' distrust of public institutions may be an influencing factor in their perceptions and feelings toward the Roma. Nevertheless, solving this issue would call for complex structural changes, such as the improvement of the welfare state. Some suggestions on how to proceed in that sense have already been proposed for other Eastern European countries affected by high levels of corruption (see Gerber, 2000), but these changes are long-term and require an investment of resources and coordination that extends beyond a criminologist's domain of expertise. In our article we propose to increase the social pacification between both groups to implement bottom-up, rather than top-down, strategies in specific places instead of at the national level (following the example of Bosáková, 2018). These require taking into account both the needs of the Roma and the non-Roma from a specific village or neighbourhood and encouraging cooperation to achieve a higher and common goal –e.g. see program Romact (*The ROMACT Handbook / ROMACT*, n.d.). In addition, examples of good practices to prevent discrimination and anti-Roma hate (Bartlett et al., 2015) are the following: 'a) Awareness-raising, e.g., Dosta! Campaign; b) Training of Roma and public servants and members of the judiciary, and so-called 'hate attorneys to work at the regional level; c) Establishment of the principle of equal and non-discriminatory access to education; d) Organisation of cultural events and festivals to promote Roma culture directed at breaking negative stereotypes in society; e) Introduction into the national curriculum of the compulsory topic of discrimination, exclusion and genocide of people, ethnic groups and nationalities and developing the holocaust curriculum to encompass the Roma/Gypsy genocide; f) Amendment of the law related to violence against members of ethnic communities; g) Introduction of a range of positive measures to contribute to the empowerment of Roma such as the establishment of the Roma Public Life Academy of Politics in Hungary and the promotion of Roma journalists; h) Establishment of community development centres in part to promote interethnic dialogue and tolerance; i) Establishment of national working group on discrimination and effective dialogue between the national Roma contact point and civil society actors'; among others (Bartlett et al, 2015, pp. 54-55).

We propose that victimisation surveys focus on other types of offences—including sexual offences, property crime, etc. Given these findings, strategies of situational crime prevention (Cornish & Clarke, 2003) could be applied in these contexts.

### 5.1.2 Homeless: Victimization, drug use, and offending

This section summarises the article “Homelessness During the Coronavirus Pandemic. Exploratory Study in Switzerland” (Molnar & Hashimoto, 2022). Inevitably, some sections are repetitive with the articles, nonetheless necessary for this synthesis report to be self-sufficient.

#### Homelessness: Background

Together with Yuji Hashimoto, we studied the victimisation, offending, and drug use of homeless in Switzerland during the first year of the COVID-19 pandemic (Molnar & Hashimoto, 2022). In the framework of their efforts to reduce the spread of the coronavirus, Swiss authorities declared a partial lockdown in March 2020 that required the closure of bars, clubs, and other non-essential businesses, limited public gatherings –including demonstrations– and encouraged voluntary containment of the population strongly. After that first semi-confinement, Swiss restrictions varied according to the time period: There was a period of relaxation during the summer of 2020, followed by a second partial lockdown declared in December 2020, which lasted until February 2021.

The condition of precarious citizens –such as the homeless–, much more vulnerable to the virus but also vectors of it, was a matter of great concern worldwide (Albon et al., 2020; Baggett et al., 2020; Banerjee & Bhattacharya, 2021; Culhane et al., 2020; Imbert et al., 2020; Kirby, 2020; Lima et al., 2020; Morgan, 2020). In this respect, the pre-existing Swiss emergency shelters, already overloaded before the pandemic, lacked optimal resources to accommodate all of the people in need and to, for example, maximise the number of staff while simultaneously managing social distancing and the implementation of the strictest hygiene measures.

In this context, we recruited 32 homeless individuals between May 2020 and August 2020 (first phase) and between December 2020 and March 2021 (second phase). The research began as a pilot study on the lockdown’s effect on the lives of homeless people in Switzerland (n=14), but was extended due to the persistence of the pandemic, which allowed monitoring the effects of its second wave too (n=18). It is to note that a follow-up study is going to launch by the spring 2023.

#### Homeless: Findings

The pandemic had an adverse effect on the lives of the homeless interviewees (N=32). When the responses to the first and second rounds of the questionnaire were compared, the difference between the number of participants who had lost their housing (three versus eight) or who were eating less food on a regular basis (three versus nine) was remarkable. This seems symptomatic of the respondents’ impoverishment, which is attributable to the pandemic’s persistence.

Nevertheless, most of the participants reported not consuming tobacco (that was the answer of 18 out of the 32 participants), alcohol (17 participants), or illegal drugs (26 participants). Overall, only 10 out of the 32 participants reported consuming one substance<sup>3</sup>, five reported consuming two of the substances mentioned above, and five indicated that they consumed three of them. Women and seniors were underrepresented among both legal and illegal drug users. Amid the respondents who reported that they were using more drugs than before the pandemic, seven indicated that they had increased their consumption of tobacco,

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<sup>3</sup> It is to note that there was an erratum in the original article, stating “tobacco” instead of one substance. The same is true for the victims (n=5), the original article stating wrongly that they were three.

five their consumption of alcohol, and two their consumption of illegal drugs. On the contrary, five respondents reported that they were consuming less alcohol than before the pandemic and two fewer drugs. At the same time, between the first and the second round of our study, there was an increase in the number of people reporting that they had increased their consumption of legal drugs (alcohol and tobacco) since the beginning of the pandemic.

The prevalence of self-reported victimisation and offending during the first year of the pandemic was particularly low among our sample. Only five participants reported having been victims of theft or physical assault. Among them four reported having suffered at least one theft since the pandemic started and two reported at least one physical assault in the same period. One participant reported both types of offence. At the same time, the lambda incidence (i.e., the number of victimisation of each victim) seemed relatively high because two victims reported two and three assaults respectively, and two other reported three and four thefts respectively.

Only three participants reported having been involved in offending during the first year of the pandemic. Among them, one reported having been involved both in theft and assault, another in theft and the other in assault. In this case, the profiles of victims and offenders do not overlap, which means that the offenders had not been victimised.

### Homeless: Discussion

Our article (Molnar & Hashimoto, 2022), discusses the surprising and counter-intuitive findings of our research. In spite of the accumulation of risk factors during the pandemic, the involvement of homeless people in drug use, victimisation, and offending was relatively low. Nevertheless, we observed an increase in the consumption of legal drugs between the first and second rounds of the study. This suggests that the length of the pandemic triggered drug consumption, an outcome that deserves further study.

During the first lockdown, the low rates of theft victimisation and offending were not surprising in light of the prediction of RAT (Cohen & Felson, 1979). Both victims and perpetrators were spending less time on the streets, and hence, were less exposed to criminal opportunities (in the same vein as the results of Eisner & Nivette, 2020; Hodgkinson & Andresen, 2020; Nivette et al., 2021). However, the same pattern continued during the whole year, which is rather surprising and deserves further investigation. It is worth noting that our respondents are on average 44 years old, which in the general population is a protective factor against offending and victimisation (Hindelang et al., 1978; Killias et al., 2019).

A particularly interesting topic that emerged from our study is that of repeated victimisation, i.e., enduring the same type of offence more than once in a period of time. As stressed above, the incidence of victimisation appears to be rather high among our small number of victims. This suggests that the latter are highly vulnerable and that prevention strategies should prioritise those individuals. We also recommend that further research should investigate homeless people who do not use any shelter at all, as well as the homeless' situation after the pandemic. However, the most important issue would be to design a self-reported victimisation and offending survey to be conducted periodically with a representative sample of homeless people.

## 5.2. Work-related prevalence of victimisation and drug use

### 5.2.1 Sex workers: Victimisation, drug use, and routine precautions

This section summarises four articles: “Risky business: Voluntary sex workers as suitable victims of work-related crimes in a legalised prostitution environment” (Molnar & Aebi, 2023) and “Alone against the danger: a study of the routine precautions taken by voluntary sex workers to avoid victimisation” (Molnar & Aebi, 2022), “La consommation de produits psychoactifs et de médicaments chez les personnes travailleuses du sexe dans le canton de Vaud (Suisse)” (Molnar et al., 2021), and “Alone against the danger: a study of the routine precautions taken by voluntary sex workers to avoid victimisation” (Molnar & Aebi, 2022). Inevitably, some sections are repetitive with the articles, nonetheless necessary for this synthesis report to be self-sufficient.

### Sex workers: Definitions and background

Sex work or prostitution is the exchange of sex for money, goods, or other types of services (Jenkins, 2020). The dominant culture at a specific period in history shapes the views on prostitution. Today, sex work is a heterogeneous phenomenon composed of numerous forms of sexual practices as well as exercised by plentiful types of people with diverse socioeconomic backgrounds and motivations (e.g., see Harcourt & Donovan, 2005). The democratisation of the Internet has enlarged the phenomenon, and hence, SW exercise as well as that on pornographic websites (Weiss, 2020).

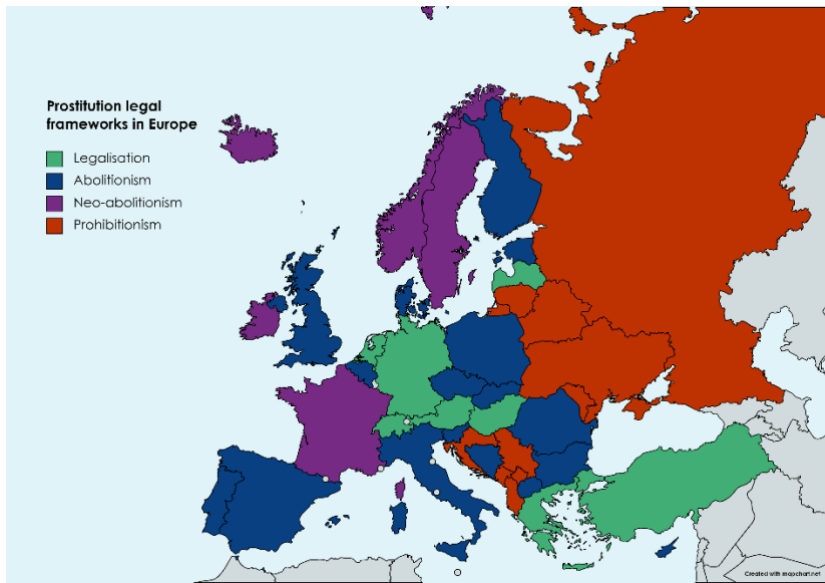
Prostitution is also regulated heterogeneously in Europe (Danna, 2014; see Figure 5): SW are criminalised in countries in Eastern Europe, while the Nordic countries and France apply the so-called neo-abolitionism paradigm: tolerating the SW, but punishing the customers of tariffed sex. In a similar vein, other countries, such as Spain, Italy or the UK, apply an abolitionist approach in the sense that sex work is not banned per se, but its related organisations, such as brothels, are. Central European countries (in green in Figure 5) are the exception to these types of policies because they consider sex work as a freelance employment. Similarly, Switzerland considers sex work freelance employment that each local authority<sup>4</sup> (each Swiss canton) regulates. Swiss nationals and citizens of member countries of the European Union can obtain a work permit (*permis B indépendant*) to work in prostitution under certain conditions, while nationals of extra-European countries are not allowed to obtain such an authorisation. The canton of Vaud –which is studied in this dissertation– allows prostitutes to offer sexual services in “erotic massage salons” and solicit customers on the streets. The erotic massage salons are places such as bars, clubs, apartments, or houses that hold an administrative licence to rent rooms to SW (*LOI 943.05 Sur l'exercice de La Prostitution (LPros)*, 2004). In Lausanne, the capital of the canton of Vaud, street soliciting is legal in the *Sévelin* neighbourhood every night from 10 PM to 5 AM (see Figure 6), but sexual services are illegal in public premises (Ville de Lausanne, 2016). Exercising prostitution outside these places and times is punished by the Swiss criminal code (art. 199) with a fine (*RS 311.0 Code Pénal Suisse Du 21 Décembre 1937*, 2017). The code also punishes pimping and sexual exploitation with custodial sentences or fines, depending upon the seriousness of the case (arts. 182 and 195).

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<sup>4</sup> While each canton regulates the times and places to exercise prostitution, at a national level, the Swiss criminal code states that prostitutes who work in places or at times other than those specified by the law are fined (art. 199). The criminal code also prohibits pimping and sexual exploitation (arts. 182, 195).

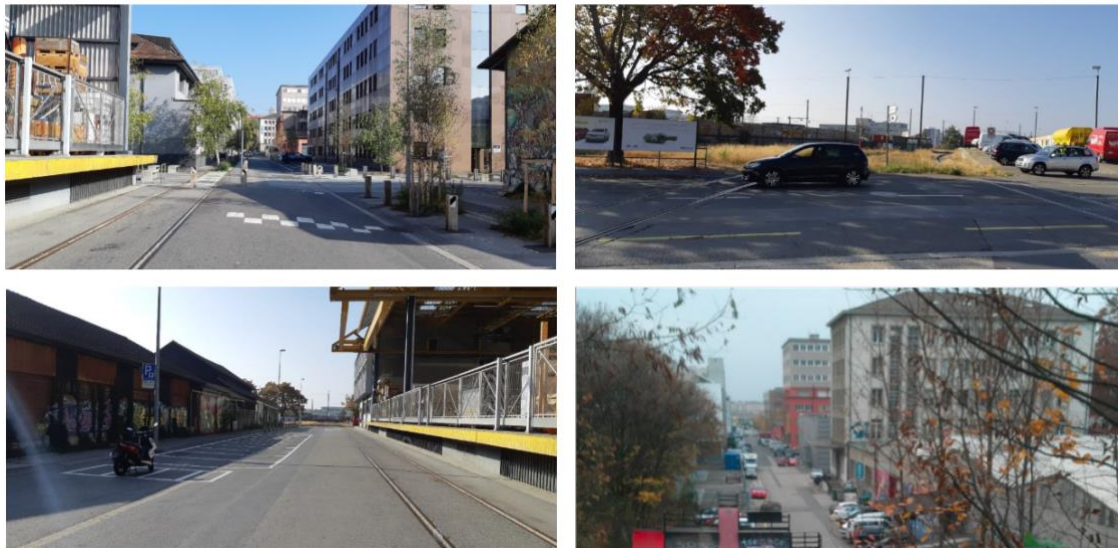


**Figure 5. Sex work legal frameworks in Europe.**



Own creation from Comte0, CC0, <https://commons.wikimedia.org/w/index.php?curid=74084518>

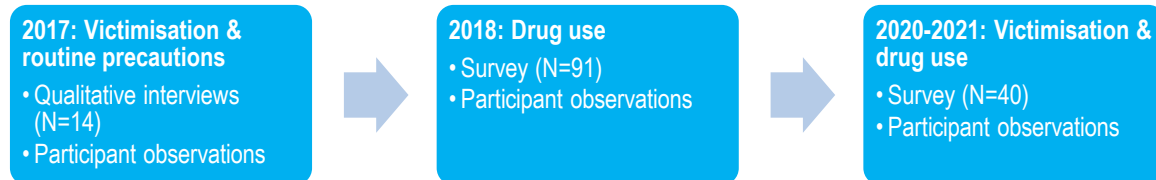
**Figure 6. Pictures of the sex work area.**



## Sex workers: Empirical results

In this thesis, we include the voices of 145 SW—primarily migrants in precarious situations—working in the canton of Vaud during three periods: 2017, 2018, and 2020-2021. Figure 7 illustrates the three studies conducted and their methodology.

**Figure 7. Empirical studies conducted with SW (2017-2021).**



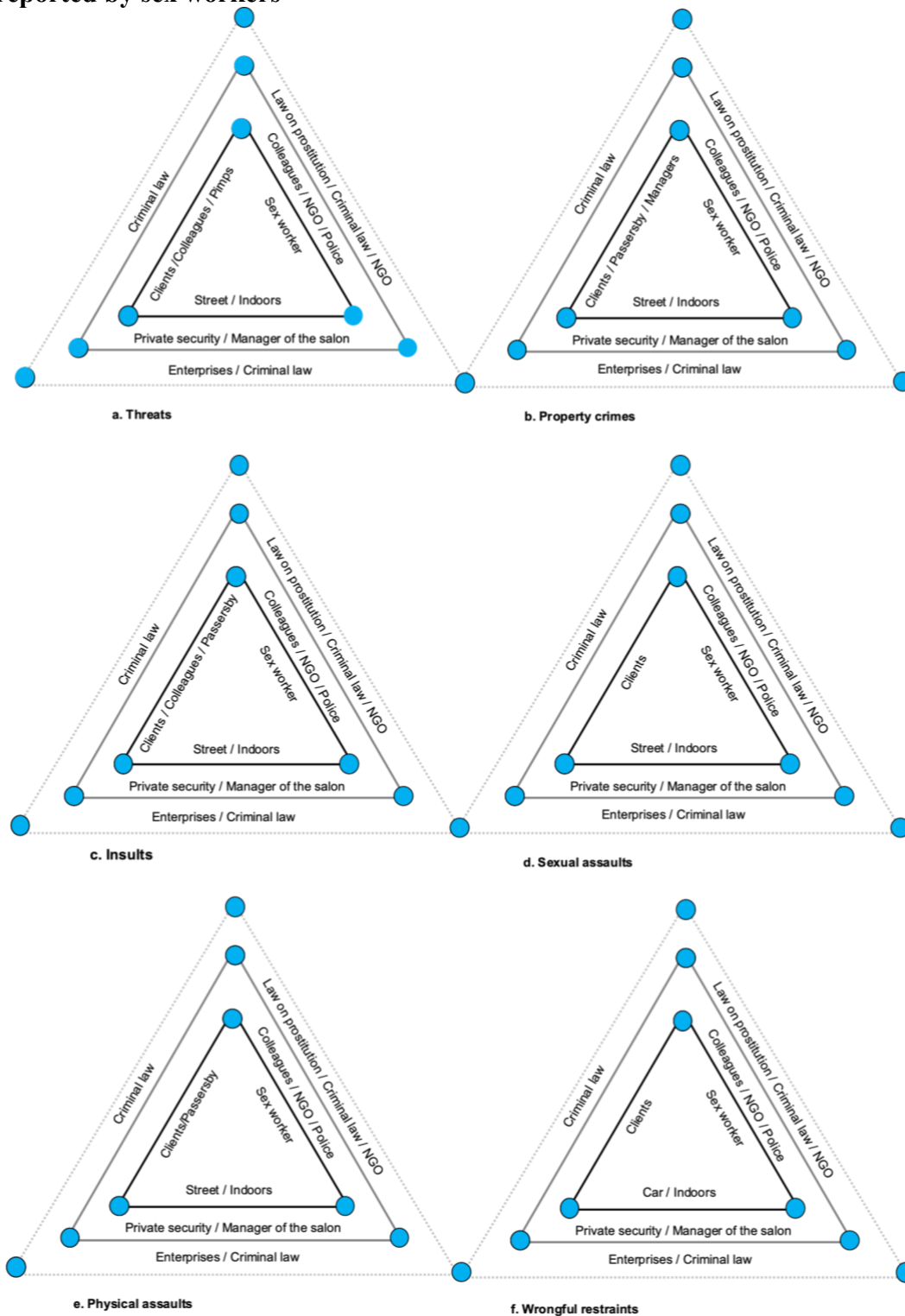
### *Study 1. Victimization and routine precautions of SW in Switzerland*

First, our findings show that it is relatively frequent for SW in Switzerland to endure victimisations. For example, in the 2017 study, the qualitative interviews (N=14) with cisgender, transgender, and other SW in legal and illegal situations showed that, throughout their career, all SW were victims of at least one offence and, on average, of two. For these persons, threats had been the most reported kind of victimisation since they started working. Conversely, in the study of 2021, conducted with 40 SW, the most common victimisation since the beginning of the pandemic was for theft. At the same time, the level and types of victimisations suffered in Switzerland seem less serious than in other countries that forbid or seek to abolish sex work (for details and references, see Discussion of this block, e.g. Azhar et al., 2020; Barberet, 2000; Karandikar & Próspero, 2010). However, this topic deserves further study because we were unable to study the incidence of victimisation due to the relatively small size of our samples and the impossibility of quantifying some answers that were quite vague in terms of frequency.

In both studies, sexual assaults were not uncommon (six victims over 14 and four over 40) and had taken place in environments that are nearly inherent to sex work (e.g., private premises, rooms or parking lots) and where social control is seldom present because the SW and customer are there usually alone. A specific type of sexual violence described by our interviewees consists of taking off the condom without the SW's consent, thus exposing her to unwanted pregnancies and sexually transmitted diseases such as HIV, syphilis or chlamydia. Sexual arousal plays also a major role in violent victimisations: SW attributed the customers' inability to climax as one of the main reasons for their physical attacks, sexual assaults, and threats.

In both studies, SW had a rather positive perception of the Swiss police, but they did not report their victimisation to the police because of (1) lack of trust, (2) not being able to speak French, or because they (3) perceive that police are inefficient in preventing some types of victimisations (e.g., aggression between SW). Nonetheless, they described the police as polite and kind, and rated them much better than other police corps abroad.

**Figure 8. Application of the crime triangle to the different kinds of victimisations reported by sex workers**



We applied the updated version of RAT (Figure 8) to the victimisation reported by the SW. Within this framework, SWs' victimisation happens when they or their property are perceived as an easy target not protected by a guardian, and converge with a motivated offender (customer, passer-by, or colleague) not demotivated by a handler, in a certain place not protected by a manager. The SW that are a *suitable target* are available, more often in same places, carry cash on them or other valuables (e.g., jewellery), work in night shifts and alone. Guardians that can play a role in decreasing SWs' victimisation are the SW themselves, their



colleagues, the NGO's social workers, or the police. The latter two are 'motivated' by 'super-controllers' such as the legal framework provided by the law on prostitution, the Swiss criminal code or the NGO's management. Potential offenders vary depending on the type of offence (see Figure 8). For instance, clients are more prone to commit sexual assaults and wrongful restraints whilst passers-by have been reported to typically commit property crimes, physical assaults, and insults, and colleagues SW commit insults and threats. Our data does not allow any general conclusion regarding *handlers* or other super controllers (the media, police management, etc.). The *places* –empty streets, large parking lots, the customer's car or house, or recreational settings such as the erotic massage salons– where these crimes occur can be considered as "risky settings"(Felson & Eckert, 2017), especially during night-time. Private security agents and persons in-charge of the erotic massage salons play the role of *managers*.

In addition, SW implement many routine precautions to decrease their victimisation risk (Felson & Clarke, 1995; 2010). As explained in Section 3, these precautions are the predecessors of situational crime prevention and, rather surprisingly, those implemented by the SW overlap with the situational crime prevention techniques proposed by Clarke and Cornish (2003). For that reason, we categorised them as: precautions (1) to increase perpetrators' efforts, (2) increase perpetrators' perception of the risks of offending, (3) reduce the rewards of the crime, (4) decrease the provocations, and (5) remove perpetrators' excuses (see Table 7). First, to increase perpetrators' efforts, SW ask to be paid in advance and hide the money received, work in tandem with a colleague, or, if they are alone, simulate informal social control to make the client believe that they are not.

Second, to increase the perception of the perpetrator of the risks of offending, some SW would rather rent a room in a hotel –even if that is illegal– while others would call a colleague to inform her/him that they are going to provide a service and mention, for example, where it will take place. Third, to reduce the rewards associated with offending, SW separate their belongings and keep them in different places to reduce their losses if one or the other is stolen, or use old cell phone models when working. Fourth, to reduce the provocations, when a pre-screening based upon observation and intuition gives the SW the impression that the client could be problematic, they reject him politely.

Further, if they accept the client, they treat him politely and seek to minimise the potential tensions. They ask for payment in advance, but, if the client becomes violent after the sexual service and wants to be reimbursed, the SW usually preserve their safety and return the money. Finally, to reduce the excuses associated with offending, SW set clear boundaries that anticipate the clients' potential neutralisation techniques. In particular, they fix the cost according to the sexual practice agreed upon, and they specify those they accept and those in which they do not engage. Similarly, they facilitate compliance with sexual health prevention by providing their clients with basic prophylactic supplies.

Table 7. Routine precautions to avoid victimisation taken by the SW

<b>Increase the Effort</b>	<b>Increase the Risks</b>	<b>Reduce the Rewards</b>	<b>Reduce Provocations</b>	<b>Remove Excuses</b>
<p>1. <i>Target harden:</i></p> <p>a. Simulate social control</p> <p>b. Learn self-defence</p> <p>c. Carry pepper spray</p>	<p>6. <i>Extend guardianship:</i></p> <p>a. Work in a salon or hotel</p> <p>b. When in the street: avoid touting and avoid working alone</p> <p>c. Work during the day</p> <p>d. Inform a colleague when performing a service</p>	<p>11. <i>Conceal targets:</i></p> <p>a. Keep personal belongings out of sight</p> <p>b. Use several different places to keep money and personal belongings</p>	<p>16. <i>Reduce frustrations and stress:</i></p> <p>a. Polite interaction with the customer</p> <p>b. Soothing music</p> <p>c. Massage the customer</p> <p>d. When tension rises: reimburse the customer</p> <p>e. Fair sex work</p>	<p>21. <i>Set rules:</i></p> <p>a. Define the characteristics of the sexual service beforehand</p>
<p>2. <i>Control access to facilities:</i></p> <p>a. CCTV at the entrance of the salons</p>	<p>7. <i>Assist natural surveillance:</i> not applicable</p>	<p>12. <i>Remove targets:</i></p> <p>a. Use a cheap mobile phone for work</p>	<p>17. <i>Avoid disputes:</i></p> <p>a. Payment in advance</p> <p>b. Do not react to insults</p> <p>c. When tension rises: keep talking gently to the customer</p> <p>d. When rejecting a client: invoke another appointment</p> <p>e. Work with colleagues</p>	<p>22. <i>Post instructions:</i> not applicable</p>
<p>3. <i>Screen exits:</i></p> <p>a. CCTV at the exit of the salons</p>	<p>8. <i>Reduce anonymity:</i></p> <p>a. First contact with the client by email</p> <p>b. CCTV</p>	<p>13. <i>Identify property:</i> not applicable</p>	<p>18. <i>Reduce emotional arousal:</i> not applicable</p>	<p>23. <i>Alert conscience:</i> not applicable</p>
<p>4. <i>Deflect offenders:</i></p> <p>a. Reject suspicious clients</p> <p>b. When tension rises:</p> <p>b1. Threaten to call the police</p> <p>b2. Use tough verbal and body language</p>	<p>9. <i>Utilise place managers:</i></p> <p>a. Managers and colleagues of the salon as guardians</p> <p>b. Panic button in the rooms of the salon</p>	<p>14. <i>Disrupt markets:</i> not applicable</p>	<p>19. <i>Neutralise peer pressure:</i></p> <p>a. Avoid going with more than one customer at the same time.</p>	<p>24. <i>Assist compliance:</i></p> <p>a. Provide protection material</p> <p>b. Marketing strategies for making safe sex more appealing</p>
<p>5. <i>Control tools/weapons:</i></p> <p>a. Propose a shower to the client before the sexual service</p> <p>b. Check the premises/car of the client</p>	<p>10. <i>Strengthen formal surveillance:</i> not applicable</p>	<p>15. <i>Deny benefits:</i> not applicable</p>	<p>20. <i>Discourage imitation:</i> not applicable</p>	<p>25. <i>Control drugs and alcohol:</i></p> <p>a. Avoid own consumption before and while working</p> <p>b. Reject clients under the influence</p>

## ***Study 2. SW's drug consumption***

In the early 1990s —i.e., during the peak of heroin consumption and before the introduction of the Swiss four-pillars drug policy— it was relatively common for SW addicted to heroin to finance their addiction by engaging in prostitution (Geense et al., 1999). Fleur de Pavé helped them through a program of needle exchanging. However, in accordance with the general decrease in heroin consumption in Switzerland after the adoption of the four-pillars policy, the number of syringes exchanged in the caravan of Fleur de Pavé decreased constantly to the extent that, today, the NGO's social workers exchange fewer than 10 per year.

Thanks to the initiative of Guido Biscontin, a former member of Fleur de Pavé's committee and co-author of one of the papers (Molnar et al., 2021), we conducted a study on SW's legal and illegal drug use with a convenience sample (N=91). Our findings showed that during the year before the data were collected (2016-2017), SW used a high proportion of legal drugs: painkillers (57.1%); alcohol (48.4%), and tobacco (37.4%). In contrast, the prevalence of illegal drug use was much lower: powder cocaine (6.7%); other sleeping pills/tranquillisers (5.5%), and cannabis (5.5%) (Table 8).

**Table 8. Previous year prevalence of drug use (N=91)**

Product	Consumed in the year (n, %)
Painkillers	52 (57.14%)
Alcohol	44 (48.35%)
Tobacco	34 (37.36%)
Benzodiazepine-based sleeping pills / tranquillisers	7 (7.69%)
Cocaine powder	6 (6.59%)
Cannabis / hashish	5 (5.49%)
Other sleeping pills/tranquillisers	5 (5.49%)
Tramadol	4 (4.40%)
Glues/solvents	3 (3.30%)
Antidepressants	3 (3.30%)
Poppers	3 (3.30%)
Codeine	2 (2.20%)
Barbiturates	2 (2.20%)
Amphetamines, speed	1 (1.10%)
LSD	1 (1.10%)
Viagra ®	1 (1.10%)
Morphine	1 (1.10%)
Oxycodone	1 (1.10%)
Psychostimulants	1 (1.10%)
Mood stabilisers/antiepileptics	1 (1.10%)
Other product(s)	3 (3.30%)

The proportion of SW in our sample that uses alcohol was lower compared to the Swiss general population of both men and women, but they engaged more frequently than the general population on tobacco, cocaine, poppers, and LSD use. In addition, the proportion of women

and transgender SW that used cannabis was higher than the proportion observed in women from the general population.

The respondents reported consuming drugs, particularly alcohol, to relax or amuse themselves outside of work, but also using alcohol, cocaine, and poppers on the customers' request, as well as alcohol and poppers to be more efficient at work. Logistic regressions suggested that age and place of work play roles in the consumption of products. These results were also corroborated by the 2021 study in which we found that drug consumption was very low, except for tobacco.

### ***Study 3. Sex Workers' Work-Related Victimization and Drug Use During the First Year of the COVID-19 Pandemic in Switzerland***

Together with Jenny Ros, we studied the impact of the pandemic of COVID-19 on SW (N=40) (Molnar & Ros, 2022). Table 9 illustrate the main findings. Our analyses showed that the pandemic had negative financial and psychological effects on SW, with 17 of them being victims of work-related crimes such as theft and fraud. However, most SW did not report these incidents to the police. It is to note that SW who were younger, foreign, and illegally working faced reported higher victimisation. Nevertheless, illegal drug use was low among the sample (n=4). During the first year of COVID-19, only a few SW increased their substance use. Seven reported smoking more, five used more alcohol, and one consumed more illegal drugs compared to before the pandemic.

**Table 9. Victimization (prevalence, incidence and reporting) of SW during the first year of COVID-19 pandemic**

<b>Types (multiple choice)</b>	<b>Prevalence (n)</b>	<b>Incidence (n)</b>	<b>Complaint (n)</b>
Theft	11	1	1
Fraud 1 (displacement)	6	2.6	0
Fraud 2 (client does not pay for the service)	7	1.6	1
Physical assault	4	1	1
Sexual assault	4	1	1
Other: fake bank notes	1	1	0
Other: wrongful restraint	1	1	0

*Lambda variety = 2*

### **Sex workers: Discussion of the results and recommendations for research and practice**

In the discussions or our articles, we argue that the characteristics of the victimisation of SW in Switzerland –where the most frequent offences are threats and insults– are, fortunately, much less serious than the ones observed in countries such as Russia (Karandikar & Próspero, 2010), the US (Chan & Beauregard, 2019), or Spain (Barberet, 2000); however,

they are clearly overrepresented among victims of crimes. Similarly, while in other countries several scholars argued that the violence SW endured from the police increased during the pandemic (Campbell, 2020), we did not find any evidence of such a trend. In addition, our results corroborate previous findings regarding the relatively positive perception of the police by SW in countries that regulate sex work (Abel et al., 2009; Benoit et al., 2018) compared to countries where SW themselves or their customers are persecuted.

Regarding the SW's unwillingness to report their victimisation to the police and their perception of the inefficiency of police officers to solve their specific types of victimisations, we consider that they may be influenced by colliding interests of the SW who need protection but also privacy for soliciting clients, which they cannot have if police are conducting work in their proximity. In the same vein, the police appear to have two very different, and sometimes colliding, tasks: On the one hand, they protect the SW, while on the other, they must enforce the law on prostitution and the criminal code, which means sectioning SW who work without a permit or at forbidden places or times.

With respect to the low level of drug use among SW, we hypothesised that, since Switzerland joined the Schengen space, there has been a certain "professionalisation" of foreign SW. Most of them come to Switzerland to earn as much money as possible with the aim of returning to their country and hence they concentrate in their work and avoid spending time and money in activities such as drug consumption.

In sum, even when it is legal, prostitution remains a hazardous job. Therefore, our studies suggest that public policies should not be limited to regulating prostitution, but they should ensure SW's safety by developing evidence-based prevention strategies. In that perspective, further research could analyse the situational context in which sex work takes place in Lausanne and propose situational prevention strategies to reduce the opportunities for crime (Cornish & Clarke, 2003). Moreover, conducting a victimisation survey would help us understand the extent of SW victimisation and compare it to the general population rates, as well as to the rates of persons with high levels of exposure to the risk of being victimised, such as policemen, taxi drivers, or prison staff. In addition, it seems promising to continue focusing interventions with SW on increasing SW's trust in the police and improving their knowledge of the help they can get when they are victims of a crime. Finally, in regards to the existent research on super-controllers, it is interesting the piece of Kennedy (2016) regarding managers' empowering of employees as controllers to prevent employee theft. This could be interesting to apply in sex work regarding the prevention of assault and threat among colleagues.

## **5.2.2 Seasonal workers: Victimisation and vulnerability during COVID-19 pandemic**

This section summarises the manuscript "Trapped within borders: Exploitation of migrant seasonal workers in German agriculture during the COVID-19 lockdown" (Molnar, 2023). Inevitably, some sections are repetitive with the articles, nonetheless necessary for this synthesis report to be self-sufficient.

### **Seasonal workers: Background**

The COVID-19 pandemic had a strong effect on the agriculture of many Western European countries that depend upon Eastern European seasonal workers –many of whom are Romanian– to collect their harvest. For example, approximately 300,000 foreigner workers come to Germany annually to harvest the crop for an industry worth 700 million Euros (Craciun, 2020).

In this context, and during a period in which the EU borders were closed, German and Romanian authorities agreed in April 2020 to open their borders exceptionally and allow Romanian workers to travel to Germany and work in agriculture (Craciun, 2020; *Ordonanța Nr. 7, Din 4 Aprilie 2020*). Consequently, hundreds of special flights from Romania to Germany were organised for the transportation of seasonal workers exclusively (Humeniuc, 2021). The organisers of these flights were mainly Romanian recruiting agencies hired by German farmers.

It soon became clear that this exodus was not free of challenges, as the media started reporting situations in which the coronavirus-related measures and workers' labour rights were not respected. In light of these events, and applying the theoretical framework of the RAT (Cohen & Felson, 1979) and its updates (Sampson et al., 2010), in our article we identified the situations reported and the actors involved in crimes against Romanian seasonal workers in Germany.

### **Seasonal workers: Empirical results**

First, we found that the perpetrators were both some intermediaries and some farmers who committed acts against the rights of the workers that could be qualified of fraud and labour exploitation, respectively. Regarding the intermediaries, our analysis showed that some were negligent, organised the trips in a rush without complying with the COVID-19 and airports' regulations, and embellished excessively or misrepresented the working conditions, such as the salary, or the position.

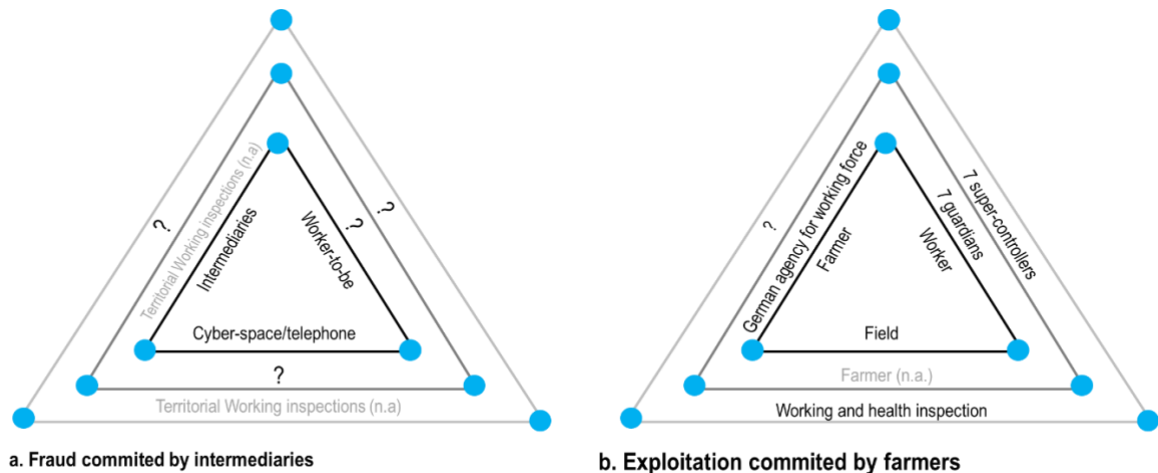
Second, some farmers and persons in charge in Germany were said to have imposed abusive working conditions, neither respecting the law nor the contracts, or imposing opaque clauses in the latter, as well as overlooking the hygiene measures imposed during the pandemic. For example, many people shared rooms and did not receive face masks or adhere to social distancing. Finally, in some cases, the farmers or persons in charge also confiscated workers' passports or ID cards, as a "strategy" to prevent them from leaving without former notice, and to oblige them to pay their fees –i.e., aeroplane ticket and expenses– before returning to Romania.

In addition, we sought to identify the workers most at risk for victimisation or, following the RAT terminology, *the suitable targets*. We suggest that the workers who were

largely illiterate, did not master the German language, were in precarious circumstances, and/or were unwilling to seek the help of the authorities, were the most at risk of victimisation. In contrast, we also identified several protective factors: (1) knowing their own rights; (2) having access to the internet, and (3) being in contact with the Romanian embassy, working unions (syndicates), or the press, and willing to contact them. For example, those with smartphones connected to the internet in Germany were able to post videos and pictures on social media and thereby alert the authorities and the press about their harsh working conditions. This strategy may have intimidated some farmers or persons in charge, and therefore decreased their motivation for offending, but it is just a conjecture because we could not interview the latter.

Although in our research we could not identify guardians or super-controllers seeking to prevent the acts committed by the intermediaries (i.e., fraud) in Romania, we identified seven guardians and seven super-controllers who played a considerable role in decreasing the workers' vulnerability, victimisation, and repeated victimisation in the fields (Figure 9). In our opinion, the most important super-controllers were the mass media. The press and television, both in Germany and Romania, monitored the situation, interviewed workers and experts, and broadcast pictures and videos of some of the farms. This may have motivated other super-controllers to act, and also encouraged the guardians to protect the victims. We also identified the following super-controllers: the Romanian Minister of Work; the Romanian Embassy; the Romanian lawyer for the people (a kind of *Ombudsman*); the German-Romanian Society, and some parliamentary groups. This situation also motivated super-controllers to prevent future infractions by, for instance, revisiting the seasonal work legislation in Germany and the EU.

**Figure 9. Application of updated RAT to fraud and exploitation in agriculture.**



### Seasonal workers: Discussion of the results and recommendations for research and practice

In this study, we applied RAT to an understudied topic such as exploitation of seasonal workers during a pandemic in the aim of identifying the spheres in which more efforts should concentrate in future. First, the situation of the workers is particularly complicated because of the overlapping of the farmers' role of manager and offender, which means that the places where the offences took place have no controller. To decrease workers' vulnerability in such an isolated setting, we proposed a mobile app for seasonal workers, through which they could find relevant information and assistance services in several languages, as well as make quick requests and, if needed, report the farmers.

We argued as well that the constellations around the intermediaries should be revisited because we were not able to identify any guardians or controllers around them. Some press articles stated that the Romanian inspectorate does not have the capacity to police the many fraudulent announcements posted online. To help the authorities identify frauds among these announcements, we propose developing automatic detection techniques based upon artificial intelligence and machine learning, as well as motivating the public to flag the illegal advertisements.

Our study shows that once the press began to report these events, many super-controllers, such as the Romanian embassy or the German government, started putting pressure on the guardians (i.e., the inspectorates and police) to investigate the events and enforce the law. This corroborates what Sampson et al. (2010) postulated: Super-controllers play a significant role in influencing not only controllers, but also other super-controllers. Nonetheless, the exact interactions between super-controllers and controllers, and whether the prevention techniques that the controllers employed were successful in preventing crime remains unknown and, thus, deserve further study.



## 6. Methodological and Ethical Considerations

This section addresses the methodological and ethical considerations applicable to the pieces of research conducted in this thesis. As stated in Section 4, we followed a Post-positivist approach in which we aimed to study reality developing reflexivity at the same time.

### 6.1 Methodological considerations

The main methodological challenge that this dissertation faces is the lack of external validity (Aebi, 2006) of our pieces of research: Our findings are heavily dependent on the specific profile of the participants recruited and the data sources used, and therefore cannot be generalised. To attain generalisation, we would need to apply the techniques used by large-scale surveys such as EU-MIDIS and thereby possess more resources than a common Ph.D. student (especially in terms of budget). We nevertheless aimed to increase participation as much as possible and the techniques used to do so are described in the following paragraphs, in which we also discuss the reliability of our findings.

Despite the impossibility of obtaining representative samples, the use of surveys was a practical and efficient solution to increase participation: It was less time consuming than the interviews and, at the same time, allowed collecting more data and in a more standardised manner. In addition, the participants accepted this method better, perhaps because they considered it less “intrusive” than the interviews. The use of questionnaires adapted to the groups, in several languages and with different administration modes (CAPI, CAWI, etc.), was probably a facilitator of access to migrant respondents who do not understand French or English. It is nevertheless worth mentioning that the fact that some surveys were not conducted with the SW individually may affect the reliability of the answers; nonetheless we are aware that this is a challenge that appears even in high-standard European surveys, such as the EU-MIDIS study (European Agency for Fundamental Rights, 2017). Furthermore, even if we double-checked the data by ourselves, we are aware that reliability could have been improved by having a second person checking our data coding and processing, our translations of the questionnaires to Romanian and Spanish, and our transcriptions of the interviews. However, that is somehow contradictory with the requirement of producing a *personal* work, as required by the Ph.D. regulations of our School and of any university in general. Although most of the time we had co-authors, we were almost systematically the only person fluent in Romanian or Spanish. Hence, we cannot exclude that another researcher would have coded or interpreted the answers differently than we did.

Furthermore, the impossibility of going to the field in some instances (in the case of seasonal workers and the homeless) is also a significant limitation even though understandable in the context of a pandemic. A field work would have allowed us to have a better understanding of the larger context. Under such circumstances, we found an alternative way of conducting research by using media articles and asking social worker to administer our questionnaires. In that context, we cannot exclude that, in spite of our efforts to harmonise the data collection, social workers could have influenced the answers of the participants and therefore affected the reliability of our study. We are also fully aware that the mass media focus on salient events that capture the audience’s interest, which means that no generalisation of the victimisation among the seasonal workers in Germany can be made.

We must also mention that the secondary data sources (i.e., forum data, media data, EU-MIDIS data) were large, but they also faced several problems: (1) in the first two cases, they were unstructured, and (2) we had no control over the data production or collection. Finally, we believe that the natural observations of a sensitive topic such as the anti-Roma hate speech freed the data from biases such as the participants’ social desirability; nevertheless, our

data lack representativeness and external validity because of the profile of the Reddit users, and even the presence of “trolls” whose content is not serious.

## 6.2 Ethical considerations

Ethical dilemmas appear especially when conducting research with hard-to-reach vulnerable groups. In all our articles we introduced elements regarding ethical considerations and positionality, and in two chapters of a book, we elaborated specifically on the topic of the Roma and the SW (Molnar, forthcoming; Molnar & Vallés, forthcoming). One of the most common ethical challenges about studying vulnerable hard-to-reach groups is their debated character (Benoit et al., 2019; *IRES*, 2019) in the sense that almost everyone (in academia but also in society) has an opinion or perception about the group, i.e. stereotype of SW as perennial victims or Roma as offenders, for instance. The researcher needs therefore to be carefully critical with the representations that different social groups have of the participants and be able to stay neutral towards them. For example, as stated by Shaver (2005) sex work is sometimes perceived as an identity and not a profession, which can increase the likelihood that researchers do not treat their participants as adults with agency but as underage individuals. However, it can be challenging to keep neutrality given the fact that participants live different lifestyles and have distinct cosmovisions, perhaps even opposed to the researchers'. In our view, it is essential to respect and attempt to understand the participants' cosmovision and adhere, at least in part, to their rules during the fieldwork. In our case, however, we needed to state our position when faced with certain potentially illegal or dangerous situations (see examples in Molnar & Vallés, forthcoming). I

In addition, some potential participants do not, and may never, understand the meaning of a scientific research, which is highly challenging given our ethical responsibility to obtain informed consent. We attempted to explain our profession and the aim of our studies as much as possible, but it was difficult for our participants to grasp the meaning or outcome of their participation in the research. In relation to the consequences of their participation in the research, although it did not happen to us, it is important to acknowledge that in some cases, participants' safety might be comprised due to their participation in the research (see Sanders, 2001).

Disclosing experiences of victimisation can be distressing (Díaz Fernández, 2019). In order to avoid that participants are stressed, or even re-traumatised, we asked questions in a broad manner, and clarified details of a specific event afterwards. However, if the respondent did not elaborate, we did not insist in our query. It is important to consider that after disclosing a traumatic event, the participant might feel especially vulnerable after the interview and require assistance. We always let the respondents know about institutions that could assist them. On the other hand, hearing or witnessing experiences of violence, precariousness, homelessness, illness, or just despair can affect the researchers' mental health and make emerge feelings of sadness, overwhelm, stress or fear. This can indeed affect the neutrality of the researcher and in that manner it is vital to identify the emotions and take measures when they affect our position as researcher. Our manners to cope with strong feelings were to elaborate our emotions in our fieldwork journal, to take time off from our fieldwork when needed, to debrief with colleagues, friends as well as our partners who provided advice and understanding, and to keep a healthy lifestyle (exercising, practising our hobbies, for instance).

Recompensing the participants is as well a complex issue (see Sanders, 2001). In most of our studies, we offered a sort of recompense either paying for the beverage, offering a chocolate bar or, when having funding, giving them a body lotion (approximate cost of 2 Euros). However, our possibilities to offer recompense were limited since most of our studies were conducted without any funding.

The last ethical consideration is the risk of stigmatising the groups under study by our research. In our view, we should be selective about their presence in the field and shift weight onto the relevance of our studies and the inconvenience that our presence is going to cause to the participants. At the same time, one also needs to be aware of the limitations of the studies and report and communicate them in the clearest manner.

## 7. Conclusion

The first goal of this dissertation was to increase our knowledge about victimisation, offending, and drug use of hard-to-reach groups in Switzerland, but also in Europe as a whole. Our results show that, during their lives or their professional activity, both SW and Roma individuals have been victims of a rather large range of offences. This relatively high score in the variety of victimisation index can be seen as a valid indicator of their vulnerable situation. For these two groups, we were unable to obtain a reliable measure of the number of victimisations suffered (incidence index); on the contrary, we were able to estimate that index for the homeless individuals, who reported having endured the same offence repeatedly. In practice, both diverse and repeat victims require further attention and intervention.

Although not all these vulnerable participants have been victimised, our studies show that, among those who were, victimisation rates are much higher than those of the general population. Hence, sexual assaults against SW (Roma included) are not uncommon, while seasonal migrants are often victims of practices that are close to slavery. In that vein, to be a migrant, or even worse, a migrant in an illegal situation, is a major risk factor of victimisation. This is often the case for seasonal migrants and SW, to the point that we could not compare the victimisation of legal and illegal Roma migrants because nearly all of them belonged to the second category.

The involvement in delinquency of Roma and homeless individuals appear to be less prevalent (and in the case of the Roma less varied) than their victimisation. In addition, use of illegal drugs among the participants was low in the case of the SW, the Roma, and the homeless, although their consumption of tobacco is relatively common.

To fulfil the second goal of this dissertation, we applied an analytical framework based on opportunity-based theories, namely RAT, that allowed us to identify suitable targets (e.g. SW working alone, carrying cash, or seasonal workers without any social capital nor resources). We also identified the most common perpetrators, which vary depending on the context: SW are victimised largely by customers and passers-by; Roma people are mainly victimised by other community members; and seasonal workers by companies and employers. We do not know as much about the homeless because of the low victimisation rates found, although several victims indicated that they were victimised by other homeless.

Vis-à-vis the *places* where the offences took place, SW were victimised both outdoors and indoors, and the homeless and seasonal workers outdoors, in spaces with no social control. The data on the migrant Romanian Roma people are less clear because of their itinerant lifestyle and tendency to stay outdoors much of the time. The participants themselves, police officers, private security agents, managers of erotic massage salons, and social workers complied with the task of controllers. However, in the case of the seasonal workers, problems arose when the farmers were both perpetrators and managers. Regarding super-controllers' role in crime prevention, an interesting finding is related to the existence of diffuse super controllers such as the media to prevent the victimisation of seasonal workers, and its influence on another super controllers as already stated by Sampson et al. (2010). However, our research did not address the concrete tasks performed by the controllers or super-controllers and in our view, this should be addressed in future research.

Finally, in the framework of this dissertation, we were able to test several methods and techniques to study hard-to-reach groups. In that respect, we conducted participant observations and interviews, but we also designed online and face-to-face questionnaires, reached the interviewees on social media, and studied their discrimination via online forums. In our view, surveys are more effective when collecting data from groups that are difficult to reach because they are less time-consuming and more structured than other forms of data collection. Further, the interviews via videoconference were a reasonable and inexpensive option to conduct research, although sometimes the interviewee had difficulties accessing the internet. The collection of secondary data (mainly open data in the case of this dissertation) proved to be a valuable tool when primary data are not available, and it offers many advantages. Nonetheless, all these techniques have their own limitations and challenges, both methodological and ethical, which should be considered and evaluated according to the particular circumstances of each research.

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## Appendix 1: Additional works produced during the preparation of the Ph.D.

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- Aebi, M. F., Cocco, E., Molnar, L. (in press). *SPACE I - 2022 – Council of Europe Annual Penal Statistics: Prison populations*. Council of Europe.



## Appendix 2: Questionnaires

The questionnaires used in the research addressing migrants young Roma's victimisation, drug use and delinquency (Molnar & Aebi, 2021b) can be downloaded from the following server: <https://zenodo.org/record/4739211#.Y71RoOzMipw>

The questionnaires used for studying the effects of the pandemic on the sex workers (Molnar & Ros, 2022) can be downloaded from the following server: <https://zenodo.org/record/5881464#.Y71RpOzMipw>

The questionnaires used for studying the effects of the pandemic on the homeless (Molnar & Hashimoto, 2022) can be downloaded from the following server: <https://zenodo.org/record/7568180#.Y9EPquxuehY>

## Appendix 3: Interview guides

### SW's victimisation and routine precautions (Molnar & Aebi, 2023)

#### *Interview script in English*

Introduction: Explanation and reiteration of the anonymous/confidential nature of the interview, the importance of your participation and the purpose of the interview.

1. Socio-demographic data (Nickname, home country, education, former job, how long living in Switzerland)
2. Network of family and friends (spouse, offspring, friends, etc.)
  - a. Contact with family or friends
  - b. Do they know about the participant's occupation
3. Experience in sex work
  - a. When initiated sex work / for which reasons
  - b. How often working in sex work / for which reasons
  - c. In which places worked as sex worker
  - d. Current situation
    - i. In which places currently working (erotic massage salon, street, hotel, etc.)
    - ii. Working schedule (timetable, days off, etc.)
    - iii. Relation to other colleagues
4. Victimization experience
  - a. Has ever something unpleasant happened
  - b. Details, context, places, times, perpetrators, etc.
  - c. Reaction of the participant to the event (withdraw, call police, tell someone, etc.)
5. Routine precautions: how does the participant protect herself from unpleasant events
6. Opinion on sex work in general (the work per se, its legalisation in Switzerland, need for syndicate for sex workers, etc.)

## Seasonal workers (Molnar, 2023)

### *Interview script in English*

Introduction: Explanation and reiteration of the anonymous/confidential nature of the interview, the importance of your participation and the purpose of the interview.

1. General profile
  - a. How long have you been working in agriculture?
  - b. Have you also been working in other countries in agriculture?
2. Recruitment process
  - a. How does agriculture in Germany work in general?
  - b. Tasks
  - c. Timetables and place of work
  - d. Payment
  - e. Is there a difference between the seasonal foreigners going to Germany vs the established foreigners in Germany?
  - f. Work-permits?
3. If you might describe to me a typical day of work, how would that be?
  - a. How do you arrive to the field?
  - b. What is the first thing to do?
  - c. What is the priority of the day?
  - d. What do you need to be very careful with?
4. Agriculture and COVID-19
  - a. During the pandemics Covid-19, did you work?
  - b. If yes, how did the work organise during this period?
  - c. During the pandemics, do you think that the legal regulations were respected ?(i.e. social distancing, masks, isolation of suspicious cases, etc.)
  - d. During the last months and weeks, we could see that in the press, there were cases of foreigners working in agriculture saying that they are in danger, what do you think about that?
  - e. Did it also happen to you or to someone you know?
5. Personally, what do you feel about this job?
  - a. From 1 to 10 how would you rate the physical hardness of the job?
  - b. From 1 to 10 how would you rate the riskiness of the job?
  - c. From 1 to 10 how would you rate the mental hardness of the job?
  - d. From 1 to 10 how would you rate your personal satisfaction with the job?
  - e. If you had a magic wand, what would be the first thing you would change about your job?
6. Do you feel that the regulations are respected in this field?
7. Do you think that something needs to be improved for making agriculture a better place?
8. Age
9. Socio-demographic questions
10. Time working in agriculture
11. Formation

# Articles



# The Imperative Need for Criminological Research on the European Roma: A Narrative Review

TRAUMA, VIOLENCE, & ABUSE  
2021, Vol. 0(0) 1–16  
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DOI: 10.1177/15248380211048448  
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## Abstract

Except for the knowledge that the Roma people endure harsh conditions and are victims of discrimination, scarce criminological research has given detailed attention to further victimisation or offending among the Romanies. Identifying articles in the browsers Web of Science, Google Scholar and Google, we reviewed European publications (1997–2020) in English, French, Romanian or Spanish that addressed the Roma's victimisation or offending. The 44 studies that matched our criteria suggested that (1) Roma people are victims of hate crimes with devastating consequences; (2) Roma children and women are victims of domestic violence to a greater degree than other groups, although the Roma tend to oppose violence against women; (3) forced early marriages exist among some Romanies and may cause serious problems in adulthood; (4) youth delinquency among the Roma does not differ from that of the non-Roma, although Roma adolescents face more deprivation; (5) Roma men and women are overrepresented in prison and face many difficulties in re-entering society once they are released and (6) there are organised criminal activities in some Roma groups that are supported by their community. Further rigorous post-positivist research, particularly quantitative, is needed to generalise the findings and replicate former studies. Areas of special interest are the causes of anti-Roma discrimination other than ethnicity, the victimisation of children, the Roma's lack of institutional trust and the relation between victimisation and offending. Conducting comparisons with the general population is essential, and we propose that victims' surveys and self-reported delinquency studies include questions on ethnicity.

## Keywords

victimisation, domestic violence, early marriages, poverty, prison, ethnicity, organised crime

## Introduction: Who Are the Roma?

The Roma<sup>1</sup> are the largest European ethnic minority, with a population estimated at six million in the European Union (EU) and 11 million in Europe overall (Council of Europe, 2012a)<sup>2</sup>. This minority is among the European groups that has suffered terrible persecution and trauma in the past and continues to in the present. Although the Roma people have been victims of shocking crimes in the past, such as the *final solution* of the Nazi regime, and remain targets of discrimination and prejudice today (Powell & Lever, 2017), they have been studied rarely through a criminological prism. Therefore, the goal of this paper is to review literature to bring together the knowledge on a population that has lived in Europe since the 13<sup>th</sup> century and suffered severe deprivation, discrimination and traumatisation on the part of the so-called autochthonous populations (see following sections).

The Roma are thought to have originated in India (Grellmann & Vali, cited in Fonseca (2018/1995); Martínez-Cruz et al., 2016). According to Fraser (1992/2017), historical proof of their migration was found in Persia in the fifth century, in

Armenia in the seventh and in Byzantium in the 11<sup>th</sup>. Beginning in the 13<sup>th</sup> century, the Roma migrated to the Balkans and the remainder of Europe. From the beginning of their migration, they occupied a precarious position. While their expertise in handicrafts brought them into contact with all of the social classes, they are thought to have lived apart from the native population, and even to have been enslaved in countries such as Romania. Academia also played a role in promoting the Roma's discrimination: During the 19<sup>th</sup> and 20<sup>th</sup> centuries, scientists explored their supposed criminality. For example, Lombroso et al. (2006/1887), described the Roma as *atavistic*: violent, lazy, shameless, promiscuous and suspected of cannibalism. As well, such Spanish criminologists as Rafael Salillas y Panzano, Jerónimo Montes and Bernaldo de Quiros,

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also claimed that the Roma were a criminal race (Rothea, 2007). The gravest ethnicity-based attack on the Roma occurred during the German National Socialist regime of the 20<sup>th</sup> century (1933–1945), which persecuted and executed between one-quarter to one-half million Romanies (Fonseca, 2018/1995; Fraser 1992/2017). After the end of World War II (1945), the Roma continued their nomadic lifestyle and moved from place to place seeking ways to survive. Nonetheless, in countries such as Slovakia and the Czech Republic, ancient forms of mass victimisation against them resurged, such as the forced or coerced mass sterilisation of Roma women (see Aguilera-Rull & Gili-Saldaña, 2012; European Roma Rights Center, 2016).

In 1979, the International Romani Union (IRU) was created at the First World Roma Congress the United Nations hosted in London. The IRU intended to represent all of the Roma people politically, and therefore, it cooperated with public institutions and civil societies to resolve the challenges the Romanies endured and implement human rights for their ethnic group effectively (Fonseca, 2018/1995; Fraser, 1992/2017). After 1989, the fall of the communist regime and the explosions of anti-Roma violence forced the Romanies to begin to mobilise and defend their rights more vigorously (Gheorghe & Mirga, 2013). Therefore, many Roma organisations emerged, as well as Roma political elites, who put the Roma issue on the political agenda, which led to their recognition in most European countries and in supranational organisms such as the EU, the Council of Europe (CoE) and the Organisation for Security and Cooperation in Europe (Gheorghe & Mirga, 2013). Accordingly, in 2011, the EU established the ‘National Roma integration strategy’ (European Commission Directorate-For Justice, 2011) to increase the number of Romani citizens with access to housing, education, employment and healthcare, and reduce the discrimination that they suffer in various domains of their lives (see European Union Agency for Fundamental Rights, 2017; Villareal & Wagman, 2001).

This section provides the conceptual definitions of the Roma and the terms used in this paper. First, it is important to acknowledge that the European Roma are a diverse group (see Hancock, 1997) and the studies reviewed are most of them context-dependent, therefore, cautious generalisation should be drawn from our review. However, while this is far from our objective, we believe that the study of the Roma’s trauma and violence can be useful for scholars and practitioners because the Roma people are found more prevalently in difficult circumstances than the non-Roma (European Commission, 2014), and they may manifest different characteristics and needs compared to the non-Roma as well. Some scholars have drawn several nuances and distinctions between the Roma and the so-called Roma-like groups.

Second, *Rom* means literally *man of the Roma ethnic group* or *husband* (Council of Europe: Descriptive Glossary of Terms Relating to Roma Issues, 2012). The Council of Europe (2012a) uses the term *Roma*, sometimes written with double ‘r’ – *Rroma* – to refer to the *Roma*, *Sinti*, *Kale*,

*Travellers* and the Eastern groups, such as the *Dom* and *Lom*, as well as those people who identify themselves as *Gypsies*. According to Tabin et al. (2012) and the Council of Europe (2012a), the denomination of *Rroma* emerged because the IRU selected the double ‘r’ to differentiate the Roma from other phonetically similar words, such as ‘Rome’ or ‘Romanian’. The Roma are subdivided as well into Kelderash, Lovari, Gurbeti, Churari, Ursari, etc. (Council of Europe: Descriptive Glossary of Terms Relating to Roma Issues, 2012). In continental Europe, the use of the term *Gypsy* was considered degrading, but this was not the case in the United Kingdom (UK) (James, 2014). James (2014) also clarified that in the British context there were three categories: Roma; Gypsy and Travellers. *Travellers* were the least ethnically defined category and referred only to individuals with a nomadic lifestyle. The other groups cited above are the *Jenish*, *Sinti*, *Manus* and *Kalé*. According to Hancock (1997), the *Jenish* are a mixed-origin people who live in central Europe and were joined by the Roma and other groups. The *Sinti* community is a division of the Romani migration that inhabits northern and central Europe. The *Manus* are a Romani population from France, related to the *Sinti*. The *Kale* (*Gitanos* or *Spanish Gypsies*) are European Roma who settled on the Iberian Peninsula (Spain and Portugal) and in the south of France (Council of Europe, 2012b). The *Kale* are also found in Finland and Wales as well as other non-European Countries (USC Shoah Foundation, n.d.).

With respect to the first criminological term used in this review – *victimisation* – we delimited its study as the interpersonal violence endured by one individual, that is, insults, physical and sexual assaults, coercion, etc., with or without biased motivation. We excluded the topics related to the systemic discrimination that the Roma suffer or the anti-Roma prejudice. Although these topics are highly insightful, we considered them more valuable for a separate paper. In relation to the study of crime, we included *delinquency* and *offending* together, from misdemeanours (e.g. children and teenagers drug use) to crimes included in criminal codes of the countries studied (e.g. IPV, trafficking in human beings and organised crime).

## Methods

### Review and Inclusion Criteria

We identified approximately 70 publications of interest to this narrative review (see Ferrari, 2015; Rother, 2007) that were reduced to 44 publications, published from 1997 to 2020, after we applied our selection criteria (i.e. to address either the Roma’s victimisation or offending and to be, that were published either in English, French, Romanian or Spanish)<sup>3</sup>. Because criminological studies on the Roma’s victimisation and crime are rather scarce, our inclusion criteria were not strict, and we included in our review articles that address the

Roma centrally, as well as others that presented some partial findings on the Roma. We excluded papers that focused on related topics, such as discrimination or anti-Roma prejudice.

Therefore, the publications retained were articles in peer-reviewed journals, reports and books (see Table 1). The search engines used to collect the data were the *Web of Science*, *Google Scholar* and *Google* for official reports, as these do not necessarily appear in the first two. The strategy followed for the review was content-focused, and therefore, to be as detailed as possible, the review considered all of the publications that we could find about the Roma's victimisation or offending. We needed to return several times to look for more articles and take into consideration the references in the initial papers.

### Characteristics of the Publications Reviewed

Table 1 illustrates the characteristics of the publications reviewed (1997–2020), which focused firstly on victimisation, secondly on crime and less on both phenomena studied together. The topics addressed most often were intimate partner violence (IPV) among Roma couples, hate crime suffered by the Romanies and organised crime within these groups. The publications were largely peer-reviewed articles that in general followed a qualitative method at the European level. A first clarification that must be made about the scientific study of the Roma is that the greatest methodological challenge for quantitative studies is attributable to the lack of a public

**Table 1.** Description of the Review.

Topic	Crime $n = 17$ Victimisation $n = 22$ Victimisation and crime $n = 5$
Subtopic	Bullying $n = 1$ Children abuse $n = 5$ Drug use $n = 2$ Hate crime $n = 7$ Intimate partner violence $n = 8$ Involvement in crime $n = 4$ Organised crime $n = 7$ Prison $n = 5$ Victimisation $n = 2$ Victimisation and crime $n = 1$ Voluntary false confessions $n = 1$ Procedural justice $n = 1$
Type of publication	Article $n = 35$ ; peer-reviewed $n = 35$ Book $n = 3$ Chapter in a book $n = 3$ Report $n = 3$
Method	Qualitative $n = 27$ Quantitative $n = 14$ Mixed approach $n = 3$
Country	Bosnia-Herzegovina $n = 1$ Czech Republic $n = 2$ Europe $n = 5$ Greece $n = 2$ Hungary $n = 2$ Romania $n = 9$ Serbia $n = 1$ Slovakia $n = 3$ Slovenia $n = 1$ Spain $n = 10$ Sweden $n = 4$ Switzerland $n = 1$ Turkey $n = 1$ United Kingdom $n = 2$
Language	English $n = 35$ French $n = 2$ Romanian $n = 2$ Spanish $n = 5$

(continued)



**Table 1.** (continued)

Journal	Anales de Pediatría $n = 1$ ; <i>IF</i> 2019 1.3 Crime, Law and Social Change $n = 2$ ; <i>IF</i> 2019 0.9 Criminologie $n = 1$ ; <i>IF</i> unknown Critical Social Policy $n = 1$ ; <i>IF</i> 2019 2.8 Croatian Medical Journal $n = 1$ ; <i>IF</i> 2019 1.2 Environmental research and public health $n = 1$ ; <i>IF</i> 2020 3.4 European Journal of Criminology $n = 2$ ; <i>IF</i> 2019 1.7 European Journal of Women's Studies $n = 1$ ; <i>IF</i> 2019 2.2 European Journal on Criminal Policy and Research $n = 1$ ; <i>IF</i> 2019 1.4 Gaceta Sanitaria $n = 1$ ; <i>IF</i> 2019 1.6 International Journal of Academic Research $n = 1$ ; <i>IF</i> 2017 6 International Review of Victimology $n = 2$ ; <i>IF</i> 2018 1.1 Journal of Criminal Justice $n = 1$ ; <i>IF</i> 2019 2.9 Journal of Gypsy Studies $n = 1$ ; <i>IF</i> unknown Journal of Interpersonal Violence $n = 6$ ; <i>IF</i> 3.1 Race and Justice $n = 1$ ; <i>IF</i> 1.6 Recherches féministes $n = 1$ ; <i>IF</i> unknown Revista de Asistentă socială $n = 1$ ; <i>IF</i> unknown Revista Electrónica de Investigación y Docencia (REID) $n = 1$ ; <i>Impact factor (IF)</i> unknown Revista Española de Investigación Criminológica $n = 1$ ; <i>IF</i> unknown Revista de estudios de género: La Ventana $n = 1$ ; <i>IF</i> unknown Revista Internacional de Estudios Migratorios $n = 1$ ; <i>IF</i> unknown Social Networks $n = 1$ ; <i>IF</i> 2019 2.4 Sociology of Health & Illness $n = 1$ ; <i>IF</i> 2019 2.3 The Howard Journal of Criminal Justice $n = 1$ ; <i>IF</i> unknown The Journal of Nervous and Mental Disease $n = 1$ ; <i>IF</i> 2019 1.6 Theoretical Criminology $n = 1$ ; <i>IF</i> 2019 2.8
Year	1997 $n = 1$ 2002 $n = 1$ 2003 $n = 1$ 2004 $n = 3$ 2006 $n = 1$ 2008 $n = 1$ 2009 $n = 3$ 2010 $n = 2$ 2012 $n = 1$ 2013 $n = 1$ 2014 $n = 2$ 2015 $n = 2$ 2016 $n = 4$ 2017 $n = 2$ 2018 $n = 4$ 2019 $n = 6$ 2020 $n = 7$ 2021 (In press at the moment of redaction of the article) $n = 1$

register of Roma individuals. In that sense, the Roma people may self-identify (as in the 2011 census of Romania, for instance; see [European Union Agency for Fundamental Rights, 2017](#)) or be identified roughly by other organisations (as the *Fondation Secretariado Gitano* in Spain; see [European Union Agency for Fundamental Rights, 2017](#)); however, these figures are thought to be underestimations of the number of Roma in these countries. Moreover, it appears that because of the strong stigma that the Roma suffer (e.g. see [Crețan & O'Brien, 2019](#)), some avoid mentioning their ethnic background because of fear of prejudice and discrimination.

For transparency reasons, [Table 1](#) also specifies the journals in which the papers were published, as well as their year of publication. As the reader may observe, among the 35 articles published in peer-reviewed journals, 27 were published in rather prestigious journals with an Impact Factor (IF) approximately or greater than 1. Only a few articles were published in journals without an IF. Nonetheless, this does not necessarily mean that these articles are less valuable because most of these journals are in a language other than English and thus may be cited less frequently because an international audience is more likely to reference the English-written articles.

## Reporting

We report the results of this narrative review in the next section. First, we review the knowledge on the Roma's victimisation (i.e. hate crimes, domestic violence and trafficking in human beings), as well as their use of victim assistance services. Then, we present studies that have focused on delinquency and offending among the Roma: delinquency among youth, organised crime and implications of Roma's involvement in the criminal justice system. Last, we summarise the studies that focused on both the Roma's victimisation and offending. [Table 2](#) summarises the key findings of each of the research articles reviewed.

## Results

### *Victimisation of the Roma and their Use of Victims' Assistance Services*

**Hate Crimes.** Researchers have highlighted the ethnicity-related victimisation that the Roma have suffered, and continue to suffer, in Europe ([European Union Agency for Fundamental Rights, 2017, 2016](#); [James, 2014; 2020](#)). This phenomenon has been studied as well with local samples in Sweden ([Wallengren & Mellgren, 2015](#)), Switzerland ([Molnar & Aebi \(2021\)](#)) and the UK ([Greenfields & Rogers, 2020](#)).

[James \(2014\)](#) reviewed the bias victimisation that European Roma, Gypsies and Travellers suffered throughout history until the present and described examples of the violence with which the Roma have been confronted in Europe. Further empirical studies have shown that the prevalence of these phenomena continues. In that respect as well, the [European Union Agency for Fundamental Rights \(2009, 2016\)](#) conducted the *EU Minorities and Discrimination Survey* (EU-MIDIS). Its 2016 version ( $N = 25,525$ ), conducted in 28 EU member countries found that 30% of the European Roma reported having suffered ethnic-based harassment during the 12 months before the survey, among whom 39% had experienced it six times or more. The harassment was reported to be manifested as offensive gestures, inappropriate staring, insults or threatening comments. Specifically, 29% of Roma women and 31% of Roma men reported those experiences. With respect to more serious forms of violence, such as physical attacks in the previous 12 months, 3% of Roma women and 5% of Roma men reported having endured such acts. Among the respondents aged 16–24 and those 25–44 years, 5% reported having been victims of physical attacks because of their ethnic background, whilst 3% of those aged 45–59 and 2% of those over 60 reported such kinds of events. Therefore, Roma men and adolescents were overrepresented among the victims of ethnic-motivated offences.

A similar prevalence was found in Switzerland, although in this case, lifetime prevalence, in which 9 of 27 Roma (33%) declared that they have been victims of ethnicity-motivated

offences, largely insults during childhood about their supposed *dirty*ness ([Molnar & Aebi, 2021](#)). [Wallengren and Mellgren \(2015\)](#) also explored the ethnicity-based victimisation of Eastern-European Roma ( $N = 121$ ) in Sweden, but found less previous-year-prevalence than in EU-MIDIS. In their study, 20% of the participants suffered ethnic-related offences in the previous year. Further, another study by [Wallengren and Mellgren \(2018\)](#) contributed greater nuances to the hate-crime victimisation of Roma. They used thematic analysis to study the exposure to crime and the consequences of victimisation of 28 beggars (of whom 23 were Romanian Roma). Their results suggested that the main causal factor for the victimisation was the act of begging and not the participants' ethnicity. In the same country, using survey data ( $N = 610$ ) and interviews ( $N = 30$ ), [Wallengren et al. \(2019\)](#) found that 36% of the Roma participants had been victims of a crime during the previous year. The offences most respondents reported were discrimination and threats (30%) and harassment, either verbal (25%) or on the internet (12%). The authors also found that men and youngsters from 16 to 29 years old were overrepresented among the victims. Analysing the data through logistic regression, the authors found that visibility was a significant risk factor in bias victimisation.

However, a much higher prevalence rate of hate crimes against the Roma, Traveller and Gypsy communities was found in the UK. [Greenfields and Rogers \(2020\)](#) pointed out that although they are protected legally against discrimination, 77% had been victims of hate speech or a hate crime. The evidence available suggested that the exposure to these incidents reduced their wellbeing and mental health. It also appears that members of these groups had little knowledge of any victim assistance services, a lack of information exacerbated by their poor access to IT services. In the British context, [James \(2020\)](#), who proposed a *critical hate studies perspective*, argued that the hate crimes against the Roma occur in a broader context of permission and tolerance of systemic racism, which thereby increases Roma's institutional distrust and lack of protection when they are victims of a hate crime or of an offence in general.

[Simić and Rhodes \(2009\)](#), who studied the victimisation of 24 sex workers (SW) in Serbia, among whom 15 were Roma, highlighted another possible type of hate crime. They found that the SW were victims of physical assault, threats, arbitrary arrests and sexual abuse on the part of the police. Moreover, after they had been a victim of a crime, when they went to the police station to file a complaint, some participants were told to go home. Nonetheless, it remains unclear whether the police assaulted the participants because they were SW, Roma, both or for another reason.

**Domestic Violence.** Scholarship has addressed Roma children's maltreatment ([Oliván-Gonzalvo, 2004a, 2004b](#); [Velentza, 2020](#)) as well as IPV ([Dan & Banu, 2018](#); [Hasdeu, 2004](#); [Kozubik et al., 2020](#); [Tokuç et al., 2010](#); [Vrăbiescu, 2019](#)). Further, [Dan & Banu, 2018](#) addressed the violence that Roma women experienced from other family members, such as their

**Table 2.** Key Findings from Reviewed Articles on the Victimisation and Crime.

(1) Aebi & Campistol, 2013	Existence of false 'voluntary' confessions to the judiciary in order to protect someone else among the Spanish Roma.
(2) Antonopoulos (2008)	Greek Roma, both adults and children, were mostly involved in the smuggling of cigarettes.
(3) Briones-Vozmediano et al. (2019)	Several challenges of assisting Roma victims of IPV, among which the lack of use of the health system by the Spanish Roma and their distrust of the health professionals.
(4) Cerezo (2017)	Over-representation of Roma women into Spanish prisons, mainly for drug trafficking and stealing. This over-representation was influenced by their responsibilities inside and outside of the household.
(5) Dan & Banu, 2018	Domestic violence was highly prevalent in the Romanian Roma households. The victims knew about the existence of victim assistance services, but they did not use them.
(6) Van Dijk et al. (2014)	European Roma were an at-risk group of trafficking in human beings, especially for forced begging and sexual exploitation in the EU.
(7) Durnescu et al. (2002)	Roma men were overrepresented in the Romanian prison system. Except for murder, Roma and Romanians were convicted for similar offences.
(8) Durnescu et al. (2016)	After three months post-release from prison, the Romanian Roma group had more social support for its re-entry into society than the Romanian group but fewer financial possibilities.
(9) Durnescu (2019)	After one year out of prison, the Romanian Roma group faced more difficulties for finding a job than the Romanian group.
(10, 11) European Union Agency for Fundamental Rights (2009, 2016)	About 20–30% of the European Roma had been victims of bias-motivated harassment and 5% of bias-motivated physical attacks. Men and youngsters are overrepresented among the victims.
(12) Gavra and Tudor (2015)	Roma children in Romania are vulnerable victims of THB. One well-organised family network in Romania exploited 150 precarious Roma children and trafficked them to the UK, obliging them to steal and beg.
(13) Georgoulas (2009)	Some Roma groups in Greece supported children and adolescents from the street in exchange of money from their illegal activities, mainly prostitution.
(14) Gerevich et al. (2010)	Drug consumption was significantly higher among the Roma teenagers compared to the non-Roma in Hungary. Hypothesis: the Roma parent's tolerant attitude towards smoking.
(15) Giménez-Salinas et al. (2012)	One Spanish Roma organised group in trafficking illegal drugs was composed by family members and succeeded because of to the neighbourhood which tolerated such practices.
(16) Greenfields and Rogers (2020)	The Roma, Gypsies and Travellers are discriminated against in the UK and suffering hate crimes which have high impact in their mental health.
(17) Gutiérrez-Sánchez, 2015	In Spain, the children Roma face precariousness, and a steep passage from childhood to adulthood, entering in illegal activities for surviving.
(18) Hagan and Radoeva (1997)	Even though the Roma are not implicated in as much crime as they are thought of, there seems to be a crime problem related to drug and weapons trafficking and prostitution offences.
(19) Hasdeu (2004)	Frustration is a risk factor for IPV among Romanian Roma.
(20, 21) James (2014; 2020)	The European Roma have been and still are victims of hate crime. The hate crime happens in a broader context in which racism is tolerated. The Roma, Gypsy and Travellers do not trust the authorities.
(22) Kozubik et al. (2020)	Roma women victims of IPV in Slovakia present psychological and physical negative health consequences of their victimisation – depression and anxiety most prevalently, but also headache, weight loss and motor activity system-related complications. They do not access victims' assistance services because (1) they are not aware of the existence of the services or (2) there are scare services in some areas.
(23) Kisfalusi et al. (2020)	The non-Roma and Roma Hungarian students are more likely to bullying someone perceived as Roma.
(24) Kolarcik et al. (2016)	Crime rates were higher among the Slovakian Roma adolescents than the non-Roma, but ethnicity was not a driving variable. The Roma do not differ from the non-Roma in terms of antisocial behaviour.
(25) Lopez Riopedre (2017)	Ethnography of the <i>Brigadas</i> in Romania, an organised group in stealing and international pimping. The group was composed of young people with no other legitimate opportunities.

(continued)

**Table 2.** (continued)

(26) <a href="#">Martín Palomo (2002)</a>	The Spanish Roma female inmates were in prison due to illicit drug trafficking. They were mainly young, illiterate and mothers.
(27) <a href="#">Molnar &amp; Aebi (2021)</a>	The most common victimisation of young Romanian Roma were verbal attacks linked to begging, domestic violence and theft, whilst the most committed offences were fights and domestic violence, often bidirectional.
(28) <a href="#">Muftić et al. (2019)</a>	Roma survivors of intimate partner violence were a minority in victim assistance services from Bosnia and Herzegovina.
(29, 30) <a href="#">Oliván Gonzalvo (2004a, 2004b)</a>	Spanish Roma children are more neglected physically and emotionally than Spanish and foreign children and are more exposed to crime and drug use in their family environment.
(31) <a href="#">Petek et al. (2006)</a>	Smoking tobacco was a widely accepted activity among the Roma.
(32) <a href="#">Stan (2019)</a>	Human trafficking, smuggling, receiving and handling of stolen cars, tax evasion and money laundering are common forms of organised crime within the Roma of one Romanian city.
(33) <a href="#">Simić and Rhodes (2009)</a>	Roma SW were victims of many serious offences perpetrated by police officers.
(34) <a href="#">Tokuç et al. (2010)</a>	Being Roma is a risk factor for suffering IPV, as well as living with more than four people in the household, being unemployed and being married because of the family's decision.
(35) <a href="#">Vazsonyi et al. (2016)</a>	No statistical differences in self-reported crime nor in self-control between the Czech Roma and the non-Roma adolescents.
(36) <a href="#">Velentza (2020)</a>	Early marriages are a tradition in the Romanian Roma community. The consequences of this are early pregnancies, fewer rights, domestic violence and school drop-out.
(37) <a href="#">Vidra et al. (2018)</a>	In Hungary, many victims of THB in sexual exploitation would be Roma children and teenagers. The police and administrations do not implement a victim-sensitive approach, but they criminalise the exploited children and adolescents.
(38) <a href="#">Villacampa and Torres (2020)</a>	Compared to Africans and Asians, the Spanish Roma are the least involved in early marriages known by aid organisations in Spain.
(39) <a href="#">Vives-Cases et al. (2018)</a>	Most of Spanish Roma reject violence against women. Predictors for rejecting of the violence against women are to have a higher income, to be evangelists and to be in contact with a woman victim of IPV.
(40) <a href="#">Vrăbiescu (2019)</a>	Compared to non-Roma women, Roma women supported each other more when being a victim of IPV.
(41) <a href="#">Wallengren and Mellgren (2015)</a>	Twenty percent of the Roma in Sweden have suffered ethnic-related offences in the previous year.
(42) <a href="#">Wallengren and Mellgren (2018)</a>	Begging was a risk factor for victimisation, not the ethnicity of the participants.
(43) <a href="#">Wallengren et al. (2019)</a>	Thirty-six percent of the Roma participants had been victims of a crime during the previous year of discrimination, threats and harassment. Men and youngsters were overrepresented among the victims.
(44) <a href="#">Wallengren et al., 2020</a>	The Roma in Sweden show low levels of trust in the authorities, which might impact their reporting of crimes.

fathers. In addition, [Muftić et al. \(2019\)](#) and [Briones-Vozmediano et al. \(2019\)](#) studied the use of victim assistance services of Roma women victims of IPV, while [Kozubik et al. \(2020\)](#) addressed the physical and mental health consequences for Roma women victims of IPV. These studies were conducted in Bosnia-Herzegovina, Slovakia, Spain, Romania and Turkey. In summary, Roma children and women were found to be more prevalent victims of domestic violence when compared to general population ([Oliván-Gonzalvo, 2004a, 2004b](#); [Velentza, 2020](#); [Villacampa & Torres, 2020](#); [Tokuç et al. 2010](#)). The phenomenon of early marriages was highlighted particularly as a cause of further problems in adulthood, IPV included. Other factors, such as frustration, jealousy and financial problems, were also attributed as causes of IPV ([Dan & Banu, 2018](#); [Hasdeu, 2004](#)). Ironically, Roma communities appear to rather oppose violence against women ([Dan & Banu, 2018](#); [Vives-Cases et al., 2018](#)), although

[Kozubik et al. \(2020\)](#) found that prevailing gender stereotypes were a precondition in all IPV cases studied ( $N = 20$ ). Further, the Roma women victims of IPV do not use victim assistance services often ([Briones-Vozmediano et al., 2019](#); [Muftić et al., 2019](#)), although they suffer from psychological problems, such as anxiety and depression, and other health problems as a consequence of their victimisation ([Kozubik et al., 2020](#)).

[OlivánGonzalvo \(2004a, 2004b\)](#) compared Spanish Roma children ( $n = 83$ ) to foreign children ( $n = 105$ ) in Spanish protection centres in detail. His results suggested that Spanish Roma children were statistically significantly more neglected physically and emotionally than foreign children. Moreover, compared to foreign children, Spanish Roma infants were at a higher risk of being exposed to crime or drug use and abuse in their family environment. Nonetheless, [Gerevich et al. \(2010\)](#) criticised his methods, although they did not invalidate the findings. [Velentza \(2020\)](#) studied forced early marriages in

some traditional Roma communities in Romania. Interviewing Roma, NGOs, scholars and civil society, among others, the author concluded that early marriages are a tradition in the Romanian Roma community and are viewed as a way to protect young girls from foreigners and preserve their purity. Instead, the subsequent consequences of early marriages against the child's consent were early pregnancies, fewer rights, marginalisation, domestic violence and school drop-out. However, the author did not provide information on the size of the sample studied nor the prevalence of these phenomena. In Spain, Villacampa and Torres (2020) studied early marriages among the Roma by surveying 150 aid organisations. The authors found that these organisations reported that they had supported 57 such individuals, originally from African and Asian countries (93%). The Spanish Roma were also among the victims, but in a lesser proportion (7%) compared to the other groups and they were married in Spain and not abroad, as with victims of other nationalities.

Tokuç et al. (2010) studied the prevalence and risk factors of IPV against married women ( $N=288$ ) in Turkey. According to their findings, 34% of the sample reported being victims of physical IPV during the previous year and 93% of psychological IPV during the previous year. The risk factors for physical IPV detected were (1) being Roma, (2) living with more than four people in the household, (3) being unemployed and (4) being forcibly married by one's family. Although the authors argued that the sample ( $N=288$ ) is representative, it is still small, and therefore, these results need to be interpreted with caution. Further, Hasdeu (2004) conducted a 2-year ethnography with Romanian Roma and underscored the role of frustration as a risk factor in IPV but did not specify the extent of the phenomenon. In addition, Dan & Banu, 2018 addressed domestic violence against Romanian Roma women and found a rather high level of such violence in these families. Among the sample, 42% of the women were shouted at and insulted by their husband, father or someone else in their family, 38.5% were beaten by their husband or family, 29% were injured, 22.5% were forbidden to meet with relatives or friends and 21.5% had their money taken from them. Moreover, a number of the participants, although not the majority, normalised some of the violent behaviours: for example, whilst 97.8% thought it was serious to be beaten by one's partner, 81.7% thought that it was not a grave problem if they were not allowed to go outside the household. The respondents argued that the family's poor situation, the perpetrator's low education, angry temperament, consumption of drugs or alcohol and his jealousy, as well as arguments within the family, were the main explanatory factors of IPV. Although the level of knowledge of victim assistance services was satisfactory, these victims did not contact the authorities. Similarly, using data from the *Spanish National Health Survey of the Roma Population* of 2014 ( $N=1167$ ), Vives-Cases et al. (2018) found that 71% of the Roma respondents rejected violence against women. They found that the opposition to violence was higher among high income people, evangelicals

and among those who had been in contact with a maltreated woman.

Further, the Roma were found to distrust victim assistance services and accordingly, did not use them. In Bosnia-Herzegovina, Muftić et al. (2019) studied 433 services that provided help to domestic violence survivors. Their findings revealed that, on average, shelters had assisted 64 survivors in the previous year, typically married women with minor children. However, Roma survivors were a minority (11.5%) in shelter services. Briones-Vozmediano et al. (2019) analysed semi-structured interviews ( $N=28$ ) to identify the challenges that Spanish health personnel and Roma organisations faced in detecting cases of IPV among the Spanish Roma women. The primary challenge was that both the health personnel and organisations perceived that this phenomenon is a private problem among the Romanies. Second, the Roma did not use the primary health system for prevention to any great extent and distrusted the professionals. In fact, health professionals are obliged by law to report cases of IPV to the police, a factor that decreased victims' willingness to disclose their victimisation. On the other hand, facilitators in detecting IPV were trust of the personnel and ethnic heterogeneity in the services. Using a mixed-method approach, Wallengren et al., 2020 also found that the Roma's unwillingness to report victimisation may be related to their low trust in the administration.

The consequences of IPV are highly adverse, both physically and psychologically. In that respect, Kozubik et al. (2020) conducted interviews with 20 Roma women from different backgrounds in Slovakia (45% from the general population, 40% from crisis centres and shelters and 15% from Roma settlements). Among the sample, most respondents (75%) reported psychological problems as consequences of their victimisation and physical issues such as headaches (25%), weight loss (10%) and motor-activity system-related complications (5%). Kozubik et al. (2020) also highlighted that the Roma women were unaware of the assistance programmes available, but also that there was a substantial lack of such services in some regions.

*Trafficking in Human Beings.* With respect to trafficking in human beings (THB) as a means of exploitation, Van Dijk et al. (2014) collected data from 24 countries of the CoE. The Roma were found to be a group at risk of forced begging and sexual exploitation in several European Union countries, and this phenomenon was increasing in prevalence in countries such as Bulgaria, Hungary and Croatia. In addition, selling their new-borns was a new form of THB among the Roma in Bulgaria. Specifically, Vidra et al. (2018) highlighted this phenomenon in Hungary, particularly among children exploited in prostitution. Studying policy analysis, institutional interviews and through community fieldwork, they found that most of the THB victims were Roma. These scholars criticised the state for not intervening and for lacking a victim-sensitive approach. For example, they found that rather than protecting the children in prostitution, the police criminalised them by



applying sanctions for petty crime. [Gavra and Tudor \(2015\)](#) analysed judicial resolutions over seven years in Romania and addressed the exploitation of 150 Romanian Roma children whom one criminal network in a Romanian city sent to the UK to beg and steal. The authors identified the high levels of poverty, lack of long-term jobs, school drop-out, lack of access to education or health services and poor housing or homelessness as the primary risk factors for THB. They found that the wealthiest members of their community recruited Roma children from poor families and promised money to the children's families that never was paid. Thus, the network was composed of people of Roma ethnicity who had family ties with clear tasks of recruitment, transportation and transfer, as well as with housing, exploitation, collection and transfer of the money to the group's internal branch.

### *Delinquency and Offending Among (Some) Roma People*

*Youth Delinquency.* This subject has received special attention by scholars, and researchers have focused on drug consumption and petty crime, as well as the young Roma's self-control. The studies took place in the Czech Republic, Hungary, Slovakia, Slovenia, Spain and Switzerland. Several researchers have compared the Roma's crime rates, self-control or drug use to samples of non-Roma, and carried out statistical analyses to compare the groups. *Grosso modo*, it was found that neither delinquency nor self-control differed from the non-Roma groups ([Kolarcik et al., 2016](#); [Vazsonyi et al., 2016](#)), although their drug use was higher ([Gerevich et al., 2010](#)). Other scholars have added qualitative nuances to the quantitative findings by studying the reasons for delinquency that we address below ([Gutiérrez-Sánchez, 2015](#); [Molnar & Aebi, 2021](#); [Petek et al., 2006](#)).

In Slovakia, [Kolarcik et al. \(2016\)](#) studied the rates of aggression and crime among Roma adolescents in segregated Slovakian settlements ( $N = 330$ ) and compared them to those of non-Roma adolescents elsewhere ( $N = 722$ ). While crime rates were higher among the Roma sample, the authors identified social desirability as the determining variable, not ethnicity. Using linear regression, they found that social desirability diminished the ethnic differences in crime, increased the differences in hostility and nullified the differences in physical aggression. According to their findings, the parents' educational level did not influence the associations among the variables substantially. The authors concluded that the Roma do not differ from their non-Roma peers in terms of antisocial behaviour. In a similar vein, [Vazsonyi et al. \(2016\)](#) tested [Gottfredson and Hirschi's \(1990\)](#) Self-Control Theory among Roma youth in the Czech Republic. These authors found no statistically significant differences in either self-reported crime or in self-control between the Roma ( $n = 239$ ) and the Czech youth ( $n = 130$ ). They found that the socioeconomic level was statistically significantly lower among the Roma, whilst their parents' monitoring was higher than among Czech youth. In

Switzerland, [Molnar & Aebi \(2021\)](#) found that the offences that most young Romanian Roma respondents reported were fights (70%) and IPV (24%). According to the participants, the reasons for IPV were jealousy, external anger and refusal to accept a girlfriend breaking up with them. Using a qualitative approach, [Gutiérrez-Sánchez, 2015](#) conducted a 3-year study in a Roma settlement in Madrid (Spain) and found that the Roma children were in highly deprived situations because they were required to grow up too fast. Consequently, they ended by dropping out of school, remained illiterate and stole to survive. Moreover, 13-year-old girls were expected to marry, which accentuated even more their early passage from childhood to adulthood. Further, the author highlighted that despite social organisations' interventions since 2001, neither the quality of life nor the criminogenic factors have been alleviated effectively.

In Hungary, [Gerevich et al. \(2010\)](#) compared self-reported rates of smoking, alcohol intoxication and drug use among Roma ( $n = 225$ ) and non-Roma adolescents ( $n = 182$ ). They found that drug consumption was significantly higher among both Roma boys and girls and hypothesised that this was the result of Roma's parents' tolerant attitude towards drug use, particularly tobacco. This finding is consistent with that of [Petek et al. \(2006\)](#) based upon focus groups in Slovenia ( $N = 12$ ), in which it was found that smoking tobacco was an activity accepted widely among Roma individuals and seen as a part of their cultural identity. The Roma were often unwilling to acknowledge the harmful effects of tobacco consumption on health and blamed illnesses such as lung cancer on fate.

*Organised Crime.* Organised crime among Romani individuals has also received some scholarly attention in Greece, the former Czechoslovakia, Romania and Spain. Nevertheless, the results of this research are more fragmented, likely because of the covert nature of organised criminal networks and the methodological challenges of carrying out research in this field. The principal findings are that drug trafficking is prevalent in some Roma groups or families and has the strong support of their community ([Giménez-Salinas et al., 2012](#); [Hagan & Radoeva, 1997](#); [Stan, 2019](#)). Although explored less, other topics include the THB networks (addressed above, see [Gavra & Tudor, 2015](#)) and Roma adults' sexual exploitation or pimping of teenagers ([Georgoulas, 2009](#); [Lopez Riopedre, 2017](#)).

Twenty years ago, [Hagan and Radoeva \(1997\)](#) argued that despite Czechoslovakian's television estimates of the Roma's disproportionate criminality, the Roma were not implicated in more than 7–11% of the crime in the country during the 1990s. Nonetheless, the authors also highlighted that there appeared to be a crime problem in relation to the economic and social challenges that the Roma faced, such as drugs and weapons trafficking, as well as prostitution offences. However, the authors did not provide further evidence. With respect to drug trafficking, [Giménez-Salinas et al. \(2012\)](#) studied Spanish police files for four investigations on criminal organisations.

Using social network analysis, they found that a Spanish Roma family that was trafficking illegal drugs ruled one of these groups. The authors highlighted that this organisation succeeded in part because the community, which was composed of Roma individuals as well, tolerated drug trafficking. Through observations and interviews in Romania, Stan (2019) stressed that within the Romanian Roma community, THB, smuggling, receiving and handling stolen cars, tax evasion and money laundering were common forms of organised crime. However, the publication did not specify the number of participants interviewed or the prevalence or incidence of the phenomena described.

In Greece, Antonopoulos (2008) used official police and justice reports, as well as mass media from 1998 to 2006 to analyse cigarette smuggling. According to the author, those involved in selling smuggled cigarettes on the street were largely Greek Roma, both adults and children. In the same country, Georgoulas (2009) discussed the situation of the so-called street-light boys of 5–15 years who were exploited by others. These boys sold small items or even drugs, begged in the street or prostituted themselves. The author argued that sometimes these children and adolescents grew up close to the Roma, who would protect them in exchange for money – a highly lucrative business when the teenager was implicated in prostitution. However, the extent of the phenomenon remains unknown because both papers lack quantitative data analysis. In Spain and Romania, Lopez Riopedre (2017) conducted a socio-ethnography of the so-called *Brigadas*, an organised group of Roma youngsters who commit both property crime and international pimping. These groups consisted of young people from deprived neighbourhoods who would not have better legitimate opportunities in their lives. Interestingly, the researcher highlighted these groups' lack of use of violence except for intimidating the victims of their robberies. He pointed out also the moral ambiguity of the pimp – whether a man or woman – who would have an emotional bond with the prostitute and would count with her 'consent' for pimping.

*Roma's Implication in the Criminal Justice System.* This subject has been studied as well in Romania and Spain, from their prosecution to conviction and release from prison. In general, scholars agree that both Roma men and women are over-represented among prison inmates (Cerezo, 2017; Durnescu et al., 2002). Durnescu et al. (2002) estimated the number of Roma men in the Romanian prison system and identified their socio-cultural characteristics and criminality-related variables with the intention to develop a better crime-preventive probation system in the country. The researchers selected 409 individuals randomly, 80 of whom were Roma. Their findings highlighted that the Roma are overrepresented in the Romanian prison system, as 17% of the adult inmate population were Roma and 40% were minors versus the 10% of Roma in Romanian society. The Roma group lived much more precarious lives than did the Romanians, in which 23% of them had what the authors referred to as a *gypsy job*, such as

breeding horses, the tinker trade, processing precious metals, fiddlers, etc., which frequently provided only a low income. They also found that a higher percentage of Roma had larger families than the Romanians and that the parents of the Roma inmates were poorer and less educated than those of the Romanians. With respect to criminality, 60% of the Roma were serving sentences for a second conviction, in contrast to 60% of the Romanians who were in prison for the first time. Further, the Roma received longer prison sentences for such offences as theft, robbery, fraud, rape, murder and beatings that caused death. According to the authors, this distribution of offences did not differ greatly from that of the Romanians, except for murder, which constituted 15% of the Romanians' convictions, whilst 20% of the Roma's convictions were attributable to murder.

Cerezo (2017) highlighted the high percentage of Roma women in Spanish prisons – 25% of the inmate population in 2001 – whilst the Roma represented only 1.4% of the Spanish population. The author argued that these Roma women have many family responsibilities from an early age, both with respect to marriage and motherhood, but also with contributing income to the household via the drug trade for economic survival. Further, they also committed property crimes in which they took advantage of their victims' inattention to steal from them. In the same country, Martín Palomo (2002) analysed the status of Spanish Roma women in 12 prisons (the sample size was not specified), and found that Roma inmates were primarily young, 60% were illiterate, 87% had children and 45% were, or had been, drug users. Much of the sample was in prison because of illicit drug trafficking. Aebi & Campistol, 2013 contributed to this topic with nuances regarding the phenomenon of false voluntary confessions to the judiciary. Employing a press analysis, the scholars hypothesised that these false confessions could explain part of the over-representation of Roma women in Spanish prisons. The authors argued that some of the Spanish Roma may self-incriminate to protect someone in their family. However, Aebi & Campistol, 2013 stressed the need for further study of this phenomenon and its circumstances.

Durnescu et al. (2016) studied the manner in which Romanian and Roma former inmates experienced their free life three months after their prison release. They found that the Roma's families were more invested and supportive in their re-entry, whilst Romanians lacked social support and envisaged their re-entry as a lonely path. Despite their high social support, Roma's economic resources were found to be less than those of the Romanians. In addition, Durnescu (2019) analysed the role of employment in the *desistance process* of 58 ex-inmates, 28 of whom were Roma. He followed up on the participants for one year after their release from prison and found that there were essential differences between the Roma and non-Roma former inmates. The Roma's livelihood was more precarious compared to the other groups and they had fewer resources to obtain legitimate employment.

## The Integrative Study of Victimisation and Delinquency

Although many authors have focused on victimisation or offending alone, two authors studied both phenomena together. This is justified because victimisation and offending have been found to be related (see the review of [Jennings et al., 2012](#)). [Kisfalusi et al. \(2020\)](#) studied the associations between self-reported and victim-reported bullying among non-Roma and Roma ( $N = 347$ ) in Hungary, with a special focus on two dimensions of ethnicity: *self-identification* and *ethnic perceptions*. According to their results, both non-Roma and Roma students were more likely to report bullying against Roma-perceived peers. Moreover, students from both groups were more likely to report that they were perpetrators rather than victims of bullying. However, these authors did not find a similar association when they analysed victimisation related to being Roma. Therefore, they suggested that the victims report less bullying based upon ethnicity because they are unaware of the bully's motivations. Further, [Molnar & Aebi \(2021\)](#) studied the victimisation and delinquency of young Romanian Roma through a mixed approach study which combined 130 hours of participant observation and 27 face-to-face questionnaires with Romanian Roma. Their findings showed that the most common forms of victimisation were verbal attacks associated with begging (as in [Wallengren & Mellgren, 2018](#)), domestic violence and theft, whilst the offences committed most often were fights and domestic violence, often bidirectional. Delinquency and victimisation appeared to be associated, in that those who committed more offences were those who also suffered more crimes as a victim, even if the range of victimisations suffered was more diverse than that of the offences committed.

## Key Findings

[Table 2](#) summarises the key findings of the 44 publications in alphabetical order.

## Discussion

This paper reports findings about the victimisation and offending of Roma individuals and groups in Europe from 1997 until 2020. Seven findings emerged from the 44 papers included. First, Roma people are victims of hate crimes related to their ethnicity, but also to other factors such as visibility, for example. Second, Roma children and women are more prevalent victims of domestic violence, although most of the Roma people reject violence against women in the Roma communities. However, Roma victims of IPV did not use victim assistance services because of lack of trust in the authorities. Third, in some Romani communities in Romania, the phenomenon of early forced marriages still exists and has many negative consequences in adulthood. Fourth, in relation to offending, it was found that the Roma's

youth delinquency does not differ statistically from that of the non-Roma, although Roma adolescents face significantly more deprivation. Fifth, organised crime among the Roma has the particularity of being supported and hidden by their community. Sixth, the Roma are overrepresented in the prison population and face many structural and individual difficulties in re-entering society once released from detention. Last, studies of both victimisation and crime are scarce, but could be useful to capture the interaction between offending and victimisation in cases such as bullying, but also IPV or even THB.

## Strengths and Limitations

Vis-à-vis the strengths of our review, it is worth mentioning that it is diverse with respect to the four languages included, countries studied, methodologies applied and the approaches used (see [Table 1](#)). For example, several scholars have studied the Roma via interviews, observations or questionnaires, whilst others have relied on the knowledge available in secondary sources, such as police records or academic literature. This renders the review rich by adding many nuances and provides the English readership with a broad picture of the European Roma's victimisation and offending. In addition, many of the articles included have been published in highly reputable journals. Further, in our view, the combination of peer-reviewed articles with grey literature (reports, theses, etc.) was appropriate, as much information would have been lost about such an understudied topic.

However, although it was intended to apply a rather high level of systematicity, following [Ferrari's \(2015\)](#) recommendations, our review remains at the level of a narrative review because of the understudied nature of our subject, and because some publications were not indexed in Google Scholar or Web of Science, and we needed to consult Google, we were obliged to follow an iterative method. Therefore, because of the inability to apply a much more systematic and rigorous method, it is plausible that, despite our efforts, we may have fallen into selection bias. Further, the main challenge with respect to the methodologies applied in the studies reviewed is their lack of representativeness, except for the EU-MIDIS study, which was designed to construct a representative sample of the Roma in Europe. Nonetheless, even the EU-MIDIS faced many challenges in doing so (see [European Union Agency for Fundamental Rights, 2017](#)). As explained in previous sections, the greatest methodological challenge is the lack of a public register of Roma citizens. In that sense, they may self-identify or others may identify them generally as Roma, but these numbers are underestimations. An additional difficulty is that in several cases, the authors did not specify the extent of the phenomenon observed, and therefore, the readership cannot determine whether it was a general rule or an exception among the groups studied.



### Implications for Research and Practice and Recommendations

Table 3 summarises the implications for policy and research highlighted by our review.

With respect to the Roma's victimisation, scholars have highlighted the ethnicity-based victimisation that the Roma suffer in different contexts. However, Wallengren and Mellgren (2018) drew some nuances regarding the hate crimes the Roma have endured, in that the predictor of victimisation was not the ethnicity, but the visibility of the group studied. This finding is interesting, but deserves further research and replication in other contexts.

A particularly challenging domain is the violence against children, including offences such as THB. First, we believe that children should be at the core of any Roma inclusion programme and their economic deprivation and attendance in school should be addressed, not only for criminological reasons but to adhere to the *Convention on the Rights of the Child* ('United Nations Treaty Collection', 1990). In that sense, Roma families should be supported so that they have sufficient financial capital not to be obliged to put their offspring to work or send them abroad. The early marriages among the Roma community, although a topic discussed socially, remain largely unknown by researchers and therefore, they should be studied further, as well as the specificities of the THB among the Roma communities.

A paradoxical result is the rather high prevalence of IPV among the Roma groups, despite their generally low acceptance of violence towards women. This divergence should be addressed further because there may be other influencing factors in the IPV among Roma couples. Moreover, the lack of trust in victim assistance services and the police is something that needs to be analysed to identify other resources that Roma women victims of IPV could use (see Gaarder, 2015). Given the strong social attachment within Roma groups, *restorative justice* may be useful in these contexts. Further, the study of both the Roma's crime and victimisation would offer an integrative vision of the challenges this specific community faces. In the Romani context, both Kisfalusi et al. (2020) and (Molnar & Aebi, 2021) have highlighted that there was a

bidirectionality in the participants' victimisation and delinquency or crime.

Although qualitative research is essential to obtain an understanding of the contexts, vulnerabilities and needs of the people in a specific context, quantitative research is still needed to generalise the data to broader contexts, as well as to replicate the former studies, for example, those of Kisfalusi et al. (2020), Kolarcik et al. (2016), Oliván Gonzalvo (2004a, 2004b), Tokuç et al. (2010) and Vazsonyi et al. (2016). We believe that for both the study of offending and victimisation among the Roma, and most importantly, its comparison with the general population, a pragmatic solution would be to include a question about the participants' ethnicity in the crime victims' surveys as well as in the self-reported delinquency studies. Clearly, the number of Roma participants would still be underestimated, but the data the Romani participants provided would be a valuable source of knowledge in the design of policies and would stimulate further research. Analysing the crime and victimisation of a group and comparing it with the general population, which is necessary in collecting and interpreting the data, may be useful in two respects. First, it could provide evidence for ways to reduce the stereotyping related to crime that the Roma have suffered through their history. Second, if evidence is found that indicates special needs for criminological intervention, this would allow evidence-based strategies to be implemented that could improve the communities' wellbeing and the social inclusion of their most vulnerable members.

Obviously, these studies would need to be complemented with other research that approaches the difficult-to-reach populations among the Roma, for example, those who do not attend school or do not have a fixed address. Methodologies such as the *random route* EU-MIDIS used seem promising. In addition, a mixed-method approach (Maruna, 2010) would allow quantitative data to be collected to observe the group while the figures could be contextualised via participant observations and/or interviews. It is undeniable that the criminological study of sensitive populations like the Roma and topics as crime and victimisation raise methodological and ethical challenges (see Molnar & Aebi, 2021;

**Table 3.** Implications for Research and Practice.

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Prevention plans of the discrimination/hate crimes at a local and bottom-up level.
Roma children should be at the core of the Roma integration plans.
Roma families should be supported financially for preventing children's maltreatment.
Restorative justice for domestic violence among Roma couples.
Further study of early marriages chosen by the family among the Roma.
Further study of trafficking in human beings.
Ethnicity of the participants in crime victim surveys and self-reported delinquency surveys.
Replication of quantitative studies.
Post-positivist approach for the study of the Roma.
Further study of the EU-MIDIS project via advanced statistical analyses.

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Wallengren & Mellgren, 2015), but perhaps a post-positivist methodology (Phillips & Burbules, 2000) would allow the observation of the reality and at the same time, help the research develop reflexivity. Post-positivism, also referred to as post-empiricism, is a philosophical and theoretical position and framework that is intended to amend the critiques of positivism and states that researchers' theories, hypotheses, backgrounds and values can influence the research. Therefore, to minimise biases, post-positivism proposes to detect the possible sources of bias and control them to the extent possible. In that respect, as researchers, it is imperative to be critical of ourselves and develop an introspective reflection of our own beliefs, attitudes and emotions (Emerson et al., 2011). The highest ethical standards must be respected as well to avoid the over-stigmatisation of the Roma community and its over-victimisation when recalling traumatic events. Further, precautions must be taken when interpreting the data. Researchers must be aware of their methodology's limitations in collecting and analysing the data, and their research's external validity (*generalisation*, see Aebi, 2006).

Last, further advanced statistical analysis of the databases the European Union Agency for Fundamental Rights (2009, 2017) provided in the EU-MIDIS I and II projects is needed. These databases have great potential, possess a large number of observations and variables, and could be of interest in the study of factors in Roma's risk and victimisation.

### Acknowledgements

I thank Dr. Conte and the three anonymous reviewers for their suggestions, which significantly improved the quality of the manuscript. As well, many thanks to Marcelo F. Aebi, Ionuț Costică, Korbinian Baumgärtl and Cristina del-Real for their helpful comments and advice.

### Declaration of Conflicting Interests

The author(s) declared no potential conflicts of interest with respect to the research, authorship and/or publication of this article.

### Funding

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

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### Notes

1. This paper uses the words "Roma" and "Romanies" interchangeably.
2. Nonetheless, these figures have been criticised by some Western scholars (see Balibar, 2011; Fassin, 2011). However, more accurate figures are unavailable to date.
3. Although our time frame was 1995–2020, no articles published in 1995 or 1996 were found. Further, one article was published in 2021 and was in press when the manuscript was written.

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# The Law of the Jungle. The Online Hate-speech against the Roma in Romania

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## ABSTRACT

The Roma people are the largest minority in Europe and, since centuries, have suffered discrimination and hate crimes which persist currently. This paper analyzes 4,136 comments (2016–2020) about the Roma posted on an online open-access forum. Our findings suggest that the factors influencing Romanians' hostility against the Roma are: (1) the general distrust in the Romanian administrations, (2) the feeling of threat, and (3) the in-group favoritism. The article discusses strategies such as the improvement of the citizens' trust in the public administration, pragmatic interventions bottom-up which aim to increase the social pacification, the redefinition of the political correctness, and the application of situational prevention techniques to prevent hate crimes.

## KEYWORDS

Discrimination; minority; Romanies; Gypsies; interethnic; political correctness; forum

## Introduction

This paper aims to understand the content and specificities of the online hate speech against the Roma in Romania. For fulfilling our objective, we follow a post-positivist *Grounded Theory approach* when analyzing the comments regarding the Roma which are posted in a Romanian public online forum. Before presenting the empirical strategy and findings of our research, we contextualize the past and current situation of Romania and discuss briefly the status of the Roma in this country as well as in Europe.

## Romania: past and present

Romania is an Eastern European country which in 2007 was accepted into the European Union (EU) (European Union, 2020). During the 20th century, Romania used to be a satellite state of the Soviet Union until 1958 and it stayed under the communist dictatorship of Nicolae Ceausescu until 1989 (Tismaneanu, 2003). The institutional and social problems –partly a consequence of the totalitarianism and deprivation suffered by the people during decades of communism– seem not to have been eradicated and they persist still nowadays. In this sense, this nation faces significant challenges such as the (1) public corruption and low judicial integrity, (2) citizens' distrust toward the public authorities, and (3) the lack of a long-term development strategy to address the shortage of qualified workforce, the outdated school curricula, the weak research and innovation and the strong intra-regional differences in accessing public education and healthcare (Bertelsmann Stiftung, 2019).

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Furthermore, 23.6% of Romania's population lives in poverty (Cuturela et al., 2018) and approximately 3.6 million Romanians (17%) live or work abroad (Camară, 2019). Another great challenge is the tension between diverse groups since the country is composed of 20 ethnic minorities which represent 10% of its population. The two main groups are the Hungarians (6.1%) and the Roma (3.1%) (Institutul național de statistică, 2011). The latter and its interactions with the non-Roma population are at the core of this article.

### ***The Roma in Europe and in Romania***

The Roma, also called *Romanies* or *Gypsies*, are not only Romania's second greater ethnic group but also Europe's largest ethnic minority, estimated at eleven million individuals in Europe and six million living in the EU (Council of Europe, 2012).<sup>1</sup> The origins of the Roma are attributed to the Indian subcontinent (Fraser, 1995/1992) and historians point that since the 13th century, the Romanies settled in the Balkans (Fraser, 1995/1992). In Romania particularly, they had been victims of slavery since the end of the Middle Ages until the 19th century (Fraser, 1995/1992). Moreover, since the Enlightenment, the Roma had been considered –at a European level– as “aliens” and “burdens to progress” (Vaan Baar, 2011). European biological determinist scientists such as Lombroso (2006/1876) studied the supposed “delinquent character” of the Roma and influenced public policies on their control (Fraser, 1995/1992). Later, during the German National Socialist regime (1933–1945), the Roma were –because of their ethnicity– executed in Germany and the occupied part of Eastern Europe. After the fall of the Nazi regime in 1945, the Romanies were massively redistributed and obliged to become sedentary in East-Europe and England (Fraser, 1995/1992). In Romania, the Communist dictator Nicolae Ceausescu placed them in ghettos in the most disadvantaged parts of the country (Fraser, 1995/1992). Nonetheless, under the Communist regime, the hostility toward the Romanies seemed to decrease because they become “assimilated” and obliged to abandon their nomad way of life (Powell & Lever, 2017).

Currently, many Roma, in Romania and in other EU member states, are thought to live in situations of precariousness and social exclusion (European Union Agency for Fundamental Rights, 2014, 2016). Interpersonal ethnic discrimination and ethnicity-based victimization are as well problems that the Roma face because of the open hostility and rejection which the non-Roma Romanians manifest toward them (Crețan & O'Brien, 2019; European Union Agency for Fundamental Rights, 2016). In Romania, a representative random study (N = 1,300) showed that Romanians express high intolerance toward the Roma and other groups such as homosexuals, Muslims and persons with HIV (IRES, 2019). Romania has already received warnings from the EU about its lack of initiative regarding the prosecution of hate crimes against the Roma (European Commission, 2020). Furthermore, Roma-rights activists have been, for decades, denouncing the situation in which the Roma live. The well-known militant Nicolae Gheorge (see *The Economist*, 2013) addressed this topic in academic papers (see Gheorghe & Mirga, 2013) and journalistic publications. For instance, in the newspaper *The Guardian*, Gheorghe (2010) criticized the stereotyping of the Roma and the negligence of the Romanian political leaders regarding their inclusion and well-being, situation which he argues to have been prevalent since the 1920s. Additionally, the stigmatization and

institutional discrimination of the Roma have as well been corroborated in the 2000s by the review of Mărginean et al. (2001).

Despite the current knowledge that the anti-Roma prejudice and discrimination against are prevalent and remain a great challenge for Romanian policy-makers, the content of the prejudice on the Roma –and the feelings accompanying it– have not been addressed in depth as it has been in other countries which we review in the next section. We believe that the shedding of a light on the content of these hostile attitudes and behaviors toward the Romanian Roma might contribute to the proper design of evidence-based programs to prevent Roma's discrimination and to increase the social pacification among ethnic groups in Romania. Moreover, the approach to the topic from a qualitative prism –although systematic and rigorous– might allow the discovery of nuances unidentified thus far by quantitative methods such as surveys.

## Review of literature

This section reviews the scientific knowledge regarding the anti-Roma prejudice –from the point of view of the *dominant society*– at a macro, meso and micro-level. It is nonetheless fundamental to acknowledge that the European Roma are not a homogeneous group (see for instance, Csepeli & Simon, 2004) and whilst in some contexts they are highly discriminated against, in others, they coexist rather peacefully with the non-Roma people. Therefore, although this paper addresses the prejudice toward this ethnic group, the reader should keep in mind these distinctions and not generalize the outcomes of the paper to the whole Roma population.

Using a macrosocial and longitudinal perspective, Powell and Lever (2017) discussed European Roma's stigmatization and marginalization through history and space via the prism of *territorial stigmatization* (Wacquant, 2007, 2008) and *figurational process of group stigmatization* (Elias & Scotson, 1994/1965). The authors argue that Roma's persecution must be contextualized and understood as a long-term process in which a *fluctuating power balance* has characterized the relationship between the Roma and the non-Roma. On one hand, applying Elias and Scotson (1994/1965) theory of established-outsider relations, they argue that the Roma are a *cross-border group* which has been persecuted by the non-Roma by means of *collective illusions and fear* maintained through group processes of *disidentification*. The result of the latter would be the consideration of the Romanies as *humans of a lesser value*. On the other hand, they link Wacquant's (2007, 2008) concept of *ghetto* to the situation of the Romanies in the countries where they live. According to Powell and Lever (2017), the higher internal social cohesion of the non-Roma group would have facilitated their dominance and access to resources in the disadvantage of the Roma. The dominant group would have perpetuated this situation via *gossip* regarding the Roma and maintained the boundaries between groups via *territorial stigmatization*. In consequence, the Roma would have ended spatially excluded and marginalized, with a great deal of difficulties to access public services such as health, housing, and education. Moreover, the members of the established group would avoid interacting with the Roma because of fear of judgments from the part of the other non-Roma and thereby a loss of their social status among the dominant group. Additionally, because of the stigmatization, the Roma would also adopt a self-defense strategy of avoidance. The theoretical *territorial stigmatization* of the Romanian Roma has received empirical support (Berescu, 2011; Vincze & Rat, 2013). These authors highlighted the *ghettoization* process which Romanian Roma have suffered in the last decades.



Empirical studies have additionally discovered that the Roma of several countries have been and still are the target of systemic institutional discrimination (Barker, 2017; Fekete, 2014; Miller et al., 2008; Nacu, 2010; Popoviciu & Tileagă, 2020; Pusca, 2010; Sigona, 2005). For instance, Popoviciu and Tileagă (2020) studied Romanian official documents on the Roma's inclusion (2001–2015), finding that *subtle forms of racism* appeared in the documents and, even though the word *crime* was not used, they believed that a relationship between the Romanies and their supposed criminality was implied. In Moldova, Stirbu (2015) studied the image of the Romanies vehiculated by the press, concluding that the news covered disproportionately negative news on the Roma and thereby transmitted a negative image of the Roma. In the same sense, Vidra and Fox (2014) studied the way the mainstream media spread alt-right discourses on the supposed association of the Roma with a crime, concluding that in Hungary the racism was tolerated both in society and in the media.

In the last years, scholars in social psychology have started to focus on the anti-Roma prejudice by studying the general population's attitudes, contributing to the field with interesting insights. As a way of example, Villano et al. (2017) concluded that the Italians perceived the Roma as *free* from social impositions but *criminals* and *untrustworthy*. In Hungary and Slovakia, Kende et al. (2017) surveyed students and a part of the general population (N = 1,082) and measured their anti-Roma prejudice, corroborating the existence of (1) *blatant stereotyping* of the Roma referring to criminality, laziness, and threat; (2) perceptions that the Roma get *undeserved benefits* and (3) essentialist and romanticized views on the differences between Romany and non-Roma individuals. Another interesting finding in this study was that the most negative attitudes emerged when the people did have intergroup contact with the Romanies and when these prejudices were tolerated and approved by their social context. In fact, the negative intergroup contact may also be linked to a feeling of *threat* and fight for limited resources, in the sense that the dominant population perceives that a greater amount of Roma concentrated on a particular place concurs with higher poverty levels (Mušinka et al., 2014, as cited in Kende et al., 2017).

Orosz et al. (2018) analyzed open-ended responses from a representative sample of Hungarians (N = 505) about the discussions which respondents' family and friends maintain on the Roma. A great majority –75% of the participants– described that their closest ones expressed *negative stereotypes* regarding the Roma. Criminality, laziness, poor personal hygiene, threat, and dehumanization were the most common topics discussed by the friends and family of the participants. As well, higher *modern racism* was predicted by the expression of dehumanization, threat, or violence against the Roma. The scholars discussed the possibilities to propose that the media encourage *positive stereotypes* on the Roma, such as their high commitment to their family.

## Materials and methods

### Research strategy

Following a *Grounded Theory Approach* (GT) –which we describe in the next paragraphs– data were collected from *Reddit Romania*, an open-access forum and a highly popular platform, explored as well by in other domains (see Buntain & Golbeck, 2014; Carson et al., 2015; Singer et al., 2016; Soliman et al., 2019). We chose Reddit as the field because of the

clear geographical delimitation of the community “Reddit Romania”. Networks such as Twitter or Facebook were considered at an initial stage of the research but Twitter’s global character and Facebook’s fragmentation in private groups and users with restricted accounts made them not eligible for our research. For the present article, we, therefore, collected 4,136 comments from Reddit Romania which treated issues concerning the Roma from 2016 to August 2020. Using the keywords “Roma” and “Gypsy” in Romanian (*Romi, tigan*), we collected all the public discussions from the platform. Raw data were composed of 127 main comments and of the 4,009 sub-comments in response to the main comments.

The *Grounded Theory Approach* –proposed initially by Glaser & Strauss, 2009/1967– is a useful method to be applied in unexplored domains. Its main role is to create a theory which emerges from empirical findings. With no prior positions nor hypotheses, the model is constituted bottom-up, using all types of data and applying inductive and/or iterative methods. In practice, the researcher analyzes the data, creates categories of similar content and draws up associations between these. If needed, she adds more data from different sources in an iterative process until theoretical saturation is reached. This approach is context-based and thus the *Grounded Theory Approach* is rarely used for extrapolating the results to other circumstances. Even though GT is a *young* methodology, it has been noticeable the diversity of philosophies and methodologies when applying this approach (see Ralph et al., 2015). In our research, data were collected with a GT methodology because of the iterative bottom-up process which generated the data collection. In fact, this study started as an exploration of Romanians’ claims regarding the Roma on the platform Reddit as the initial source. We started gathering pieces of information from the platform and analyzing them preliminarily into categories and we continued chronologically to collect more posts. In addition, since many comments are linked to external sources such as news, videos, or Facebook posts, we needed to take a detour and consult these sources, and in several cases others as well to be able to fully understand the context in which the initial post emerged. This process happened several times by means of an iterative process. At the end of the data collection, we collected all the posts available on the platform. The final raw material was therefore composed by the 4,136 comments which roughly meant around 132,000 words over 500 pages.

Using a software for qualitative data analysis (*NVivo*), the raw data were analyzed, and 10 final codes emerged, compiling in total 1,296 segments of content which correspond roughly to one segment-one comment although some posts were coded in more than one category since they referred to several topics. Regarding the non-selected comments, these were either short replies to the selected segments (for instance, “haha”, “OK” or insults to other users) or non-related comments referring to other topics close to the Roma but not on the Romanies per se. Chronologically, data were introduced into the software for qualitative analysis and with no prior categories, the categorization process started spontaneously. Once finished the preliminary analysis, two supplementary analyses of the data allowed the organization of the selected segments in 10 main categories of the main topics regarding the discussions (presented in the section *Description of the Sample*). A fourth reread of the raw data allowed to verify the categorization of these and to correct mistakes. This way of analyzing data has also been proposed by Charmaz (2004) in the framework of a GT approach.

## **Methodological and ethical considerations**

Due to the culturally rooted stereotypes about the Roma in Romania, we are aware that full neutrality or a *positivist approach* cannot be applied in this domain. For instance, the main objective of the article is to understand the roots of the anti-Roma prejudice to be able ultimately to contribute with insights for preventing hate speech and hate crime. This latter is a clear positioning of the researcher –framed in the rules that prevail in society and in many penal legislation. Acknowledging this aspect, we nevertheless tried to implement a *post-positivist philosophy* (see Phillips & Burbules, 2000), which was actually also implemented by the fathers of GT (Ralph et al., 2015). Therefore, we intended to describe and analyze the data as objectively as possible while aiming *reflexivity* (see Engward & Davis, 2015) about our position regarding the data, our role in the data collection and analysis, and as well the feelings which emerged during the process. Following the example of Engward and Davis (2015), who put into practice the *reflexivity model* of Alvesson and Skolberg (2009/2000), we developed our reflexivity around four aspects of our research:

### *(1) Problematizing our empirical data*

Our data were generated with no influence of the researcher because we observed the interactions which users of Reddit entertained *ex post facto*. We think that the natural observation of a sensitive topic (see Díaz Fernández, 2019), with the nonintervention and non-manipulation of the conditions, freed the data from biases such as the social desirability of the participants, for instance.

Nonetheless, it is possible that if we had included other additional sources, the data would have been even richer. We decided to focus only on Reddit because of the geographical localization problems mentioned above. One other disadvantage of the data is the lack of representativeness of the sample since most of the users of online forums seem to be young adults (due to the lack of Romanian data, check U.S. Reddit reach by age group 2019, n.d.). As well, because of the anonymous character of the forum, the presence of *trolls*<sup>2</sup> and users whose content is not serious is not uncommon. However, because of the same reason, the forums seem to be spaces of “free speech” and to provide a reliable knowledge of such a controverted topic, at least for exploratory purposes.

### *(2) Research engagement*

The raw data were analyzed as such, with no modifications of the original information. The main biases might emerge from reliability issues regarding the coding in the sense that another researcher would have coded differently than we did. Because of that, data were checked several times.

The mastery of the Romanian language might be a challenge during the data collection. In that regard, we clarify that we master Romanian as a mother tongue, which was an asset to this type of research since many users employed idioms, shortened expressions, and regionalisms which would be challenging to understand by a non-native speaker or by an automatized translation software. Therefore, all the

comments were analyzed in Romanian and for this present article the quotations were translated into English.

The feelings of the researcher might also bias the data coding process. Introspection was used in the process of becoming aware of our positioning toward our data, following recommendations of emotions-tracking during fieldwork (Emerson et al., 2011). Regarding our feelings, we consider that a desirable distance from the object of study was kept –influenced by the non-intrusive nor interactive character of the research– although we sometimes felt repulsion when analyzing the most violent comments (see *Results*). Secondly, discussions with Romanian and international colleagues on the findings of the study also helped to the maintenance of a relative *neutrality* toward the data.

### (3) Clarification of the political-ideological context

The main question is whether these forums have a clear ideology or if they concentrate more people from one specific political spectrum (i.e., alt-right individuals). Initial indices suggest that this is not necessarily the case – as the reader might observe in [Table 1](#) in the following section, about 13.7% of the comments about the Roma were positive and 4.9% discussed neutrally their culture and the third most recurrent topic was the *defense of the Roma*. Nonetheless, the remaining 81.4% of the content was negative, and therefore, it might be related to a more conservative cosmivision. However, the question remains whether this distribution is representative of the Romanian society. Even though we surely cannot acknowledge, we think that this distribution is not so distinct from the Romanian society because of the overlap of the forum's topics with the former studies which have signaled the generalized rejection of the Roma in Romania (IRES, 2019). Nonetheless, for avoiding unwanted generalization of our findings, in our Results section, we refer to our sample as “the users” and not as “the Romanians”.

### (4) Representation and authority

We did not influence the participants because of the non-intrusive data collection process. To ensure objectivity and to avoid the so-called *cherry-picking*, we present percentages of the categories discussed ([Table 1](#)) as well as a word cloud of the 40 most employed words ([Figure 1](#)). In the Results section, apart from summarizing the main categories and its most salient elements, translated fragments of comments are presented for illustration purposes.

For transparency reasons, we clarify that we come from a Romanian Roma family from Transylvania and we have lived our first 10 years of life in Romania. After moving abroad in another European country, we have kept strong links with Romania via our family members. As well, in adulthood, we have been working for the last five years as a social worker supporting Romanian sex workers and Romanian Roma homeless people. Moreover, in the past, we have studied the victimization and crime of Romanian Roma youth by a one-year field study within migrant Roma (Molnar & Aebi, 2021). These personal and professional circumstances of life allowed us to understand more in-depth

the challenges that the Roma, in Romania and abroad, face as well as the dynamics between them and the non-Roma.

**Description of the sample**

Among the main 127 posts, 73 were shares of an event broadcast in the news or on an external source like YouTube or Facebook. In second place, 37 of the main posts were a question is launched for starting a debate. Third, 14 posts were personal experiences shared with the Reddit community and last, three publications were qualified as *other* (i.e., a short comment or a meme which engendered a larger conversation). Once a main comment was posted, it emerged a cluster of sub-comments where the users gave their opinions, shared their experiences, or forwarded another external source in relation to the main post.

Figure 1 shows, through a word cloud, the distribution of the 40 most common Romanian words<sup>3</sup> employed by the users of Reddit Romania (N = 4,136), these being in English: Gypsies, Romanian, problem, many, children, the police, the world, no one, racism, the music, society, [to have] trouble, life, most of them, made, ethnicity, the work, need, continue, no more, the street, the cause, shit, problems, school, *Manele* [music attributed to the Roma], car, culture, the law, fear, fine [punishment], justice, work, normal, dumbass, otherwise, stealing, agreement, being, news, the home, write, [to be] serious, heard, [to be] right, [to have] the right, joke, time, the Gypsies, and absolute.



Figure 1. Most common 40 words in Romanian.

Table 1 illustrates the more commonly discussed topics regarding the Roma among the subsample (n = 1,296 segments) chosen for the content analysis. Next section addresses all the subjects discussed.

**Table 1.** Distribution on the codes, frequencies and percentages (n = 1,296 segments).

		No of coding references	%
1.	Criminality/deviance (-)	309	23.8
2.	Insults, disgust and violence and punitiveness (-)	254	19.6
3.	Defense of the Roma and more nuanced views (+)	177	13.7
4.	Critics of political correctness and positive discrimination (-)	147	11.3
5.	Cultural essentialism (-)	116	9.0
6.	General distrust and criticism toward Romania (=)	114	8.8
7.	Culture and history of the Roma (=)	64	4.9
8.	Tips against victimization (-)	58	4.5
9.	Group differentiation (-)	36	2.8
10.	Fear toward the Roma (-)	21	1.6
	Total	1296	

(-) negative content regarding the Roma; (=) neutral content; (+) positive content.

## Results

### Description of the most discussed topics

#### The deviance and criminality of the Roma

The users of the forum discussed in the greatest proportion the perceived deviance and criminality of the Romanies. Typically, the deliberations started when someone posted a newspaper link about a crime supposedly committed by a Roma. Even if the conversation arose in most of the cases from an external source, the rest of the users gave their opinion based on personal or vicarious experiences learned from relatives or acquaintances. Despite the lack of available statistics, users claimed that the Roma adults commit a great deal of offenses and –from their experience– the best strategy to be applied is to avoid them.

**U1:** I lived near a Gypsy neighborhood (. . .). When I met them, I didn't know anything about Gypsies, my parents didn't tell me anything bad or good about them, I formed my own opinion. I didn't do anything to them, I didn't start with prejudice on them and yet in a very short time they made me understand that I have to avoid them if I want not to be beaten, cursed or get my things stolen.

The offenses discussed are broad, from deviant behaviors or misdemeanors like *beginning* and *working illegally* to serious offenses such as *murder* or *rape*. They argue thereby that the Romanians discriminate the Roma because the latter are uncivilized and therefore, they would deserve the social exclusion.

**U2:** If 90% of the Gypsies stopped begging, stealing, killing, [and started] working legally, correctly, behaving nicely, civilized, no one would have anything against them. Nobody can stand them because 90% do robberies. Garbage. Social parasites. When they get civilized and behave like normal people, they will no longer be discriminated.

The users also complained that some Romanies impose *their law* and *terrorize* the non-Roma in villages and cities. Moreover, the ones who have lived within the Roma neighborhoods and have been victims –directly or vicariously– of a person suspected of being Romany seemed to have a more radical opinion against the Roma. Some users also shared their own victimization experience and others proposed that they should face the Roma or call the police, but the victims indicated that they felt afraid that the Roma retaliate with violence.

**U3:** Very simple answer [to the reason why U3 did not complain to the police]: because I don't want to be beaten, stabbed or spit in the face?

### ***Hate speech and punitiveness toward the Roma***

In second place, the users employed the platform mainly to mock or insult the Roma as well as to propose harsh measures against them. Regarding the mockery and the insults, in first place, sarcastic comments were expressed referring to *counter-stereotypes* such as the Roma working, the Roma as good leaders, the Roma being peaceful or the Roma not *stealing children*.

**U4:** *Manelist* [a type of music attributed to the Roma] Gypsies, the species that gave so many kings, emperors and princes.

**U5:** And if the Gypsies lead us, what?

As well, the users shared mockeries and jokes about the Roma, such as for instance, they ridiculed the lack of literacy of the Roma as well as their preference for the iron as a precious metal –a supposed consequence of their tendency for the handicraft and their selling of copper or iron. Some of the derisions were also related to the dehumanization of the Roma and their comparison with animals, such as pigs or monkeys.

**U6:** Does it seem fair to you to say that those Roma people are pigs? But what did pigs do to be so insulted?

Regarding the insults of high seriousness, some users referred to the Roma as the *cancer* of the society. Few people also expressed their hope that weapons become legal in Romania for self-defense against the Romanies. Even though it is not the rule, some comments expressed wishes such as the death, the extermination and the capital sentence to be applied to the Roma. Some of the users also expressed admiring the United States for “their exemplary” punishments.

**U7:** These violent Gypsies, thieves, crooks, those who live from the illegalities committed on the Romanian territory are a form of cancer for the society and you only respond to cancer with brutal treatments. Cancer doesn't care about you, and you should know that.

### ***Cultural essentialism and group differentiation***

Most of the users agreed with the *cultural essentialist* view of the Roma, claiming not to criticize or discriminate the latter because of their ethnicity but due to Romanies' customs, which in the view of the users, were old-fashioned and had no place in the modern 21st century.

**U8:** I think the problem is that, in Romania, we have two groups a century apart. The problem comes from there. To pretend that this is not the case is to put your head in the sand. It's easy to say: Racism is bad, and it's true, racism is bad, but I would have the same attitude toward some Romanians if they behaved uncivilized.

Furthermore, the users criticized the fact that the Roma generally do not want to work and thus they prefer to beg or to steal. Moreover, they expressed reprobation of the Roma lack of civic education and their supposed preference to living in unsanitary conditions, sending their children to beg, dropping them out of school, and obliging them to marry at a very early age.



**U9:** I am not a racist. I have nothing to do with the Roma race. I have a problem with the Gypsy culture, and by Gypsy I mean Roma and the ones who have the custom of sending their children to beg on Sunday morning, and then in the evening we see them all drunk gathered in front of the bar.

The Romanian users stressed very much that they are different from the Roma. In that sense, they felt as defamation when being confused with the Romanies, getting aggressive when a new or a post referred to Roma and Romanian interchangeably. In addition, because the foreigners often do not differentiate the Romanians from the Roma, the users blamed the Roma for spreading a bad reputation of the Romanians abroad.

**U10:** Even the Europeans see us as scandalous Gypsies, ignoring the millions of quiet and hardworking Romanians to the detriment of several hundred [Romanies].

Moreover, they also criticized an unintended effect of the *political correctness* (see next section) which, by accident, occasioned that Roma and Romanian were synonyms in French. For instance, French people would rather use the word *Romanian* instead of *Gypsy* because the first is more socially accepted.

**U11:** The French have a pejorative word: Gypsy [*Gitan*] (. . .), not used in too positive contexts. Instead, the word Romanian [*Roumain*] is often used to mean Gypsies, to make sure they don't look racist. That's the kind of euphemism that annoys me the most.

### ***The dissidence: antiracism and nuanced views***

In third place, users of the platform also defended the Roma and criticized the claims of those who generalized their negative experiences, arguing that the latter were just an excuse for being xenophobic and violent. Moreover, some of the users also highlighted that in order to affirm that crime is indeed a problem in the Roma community, clear statistics are needed. They, therefore, defended the need to be nuanced, to analyze both sides, and be critical with both the left and the right wing of the political spectrum.

**U12:** I also had bad experiences with Gypsies. I also had great experiences with the Gypsies. I also read about criminal Gypsies, as well as about Gypsies who succeed in life. As long as I don't have a clear statistic, I can't make judgments based on a sample of my personal experience. It is clear that we have a problem with the Gypsies, and that we should punch (morally, of course) both the SJWs [Social Justice Warriors] –who are great fighters but do not make a shit for these people– as well as the (neo-)fascists and alt-right –for whom, whether they have balls to recognize or not, the sure solution is their extermination or deportation.

Discussions about the problems which the Roma face emerged therefore in more neutral tones than the debates in former sections. For instance, some users highlighted the challenge of integrating Roma adults who grew up in precarious conditions and who were sent to beg or were dropped out of school while, at the same time, they were judged and discriminated by the dominant society.

**U13:** When your parents raise you in a tent and send you to beg and to steal since you are five years old, instead of sending you to school, and you live in a society that despises you for the sins of your parents (. . .), what chance do you think you can really have for integration?

The dissident users also proposed to intervene with the new generations mainly via education campaigns directed to children and adults and to abandon the ethnic



differentiation in schools so the Roma and non-Roma children study together. Moreover, the more nuanced users also criticized the romanization of those who admired the U.S.'s punitiveness. They argued that the United States was not an example to follow because of their high crime rates.

**U14:** Europe is still in its logic of “we can save everyone”, which is good. Nobody envies the U.S. for crime statistics . . .

Some of the users with neutral contributions discussed the history of the Roma as well, i.e., their Indian origins, their arrival to Romania and their slavery past in this country. They also shared recommendations of books or documentaries to consult.

### ***The political correctness and positive discrimination***

The fourth more discussed subject was the so-called political correctness as well as the public policies in favor of the Roma, in particular the inclusion programs. From the users' perspective, the origin of the political correctness started when Romania needed to provide proofs to the European institutions about its efforts to integrate the Roma into the Romanian society. In general, the users disagreed with both the political correctness and the integration programs, arguing that they are pointless since the Roma do not want to include themselves and they like to live on the outskirts. Some of the users even argued that these measures are far left-wing and naïve, coming from institutions that had little contact with the Roma.

**U15:** What the fuck is anti-Gypsyism?! The biggest promoters of anti-Gypsyism are the Gypsies themselves.

**U16:** We have this non-European minority with their own language, court system and all of that shebang, who have no intention of respecting the laws of any nation they live in. Our hands are tied by the EU, UNHRC [United Nations Human Rights Council], and utopian idealists from Western Europe. What do you do with the people whose “magnum opus” is having more than 10 children and marrying (illegally) at the age of 12? People who feel “smart” by stealing instead of creating wealth? People who don't value education.

Some users also felt that the Romanians are unfairly blamed as responsible for the lack of integration of the Roma. In that sense, they also expressed that the so-called discrimination card is too often used by the Romanies as an excuse for the lack of motivation in improving their life conditions:

**U17:** It sounds like the Romanians are evil and don't let the Gypsies become doctors, but they, so oppressed, face fate and still get what they want. But, from everyday reality, I notice the exact opposite: Romanians want Gypsies to integrate, to stop being aggressive, to stop stealing and to be serious (. . .). Who wouldn't they want all this to stop and all the Gypsies to be doctors or what else do they want? Those who hate Gypsies because they have different skin or just because they are Gypsies are in the minority, I would say.

In some users' opinion, the media and the national and international authorities have a political agenda regarding the Roma issues, and therefore they present an exaggerated positive image of the Romanies. Academia was also criticized for encouraging ideologically charged studies with the only purpose of getting funding to study topics which are perceived as politically correct.

They also expressed their disapproval of the *censoring culture* when someone expresses an idea which, when identified as racist or discriminatory, gets banned from the platform and their comment is erased. In fact, some users perceived the need for political correctness similarly to a joke, almost as a confirmation of their former ideas.

**U18:** Don't we see what crap is in the West with the political correctness? How polarized have their societies become? (...) Are we in any way responsible for the conquerors, for the settlers, for the slaveholders? Crap! We have been slaves of the Ottomans for hundreds of years. Killed, enslaved, exploited without mercy, everything you want. I'm not saying that we should play the victim's card, it would be embarrassing and unproductive. (...) No speech should be banned, it should be discussed, analyzed, condemned (if it is immoral/illegal). If you forbid to debate a topic, you do what they did before you, you will put the bone in the construction of a totalitarian or abusive regime which will censor everything that does not fit [in its agenda].

Furthermore, the users expressed that as long as their daily interactions with the Romanies are still unpleasant, they are not interested in the statistics nor the illustrations of the supposedly few Roma who succeeded in life.

**U19:** I don't need to give you a quote, because I didn't make up my mind reading a survey but because I grew up in a city full of Gypsies (...). Maybe you had other experiences. Maybe in your city the Gypsies are warm and welcoming people who share warm pies and pansies to passersby. But where I come from, you don't need to give a source to explain why you hate Gypsies.

### **General distrust in Romanian institutions**

In sixth place, the users expressed general distrust toward the Romanian public system as well as a widespread feeling of disappointment toward the administration. They claimed that, in general, many Romanian institutions are dysfunctional, for instance, the local administrations, the police, the schools, and the system for the placement of institutionalized minors. Additionally, they linked the poor functioning of these organizations with the negative situation of the Roma.

The users manifested high distrust toward the local administrations which, in their view, are highly corrupted and, because they receive funding for the Roma integration plans, they positively discriminate the Romanies and do not intervene when these commit infractions. Moreover, some users criticized the subordination of the local police to the town hall, which discriminates positively the Roma by the under-policing of their neighborhood. Furthermore, they perceive that the local administration annuls the fines applied by the police to the Romanies. Some individuals also felt that the police and the majors of the cities have illegal businesses with the Romanies.

**U21:** After 11–12 at night, you see vans patrolling, but damn, only through safe areas. (...) In the areas infested with Gypsies, damn if you ever see a van (...). The Romanian police, as an institution, is an infected abomination, interested only in making money (preferably as easily as possible, that's why it is fashionable to hide in the bushes with a radar) and to give statistics that will put them in a good light (if all the crimes were recorded, it would be seen that they do not do their job well) and then they have every interest in discouraging you from complaining or even refusing to make reports.

The context of general distrust seems to cause a feeling of being treated unfairly by the administration because of the supposed positive discrimination mentioned above. The users

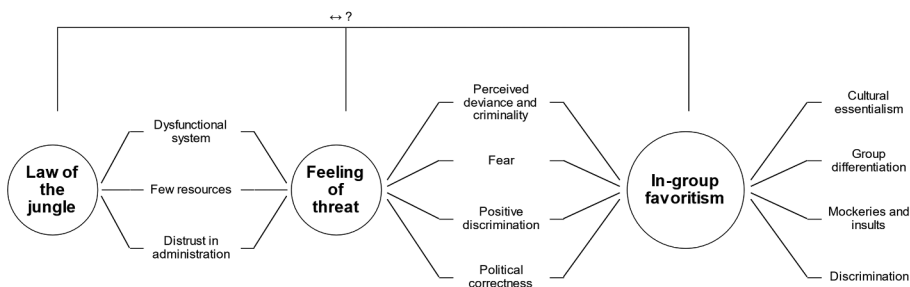
perceived as unfair that whereas the Roma get the social assistance, the Romanians, despite their precariousness, are obliged to work hard and pay their duties. Another symptom of the distrust in the administration might be found in the discussions about victimization. In this context, some users offered guidance to others about what they should do in case of being a victim of a crime committed by a Romany. The pieces of advice given were numerous such as calling the police, acting “crazy”, being violent toward the Roma, or even moving away from where the Roma live. Nevertheless, a problem which was mentioned is that, when called in the past, the police did not show up or did not want to prosecute the offenders. Many users, in that case, offered tips of the manner to succeed when dealing with problematic police officers. It was recommended, for instance, to record the assault in order to gather evidence (which will not be gathered otherwise), to send a certified letter to the police station, to contact the superior of the police agent if this latter wanted to classify the affair, to fill a complaint against the police officer, to complain directly at the prosecution office and thus overpass the police, and even to directly contact the media. It was also recommended to look for private retribution after several unanswered calls to the police, even though there were only a few users recommending this last option.

**U22:** Go directly to the ward and file a criminal complaint in rem for the crimes of threat and blackmail. You film everything every time (. . .). You bury the cops in criminal complaints until they get tired of you and solve the problem.

**U23:** Call the police. Once, twice, three times. Doesn't it work? Then you take matters into your own hands.

### The whole picture

Based on the pieces of information mentioned in the precedent section, this section intends to develop an interpretative reflection regarding the factors influencing the hostility and hate speech of Romanians regarding their Roma fellows. In our view, the hostility and hate speech that Romanians express toward the Roma might be influenced or accelerated by three interrelated factors (see [Figure 2](#)): (1) the need to survive alone with no state assistance (*the law of the jungle*); (2) the *feeling of threat* and (3) the need to favor the own group priorities (*the in-group favoritism*). However, we must clarify since the beginning that the causal direction of this model is unclear because we cannot know which one of these factors emerged the first as well as we do not know if there are other confounders which influence



**Figure 2.** Theoretical scheme of the factors accompanying the Romanians' hostility against the Roma.

the hostility toward the Roma (for publications regarding causality see Chambliss & Schutt, 2012; Pearl & Mackenzie, 2018). In the next lines, we address each of the points and their implications.

*Law of the jungle.* According to Cambridge dictionary, the law of the jungle is “the idea that people who care only about themselves will be most likely to succeed in a society or organization”. This metaphor relates to the survival of the strongest or the fittest and it is as well linked to the popular slogan “eat or be eaten”. In that sense, when the external conditions are hostile and the resources are limited, the humans seek in first place their own survival and the one of their kins. In our study, the users of Reddit Romania manifested a general feeling of distrust and disappointment toward the Romanian public system –which objectively faces serious economic challenges, among other difficulties (see Introduction). They had the sensation of being constantly tricked and treated unfairly by public servants, who in their view, ambitioned only to enrich themselves and hence not to serve the public. They also perceived the police as ineffective.

The second element relates to the *feeling of threat* which is as well related to the dysfunctionality of the system. We identified three types of threat expressed by the users of the forum: for their personal safety, for their access to resources, and for their free speech. Regarding the threat for one’s safety, the police were viewed as unsuccessful and therefore they felt unprotected if becoming a victim of a crime. Moreover, the Roma were perceived as a group with deviant and criminal tendencies which might endanger one’s safety. The generalized association of the Roma with criminality and deviance was not completely fictitious but was also based on former victimization experiences which were extrapolated to the whole ethnic group. The users felt also threatened their access to the available resources. In this context, the Roma were thought to not only get access to these via tricks and crimes, but they were also institutionally assisted by the Roma integration programs. In third place regarding the threat for their freedom of speech, they also protested about the political correctness, which does not allow them to express their authentic observations and opinions. The users expressed that these politics had created injustice and unfairly blamed the Romanians for not integrating the Roma and for being racist.

In a context of scarcity of resources and feeling of threat, the *in-group favoritism* might emerge at a quick velocity. Since the resources are scarce and one fears that they will become even scarcer and the rival group is perceived as playing unfairly, one prefers to favor one’s own group. The users viewed the Romanians and Roma as rivals and fundamentally different and homogeneous groups; the Roma being perceived as humans of a lesser value and thereby susceptible to be mocked, insulted, and discriminated against. The Romanians, on their view, would be the victims of the situation and thereby they should protect themselves.

Even though the hate speech against the Roma seemed to be socially tolerated in the platform, a small percentage of users –whom we baptized as the *Dissidence*– offered their more nuanced and neutral visions about the Roma, the Romanians, and the context around them. The Dissidence, therefore, challenged both the perception of threat and the in-group favoritism of the users. With arguments defying users’ axioms regarding the supposed generalized criminality of the Roma or the supposed threat for the freedom of speech, the dissident users also challenged the cultural essentialism, criticized the hate speech and ultimately addressed the discrimination toward the Roma.

## Discussion

### *Final considerations and further research*

This paper contributes with empirical data coming from Romania, country which has not benefited of much information coming from the point of view of those to whom the prejudice belongs; although which has in-depth studied the situation of the Roma, their victimization, and their stigmatization (see Crețan & O'Brien, 2019; European Union Agency for Fundamental Rights, 2014, 2016; Fraser, 1995/1992; Gheorghe & Mirga, 2013; Gheorghe, 2010; Mărginean et al., 2001). Centuries after the Enlightenment's scientists considering the Roma as *burden* to progress (Lombroso, 2006/1876; see Vaan Baar, 2011), the views of the contemporary Romanian users of Reddit seem not to substantially differ from the past. Obviously, this is not a surprising result since the especially harsh rejection to the Roma people manifested by the association of the Roma with criminality, their dehumanization, and the injustice felt by the non-Roma regarding the integration plans have already been documented by other Eastern European scholars which we reviewed in former sections (Kende et al., 2017; Orosz et al., 2018; Powell & Lever, 2017; Villano et al., 2017). Moreover, the analysis of Powell and Lever (2017) –using Wacquant's (2007, 2008) concept of *territorial stigmatization* and Elias and Scotson (1994/1965) *figurational process of group stigmatization*– seems equally applicable as a framework to the Romanian context in which the dominant group discusses *fantasies* and *gossips* about the Roma and their supposed innate or culturally determined deviant character, and in less proportion, their condition of *lesser humans*. These discussions end up in a feedback loop of justification of Roma's group and territorial stigmatization.

In our view, our most salient finding –which has been barely highlighted by other scholars thus far– is the role of Romanians' *distrust in the public institutions* as a variable which might influence or accentuate their perceptions and feelings toward the Roma. In fact, when Powell and Lever (2017) argue that the dominant group does not wish the Roma to have access to similar resources, one might infer that these latter are well established and easily accessible for the dominant group. Nonetheless, the challenges which Romania still faces seem to be as well perceived and suffered by the Romanians. Therefore, the metaphor of the *law of the jungle* seems relevant for describing the feelings of most citizens –Roma and non-Roma– living in Romania. Both groups struggle because of the problems inherent to their country and therefore being self-centered and competitive seems essential for surviving. In this context, we think that it would be interesting if further research compared the anti-Roma prejudice between Western and Eastern Europeans, considering as an important variable the trust in the administrations of each region. In addition, related to the trust in the administrations, Gheorghe (2010, p. 1) argued the following:

Romania needs a functioning public administration run by properly trained civil servants, some of whom could be Roma, who would guarantee access to public services. If the Romanian social services would work according to their own rules it would be much more beneficial –for everyone– than any specific Roma strategy could be. If they develop a new Roma strategy it might be useful for producing a few headlines, and as a bargaining chip in the Schengen deal, but it is highly unlikely that it would ever be implemented –if only because the institutional capacity to do so does not exist in Romania”.

Another interesting finding which emerges from our data is the existence of users who expressed nuanced discourses regarding the Roma and therefore defied the established consensus. Clearly, the negative content was still the protagonist but the existence of dissident voices in these forums might be a symptom of the change of mentality of the Romanian society. Nevertheless, the question whether these supporting reactions are transferable from the cyberworld to the physical world remains still open. It is however possible that, as Powell and Lever (2017) argued, the members of the established group fear themselves becoming outsiders and therefore would not defy the established representations. However, this question cannot be answered with the current data and therefore it deserves further study.

From our data, another interrogation that remains in the dark is the practical application of the Roma Integration plans by the administration and their communication strategy regarding both the Roma and the Romanian population. Our results stress that the current Roma integration plans are unpopular among the Romanian users and thereby it seems improbable to succeed in integrating the Roma in a Romanian society which rejects the mentioned plans.

Many Romanian users believed as legitimate their reasons for expressing anti-Roma prejudice and even for marginalizing the Romanies. Therefore, they also perceived the need to be *politically correct* as left-wing propaganda and hypocritical. Moreover, if socially reprimanded by the moderator of the forum or by other users, they seemed hermetic for opening their mind. Therefore, we think that it is relevant to reflect whether the political correctness is not creating unintended side effects contrary to what was intended in a first moment. As Gabor argued (1994, p. 157): “perceptions that are widely held but not discussed in polite company do not disappear; they are merely driven underground in the form of extremist groups that are genuinely racist”.

Last, one actor who seems to have an interesting role is the mass media. Scholars such as Stirbu (2015) and Vidra and Fox (2014) have already highlighted that the image vehiculated by the press about the Roma in Moldova and Hungary is mainly negative. Even though addressed marginally in this paper, the reader might have perceived that many discussions started from a content coming from the media (see *Description of the sample*). Therefore, it seems to exist a feedback loop between what the media posts and what is discussed on Reddit. Nonetheless, we do not know until which extent the content of the news shapes the prejudice of the people. Actually, when finding news which highlighted positive aspects from the Roma people or showed a successful Roma person, the users complained as well, attributing this new to a specific political agenda and not to objective content. Therefore, the question if the media could participate in the decrease of the prejudice toward the Roma needs further study.

### ***Policy implications***

Solving the complex problem of Romanians' distrust in the administration requires structural changes, such as the improvement of the welfare state. Interesting proposals have already been made in other Eastern European countries highly affected by corruption. For instance, Gerber (2000) proposed to professionalize the bureaucracy, by increasing the salaries, incentives and holding accountable the public servants for their work, and to strengthen the legal infrastructure – strategies that we, too, see necessary for improving the Romanian public system. Nonetheless, these changes are long term and take high



investment of resources as well as an overwhelming amount of coordination that goes beyond a criminologist's domain of expertise.

We believe that, for increasing the social pacification, a pragmatic solution would be the implementation of strategies at a Romanian local level, bottom-up rather than top-down (following the example of Bosáková, 2018) by taking into account both the needs of the Roma and the non-Roma from a specific place. The contact between Roma and non-Roma users seems to encourage negative feelings and not to decrease prejudice, as also stressed by other scholars (see the review of Kende et al., 2017). Therefore, perhaps public policies should discard contact alone in exchange of programs which demonstrated to have better outcomes such as the *cooperation for a higher goal* (Sherif & Sherif, 1969), or the training of volunteers with a Roma background like in the program "Living library" of Orosz et al. (2016).

Even though we believe that the political correctness is still necessary for protecting individuals from the hatred of others, it might be desirable to find a balance in which the freedom of speech is respected while the right of the others to live free of defamation, harassment, or humiliation is protected (Tschapka, 2018). Following the proposal of Tschapka (2018), in order to be more popular, the political correctness should be rather baptized *common sense* or *human decency* and as well it should encourage people to reflect upon their opinions, while focusing mostly on the content of their speech and not on the used expressions or words. Without any doubt that all forms of discrimination and hate speech harm communities and individuals, our results suggest that labeling people just as *racists* radicalize them in their beliefs.

The impact of the media in people's representations about the Roma remains unanswered. Several pieces of research from other domains have not found an effect on the media campaigns and the decrease of prejudice (Paluck, 2009; review of literature of Paluck & Green, 2009). Paluck (2009), through a one-year experiment in two fictional communities in Rwanda, found that media content indeed supposed a change of the perceptions of social norms and people's behaviors but not on their beliefs. Perhaps this finding should be considered when developing anti-prejudice campaigns in Romania and as well when evaluating them. In that sense, a more pragmatic approach targeting Romanians' perception of the social rules and their prosocial behaviors might also be more successful. By the way of an example, in criminology, the well-known *situational prevention approach* (Cornish & Clarke, 2003) has shown great effectiveness and has been applied for decreasing a great deal of offenses (see Cox, 2008; Gilmour, 2016; Hodgkinson et al., 2016). Cornish & Clarke (2003) proposed a detailed inventory of 25 evidence-based prevention techniques, among which, some would be interesting to be tested for preventing hate crimes against the Roma.

## Notes

1. These estimations have been criticized by various authors (see Surdu & Kovats, 2015), but since the validity of the official statistics is not the focus of this present paper, this aspect is not analyzed in-depth.
2. According to Cambridge dictionary: "someone who leaves an intentionally annoying or offensive message on the internet, in order to upset someone or to get attention or cause trouble".
3. Words with five letters or more. There were excluded from the analysis unrelated propositions as well as synonyms or close format of the same word.

## Acknowledgments

I would like to acknowledge Prof. Byrne and the two anonymous reviewers, whose feedbacks contributed to the improvement of quality of the article. I am thankful for the support and valuable recommendations of my supervisor Prof. Marcelo F. Aebi and my colleague Yuji Z. Hashimoto. As well, many thanks to my closest ones Korbinian Baumgärtl, Laritza Mitjans, Paula Crăciun, and Nathalie Staffler for their review and comments on earlier versions of the manuscript.

## Disclosure statement

No potential conflict of interest was reported by the author(s).

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# Victimisation et délinquance des jeunes Roms roumains en Suisse

## Une étude exploratoire de terrain

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**RÉSUMÉ** • *Les Roms forment la plus grande minorité ethnique en Europe, mais peu d'études se sont focalisées sur la délinquance et la victimisation au sein de cette communauté. Cet article présente une recherche exploratoire portant sur la victimisation et la délinquance des jeunes Roms roumains en Suisse romande. L'étude suit une démarche mixte qui combine 130 heures d'observation participante avec un sondage de délinquance et victimisation autoreportée (N = 27). Les résultats montrent que les victimisations les plus courantes sont les agressions verbales liées à la mendicité, la violence domestique et les vols, tandis que les délits les plus avoués sont les rixes et les violences conjugales, fréquemment bidirectionnelles. La délinquance et la victimisation sont souvent associées, même si la gamme de victimisations subies est davantage diversifiée que celle des délits commis. Les victimes ont une perception relativement positive de la police suisse, mais ne dénoncent que rarement les délits subis. Malgré la taille réduite de l'échantillon et les biais liés à une recherche de ce genre, l'étude apporte des éléments nouveaux en ce qui concerne le rôle des médias sociaux dans la délinquance, la bidirectionnalité de la violence conjugale et le faible taux de reporta-*

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2. Les auteurs souhaitent remercier les associations de soutien aux Roms ainsi que les sondés pour leur temps et générosité. Un grand merci à Dr Patrice Villettaz, Dre Claudia Campistol, Monsieur Yuji Z. Hashimoto et Madame Christine Burkhardt pour leurs conseils ainsi qu'aux éditeurs et aux réviseurs de la revue pour leurs commentaires.

*bilité des victimisations, tout en proposant des sujets d'étude pour des recherches futures.*

**MOTS CLÉS** • *Roms, victimisation, délinquance, prévalence vie, reportabilité, Suisse.*

## Introduction

Les Roms sont un groupe ethnique que l'on suppose originaire du sous-continent indien et qui s'est établi en Europe durant le 13<sup>e</sup> siècle (Fraser, 2017). Actuellement, entre dix et douze millions de personnes de cette ethnie habitent en Europe, majoritairement dans la région des Balkans et des Carpates (Conseil de l'Europe, 2012). L'absence d'un passeport « rom » a fait que les membres de ce peuple apatride acquièrent la nationalité des pays dans lesquels ils résident depuis des siècles. De ce fait, il existe par exemple des Roms roumains, espagnols, polonais, ou bulgares, ainsi que des sous-groupes à l'intérieur de chacun de ces pays. Malgré cette diversité, Olivera (2011) dénonce que les recherches partent souvent du principe que tous les Roms sont en proie aux mêmes difficultés « au premier rang desquelles figure la discrimination » (p. 109). Nous devons signaler, toutefois, que les participants à cette étude se sont systématiquement autodénominés « roms » sans mentionner un groupe spécifique, de sorte que nous utiliserons l'ethnonyme « Rom » pour nous y référer. Cela ne signifie en aucun cas que nous ignorions la complexité des identités roms et, pour cette même raison, nous mettons l'accent dès le début sur le fait que les résultats de cette recherche exploratoire ne peuvent pas être généralisés.

En Roumanie, les données officielles signalent que les Roms constituent l'une des vingt minorités nationales reconnues. Selon le dernier recensement national disponible, 3,1 % (600 000 personnes environ) des Roumains disent avoir une origine rom (Institutul Național de Statistică, 2011). Or, selon Crețan et O'Brien (2019), de moins en moins d'individus se déclarent roms afin d'éviter la discrimination et l'étiquetage négatif que cela pourrait engendrer. Ainsi, il se pourrait que la population rom de Roumanie atteigne un million de personnes (Conseil de l'Europe, 2012). Certains auteurs occidentaux (voir Balibar, 2011 ; Fassin, 2011) critiquent ces sources et ces catégorisations, soutenant qu'autant l'origine indienne comme « la culture » rom sont des constructions sociales réductrices et essentialistes<sup>3</sup>. Néanmoins, ils ne proposent

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3. Rappelons toutefois que les participants à cette étude se sont autodéfinis comme Roms.

vraiment pas de solution de rechange tangible à l'hypothèse de l'origine indienne alors que des recherches scientifiques en génétique la corroborent (Martínez-Cruz *et al.*, 2016).

En 2007, l'entrée de la Roumanie dans l'espace Schengen a facilité l'émigration légale de Roms au sein des pays signataires de l'accord de Schengen, dont la Suisse. Quelque temps après, une étude à Lausanne a conclu que la majorité des mendiants dans cette ville étaient des Roms roumains et qu'ils considéraient que leurs faibles gains quotidiens (environ 20 francs suisses) leur permettaient d'avoir une situation économique préférable à celle qu'ils avaient en Roumanie (Tabin, Knüsel, Ansermet, Locatelli et Minacci, 2012). L'augmentation de la mendicité dans les rues de certaines villes suisses semble avoir pris au dépourvu les autorités, qui ont souvent réagi en l'interdisant par des ordonnances cantonales et municipales (Tabin, Knüsel et Ansermet, 2014).

Dans ce contexte, la recherche présentée dans cet article vise à explorer les expériences de victimisation et l'implication dans la délinquance des jeunes Roms roumains qui fréquentent deux villes en Suisse romande, ainsi que leurs expériences avec la police.

### **Recension des écrits**

Les sondages internationaux de délinquance (Junger-Tas et Marshall, 1999) et de victimisation autoreportée (van Dijk, van Kesteren et Smit, 2007) n'ont pas différencié la population roumaine selon son origine ethnique (Alvazzi del Frate et van Kesteren, 2004), de sorte que nous ne disposons pas des taux de délinquance et de victimisation des Roms en Roumanie qui pourraient servir de point de comparaison pour cette étude. En revanche, nous avons trouvé quelques recherches qui se sont intéressées à la victimisation et à la délinquance des Roms établis dans divers pays européens. Ces recherches ont permis de constater que les Roms sont largement surreprésentés parmi les victimes de délits de haine (European Union Agency for Fundamental Rights, 2016; Hall, Corb, Giannasi et Grieve, 2014; Le Hay, 2019; Wallengren et Mellgren, 2015; Wallengren, Wigerfelt, Wigerfelt et Mellgren, 2019).

Un autre sujet qui a retenu l'attention des chercheurs est la violence conjugale subie par les femmes roms. Selon l'étude ethnographique de Haşdeu (2007), les femmes roms Kaldarari en Roumanie sont confinées notamment à la sphère domestique, en ce sens qu'elles doivent s'occuper



des enfants et des repas familiaux, même si elles collaborent à la survie de la famille en mendiant ou en tirant les cartes comme travail secondaire. Or, la dépendance que ce rôle engendre semble faire augmenter le risque de violence domestique. Ainsi, une étude de Tokuç, Ekuklu et Avcioglu (2010), basée sur un échantillon modeste – mais, selon les auteurs, représentatif ( $N = 288$ ; dont 53 Roms) – de femmes mariées, estime que le fait d'être rom est l'un des quatre facteurs de risque pour les victimes de violence conjugale en Turquie. En revanche, Vives-Cases, La Parra-Casado, Gil-González et Caballero (2018) signalent que l'acceptation de la violence envers les femmes n'est pas la norme au sein des Roms espagnols.

D'autres recherches ont étudié l'implication dans la délinquance des jeunes Roms en la comparant à celle des jeunes Autochtones. Ainsi, Vazsonyi, Jiskrova, Ksinan et Blatný (2016) ont utilisé un sondage de délinquance autoreportée pour tester la théorie générale de la délinquance de Gottfredson et Hirschi (1990) auprès d'un échantillon d'adolescents en République tchèque. Ils n'ont pas trouvé de différence statistiquement significative entre le groupe rom ( $n = 239$ ) et le groupe tchèque ( $n = 130$ ) en ce qui concerne la délinquance, le niveau d'autocontrôle et les pratiques parentales. Au contraire, utilisant la même technique, Gerevich, Bácskai, Czobor et Szabó (2010) ont observé en Hongrie des différences statistiquement significatives entre le taux de consommation de drogues des adolescents roms ( $n = 225$ ) et celui, moins élevé, des adolescents non roms ( $n = 182$ ). Ces auteurs ne sont pas les seuls à avoir observé un taux élevé de consommation de tabac au sein de la communauté rom, au point que Petek, Rotar Pavlič, Švab et Lolić (2006) invoquent une différence culturelle, suggérant que les Roms ne se soucient pas trop des conséquences nocives pour leur santé d'une telle consommation. En fait, il a été observé que ceux d'entre eux qui vivent dans des situations précaires font rarement des plans à long terme, de sorte que nous pourrions dire que, dans leur cosmovision (*Weltanschauung*), le *destin* semble jouer un rôle majeur. Par exemple, les Roms roumains étudiés par Haşdeu (2004) semblaient avoir des objectifs éphémères, de manière qu'ils vivaient dans une insécurité financière pérenne. Une interprétation alternative, inspirée par le scepticisme d'Olivera (2011), soutiendrait que la cause de ce manque de planification n'est pas une cosmovision particulière, mais la précarité dans laquelle vivent ces personnes.

Finalement, l'importance de la famille et du groupe d'appartenance a retenu également l'attention des chercheurs (voir Legros, 2011). Une

revue d'articles de presse relève des cas de Roms qui ont fait de fausses confessions « volontaires » afin d'assumer la responsabilité pénale d'autres membres de la communauté, un comportement particulièrement observé chez des femmes roms espagnoles qui protègent leur mari dans des cas de trafic de drogues (Aebi et Campistol, 2013). De manière similaire, des recherches focalisées sur la criminalité organisée au sein des groupes de Roms en Grèce, Espagne et Roumanie mettent l'accent sur l'organisation communautaire de certains délits, notamment le trafic de drogues et les délits économiques (Giménez-Salinas, Ojea, Corominas, Regadera et Antón, 2012). Cette loyauté est renforcée par des mécanismes de régulation sociale qui peuvent mener des groupes à exclure de leur sein les membres qui ne respectent pas certaines normes culturelles (Fraser, 2017). Cette forme moderne d'ostracisme constitue une sanction extrêmement dure pour les Roms, non seulement parce qu'ils sont souvent victimes de discrimination en dehors de leur communauté, mais également parce que, comme le signale Haşdeu (2007), leur éducation tend à rejeter le monde *gadzo* (non rom).

## Méthodologie

### *Préparation du terrain et de l'instrument de collecte des données quantitatives*

Cette étude combine l'observation participante au sein de différents groupes de personnes roms migrantes en Suisse (environ 60 personnes) avec un sondage de délinquance et de victimisation autoreportée ( $N = 27$  personnes âgées entre 12 et 25 ans). Le contact a été facilité du fait que la première auteure a ouvertement révélé ses origines roms roumaines à la population d'étude. De même, ayant travaillé en tant qu'intervenante sociale auprès de cette communauté durant l'année précédant la récolte des données, elle connaissait déjà une bonne partie des sujets. En outre, pour son immersion dans le terrain, elle a pu compter sur le soutien des médiateurs culturels roms des deux villes de Suisse romande étudiées qui ont agi comme des « gardiens de l'accès » (en anglais, *gatekeepers*). Ainsi, elle a été acceptée comme un membre du groupe et a pu réaliser un total de 130 heures d'observation participante, entre mai 2018 et mai 2019. Les observations ont été transcrites dans un cahier de recherche (ci-après *cahier de bord*) immédiatement après chaque jour passé sur le terrain.



En parallèle, nous avons élaboré un questionnaire qui s'inspire des sondages internationaux de délinquance<sup>4</sup> (Junger-Tas et Marshall, 1999) et de victimisation autoreportée<sup>5</sup> (van Dijk *et al.*, 2007). Certaines questions ont été adaptées dans la mesure où ces sondages ont été conçus pour être utilisés auprès de populations ayant un style de vie occidental et sédentaire, alors que dans le cadre de cette recherche la population est migrante. Ce genre d'adaptation est relativement courant et a déjà été réalisé, par exemple, pour des sondages utilisés en Amérique latine (Rodríguez, Pérez-Santiago et Birkbeck, 2015).

Le questionnaire a été conçu en français et traduit en roumain, l'une des langues maternelles de la population cible. La première version a été testée auprès de personnes roms et de l'une des *gatekeepers*. Le questionnaire définitif contient 93 questions relativement ouvertes, organisées selon la technique de l'entonnoir (Casas Anguita, Repullo Labrador et Donado Campos, 2003). Les questions sur les délits commis et subis sont présentées à l'Annexe 1. Les réponses à des questions ouvertes ont été codifiées a posteriori à partir de l'analyse des données recueillies.

#### *Collecte des données quantitatives*

La passation du questionnaire a eu lieu six mois après le début de l'observation participante – soit entre fin octobre 2018 et fin avril 2019 – en utilisant un sous-échantillon de convenance des groupes observés, enrichi avec la technique de la boule de neige (Noy, 2008). Ce type d'échantillonnage était pratiquement le seul envisageable dans la mesure où un échantillonnage aléatoire aurait requis l'accès à un registre officiel des Roms en Suisse, alors qu'un tel registre n'existe pas.

Pour remplir le questionnaire, nous avons privilégié la technique du *Computer Assisted Personal Interview* (CAPI) qui, dans le cas d'espèce, pourrait être rebaptisée comme *Smartphone Assisted Personal Interview*. En effet, nous avons utilisé un téléphone portable pour introduire en direct les réponses des sondés dans une plateforme de collecte des données en ligne. La technique CAPI, recommandée pour aborder des personnes illettrées ou ayant un niveau de formation faible (Killias, Aebi et Kuhn, 2019 : chapitre 2), a été aussi privilégiée parce qu'elle donnait à la cochercheuse la possibilité d'évacuer immédiatement les

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4. *International Self-Reported Delinquency Survey* (ISRD).

5. *International Crime Victims Survey* (ICVS).

doutes des interrogés, ce qui a permis de maximiser le taux de questionnaires remplis.

Les sondages ont eu lieu dans des cafétérias et dans le bureau de l'une des associations de soutien aux Roms, lorsque ce dernier était inoccupé. Le but était de préserver l'anonymat des réponses vis-à-vis notamment de la famille et des connaissances des personnes sondées. La participation des six mineurs de 16 ans a été autorisée par leurs parents. Nous avons commencé chaque entretien en lisant à haute voix à l'interviewé le formulaire d'information et de consentement en roumain. Les interviewés ont souvent profité des « temps morts » qui se produisaient lorsque leurs réponses étaient transcrites par la chercheuse pour raconter des anecdotes. Ces dernières ont été transcrites le plus fidèlement possible dans le cahier de bord, où nous avons aussi noté les efforts menés pour garder une position aussi neutre que possible ainsi que les émotions ressenties durant les observations participantes. Dans cette perspective, nous pouvons d'ores et déjà anticiper que les émotions de la chercheuse, qui a l'habitude de travailler avec des populations précaires, étaient généralement neutres et souvent positives parce que les interactions avec la population s'avéraient enrichissantes. En revanche, lors de la passation du sondage, nous avons parfois ressenti de l'impuissance face aux vécus difficiles de ces jeunes.

#### *Techniques d'analyse des données*

La taille réduite ( $N = 27$ ) de l'échantillon utilisé pour la récolte des données quantitatives nous force à ne présenter que des analyses statistiques descriptives. En outre, nous avons procédé à une analyse de contenu (Castleberry et Nolen, 2018) des données qualitatives provenant du cahier de bord qui permettent de compléter et de contextualiser les données obtenues par le sondage.

Les principales variables quantitatives analysées sont la prévalence vie des victimisations et de la délinquance (vol, violence conjugale, violence domestique, agression physique et cyberinjure) et, en particulier, les victimisations sexuelles et les victimisations de haine en lien avec l'ethnie et la mendicité, ainsi que les faux aveux à la justice. Nos analyses portent aussi sur le lieu d'habitation, la reportabilité des victimisations à la police, la perception de la police suisse, l'exploration du rôle de la religion dans la délinquance et les attitudes envers la délinquance. Finalement, nous avons calculé les indices de *diversité*

*lambda* de la victimisation et de la délinquance, qui correspondent à la somme des délits *différents* que chaque participant dit avoir subis (ou commis, dans le cas de la délinquance), divisée par le nombre de participants qui manifestent avoir subi (ou commis) au moins un délit (Aebi, 2006).

### *Caractéristiques des personnes étudiées*

En règle générale, les quelque 60 individus rencontrés sur le terrain sont arrivés en Suisse accompagnés de leur famille espérant améliorer leur situation financière en travaillant ou en mendiant. Le sous-échantillon utilisé pour le sondage est composé de 9 femmes et 18 hommes ( $N = 27$ ) dont la moyenne d'âge, identique à la médiane, est de 19 ans. La personne la plus jeune a 12 ans et la plus âgée 25, et aucune ne possède un permis de séjour en Suisse. Ces 27 personnes sont majoritairement nées dans de petits villages de Roumanie, à l'exception de cinq jeunes nées en Pologne et en Allemagne pendant le séjour de leurs parents dans ces pays. Au total, ils sont neuf à avoir grandi dans des pays autres que la Roumanie, à savoir l'Allemagne, la France et la Pologne.

Parmi les sondés, six n'ont pas terminé leur première année de scolarisation, huit ont fait entre une et quatre années, et treize entre cinq et neuf années. En particulier, aucun des six mineurs de 16 ans n'était scolarisé en Suisse au moment de la passation du sondage. Deux d'entre eux l'avaient été, mais leur famille les avait retirés de l'école anticipant que l'interdiction prochaine de la mendicité les obligerait à migrer vers un autre pays.

Vingt membres de l'échantillon vivent en couple ou sont mariés, avec la particularité que, lorsqu'ils font référence au mariage, ils ne font pas de distinction entre un acte contractuel légal et une cérémonie symbolique. La majorité des sondés (18 sur 27) n'ont pas d'enfants.

La plupart des interviewés gardent un mode de vie migrant, ne venant en Suisse que durant des périodes de temps limitées – certaines deux fois par année et d'autres, trois fois – et retournant ensuite en Roumanie. Les enfants mineurs de 16 ans voyagent normalement avec leur famille proche, alors que ceux qui ont entre 16 et 18 ans voyagent aussi avec des amis. La majorité des sondés gagnent leur vie en exerçant la mendicité ( $n = 18$ ). Il s'agit de 3 personnes de 12 à 15 ans, 1 de 17 ans et 14 ayant 18 ans ou plus, qui déclarent gagner ainsi une

médiane de 22 francs suisses par jour. Six personnes âgées de 18 à 23 ans, dont cinq hommes et une femme, déclarent exercer ou avoir exercé la prostitution dans la rue, dans des toilettes publiques et chez des clients. Parmi eux, certains mentionnent que la prostitution est préférable à la mendicité qui, elle, est interdite. Toutefois, ils pourraient être amendés dans la mesure où ils ne déclarent pas leurs activités de prostitution aux autorités.

N'ayant pas un domicile fixe en Suisse, ils passent leurs journées dans la rue et leurs soirées et nuits sur la voie publique ou dans des structures d'accueil. Ces dernières ont un nombre de places limitées, de sorte qu'elles sélectionnent quotidiennement les bénéficiaires de cette prestation. Lors de ce processus, les mineurs et les femmes sont privilégiés, de sorte que les hommes passent souvent leurs nuits dans des parcs publics. Parfois, leurs partenaires préfèrent rester dehors avec eux plutôt qu'être séparés. Ils sont rarement hébergés chez l'habitant. En effet, seules trois personnes nous ont dit que cela leur arrive de temps en temps.

#### *Limites de la recherche*

Sur le terrain, nous avons constaté que les participants privilégient les interactions informelles, de sorte que la demande de signer un formulaire d'information et consentement a soulevé leur suspicion. Ainsi, après de nombreuses tentatives infructueuses d'expliquer le but du formulaire au début de chaque entretien, la cochercheuse s'est rendue à l'évidence que la seule stratégie efficace pour obtenir la signature était de dire qu'il s'agissait d'une exigence formelle de l'Université au lieu d'un principe éthique de la recherche.

Cette préférence pour les contacts informels nous a obligés aussi à mettre en place des stratégies pour minimiser les biais qui pouvaient en découler. L'un des plus importants provenait de la proximité d'âge entre la cochercheuse et les répondants de sexe masculin qui a mené certains des participants à essayer des techniques de séduction auprès de la cochercheuse<sup>6</sup>. Afin de résoudre ce problème, nous avons pu compter sur le soutien d'un médiateur culturel qui a clarifié notre rôle professionnel. En outre, lorsque le répondant avait une partenaire sentimentale

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6. Il s'agit d'un biais qui avait déjà été décelé dans les années 1940 par Wilkins (1999) dans le cadre d'entretiens menés par de jeunes femmes auprès d'anciens soldats.

au sein du groupe, nous avons tout d'abord interviewé cette dernière en lui demandant la « permission » de sonder son conjoint. Le but était d'éviter d'éventuelles jalousies qui nous empêcheraient d'interviewer les femmes en couple.

Comme le rôle de la cochercheuse a été ainsi délimité, cela a probablement joué dans le fait que les hommes ont avoué plus facilement leurs activités de prostitution masculine. Dans ce contexte, signalons que les questions sur la prostitution et la consommation de drogues n'ont pas été posées aux interviewés de moins de 14 ans.

Nous sommes pleinement conscients que le fait que le sondage soit composé de questions ouvertes laisse une large marge de manœuvre aux chercheurs au moment de créer des catégories qui permettent une analyse quantitative et nous avons fait de notre mieux pour ne pas introduire des biais à ce moment-là. En particulier, les réponses aux questions sur l'incidence de la délinquance et des victimisations étaient trop vagues pour être codifiées et, par conséquent, nous avons renoncé à les utiliser. Ainsi, nous nous sommes limités à la prévalence vie qui permet au moins d'établir un profil de l'implication dans ces phénomènes. En dehors de ces questions qui concernent la validité interne de la recherche, nous avons déjà signalé que la validité externe (Aebi, 2006) ne peut pas être garantie parce qu'il est impossible de généraliser les résultats de cette recherche à l'ensemble des Roms migrants.

## Résultats<sup>7</sup>

### *Victimisation et délinquance: une analyse thématique*

Le Tableau 1 présente les nombres absolus et les pourcentages de personnes qui disent avoir subi ou commis un délit. Les pourcentages ne sont fournis qu'à titre indicatif étant donné la taille réduite de l'échantillon. En ce qui concerne la délinquance, aucune des personnes interviewées manifeste s'être déjà engagée dans la vente de drogues, dans les menaces et les cambriolages. Elles n'ont pas été non plus victimes de menaces. Les comportements avoués sont présentés ci-après, couplés avec les victimisations respectives.

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7. La base des données et les questionnaires en français et en roumain seront mis à disposition de la communauté scientifique sur le site zenodo.org

TABLEAU 1

## Prévalence vie des victimisations et délinquance et les questions posées dans le questionnaire

	Victimisation	Délinquance
Vols ( <i>n</i> = 27)	11 (40,7 %)	5 (18,5 %)
Violence conjugale ( <i>n</i> = 24)	8 (33,3 %)	10 (41,7 %)
Violence domestique ( <i>n</i> = 27 victimisation; <i>n</i> = 26 délinquance)	14 (51,9 %)	3 (11,5 %)
Agressions physiques ( <i>n</i> = 27)	9 (33,3 %)	19 (70,4 %)
Victimisation parce que Rom ( <i>n</i> = 25)	9 (36 %)	
Victimisation pour cause de mendicité ( <i>n</i> = 25)	14 (56 %)	
Cyberinjures ( <i>n</i> = 22)	8 (36,4 %)	6 (27,3 %)
Actes d'ordre sexuel ( <i>n</i> = 24)	4 (16,7 %)	
Prostitution ( <i>n</i> = 22)	6 (27,3 %)	
Consommation de drogues ( <i>n</i> = 25)	7 (28 %)	
Fausse confessions à la justice ( <i>n</i> = 24)	2 (8,3 %)	
Cambriolage ( <i>n</i> = 24)		0
Vente de drogues ( <i>n</i> = 24)		0
Menaces ( <i>n</i> = 26)	0	0

TABLEAU 2

## Principaux liens entre les variables étudiées

	Lieu d'habitation en Suisse		
	Dans la rue	Sous un toit	Mixte
Victime de vol ( <i>n</i> = 10)	2	5	3
Victime d'agression physique ( <i>n</i> = 9)	6	3	0
	Victime de violence conjugale ( <i>n</i> = 8)		
Auteur de violence conjugale ( <i>n</i> = 10)	Homme ( <i>n</i> = 7)	3	
	Femme ( <i>n</i> = 3)	3	

## Les vols

Onze des personnes sondées, dont dix hommes, ont déjà été victimes d'un vol. La majorité des victimes sont majeures, même si deux personnes ont 16 et 17 ans et deux autres 12 et 14 ans. Seulement deux victimes habitent de manière permanente en Suisse.

L'objet qui leur a été typiquement volé est le téléphone portable. Les victimes sont plus nombreuses parmi les personnes qui dorment « sous un toit », c'est-à-dire, dans un hébergement d'urgence ou chez quelqu'un que parmi celles qui passent leurs nuits dans la rue (voir le Tableau 2). Les victimes acceptent leur sort avec résignation, considérant que la vie comporte des risques. Parfois elles expriment même une certaine empathie avec les auteurs de ces vols :

C'est comme ça, un jour c'est lui, un jour c'est moi. Qu'est-ce que j'en sais ? Peut-être la personne en avait vraiment besoin ! (Sondé 25, homme adulte, 29 janvier 2019)

D'autre part, ils ne sont que cinq personnes – dont quatre hommes – à avouer avoir volé au moins une fois dans leur vie. Les auteurs sont âgés de 14 ans ( $n = 1$ ), 17 ans ( $n = 1$ ) et 18 ans et plus ( $n = 3$ ). Un auteur de vol habite de manière permanente en Suisse alors que quatre y viennent de manière intermittente. Ils ont notamment volé des produits de première nécessité, comme des habits ou de la nourriture. Seul un homme dit voler régulièrement des objets dans de grandes surfaces à la demande d'autres personnes qui lui achètent ensuite le produit à un prix moins élevé que celui de vente. Faisant appel à l'une des techniques de neutralisation identifiées par Sykes et Matza (1957), il considère que les grandes surfaces font un grand profit, de sorte que ses vols sont sans importance.

### La violence conjugale

Huit personnes adultes – quatre hommes et quatre femmes – disent avoir été victimes de violence de la part de leur conjoint et dix – dont trois femmes et sept hommes – disent en avoir été auteurs. La majorité d'entre elles (six, dont trois femmes) manifestent avoir été autant auteures que victimes (Tableau 2). Un auteur de violence conjugale et une victime habitent en Suisse de manière permanente, alors que neuf auteurs et sept victimes y viennent de manière intermittente.

La violence entre partenaires est quelque peu banalisée par la majorité des personnes sondées qui considèrent qu'elle fait partie de la vie conjugale. Les raisons invoquées par les auteurs (femmes et hommes confondus) pour justifier leurs actes sont la jalousie, le fait d'être de mauvaise humeur et chercher à libérer la tension en frappant le conjoint, et le fait de ne pas accepter une séparation décidée unilatéralement par le partenaire.

Les exceptions à cette normalisation de la violence conjugale concernent des cas extrêmes, comme celui d'une femme qui avait été mariée par ses parents à l'âge de 11 ans :

S10 ne voulait pas se marier et elle en veut beaucoup à sa mère à cause de cela [...]. Son mari était très violent et la frappait beaucoup. (Observation de terrain, 20 octobre 2018)

J'étais prête à me tuer pour ne plus être avec lui. J'en pouvais plus. (Sondée 10, femme adulte, 20 octobre 2018)

Un autre cas extrême est celui d'un sondé qui raconte avoir répudié sa femme parce qu'elle lui a été infidèle, non sans l'avoir d'abord frappée et lui avoir rasé le crâne afin de la marquer en tant que « pute [*curvă*] ». Il a cherché à justifier son comportement en disant qu'elle le méritait parce qu'elle était d'origine rom et par conséquent devait rester « pure » :

Si elle est roumaine, ça va encore. Tu connais les Roumaines, elles sont un peu comme ça. Mais si elle est rom, ça ce n'est pas tolérable. (Sondé 25, homme adulte, 29 janvier 2019)

#### La violence domestique

Quatorze membres de l'échantillon ont déjà reçu au moins une gifle de la part d'un autre membre de leur famille, notamment leurs parents. Ils ne vivent pas cette violence domestique de manière traumatique, mais plutôt banale. Par exemple, certains approuvent les punitions physiques infligées par leurs parents, considérant qu'il est correct d'être corrigé lorsqu'on « prend la mauvaise voie ». Les autres agressions concernent des rixes entre des membres de la fratrie, qu'ils considèrent aussi comme « normales ». Les victimes de sexe masculin sont majoritaires, dans la mesure où 11 hommes sur 18 disent avoir été agressés, alors qu'elles ne sont que 3 parmi les 9 femmes. Les victimes ont 12 et 14 ans ( $n = 2$ ), 16 ans ( $n = 1$ ) et 18 ans et plus ( $n = 11$ ). Trois d'entre elles habitent de manière permanente en Suisse alors que onze y viennent de manière intermittente.

En revanche, les agressions physiques envers les parents sont minoritaires. En effet, nous avons observé des réactions de stupéfaction chez les interviewés lorsque nous les avons questionnés sur cela. Tout de même, 3 parmi les 17 hommes adultes (tous les 3 venant de manière sporadique en Suisse) apportent avoir frappé leurs parents au moins une fois dans leur vie. Dans deux cas, il s'agissait d'une gifle donnée en réaction à une agression physique du père, alors que dans le troisième,



il s'agissait d'une agression plus conséquente envers la mère parce qu'elle avait été infidèle au père.

### Les agressions physiques

Neuf personnes disent avoir déjà reçu au moins une gifle de la part de quelqu'un d'externe à la famille, autant en Roumanie qu'en Suisse. Huit victimes sont adultes et l'une a 14 ans, tandis que deux habitent en Suisse de manière permanente et sept y viennent de manière intermittente. Les victimes sont notamment celles qui dorment dans la rue (Tableau 2) et les victimisations se produisent souvent dans l'espace public ou dans des endroits qu'on pourrait qualifier «à risque», comme des pubs ou des boîtes de nuit. Aucune des victimes n'a fait référence à l'ethnie des agresseurs.

La participation à des rixes est très courante. Des 27 personnes interviewées, 19 avouent s'y être déjà engagées. Au moment du sondage, ces auteurs avaient entre 12 et 15 ans ( $n = 4$ ), 16 et 17 ans ( $n = 2$ ) et 18 ans ou plus ( $n = 13$ ). Trois d'entre eux habitent en Suisse de manière permanente alors que seize y viennent de manière intermittente. En général, ces rixes sont le résultat d'une escalade qui commence par une agression verbale et dégénère finalement en échange de coups. Ce genre d'altercation semble être relativement fréquent et toléré par le groupe, au point que, lors des observations, nous avons été témoins de deux altercations entre des jeunes Roms.

L'intervenante sociale rom a dû arrêter une bagarre, car NN voulait se battre avec un autre monsieur rom d'environ 40 ans. On est arrivés au bon moment pour que l'intervenante sociale puisse lui proposer un café. (Observation du 11 octobre 2018)

En général, ces bagarres n'entraînent pas de blessures graves, mais il y a des exceptions. Ainsi, l'un de nos interviewés nous a confié qu'il avait réagi aux insultes de ses camarades d'école en Suisse – qui se moquaient de son identité rom et migrante (voir ci-après) en cassant quatre doigts de la main à l'un d'entre eux.

### Les victimisations de haine

Les réponses des neuf personnes qui disent avoir déjà été victimes d'une agression de haine font presque toujours référence à des agressions verbales, que ce soit à cause de leur ethnie ou à cause de l'exercice de la mendicité. En ce qui concerne la première, les faits se rapportent

souvent à l'enfance ou à l'adolescence, quand ils étaient insultés par des copains d'école ou par des enfants de leur village en Roumanie. Ils étaient ainsi traités de « sales » et de « voleurs », quoique l'insulte la plus fréquente en roumain était *țigan împuțit*<sup>8</sup>, une expression difficile à rendre en français, mais dont une traduction approximative serait « sale gitan ». On y retrouve les références au stéréotype de la saleté et la paresse des Roms et au dégoût que cela provoque chez les autres. De nos jours, l'une des victimes a 14 ans, une autre 17, et le reste ( $n = 7$ ) sont des adultes. L'une des victimes habite en Suisse de manière permanente et les huit autres y viennent de manière intermittente.

D'autre part, 14 personnes (dont 10 adultes, 2 adolescentes de 12 et 14 ans et 2 de 16 et 17 ans) des 18 qui ont déjà mendié signalent qu'elles ont été insultées pour ce faire, notamment en Suisse. Selon les dires de certains de nos sondés, les passants leur disent, souvent de manière très agressive, d'aller travailler au lieu de mendier. Trois des victimes habitent en Suisse de manière permanente alors que onze y viennent de manière intermittente.

### Les cyberinjures

Des 27 personnes sondées, 22 possèdent des comptes sur la plateforme Facebook pour partager leur quotidien « en streaming ». Ce moyen de communication leur permet de rester en contact avec leurs proches qui se trouvent en Roumanie et dans d'autres pays. En même temps, il leur ouvre des opportunités pour poster des injures et, dans la mesure où la plupart d'entre eux postent des informations ouvertes à tout public, d'en être victimes. Il en va de même avec d'autres moyens virtuels de communication, comme les messages échangés à travers diverses applications de messageries.

En particulier, huit personnes ont déjà été injuriées dans le monde numérique. Il s'agit de cinq adultes, une personne de 16 ans et deux ayant 14 ans. Toutes viennent en Suisse de manière intermittente. Elles ont été agressées virtuellement soit par des inconnus, soit par des membres de la famille éloignée, soit par leur conjoint jaloux. Ce dernier cas de figure arrive souvent lorsque la victime se trouve en Suisse et le conjoint en Roumanie. Les injures virtuelles sont perçues par les répondants comme quelque chose de banal même si, parfois, elles peuvent

8. Selon le dictionnaire: *împuțit, -ă împuțiti, -te adj. (peior. – d. oameni) 1. murdar, neîngrijit 2. leneș, trândav 3. odios, dezgustător, respingător*. Traduit au français: 1. Sale, négligé 2. Paresseux 3. Odieux, dégoûtant, repoussant.

déclencher des agressions dans le monde physique. Ainsi, nous avons noté dans notre cahier de bord :

S15 me raconte qu'elle s'est battue avec une autre fille qui l'avait traitée de pute sur Facebook. Elle a donc décidé de la remettre à sa place. Elle se sentait remise en question parce que l'autre l'avait accusée d'avoir couché avec un membre de la communauté. (Observation du 2 octobre 2018)

Parallèlement, ils sont six – ayant 14 ans ( $n = 1$ ) et 18 ans et plus ( $n = 5$ ) – à avoir déjà injurié d'autres personnes sur Facebook, notamment pour répondre à des insultes reçues, pour insulter quelqu'un qui se manifestait ouvertement homosexuel, ou pour injurier leur conjoint (ou conjointe) lorsqu'il (elle) les rendait jalouses (jaloux).

#### Les actes d'ordre sexuel

Quatre personnes (dont trois femmes) ont répondu avoir été victimes de comportements sexuels dérangeants. Une moitié habite en Suisse de manière permanente et l'autre ne vient que de manière intermittente. Il s'agit de trois adultes et d'une personne âgée de 14 ans.

Dans deux cas, les auteurs sont des amis qui s'engagent dans des tentatives de séduction non réciproques qui dégénèrent en attouchements non consentis. Un autre cas est celui déjà mentionné de la jeune fille qui avait été mariée à 11 ans et qui a considéré comme des agressions sexuelles les relations que son mari lui avait imposées. Le cas restant est celui d'un sondé qui exerce la prostitution, et dont des clients ont essayé de le forcer à s'engager dans certaines pratiques ou ont enlevé le préservatif sans son consentement.

#### Les fausses confessions à la justice

Deux des sondés adultes, venant en Suisse de manière sporadique, disent s'être déjà déclarés coupables d'un délit afin de protéger le vrai auteur. Dans un cas, ce sont le cousin et le frère qui avaient commis un cambriolage, mais qui lui ont demandé de s'inculper parce qu'il était mineur (10 ans) et ne pouvait pas être puni, alors que les vrais auteurs avaient atteint l'âge de majorité pénale (14 ans en Roumanie). L'autre personne a assumé être l'auteure d'un vol d'habits dans une boutique suisse qui avait en fait été commis par une amie qui était en même temps victime de violences conjugales. Elle a pris la décision d'assumer la faute « pour que son mari ne la frappe pas à cause de ça » (Sondée 17, femme adulte, 25 novembre 2018).

### *La diversité des victimisations et de la délinquance*

L'indice de diversité de la délinquance permet de mesurer le degré de spécialisation – ou, au contraire, de versatilité – des auteurs. Il est parfois utilisé comme complément des indices de prévalence et d'incidence (Aebi, 2006) ou comme une alternative à l'incidence lorsque cette dernière présente des valeurs extrêmes ou instables (Junger-Tas, Marshall et Ribeaud, 2003)<sup>9</sup>. La diversité lambda de la victimisation est de 3,3, ce qui veut dire que durant leur vie les victimes ont subi en moyenne trois types de délits différents; en revanche, pour ceux engagés dans la délinquance, la diversité lambda est de 2,1 délits différents durant leur vie (Tableau 3). En fait, le degré de versatilité dans la délinquance est faible dans la mesure où seulement un jeune signale avoir commis quatre délits différents; on pourrait même parler d'une certaine spécialisation, dans ce sens que les comportements typiques sont les rixes et les violences conjugales.

En ce qui concerne la corrélation entre délinquance et victimisation, on constate que les personnes qui avouent davantage de délits sont les mêmes qui ont été le plus fréquemment victimisées (Tableau 3). Cette relation est particulièrement visible lorsque le nombre de délits différents est supérieur à deux. Les sept personnes qui se trouvent dans ce cas d'espèce ont été victimes de plus de quatre infractions différentes.

### *L'importance de la religion*

Tous les membres de l'échantillon s'identifient comme chrétiens et la presque totalité manifeste que la religion est assez ou très importante pour eux, ce qui corrobore qu'elle est l'un des piliers de leur vie. En outre, ils sont 15 à dire qu'ils prient chaque jour, le matin et/ou le soir.

Ils perçoivent la prière comme un acte thérapeutique. Elle les aide à avoir davantage de résilience face aux adversités de la vie. Ils prient Dieu parce qu'ils ont confiance en la protection qu'Il leur octroie, tant à eux personnellement qu'à leur famille. En outre, deux jeunes disent que l'omniprésence de Dieu les empêche de s'engager dans la délinquance: «Il m'empêche de voler, de rentrer en prison» (Sondé 21, 29 novembre 2018).

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9. Pour davantage de détails, voir la Discussion.

TABLEAU 3

## Diversité lambda de la délinquance et de la victimisation dans le courant de la vie

Diversité lambda	Victimisation (8 délits) $n = 23$ Moyenne: 3,3 Médiane: 3 Mode: 3	Délinquance (8 délits) $n = 22$ Moyenne: 2,1 Médiane: 2 Mode: 1			
		Diversité lambda délinquance			
Diversité lambda victimisation		0 délit ( $n = 5$ )	1 délit ( $n = 9$ )	2 ou 3 délits ( $n = 8$ )	4 délits et + ( $n = 5$ )
	0 délit ( $n = 4$ )	1	3	0	0
	1 délit ( $n = 4$ )	0	2	1	1
	2 ou 3 délits ( $n = 10$ )	4	2	4	0
	4 délits et + ( $n = 9$ )	0	2	3	4

### *Les attitudes envers la délinquance*

Nous avons demandé aux personnes interviewées d'imaginer la réaction qu'auraient les membres de leur entourage (leur famille et leur communauté) s'ils venaient à apprendre qu'elles avaient volé quelque chose, frappé leur conjoint ou agressé physiquement une autre personne parce qu'elle était homosexuelle. La quasi-totalité des personnes considèrent que leurs proches réagiraient en les jugeant très sévèrement dans les trois cas de figure.

Par rapport au vol, ils pensent que leur famille les inciterait à rendre la chose volée. Cela semble logique dans la mesure où, comme nous l'avons déjà vu, les membres de l'échantillon qui ont déjà commis des vols sont minoritaires. En outre, nos observations sur le terrain nous ont permis de constater qu'ils ressentent de manière très négative l'étiquette de «voleurs» que la société a collée aux membres de leur communauté.

En ce qui concerne la violence conjugale, certaines personnes ajoutent même que les membres de leur famille s'interposeraient pour interrompre une agression concrète, et quelques-unes considèrent que leurs proches n'hésiteraient pas à les frapper en retour pour les arrêter. Il y a tout de même quelques exceptions. Ainsi, l'un des interviewés nous a dit que la violence conjugale n'est acceptable que si la conjointe a été infidèle.

D'après nos observations, l'homosexualité n'est pas tolérée (elle est même fortement rejetée) par les Roms qui fréquentent la Suisse. En fait, les plus âgés vont même jusqu'à nier que ce phénomène puisse exister dans leur communauté. Par exemple, l'un d'entre eux nous a dit : «Madame, chez nous il n'y a pas de pédés» (O3, observation du 15 mai 2018). Malgré cela, ils estiment que leur famille n'accepterait pas qu'ils frappent une personne à cause de son orientation sexuelle.

### *Les rapports avec la police*

La quasi-totalité des sondés (23 sur 26) signalent qu'ils ont déjà été interpellés par la police, soit parce qu'ils mendiaient dans des endroits interdits, soit parce qu'ils dormaient sur la voie publique, soit pour un contrôle d'identité, soit parce qu'ils avaient commis un délit. Les interpellations pour cause de mendicité se soldent notamment par une amende. Quatre membres de notre échantillon disent aussi avoir déjà fait de courts séjours en détention pour non-paiement de ce genre d'amende.

Seulement 1 des 12 victimes de vol et 2 des 9 victimes d'agression physique de la part de connaissances ou d'inconnus ont porté plainte à la police. Ceci n'est pas forcément dû à une méfiance généralisée envers la police. En fait, 13 des membres de l'échantillon considèrent que la police fait un bon travail, tandis que les 11 qui ont une image négative de la police se plaignent notamment du fait qu'ils ont été interpellés pour avoir mendié ou dormi sur la voie publique. En particulier, ils se sentent traités de manière injuste lorsque la police confisque leur argent pour encaisser de manière anticipée l'amende qui leur sera imposée.

### Discussion et conclusion

Certains des résultats de cette recherche sont similaires à ceux des quelques études qui l'ont précédée et que nous avons présentées dans la recension des écrits. Ceci est le cas pour la présence de la violence conjugale au sein des couples roms (Haşdeu, 2007), pour les victimisations dont ils font l'objet à cause de leur ethnie et de l'exercice de la mendicité (Wallengren et Mellgren, 2015 ; Wallengren *et al.*, 2019) et pour leurs fausses confessions à la justice (Aebi et Campistol, 2013). En revanche, contrairement aux résultats de Gerevich *et al.* (2010), nous avons constaté que le niveau de consommation de drogues illégales était bas. De même, contrairement aux résultats de Giménez-Salinas *et al.* (2012), nous avons observé que la famille agit davantage comme un facteur de protection que comme un facteur de risque, dans la mesure où les personnes sondées perçoivent que les membres de leur famille condamneraient tout acte illégal. Dans une perspective similaire, nous avons constaté qu'en principe, les Roms de notre échantillon ne manifestent pas de valeurs favorables à la délinquance, ce qui contredit un stéréotype largement répandu dans les sociétés occidentales. Les exceptions concernent les quelques personnes qui justifient l'utilisation de la violence à l'encontre d'une personne homosexuelle ou d'un conjoint infidèle. Ces représentations de la violence conjugale et de l'homosexualité, ainsi que leurs conséquences en termes de discrimination et de victimisation par des proches, semblent des sujets de choix pour des recherches futures.

Parmi les thématiques qui, à notre connaissance, n'ont pas encore été étudiées avec un échantillon semblable, nous soulignons tout d'abord le fait que la gamme de victimisations subies par les jeunes Roms

roumains interviewés est plus large que celle des délits qu'ils ont commis. Parmi ces derniers, les délits violents sont relativement fréquents, alors que les délits contre la propriété sont plutôt rares. Toutefois, les résultats corroborent le lien entre l'implication dans la délinquance d'une personne et son risque de victimisation – déjà observé notamment avec des échantillons de jeunes (Pauwels et Svensson, 2011, avec références) et de toxicomanes (Aebi, 2006) –, en ce sens que plus la gamme de délits commis est large, plus la gamme de victimisations le sera aussi. Dans ce contexte, les concepts d'exposition au risque de victimisation et d'activités quotidiennes, chers aux approches situationnelles (Cohen et Felson, 1979; Hindelang, Gottfredson et Garofalo, 1978) se sont avérés particulièrement utiles. En particulier, le type de victimisation subie est associé aux activités nocturnes, dans ce sens que ce type varie selon que la personne passe la nuit dans la rue ou dans un foyer d'accueil. Cela suggère que les études et les programmes d'intervention auprès des minorités roms ne devraient pas cibler uniquement les délits de haine, mais plutôt prendre en considération une palette large de délits et de victimisations, tout en mettant l'accent sur la réduction des situations à risque (Cornish et Clarke, 2003).

La violence conjugale au sein des couples roms étudiés est souvent bidirectionnelle, ce qui constitue un autre exemple d'association réciproque entre délinquance et victimisation. Cette bidirectionnalité de la violence entre partenaires avait été constatée avec différents échantillons par Straus (2014) qui, regrettamment, a souvent été ignoré et même décrié pour avoir osé étudier ce phénomène, au point que, selon ses propres mots, il avait été « excommunié du féminisme » (Straus, 2020). Il s'agit d'un sujet qui mérite d'être approfondi à travers des recherches menées sans a priori, notamment sans présupposer un statut de victime pour la femme et un d'agresseur pour l'homme, mais tout en tenant compte que les formes et l'intensité de la violence varient selon le sexe de l'auteur et de la victime.

Bien que cette recherche n'ait pas traité de manière directe le risque d'exploitation des mineurs roms dans le cadre de réseaux de mendicité ou de prostitution (van Dijk, van der Knaap, Aebi et Campistol, 2014), nos observations de terrain laissent entendre que ce risque existe. Certains mineurs sont relativement seuls dans le pays d'accueil et on est en droit de se demander comment ils pourraient être protégés des menaces pouvant venir aussi du monde virtuel. En effet, nous avons constaté que l'utilisation des réseaux sociaux virtuels est la norme parmi



les membres de la communauté. Ceci leur permet de rester en contact avec leurs proches en Roumanie, ce qui facilite leur processus migratoire, mais ouvre aussi une brèche (au sens de Killias, 2006) à travers laquelle surgissent de nouvelles opportunités de commettre ou de subir des délits. En même temps, les technologies de l'information ouvrent des possibilités pour faire de la prévention en ligne, ce qui constitue un de leurs aspects positifs, mais qui a peu été exploité jusqu'à présent auprès des Roms.

Pour terminer, nous aimerions souligner l'esprit d'ouverture des praticiens qui ont accepté de travailler ensemble avec des universitaires, tout en sachant que cette étude pouvait révéler des aspects négatifs de la communauté qu'ils cherchent à aider. Cet esprit d'ouverture contraste fortement avec les questionnements que nous avons reçus de la part d'une minorité de nos collègues, surpris d'apprendre que nous ne cherchions pas à « prouver » la discrimination et l'étiquetage des Roms<sup>10</sup>, ainsi qu'avec certaines des remarques des réviseurs de cet article qui nous commandaient de « problématiser », de changer notre angle d'étude pour appliquer une perspective de genre, ou qui questionnaient les données de l'UE ou le besoin de citer Murray Straus, mais nous exigeaient d'inclure des sources à fort contenu idéologique. Nous tenons néanmoins à remercier ces réviseurs dans la mesure où certaines de leurs critiques nous ont permis d'améliorer nettement cet article, de la même manière que nous remercions les éditeurs de la revue *Criminologie* qui ont su faire la part entre le débat scientifique et le débat idéologique. Notre démarche en termes de combinaison d'une méthodologie quantitative et qualitative et d'une réalité physique et numérique s'inscrit dans une perspective large d'actualisation des objets d'étude de la criminologie et de construction d'une criminologie unifiée (Agnew, 2011), qui part de l'idée que la science se place au-delà des divisions et du manque de communication entre les membres de sociétés occidentales fortement polarisées.

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10. Pour ne donner qu'un exemple, nous avons noté avec perplexité dans notre cahier de bord cette discussion avec un-e collègue chercheur-euse qui, en apprenant le sujet de notre recherche, n'a pas hésité à nous dire: « Très bien, comme ça, tu démontreras qu'ils ne sont pas délinquants ».

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## Victimization and delinquency among young Romanian Roma in Switzerland: An exploratory field study

**ABSTRACT** • *The Roma are the largest ethnic minority in Europe, but few studies have focused on delinquency and victimization among them. This article presents the results of exploratory research on the victimization and delinquency of young Romanian Roma in two cities in the French-speaking region of Switzerland. The study follows a mixed approach that combined 130 hours of participant observation with a self-reported delinquency and victimization survey (N=27). The findings show that the most common instances of victimization involve domestic violence, thefts, and verbal assaults related to begging, while the most common offences committed are brawls and domestic violence, which is frequently bidirectional. There is a correlation between crime and victimization, although the range of victimization suffered is larger than that of offences committed. Victims rarely report incidences of victimization to the authorities, even though their perception of the Swiss police is relatively positive. Despite the small sample and the biases related to this kind of research, this work calls attention to several new elements, such as the role of social media in delinquency, the bidirectionality of intimate partner violence, and the low rate at which victimization is reported to the police. It also suggests relevant subjects for future research.*

**KEYWORDS** • *Roma, victimization, delinquency, life prevalence, reportability, Switzerland.*

## Victimización y delincuencia de los jóvenes gitanos rumanos en Suiza. Un estudio exploratorio de campo

**RESUMEN** • *Aunque los gitanos rumanos sean la minoría étnica más grande de Europa, pocos estudios se han focalizado en la delincuencia y la victimización de personas de esta etnia. Este artículo presenta una investigación exploratoria sobre la victimización y la delincuencia de los jóvenes gitanos rumanos en la parte francesa de Suiza. El estudio sigue una metodología mixta que combina 130 horas de observación participante y una encuesta de delincuencia y victimización auto-informada (N=27). Los resultados muestran que las victimizaciones más comunes son las agresiones verbales ligadas a la mendicidad, la violencia doméstica y los robos, mientras que los delitos más cometidos son las peleas y la violencia en la pareja, frecuentemente bidireccional. La delincuencia y la victimización están frecuentemente relacionadas, aunque la gama de victimizaciones sufridas sea más variada que la de los delitos cometidos. Las víctimas tienen una percepción relativamente positiva de la policía suiza, pero denuncian raramente los delitos sufridos. A pesar del reducido tamaño de la muestra y de los sesgos asociados a una investigación de este tipo, el estudio aporta nuevos elementos respecto al rol de las redes sociales en la delincuencia, la bidireccionalidad de la violencia de pareja, y la baja tasa de denuncia de las victimizaciones, proponiendo temas de estudio para futuras investigaciones.*

**PALABRAS CLAVE** • *Gitanos rumanos, victimización, delincuencia, prevalencia vida, reportabilidad, Suiza.*

## ANNEXE I

## Questions par rapport à la délinquance et à la victimisation

<p><b>Vols (n = 27)</b>  37. Dans toute ta vie, il t'est arrivé que quelqu'un t'ait volé quelque chose?  63. Dans toute ta vie, as-tu volé quelque chose?</p>
<p><b>Violence conjugale (n = 24) (adaptée au sexe de la personne sondée)</b>  78. Dans toute ta vie, as-tu frappé ton copain? (Minimum, donner une gifle)  80. Dans toute ta vie, est-ce que ton copain t'a frappée? (Minimum, donner une gifle)</p>
<p><b>Violence domestique (n = 26 pour délinquance et n = 27 pour victimisation)</b>  58. Dans toute ta vie, est-ce que quelqu'un de ta famille t'a frappé? (Minimum, donner une gifle)  82. Dans toute ta vie, as-tu frappé tes parents? (Minimum, donner une gifle)</p>
<p><b>Agressions physiques (n = 27)</b>  42. Dans toute ta vie, il t'est arrivé que quelqu'un t'ait frappé? (Minimum, donner une gifle)  74. Dans toute ta vie, t'es-tu bagarré avec quelqu'un? (Minimum, donner une gifle)</p>
<p><b>Victimisation liée à l'ethnie (n = 25)</b>  52. Dans toute ta vie, penses-tu que tu as été agressé (insulté ou frappé) du fait que tu es Rom?</p>
<p><b>Victimisation pour cause de mendicité (n = 25)</b>  53. Dans toute ta vie, penses-tu que tu as été agressé (insulté ou frappé) parce que tu mendiais?</p>
<p><b>Cyberinjures (n = 22)</b>  54. Dans toute ta vie, as-tu été agressé sur les réseaux sociaux comme Facebook, WhatsApp, Instagram, Snapchat, etc.?  70. Dans toute ta vie, as-tu passé ta rage sur quelqu'un par Facebook, Instagram, WhatsApp, etc.?</p>
<p><b>Actes d'ordre sexuel (n = 24)</b>  47. Dans toute ta vie, est-ce que quelqu'un a eu des comportements sexuels envers toi qui t'ont dérangé(e)?</p>
<p><b>Consommation de drogues (n = 25)</b>  62. Dans toute ta vie, as-tu consommé des drogues?</p>
<p><b>Fausses confessions à la justice (n = 24)</b>  87. Dans toute ta vie, as-tu déclaré avoir fait quelque chose d'illégal que tu n'avais pas commis juste pour protéger quelqu'un?</p>
<p><b>Cambriolage (n = 24)</b>  69. Dans toute ta vie, es-tu rentré(e) chez quelqu'un pour voler quelque chose?</p>
<p><b>Vente de drogues (n = 24)</b>  68. Dans toute ta vie, as-tu vendu des drogues?</p>
<p><b>Menaces (n = 26)</b>  76. Dans toute ta vie, as-tu menacé quelqu'un de lui faire du mal s'il ne faisait pas quelque chose pour toi?</p>



**Discrimination and victimisation of minorities in Spain:  
The research potential of the EU-MIDIS project**  
**Discriminación y victimización de minorías en España:  
El potencial para la investigación del proyecto EU-MIDIS**

Recibido 21 de febrero de 2021 / Aceptado 14 de noviembre de 2021

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ABSTRACT

This article highlights the research potential of the European Union Minorities and Discrimination Survey (EU-MIDIS), which the European Union Agency for Fundamental Rights had conducted twice across Europe by 2021. It begins with an overview of the EU-MIDIS project before concentrating on the second survey (EU-MIDIS II) conducted in 2015 and 2016 (N=25,500), the database of which is available in open access. The paper focuses on the main findings of the EU-MIDIS II in Spain, where the sample was composed of migrants from North Africa and people of Roma ethnicity (N=1,563). The main findings of the survey provide helpful insights into a form of victimisation that is usually absent in official criminal statistics, yet the Spanish EU-MIDIS II database is a mine of information waiting to be exploited. This article proposes a series of analyses that could be performed, including logistic and ordinal regression, as well as mediation modelling, which could

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identify the variables that influence minorities' discrimination and victimisation. Finally, the strengths and weaknesses of the EU-MIDIS project are discussed.

**Keywords:** Roma, North African, survey, minority, random route sampling, hard-to-reach collectives

## RESUMEN

Este artículo presenta la Encuesta sobre las minorías y la discriminación de la Unión Europea (EU-MIDIS), que hasta 2021 ha sido conducida dos veces en Europa por la Agencia de los Derechos Fundamentales de la Unión Europea. Comienza con una descripción general del proyecto EU-MIDIS, antes de concentrarse en la segunda encuesta (EU-MIDIS II) realizada en 2015 y 2016 (N=25.500), cuya base de datos está disponible en acceso abierto. El documento se centra en los principales hallazgos del EU-MIDIS II en España, donde la muestra estuvo compuesta por inmigrantes del norte de África y personas de etnia gitana (N=1.563). Los principales resultados de la encuesta ya brindan información útil sobre un tipo de victimización que generalmente está ausente en las estadísticas criminales oficiales; sin embargo, la base de datos española EU-MIDIS II es una mina de información que espera ser explotada. Este artículo propone una serie de análisis que podrían realizarse, incluyendo regresiones logísticas y ordinales, así como modelos de mediación, que podrían ayudar a esclarecer las variables que influyen en la discriminación y victimización de las minorías. Finalmente, se discuten los puntos fuertes y débiles del proyecto EU-MIDIS.

**Palabras clave:** Gitanos, norte africanos, encuesta, minoría, caminata aleatoria, colectivos de difícil acceso

## 1. Introduction

### 1.1. The study of hate crimes

The study of *victims* of crime increased significantly in European criminology from 2001 to 2018, whilst the study of so-called *hate crimes* has decreased over the same period (see Vander Beken et al., 2020). From that perspective, performing research on minorities and ethnicity-based hate crime—defined as “... a criminal act motivated by hatred, bias or prejudice against a person or property based upon the actual or perceived race and ethnicity” (Muncie & McLaughlin, 2012, p. 211)—is a demanding task for criminologists, not only because the topic is sensitive and prone to ideological interpretations, but also because some groups are difficult to reach. This is the case for foreigners (Carvalho da Silva & Prado Manrique, 2020), but also for certain national minorities, like the Roma (Wallengren, 2020).

For instance, the latest version of the *International Crime Victim Survey* or ICVS (van Dijk et al., 2007) included a general question on hate crimes that could be used as a dependent variable, but did not collect the independent variables that would have allowed researchers to identify the victims' perceptions of the specific reason that had provoked the crime: Was it their nationality, ethnicity, religion, or sexual orientation?<sup>3</sup>. Collecting such information would have required several additional questions, because concepts such as nationality are fraught with nuances (e.g., acquired through *jus sanguinis* or *jus soli*, from birth or later, etc.), and the same is true for religion (e.g., believer, practising, etc.) and ethnicity. For example, most Roma in Spain are Spanish citizens of Roma ethnicity (see Fundación Secretariado Gitano, n.d.), which is why they are defined sometimes as domestic foreigners (see Teleleu, 2018). Further, official records are of limited utility because they include no record of ethnicity and therefore, cannot be used as a criterion to create a sample. In addition, unregistered migrants living in the country would also be excluded from such a sample.

The lack of data on minorities renders it difficult to implement evidence-based policies to prevent these individuals' discrimination and victimisation (European Union Agency for Fundamental Rights, 2009a, 2009b). Against that background, the European Union (EU) launched the *European Union Minorities and Discrimination Survey* (EU-MIDIS hereafter) in 2007, the goal of which is precisely to fill that gap (European Union Agency for Fundamental Rights, 2009a, 2017a). To date, the EU-MIDIS survey has been conducted twice and its results compiled in open-access reports that present descriptive figures, as well as publicly accessible databases that scholars can use further for advanced statistical analyses (European Union Agency for Fundamental Rights, 2020).

These two macro-studies were designed to produce scientific knowledge to inform public policies for the evidence-based inclusion of minorities. Although we could find no academic empirical papers that used EU-MIDIS's data as a source for further analyses, several scholars have used a large amount of its descriptive data in their papers. For instance,

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<sup>3</sup> "In the past 5 years, did you, or any member of your immediate family fall victim of a crime because, or partly because of your nationality, race or colour, religious belief, or sexual orientation?" (van Dijk et al., 2007, p. 230).

Sardelić (2017) discussed the deprivation and discrimination Roma children endure in the EU, and highlighted EU-MIDIS's findings on the segregation of Roma children and their lack of quality education, as well as the overwhelming percentage (80%) of them who live below the poverty line. Similarly, Wrench (2015) discussed the EU legislation against racial discrimination among trade unions in EU states, and presented many data from EU-MIDIS, such as populations' perceptions of discrimination in EU countries. Moreover, Sokhi-Bulley (2011) also addressed such surveys' implications in the human rights discourse. Other authors who cited the EU-MIDIS data are Kolarcik et al. (2015) and Aebi and Linde (2010).

The purpose of this paper is to show the way EU-MIDIS's database could be used to increase what is known about the discrimination and victimisation of ethnic minorities in Spain. The paper describes the entire project, but concentrates on the findings of the EU-MIDIS II, which interviewed (1) first- and second-generation immigrants from North Africa and (2) people of Roma ethnicity. These topics are discussed after presenting a series of methodological issues related to the EU-MIDIS II and the population studied in it.

## **1.2. The populations studied in the Spanish EU-MIDIS II**

### ***1.2.1. The Roma***

The Roma, referred to also as Gypsies or Romanies, are the most numerous European ethnic minority (Council of Europe [CoE], 2012). In Spain, they are referred to as Kalés or Gitanos (Hancock, 1997), and it is estimated that their population is between 500,000 and one million people (CoE, 2012). The Roma's migration from India to Europe is thought to have begun in the 5<sup>th</sup> century (Martínez-Cruz et al., 2016), while it appears that the Spanish Roma are descendants of those who crossed the Pyrenees in the 15<sup>th</sup> century and established themselves on the Iberian Peninsula (CoE, 2012). Historians such as Fraser (1995) consider that the Roma are perceived systematically as foreigners not only because the dominant group excluded them socially, but because of the Roma's tendency to self-isolate as well. In the 20<sup>th</sup> century, a legal source of discrimination was the Spanish Vagrancy Act (*Ley para vagos y maleantes*), which the Socialist Second Republic introduced in 1933 and Francisco Franco's Fascist Regime used as a tool for repression until 1970, when it was replaced by the

*law on dangerousness (Ley sobre peligrosidad y rehabilitación social)*. The latter was also a source of discrimination and was completely repealed only in 1995. Moreover, early 20<sup>th</sup>-century Spanish criminologists, such as Rafael Salillas, Jerónimo Montes, and Bernaldo de Quirós, were influenced heavily by Lombroso's (1887) conclusion that the Roma were a criminal race (García Sanz, 2018).

In the first decades of the 21<sup>st</sup> century, the European Roma had lived, and still do, in a more precarious situation than the non-Roma populations (European Union Agency for Fundamental Rights, 2016). Moreover, research suggests that relatively often, they are victims of crimes related directly or indirectly to their ethnicity (Kisfalusi et al. 2020; Molnar & Aebi, 2021; Wallengren et al., 2019). Using data from the *Survey on Romani population households* from 2007 (N=2,664), Laparra et al. (2011) found that 54.5% of the Roma in Spain felt discriminated against when looking for a job. Further, the hate crimes the Roma suffer because of their ethnicity appear to be under-reported, as according to police data, only 12 people reported their hate-motivated victimisation in 2019 (Portal Estadístico de Criminalidad, 2020). Other Spanish researchers have highlighted the vulnerable situation of Roma children (Gutiérrez-Sánchez, 2015; Oliván, 2002), the challenges health personnel face when they attempt to detect intimate partner violence among the Spanish Roma (Briones-Vozmediano et al., 2021), and the over-representation of Roma women in Spanish prisons, which has been documented for at least 20 years (Cerezo, 2017; Hernández et al., 2001), as well as the extent of organised crime among Roma families (Giménez-Salinas et al., 2012). Some of these topics are not related directly to victimisation or discrimination biases, but they may well be interrelated, because the overlap between offending and victimisation has been corroborated in several settings (see Aebi, 2006; Jennings, Piquero, & Reingle, 2012; Pauwels & Svensson, 2011).

### ***1.2.2. Migrants from North Africa***

According to the Spanish National Statistical Institute, two main factors motivated persons from North Africa to migrate to Spain at the beginning of the 2000s: the lack of job opportunities in their countries of origin and demographic pressure, in the sense that birth

rates in North Africa were twice to three times higher than in Western European countries (Instituto Nacional de Estadística [INE], 2001). Between 1998 and 2019, the number of African immigrants living in Spain overall increased ten-fold, from 150,000 persons in 1998 to 1.5 million in 2019 (INE, 2020). Today, this group represents roughly 2% of the entire population in Spain, but only approximately 15% of the foreign population (Instituto Nacional de Estadística [INE], 2021). Fanjul and Gálvez-Iniesta (2020) estimated that Northern Africans represent approximately 9% of the undocumented migrants in Spain. Nonetheless, the number of illegal immigrants among them is unknown thus far, which is an interesting denominator in this research.

Most of these migrants come from North Africa, a region that includes roughly the Western Sahara, Morocco, Algeria, Tunisia, Libya, Egypt, Sudan, and South Sudan. From that perspective, among the many other highly industrialised countries available for immigration, the choice of Spain appears to be attributable to geographical (i.e., *situational*) factors (see Pérez, 1996). Two Spanish cities—Ceuta and Melilla—located in North Africa are separated from the remainder of the African continent only by a fence. In addition, in that area, only the 14 kilometres of the Gibraltar Strait separate Europe and Africa. Andalusian cities, such as Málaga, Motril, and Almería, are situated north of Morocco and separated by only several hundred kilometres.

The status of North Africans living in Spain tends to be precarious (Gil-Alonso et al., 2009). For example, men are overrepresented in underqualified jobs in construction, industry, and agriculture, whilst women are employed in homes and hotels. It also appears that they tend to under-report their victimisation: In 2019, official Spanish police data recorded 120 Northern Africans who would have been victims of a hate crime related to their origins or skin colour (Portal Estadístico de Criminalidad, 2020). Nonetheless, data derived from self-reported sources indicate a much higher prevalence. For instance, EU-MIDIS II indicated that 21% of the North Africans in Spain reported being a victim of discrimination (European Union Agency for Fundamental Rights, 2017a). A report from 2015 on hate crimes in Spain also showed that 13% of the victims were from Africa, particularly Morocco (8%) and Senegal (2%) (Ministerio del Interior, 2015).

Non-governmental organisations, as well as some Spanish jurists and criminologists, also consider that the so-called *hot expulsions*—those that take place when the Spanish police expel the migrants who enter Spain by jumping over the fence in Ceuta and Melilla immediately—constitute a form of institutional discrimination and unjust treatment, and do not comply with the international conventions on seeking asylum, which require the intervention of a judicial authority (Martínez Escamilla et al., 2014). In addition, a study based upon a convenience sample recruited via social media and snowball sampling, found relatively high rates of victimisation and offending among African migrants living in Spain, although in that case the majority of the sample was composed of persons from the sub-Saharan region (García-España, Aguilar-Jurado, & Contreras-Román, 2020).

## 2. Data and Methods

### 2.1. The EU-MIDIS survey: Overview

In the mid-2000s, the European Union Agency for Fundamental Rights (FRA) decided to launch a pioneer study on difficult-to-survey groups, such as immigrants and ethnic and national minorities, on a large European scale. A scientific committee the FRA established developed the survey's content and methodology (European Union Agency for Fundamental Rights, 2009a). To ensure comparability with the survey data available for the general population already, the survey included questions from well-established instruments such as the *Eurobarometer* and the *ICVS*. After a pilot study conducted in 2007, the first full-scale survey was conducted in 2008 under the acronym of EU-MIDIS (*European Union Minorities and Discrimination Survey*) and its results were published in 2009 (European Union Agency for Fundamental Rights, 2009a). The results of the first wave of the EU-MIDIS helped improve the questionnaire, and the survey was conducted a second time (EU-MIDIS II) in 2016 and 2017 (European Union Agency for Fundamental Rights, 2017a). Both EU-MIDIS were conducted in all EU countries (27 in 2009 and 28 in

2017<sup>4</sup>) through face-to-face interviews based upon a standardised questionnaire and, according to the FRA, the weighted samples are representative of the target population (European Union Agency for Fundamental Rights, 2009a, 2017a).

The main themes addressed in the survey are *discriminatory treatment, ethnicity-based crimes, victimisation, awareness of rights, and reporting complaints*. In each country, two, or in some cases three, of the main minorities—immigrants from a specific country or region, ethnic minorities, or national minorities—were selected as target groups. This means that the groups interviewed vary from country to country, and they may also vary from the first to the second survey in the same country. Hence, in Spain, the three target groups in EU-MIDIS I were South American, North African, and Romanian immigrants, while in EU-MIDIS II, the two target groups were Roma and North African immigrants. It must be mentioned that, theoretically, both EU-MIDIS included only immigrants who speak the national language, or at least one of the national languages, and had been established in the country legally for at least one year, although in practice there were some exceptions to these rules. In this respect, irregular immigrants and those seeking asylum were not retained as target groups because the methodological challenges faced when trying to sample them could not be overcome. The team of experts considered that these were the *hardest-to-reach groups*.

In principle, experienced interviewers conducted the fieldwork. Whenever possible, women and interviewers with minority or immigrant backgrounds, and a wide door-to-door sampling practices were selected. In addition, each of them attended in-person training to familiarise them with the questionnaire and the data collection method, which included role-playing in different ‘in the field’ scenarios. The less experienced interviewers also received general training on the way to conduct interviews.

Because of the multifaceted target population and coverage area defined, the sampling design was quite complex. EU-MIDIS I adopted four sampling approaches: 1) *city/metropolitan random route sampling with focused enumeration*; 2) *registry-based*

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<sup>4</sup> Both surveys are quoted according to the year in which the results and technical reports were published, 2009 and 2017, although the fieldwork was conducted in previous years.



*address sample*; 3) *nationwide random route with focused enumeration*; and 4) *network sampling*. EU-MIDIS II used four types of sampling design as well, although they differed: 1) *multi-stage area sampling*; 2) *direct unclustered single-stage sampling*; 3) *location sampling or centre-based sampling*; and 4) *non-probability sampling* (quota sampling). Specific information about each type of sampling and its procedure can be found in both surveys' technical reports (European Union Agency for Fundamental Rights, 2009a, 2017a). Several *Main Findings* reports for both EU-MIDIS have been published and are available on the FRA's website (see European Union Agency for Fundamental Rights, 2017b).

## **2.2. The EU-MIDIS survey in Spain**

Data collection for the EU-MIDIS I in Spain took place from May to July 2008. The sample included migrants (N=1,526) from North Africa, South America, and Romania living in Barcelona and Madrid (European Union Agency for Fundamental Rights, 2009b). They were selected using *city random route* sampling with focused enumeration. Among the 2,637 individuals selected to be interviewed, 1,526 agreed to participate in the study, for a response rate of 58%. The latter was similar across the three target groups. As expected, the response rate affected the final sample's representativeness, which differed from the distribution of the population under study, but this problem was minimised by weighting the final sample by households and individuals. The interviewers also filled out a post-interview section where they indicated their perception of the type of neighbourhood (predominantly immigrant or not; predominantly poor or not) and the difficulties the respondents faced when answering the questionnaire. The latter were largely language-related, as reflected in the percentage of respondents who had such difficulties: 5% among South Americans, 13% among Romanians, and 27% among North Africans. Because of these linguistic limitations, 4% of the North Africans were interviewed in Arabic, and 2% of the Romanians in Romanian. It is worth mentioning that no specific report is available on the results of the survey among the sample of South Americans (European Union Agency for Fundamental Rights, 2009b).



For the EU-MIDIS II, Spain modified the target groups, which also implied changing the sampling methodology. As ethnicity is not recorded in the official records, the number of Roma living in Spain (550,000) had to be estimated on the basis of data provided by the *Secretariado Gitano*—a foundation that supports the Spanish Roma—while the number of North Africans (1.15 million) was based upon the Spanish Census from 2011, which concerned first-generation immigrants primarily (European Union Agency for Fundamental Rights, 2017a). They surveyed the target groups from cities with areas with more than 200 Roma households, but less than 10% of the concentration of this population, as well as areas with more than 3.5% of concentration of North Africans. In total, 776 Roma and 787 North Africans were surveyed. Interviewees were 16 years or older who had lived in the country for at least twelve months before the survey. In contrast, institutionalised people—for instance, those in prison or hospitals—were not included in the survey. Samples were assigned according to the statistical information available on minority groups by the city section, and the main method applied to select households in these sections was *random route sampling*. In brief, within each of the *primary sampling units* selected, a first address was chosen arbitrarily, and then the interviewers followed a pre-established random route and rang on the front door of the house selected (for details, see European Union Agency for Fundamental Rights, 2017a, p. 53 and following). FRA considered that the Spanish sample was less reliable than others for different reasons, including its final size—which was not as large as the suggested optimal allocation—and its frames, as well as the interviewers' abilities and the cost of the survey overall. The survey coverage for the Roma was 65%, whilst it was 55% for the North Africans. The response rate was 56% among the Roma, and 65% among the North Africans.

### **3. Findings: The potential of the EU-MIDIS II for criminological research in Spain**

#### **3.1. Description of the variables**

The main variables of the EU-MIDIS II available in open access (European Union Agency for Fundamental Rights, 2017a, 2017c, 2020) are shown in Table 1.

**Table 1**

*Variables available from the European Union Minorities and Discrimination Survey (EU-MIDIS)*

1. *Household information.*
2. *Rights awareness, perceptions and attitudes:*
  - 2.1. Level of attachment to various areas (e.g., neighbourhood, city, country or EU).
  - 2.2. Self-identification dimensions.
  - 2.3. Prevalence of discrimination.
  - 2.4. Awareness of support organisations, equality bodies, existing antidiscrimination legislation, recent antidiscrimination campaigns in the relevant country.
  - 2.5. Worry about being discriminated against when out in public.
  - 2.6. Avoidance behaviour.
3. *Employment:*
  - 3.1. Employment situation.
  - 3.2. Experiences of discrimination on any ground, and specifically related to ethnic or immigrant background when looking for work and at work.
  - 3.3. Reporting of the last incident of discrimination to any organisation.
  - 3.4. Level of satisfaction with the way the complaint was handled.
  - 3.5. Reasons for not reporting an incident of discrimination.
4. *Experience of discrimination; corruption and police stops experience:*
  - 4.1. Subjective assessment of own health condition.
  - 4.2. Unmet medical care needs.
  - 4.3. Highest level of education attained.
  - 4.4. Discrimination experiences while using health care services, when trying to rent or buy an apartment or a house, or when in contact with school authorities.
  - 4.5. Discrimination experiences while using various other services such as entering a bar or a restaurant, a shop; at administrative offices or public services; in public transport.
  - 4.6. Reporting of the last incident of discrimination to any organisation.
  - 4.7. Level of satisfaction with the way the complaint was handled.
  - 4.8. Reasons for not reporting an incident of discrimination.
  - 4.9. Awareness of discrimination experiences among friends and family.
  - 4.10. Expectations to pay a bribe.
  - 4.11. The governmental official involved.
  - 4.12. Police stop experience in different situations.
  - 4.13. Reasons for being stopped.
  - 4.14. Level of police respectfulness.
  - 4.15. Prevalence of physical assault by the police.
  - 4.16. Reasons for not reporting an incident of physical assault by the police.
5. *Victimisation: experiences of harassment and violence.*
  - 5.1. Prevalence of harassment and victimisation incidents.
  - 5.2. Characteristics of the last incident: forms, frequency, perpetrators, reporting, and reasons for non-reporting, satisfaction with handling of complaint by police.

**Table 1 (cont.)**

*Variables available from the European Union Minorities and Discrimination Survey (EU-MIDIS)*

- 
6. *Societal participation:*
    - 6.1. Residence status, family reunification.
    - 6.2. Application for country citizenship.
    - 6.3. Migration and mobility.
    - 6.4. Level of religiosity, wearing religious symbols.
    - 6.5. Political and civic participation.
    - 6.6. Group relations, collective identities.
  7. *Socio-economic background:*
    - 7.1. Marital status.
    - 7.2. Household income.
    - 7.3. Support received by the household.
    - 7.4. Monetary remittances.
    - 7.5. Making ends meet.
    - 7.6. Household possessions.
    - 7.7. Prevalence of household members going to bed hungry.
  8. *Location sampling information:*
    - 8.1. Frequency of visiting various locations in the city/town/village.
    - 8.2. Interviewer's observations concerning the setting of the interview.
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**3.2. Descriptive analyses**

The Roma subsample in the Spanish EU-MIDIS II includes 469 women and 307 men, whilst the North African includes 407 women and 380 men. Most of the interviews (58.1%) were carried out in ethnically segregated areas, which, according to the qualitative methodology applied for the fieldwork, indicates that the interviewer perceived that the neighbourhood was inhabited largely by foreigners.

Only 26% of the North Africans had a secure residence status, such as Spanish citizenship or a residence permit valid for at least five years; the remainder had only a short-term authorisation to stay in the country. In contrast, all of the Roma were Spanish citizens, and 97% identified themselves strongly with Spain. In contrast, 57% of the North Africans identified with Spain, with no substantial differences between first- and second-generation immigrants (57% vs. 58%). Only 3% of the Roma had completed an upper secondary education, although 43% of the North Africans had. The *Main Findings* reports of the EU-MIDIS II cross-tabulate these demographic variables with the main outcome variables

described below (see European Union Agency for Fundamental Rights, 2019). The dynamic data explorer also allows users to conduct their own analyses online (see European Union Agency for Fundamental Rights, 2017c).

Table 2 summarises the primary descriptive analyses of the *outcome variables* (*dependent variables*) studied in EU-MIDIS II. Approximately 35% of the Roma and 21% of the North Africans in Spain reported that they had been victims of *overall discrimination*—based upon their ethnic or immigrant background, such as skin colour, origins or religion—during the year preceding the survey (*last year prevalence*, see Aebi, 2006). These percentages rose to 51% and 32%, respectively, when the period was extended to the five years before the survey. In particular, 35% of the Roma and 28% of the North Africans felt discriminated against when applying for a job, at work, when looking for housing, or in contact with school authorities as a parent or a guardian in the five years before the study. During the twelve months preceding the survey, 13% of the Roma and 10% of the North Africans felt discriminated against when looking for a job, but both percentages decreased to 5% for those who were already working and felt discriminated against by their colleagues. When searching for a place to rent, 14% of the Roma and 10% of North Africans felt discriminated against, while the percentages were 30% and 10%, respectively, when contacting public or private services.

As anticipated already in the introduction, discrimination passes unnoticed officially because the victims seldom report it to the police: only 5% of the Roma and 7% of the North Africans had reported their last incident of discrimination. In fact, only 21% of the Roma and 30% of North Africans knew that Spanish legislation punishes discrimination. Moreover, only 17% of the Roma and 6% of the North Africans were aware of the existence of victim-assistance services.

**Table 2***Main descriptive outcome variables (N=1,563)****Discrimination****Prevalence of discrimination previous year*

Roma 35%

North-Africans 21%

*Prevalence of discrimination in previous five years*

Roma 51%

North-Africans 32%

*Five years' work-related prevalence of discrimination*

Roma 35%

North Africans 28%

*Five years' prevalence of discrimination when looking for housing*

Roma 14%

North-Africans 10%

*Five years' prevalence of discrimination when contacting public or private services*

Roma 30%

North-Africans 10%

*Knowledge of victim-support organisation*

Roma 17%

North-Africans 6%

*Knowledge of laws prohibiting discrimination*

Roma 21%

North-Africans 30%

***Victimisation****Harassment because of ethnic or immigrant background in the year before*

Roma 30%

North-Africans 24%

*Violence because of ethnic or immigrant background in the year before*

Roma 2%

North-Africans 1%

***Experiences with authorities****Violence suffered by the police*

Roma 4%

North-Africans 1%

*Stopped by the police*

Roma 45%

North-Africans 23%

*Stopped by the police: racially motivated*

Roma 21%

North-Africans 11%

*Stopped by the police: respectful treatment*

Roma 53%

North-Africans 59%

*Trust in police (0-10)*

Roma 3.7 / 10

North-Africans 6.6/10

When specific types of victimisation are studied, some members of both groups felt that, during the last year, their ethnic or immigrant background had been the cause of *harassment* (30% of the Roma and 24% of the North African) or *violence* against them (2% of the Roma and 1% of the North Africans). Four percent (4%) of the Roma and 1% of the North Africans indicated that the police had assaulted them physically because of their ethnic or immigrant background in the last five years. During the same period, 45% of the Roma and 23% of the North Africans said that they had been stopped by the police, and roughly half of them (21% of all Roma and 11% of all North Africans) perceived it as *racial profiling*. Among those the police stopped, 26% of the Roma and 15% of the North Africans felt treated disrespectfully, while the majority (53% of the Roma and 59% of the North Africans) felt that they had been treated very or fairly respectfully.

The EU-MIDIS II also measured trust in the police using a scale from zero (no trust at all) to 10 (complete trust), which revealed huge differences between the groups studied, as the score was 3.7 for the Roma, but 6.6 for the North Africans. In percentages, this corresponds to 24% of the Roma and 64% of the North Africans trusting the police by more than 5 points. These scores appear lower than those obtained by the European Social Survey (Jackson et al., 2011) with a sample of the general Spanish population, among whom 90% had a positive image of the police. In addition, the EU-MIDIS II shows that 11% of the Roma trust the parliament and 17% trust the country's legal system, but these percentages rose to 38% and 50% among the North Africans. With respect to immigrants, Casado-Patricio (2020) found similar results in Málaga, as those in her sample had a positive image of the authorities and tended to trust Spanish institutions.

### 3.3. Inferential models

Setting aside the descriptive analyses presented in the previous section, the EU-MIDIS II's greatest potential, in our opinion, is that it allows researchers to conduct advanced statistical analyses with large samples of hard-to-reach populations, which have usually been addressed

previously using qualitative methods with small samples. Given the variables available<sup>5</sup>, this section suggests some of the models that could be tested. These include logistic regression, ordinal regression, and mediation models, but the list is not exhaustive because the goal is to illustrate the possibilities the EU-MIDIS-II database offers. We note that, to respect the goals of this special issue, we do not test the models in this paper, but simply propose and describe them.

### 3.3.1 *Logistic regression models*

Many of the outcome variables of the EU-MIDIS II are categorical, in that they are composed of a limited number of categories that are not numerical and follow no order. Such variables allow *logistic regression models* to be constructed (see Britt and Weisburd, 2010), which permit the risk and protection factors of discrimination and victimisation to be assessed. In this way, it is possible to establish the profiles of persons at greater risk of being discriminated against and those at less risk to concentrate prevention efforts on the first when resources are limited. However, from that perspective, it is useful to keep in mind that one of the positive outcomes of the EU-MIDIS II is that, contrary to the theoretical expectations, the prevalence of ethnically-motivated serious violence against these vulnerable populations is very low in Spain. Overall, only 1% of the entire sample had been victims of ethnically-motivated physical assault, which equates to approximately 15 persons among the 1,563 included in the sample, and logistic regression models cannot be applied with such a small sample.

In contrast, harassment and discrimination are acts of less gravity, but higher prevalence—between approximately 400 and 500 individuals, as shown in Table 2 above—which allow logistic regressions to be conducted. Figure 1 illustrates theoretical models that could be tested using the prevalence (during the last year or the last five years) of the experiences of harassment or discrimination the respondents perceived as dependent variables (DVs) and several indicators measured at the individual and the neighbourhood

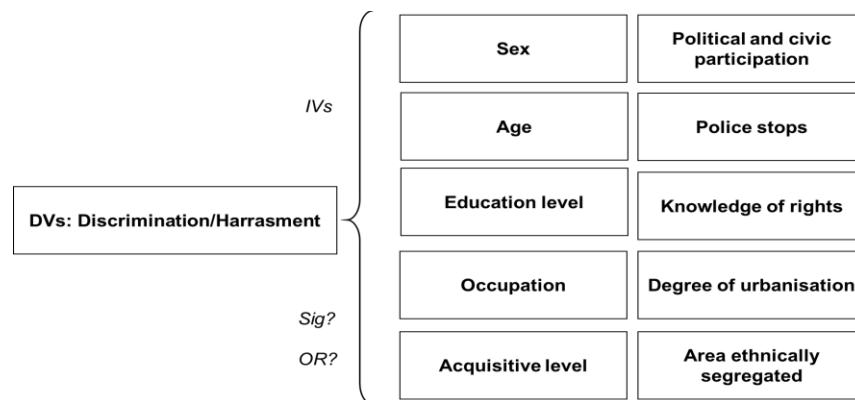
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<sup>5</sup> As pointed out by an anonymous reviewer, some of the independent variables in Figures 1 and 2 are unit-level variables while others are area-level variables. That opens the possibility of applying other types of multilevel models that can be developed by the potential users of the database and could account for the nested structure of the data.

level as independent variables (IVs). For instance, at the individual level, potential variables include (1) sex, (2) age, (3) education level, (4) occupation, (5) acquisitive level (measured as economic resources), (6) political and civic participation, (7) former experiences of police stops, and (8) people's knowledge of their rights; at the neighbourhood level they include (9) the degree of the neighbourhood's urbanisation, and (10) the area's level of ethnic segregation. These analyses could clarify the statistical relations among these variables and help predict the likelihood—expressed as the odds ratio (*OR*)—of suffering discrimination given certain independent variable or variables. For example, it would be possible to estimate whether women are more likely than men to feel discriminated against, which age group has a greater risk of discrimination, or whether people living in ethnically segregated areas are more likely to experience harassment than those living in heterogeneous neighbourhoods.

### Figure 1

*Potential logistic regression models with discrimination or harassment as DVs.*



Researchers should retain only the relevant variables in their models, from a theoretical and statistical point of view, which will allow assessment of the percentage of the variance the model explains (normally according to the statistics of the pseudo- $R^2$  of Nagelkerke). Evidently, precautions must be taken when conducting such analyses, as many assumptions must be met to perform logistic regression appropriately (Garson, 2016, with references). For example: (1) the DV must be a dichotomous variable; (2) normally distributed; (3) not homoscedastic; (4) with either continuous or nominal IVs; (5) not inter-



correlated (to avoid the phenomenon referred to as multicollinearity, measured via the VIF statistic, for example), and mutually exclusive and exhaustive; (6) the error terms must be independent; (7) there must be low error in the explanatory variables, as well as (8) linearity in the logits; (9) the variables should be centred; (10) there should be no outliers; (11) the sample size should be large (at least 10 to 50 cases per independent variable); (12) the sampling adequate; and (13) there should be expected dispersion. For more information about logistic regression, there are many useful handbooks in addition to Garson (2016).

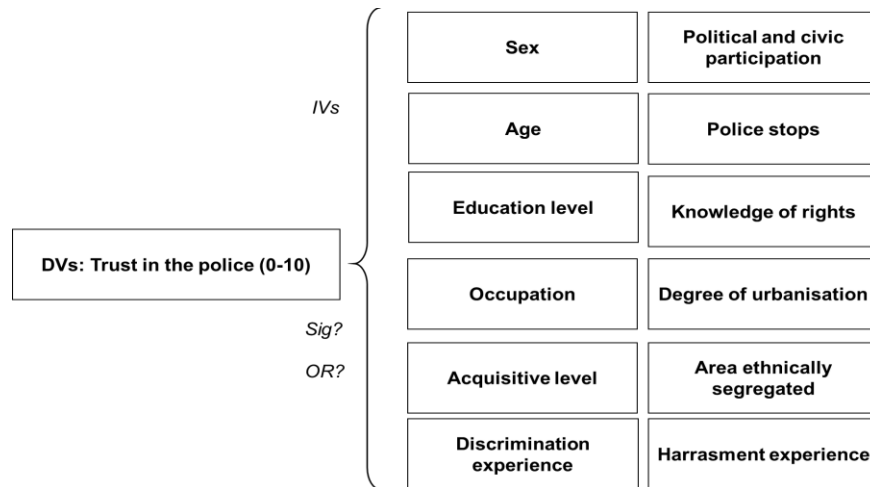
### 3.3.2 Ordinal regression models

EU-MIDIS' dataset offers researchers the possibility to perform *ordinal regression models* as well when they have variables measured on an ordinal scale. It must be noted that Britt and Weisburd (2010) criticised many papers in the field of criminology and criminal justice that deal with ordinal dependent variables because they tend to (1) dichotomise them to perform binary logistic regression models, (2) treat them as categorical variables to carry out multinomial logistic regression, or (3) assume that they are continuous and perform linear regression. From a statistical viewpoint, these authors believe that all three approaches are inappropriate because the nuances of the distribution are lost in the transformation. Consequently, they suggested using *ordinal logistic regression models*.

Figure 2 proposes an example of an ordinal regression model intended to explain *trust in the police*, a construct that the EU-MIDIS II measured using an ordinal scale. From that perspective, not only can the IVs mentioned above be introduced in the model as explanatory variables, but also harassment and discrimination—used as DVs in the previous logistic regression models suggested—could become IVs. In that context, it is to be noted that (1) the DV introduced in an ordinal regression model must be ordinal, (2) the IVs can be either continuous or categorical, (3) they must have proportional odds (measured through the test of parallel lines), (4) they must not be intercorrelated to avoid multicollinearity, and (5) they must have a satisfactory model fit ( $p < 0.05$ ) (O'Connell, 2006). If these requirements are met, the regression model proposed could help determine the variables that influence trust in the police and, potentially, help develop interventions to increase the levels of trust.

**Figure 2**

*Potential ordinal regression model with trust in the police as a dependent variable.*



### 3.3.3 Mediation models

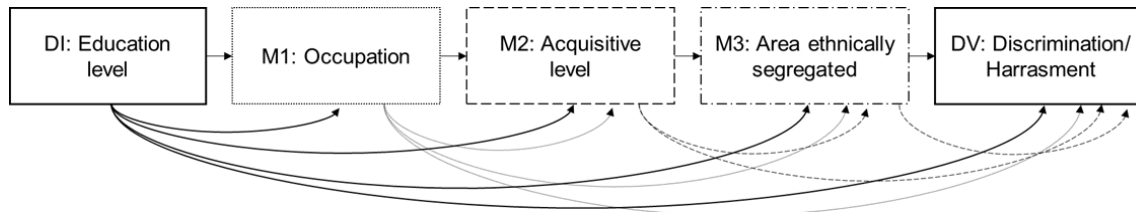
Mediation analysis is used to identify the mechanism or path through which an IV is related to a DV (Pearl & Mackenzie, 2018), and it can be performed in SPSS with a simple macro, *Process*, which Hayes (2018) developed. Kane and Ashbaugh (2017) highlighted many practical applications of mediation analyses using *Process*, and the resulting models are particularly nuanced.

Figure 3 proposes a basic serial mediation model that could allow researchers to test whether *education level* (IV) influences *the discrimination or harassment endured* (DV) directly, or whether the relation between these two variables is mediated through the indirect effect of other factors (M). For example, it is plausible to postulate that *education level* (IV) will have an effect on *people's occupation* (M1), which in turn will influence their *acquisitive level* (M2) that should condition *the choice of the area of residence* (M3), and some areas will put the residents at a higher risk of experiencing *discrimination or harassment* (DV). This model does not allow the causal direction of the relation to be tested, because EU-MIDIS II data are based upon a cross-sectional design and testing causation would require a randomised controlled trial or a longitudinal study of the same participants. However, if the development of the mediation model is guided by solid theoretical assumptions, the results

should be logically consistent. From that perspective, confounders such as age, sex, or other sociodemographic variables should also be introduced as controls depending upon the type of research (for more nuances about the choice of confounding variables, see Pearl & Mackenzie, 2018).

**Figure 3**

*Serial mediation model*



All of these models are simply examples, and it is up to the researchers to include or exclude variables according to their objectives and data analysis expertise. In that context, political and civic participation also appears to be a fruitful indicator. It is also relevant to acknowledge that mediation analyses are diverse in nature, and in addition to the simple mediation analysis with one mediator, there are serial mediation models (such as the one proposed here), parallel mediation models, and other more complex models that depend upon the theoretical framework of the research (see examples in Hayes, 2013/2018, p. 169).

#### 4. Discussion and Conclusion

The EU-MIDIS constitutes an excellent dataset for researchers interested in obtaining insights into hard-to-reach populations. The Spanish survey studied the Roma and immigrants from North Africa to determine their perceptions of discriminatory treatment, their ethnicity-based victimisation and awareness of rights, tendency to lodge complaints, and trust in such authorities as the parliament, justice system, and the police. The survey has helped reveal the dark shadow of crime against these populations already. Further analyses of the database could help develop evidence-based policies on the integration of these minorities and also help address the inter-ethnic problems that emerge between minorities as well as between them and the autochthonous.

The primary limitation of the EU-MIDIS is its lack of homogeneity with respect to methodology—particularly sampling—and reporting the results, which affect the survey’s potential to be used in comparative research over time. For example, in Spain, the EU-MIDIS I interviewed South Americans, North Africans, and Romanians, while the EU-MIDIS II interviewed the Roma and North Africans. The reasons for excluding Romanians and South Americans have not been presented explicitly. In the case of South Americans, little information is available and one plausible interpretation is that the levels of victimisation were not as high as among North Africans and Romanians. If that is the case, this encouraging result should have been reported.

Comparative research can still be conducted with the Spanish samples of North Africans from both EU-MIDIS. From that perspective, the study of second-generation immigrants has a long tradition in criminology and could provide a suitable theoretical framework for this kind of research. However, to achieve that goal, it would be necessary to have the same types of information in both surveys, which is why we suggest harmonising the technical and main findings reports of the survey.

Keeping in mind that questions on physical assault and harassment are among the least ambiguous ways to measure victimisation, we would suggest adding a series of follow-up questions to obtain additional information on the victims’ perceptions of the reasons for the hate-based crime. There will always be a level of subjectivity when people answer a questionnaire, but researchers should try to reduce it to the minimum. In that context, both under-reporting and over-reporting are possible, as often, the victims do not necessarily know the perpetrators’ motivations. For example, Kisfalusi et al. (2020) conducted a study on school bullying in Hungary, in which the authors’ interviews with the perpetrators indicated that both Roma and non-Roma pupils tended to bully peers perceived to be Roma, a finding that was not detected when the victims were interviewed. They hypothesised that, as the victims could not know the perpetrators’ intentions, they under-reported hate crimes.

Thus, one potential way to improve the EU-MIDIS is to revisit these questions and use alternative methodologies to measure victimisation. For example, it should be possible to provide vignettes of hate crimes and ask the interviewees whether they have experienced

that kind of situation. The same applies to the feeling of being discriminated against when looking for a job or a house. From that perspective, it is crucial to determine whether discrimination is based upon ethnicity or nationality or whether it is based upon illiteracy, working experience, work permit, acquisitive level, or some other factor. One possibility here is to include an additional sample of the autochthonous population with a profile that is similar to that of the main samples. For example, this should allow researchers to clarify whether the main reason for not obtaining a job is that the person has not finished secondary school or rather that s/he is a foreigner or belongs to a minority.

From a similar perspective, one of the most explanatory theories of victimisation is the *life-style theory* (Hindelang, Gottfredson & Garofalo, 1978), which may be operationalised, for example, as the frequency of going outside at night. These kinds of variables should be studied in research on minorities, and their interaction with discrimination, ethnic segregation, or other ethnic-related factors<sup>6</sup> should be considered also. The influence on lifestyles could be tested via moderation analyses, such as those Madero-Hernandez and Fisher (2017) conducted. Finally, the reader may have observed that, despite their over-representation, victimisation is still a rare event among minorities. This suggests that larger samples are needed to conduct advanced statistical analyses.

In summary, the EU-MIDIS survey is a promising database for Spanish researchers to employ. It could surely be improved in the future, but, in the meanwhile, it offers the opportunity to conduct sophisticated research at no cost, because the databases are available on open access. In this paper, we have suggested certain possibilities for analyses, including logistic and ordinal regression, as well as mediation models, but there are many other possibilities that depend largely upon the researchers' imagination.

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### Acknowledgements

The authors wish to thank Dr Antonia Linde and Dr Lucia Summers for the organisation of this special issue, as well as the colleagues from the working group in Quantitative Criminology of the Spanish Society of Research in Criminology (SEIC), in particular Dr David Buil and Dr José Pina, who proposed the topic of the issue. We also thank our colleagues from the School of Criminal Sciences at the University of Lausanne for their support, and the European Union Agency for Fundamental Rights for sharing in open access their database.

### Funding

The authors received no financial support for the research, redaction of the manuscript or the publication of this article.

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# **Trapped Within Borders: Exploitation of Migrant Seasonal Workers in German Agriculture During COVID-19 Lockdown; Placing the Actors and Understanding Their Roles**

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## **Acknowledgements**

The author would like to warmly thank the interviewees for their participation as well as Professor Marcelo F. Aebi, Korbinian Baumgaertl, Cristina del-Real, and Guillermo Expósito for their support and advice.



**Abstract**

While European borders were closed because of the COVID-19 pandemic, Europe witnessed the exodus of Romanian seasonal workers to Germany. Although both countries' governments agreed to allow this under the condition of the strictest adherence to the sanitary restrictions and workers' rights, soon after, the media began to report situations of non-adherence to the coronavirus-related measures and workers' labor rights. Following the theoretical framework of the Routine Activities Approach and its updates, this case study combines the collection of press material (N=140), Facebook posts (N=93), and interviews with seasonal workers in agriculture (N=5) and identifies the exploitative behaviors and actors involved. The results suggest that the perpetrators of these behaviors were certain intermediaries as well as farmers. The seasonal workers most at-risk were those with poor literacy who had not mastered the German language, were financially precarious, and were unwilling to seek the authorities' help. The spaces in which the exploitation occurred were cyberspace or isolated rural farms. Seven guardians and seven super-controllers played a considerable role in protecting the workers on the farms, but not during the recruitment process. Situational prevention techniques, such as the creation of a mobile application to inform workers of their rights and allow them to report violations remotely, and collaboration with online platform services to flag fraudulent job advertisements automatically are proposed.

**Keywords:** exploitation; fraud; working conditions; difficult-to-reach groups; routine activities theory

This article addresses seasonal farmworkers' victimization during the COVID-19 pandemic. Seasonal workers are defined as "...individuals who move from one place to another to work in agriculture, and who then return to their permanent residences at the end of a season" (Şimşek et al., 2016, p. 627). These individuals are a difficult-to-reach population (Barrick, 2016) and are at risk of suffering early mortality and diseases (Arcury & Quandt, 2007; International Labour Office, 2004; Şimşek et al., 2012; Steege et al., 2009), an outcome intensified by their migrant lifestyle, geographical and social segregation, lack of access to healthcare, and their insufficient awareness of preventative health strategies (Arcury & Quandt, 2007; McCollum & Findlay, 2015; Shubin & McCollum, 2021) or their rights (Boels, 2016). They can also be vulnerable to trafficking or exploitation (Barrick, 2016; Byrne & Smith, 2016; International Labour Office, 2004; Zhang et al., 2014). Their working conditions are often poor with respect to salary, social protection, and accommodations (Barrick, 2016; Boels, 2016; Ceccato, 2017; Shubin & McCollum, 2021; Zhang et al., 2014). For instance, it has been reported in several countries that workers are hosted in unsanitary places for which they still had to pay considerable fees deducted from their salary (Arcury et al., 2012; Boels, 2016; Flocks & Burns, 2006; Villarejo et al., 2010). Moreover, their vulnerability has been exacerbated during the COVID-19 pandemic (Tagliacozzo et al., 2021). The risk factors for their exploitation and poor working conditions are undocumented (Arcury et al., 2012; Barrick, 2016), and they are not informed about the hiring enterprise (Barrick, 2016). To counter this exploitation and victimisation, work on the part of regulatory and inspection agencies is essential to protect these seasonal workers (Boels, 2016). However, US studies have indicated that law enforcement agencies deny these realities and do not act to prevent them (Barrick et al., 2014). Conversely, even when law enforcement agencies do respond, seasonal workers have little trust in institutions and are unwilling to report offenses to them (Barrick et al., 2014).

In 2020, the COVID-19 pandemic changed the agricultural conditions of many Western European countries that depended previously upon Eastern European seasonal workers—many of them Romanians—to harvest their crops. In Germany, this has been particularly true for white asparagus, a popular vegetable harvested in spring and sold for a considerable price. Every year before the pandemic, approximately 300,000 foreign workers travelled to Germany to harvest the crop for an industry worth 700 million Euros (Craciun, 2020). In Europe, the lockdown and closure of borders coincided with the asparagus harvesting season, and farmers worried about the absence of a workforce if foreigners were not allowed to travel to Germany (Balaban, 2020). On the other hand, citizens from Eastern Europe were willing to take on this occupation. In this context, in April 2020, German and Romanian authorities agreed to an exceptional opening of their borders to allow Romanian workers to travel to Germany and work in agriculture (Craciun, 2020; *Ordonanța Nr. 7, Din 4 Aprilie 2020*). Consequently, hundreds of special flights from Romania to Germany were organized for which only seasonal workers could apply (Humeniuc, 2021). In Germany, employers met their workers at the airports, transported them to the farms, offered them housing, and paid part of their daily expenses. The Romanian employees were

supposed to be in quarantine for the first 14 days, and during this time they could work separately from the other workers. German employers also rearranged their infrastructure to ensure social distancing, in which only two people shared the same room and face masks and hand sanitizers were provided (Deutsche Welle, 2020). This was intended to be a mutually beneficial situation in which Germans would obtain their harvests, whilst Romanians would make a living, upon which many of their family members depended. However, this exodus was not free of challenges, and soon exploitation and fraud began to be reported (Chiriac, 2020; Stirileprotv, 2020). This was a particularly vulnerable situation because people who wanted to leave or who were fired remained in a state of limbo because of the closed national borders.

This research seeks to investigate the actors, exploitative behaviours<sup>1</sup>, victims, and guardians/super-controllers implicated in the victimization of Romanian seasonal workers in Germany during the COVID-19 pandemic. To do so, we apply the criminological theoretical framework of the *routine activities theory* (RAT) (Cohen & Felson, 1979) and its updates (Sampson et al., 2010). The novelty of this article is that it explores the understudied phenomenon of the victimization of seasonal workers in a rural context that affected many people in highly vulnerable situations.

### Theoretical Background: Routine Activities Theory (RAT)

In this article, we apply RAT to analyse the exploitative acts committed in German agriculture during the coronavirus pandemic. It is important to note that this article does not test this theory and does not apply narrow legal definitions of the exploitative behaviours mentioned. The original version of the RAT states that a predatory crime requires a *motivated offender*, a *suitable target*, and the *absence of a capable guardian* (Cohen & Felson, 1979). The theory was developed over the years (for an overview see Eck & Madensen, 2015), and one of its most recent versions consists of three-layer triangles (Sampson et al., 2010, see Figure 1) that take into account many roles other than the traditional ones. In the first layer, Sampson et al. (2010) kept the well-known roles in the core of the triangle that Felson (1986) updated, of *motivated offender*, *suitable target*, and *place* as the main requirements for a crime to occur: An offense is likely to take place only if a motivated offender finds him/herself with a suitable target in the same place.

*Controllers*, who are the protagonists in the second layer of the triangle, can influence all three roles. For example, motivated offenders have *handlers* who are close persons who may deter them from committing a crime and motivate them to stay ‘on the right path’ (e.g., a significant person, parents, or peers). In the same sense, the suitable target or victim may have a *guardian* (e.g., police or informal social control) who offers protection. Similarly, the place may

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<sup>1</sup> It is to note that we use the expression “exploitative behaviours” as a descriptive concept and not a legal definition, given the complexity of using two different criminal codes and collecting many of the data from journalistic sources.

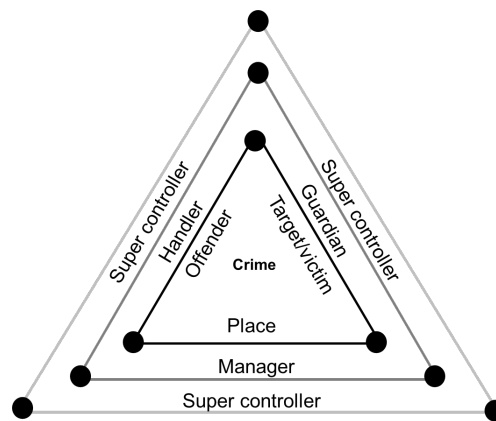
have a *manager* (e.g., a concierge, shopkeeper) whose task is to manage the premises. These three roles' presence would make the offense less likely to occur, and their absence would make the offense more likely to occur.

Handlers, managers, and guardians are not necessarily motivated to comply with their task. To address that issue, Sampson et al. (2010) proposed the existence of *super-controllers* (e.g., regulatory agencies, the media, family relationships, courts, or markets) in a third layer who would motivate or verify whether the controllers complied with their tasks and could even influence other super-controllers. Therefore, following a *rational choice perspective* (Cornish & Clarke, 2014), the controllers would tend to decide to prevent a crime because it would be the option that is in their best interest.

As clarification, all of these elements (offender, target/victim, handler, guardian, manager, and super-controllers) are *roles*, not *specific people*. In that sense, a person can be both a victim and an offender on the same day, or may be a handler in a specific situation but an offender in another (Eck & Madensen, 2015). In this article, we will identify all of these roles in the case of exploitative acts committed in agriculture in Germany.

### Figure 1

*RAT: Theorization of Sampson et al. (2010)*



Source: Author's elaboration from Sampson et al. (2010)

## Methods and Materials

This article combines data from 140 Romanian media reports (journal articles, videos, and photos), 93 Facebook posts, and five interviews with seasonal agricultural workers. The processes of data collection took place simultaneously. While we recruited participants for the interviews, we monitored the media activity and complemented our sample with Facebook posts



on job offers. It is essential to note that this paper is descriptive and offers a study only of the prevalence of crimes against farm workers committed during the pandemic. The lockdown, closure of borders, and the sensitive nature of our study prevented us from going to the farms, and thus, we tried to recruit Romanians working in German agriculture via Facebook groups. From May through September 2020, we contacted approximately eight Facebook groups of Romanian diasporas and posted several messages asking for participants in our research. Five people were interested, and we met them on WhatsApp video calls or Facebook videos to conduct semi-structured interviews (see Appendix 1) that focused on the manner in which the agricultural work was organized during the pandemic, the recruitment process, tasks, timetables, and wages, work permits and contracts, and the challenges or dangers in the domain. All of the participants signed consent and information forms.

In total, we interviewed five people, four workers in German agriculture and the sister of one seasonal worker in Germany during the COVID-19 pandemic. The latter related the experiences of her sister, who was living in a distant rural area and whose smartphone was broken. The sample of interviewees is described in Table 1. We used *Google news* and several keywords in Romanian (*agricultura covid sparanghel Romania, sparanghel Germania*) to collect the press reports (N=140). Then, we selected all relevant articles from March 2020 until the 1<sup>st</sup> of October 2020 and included them in our database. We also complemented our sampling in Facebook (N=93) by gathering recruitment agencies' job announcements (and Facebook users' comments on them) and posting on the same groups where we attempted to recruit participants for the interviews.

**Table 1**

*Distribution of the Interviewees (N=5)*

	<b>Nationality</b>	<b>Place of work</b>	<b>Sex</b>	<b>Age</b>	<b>Duration of interview</b>
<b>R1</b>	Romanian	Large farm	Man	35-50	39 mins
<b>R2</b>	Romanian	Large farm	Woman	35-50	23 mins
<b>R3</b>	Romanian	Large farm	Woman	20-35	15 mins
<b>R4</b>	Albanian/Romanian	Small farm	Man	20-35	17 mins
<b>R5</b>	Romanian	Large farm	Man	35-50	34 mins

We conducted a content analysis of the data using *NVIVO* (Castleberry & Nolen, 2018). In total, we coded 11 topics that were consistent with the theoretical framework applied herein. Table 2 describes the codes that emerged in our data analysis and the number of times they appeared.

**Table 2**

*Distribution of the Codes (N=140 News, 5 Interviews, and 92 Facebook Posts)*

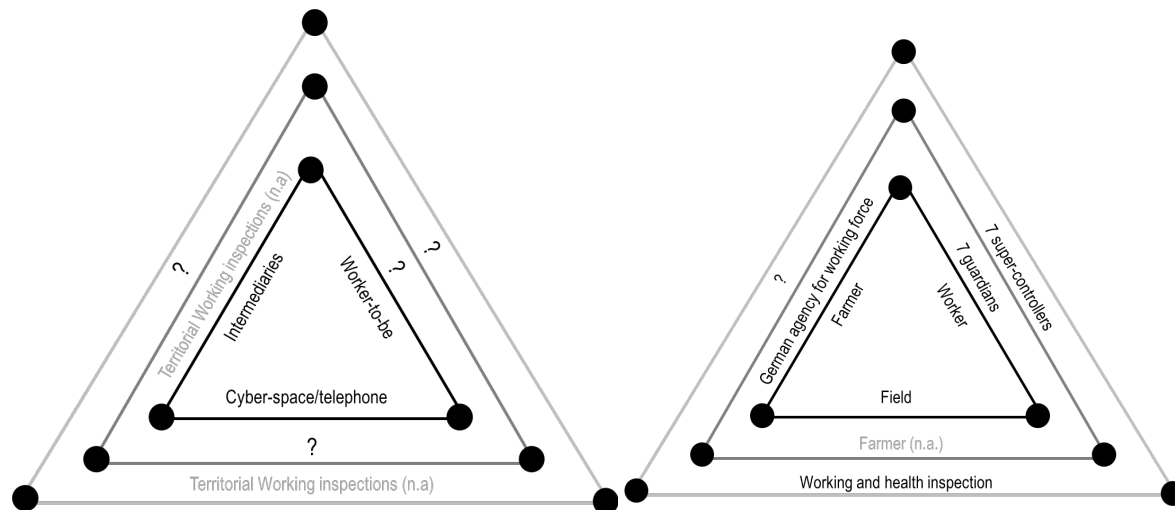
<b>Codes</b>	<b>Frequency</b>	<b>Percentage</b>
Working conditions	92	18.66
Illegalities and exploitation	69	14.00
Intermediaries	64	12.98
Risk factors for exploitation	60	12.17
COVID-19 context	54	10.95
Super-controllers	50	10.14
Workforce's needs	27	5.48
Guardianship	34	6.90
Positive experiences	17	3.45
Reasons for migration	15	3.04
Legal challenges and interpretation	11	2.23
<b>Total</b>	<b>493</b>	<b>100.00</b>

### **Findings**

Here, we describe the actors who coexisted in the triangle of exploitative behaviours in seasonal work in Germany: (1) the offenders; (2) the victims; (3) the places; (4) the controllers, and (5) the super-controllers. Using Sampson et al.'s (2010) update of the RAT as a framework, Figure 2 illustrates the role of each actor identified in both the fraud the intermediaries committed and the exploitation in agriculture the farmers committed. The actors colored in gray are theoretical, not operative, and the interrogation signs indicate that we could not identify any actor who performed that role.

Figure 2

*Application of Updated RAT to Fraud and Exploitation in Agriculture*



## Offenders

We identified two types of perpetrators of exploitative acts: the intermediaries and the farmers.

### *Intermediaries*

Foreigners are usually difficult to recruit and many German employers lack networks in foreign countries. In that situation, the industry needs to refer to *intermediaries*, which are recruitment agencies in Germany or overseas or private citizens from the same country who know both the employer and the future employees. These *intermediaries*, whom the employer pays typically, are supposed to facilitate the recruitment process because they normally speak the same language as the recruits, can organize the logistics, and may draw up a subcontract with the original employer to facilitate the paperwork.

However, this position as a middleman can facilitate crime, particularly fraud (*sensu lato*). The German farmers contacted recruitment agencies and Romanian gatekeepers to advertise the job offer. These companies operate online or via newspapers, whilst the private intermediaries contact their own network of acquaintances. However, recruitment via social networks and advertisements are illegal in Romania if not accompanied by specifics about the enterprises' data and identification number.

Some of the interviewees and many press articles highlighted that these companies organized the trips hurriedly, in the sense that the prospective workers were told that they could travel as soon as the day after they spoke on the phone for the first time. The Romanians who

agreed to go to Germany during the pandemic—some of whom had not signed any contract—took the special flights organized to leave the country during such a period. The buses the intermediaries hired took the people to the airport without regard for COVID-19 and airports' regulations against large gatherings of people.

*Respondent 5:* I had a few problems because half of the passengers on the plane had an employment contract, and the other half did not. I didn't have a contract.

*Researcher:* So, you didn't sign anything with this company?

*Respondent 5:* Only some papers to be able to travel with that company and enter the quarantine in Germany.

Most importantly, some intermediaries appear to have embellished the working conditions, salary, and the services included during the workers' stay in Germany. For example, some recruiters communicated to the prospective workers that the employer had taken care of everything (from the flight ticket to the food and accommodation), which was untrue in several cases. Therefore, after arriving in Germany, workers found that the conditions they were promised were quite different in some cases. Some of the people were told that they would be paid the minimum German salary per hour (approximately 9 euros), but instead, they were paid according to the kilograms they harvested (approximately 50 cents per kilogram), under a specific clause. If they did not harvest the number of kilograms required to reach the minimum 9 euros per hour, they would be paid at least the minimum salary. Nonetheless, not knowing this from the beginning increased some of the workers' anxiety and confusion.

*Journal article 1:* Tensions over wages can also be generated by the fact that in Romania, some of the seasonal workers, particularly those who go to a farm for the first time, leave only with verbal promises about money. They call the phone numbers in the ads, are told the conditions, and arrive in Germany only on the basis of an invitation document in which there is no column specifying how and how much they will be paid. The actual signing of the employment contract takes place only in Germany.

Further, some intermediaries promised that health insurance would be included in the contract, which was untrue in many cases. Actually, because of the short time they worked (a maximum of three months), the German farmers were not obliged to provide the workers with any health insurance, so the workers should have come with their own coverage. However, in Romania, only those who had been working legally had access to public health insurance, and those who had been unemployed for a long while had to purchase private coverage. Moreover, when several Romanian workers were in problematic situations in Germany and needed the intermediaries' assistance, the companies appear not to have responded to their requests.

These exploitative practices of some intermediaries also seem to have affected certain legitimate recruitment companies that lost customers.

*Journal article 2:* [A recruiter] Usually, when they [the seasonal workers] call us, they are shocked because they feel that the salary is lower than what is offered on the market. The salary is lower because they work legally, their taxes are deducted, they also have medical insurance and accommodations—a situation that does not happen with those [seasonal workers] who have left now.

### ***Farmers and Persons in Charge***

In general, some interviewees argued that the working conditions the farmers or the persons in charge imposed were abusive, and some farmers did not respect the laws, contracts, or health safety measures imposed during the pandemic. The first problem is that once on the farm, some Romanians found work conditions that put their health at risk. For example, measures to prevent the spread of COVID-19 were not followed: Many people shared rooms, did not receive face masks, and could not adopt social distancing.

*Journal article 3:* Despite the corona protection rules for seasonal workers, there are violations of the generally applicable health protection rules. According to a panoramic study, agricultural workers on large farms, (...) continue to be transported in groups of 40 to 70 people in a trailer from the farm to the farms. Apparently, they do not wear masks. Working groups can have up to 45 people. Many farm workers sleep in too tight spaces. According to hygiene rules, the rooms should only be half occupied. However, farm workers describe that, like in previous years, they sleep in fully occupied multi-bedrooms in containers bed by bed.

*Researcher:* And what, for example, was given to you all? Did the employer provide masks, or gloves, or protective stuff? I see on your face that they didn't (laughs).

*Respondent 1:* No, only when we went out for shopping, that's all. Otherwise, no.

The workers also complained about the harsh working conditions: long working hours, lower salary than promised, and too many fees. All of these problems were in addition to the psychological pressures that they endured while they worked on the farms. Three interviewees had the impression that they were tricked with respect to their wages. In addition to not understanding the low sums they received, they argued that the person in charge, when assessing the performance of those who were paid according to kilograms at the end of each workday, would count fewer kilograms than those actually collected. When asked why, the workers

indicated that the person in charge “redistributed” the supplementary kilograms to members of his/her family who were also working there.

*Journal article 4:* Too often, national authorities, dealing with local issues, fail to deal with sufficient diligence the cases of foreign nationals. Not all, but some employers of seasonal workers know this and use it, as well as the ignorance of workers, to cut corners: invent arbitrary expenses that they deduct from the workers’ already low wages, accommodate them in cheap, cramped spaces and cold (such as barns or containers) and often fire them when they complain about keeping all other workers in line.

*Respondent 5:* When you work 10 hours at an employer and he won’t give you any money, I don’t know why it’s okay, and particularly when someone is pushing me, insulting me for working, I don’t know why it’s okay. (...) He told us to cut the asparagus to a certain size to go faster. The moment he saw that you cut it shorter, he started to insult you, he threw all the asparagus you had in the box, even if it was short, even if it was long, he threw it at you. He was kicking the box, and you realized your work for a few hours or maybe half a day was gone.

*Respondent 1:* I’m telling you for sure, they were tricking us about the working hours. So instead of paying for 16 hours a day, you were paid for 10 or 12 hours.

The farmers, or persons in charge, also failed to ensure that the workers actually understood the contract clauses given to them in documents to sign that contained many opaque or difficult-to-understand clauses that violated the workers’ rights.

*Journal article 5:* The situation worsened when the company with which they had signed the employment contract refused to grant them a salary advance for food and did not even provide them with food or water. After 24 hours and several messages sent to the owners of the company, people were forced to sign a document, initially believing that it contained regulations on compliance with hygiene and quarantine conditions. In fact, they had just been fired at 10 p.m.

Lastly, in some cases, the farmers or persons in charge also confiscated workers’ passports or ID cards, as a ‘strategy’ to prevent them from leaving without any prior notice and to oblige them to pay fees, such as their airplane tickets and expenses, before they left. This practice, which some media mentioned is the same strategy traffickers in human beings use, is illegal regardless of the employer’s ‘logical’ reasons. Moreover, when asked about their understanding of this strategy, our interviewees did not understand why the employer did such things:

*Respondent 2:* After you arrive, the second or third day when you go with some forms from the council (...) then, yes, you also hand over your ID card and you get it back only at the end of your contract.

*Researcher:* And why do you think that is the way it is?

*Respondent 2:* I don't know...

### **Suitable Targets**

The victims of the acts mentioned above were the Romanian workers who went abroad to work and live in the countryside, where local farmers hosted them. We believe that, from a RAT perspective, many were suitable victims because of their numerous risk factors. First, their precarious, and often *desperate*, financial situation, rendered them, on the one hand, highly vulnerable to accept suspicious contracts or agreements. On the other, they were ready to endure the harshest conditions to earn a salary. Moreover, because of their desperate situation, many people did not ask questions about where to go or with whom.

*Journal article 6:* And what to do? To starve until the virus ends or what? If we do not die of the virus, we die of hunger.

*Respondent 1:* It's hard [in agriculture], as the problem is that no one with a college degree comes to harvest the asparagus (...). But as I said, yes, I still need some money (...). And I worked hard at one point, and I couldn't get on my knees, that's it. It rained on me one day, and I had water even in my bones, you know. Mud to the ankles, but I said, I want to make money and I worked in those conditions, you know?

Their vulnerability only increased when they arrived in Germany, as many of them could not speak German, which prevented them from communicating their needs or asking questions. Their lack of mastery of German may also have caused misunderstandings. Their isolation on a farm where they lived in containers made it very difficult for them to get external help. Because of the unsanitary conditions, it was unclear whether it was possible for the workers to resign and return to Romania if they were not satisfied with the conditions, as the borders were still closed. Some of them were in such a precarious financial condition that they had no money and therefore, needed to sleep in the streets after they left a farm. When sick, many of them lacked health insurance because of the intermediaries' false promises, and their previous financial precariousness because of unemployment in Romania. The last two risk factors for their victimization that we found are their distrust in, and fear of, contacting the police or other authorities, such as the Romanian Embassy, for instance.

*Journal article 7:* For example, in the case of the ID cards, it would have been best if some of the workers had complained to the police against this farmer, who had also been sent to the prosecutor's office. But none of the workers wanted to make such a complaint.

Conversely, based upon the testimonies of the interviewees who had a good experience in agriculture and in some press articles, we identified several protective factors that may decrease workers' risk of enduring victimization in agriculture: (1) knowing their own rights; (2) having access to the Internet, and (3) having contact with the Romanian Embassy, work syndicates, or the press and being willing to contact them. For instance, those who had data plans on their smartphones were able to post videos and pictures and thereby alert the authorities and the press about the harsh working conditions.

### **Places**

The intermediaries operated largely in cyberspace or via the telephone, 'places' that appeared to be prolific in causing these types of exploitative behaviours. Many of the workers did not know with whom they were communicating (in extreme cases, they did not even know which enterprise). Because they only talked via telephone, they did not know the appearance of the person they talked to, and could not identify them and give any useful information to the police other than a telephone number.

The farmers operated in isolated rural areas where only the workers and employers were present. This was usually where the employees worked and lived. The isolation of the workers who needed to be quarantined, the general segregation of the entire place, and the impossibility of finding a way to leave Germany because of the closed borders made these places ideal for committing labor exploitation and negligence.

### **Controllers**

No guardians were found who attempted to prevent the would-be workers' victimization by their intermediaries. We did identify seven types of guardians, both preventive and reactive, who were either preventing victimization or supporting the victims of fraud and exploitation in agriculture in Germany and therefore preventing their repeated victimization. We describe them below.

The German police went to the farms several times when conflicts emerged, and intervened in the cases of unlawful firing of workers. This was also the case for the work and health inspections in Germany. Another guardian was the Association of German Farmers, which proposed helping terminated workers find new employment. The agriculture syndicates also controlled whether the workers were paid fairly and maintained contact with them. For its part,



the *Fair Mobility Project* installed a hotline and communicated in Romanian with all those who had any doubts and also shared prevention strategies on their website and offered counselling to prevent the exploitation and fraud in work settings:

*Journal article 8:* The health inspectors, together with the police, arrived there the other day after some of the employees had an argument with the employer, because of the working conditions and salaries.

*Journal article 9:* The conclusions of the control report that was made public show that, because of the overcrowding of the rooms where the Romanian workers slept, the employer must offer new accommodations for at least half of the people on the farm. The farmer was ordered to provide accommodation appropriate to the pandemic situation until Monday, April 27, at noon. Otherwise, the authorities will intervene to resolve the situation. The document of the authorities also indicates that an agreement had been reached with the police to verify the way in which the workers were taken to the farms by bus in order to respect the rules of social distancing.

Nevertheless, we were unable to identify many handlers who discouraged the intermediaries or the farmers from perpetrating the behaviours mentioned above. Indeed, when we study this phenomenon from the perspective of the victims or external actors, it is very difficult to understand the perpetrators' perspective or motivations. To do so, we would have to interview farmers or intermediaries who exploited or defrauded these workers.

We believe that the German National Agency for the workforce could have played the role of the farmers' handler by offering them help in case of financial problems, and therefore, prevented them from imposing harsh working conditions and not paying their employees:

*Journal article 10:* If the employer has financial problems, he will receive financial support from the National Employment Agency for employees' salaries. The allowance represents 60% of the net salary, and for employees with at least one child, it reaches 67% of the net salary.

We could not find any managers of places who performed their task effectively. In general, as the Romanian Territorial Working Inspections lacked resources and could not investigate the legitimacy of all intermediaries who posted offers during the coronavirus-related emergency, they suspended their activity. In the case of the exploitation on the farms, the farm managers and the motivated offenders are likely to get away with their actions because of poor oversight, whilst their benefits are substantial.

## Super-Controllers

The super-controllers who we believe were the most important were the mass media. The press and the television in both Germany and Romania went to the airports, contacted the prospective workers, and monitored the situation by interviewing workers and experts and exposing pictures and videos of some of the farms. We believe that this was essential to motivate the other super-controllers to act and to encourage the guardians (police, inspectors, syndicates) to protect the victims.

*Journal article 11:* In most cases, the Romanian Embassy in Berlin (...), and the Romanian consulate generals in Bonn, Stuttgart, and Munich, complained to themselves as a result of the information reported in the media, and then urgently took action with the German federal authorities to check if the reported cases are confirmed and to request, as needed, the local authorities (...) to be notified', said the Minister of Foreign Affairs.

Other super-controllers identified were (2) the Romanian Minister of Work, who also went to Germany to visit several farms and meet with the German Minister of Work; (3) the Romanian Embassy, which took action and coordinated with the German authorities' measures to prevent these events from being repeated; (4) the Romanian lawyer for the people who wrote a petition to the German Minister of Work and the President of the Commission of the German parliament requesting information about the safety of the Romanian seasonal workers in Germany; (5) the German-Romanian Society, which sent an open letter about the immigration and migration to the Romanian State Secretary to inform him about the seasonal workers' situation and ask him to take measures, and (6) some parliamentary groups. This situation also motivated super-controllers to prevent future infractions by, for instance, revisiting the seasonal work legislation in Germany and the EU.

## Discussion and Conclusion

This research extends the RAT into the arena of exploitation and crime in seasonal work in agriculture during the COVID-19 pandemic by demonstrating that there is a greater likelihood of offending in the presence of suitable targets and places, motivated offenders/handlers, and a lack of guardians/managers/super-controllers. We focused on a particularly vulnerable period: The coronavirus-related lockdown, during which both Romania and Germany opened their borders to allow Romanian seasonal workers to travel to Germany. In such a situation, although the authorities reassured the most skeptical with solid plans, many reports appeared that there was non-compliance with the safety restrictions and violation of the workers' rights. Some seasonal workers faced a different reality than the one agreed upon with the intermediaries or the farmers, and suffered poor working conditions and fraudulent situations. Although this does not

seem different from other countries (Barrick et al., 2014; Boels, 2016; Ceccato, 2017), it may indicate that the pandemic exacerbated the workers' vulnerability as well as their options to leave, as reported in Italy as well (Tagliacozzo et al., 2021). This scenario's uniqueness rests in the fact that, as the title of the article states, the migrants were "trapped" within borders, and were unable to leave if displeased with the working conditions. For instance, had they wished to quit the job, they would find themselves unable to return to Romania because of the closure of borders and the lack of public transport, e.g., plane, train, or bus. Moreover, in this period in which access to health services is needed because of the potential to be infected with COVID-19, many workers lacked health insurance because they were not informed properly in Romania about the procedures they needed to follow to request it and because the German employers were not asked or required to provide such services. Although we do not know the prevalence of the phenomenon, some employers were also unwilling to take workers to a doctor. In the context of a lockdown, this is a particularly vulnerable setting.

In light of our results, applying the RAT to identify each actor's role has proven to be an asset, and therefore allowed us to identify the arena in which more efforts should be concentrated to prevent seasonal workers' exploitation. With respect to the suitable victims, we believe that it is essential to consider Ceccato's (2017, p. 151) reflection strongly: "A better understanding of the role and the impact of these temporary workers on the rural community is necessary, hopefully associated with a more extensive debate on the need to improve their living and working conditions in the countryside up to the level that a modern society (...) is expected to have." In that sense, we believe that guardians and super-controllers should have prioritized these seasonal workers' health and working conditions even more urgently during such a severe health crisis. Moreover, workers' situations were complicated even more because of the overlap between farmers' roles as manager and offender, such that the places where workers were exploited and victimized had no controller. Obviously, it is difficult to improve workers' living and working conditions and still maintain stable prices of the harvest and farmers' profits, but this aspect cannot be neglected.

Therefore, it would be interesting to find alternative solutions to decrease workers' vulnerabilities in such an isolated setting, and motivate ourselves to engage in situational prevention techniques (Cornish & Clarke, 2003). For example, we suggest a mobile phone app for seasonal workers (such as already exists in the United Kingdom; see *The Farm Work Welfare App*, n.d.), where they could find relevant information and assistance services in several languages, as well as make quick requests and, if needed, report the farmers. This procedure could signal to the administrations rapidly that an inspection should be conducted on that farm. This proposal could play two roles: (1) *special prevention* by deterring the farmers from recommitting exploitative acts once the inspection is carried out and sanctions are applied, and (2) *general prevention* by preventing farmers in general from committing any kind of offense, knowing that their employees have access to this service. Nevertheless, the illiterate workers

would still be at risk and therefore, this mobile phone app should consider disseminating its messages via videos or audio. The same is true for people without access to a smartphone or without a data plan, who would probably be at higher risk of victimization. Moreover, the intermediaries' background should be revisited. As highlighted, there are seldom guardians or controllers around the latter, and they operate either online or by telephone, which opens a wide scope of opportunities to commit offenses. As some press articles stated, the Romanian inspectors do not have the capacity to police the many fraudulent announcements posted online. To do so, it is obvious that more personnel are needed, but perhaps more sophisticated techniques based upon artificial intelligence and machine learning, could be useful as well to help the authorities police a greater number of advertisements at a lower cost. As many of these announcements are posted on job-search websites and Facebook, it would also be possible to collaborate with the websites' administrators, so that their automatic detection systems flag potentially fraudulent announcements, (e.g., by signalling those that are posted without a clear identification number or the enterprise name). Further, more transparent communication with the general population about which kinds of announcements are illegal would be highly useful in the flagging. In that sense, we could find only one press article in which a labour specialist stated that posting on the Internet without any reference number was illegal, but it is still unclear to whom one can complain and in which situations.

Despite these difficult situations of abuse and exploitation some workers reported, many guardians and super-controllers appeared to play a significant role in preventing (re)victimization of the workers once they were in Germany. Beginning with the super-controllers, we believe that the effort the press invested is remarkable, and it would also be important to highlight the great importance of having a free press in our democratic states that can detect and disseminate these kinds of problems. In our study, once the press began to report cases of illegal activities, many other super-controllers, such as the Romanian Embassy, the German government, etc., also began to exert pressure on the guardians (i.e., the inspectors and the police) and even motivated the workers to report any violations of their rights. This corroborates Sampson et al.'s (2010) postulate with respect to the significant role that super-controllers play in influencing not only controllers but also other super-controllers. Nonetheless, the exact interactions between super-controllers and controllers and whether the prevention techniques the controllers employed were successful in preventing crimes remains unclear. Still, it is important as well to take into account the role of power in the dynamics between controllers, managers, and workers, i.e., the asymmetry in the power, in the sense that the workers are highly dependent upon the managers, which could be a factor that may even have increased the abuse had the worker filed any complaint.

Ethical and methodological considerations are essential when investigating difficult-to-reach vulnerable populations as well as addressing sensitive topics (Díaz Fernández, 2019). In this respect, we found that this population was extremely difficult to reach because of (1) their

reluctance and fear of talking to researchers; (2) their complex timetables, and (3) our impossibility of traveling to the farms. We could conduct interviews only with a small sample, among whom one person was unavailable because her smartphone was broken, and therefore, we had to interview her sister.

These methods are indeed unorthodox, but they were the most pragmatic that we could apply in such a situation. Although we proposed to wait until her telephone was fixed, we were told that she was not sure when that would happen, because it is expensive and difficult to do so in a rural area. Therefore, rather than losing an important informant, we decided to interview the sister. In addition, among the people we met on Facebook, a person tried to put us in contact with other seasonal workers, but they declined, indicating that they were afraid of talking. In that vein, our inability to visit the farms was a highly significant limitation. Not only were borders closed, but we also had no network in the German agriculture sector, and we observed many times that farmers had not particularly welcomed journalists, and therefore, we assumed that researchers would not be welcome either. Moreover, our presence would probably have biased the people's behaviour by eliciting the social desirability bias. Therefore, the sole techniques available for our research were computer-assisted. It is also worth mentioning that our analyses were based upon media coverage and a limited number of in-depth interviews.

As the aphorism states: "When a dog bites a man, that is not news, because it happens so often. But if a man bites a dog, that is news." In our case as well, the press articles may have focused largely on the negative cases. As stated in Table 2, some respondents made positive remarks about the way their employers treated them. In addition, in our dataset, there are gaps that could not be filled, such as the perspectives of the farmers or experts in regulation in agriculture, inspection, or even members of labour unions or police officers, who could have provided more information about the specific interactions and influences between super-controllers and controllers. Their contributions would have been extremely helpful to increase our understanding of the phenomenon from a holistic perspective. Therefore, we suggest that further research focuses on studying the challenges in seasonal work by incorporating the views of actors other than the workers. It would be essential as well to continue documenting the situation of seasonal workers in the post-coronavirus environment as well to observe whether the authorities changed their approach with respect to the intermediaries, and whether new prevention strategies were applied in this domain.

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# La consommation de produits psychoactifs et de médicaments chez les personnes travailleuses du sexe dans le canton de Vaud (Suisse). Une étude exploratoire.

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## Résumé

Cette étude a pour but d'explorer les consommations de produits psychoactifs et de médicaments des travailleuses du sexe (TdS) dans le canton de Vaud, en Suisse, durant l'année 2017. Nous avons mené une étude de prévalence sur un échantillon de convenance (N=91), et récolté les données par le biais d'un questionnaire. Les TdS ont reporté avoir consommé, au moins une fois pendant les 12 derniers mois, des antidouleurs antalgiques (57.1 %), de l'alcool (48.4 %), du tabac (37.4 %), des somnifères/tranquillisants à base de benzodiazépines (7.7 %), de la cocaïne en poudre (6.7 %), des autres somnifères/tranquillisants (5.5 %) et du cannabis (5.5 %), parmi d'autres. En comparant la prévalence des consommations des TdS avec la population générale suisse, nous observons que la consommation d'alcool est plus faible parmi les TdS, alors que la consommation de tabac, de cocaïne, des poppers et du LSD sont plus élevées. Concernant la consommation de cannabis, le pourcentage de TdS qui en consomment est plus élevée que celui des femmes de la population générale mais plus bas que la totalité de la population générale suisse. Les répondantes disent consommer afin de se détendre ou s'amuser hors du travail (notamment pour l'alcool), répondre à la demande du client (pour l'alcool, la cocaïne et les poppers) ainsi qu'être plus efficaces lors du travail (pour l'alcool et les poppers). Des régressions logistiques suggèrent que des facteurs comme l'âge et le lieu de travail ont un rôle dans les produits consommés. Enfin, davantage de prise en charge et de prévention sont nécessaires puisque la majorité des sondées ne saurait pas à qui s'adresser pour aborder demander des informations sur les consommations.

**Mots-clés** : Prostitution, drogue, prévalence, sondage, étude quantitative, minimisation des risques.

## Summary

The purpose of this study is to explore the use of psychoactive products among sex workers in the canton of Vaud, Switzerland, during the year 2017. We conducted a prevalence study on a convenience sample (N=91) and collected the data through a questionnaire. During the year before the data collection, sex workers reported using painkillers (57.1 %), alcohol (48.4 %), tobacco (37.4 %), sleeping pills/benzodiazepine tranquilizers (7.7 %), powder cocaine (6.7 %), other sleeping pills/tranquillizers (5.5 %) and cannabis (5.5 %). Compared to the general population, the usage of alcohol is lower

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among sex workers. The consumption of tobacco, cocaine, poppers and LSD are higher among sex workers than among the general population. A higher percentage of sex workers use cannabis when compared to females from the general population but if compared to the totality of the general population, the proportion of sex workers is lower. The participants reported consuming drugs for relaxing or for having fun outside of work (especially for alcohol), on the customers' request (for alcohol, cocaine and poppers) as well as for being more efficient at work (for alcohol and poppers). Logistic regressions suggest that age and place of work play a role in the consumption of products. Finally, more support and prevention are necessary since the majority of the sample does not know whom to contact to request information on drug use.

**Keywords** : Prostitution, drugs, prevalence, survey, quantitative study, risk minimization.

## 1. Introduction

Cet article vise à explorer les consommations des produits psychoactifs et de médicaments des travailleuses du sexe (1) actives à Lausanne et dans le canton de Vaud. La recherche a lieu au sein de l'association Fleur de Pavé, dont le but est la minimisation des risques liés à la prostitution. Outre que la diminution des risques de transmission du VIH et autres infections sexuellement transmissibles (IST), l'action de cette association vise aussi la diminution des risques liés à la consommation de drogues, par exemple, l'éventuelle contamination par le partage de seringues, des pailles, etc.

Fleur de Pavé s'inscrit dans le « Programme cantonal de prévention des maladies transmissibles. Échange de matériel stérile pour les personnes toxicodépendantes ». Ce programme se situe dans « la politique des quatre piliers » en matière de drogue qui est en vigueur en Suisse depuis le début des années 1990 (Savary, 2007). Ce modèle, visant à garantir la sécurité et la santé publique inclut, un pilier « prévention », un pôle « thérapie et réinsertion », un troisième de « répression » et un quatrième visant la « réduction des risques et d'aide à la survie » (Office fédéral de la santé publique, 2016). Les actions de cette association s'inscrivent dans ce dernier pilier visant la minimisation des méfaits des produits stupéfiants.

À notre connaissance, peu a été exploré concernant les consommations dans la prostitution. Les données concernant les consommations de produits psychoactifs chez les travailleuses du sexe en Suisse, ou à l'échelle internationale sont, quelque part, lacunaires et n'approfondissent pas dans la gravité des consommations, dans les facteurs associés aux consommations ni aux besoins en lien avec les consommations (cf. la revue de littérature de la section 2). Pour l'association Fleur de Pavé, il s'avérerait fort important de combler un manque de connaissances, notamment au niveau local, afin de mieux cibler ses propres interventions d'orientation et de prise en charge biopsychosociale.

### **Cadre légal**

En Suisse, la prostitution est une activité légale encadrée par des textes de loi. Dans le canton de Vaud, il s'agit de la Loi 943.05 sur l'exercice de la prostitution du 30 mars 2004. Ses buts sont de garantir les conditions d'exercice de cette activité, la mise en œuvre de mesures de prévention sanitaires et sociales et de réglementer les lieux, les heures et les modalités de l'exercice du travail du sexe. Les municipalités sont compétentes pour établir une liste de lieux spécifiques où la prostitution est soumise à des prescriptions particulières.

À Lausanne, capitale du canton de Vaud, les autorités ont établi un périmètre de prostitution à l'Avenue de Sévelin (Ville de Lausanne, 2016). Les personnes travaillant dans le sexe tarifé peuvent « racoler (2) » les clients dans ce périmètre tous les jours de l'année de 22 heures du soir à 5 heures du matin. Dans le reste du canton, la prostitution est autorisée dans des « salons de massage érotique », qui font également l'objet d'une réglementation. Les personnes étrangères exerçant le travail du sexe doivent être au bénéfice d'un des permis de séjour prévus par les lois suisses ou d'une autorisation d'activité lucrative de courte durée de 90 jours par année civile.

## **2. Les drogues dans la prostitution selon la littérature scientifique**

La littérature scientifique concernant les consommations de stupéfiants dans la prostitution se focalise sur plusieurs aspects. Premièrement, certains auteurs se focalisent sur la prévalence des consommations des drogues illégales ou légales chez les prostituées comparées à la population générale. Deuxièmement, d'autres études se focalisent sur l'entrée des personnes toxicomanes dans le travail du sexe en cherchant financer leur consommation. En dernier, d'autres articles explorent la consommation de drogues comme conséquence de la prostitution. Dans ce sens, certaines personnes travaillant dans le sexe tarifé consommeraient des stupéfiants afin d'avoir suffisamment de force ou courage pour pouvoir travailler. Dans cette section, nous présentons d'abord les résultats des études menées en Suisse puis à l'échelle internationale.

### **2.1 Les drogues dans le travail du sexe en Suisse**

En se basant sur l'étude de Bugnon, Chimienti, Chiquet, & Eberhard (2009) portant sur un échantillon de 77 personnes travailleuses du sexe, le Conseil fédéral suisse (2015) consacre un chapitre à l'état de santé physique et psychique des travailleuses du sexe dans son rapport « Prostitution et traite d'êtres humains à des fins d'exploitation sexuelle ». Celui-ci fait état du fait que la « consommation de drogues » serait, par ordre de fréquence, « le deuxième problème de santé qui affecte les prostituées » (Conseil fédéral, 2015, p. 53). Selon cette recherche, le travail du sexe destiné à financer l'achat de produits stupéfiants (légaux et illégaux) est manifeste.

Locicero, Ernst, Simonson, & Bize (2017) mènent une recherche à niveau suisse enquêtant 579 travailleurs et travailleuses du sexe. Selon les résultats de cette étude, la consommation de substances au sein de cette population est bien supérieure à celle de la population générale suisse. La prévalence des douze derniers mois de travailleuses du sexe qui ont consommé de manière régulière du tabac était de 45.9 %, de l'alcool de 25.5 %, des somnifères de 5.2 %, du cannabis de 5.1 %, et des antidépresseurs de 3.8 %. De plus, au cours de la vie, 4 % de l'échantillon avait déclaré avoir déjà consommé des drogues par injection.

Dans le rapport portant sur la situation des travailleuses du sexe transgenre à Lausanne de Chapot, Medico, & Volkmar (2009), la consommation d'alcool et de drogues est suggérée comme une conséquence du parcours et des discriminations subies en lien avec l'identité de genre. De même, la consommation d'alcool semblerait faciliter le travail ainsi qu'aider la personne à supporter l'anxiété liée au travail du sexe. Selon ces auteurs, de nombreux clients proposent aussi des drogues pendant les passes, notamment la cocaïne. Dans le même sens, Földhàzi (2009) lors d'une recherche sur la victimisation des travailleuses du sexe à Genève (N=36) suggère que les produits stupéfiants sont utilisés afin d'avoir de la force pour travailler dans le sexe tarifé. Cette auteure postule le suivant :

L'alcool est perçu par certaines comme étant nécessaire pour exercer dans le sens où il désinhibe, facilite le *striptease* et l'approche des clients. En même temps, les personnes qui n'assument pas l'activité prostitutionnelle ont recours à l'alcool (ou d'autres drogues) pour surmonter leurs difficultés (Földhàzi, 2009, p. 18).

## **2.2 Les drogues dans la prostitution à l'échelle internationale**

En France, un rapport de la Haute Autorité de santé (2016), basé sur l'analyse d'une revue de la littérature européenne, analyse et compare des données concernant la consommation de produits psychoactifs dans le travail du sexe. Cette étude suggère que celle-ci ne serait pas plus élevée comparée à la population générale, à l'exception de la consommation de tabac et de cannabis, plus importante chez les personnes travaillant dans le sexe tarifé. Des incertitudes subsistent toutefois sur la consommation de cocaïne et d'héroïne en raison d'études dont les résultats sont divergents. Les données sont nombreuses, mais, compte tenu de la diversité des études, assez hétérogènes.

Aux États-Unis, Young, Boyd, & Hubbell (2000), utilisant un échantillon de convenance de 203 femmes afro-américaines avec une histoire de consommation de crack, postulent que la gravité des consommations chez les prostituées était plus élevée que dans la population générale. De même, elles utilisaient les drogues afin d'augmenter leur confiance en soi ainsi, leur contrôle sur leur vie, et pour diminuer leur sentiment de culpabilité. Ces auteurs suggèrent que les femmes commencent la prostitution afin de financer leur consommation, mais celle-ci semble augmenter à fur et à mesure que le temps travaillant dans le marché du sexe dû au stress lié à l'activité professionnelle.

À Miami, Surratt et al. (2004), menant des entretiens avec 325 travailleuses du sexe qui étaient aussi des consommatrices de drogues, suggèrent que la prostitution n'était pas une carrière choisie, mais une manière de survivre, le résultat d'une toxicomanie combinée avec le manque d'autres ressources. Dans le même sens, au Mexique, Morris et al. (2013), étudiant des travailleuses du sexe consommatrices de drogues intraveineuses (N=557), postulent que seulement un tiers de leur échantillon semble initier la prostitution avant le début de la consommation. Dans le reste des cas, celle-ci commençait durant l'exercice du travail du sexe.

### **3. Délimitations de la recherche**

#### **3.1 Délimitations conceptuelles**

Nous considérons comme « personne travailleuse du sexe » quelqu'un qui propose des rapports sexuels ou érotiques en échange d'argent, cadeaux ou services et, en principe, qui se définit comme « travailleuse du sexe » ou synonyme (prostituée, escorte, etc.).

Un produit psychoactif est une substance qui affecte la cognition et l'affection selon l'Organisation mondiale de la santé (*WHO | Psychoactive substances*). En ce qui concerne les produits interrogés, nous avons pris en considération des produits légaux (alcool et tabac) et illégaux ainsi que des médicaments (avec ou sans prescription médicale). Pour cette étude, plus précisément, nous prenons en compte les substances suivantes : alcool, tabac, colles/solvants, cannabis/haschich, cocaïne poudre, amphétamines, speed, LSD, poppers, Viagra® et dérivés, somnifères/tranquillisants à base de benzodiazépines, autres somnifères/tranquillisants, codéine, Tramadol®, morphine, oxycodone, psychostimulants, barbituriques, antidépresseurs, antidouleurs antalgiques et stabilisateurs de l'humeur ou antiépileptiques.

Dernièrement, nous considérons comme une « consommation régulière » la prise de substances dès 4 jours par semaine.

#### **3.2 Objectifs de recherche**

L'objectif principal de cette étude est d'estimer la prévalence de la dernière année des consommations de produits, c'est-à-dire, les proportions de travailleuses du sexe actives dans les rues de Lausanne et dans les salons du canton de Vaud (Suisse) qui ont en consommé pendant les 12 derniers mois où le travail du sexe a été exercé.

Les objectifs secondaires de l'étude sont de connaître les moments des consommations, d'analyser les raisons des travailleuses du sexe d'en consommer, d'évaluer leur gravité, d'analyser les facteurs de risque associés, et dernièrement, d'explorer les besoins des prostituées en ce qui concerne l'information sur les produits, la prévention des consommations, et la réduction de leurs risques.

## 4. Méthodologie

Nous avons mené une étude quantitative transversale sur un échantillon de convenance de la population source, tout en visant une représentativité la plus large possible.

### 4.1 Instrument de mesure de la consommation des produits stupéfiants

Un questionnaire a été élaboré en français par l'équipe de l'étude et traduit en trois langues (espagnol, anglais et roumain). Nous l'avons prétesté, le soumettant à 2 personnes travailleuses du sexe francophones de Lausanne et à 10 personnes qui n'exerçaient pas le travail du sexe de langue maternelle espagnole, roumaine, française et anglaise, pour la vérification de la compréhension des questions, de l'acceptabilité de l'étude et de la faisabilité, notamment concernant le temps de passation du sondage.

Les questionnaires ont été transposés sur la plateforme en ligne *LimeSurvey* afin de pouvoir être proposés aux participantes via téléphone portable et tablette, en mode *Computer Assisted Web Interviewing* (CAWI) et *Computer Assisted Personal Interview* (CAPI) (Baker, 1992), c'est-à-dire, autoadministré ou accompagné par l'enquêteur (selon la préférence de la personne sondée, voir Tableau 1). Cette dernière méthode de passation du questionnaire permet de maximiser les taux de participation et d'approcher les personnes illettrées, ou les personnes dont le niveau de formation est bas (Killias, Aebi, & Kuhn, 1991/2019). Ainsi, pratiquement la moitié de l'échantillon a répondu au sondage en mode autoadministré alors que l'autre moitié en mode accompagné (Tableau 2). Dans ce cas, l'auteure principale de l'étude posait les questions aux participantes et collectait les réponses que les sondées fournissaient.

	n
CAPI	42
CAWI	42
Données manquantes	7

**Tableau 1. Mode de passation du questionnaire (N=91)**

Le questionnaire est organisé avec des questions conditionnelles. Ainsi, en fonction des réponses sur les consommations (oui ou non), des questions supplémentaires sont posées – sur la prescription médicale (si pertinent), sur le mode de consommation, sur les moments/finalités des consommations, etc.

### 4.2 Population d'étude

La population étudiée est celle des personnes qui proposent des rapports sexuels en échange d'argent, cadeaux ou services, actives (entièrement ou partiellement) dans les rues de Lausanne (périmètre officiel de prostitution) et/ou dans les salons du canton de Vaud. Les chiffres de la prostitution ne peu-

vent que s'estimer, sachant qu'il y a un important chiffre noir, dû aux personnes non déclarées, aux cantons où l'annonce à la police n'est que facultative, parmi d'autres raisons. Nous présentons le Tableau 2, avec les estimations du nombre de travailleuses du sexe selon de différentes sources :

Biberstein & Killias (2015)	269 femmes en total par jour ; 30.7 personnes par jour dans les salons ; 43 personnes par jour dans la rue de prostitution.
Fleur de Pavé (2017)	Environ 100-150 personnes dans les rues de Lausanne à l'année ; De 360 à 540 personnes dans les environ 180 salons officiels du canton de Vaud.
Bugnon et al. (2009)	De 450 à 575 femmes cisgenres ; 50 femmes transgenres ; De 30 à 60 hommes cisgenres.
Site de contact Planet Romeo (2017)	Environ 90 profils d'hommes et de 5 femmes transgenres.
Site de contact Call me to Play (2019)	Environ 210 femmes, 25 hommes, 4 transgenres.

**Tableau 2. Estimations de la population de personnes travailleuses du sexe dans le canton de Vaud.**

### 4.3 Recrutement

Nous suivons un échantillonnage non probabilistique (Lastra, 2000), l'échantillon étant formé selon la disponibilité de participantes sur le terrain d'étude. La population d'étude n'étant pas définissable ni accessible avec précision, un échantillon aléatoire représentatif ne pouvait pas être constitué.

Les participantes ont été recrutées par la première auteure de l'article, du 1<sup>er</sup> janvier au 31 juillet 2017 lors de 58 permanences de rue de l'association et lors de 22 visites de salons du canton. Le questionnaire a également été proposé dans les locaux de l'association. Le questionnaire a été proposé dans la langue maternelle des sondées pour le français, l'anglais, le roumain et l'espagnol (étant des langues parlées couramment par la première chercheuse). Pour deux personnes bulgares, parlant une langue dans laquelle le questionnaire n'a pas été traduit, l'intervenante a été épaulée par une collègue maîtrisant cette langue.

Les données ont été récoltées de manière anonyme et les participantes étaient libres de participer à l'étude et successivement de se retirer à tout moment le cas échéant. Les participantes étaient informées au préalable des buts et du cadre de l'étude par oral lors du recrutement et par le texte se trouvant en préambule du questionnaire. La chercheuse a également informé les participantes au préalable d'une récompense pour la participation, consistant en un produit cosmétique de bien-être de la valeur de 2 à 3 francs suisses environ. Les personnes qui n'ont rempli le questionnaire que de manière partielle ont également reçu le cadeau de participation. Dans tous les cas, les sondages ont été passés de manière individuelle, dans le camping-car de l'association, dans la rue, dans les salons de massage érotique ou dans le bureau de l'association.



Les critères pour pouvoir participer à l'étude étaient : 1) être âgée de 18 ans ou plus ; 2) proposer des rapports sexuels en échange d'argent, cadeaux ou services et être partiellement ou exclusivement active dans le canton de Vaud ; 3) disposer d'une capacité de discernement préservée (jugée par la chercheuse lors de la passation de l'étude en se basant sur la compréhension des questions de la part de la personne sondée, sa connaissance de l'état psychique de la personne, etc.).

Le questionnaire a été proposé à la quasi-totalité des personnes présentes au moment des interventions de la co-investigatrice et pendant la période de l'étude. Par ailleurs, les principales raisons de refus ont été : le manque de temps, l'arrivée ou la présence des clients ou la longueur présumée du questionnaire.

#### **4.4 Analyses statistiques**

Nous avons effectué des analyses descriptives, notamment des tableaux de contingence, comportant des taux de prévalences, pourcentages, moyennes, médianes et des intervalles de confiance.

Pour les recherches des associations entre les taux de consommation à l'année et d'autres variables (l'âge et l'endroit de travail), nous avons procédé à des régressions logistiques (3), ajustées sur l'âge, et calculé les *Odds-ratio* (4) (OR) et les P-valeurs (*alpha* ou seuil de signification). Un seuil égal ou inférieur à 0.05 a été utilisé pour considérer une association statistiquement significative. Nous avons également utilisé le pseudo  $R^2$  de Cragg et Uhler, nommé aussi de Nagelkerke (1991), dépendant du logiciel d'analyse de données, afin de connaître la mesure dans laquelle le modèle s'ajuste aux observations.

### **5. Résultats principaux**

#### **5.1 Caractéristiques de l'échantillon**

L'échantillon (N=91) est composé de 81 femmes cisgenres et 2 femmes transgenres (8 valeurs manquantes, « Je ne sais pas » ou « Je ne souhaite pas répondre »). Le 23.1 % des personnes vient de l'Afrique Subsaharienne, 18.7 % de l'Europe Orientale, 14.3 % de l'Amérique latine, et 8.8 % des femmes sont originaires de l'Europe occidentale (35.2 % de valeurs manquantes). L'âge médian de l'échantillon est de 29.5 ans. L'âge médian du début de la prostitution est de 25 ans.

Le 51.7 % possède un permis de séjour ou autorisation lucrative, et le 27.5 % n'en dispose pas (20.8 % de valeurs manquantes). Le 34.8 % des personnes travaille dans la rue et le 55.8 % dans un salon de massage érotique. Le 44.2 % des personnes travaille tous les jours et le 16.2 % plus de deux jours par semaine.

#### **5.2 Prévalence de dernière année des consommations et comparaison avec la population générale**

La prévalence de la dernière année de la consommation, soit la proportion de personnes qui consomment les différents produits (Tableau 3), dans les 12 der-

niers mois et lors des périodes où le travail du sexe/prostitution a été exercé est, en ordre décroissant : 1) 57.1 % consommant des antidouleurs antalgiques, 2) 48.8 % de l'alcool, 3) 37.4 % du tabac, 4) 7.7 % des somnifères/tranquillisants à base de benzodiazépines, 4) 6.6 % de la cocaïne en poudre, 5) 5.5 % des autres somnifères/tranquillisants et 6) 5.5 % consommant du cannabis.

Les participantes n'ont pas reporté de consommations d'héroïne, de méthadone, de buprénorphine, des métamphétamines, des cathinones, de kétamine ou de GHB/GBL, soi-disant des produits associés (avec la cocaïne, entre autres) aux pratiques dites du *chemsex* (utilisation de substances psychoactives dans le cadre de rapports sexuels). De ce fait, ces produits n'ont pas été inclus dans l'analyse des données.

Concernant la dernière année, en comparant les prévalences de consommation des TdS avec celles de la population générale totale et celle des femmes de la population générale (Tableau 4), la prévalence des TdS reportant consommer des substances est plus élevée pour le tabac, pour la cocaïne, pour les poppers et pour le LSD. Dans le cas du cannabis, le pourcentage de TdS est plus élevé comparé à la proportion des femmes de la population générale, mais plus basse en comparaison au pourcentage de consommateurs de la population générale totale. Concernant l'alcool, le pourcentage des TdS qui ont reporté une consom-

Produit	Consommé dans l'année (n, %)
Antidouleurs antalgiques	52 (57.14%)
Alcool	44 (48.35%)
Tabac	34 (37.36%)
Somnifères / tranquillisants à base de benzodiazépines	7 (7.69%)
Cocaïne poudre	6 (6.59%)
Cannabis / haschich	5 (5.49%)
Autres somnifères/tranquillisants	5 (5.49%)
Tramadol®	4 (4.40%)
Colles/solvants	3 (3.30%)
Antidépresseurs	3 (3.30%)
Poppers	3 (3.30%)
Codéine	2 (2.20%)
Barbituriques	2 (2.20%)
Amphétamines, speed	1 (1.10%)
LSD	1 (1.10%)
Viagra ®	1 (1.10%)
Morphine	1 (1.10%)
Oxycodone	1 (1.10%)
Psychostimulants	1 (1.10%)
Stabilisateurs de l'humeur/antiépileptiques	1 (1.10%)
Autre(s) produit(s)	3 (3.30%)

**Tableau 3. Prévalence dernière année de consommation de produits stupéfiants (N=91)**

mation quotidienne (Tableau 7) est inférieur à celui de la population générale. Dans le même sens, aucune TdS a reporté une consommation quotidienne des somnifères/tranquillisants alors que 0.8 % des femmes de la population générale l'a affirmé, et 2.3 % du total de la population générale.

	TdS	Femmes pop. gén.	Total pop. gén.
Tabac	37.40	23.30	27.10
Alcool (consommation quotidienne)	6.60	7.10	10.90
Cocaïne (dernière année)	6.60	0.30	0.50
Cannabis (dernière année)	5.50	5.10	7.70
Poppers	3.30	/	0.20
LSD	1.10	/	0.20
Somnifères/tranquillisants (consommation quotidienne)	0.00	0.80	2.30

Source : Observatoire suisse de la santé (2016), Office Fédéral de la Santé Publique (OFSP, 2017), Office Fédéral de la Statistique (OFS, 2018)

**Tableau 4. Comparaison de la prévalence des consommations de la population générale (de plus de 15 ans) et des TdS de l'échantillon (N=91)**

### 5.3 Moments et raisons des consommations

Lorsqu'on s'intéresse aux moments de consommations (Tableau 5), on observe que les davantage de travailleuses du sexe consomment des pro-

	Alcool (n=44)	Cocaïne (n=6)	Cannabis (n=5)	Méd. à base de benzodiazépines (n=7)	Antidouleurs antalgiques (n=52)
Avant les rapports sexuels	11 (25%)		1 (20%)	1 (14.29%)	8 (15.38%)
Pendant l'activité de prostitution	5 (11.36%)	4 (66.67%)		1 (14.29%)	1 (1.92%)
Après les rapports sexuels	1 (2.27%)			2 (28.57%)	2 (3.85%)
Chez soi, après l'activité de prostitution	2 (4.55%)		1 (20%)	2 (28.57%)	8 (15.38%)
Chez soi/dans le quotidien	13 (29.55%)	2 (33.33%)		1 (14.29%)	20 (38.46%)
En milieu festif	20 (45.45%)	2 (33.33%)	1 (20%)		

**Tableau 5. Moments des consommations durant l'année dernière (plusieurs réponses possibles)**

duits dans leur vie privée, alors qu'une petite proportion le fait lors du travail. Autour de l'activité de travail du sexe, c'est-à-dire, avant, pendant et après les services sexuels, les produits consommés par les personnes sondées sont l'alcool (n=16), la cocaïne (n=4), le cannabis (n=1), les médicaments à base de benzodiazépines (n=4) et les antidouleurs (n=11). Lorsque les travailleuses sexuelles rentrent chez elles, deux personnes reportent consommer de l'alcool, deux autres consommer de médicaments à base de benzodiazépines et huit travailleuses disent prendre des antidouleurs. Dans le quotidien, les substances prises par davantage de personnes sont les antidouleurs (n=20), suivis par l'alcool (n=13). En milieu festif, les sondées déclarent consommer de l'alcool (n=20), et, dans une réduite proportion, de la cocaïne (n=2) et du cannabis (n=1). Le moment où l'alcool est le consommé par plus de personnes est le milieu festif ; pour la cocaïne, c'est pendant l'activité de prostitution.

	Alcool (n=44)	Cocaïne (n=6)	Cannabis (n=5)	Poppers (n=3)
Se détendre hors du travail	15 (34.09%)		1 (20%)	
S'amuser hors du travail	13 (29.55%)			
Recherche de plaisir	6 (13.63%)			
Répondre à la demande du client	5 (11.36%)	2 (0.33%)		3 (100%)
Pouvoir exercer le travail	3 (6.82%)	1 (16.67%)	1 (20%)	
Pour être (plus) efficace dans travail	3 (0.68%)			1 (33.33%)
Apaiser son anxiété	3 (0.68%)		1 (20%)	
Se détendre pendant le travail	2 (4.55%)	1 (16.67%)	1 (20%)	
Répondre à la contrainte du client	1 (2.27%)			1 (33.33%)
S'exciter pendant le travail	1 (2.27%)			1 (33.33%)
Satisfaire une dépendance	1 (2.27%)			
Pour des raisons médicales				

**Tableau 6. Raisons des consommations durant l'année dernière (n, % du total de personnes consommant la substance) \*plusieurs réponses possibles**

Le Tableau 6 illustre les raisons des sondées pour consommer des stupéfiants (question avec plusieurs réponses possibles). Ainsi, l'alcool est pris notamment afin de se détendre ou s'amuser en dehors du travail du sexe (TdS), sauf quelques personnes qui le prennent aussi pendant leur travail (afin de pouvoir l'exercer) ou en compagnie du client lors de la passe. Concernant la cocaïne, les personnes ont affirmé qu'elles en consomment ensemble avec leur client, ou pour pouvoir exercer ou pour être relaxées pendant le travail. Quant au cannabis, les personnes l'utilisent pour se détendre autant en dehors comme pendant le travail. En dernier, les personnes utilisant poppers, affirment le consommer pour répondre à la demande ou à la contrainte de leur client, pour être plus efficaces dans son métier, ou pour s'exciter pendant celui-ci.

#### 5.4 La gravité des consommations

Nous avons estimé la gravité des consommations en utilisant trois indicateurs : 1) la consommation régulière durant la dernière année de consommation ; 2) l'incapacité à se souvenir de ce qui s'est passé lors de la consommation ; et 3) la diversité des produits consommés (le plus de produits différents consommés, le plus de « gravité » des consommations).

Selon le premier indicateur, les produits les plus consommés de manière régulière sont les produits légaux : le tabac et l'alcool (Tableau 7). Concernant l'alcool, sa consommation est plutôt modérée pour la majorité des personnes. Toutefois, une partie non négligeable (n=15 personnes sur 43 répondantes, 34.9 %) dit consommer régulièrement de 3 à 9 verres d'alcool au cours d'une journée typique où l'alcool est bu.

Tabac	28 (30.77%)
Alcool	6 (6.59%)
Colles/solvants	1 (1.1%)
Cannabis / haschich	1 (1.1%)
Amphétamines, speed	1 (1.1%)
LSD	1 (1.1%)

**Tableau 7. Consommation quotidienne ou 4-6 jours par semaine (n, %)**

Concernant le deuxième indicateur – l'incapacité à se souvenir de ce qui s'est passé lors de la consommation, 10 personnes (13.7 %, n=73 répondantes) ont déclaré ne pas se souvenir « quelques fois » de ce qui s'est passé la soirée ou la journée précédent une consommation. Une personne (1.4 %, n=73) a déclaré une fréquence de « au moins une fois par mois » et deux personnes (2.7 %, n=73) une fréquence de « chaque jour ou presque ». Pour 50 personnes (68.5 %, n=73), cela ne se produit jamais.

0 produit	57 (62.6%)
1 produit	30 (33%)
2 produits	4 (4.4%)
Total	100.0

**Tableau 8. Nombre de produits différents consommés de manière régulière durant l'année dernière (n, %)**

Dernièrement, en analysant la diversité totale des produits consommés de manière régulière, nous observons que 33 % des sondées consomment de manière régulière (chaque jour ou 4-6 jours par semaine) un seul produit (33 %), notamment le tabac (Tableau 8). Dans le cas de deux produits, il s'agit notamment du tabac et de l'alcool.

Tenant en compte ces trois indicateurs, il semble que la consommation la plus grave est de tabac (en termes de régularité), suivie par l'alcool (en termes d'incapacité de se souvenir de ce qui se passe lorsque l'alcool est bu).

### 5.5 Propositions de consommation de la part des clients

Un peu plus d'un tiers de l'échantillon déclare avoir reçu des propositions de la part des clients lors du service sexuel (Tableau 9), notamment de la cocaïne, de l'alcool et du cannabis. Selon les sondées, cela arrive principalement quelques fois durant l'année (28.8 %). La proportion de personnes qui rapportent avoir eu des propositions de consommation chaque semaine est de 1.15 %. Un tiers de l'échantillon dit ne pas avoir eu des propositions de consommation de la part des clients.

	N	%
Quelques fois	25	28.74
Au moins une fois par mois	4	4.60
Chaque mois	3	3.45
Chaque semaine	1	1.15
Chaque jour ou presque	-	-
Pas de propositions	28	32.18
Je ne sais pas	13	14.94
Je ne souhaite pas répondre	13	14.94
Total	87	100.00

**Tableau 9. Propositions de consommations de la part des clients, au cours des 12 derniers mois**

### 5.6 Les facteurs associés aux consommations

Les consommations d'alcool et d'antidouleurs antalgiques sont associées significativement à l'âge (Tableau 10), avec un OR de 1.11 et de 1.13 respectivement. La probabilité d'en consommer est plus élevée parmi les personnes plus âgées. Il est important de souligner que la question sur les consommations se réfère aux 12 derniers mois, et non « à vie », ce qui aurait rendu évidente l'association. Ainsi, les personnes plus âgées ont 1.11 fois plus de risque de consommer de l'alcool, comparées aux personnes plus jeunes. De

	Odds Ratio	Std. Err.	[95% Conf. Interval]
Alcool	1.12	.03	1.04 1.2
Cragg & Uhler's R <sup>2</sup> : 0.22			
Antidouleurs antalgiques	1.13	.04	1.05 1.22
Cragg & Uhler's R <sup>2</sup> : 0.24			

**Tableau 10. Régressions logistiques entre consommations et âge**

même, les personnes plus âgées ont 1.13 fois plus de risque de consommer des antidouleurs antalgiques que les plus jeunes.

Le fait de contacter les clients principalement dans la rue de prostitution est associé significativement avec la consommation de tabac (Tableau 11), avec un OR de 0.22. Ce résultat suggère que les travailleuses du sexe qui contactent les clients de cette manière ont une probabilité plus faible d'avoir consommé du tabac les 12 derniers mois. Les consommations d'alcool et de cannabis suivent la même logique ( $OR < 1$ ), même si les associations ne sont pas statistiquement significatives ( $p = 0,09$  pour l'alcool et  $p = 0.5$  pour le cannabis) et les intervalles de confiance sont très larges.

	Odds Ratio	Std. Err.	[95% Conf. Interval]	
Tabac	.22	.22	.06	.74
	Cragg & Uhler's R2 : 0.18			
Alcool	.38	.22	.13	1.16
	Cragg & Uhler's R2 : 0.27			
Cannabis	.43	.55	.03	5.39
	Cragg & Uhler's R2 : 0.03			

**Tableau 11. Régressions logistiques entre consommations et contacter les clients dans la rue**

À contrario, le fait de contacter les clients principalement dans les salons de massage érotique est associé significativement à la consommation de tabac (Tableau 13) avec un OR de 3.62, ce qui signifie que les personnes qui contactent les clients par ce biais ont plus de probabilité d'avoir consommé du tabac les 12 derniers mois. De manière analogue que ci-dessus, les consommations d'alcool suivent la même logique ( $OR > 1$ ), même si les associations ne sont pas statistiquement significatives ( $p = 0,5$ ) et l'intervalle de confiance est très ample.

	Odds Ratio	Std. Err.	[95% Conf. Interval]	
Tabac	3.62	2.12	1.15	11.39
	Cragg & Uhler's R2 : 0.15			
Alcool	2.69	1.64	.81	8.87
	Cragg & Uhler's R2 : 0.27			

**Tableau 12. Régressions logistiques entre consommations et contacter les clients dans les salons**

### 5.7 Besoins en lien avec les consommations

Parmi les personnes consommant de l'alcool, 14 personnes sur 42 (32.7 %) souhaitent arrêter ou diminuer la consommation. C'est le même cas pour 19 personnes sur 34 (55.9 %) consommant du tabac, pour 4 personnes

(80 %, n=5) consommant du cannabis/haschich et pour 4 personnes (80 %, n=5) consommant de la cocaïne.

Concernant les besoins en lien avec les consommations, 18 personnes sur 87 (20.7 %) expriment souhaiter des informations générales sur les produits, 14 personnes sur 87 (16.1 %) expriment des besoins par rapport à des informations sur la réduction des risques et 13 personnes sur 87 (14.9 %) sur les possibles traitements des addictions. Cependant, 54 personnes (62.1 %, N=87) ne sauraient pas à qui s'adresser pour parler de leurs consommations ou pour demander des informations sur les produits. Parmi les personnes qui disent savoir où se diriger, les structures mentionnées sont les suivantes : a) l'association Fleur de Pavé (12 personnes) ; b) médecin (5 personnes) ; c) hôpital (3 personnes) ; d) psychologue (2 personnes) ; e) pharmacie (1 personne) ; f) Point d'eau (5) (1 personne), et g) spécialiste dans le domaine famille (1 personne).

## 6. Discussion

### 6.1 Convergence et divergence avec la littérature existante

Cette étude remplit un vide de connaissances scientifiques sur les produits consommés par les travailleuses du sexe dans le canton de Vaud, leur gravité, les contextes et les facteurs associés aux consommations. Concernant la convergence de cette étude avec d'autres, la consommation d'alcool parmi les travailleuses du sexe est plus faible que celle trouvée dans l'enquête SWAN (Lociciro et al., 2017) et également par rapport à la population générale suisse (OFS, 2018). La consommation de tabac, de LSD, des poppers, et de cocaïne parmi les TdS est plus faible que les celle trouvée dans l'enquête SWAN, mais plus élevée que parmi la population générale suisse. Concernant le cannabis, davantage des TdS en consomme comparées aux femmes de la population générale, mais un pourcentage plus bas de TdS si l'on compare à la population générale totale. Le produit consommé de manière quotidienne par le plus de participantes a été le tabac mais pas d'autres substances. Nous pensons que les différences entre les résultats de cette enquête et ceux de l'étude SWAN peuvent s'expliquer avec les différences dans les échantillons (notamment en ce qui concerne l'origine, le permis de séjour et le lieu principal de contact avec les clients). De plus, l'étude SWAN se réfère à un échantillon à l'échelle suisse. Une divergence que l'on retrouve aussi est le fait que dans notre échantillon il n'y a pas de consommatrices par voie intraveineuse, au contraire des constats du Conseil fédéral (2015) qui postulait que la consommation intraveineuse était le deuxième problème atteignant les travailleuses du sexe. Cependant, la question de savoir si Fleur de Pavé atteint les personnes avec ce type de profil reste ouverte.

Ces résultats peuvent paraître surprenants, tenant en compte la situation passée de la toxicomanie dans la prostitution dans le canton de Vaud. Or, nous croyons qu'avec l'ouverture des frontières, la population de TdS a chan-



gé. Dans les rapports d'activité de l'association Fleur de Pavé (Fleur de Pavé, 2012, 2018) on observe que, de 2011 à 2018 la population de TdS toxicomanes a énormément baissée. Ainsi, en 2011 l'association avait eu 181 contacts avec des toxicomanes alors qu'en 2018, elle en n'avait eu que deux. Le rapport de Lociciro et al. (2013) pour la période 1993-2011 semble aussi indiquer une diminution de TdS parmi la population bas-seuil consommatrice de drogues. Une seconde hypothèse qui vient avec l'ouverture des frontières est la « professionnalisation » des TdS, dans le sens qu'elles, étant des personnes étrangères en majorité, viennent en Suisse avec l'objectif de gagner le maximum d'argent pour repartir dans leurs pays par la suite. De ce fait, elles passent la majorité de leur temps en travaillant. Ainsi, consommer quotidiennement d'autre type de substances pourrait diminuer leur capacité de discernement, leur faire perdre de la clientèle et, même, les rendre plus vulnérables à devenir victimes d'un délit. À notre avis, des facteurs liés au travail qui peuvent influencer la prévalence légèrement plus élevée des TdS qui consomment des substances, soit : 1) l'ennui et le stress (pour le tabac), 2) des stratégies de marketing (dans le cas des produits consommés en compagnie des clients), et 3) un souhait d'augmentation de la performance sexuelle (dans le cas des poppers).

## **6.2 Bilan de l'étude**

Un des points forts de cette étude est, premièrement, l'accès privilégié que nous avons eu à cette population d'étude. Atteindre des personnes lors du travail – et lors d'un travail si stigmatisé, soulevé par plusieurs recherches (Comte, 2010 ; Földhazi, 2010) – n'est pas une tâche facile si l'on ne connaît pas les participants. Un second atout est l'utilisation des questionnaires adaptés à la population, en plusieurs langues, étant un facilitateur de l'accès aux sondées à cause du nombre élevé de personnes migrantes et allophones. De plus, avoir donné la possibilité aux sondées de remplir de questionnaire de manière autoadministrée (CAWI) ou accompagnée (CAPI) a augmenté le taux de participation dans l'étude, car certaines personnes se sont niées à faire le questionnaire en mode autoadministré, mais ont accepté lorsque celui-ci était accompagné. Dernièrement, le fait que l'échantillon soit relativement grand (concernant la prostitution dans un seul canton suisse) est un avantage pour l'analyse des données ainsi que l'exploration d'un phénomène qui reste, tout de même, rare.

Une première limite de cette étude concerne la possibilité de généralisation des résultats à la population des personnes travailleuses du sexe du canton de Vaud. Selon notre estimation qualitative, la composition de notre échantillon correspond de manière assez représentative – en se basant sur des facteurs tels que la nationalité et l'âge – à celle de la population de travailleuses du sexe actives sur place au moment de l'étude dans le canton de Vaud. Toutefois, ne connaissant pas de manière précise la composition de la population globale d'étude active dans le canton, nous ne pouvons pas tirer de conclusions sur la représentativité de notre échantillon. Il faut donc consi-

dérer les résultats de cette étude dans le cadre de son échantillon et dans le laps de temps pris en considération (2016-2017).

Deuxièmement, la validité de la recherche reste compromise. Nous avons, grâce au prétest, estimé que le questionnaire était compréhensible et adapté à la population d'étude. Cependant, à plusieurs questions, un nombre élevé de « je ne souhaite pas répondre », « je ne sais pas » et plusieurs incohérences nous font penser que la démarche par questionnaire autoadministré diminue probablement la précision de certaines données, en raison des biais de compréhension ou autre (vitesse dans la réponse, compétences de lecture, stress, méconnaissance du thème...). Dernièrement, des analyses visant à mettre en lumière d'éventuelles associations entre certains facteurs et les consommations de produits ont été menées dans un but exploratoire. Les facteurs de confusion potentiels sont nombreux et peuvent biaiser les mesures d'association, qui sont donc à considérer avec prudence.

### **6.3 Pistes prospectives**

En termes de produits consommés, il semble pertinent de tenir en compte les nouveaux produits de synthèse dont l'effet est semblable à celui des stupéfiants, appelés également *legal highs* (euphorisants légaux), qui figurent depuis fin 2016 dans les tableaux des stupéfiants (Swissmedic, 2018). De même, d'après nos résultats il s'avère intéressant d'explorer l'éventuel lien entre les consommations et l'endroit où on travaille ainsi que l'état psychologique de la personne, dans des échantillons randomisés et/ou par des démarches qualitatives. Afin de monitorer des éventuels changements dans les consommations, besoins et modalités, et de disposer ainsi de données d'actualité, il serait opportun de répéter l'étude dans quelques années ou effectuer une étude longitudinale.

Les consommations de produits légaux et illégaux lors de l'exercice de la prostitution suggèrent des implications importantes à niveau criminologique. Ainsi, la prise de produits qui peuvent altérer la perception des risques peuvent augmenter la probabilité non seulement des rapports sexuels non-protégés mais aussi les risques de victimisation (Kilpatrick et al., 1997 ; Hall et al., 2008 ; Morojele & Brook, 2006). De même, notre étude met en évidence que 13.7 % des sondées n'ont pas de souvenirs de ce qui s'est passé lors d'une consommation, ce qui peut diminuer le taux de reportabilité des éventuelles victimisations subies lors de l'exercice de leur travail. Ces aspects méritent davantage d'étude et de considération dans des actions de prévention auprès de ce public.

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#### **Soutien financier**

Une grande partie des ressources nécessaires pour la réalisation de cette étude a été puisée dans les activités courantes de l'association Fleur de Pavé et de son comité, avec un soutien supplémentaire provenant de la subvention allouée par la Ville de Lausanne et des montants annuels versés par l'Aide suisse contre le sida, pour un total de 13'670 francs suisses.

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## Remerciements

Nous remercions l'équipe de Fleur de Pavé, et nos collègues Yuji Z. Hashimoto, Marcelo F. Aebi, Jenny Ros et Korbinian Baumgaertl pour leur soutien et leurs précieux conseils. De même, les personnes travailleuses du sexe qui nous ont confié leurs expériences. Finalement, les reviseurs et éditeurs de cette revue pour leur travail et suggestions.

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## Contribution des auteurs

Planification de la recherche : G. Biscontin, L. Molnar & Silvia Pongelli ; récolte des données : L. Molnar ; analyse des données : G. Biscontin & L. Molnar ; rédaction, révision et correction du manuscrit : L. Molnar, G. Biscontin & Silvia Pongelli.

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## Notes

- 1 Nous clarifions que nous utilisons « travailleuse du sexe » et « prostituée » de manière indistincte afin de rendre la lecture plus fluide.
  - 2 La loi ne prévoit que le racolage de clients. Si le service sexuel a lieu dans la rue, on est susceptible de recevoir une amende pénale selon l'article 199 du Code pénal suisse (RS 311.0 Code pénal suisse du 21 décembre 1937)
  - 3 « La régression logistique est l'un des modèles d'analyse multivariée les plus couramment utilisés en épidémiologie. Elle permet de mesurer l'association entre la survenue d'un événement (variable expliquée qualitative) et les facteurs susceptibles de l'influencer (variables explicatives) » (Sanharawi & Naudet, 2013, p.1).
  - 4 « Les Odds-ratio (OR) sont une mesure d'association entre une exposition et un résultat. Les OR représente la probabilité de qu'un résultat ait lieu tenant en compte une exposition particulière, comparé aux probabilités de qu'un résultat ait lieu dans l'absence de cette exposition » (Szumilas, 2010, p.1).
  - 5 Fondation lausannoise de soutien médical aux personnes les plus démunies <http://web.point-deau-lausanne.ch>
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# Risky business: voluntary sex workers as suitable victims of work-related crimes in a legalised prostitution environment

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Accepted: 3 February 2023  
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## Abstract

Many studies have analysed the violence to which sex workers (SWs) are exposed in countries where prostitution is criminalised, but violence in sex work when it is a legal and freelance activity has seldom been studied. This study is based on non-systematic participant observation and 14 interviews conducted with cisgender and transgender freelance SWs exercising their profession in Switzerland. Findings show that all the participants had been victims of work-related offences and that their victimisation can be interpreted through the updated version of Routine Activities Theory. Few reported the victimisation to the police although in general, they said that they appreciated the Swiss police. Most common perpetrators were customers, passers-by, and colleagues. The places where offences occurred can be defined as risky settings. The police, the SWs themselves and other actors such as social workers are identified as controllers, while the legal framework and NGOs themselves can be labelled as super-controllers. Our study suggests that public policies should not be limited simply to regulating prostitution, but also continuing to ensure SW's safety by developing evidence-based prevention strategies.

**Keywords** Sex work · Freelancer · Risky settings · Controllers · Victimisation

## Introduction

*Sex work* or *prostitution* can be defined as the exchange of sex for money, goods, or other types of services (Jenkins 2020). Attitudes towards prostitution have varied throughout history as they are shaped by the dominant culture of each period, from tolerance in the Roman Empire to punishment with fines, detention and even death penalty in the Puritan period that followed the rise of Protestantism in the 16th

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century (Jenkins 2020). In Western Societies, attitudes towards sex and, indirectly, prostitution has been undergoing major, continuous and heterogeneous changes since the 1960s, when the invention of the combined oral contraceptive pill sparked the sexual revolution and the normalisation of contraception. Meanwhile, the rise of feminism further impacted attitudes towards this practice, resulting in differing views ranging from considering it a profession to those to considering it a form of contemporary slavery. This debate led to the development of the term *sex worker* (SW) in the 1980s (Jenkins 2020), a decade also marked by the rise of the HIV/AIDS epidemic which and the development of the internet in the 1990s and widespread access pornographic websites (Weiss 2018).

Today, sex work is a heterogenous phenomenon that includes different forms of services and is exerted by people with diverse socioeconomic backgrounds and motivations (e.g. see Harcourt and Donovan 2005). Its regulation across Europe also varies widely (Danna 2014). Sex work is illegal (although in practice it seems to be *alegal*) in Eastern European countries, whilst the Scandinavian nations and France tolerate SWs but punish their clients. Quite oppositely, in some Central European countries—Austria, Belgium, Germany, The Netherlands, and Switzerland—sex work is considered a legal freelance employment.

Our study takes place in Switzerland, where sex work is a legal activity subject to taxation and social insurance, whose specific regulation varies across the cantons (states) that compose the country, organised in the form of a confederation. In the canton where this research was conducted, sex work is permitted both indoors—in so-called erotic massage salons—and outdoors, where it can only take place at night and in a specific area. Customers can be solicited during the night in the streets of that area, but the sexual services can only be performed in the erotic massage salons. The latter can be bars, clubs or private rooms, and they are placed under the responsibility of a manager who rent rooms to the SW. The Swiss criminal code (art. 199) punishes with a fine those engaging in sex work outside these places and times as well as pimping and sexual exploitation with fines and/or—depending on the seriousness of the case—imprisonment (arts. 182 and 195).

## Previous research

Stigma and victimisation have been recurrent topics of study in sex work (Barberet 2000; Sanders 2001; Sanders and Campbell 2007; Abel et al. 2010; Karandikar and Próspero 2010; Deering et al. 2014; Mitjans Núñez and Molnar 2016; Berger et al. 2018; Bungay and Guta 2018; Peitzmeier et al. 2019; Miin Miin Chai et al. 2023). These studies coincide in concluding that sex work is a hazardous occupation, and that SWs are frequently victims of clients, pimps, and sometimes even of the police. According to Deering et al. (2014) systematic review, the lifetime prevalence of any form of workplace violence endured by SWs ranges between 45 and 75%, and the previous year prevalence between 32 and 55%. These high percentages are influenced by situational factors—such as working in the streets—that increase the likelihood of victimisation (Deering et al. 2014).



A pioneer European study on SWs victimisation that inspired our research was conducted in Spain—whose law does not forbid nor regulates sex work—by Rosemary Barberet (2000), almost a quarter of a century ago. Barberet interviewed 50 SWs and found that they had been victims of physical assault, robbery, kidnapping, and rape (defined as non-consensual sexual intercourse) while doing their work. The perpetrators were clients and passers-by who always took away the SWs' cash. The offences were not reported to the police because the SWs feared the consequences of a criminal procedure, distrusted the authorities of the criminal justice system, or were unable to identify the perpetrator. Several SWs mentioned to Barberet (2000) that the police had told them that victimisation was a “side effect” of their job.

Research suggests that the risk of victimisation for a SW is lower in countries where prostitution is legal than in those where it is criminalised or has been “abolished” (Brents and Hausbeck 2005; Sanders and Campbell 2007; Abel et al. 2010; Benoit et al. 2019). In that regard, former studies suggest that legalisation reassures SWs and their rights, hence increasing their willingness to report offences, suffered or witnessed, to the police. However, comparisons are problematic because most of the studies on SWs' victimisation have been conducted in countries where prostitution is illegal or alegal (Weitzer 2009).

## Theoretical framework: Routine activity theory

Routine activity theory (RAT, Cohen and Felson 1979; Felson 1986; Sampson et al. 2010; Sherman et al. 1989) is one of the most tested and corroborated theories in criminology (Eck and Madensen 2015). Scholars such as Sanders and Campbell (2007) and Miin Chai et al. (2023) have applied opportunity-based theories to the study of sex work. These theories focus on proximal causes of crime—instead of distal causes such as structural inequalities—and posit that that certain conditions and actors must converge in time and space in order for the crime to occur.

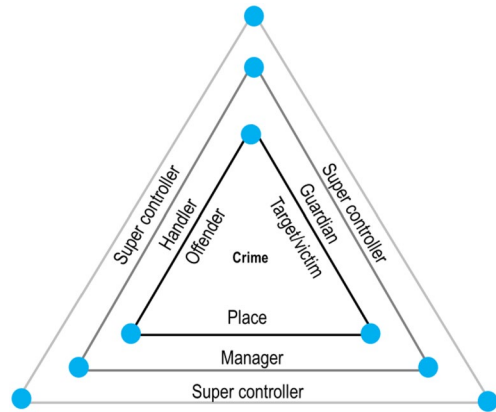
In its original version, RAT argues that a predatory crime requires a motivated offender, a suitable target, and the absence of a capable guardian (Cohen and Felson 1979). In its latest version (Fig. 1), proposed by Sampson et al. (2010), RAT states that, for a crime to occur, a *potential offender* and a *suitable target* must converge in the same *place* (Cohen and Felson 1979; Felson 1986) in the absence of *controllers*—which can be *handlers*, *guardians*, or *managers* (Felson 1986; Sherman et al. 1989)—or *super-controllers* that encourage the controllers to prevent crime (Sampson et al. 2010).

The controllers of a potential offender can be handlers—a significant other, family members, or friends—that discourage him or her from offending. A location can have a manager—a concierge or shopkeeper—whose task is to keep the premises safe. Lastly, a suitable target can be controlled by a guardian—friends, a neighbour, or the police—that provides protection. (Felson and Eckert 2019) remind that the police are unlikely to be present when a crime occurs; consequently, the best guardians are not police officers but common citizens whose mere presence serves as a reminder that the target is not alone.





**Fig. 1** Updated version of RAT  
*Source:* Sampson et al. (2010)



Similarly, other handlers, managers, and guardians may not always comply with their task, and it is in that context that super-controllers become essential. These can be regulatory agencies, the media, family relationships, courts or markets that can motivate controllers or supervise whether they are exercising their function appropriately. They can also motivate other super-controllers to do the same.

## Aims of the study

This article's aim is twofold: First, it studies the extent and characteristics of SWs' victimisation; second, it places it within the framework of the latest version of Routine activity theory (Cohen and Felson 1979; Sampson et al. 2010), an opportunity-based theory that seems useful to analyse the proximal causes of this kind of victimisation.

The research was guided by the following questions:

- (1) What is the prevalence<sup>1</sup> and variety<sup>2</sup> of sex work-related victimisations ?
- (2) At what rate are sex work-related victimisations reported to the police ?
- (3) What is the SWs' perception of the Swiss police ?
- (4) Who are the perpetrators of the SWs' victimisation ?
- (5) In which places the victimisation of the SW takes place ?
- (6) Who act as controllers (i.e. guardians, managers and handlers) in preventing the SWs' victimisation?
- (7) Who act as super-controllers in motivating the controllers to prevent the SWs' victimisation ?

<sup>1</sup> In this context, prevalence refers to the proportion of SWs who were victims of a work-related offence since they started working as such. Particular attention is paid to identify and isolate offences suffered while working in another country.

<sup>2</sup> In this context, variety refers to the range of different types of offences suffered by those SW that suffered at least one victimisation (for details on the variety index, see Aebi 2006).



## Data and methods

### Data collection

This study is based upon approximately 1100 h of non-systematic participant observation distributed over 18 months, which set a trustworthy context for conducting 14 semi-structured interviews with indoor and outdoor SWs ( $N=14$ ) exercising their profession in the canton of Vaud (Switzerland). The participants are freelancers, in the sense that they do not work under coercion from pimps or sexual exploitation networks. The first author is a research-practitioner who, in collaboration with the person in charge of an NGO, developed a semi-structured research protocol that was applied in this study. During the first year, we followed an ethno-criminological approach that allowed the first author to assess the situation in the field and to take informed decisions about the profiles of the SWs to be interviewed, the questions to be asked, and the appropriate times and places to conduct the interviews.

With theoretical saturation in mind, we attempted to interview cisgender and transgender SW—the latter are underrepresented in the available research (Weitzer 2005)—both with legal and illegal working status. It is to note that we were unable to target male SWs due to their absence from the field. The individual interviews were conducted in 2017 at times and places chosen by the SWs, typically in tea rooms and bars during the day, but also in the streets and in erotic massage salons during the night. We preferred the former because they offered the opportunity of discussing with the SWs outside of their working hours and out of sight of their colleagues or acquaintances. The field researcher paid for soft drinks and pastries, and conducted the interviews in Romanian, French, or Spanish, depending on the native tongue of the SWs or the language in which they were more fluent. Interviews began with general questions about the SWs' situation, focused then on their experience in sex work in Switzerland, and concluded with the sensitive issue of their victimisation. All interviews were recorded but one, for which we took notes manually. The recorded interviews were transcribed in the same language in which they took place, but quotations are presented here in English.

### Data analysis

Following the principles of content analysis (Castleberry and Nolen 2018), we started with a horizontal analysis that consisted in browsing each transcript to identify the recurrent topics. This allowed a subsequent transversal analysis of each of those topics across the transcripts.

The main variables that emerged from the interviews were introduced in a data analysis software that allowed estimating the prevalence and variety of the victimisations self-reported by the SWs. Prevalence refers to the proportion of SWs who were victims of a work-related offence since they started working as such in Switzerland. The eight offences identified through the interviews are: (1) threats, (2) sexual assault, (3) physical assault, (4) fraud, (5) robbery, (6) wrongful restraint,



**Table 1** Sociodemographic characteristics of the sample ( $N=14$ )

Gender	Cisgender woman: $n=8$ Transgender woman: $n=6$
Age	Average: 34.7 years old Median: 35.5 years old
Country of origin	Romania: $n=5$ Bulgaria: $n=2$ Switzerland: $n=2$ Colombia: $n=2$ Brazil: $n=1$ Ecuador: $n=1$ Dominican Republic: $n=1$
Education level	Primary: $n=5$ Secondary: $n=4$ Apprenticeship: $n=1$ University: $n=4$
Experience in sex work	Average: 5.1 years Median: 4 years Min.: 1 year Max.: 15 years
Place of work	Outdoors $n=5$ Indoors $n=4$ Combined $n=5$
Administrative situation	Legal $n=7$ Illegal $n=7$

(7) theft, and (8) insults. Variety refers to the range of different types of offences suffered by the SWs. It was computed as a *lambda* index by adding the number of different victimisations reported by each participant (one point for each type of offence, except insults which were excluded to keep only the most serious offences) and dividing the total by the number of members of the sample that suffered at least one victimisation.<sup>3</sup>

Variety of victimisation

$$= \frac{\sum \text{Number of different types of victimisation reported by each participant}}{\text{Number of participants who reported atleast one victimisation}}$$

## Description of the sample

Table 1 illustrates the sociodemographic characteristics and experience in sex work of the 14 participants in our study. The sample includes eight cisgender women and

<sup>3</sup> For details on the validity index, see Aebi (2006).



six transgender women. On average, at the time of the interview they were 35 years old and had started doing sex works five years earlier. Eleven of them are non-Swiss citizens coming primarily from Eastern Europe ( $n = 7$ ), among whom two transgender participants belong to the Romanian Roma ethnic group. Most of the members of the sample are single ( $n = 9$ ) and have no children ( $n = 10$ ). Four of them have uncompleted university studies and the rest have finished primary or secondary school ( $n = 9$ ) or an apprenticeship ( $n = 1$ ). Seven participants have an illegal resident or work status. One of them is a non-European citizen that cannot apply for a work permit, and the rest are European citizens who have remained in Switzerland for more than 90 days (the maximum number of days allowed without a work permit) or do not fulfil the criteria to obtain a work permit (i.e. earn at least 2000 Swiss francs per month, have a reasonable business plan, and have an address in Switzerland).

Being in an illegal situation, combined with the fact that the police check frequently the erotic massage salons to control that the law on sex work is applied properly, has an impact on the working location—indoor or outdoor—chosen by the SWs to exercise their profession. Five of the members of our sample work in the prostitution area from 10 PM to 5 AM, soliciting customers in the street and performing the sexual service in the car or the house of their client, or in their own house. Four SWs exercise their profession indoors, primarily in erotic massage salons, although some work also in their house or, even if it is illegal, in hotels. The other five SWs work both indoor and outdoor.

## Findings

### Settings

As mentioned in the Introduction, in the city where our study was conducted, street sex work is permitted in a specific area (three streets) of a neighbourhood that cannot be considered degraded or particularly dangerous and is located at approximately ten blocks (one kilometre) from the city centre. The neighbourhood combines a zone of apartment buildings with a commercial zone composed of large streets with relatively high buildings—some under construction—that host small light industries, commercial companies, and offices, two education centres, a theatre, a bar, a concert house, and a skate park. Soliciting in the sex work area is allowed from 10 PM to 5 AM.

The sex work area—where soliciting is allowed from 10 PM to 5 AM—is not isolated from the rest of the neighbourhood, which means that, apart from the SWs and their potential clients, there are many passers-by (neighbours, visitors, partygoers, etc.) going through it by car or on foot. Police also patrols the neighbourhood by car and on foot. In addition, the social workers from the NGO that assists the SWs also start their shift at 10 PM and do their work inside a caravan placed in one of the streets of the area, where SWs can have a cup of coffee, tea or other soft drink and receive condoms as well as informative brochures.



**Table 2** Prevalence of the victimisation ( $N=14$ )

Offence	Prevalence
Threats	8
Insults	7
Sexual assault	6
Physical assault	4
Wrongful restraint	4
Fraud	4
Theft	3
Robbery	1

Customers usually arrive by car and drive nearby the SWs, who are waiting for them on the sidewalk, to ask about pricing and types of services. Upon reaching a mutual agreement on the terms of service between the SW and the customer, the SW will proceed to provide the service. The service may be performed inside the customer's vehicle, or at a designated location, e.g. a hotel room, the client's home, a parking lot, or the countryside.

As mentioned above, sex work is allowed indoors in the premises of erotic massage salons that have obtained an administrative licence for erotic tariffed activities. The managers of these salons rent their rooms to SWs—usually for the entire day—after checking that they are legally entitled to work. Managers cannot impose any obligation to the SW—such as working a certain number of hours, receiving a minimum number of clients, performing specific sexual practices, or accepting clients the SW would prefer to reject—nor can they take a percentage of their earnings. The salons are usually opened from morning to midnight, unless they are placed in clubs or cabarets, which also have a night shift.

## Work-related victimisations

### Prevalence of the victimisation and reporting to the police

Table 2 illustrates the prevalence of the victimisations self-reported by the participants ( $N=14$ ). They have all been victims of at least one offence during their working experience in Switzerland. However, only three (two with legal status and one without) have reported the offence to the police. The main reasons given for not doing so were related to their fear of being fined or deported from Switzerland because they worked in illegal places, at illegal times, or did not have a work permit. In addition, one SW did not speak French, a Swiss SW explained that she feared that, if she complained to the police, her entourage would know about her job, and one considered that the police are useless.



**Table 3** Variety of victimisations

	Average	Minimum	Maximum	Years of work in sex work (median)
Total sample ( $n = 14$ )	2.1	0	6	4
Cisgender SW ( $n = 8$ )	1.3	0	3	3.5
Transgender SW ( $n = 6$ )	3.3	1	6	4
SW with legal status ( $n = 7$ )	2	1	5	4
SW without legal status ( $n = 7$ )	2	0	6	4
SW working in the street ( $n = 5$ )	1.6	0	3	4
SW working indoors ( $n = 4$ )	1.3	0	2	4
SW working in both ( $n = 5$ )	3.4	1	6	4

### Variety of SWs' victimisations

Table 3 illustrates the variety of the offences against the participants. As a reminder, insults were excluded from the calculation to study only the most serious offences. On average, the *lambda* variety of the sample's victimisation is 2.1, which means that each victimised SW endured 2.1 different work-related victimisations during her working experience (5 years on average).

When broken down into different categories, transgender SWs reported a *lambda* variety of 3.3, whilst for cisgender SWs it was only of 1.3. Moreover, transgender SWs reported a maximum of six different types of victimisations compared to only 3 for cisgender SWs. Similarly, SWs exercising their profession both outdoors and indoors report a higher variety than those working in a single place, be it outdoors or indoors (3.4 vs. 1.3–1.5). On the contrary, there are no differences in victimisation according to the legal status of residence (variety of 2 in both cases).

### Characteristics of the main victimisations

#### Threats

Eight SWs reported having been threatened with physical aggression by their customers (four victims), colleagues (two) or the pimps of other colleagues (two) if they did not comply with the perpetrator's demands. Frustrated customers threatened the SW during the sexual service when they could not reach their climax, or when something did not go as planned:

The condom broke, and he threatened that he would kill me if I were sick.  
(Interviewee No. 9, cisgender woman with legal status).

Threats from other colleagues or other colleagues' pimps arise in the context of "territorial" disputes, typically at night and in the street. Senior SWs consider they have priority to choose a specific spot to work—for example, a street corner—and do not



hesitate to chase potential competitors, intimidating them if necessary. The law on prostitution does not go into such detail, suggesting that the tacit rule in the street should be “first come, first served”, but in practice SW prefer to work systematically in the same spot for strategic reasons. For example, because there are more passers-by or to help their usual clients find them easily.

She’s jealous: a blonde over there, she’s a shit (...), she didn’t let me go to the other side (...). It’s not her place, here there is a place for everyone. (Interviewee No. 2, transgender woman with legal status).

### Property crime

Six SW reported having been victims of property crime while working. The offences include larceny thefts (three victims)—being deprived of their property without force or violence—, robberies (one victim)—being deprived of their property by force or threat of force—and fraud (four victims), usually in the form of clients promising to pay for their services but not keeping the engagement.

In two of the larcenies, the thieves were clients that discreetly took the money from under the bed or the drawer where the SW had put them when the SW went to another room, like the toilet. The robbery occurred in the street at night, and the perpetrator pretended to be a client until he reached an unguarded place where he took the SW money by force or threatening her with a knife.

Three out of the four cases of fraud coincide with the stereotype of the client promising the SW to pay after the intercourse, but never complying. The victims can be indoor or outdoor SW. Nevertheless, some fraud schemes can be quite sophisticated and entail substantial and legal consequences. That was the case of one SW in an erotic massage salon whose owner took part of her money with the promise of registering her officially (work permit, taxes, etc.), but discovered years later, when she was summoned by the Tax Administration, that she was still in an illegal situation and had debts towards the State.

### Insults

Seven SW reported having been victims of verbal aggression while working. The perpetrators were mainly pedestrians walking by the prostitution area who called them by names such as “bitch”, “slut”, or “faggot”. These offences’ perpetrators were largely pedestrians walking through the prostitution neighbourhood at night. During the field observation, the first author also witnessed some SWs insulting others. Finally, in the context of escalating physical or sexual assaults, the SWs were also insulted by frustrated customers.

He took out his condom and he just cum inside of me, you know? And then I moved myself, but I had it [the sperm] running down (...). And he says to me: ‘Shitty bitch’. (Interviewee No. 7, transgender woman without legal status).



## Sexual assaults

Six SW reported having been victims of sexual assaults committed by their clients. The latter forced them to have sexual intercourse without their consent, using force, cuffs, or even drugs.

... it happened in his secondary residence. I had been there already several times [...] and we have tried several BDSM [Bondage-Domination-Sadism-Masochism] stuff, and once he attached me to the bed. The rules were very clear (...) and we repeated them several times. He insisted. I said 'no' to him the first times, but then I accepted to be handcuffed to the bed. And he did everything which I told him not to do. It clearly was a rape. (Interviewed No. 13, woman without legal status).

Interviewee No. 7 also mentioned cases of customers taking off their condom during the intercourse, ignoring the risk of spreading sexually transmitted infections, such as HIV, hepatitis, syphilis, chlamydia, or gonorrhoea, or the possibility of an unwanted pregnancy.

## Physical assaults

Four SW reported having been victims of physical assaults while working. The perpetrators were pedestrians or clients. For the latter, the setting was similar to that explained in the case of threats: the aggression was the consequence of frustrated expectations about the sexual service. Typically, a customer that does not reach climax during the time stipulated for the service wants the SW to continue working and becomes violent when the SW refuses to do so.

He wanted to force me to stay there until he cum because he had paid me. And I told him: 'Yes, you paid me for an amount of time, and that time is over'. And he got very angry, and, fortunately, he grabbed only the pack of humid tissues (...): He threw them in my face, and he shook me. (Interviewee No. 9, cisgender woman with legal status).

SWs' descriptions of physical assaults by pedestrians match cases of unprovoked violence as the perpetrators carried out the assaults without prior interaction and for no apparent reason.

He came from the corner and hit me with the fist in my forehead. I fall with my head on the floor, and I lost consciousness. I don't know how much time... maybe five or six seconds, I don't know exactly... (Interviewee No. 7, transgender woman without legal status).





## Wrongful restraint

Four SW reported having been obliged to remain in a room or a car with clients who, dissatisfied with the service, wanted them to continue working. These wrongful restraints lasted from some minutes to a maximum of one hour.

## Perceptions of the Swiss police

Five out of the nine SW that discussed police perceptions with the interviewer expressed their appreciation for the Swiss police. Comparing them with their native country police, they agreed that they were much more polite.

Here [in Switzerland, in comparison to Italy] you feel safe; here the police pass, and they say hello to you, they don't bother you. (Interviewee No. 4, woman with legal status).

Five of the 10 SWs asked about police efficiency, considered that police failed to prevent crime because they do not patrol the streets more often and that it took them a long time to intervene when called upon. Conversely, four SW stated that the police are supportive and intervene when needed.

## A RAT application to SWs' victimisation

In Fig. 2, we have applied the latest version of the crime triangle developed within RAT to the different kinds of victimisation reported by the SW interviewed for this research. The purpose is not to test RAT, but to use it as an analytical framework to identify the various actors involved in SWs' victimisation and crime prevention.

The *potential offenders* that our interviewees reported are customers, passers-by, colleagues, and managers of the erotic massage salons. Sexual assaults (triangle *d* in Fig. 2) as well as wrongful restraints (triangle *f*) are typically committed by customers, while the range of potential offenders is large for the rest of offences. For instance, passers-by are often involved in property crimes, physical assaults, and insults. The latter, together with threats, can also come from colleague SWs.

The *places* where these crimes occur can be considered as "risky settings" (in the sense of Felson and Eckert 2019), especially at night: empty streets, large parking lots, the customer's car or house, or recreational settings such as the erotic massage salons. Even though they are not fully isolated due to the presence of blocks of flats and events nearby, at night they are deserted and to count on efficient guardians is more difficult than during the day.

As far as *controllers* are concerned, whenever they are present, the police or the NGO's social workers act as guardians and can play a role in preventing SWs' victimisation. They are 'motivated' by the legal framework provided by the law on prostitution and the Swiss criminal code, who could metaphorically act as *super-controllers*. In this regard, the NGO serves a dual role as both a controller and



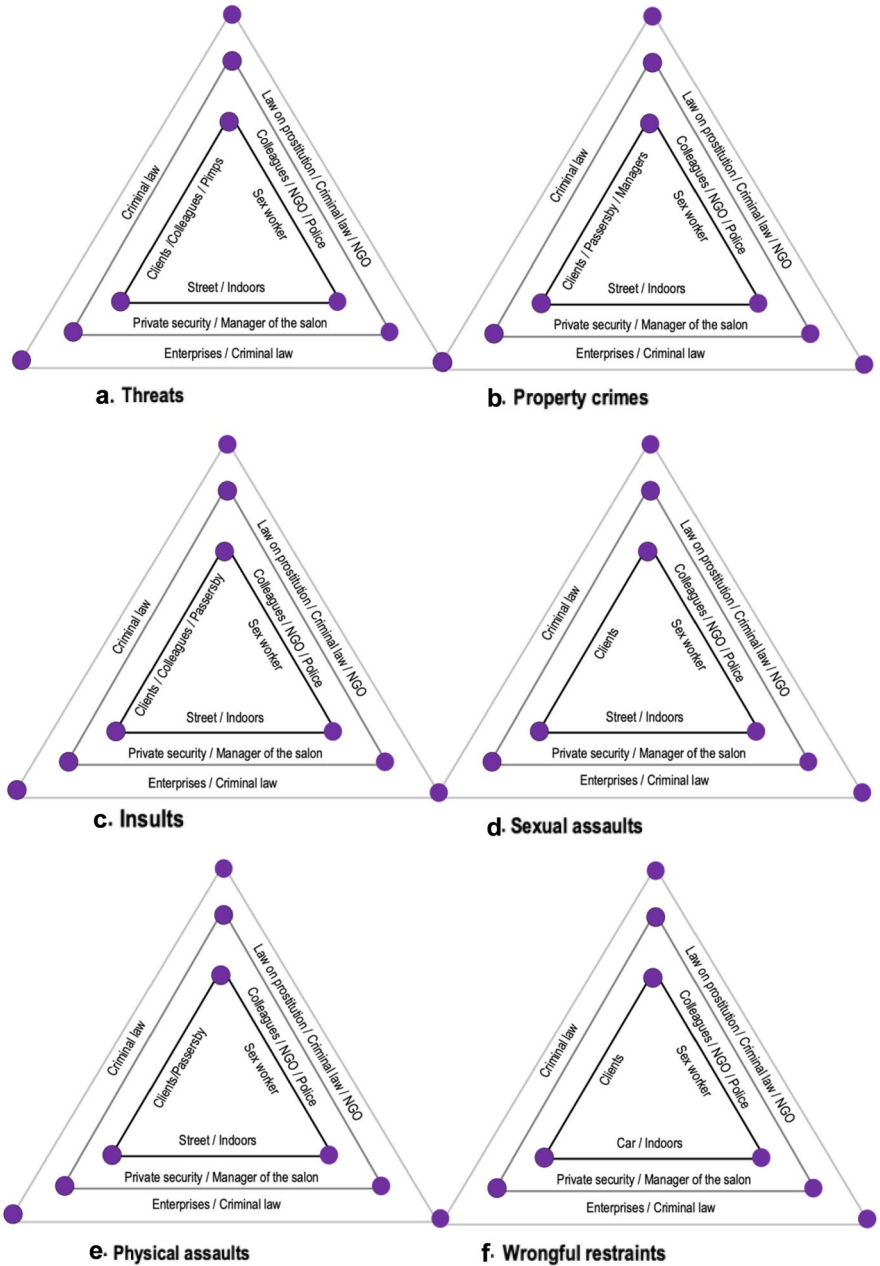


Fig. 2 Application of the crime triangle to the different kinds of victimisations reported by sex workers



super-controller, where the board and management motivate the field social workers to fulfil this responsibility. In addition, the *managers* of the erotic massage salons play literally that role in the sense of RAT, and our field observations suggest that private security agents—who patrol open garages and buildings at night—also play the role of managers of places. Both are motivated to comply with the task of managing the place because it represents their source of income. Nevertheless, our data does not allow any general conclusion regarding *handlers*. It can be noted, however, that the strategies applied by SWs to calm down their clients when tension arises (for examples, see Molnar and Aebi 2022) show that, somehow, they are playing the triple role of handlers, guardians, and potential victims.

## Discussion

This paper highlights the risk of victimisation faced by cisgender and transgender female SWs even when they operate in a context in which prostitution is legal. Sex work is performed in risky settings: it usually takes place at night, in rather isolated places and in constant contact with strangers. Consequently, SWs are susceptible to endure threats, insults, property offences, and physical or sexual assault. It is to note that although our article focuses on the concrete settings and proximal causes of SWs' victimisation, structural causes such as poverty, lack of access to education, gender-based violence, etc., should not be forgotten.

The levels of victimisation observed in Switzerland—where the most frequent offences are threats and insults—are lower and much less serious than the ones observed in Russia (Karandikar and Próspero 2010) or the USA (Chan and Beauregard 2019). The profiles of some of the perpetrators and the places where victimisation occurred have some points in common with previous research conducted in countries where prostitution is illegal (Barberet 2000; Földhazi 2010; Karandikar and Próspero 2010; Mitjans Núñez and Molnar 2016; Bungay and Guta 2018; Peitzmeier et al. 2019) but also some interesting differences. For example, former studies have highlighted that SW are largely the victims of their customers and passers-by, but also of their pimps and the police. In our study, we found that cisgender and transgender female SWs were victims of male customers and passers-by, as well as of other cisgender and transgender female SWs, but none had been the victim of the Swiss police. This suggests that legalisation acts as a protective factor. In addition, we have also identified threats by colleague SWs and their pimps that had not been identified by previous research, perhaps because the question was not raised by the researchers. Similarly, fraud has seldom been studied in this context, but we identified frauds perpetrated by the managers of the salons. In particular, the SW interviewed in our study affirmed that they had been threatened by their colleagues largely because of the strong competition for clientele. In our view, this is a salient element that should be taken into consideration when prevention programs are designed. As in other workplaces, SW have problems with colleagues that may escalate into violent offences if not prevented. In addition, colleague SW can have the role of guardians and



therefore the social cohesion among SW seems highly relevant for crime prevention programmes.

Our findings reveal associations between categories of perpetrators and types of victimisations. Thefts and physical assaults are mainly committed by pedestrians unknown to the SW, while sexual assault and fraud are more likely to be committed by their customers. These patterns are consistent with opportunity-based theories (Hindelang et al. 1978; Cohen and Felson 1979) and can be explained by a differential exposure to the risk of victimisation. The latter is higher when the SW works in various settings (indoors and outdoors), when the victim is isolated with the offender (i.e., when there are no controllers), like cisgender and transgender SW with their male customers, and is influenced by the type of activity performed, which explains the kind of crimes committed in that context. There seems to be, nevertheless, some specialised offenders that do not hesitate to impersonate a client to rob a SW. In addition, sexual arousal plays a major role in the victimisations committed by the customers. Threats, as well as physical and sexual assaults are often triggered by the clients' inability to climax. This is consistent with the literature showing that sexual arousal decreases self-control and limits the personal strategies available to manage problematic situations (Ariely and Loewenstein 2006).

The transgender SWs in our sample are overrepresented among victims, a finding which is exactly the opposite of Mitjans-Núñez and Molnar's (2016). In that study, conducted in Spain, transgender women were the less victimised group, but the authors clarified that the transgender SW themselves attributed their low level of victimisation to their tall and fit body shape; on the contrary, the transgender women in our sample are largely short and slim, and it is well known that physical characteristics affect the risk of victimisation (Felson 1996). Nonetheless, the available research on victimisation of transgender SW is scarce (Weitzer 2005) and our sample too small to draw any conclusion. Having worked on this topic in two different countries, the first author considers that future research should try to measure the community's general degree of tolerance or hostility towards transgender individuals as it may have an influence on their levels of victimisation.

As in other countries that regulate sex work (Abel et al. 2010; Benoit et al. 2019), SW have a positive perception of the Swiss police, but this does not mean that they consider them as competent nor that they report the victimisations suffered. This is a result consistent to other posterior studies conducted in Switzerland (Molnar and Ros 2022). However, offence reporting is also influenced by the legal situation of the SW in the country, as we have seen that legalisation does not mean that all SW are respecting the applicable rules. In addition, police patrolling may discourage potential customers, in such a way that SW face a conflict between their need for protection and their need for privacy. Somehow similarly, police officers face a conflict of roles: on the one hand, they are SW's guardians; on the other, they must enforce the law, which sometimes means punishing SW working without a permit or working at forbidden places or times. This is a classic conflict faced also by community police officers (Armenta 2016). Nevertheless, our study could not shed sufficient light on super-controllers such as the media, the politicians, or police management. This is therefore an area that deserves further investigation.



This study includes diverse SWs' voices—cisgender and transgender, documented and undocumented—in one of the few countries where sex work is regulated. Data collection was preceded by 18 months of social work with the participants through an NGO that has been supporting SW for more than 20 years, something that should have reduced the bias due to the *social desirability effect* (Paulhus 1984). Similarly, 12 of the 14 SW could use their mother tongue during the interviews (French, Romanian, or Spanish), which increased the fluidity of the interviews and the rapport of confidence between interviewer and interviewee. As a means of increasing reliability, we created a *semi-quantitative* database with the information collected. This allowed a relative quantification of the phenomena studied, avoiding thus the anecdotal use of quotations and suspicions of *cherry-picking*. Instead, the quotations presented in the paper were used to contextualise the findings.

Limitations of our study should also be mentioned. First, we cannot overlook that we are facing here a potential conflict of roles, because the first author was engaged both as a social worker and as a researcher, and that could have led to unconscious biases during the data collection and analysis. For that reason, we interviewed not only SW with whom there was some sort of close relationship, but all SW who agreed to be interviewed, while maintaining a balance with respect to gender and legal status. Second, our research could not reach men who exercise sex work, a population that presents different characteristics and exercise in different manners compared to the cisgender and transgender female SW (see for e.g. Minichiello et al. 2002, 2013). Third, other the limitations of this study are mainly related to its small sample, which indirectly affects the crime index used. Prevalence, for example, is a sort of *period prevalence* starting when each interviewee began SW, which means that its length differs from person to person, as there are not enough cases to concentrate on the last year only. Similarly, the responses of the interviewees were too generic to allow measuring the incidence or frequency of their victimisations, a measure that would have allowed a more detailed analysis of the phenomena under study.

## Conclusion

This study was guided by several research questions whose answers can be summarised as follows: The 14 SWs that participated in our study had been victims of work-related offences, particularly threats, insults, and sexual assaults. Few SWs reported the offences suffered to the police although in general, they said that they appreciated the Swiss police. General variety of victimisation in on average of two different offences, although transgender SWs are overrepresented among the victims of multiple offences: having been on average victims of three different offences. The perpetrators of the offences were customers, passers-by, colleagues, other colleagues' pimps, and managers of erotic massage salons. There was a certain degree of specialisation among the perpetrators, in the sense that clients were more likely to commit sexual assault and fraud, whilst passers-by were more likely to commit theft and physical assault. The places where offences occurred can be defined as risky settings. The SWs themselves, the police, the NGO's social workers, the managers of



the erotic massage salons, and employees of private security enterprises fulfil roles of controllers, whilst the Swiss criminal code, the law on prostitution and the NGO's management fulfil roles of super-controllers.

Our results highlight that prostitution remains a hazardous job even when it is legal. This suggests that public policies should not be limited to simply regulating prostitution, but also to ensuring SWs' safety through the development of evidence-based prevention strategies. In that perspective, future research could focus in the specific context in which sex work takes place to propose tailored situational crime prevention strategies (Cornish and Clarke 2003). In the city where this study was conducted, the context is given by the prostitution area and the erotic massage salons. Our findings also suggest that, in the immediate future, interventions could focus on increasing offence reporting by the SW, increasing their knowledge of the procedure they should follow and of their rights as crime victims, as well as increasing the social cohesion among the SW.

**Acknowledgements** The authors wish to thank Yuji Z. Hashimoto, Laritza Mitjans as well as to the anonymous reviewers for their helpful comments on previous versions of this manuscript. They are also extremely grateful to the association Fleur de Pavé, particularly to Silvia Pongelli, and to the sex workers who shared with us their experiences, without whom this research would not have been possible.

**Authors' contribution** Planification of the research: LM; data collection: LM; data analysis: LM & MA; writing, revision and correction of the manuscript: LM & MA. Both authors read and approved the final manuscript.

**Funding** Open access funding provided by University of Lausanne. The authors received no financial support for the research or redaction of the manuscript. The publication in OA is funded by the University of Lausanne.

## Declarations

**Conflict of interest** The authors declare that there is no conflict of interest.

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RESEARCH

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# Alone against the danger: a study of the routine precautions taken by voluntary sex workers to avoid victimisation

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## Abstract

This article explores the routine precautions taken by sex workers (SW) in Switzerland, a country in which sex work is a legal activity. It is based on approximately 1100 h of non-systematic participant observation spread over 18 months and 14 semi-structured interviews with indoor and outdoor SW. The findings show that SW use a series of routine precautions that overlap with the situational prevention techniques for increasing perpetrators' efforts or their perception of the risk of offending, reducing the rewards of the crime, and decreasing the provocations and perpetrators' excuses. Future tests of the efficacy of these routine precautions could help developing specific situational crime prevention techniques for deterring offences against SW.

**Keywords:** Sew work, Prostitution, Victimisation, Legalisation, Routine precautions, Situational crime prevention

## Introduction

This article analyses the techniques employed by sex workers (SW) to protect themselves from crime victimisation. *Sex work* is a complex phenomenon, with a wide variety of forms (see Azhar et al., 2020; Harcourt & Donovan, 2005) and legal frameworks (Danna, 2014), and this research presents the particularity of having been conducted in Switzerland, a country where sex work is legal.

Previous research in different nations has addressed the issue of SW crime victimisation (e.g., Abel et al., 2010; Barberet, 2000; Berger et al., 2018; Bungay & Guta, 2018; Brents & Hausbeck, 2005; Földhàzi & Chimienti, 2007; Karandikar & Próspero, 2010; Mitjans Núñez & Molnar, 2016; Molnar 2021; Ros, 2021; Sanders, 2001; Sanders & Campbell, 2007) and the reviews of Benoit et al. (2019) and Ros (2021) conclude that their risk of victimisation is high mainly because of their work conditions. However,

only few of these previous studies paid attention to SW's resilience, i.e., the techniques they employ to protect themselves. A noteworthy exception is the study conducted in Spain (N=50) by Barberet (2000), while the review of Sanders (2001) summarizes the findings of the British studies that had addressed this issue until the turn of the Century. Both authors mention that SW attempt to avoid victimisation by *prescreening* their customers, *asking in advance* for the payment of their services, *frisking gently* their clients for arms, and *rejecting* those that they consider as undesirable. In the United States, Williamson and Folaron (2003) point out that SW (N=13) pay *attention to the verbal and non-verbal language* of their clients and carry *little weapons* for self-defence. In addition, Brents and Hausbeck (2005), highlight the *camaraderie* between SW in legal brothels in Nevada, where debutant SW learn defence strategies from the more experienced ones, and they all take care of each other. Furthermore, in the Nevada parlours, SW are *closely monitored* while working in the premises and *strict rules* are applied under the principle of safety. Finally, systematizing their findings, Sanders and Campbell (2007) propose a threefold

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classification of the strategies employed by indoor SW in the United Kingdom (N=117): *managing the environment*, *mobilising individual protection strategies*, and exerting *collective control*. Moreover, Sanders and Campbell (2007) call for the use of *situational crime prevention* (Mayhew and Clarke (1980; adapted later by Cornish & Clarke, 2003) to protect SW and, as it will be seen immediately, that call is particularly relevant in the context of our research.

Against that background, this paper advances the issue in three ways. First, as shown by our short review of the literature, the topic of SW's self-protection against crime has received little attention, and the scarce available research dates from more than a decade. Second, the paper is based on first-hand testimonies from a hard-to-reach group exercising a high-risk activity but, contrary to previous research, in a context where that activity is legal. Third, it addresses the challenge launched by Felson and Clarke (2010): "one of the main research challenges is to collect more detailed information from citizens on their repertoire of ideas about and experiences with prevention" (Felson & Clarke, 2010, p. 9). This repertoire of ideas is what the same authors labelled as *routine precautions*.

### Theoretical framework

This paper is inspired by the situational crime prevention paradigm, which is based on opportunity-based theories in criminology. Situational crime prevention has its roots in the works of Leslie Wilkins at the Home Office Research Unit in the 1950s and early 1960s, but was formalised in 1976 with the publication of *Crime as Opportunity* (Mayhew et al., 1976), followed in 1980 by *Designing out Crime* (Mayhew and Clarke, 1980). From that perspective, the number of crimes depends upon, among other things, the number of targets available, their attractiveness, their ease of access, the risks associated with the potential crime, and the perceived legitimate alternatives. Accordingly, Mayhew and Clarke developed in 1980 a first inventory of eight situational crime prevention techniques. In the following years, empirical research, reviews, and theoretical contributions were conducted on this topic (see, e.g., the volumes of the collection *Crime Prevention Studies* available at the POP Center<sup>1</sup>). Subsequently, the inventory grew over time, until stabilizing itself in 25 techniques in the early 2000s (Cornish & Clarke, 2003).

These 25 techniques of situational crime prevention belong to five main categories or strategies. The first consists of *increasing the efforts* the perpetrator requires

by making the targets less vulnerable, controlling the access to facilities, screening the exits, deflecting offenders, and controlling the tools or weapons useful for committing a crime. The second consists of *increasing the risks* of committing an offence by increasing guardianship and natural and formal surveillance, and by reducing people's anonymity. The third involves *reducing the rewards* obtained from the offence and entails concealing or removing targets, identifying property, disrupting the markets, or denying the benefits of the crime. Another strategy is based upon *reducing provocations* by reducing frustrations, stress, and emotional arousal, avoiding disputes, neutralising peer pressure, and discouraging imitation. Finally, the strategy of *removing the excuses* is related to the neutralisation techniques offenders use to justify their acts that Sykes and Matza (1957) developed. This involves setting clear standards and instructions, activating conscience, facilitating compliance, and controlling drugs and alcohol.

Situational crime prevention techniques must not be confused with the already mentioned *routine precautions* (Felson & Clarke, 1995, 2010): Situational crime prevention techniques are based upon evidence of what works empirically (Cornish & Clarke, 2003); while the routine precautions taken by citizens to avoid victimisation are not necessarily effective, may backfire, and could also lead to crime displacement. Still, both concepts are related because researchers can develop situational prevention techniques by applying science to the routine precautions taken by citizens. Specifically, by placing routine precautions in a theoretical framework and applying the scientific method to study them, one can produce a set of distinct opportunity-reducing techniques that can be tested empirically later.

### Aim of the study

The purpose of the article is to describe, analyse and classify the routine precautions taken by freelancer SW in a Swiss city. Although it was not foreseen at the beginning, the proposed classification of these routine precautions follows the structure of the classification of *situational prevention techniques* developed by Cornish and Clarke (2003). The reason is that, as we advanced in the analysis of the data collected, it became more and more clear that the routine precautions developed intuitively by the SW overlapped to a great extent with the already existing techniques of situational crime prevention, even though the latter are usually implemented by agents of social control and the former are generally self-implemented.

<sup>1</sup> <https://popcenter.asu.edu/content/crime-prevention-studies>.

## Data and methods

### Background

This research is based on approximately 1100 h of non-systematic participant observation spread over 18 months, and 14 semi-structured interviews with indoor and outdoor SW (N=14) of a city in a French-speaking Swiss canton. The SW interviewed do not work under coercion (from pimps or sexual exploitation networks, for example) and the choice of the city is due to the fact that the field researcher and first author of this paper was already engaged as a social worker by an NGO dedicated to the minimisation of risks related to sex work in that city. At the time of her engagement (March 2016) she did not have the intention of conducting a study; however, one year later, when the Head of the NGO manifested their need to understand the victimisation endured by the SW, it became evident that her background in criminology could be helpful for conducting such a study. Consequently, a semi-structured research protocol was developed—the lack of previous studies conducted in the same context did not allow for a more structured protocol—and approved by the Head of the NGO. The implementation of the protocol in 2018 was largely facilitated by the fact that the field researcher had established a rapport of trust with the interviewees. The research also allowed developing a structured crime victimisation prevention program for SW based on the principles of situational crime prevention (Molnar & Pongelli, 2019; Molnar 2021).

### Description of the Field

Since 1992, Switzerland has considered sex work as a legal activity that can be performed by Swiss or European Union citizens who must adhere to municipal, cantonal and federal regulations, and are subject to taxation and social insurance. It is to be noted that Switzerland is a confederation composed of cantons that dispose of a great autonomy in terms of legislation. In practice, this means that sex work is a legal economic activity—although not a profession— at the federal level, but is regulated in a specific, and often different, way in each canton.

In the canton in question, sex work is permitted both indoors and outdoors. The latter is allowed in a specific perimeter located roughly one kilometre from the city centre, in a neighbourhood that can be described as an inner-city industrial zone composed of large streets with factories and office buildings, but also schools, concert houses and bars, because it is surrounded by residential areas. At night, sex work through street soliciting in that area is allowed from 10 PM until 5 AM. During these hours, the neighbourhood—which cannot be considered as degraded or particularly dangerous—is frequented by

SW and their customers by car or on foot, but also by persons who live nearby, as well as passers-by returning home from work or from a concert, or simply traversing the area to go to the city centre. Police patrols also tour the neighbourhood by car and on foot. Customers usually arrive by car and stop next to the SW, who are waiting for them on the sidewalk, to ask about pricing and type of service. If the SW and the customer agree on the terms of the service, the SW will get in the car and perform the service somewhere else, such as in the customer's home, a hotel, the SW's parlour or inside the car.

Indoors sex work is allowed in premises that have obtained an administrative licence for erotic tariffed activities and are known as *erotic massage salons*. These can be apartments, but there are also bars or clubs with private rooms. They all have a manager that rents the rooms to the SW—usually for the whole day— after checking that they are legally entitled to work. The managers are not authorised to impose any condition on the SW. In particular, they cannot force them to work during a certain number of hours, receive a minimum number of clients, perform specific sexual practices or accept any type of client. Moreover, they cannot take a percentage from the earnings of the SW. Most often, erotic massage salons are open from morning until midnight, with the exception of the clubs and cabarets, which also have a night shift.

### Research Strategy

The 14 interviews took place from May 2017 to September 2017. The protocol allowed the inclusion of SW in an illegal situation, but keeping a balance between those in a legal situation, and also between cisgender and transgender SW. Following those rules and keeping theoretical saturation in mind, the field researcher invited the SW to participate in the study, explained to them the goals of the research, and asked their permission to make an audio recording of the interviews, assuring them that it would be erased once transcribed, and that the transcription would not be shared with any members of the NGO. All but one agreed to be recorded. For this participant, responses are based on notes taken manually during the interview. Informed consent to participate was obtained orally because SW were extremely suspicious when asked to fill out a form, provide their full name, and sign it, even if they were reassured that their name would remain anonymous. We found no evidence that the suspicion was motivated by the interviewer, which suggests that it could be due to the general stigma imposed on sex work (see Sprankle et al., 2018) that deters SW from providing personal data or signing written engagements. In the social sciences, this phenomenon has been observed in other situations, in which cultural differences justify the

use of oral instead of written consent as the only way to preserve the reliability and validity of the research (Gurzawska, 2017).

The individual interviews were carried out at the times and places chosen by the SW. Usually, we proposed coffee houses and bars because they provide an opportunity of meeting the SW outside of their working hours and out of sight of colleagues or acquaintances. In these cases, the field researcher would pay for the beverages drunk during the interview. When the SW could only be interviewed during their working hours, we used the rooms of the erotic massage salons. In these cases, the field researcher brought croissants and offered them to the participants. Interviews were conducted in Romanian, French and Spanish, depending on the mother tongue of the interviewee or on the language in which each of them felt more comfortable. The recorded interviews were transcribed into the same language in which they took place. For this article, quotations have been translated into English.

According to the semi-structured protocol, interviews started with general questions about the SW's situation in Switzerland, focusing later on their experience in sex work and, finally, on the sensitive issue of the related victimisation. As usual in these cases, interviewees were given the possibility of speaking freely, sharing anecdotes or stories, which allowed for follow-up questions to be formulated spontaneously according to these hints. This informal setting promoted an open atmosphere that encouraged the free association of ideas and led progressively—and much in the way *grounded theory* emerges (Glaser & Strauss, 1967/2000)—to establish a link between the routine precautions applied by the SW and the inventory of crime prevention strategies developed by Cornish and Clarke (2003). Interviews were analysed through *content analysis* (Castleberry & Nolen, 2018). A first *horizontal* analysis (consisting in going through each transcript) allowed the identification of recurrent topics, which in turn allowed a *transversal* analysis (consisting in the analysis of each of those topics across transcripts).

### Ethical and methodological challenges

It is well known that the study of SW is a sensitive topic (Díaz Fernández, 2019) surrounded by ethical and methodological challenges (Shaver, 2005). First, as pointed out by Shaver (2005), obtaining a representative sample of SW is challenging because the real size of the population is usually unknown. In that respect, this study—as with most qualitative studies—never sought to be representative of the population of SW in Switzerland, but to reveal aspects of their victimisation which, in turn, led us to focus on the routine precautions employed by SW. Second, prostitution is and has been the object of many

controversies as well as opposing political and philosophical positions (see Benoit et al., 2019). Our position vis-à-vis sex work coincides with the one adopted by the Swiss legislation, which by the way has never been challenged by the initiatives or referendums foreseen by the country's direct democracy system. Naturally, we are aware of the fact that such positioning goes beyond science.

That having been disclosed, it must be stressed that in this paper we adopt a *post-positivist philosophy*, which consists of describing and analysing the data as objectively as possible, while keeping a *reflexive* orientation (Phillips & Burbules, 2000). In that perspective, we apply the *reflexivity model* proposed by Alvesson and Skolberg (2009/2000) to address the three remaining ethical issues identified during our research, which are the following:

### *Problematising the empirical data*

The data were generated through the interaction between the field researcher and the participants. As the field researcher was a social worker relatively well known by the SW before the interviews, one cannot exclude the influence of a *social desirability bias* (Paulhus, 1984) on the answers provided by the SW. Nevertheless, the attitude and code of conduct adopted by the interviewer during all the months that preceded the interviews should have reduced that bias. In particular, and in accordance with the principles adopted by NGOs in Switzerland, the field worker applied in her professional practice the deontological values of what is known as social work of low threshold (*bas-seuil*). These values are based on providing unconditional support to the users of the NGO, avoid imposing them conditions or judgements, and guaranteeing confidentiality. The aim is to facilitate the rapport of trust between the social worker and the users while promoting the respect of their self-determination. Hence, it seems plausible to conclude that the respect of those values should have had a positive impact on the relationship between the interviewer and the interviewees.

### *Research engagement*

Raw data were analysed as such because the first author is native or fluent in the languages in which the interviews took place (Romanian, Spanish and French) and the second author is fluent in two of these. For this manuscript, the translations into English are not literal but *faithful*, trying to deliver the same sense expressed in the interviews to an English-speaking audience. The mastery of the three languages for conducting the interviews was an asset because 12 participants were interviewed in their mother tongue. The only exceptions were two Bulgarian participants who were interviewed in French. All the interviews took place in a cordial setting, with the SW often sharing anecdotes and jokes. We found no



**Table 1** Characteristics of the sample (N = 14)

Gender	Cisgender female: n = 8; Transgender female: n = 6
Age	Average: 34.7 years old; Median: 35.5 years old
Country of origin	Romania: n = 5; Bulgaria: n = 2; Switzerland: n = 2; Colombia: n = 2; Brazil: n = 1; Ecuador: n = 1; Dominican Republic: n = 1
Education level	Primary: n = 5; Secondary: n = 4; Apprenticeship: n = 1; University: n = 4
Experience in sex work	Average: 5.1 years; Median 4 years Min: 1 year; Max: 15 years
Place of work	Outdoors n = 5; Indoors n = 4; Combined n = 5
Legal status regarding sex work law	Legal n = 7; Illegal n = 7
Victimisation	Threats n = 8 Verbal aggression n = 7 Sexual assaults n = 6

evidence of any type of harm caused to them by the interview and received no complaint from the interviews in the months that followed.

#### **Clarification of the political-ideological context**

In Switzerland, sex work is a legal employment, which in practice implies that research focuses on the working conditions of SW and on finding ways of improving them. As mentioned, this was also our position in this study. At the same time, since the field researcher knew the interviewees and had provided them assistance on many occasions in the past—accompanying them to the hospital or the town hall, for example—one could wonder whether her scientific neutrality has been affected. To avoid this bias and try to guarantee neutrality, the following conduct rules were adopted: (1) applying the principles of social work mentioned above, especially the non-judgmental attitude; and (2) discussing the data with the second author who is a scholar and had no participation in the field work.

#### **Description of the sample**

Table 1 illustrates the sociodemographic characteristics of the 14 persons interviewed. Five of the interviewed SW worked outdoors in the prostitution area mentioned above, soliciting customers from 10 PM to 5 AM, four exercised their work—together with other SW—in apartments under the license of erotic massage salons, and five of them combined both. The latter would receive their customers in the erotic massage salons during the day and, at night, they would solicit clients on the prostitution zone and go back with them to the apartment to perform the sexual service. It is also to note that half of the participants were registered by the authorities as sex workers.

A specific analysis of victimisation and trust in the police goes beyond the scope of this article but we shall

mention, nonetheless, that all the members of the sample have been victims of at least one work-related offence. The most common offences are threats, verbal aggressions, and sexual assaults. The perpetrators are generally clients, followed by pedestrians and, less often, other SW, their pimps or managers of the salons for erotic massage. Pedestrians are typically passers-by who insult the SW, aggress them or take their belongings with or without force. Physical assaults are mainly committed by clients and often start when they get frustrated because they cannot reach their climax within the time window agreed (usually 15 min) but are still sexually aroused and not willing to pay for a second period. Most of the SW (n = 5 out of 9) expressed that they appreciated the Swiss police, although five of them also argued that the police are unsuccessful in preventing crime.

#### **Findings: the SW's routine precautions to avoid victimisation**

Table 2 summarises the routine precautions of SW identified in this research. They are presented following the structure of the table proposed by Cornish and Clarke (2003), which places them within five overarching categories divided in five subcategories. Each category is explained in the following sections.

##### **Increase the efforts**

Apart from basic prevention routines, such as asking to be paid in advance and hiding the money received, some SW work in tandem with a colleague. In addition, some of the indoor SW avoid working during the night, when clients are more often under the influence of drugs or alcohol:

*“After midnight, if you open the door, you know that everything can happen. It's because of that that I wouldn't work during the night. The worst clients would come after midnight: for stealing, for bother-*

**Table 2** Routine precautions to avoid victimisation taken by the SW

Increase the effort	Increase the risks	Reduce the rewards	Reduce provocations	Remove excuses
1. <i>Target harden:</i> a. Simulate social control b. Learn self-defence c. Carry pepper spray	6. <i>Extend guardianship:</i> a. Work in a salon or hotel b. When in the street: avoid touting and avoid working alone c. Work during the day d. Inform a colleague when performing a service	11. <i>Conceal targets:</i> a. Keep personal belongings out of sight b. Use several different places to keep money and personal belongings	16. <i>Reduce frustrations and stress:</i> a. Polite interaction with the customer b. Soothing music c. Massage the customer d. When tension rises: reimburse the customer e. Fair sex work	21. <i>Set rules:</i> a. Define the characteristics of the sexual service beforehand
2. <i>Control access to facilities:</i> a. CCTV at the entrance of the salons	7. <i>Assist natural surveillance:</i> <i>not applicable</i>	12. <i>Remove targets:</i> a. Use a cheap mobile phone for work	17. <i>Avoid disputes:</i> a. Payment in advance b. Do not react to insults c. When tension rises: keep talking gently to the customer d. When rejecting a client: invoke another appointment e. Work with colleagues	22. <i>Post instructions:</i> <i>not applicable</i>
3. <i>Screen exits:</i> a. CCTV at the exit of the salons	8. <i>Reduce anonymity:</i> a. First contact with the client by email b. CCTV	13. <i>Identify property:</i> <i>not applicable</i>	18. <i>Reduce emotional arousal:</i> <i>not applicable</i>	23. <i>Alert conscience:</i> <i>not applicable</i>
4. <i>Deflect offenders:</i> a. Reject suspicious clients b. When tension rises: b1. Threaten to call the police b2. Use tough verbal and body language	9. <i>Utilise place managers:</i> a. Managers and colleagues of the salon as guardians b. Panic button in the rooms of the salon	14. <i>Disrupt markets:</i> <i>not applicable</i>	19. <i>Neutralise peer pressure:</i> a. Avoid going with more than one customer at the same time	24. <i>Assist compliance:</i> a. Provide protection material b. Marketing strategies for making safe sex more appealing
5. <i>Control tools/weapons:</i> a. Propose a shower to the client before the sexual service b. Check the premises/car of the client	10. <i>Strengthen formal surveillance:</i> <i>not applicable</i>	15. <i>Deny benefits:</i> <i>not applicable</i>	20. <i>Discourage imitation:</i> <i>not applicable</i>	25. <i>Control drugs and alcohol:</i> a. Avoid own consumption before and while working b. Reject clients under the influence

*ing you, for using drugs...” (SW 1, Erika, indoor and outdoor SW).<sup>2</sup>*

In some of the salons for erotic massage, the managers have installed closed-circuit television (CCTV) on the front door, so they can prescreen the customers before interacting with them. In fact, both indoor and outdoor SW indicated that most of the time they choose their clients. This screening mixes observation with intuition. On the one hand, they check whether the customer is sober or drunk; on the other hand, they rely on their instinct to evaluate if the client seems peaceful or dangerous.

In the salons, SW propose a shower to the client, and frisk their clothes and belongings—in search of guns or other arms—while putting them aside. At the same time, some of them carry pepper spray for self-protection.

Likewise, when accepting to perform the service in an unfamiliar location such as the customer’s car or home, they try to control the environment by, for example, checking the surroundings of the clients’ home or the backdoor seat of their car in search of other people or arms:

*“I look, wherever I go, I look in the surroundings, if I go to his place, I pay attention to the path in order to know how to come back, because you cannot trust anyone” (Eva, SW 11, indoor and outdoor SW).*

Another strategy for deflecting offenders is to threaten the customer with calling the police if the conflict escalates. Some physically strong transgender SW do not hesitate to take advantage of their body to intimidate a rude client:

*“I made him [the client] leave and I didn’t care. Because if you let a person dominate you, you will have problems, eh? He’s going to take advantage of*

<sup>2</sup> All names are aliases selected randomly from the book *The Girl with the Dragon Tattoo* (Larsson, 2005).

you" (SW 2, Lisbeth, indoor and outdoor SW).

*"The condom broke and he threatened me that he would come and kill me if he got sick, that I should know that he is Albanian—like to intimidate me. And I told him: "Well, you better know that I am Colombian and I am not alone" (SW 9, Pernilla, indoor SW).*

In a similar perspective, a SW who had been raped by a client was offered a self-defence course by the victim protection agency (Centre LAVI) that she found extremely useful:

*"They paid for my self-defence courses. It was very cool; it helped me a lot afterwards" (SW 13, Isabella, indoor SW).*

### Increase the risks

Some SW prefer to work in settings where it is possible to ask for help in a relatively easy way. For instance, they rent a room in a hotel—even if that is illegal—estimating that a client will not assault them there for fear that the persons in the nearby rooms could hear the noise and call the police or the hotel reception. This strategy highlights the limits of the current law, which could be adapted to avoid criminalising behaviours motivated basically by the need to increase personal safety.

*"So, I used to work either at the client's house or, sometimes, I would join him in his hotel room. Later, for security reasons, I decided to book the hotel room by myself" (SW 13, Isabella, indoor SW).*

Furthermore, in front of their clients, other SW call a colleague to inform her/him that they are going to provide a service mentioning, for example, where it will take place. If they cannot count on the latter, they would simulate social control in order to make the client think that they are accompanied. For example, when they receive a client at their home, they previously turn on the television or the radio in the nearest room. Similarly, seeking to reduce the anonymity of the client—and at the same time collect evidence that could be used in the framework of a legal procedure—some SW use email or text messages instead of telephone calls to establish the first contact with a customer.

*"By email, yes. I have never given directly my telephone number" (SW 6, Harriet, indoor SW).*

In the erotic massage salons, SW are usually protected by the managers or by colleagues who adopt the role of a "guardian", in the sense of Cohen and Felson (1979), and make themselves available for intervening or calling the police if needed. Some of these salons have a panic alarm

button in their rooms, although that is not the rule yet. Finally, the visible presence of CCTV cameras—already mentioned in the previous section—also increases the potential offender's perception of the risk of being caught.

*"Once in Geneva, there was a customer that started to be a little bothersome and he wanted to beat me, but the girls [the colleagues] defended me and called the police. Then the police came, and they took him, and he didn't want to pay me, and the police took the money from him and gave it to me" (SW 10, Janne, outdoor SW).*

### Reduce the rewards

As a rule, SW divide their belongings and keep them in separate places in order to reduce their losses if one or the other is stolen. For example, if they work in the street, we have observed in many occasions that they will put the ID card in their jacket and the money in their purse, or vice versa, while in an erotic massage salon they would use different hidings, depending on the architecture of their room:

*"Interviewer: For example, once the client paid you, where would you hide the amount received?  
SW 1, Erika (indoor and outdoor SW): In the bathroom, [...]; I would also hide my telephone because the clients also steal a lot of phones."*

Similarly, as a way of reducing the temptation for the offender, some SW prefer using old cell phone models when working.

### Reduce the provocations

When the prescreening mentioned above—based on observation and intuition—gives the SW the impression that the client could be problematic, they reject him politely mentioning as an excuse that they are already occupied (in the erotic massage salon) or that they are waiting for a customer (in the street). Their aim is to avoid hurting the client's feelings or generating a violent reaction, while remaining assertive concerning the choice they made.

If they accept the client, they treat him politely and try to render their work environment as "relaxing" as possible by playing meditation music or lighting candles or incense sticks. Once more, the aim is to anticipate potential sources of tension.

*"With the clients it also depends on how you behave. If you behave nicely with them from the beginning, it's OK, but if you're hysterical and talk badly to them, it's normal that they also wonder: "Who does she think she is?" When you speak nicely, there are*



*no problems” (SW 7, Monica, outdoor SW).*

SW ask for payment in advance as a way of avoiding fraud or “faked” misunderstandings that may arise later. Despite that, if the client gets violent after the sexual service and wants to be reimbursed pretending that he is unsatisfied, the SW usually preserve their safety and give the money back:

*“The money, always in advance. One guy told me: “Yes, I will pay you afterwards”. “No, brother, the hooker gets paid in advance. I am not kidding; you pay the hooker before if you want to do something. I don’t even trust myself; how would I trust you? The job I do makes me not trust anyone”” (SW 7, Monica, outdoor SW).*

During the service, if they feel that the client is getting nervous, the SW’s routine to minimise the tension consists in continuing to speak kindly, use affectionate nicknames to address the customer (e.g. sweetie, darling), offer a massage, or try to reason him quietly. For example, the following discussion took place when discussing how a SW proceeded when a customer insisted on having unprotected sex:

Interviewer: *But when that happened to you, (...) did the client accept your refusal [to have unprotected sex]?*

*Harriet, SW 2: Yes, because I talked to him very gently, I told him: “Nowadays there are bacteria. It’s not possible, darling. You are not going to have sex like this, you don’t know me. You want to do unprotected sex, it’s not good for you nor for me”*

When these routines do not work and the tension escalates into a conflict, most of the SW choose consciously to keep a low profile, and to get out of the situation as soon as possible. Similarly, as tension tends to escalate quickly within a group of peers, most SW avoid providing services to more than one client at the same time. In all these situations, they prioritise their bodily integrity as much as possible:

*“Suddenly, he took off his clothes in the middle of the street and he pulled my hair while putting a knife on my throat. And I told him: “But what do you do? First, the payment”, And he said: “No, you blow me”. And I told him: “Yes, OK, no problem, but wait until I take a condom” (SW 4, Cecilia, outdoor SW).*

Another strategy for reducing provocations consists in avoiding making false promises about sexual practices or lying to the customer. In that sense, they associate the victimisation of some of their colleagues to what they consider unethical work practices:

*[Talking about the SW from the neighbourhood]*

*They need to be careful because they propose a lot of stuff that afterwards they don’t do. It is not OK and when the client arrives, he pays you and you do only half the stuff, it’s normal that he gets angry. Either he asks back for his money, either he hits you” (SW 1, Erika, outdoor and indoor SW).*

### **Reduce the excuses**

Knowing that some customers want to obtain services without paying for them, SW set clear boundaries that anticipate the potential neutralisation routines of these clients. In particular, they fix the cost according to the agreed sexual practice and specify the ones they accept and the ones in which they do not engage. The price also depends on the duration of the service, which is agreed from the beginning, too. When they advertise their services online, some SW encourage potential clients to write them specifying their expectations or ask about the latter when they engage in an exchange of emails. They also take that opportunity to clarify the type of sexual practices they offer.

Similarly, they facilitate compliance with sexual health prevention by providing their clients with the basic prophylactic material. To encourage the use of condoms—that some clients prefer to avoid—they use “marketing” strategies for making safe sex more appealing. For example, knowing that most clients would like to see the SW take pleasure during the coitus, a SW would ask them to use a specific type of condom pretending that its special characteristics increase her arousal.

Finally, some SW try to reduce the excuses by rejecting clients who are under the influence of alcohol or drugs. They also avoid drinking alcohol or using drugs themselves while working:

*“I avoid going with someone [who is] drunk because, when you drink alcohol, the day after you don’t know what you have been doing; and maybe that day, under the influence of alcohol, you did something wrong. And also there are clients who start smoking [cannabis], and no, I’m very sorry, but I reject them. I ask them to take me back to my place. And if they don’t want to take me back, I go back by myself” (Eva, outdoor and indoor SW).*

### **Discussion and conclusion**

With the noteworthy exceptions of Barberet (2000), Brents and Hausbeck (2005), Bungay and Guta (2018), Sanders and Campbell (2007), and Williamson and Folaron (2003), academia has neglected the study of crime prevention from the point of view of SW, which is the focus of this article. These previous studies applied a

different theoretical framework than ours, but in terms of the strategies applied by the SW, our findings are similar to those of Barberet (2000), Sanders and Campbell (2007)—both in countries where sex work is illegal—and Williamson and Folaron (2003), who conducted their study in Nevada, a state of the United States where SW is legal in some counties. Bungay and Guta (2018) did not place their results in a comparative perspective, but argued that routine precautions are limited in Canada because of the lack of regulation of sex work. These researchers did not present an inventory of the strategies applied by Canadian SW, which prevents us from comparing their results with ours; nevertheless, one can plausibly conjecture that, compared to SW in prohibitionist countries, legal SW in Switzerland are more likely to defend themselves, to mobilise the authorities in case of danger, and to have a better knowledge of their rights in case of victimisation. The only exception would be the case of non-documented migrant SW, who could risk deportation from Switzerland if they enter in contact with the criminal justice system, even as victims.

From the point of view of routine activities theory (Cohen & Felson, 1979), the clients of the SW can be seen as potential offenders, while SW or their belongings constitute a suitable target for violent or property crimes. At the same time, the service provided by the SW puts them in direct contact with clients, and these encounters, by definition, take place in the absence of a capable guardian. This means that exercising as a SW constantly creates what Felson and Eckert (2017) consider *risky situations*. As the intervention of police officers is not always possible (or desirable), SW are obliged to adopt routine precautions intended to reduce (a) the effects of the absence of a guardian, (b) the vulnerability of the target, and (c) the motivation of the potential offender. For example, in order to mitigate the absence of a capable guardian, they may choose to work in an erotic massage salon or in a hotel where persons who can act as guardians are always nearby, or when they work at home they may simulate the presence of a person by turning the radio on the contiguous room, or they may make a fake phone call to someone who is supposed to know where they are and with whom. On the other hand, to reduce the vulnerability of the target, they ask to be paid in advance and hide the amount received. Finally, to encourage client's compliance, they treat him in a warm way. In revised versions of the routine activities approach, Felson and others (see Eck & Madensen, 2015) focus on three elements: offender, place and target/victim, paying particular attention to the guardians that may intervene for each of them. As the strategies applied for the offender and the target/victim have already been presented, we will only remind here that SW also try to control the place by, for example,

checking the backseat of the car or the surroundings of the place where they are working. The efficacy of all these routine precautions cannot be scientifically tested with the data collected for this article, but constitutes a relevant subject for future research.

The classification of the situational crime prevention techniques developed by Cornish and Clarke (2003) provided us with a useful framework for a parsimonious presentation of the routine precautions taken by SW. Logically, crime prevention techniques go further than routine precautions. For example, *reducing emotional arousal* by decreasing the sexual excitation of the customer is a crime prevention technique that could not be applied by SW because excitation is inherent to sexual intercourse and probably the reason for the persistence of SW throughout the history of humanity. Similarly, *disrupting markets* (Cornish & Clarke, 2003) does not make sense when sex work is a legal activity, as in Switzerland.

It is also important to remember that prevention techniques should be applied by a variety of actors—both governmental and non-governmental—and not only by the potential victims. Forgetting that principle could lead to the infamous situation in which victims would be blamed for not implementing such precautions. Examples of state-led prevention techniques in Switzerland can be found in projects funded by the Federal Police to develop effective crime prevention measures to protect SW, but also in the field of law enforcement. For example, in the canton under study in this article, there is a specific brigade whose objective is the protection of SW and the enforcement of the law on prostitution.

We suggest several areas for further study. For example, our observation that some SW of legal status take the risk of infringing the legislation by working in a hotel to feel safer suggest that there is room for improving their protection through an enlargement of the sex work law. Hence, further studies could focus on the criminogenic environment of SW rather than on them as individuals (Ros, 2021) and provide thus useful insights for policy-makers. A limitation of our research comes from the fact that it was not originally designed to study the routine activities taken by SW. As a consequence, we did not collect systematic information on each and every one of these techniques. Finally, our sample includes a good part of the voluntary SW that were exercising in the area under study at the moment of data collection, but it would have been useful to increase the number of participants to allow establishing further differences among profiles of SW. Similarly, it would be useful, in the future, to replicate this study in other Swiss cantons. Such kind of studies may uncover nuances among cantons that could be due to differences in the local regulations of sex work.

To sum up, this study shows that, without having any contact with the criminological literature, SW apply intuitively—or perhaps by social learning through differential association with their colleagues—a series of routine precautions that overlap with many of the crime prevention techniques proposed by Cornish and Clarke (2003). This suggests that the techniques are grounded on common sense and clearly provide practical advice. In that perspective, Felson and Clarke (2010) have drawn an interesting parallel between criminology and medicine. Criminology emerged from philosophy, while medicine from folk remedies. The routine precautions taken by SW can be seen as folk remedies whose effectiveness needs to be tested in the future, as it has been done in the past with some of the situational prevention techniques applied, for example, by police forces. In practice, day after day SW must find a way of protecting themselves from potential offenders in contexts where formal control cannot be exercised directly.

#### Acknowledgements

The authors wish to thank Ronald V. Clarke, Yuji Z. Hashimoto, Laritza Mitjans and Korbinian Baumgärtl as well as to the anonymous reviewers for their helpful comments on previous versions of this manuscript. They are also extremely grateful to the association Fleur de Pavé, particularly to Silvia Pongelli, and to the sex workers who shared with us their experiences, without whom this research would not have been possible.

#### Author contributions

Planification of the research: LM; data collection: LM; data analysis: LM & MA; writing, revision and correction of the manuscript: LM & MA. Both authors read and approved the final manuscript.

#### Funding

The authors received no financial support for the research or redaction of the manuscript. The publication in OA is funded by University of Lausanne.

#### Declarations

#### Competing interests

The Authors declare that there is no conflict of interest.

Received: 13 December 2021 Accepted: 1 June 2022

Published online: 15 June 2022

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# Sex Workers' Work-Related Victimization and Drug Use During the First Year of the COVID-19 Pandemic in Switzerland

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Received: 30 June 2021 / Accepted: 20 January 2022  
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## Abstract

Criminologists have monitored the coronavirus pandemic's effects on crime and criminal justice since the pandemic's outbreak. Nonetheless, vulnerable and difficult-to-reach populations have been understudied thus far. This study sheds light on the experiences of sex workers (SW) during the first year of the coronavirus in Switzerland, a country where prostitution is legal. Based upon 40 questionnaires with SW outdoors and indoors and 50 h of field observation, SW reported that the pandemic has had adverse financial and psychosocial effects on them. During the first year of COVID-19, seventeen SW were victims of at least one work-related offence, the most prevalent of which were theft and fraud. Nevertheless, most SW did not report the incidents to the police. Comparing the non-victims with victims, we found that victims, particularly those of multiple crimes, are younger, more often foreigners from extra-EU countries, in an illegal situation and needed to work face to face during the prostitution ban during the lockdown in Switzerland. However, despite these circumstances, most SW do not use illegal drugs, and only a few of them used more during the pandemic. Our research findings were similar to those reported in former studies, although we could infer that the violent victimisation of our sample is less and none of the SW indicated violence on the part of the police. Nevertheless, we have no point of comparison with former years and thus propose a periodic crime victim survey of SW, as well as further prevention measures in the prostitution area.

**Keywords** Prostitution · Observation · Questionnaire · Difficult-to-reach population

## Introduction

This article adopts a criminological perspective and addresses the experiences of sex workers (SW) during the first year of the coronavirus pandemic in Switzerland, one of the few countries in the world where sex work is legal (Danna, 2014) and also one in which the coronavirus-related lockdown was rather flexible. Notably, Switzerland is a central European nation of small size (roughly 8.5 million inhabitants) that imposed only a facultative lockdown for its population from the spring until the summer of 2020. Nevertheless, the country also declared a mandatory lockdown

for several months for many “non-essential” businesses, amongst which was prostitution (*SR 818.101.24 Ordinance 3 of 19 June 2020 on Measures to Combat the Coronavirus (COVID-19) (COVID-19 Ordinance 3)*).

Since its outbreak, the pandemic has had serious adverse effects on societies and individuals, i.e. the worldwide economy has been affected seriously, people's mental health has worsened, and their alcohol and drug consumption have increased (Cohut, 2021); further, crime declined in the streets (Nivette et al., 2021), but increased in cyberspace (Buil-Gil et al., 2021). However, other crimes, such as intimate partner violence, increased considerably during the lockdown (see Piquero et al., 2021), although intimate partner homicides did not follow the same trend and remained stable or even declined (Aebi et al., 2021; Asik & Nas Ozen, 2021; Hoehn-Velasco et al., 2021). As expected, criminologists have been studying and monitoring many crime trends during the pandemic, except those suffered by vulnerable and excluded groups, such as SW. Although scholars have made comments and calls for action (see e.g. Howard, 2020; Kawala et al., 2020; Platt et al., 2020; Singer et al., 2020),

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few empirical studies have been published to date vis-à-vis SW' experiences related to violence during the pandemic. Nonetheless, this is understandable: To interview or survey SW during a lockdown is highly challenging because of the prohibition to be on the streets and the respondents and researchers' risk of contagion (Silva & Câmara, 2020), as well as the clandestinisation of sex work during the epidemic (Azam et al., 2021; Callander et al., 2021), all of which have rendered SW even more difficult to reach than usual. Nevertheless, it has been found in several countries that both male and female active SW faced economic strain during the pandemic, which led them to take greater risks, such as accepting new clientele, and therefore enduring more violence, as well as suffering from police violence (Adebisi et al., 2020; Boyer, 2020; Campbell et al., 2020; Kimani et al., 2020; Lam, 2020; Macharia et al., 2021; Olaya-Saldarriaga, 2021; Santos et al., 2021; Singer et al., 2020).

It is worth mentioning that SW have, in general, high-risk employment, which, in a conventional pre-pandemic world, exposes them to higher rates of victimisation than those of the general population. For example, Deering et al. (2014) conducted a systematic review ( $N=41$ ) and reported that SW' lifetime prevalence of workplace violence varied from 45 to 75%, whilst their previous-year prevalence of workplace violence varied from 32 to 55%. Moreover, amongst the studies that have corroborated that SW have the highest risk of being victims of homicide, Potterat et al. (2004) indicated that violence and drug abuse were the primary causes of death amongst SW. Although there are no specific data on SW, the use of substances, particularly during the exercise of sex work, may be a risk factor for SW' victimisation, as has been found previously for other populations, such as drug-addicted people (Aebi, 2006), homosexual men (Chakrapani et al., 2019), and adolescents (Morojele & Brook, 2006). It is particularly interesting to investigate this in Switzerland, as SW' rates of drug consumption, although higher than those of the general population, are rather low nonetheless (Locicero et al., 2017; Molnar et al., 2021). These high rates of victimisation contrast strongly with the general population's prevalence of victimisation. For instance, the latest version of the *International Crime Victims Surveys* (ICVS, van Dijk et al., 2007) reported that in 2003/2004, the lifetime prevalence of being a victim of any common crime was, on average, 16% and of assaults and threats 3.1%. A recent Swiss victimisation survey (Caneppele et al., 2019) found that 1.3% of people had been victims of a physical assault in the street between 2013 and 2018 and 0.6% in 2018. Nevertheless, no data on the rates of victimisation of SW in Switzerland are available, except for qualitative studies published to date (Földhazi, 2010) that suggest that even within a regulatory framework, sex work is a risky job, as it can be for other professionals, such as police officers, fire-fighters, and prison staff.

Thus, this paper addresses SW' victimisation and use of drugs in Switzerland during 2020, the first year of the COVID-19 pandemic. To overcome the challenges of conducting research during a pandemic, we took advantage of two critical circumstances: (1) the prior research work on prostitution that we conducted for years in collaboration with an SW-aid organisation (e.g. Molnar & Pongelli, 2019; Molnar et al., 2021; Ros, 2021; Ros & Rullac, 2020), and (2) the low stringency of coronavirus-related measures applied in Switzerland. Nonetheless, it is worth mentioning that, because of the lack of former studies on SW' victimisation in Switzerland, our research does not provide causal information about its effects related to the pandemic. Instead, it describes SW' violence- and drug use-related situation since the COVID-19 lockdown that took place in Switzerland in March 2020. Nevertheless, SW' drug consumption can be compared with that in former years, as previous studies have been conducted that show a rather low prevalence of the latter amongst SW (Locicero et al., 2017; Molnar et al., 2021).

## Data and Methods

### Description of the Field

#### Swiss Legal Framework of Prostitution

Different legal frameworks regulate sex work worldwide (Danna, 2014). In the case of the Swiss Confederation, sex work is a legal activity that is managed locally at the cantonal level (*ProCoRe*, n.d.). At the federal level, the Swiss Criminal Code (*RS 311.0 Code Pénal Suisse Du 21 Décembre 1937*) forbids sexual exploitation and pimping, and hence, a third party's encouragement of prostitution (art. 195). In general, prostitution is legal in Switzerland if the SW is 18 years old or older, uncoerced, and not supported by a third party. In addition, the SW must be either a Swiss national or an EU foreigner. In practice, Swiss SW can announce themselves directly as freelancers and pay their taxes under this regime, whilst SW citizens of EU-member states can request a work permit to exercise prostitution in Switzerland as freelancers—normally the *B permit*—for a maximum of five years, renewable with an indefinite permit if the person is able to make a living from her work and has no debts. Further, EU citizens who want to work in prostitution temporarily are able to apply for the so-called *Announce of 90 days* (*Secrétariat d'État aux migrations*, n.d.), under which they are allowed to have employment in Switzerland for 90 days annually and pay their taxes in their home country. Nonetheless, extra-EU nationals, such as Africans, Asians, and Latin Americans, cannot apply for sex work-related residence permits and therefore, cannot migrate to Switzerland to work legally in prostitution.

In the canton studied here—the canton of Vaud—sex work is regulated by Law 943.05 on the exercise of prostitution from 2004 (Loi 943.05 sur l'exercice de la prostitution (LPros), 2004; Règlement 943.05.1 d'application de la Loi du 30 mars 2004 sur l'exercice de la prostitution (RLPros)). In this canton, sex work is permitted either in a delimited street perimeter in the city of Lausanne, capital of this canton or in the so-called erotic massage salons, which are apartments, clubs, or bars with an administrative authorization to rent rooms for tariffed sexual or erotic services. In the canton's capital, it is not sex work per se that is allowed, but street soliciting (Ville de Lausanne, 2016), in which SW can solicit customers from 10 PM to 5 AM daily. However, sexual services are illegal in public spaces and prostitution outside of those places and times is subject to a fine by the Swiss criminal code (art. 199). SW who solicit in the street may go with the customer legally to the sex worker's erotic massage salon, a hotel or the customer's residence, whilst performing the sexual service in the street, a car, or at their own domicile is illegal.

The SW population is diverse and heterogeneous, and hence, it is challenging to estimate the number of SW. In 2009, Bugnon et al. (2009) estimated that 64% of SW worked in erotic massage salons, whilst the remainder worked either in the street, bars, or strip clubs. Escorts were the least prevalent—only 2% of SW appeared to be working in this domain, but this might be an underestimation because of the business's covert nature. In 2015, it was estimated that, on an average day, there were 43 SW in the streets and 31 in erotic massage salons throughout Vaud (Biberstein & Killias, 2015). These figures, which are based upon data from NGOs, must be considered a proxy because of the high flux of SW entering and leaving Switzerland and the fact that some of them—in particular those who are undocumented migrants—do not announce their activity to the police.

During the pandemic, all forms of face-to-face sex work were forbidden in the canton from the 16<sup>th</sup> of March until the 6th of June 2020. After that date, prostitution activities resumed, although the erotic massage salons stayed open only during the day until February 2021. Data from the NGO Fleur de Pavé (see above) indicate that, compared to 2019, the number of SW in the street decreased by 43% and in the erotic massage salons by 29% during 2020, but the SW who requested administrative assistance increased by 90% (Fleur de Pavé, 2020).

### Gatekeeper

The gatekeeper of this research is the NGO Fleur de Pavé, an association that has been active in supporting SW and minimising the risks related to sex work for 25 years. Public authorities, i.e. the *Federal Office of Public Health*, the *Canton of Vaud*, and the *City of Lausanne*, subsidise Fleur de

Pavé and private donors finance it as well. The association, which is composed of both social work-related professionals and former SW, works during weekdays in three shifts and places:

- 1) *In their office*, which is situated in the prostitution neighbourhood and open in the afternoons. The social workers offer administrative assistance and orientation to the SW on site or by e-mail or telephone
- 2) *In the erotic massage salons*, which the social workers visit in the afternoons to distribute prophylactic material and offer the SW advice and assistance
- 3) In the *prostitution area* at night, where the social workers stop with an auto-caravan and offer beverages and snacks, prophylactic material, and counselling.

The association's work is guided by what is referred to as *low threshold social work*, a principle that ensures unconditional assistance to SW such that the counselling and aid provided depend solely upon SW' needs, wishes, and priorities. During the pandemic, the SW who contacted the association did so to request all forms of assistance, from administrative aid to help applying for social aid or unemployment assistance and to humanitarian help in providing food or food vouchers because of the SW' inability to work and lack of other economic resources, such as other employment or savings from their prior work (Ros & Molnar, in press).

In this context, the two researchers, a former Fleur de Pavé's social worker and a researcher who was collaborating with the association already in another research project, proposed to the NGO to document the SW' situation during the pandemic quantitatively. Therefore, we went out in the field and accompanied the social workers during their daily duties in the office, the erotic massage salons, and the prostitution perimeter, in the afternoons and nights. Many of the SW interviewed were acquainted with us already and the NGO's social workers reassured those who were not of our trustworthiness. We go into further detail in the following subsections.

### Instrument for Data Collection

To collect the data systematically and obtain a general view of the pandemic's effects on the SW' lives, we developed a short questionnaire<sup>1</sup> that explores various aspects<sup>2</sup> during the first year of the COVID-19 pandemic: (1) SW' physical

<sup>1</sup> The questionnaires are available in open access <https://doi.org/10.5281/zenodo.5881464>.

<sup>2</sup> We designed the questionnaire in accordance with the NGO's orientations with respect to the most relevant and challenging aspects the SW faced during the pandemic, as well as according to other surveys, such as the ICVS (van Dijk et al., 2007) and former research on sex work.



and psychological health; (2) their view of the pandemic's effects on their lives; (3) their access to financial and material resources; (4) their social rapport during the lockdown and the remainder of the year; (5) whether they worked during the period that sex work was prohibited and under which conditions; (6) whether they worked during the rest of the year and in which settings; (7) their needs; (8) their substance use during the first year of the pandemic compared to the prior period; and (9) their victimisation during 2020. This article addresses the last two variables, SW' substance use and victimisation, in depth. With respect to SW' substance use, the questionnaire addressed three drugs, both legal and illegal: (1) tobacco, (2) alcohol, and (3) illegal drugs. For each, the SW who used any of these substances could choose between six options that ranged from "During the pandemic, I consumed [much less/less/neither more nor less/more/much more] than before the pandemic." We chose both legal and illegal substances because, regardless of their legal status, the World Health Organisation (n.d.) considers them drugs and therefore, they could have an effect on SW' work, risk assessment, and use.

With respect to SW' victimisation since March 2020, the questionnaire addressed five types of acts—both deviant and criminal—which we identified as the most prevalent in other research projects in Vaud as well as in the field: (1) theft; (2) physical assault; (3) sexual assault; (4) fraud by means of making the SW book an appointment and go to the client's (who never showed up), and (5) fraud by means of tricks and false promises to pay after the sexual service. Whilst options 1–3 and 5 are illegal from a juridical point of view, we are aware that the no-shows are only deviant; nonetheless, we preferred to include them because they cause much patrimonial loss to the SW.<sup>3</sup> If the SW answered affirmatively, in the same manner as in traditional victimisation surveys (see, e.g. van Dijk et al., 2007), detailed questions followed about the number of incidents suffered, the place and time of the victimisation, as well as whether the SW reported the event to the police.

We translated the questionnaire, which was developed originally in French, into Spanish, Romanian, and English, which are the main languages SW who work in the canton speak. Both members of the research team are fluent in French and English and the first author is fluent in Romanian and Spanish as well and therefore, nearly all questionnaires were administered in the SW' language. Twenty

questionnaires were administered in French, nine in Romanian, four in Spanish, and seven in English.

## Fieldwork and Data Collection

We included participants in our sample with diverse profiles who worked in different places and solicited customers both offline and online. We collected data from three sources: (1) 50 h of field observations in Lausanne's prostitution neighbourhood, the office of the association, and erotic massage salons in Vaud, during which we conducted questionnaires and accompanied social workers in their daily tasks; (2) thirty-three face-to-face questionnaires; and (3) seven online self-administered questionnaires.

The 50 h that we spent in the field conducting surveys and accompanying the social workers allowed us to contextualise the pandemic-related settings of sex work in Vaud better. During our observations, we observed and conversed with both sexual and social workers. We went in the field 17 times to collect data and after each, we followed a methodological protocol in which we indicated the place where we conducted the observations and questionnaires, in which languages, with how many SW, and salient elements from the field work, such as methodological and ethical challenges associated, as well as relevant interactions with SW and social workers.

As stated, we also collected 40 SW' responses to our questionnaire, whilst we surveyed 33 SW face to face during our field observations. Our response rate in the field was rather high and nearly all SW whom we asked to participate in an interview with us accepted. In addition, to reach other SW who did not necessarily work in official places, we disseminated the questionnaire as well on erotic advertisement websites in Vaud. In total, we messaged 84 cisgender women, seven transgender women, and 33 cisgender men, explained the goals and conditions of the study to them, and provided them the link to the online questionnaire, most often in their mother tongue. Seven SW to whom we sent the link to the online version of the questionnaire, one of whom we had met in person already, answered it online. The low response rate to the online questionnaire may have been attributable to the online profiles' inactivity as well as to the SW' mistrust of responding to an online survey.

With respect to the data collection techniques used with both samples, for the face-to-face interviews, we followed either *Computer-Assisted Personal Interviewing* (CAPI) or *Paper and Pencil Personal Interviewing* (PAPI), whilst for the online questionnaires, we followed *Computer-Assisted Self-Interviewing* (CASI). With respect to the CAPI method, we filled in the SW' responses in front of them on our smartphone, which was connected online to our questionnaire. On other occasions, we also used PAPI by writing the SW' responses on a printed version of the questionnaire and

<sup>3</sup> For instance, in other jobs, e. g. the medical field, if the customer does not come to the appointment, the professional still charges the client with the fee; this is not the case in prostitution.

incorporated them later into the online questionnaire. For the online questionnaires, we created four additional questionnaires in the languages aforementioned and provided the SW their URL. SW were informed either orally or via the front page of the online questionnaire about the goals of the study and the conditions of participation: Not a remunerated study, voluntary basis, and right to withdraw at any time without explanation. With respect to the SW who completed the online questionnaire, we assumed their agreement to participate if the questionnaire was filled out nearly completely and submitted. Therefore, we discarded partial questionnaires that were not submitted ultimately.

Generally, face-to-face surveys were conducted individually with the SW either in the NGO's office, on the street, or in unoccupied rooms in the erotic massage salons. Nonetheless, in five cases, we needed to depend upon third parties to conduct the interview. In four cases, the survey was conducted in the company of a social worker from the association who spoke other languages than those in which the team was fluent (e.g. Portuguese) and in one instance, a friend and roommate of the SW who stayed during the interview conducted the survey in an erotic massage salon.

## Data Analysis

We performed descriptive analyses, including the frequencies of the variables, as well as crosstabs, to assess the distribution of the sample with respect to victimisation and drug use. No statistical tests were performed because of the lack of sufficient observations. To compare groups, we presented frequencies and percentages as well. Nonetheless, because of the low frequencies, the percentages should be interpreted only for exploratory and comparative purposes to assess the differences and similarities between the groups better.

With respect to victimisation, we also calculated the *previous-year prevalence*, *previous-year incidence*, and *previous-year lambda variety*. The previous-year prevalence of victimisation refers to the percentage of people within a sample who have been a victim of a crime in the 12 previous months (Aebi, 2006). It can be expressed according to a specific offence or a group of offences. In this study, we addressed both. We present percentages only for illustrative purposes and it is important to keep in mind the small sample size. The previous-year incidence of victimisation represents the mean number of incidents the victims endured (Aebi, 2006). This was calculated by asking the respondents how many times they were victims of a specific offence (e.g. theft). Then, we summed the number of incidents of the same type the victims reported and divided them by the number of victims of, in our example, theft. Last, the previous-year lambda variety of the victimisation refers to the range of different offences suffered in the previous-year (Aebi, 2006). For the latter, seven types of offences were

considered: 1) theft; 2) physical assault; 3) sexual assault; 4, 5, and 6) three types of fraud; and 7) wrongful restraint. We calculated the lambda variety of the victimisation (Aebi, 2006) as the sum of the range of offences each participant reported divided by the number of victims.

All three indicators are important to investigate, respectively, (1) the extent of the victimisation, (2) its repetition, and (3) its multiplicity (Aebi, 2006). Our analysis is justified by the literature, which has shown that victimisation is a rare event and amongst the victims, there is an even smaller number that endures victimisation either repeatedly or in a multiple manner (Cusson, 2019; Farrell, 1992; Wemmers et al., 2018). Therefore, the analysis of repeated and multiple victims allowed us to identify SW who are in greater need of identification and intervention.

## Ethical and Methodological Considerations

Because of both SW' difficult-to-reach character and the sensitive nature of the questions that we addressed in this research, several ethical and methodological aspects should be mentioned briefly. Firstly, prostitution/sex work has been a highly controversial topic in academia (see Benoit et al., 2019) with respect to one's moral position vis-à-vis sex work itself. *Grosso modo*, the academic debate has been divided between the so-called neo-abolitionist scholars—who cannot conceive of prostitution as a job, but only as exploitation of women who, more or less consciously, are coerced, in a factual or symbolic manner—and the pro-right scholars—who recognise SW' self-determined right to work in whatever manner they decide and who denounce only sexual exploitation, but not free prostitution. In this sense, we did not begin our research with any axiom with respect to SW' freedom or lack of freedom in general, nor the desirability of sex work in general because we believe that our research does not require any prior position.

In practice, we were able to gather data from 40 SW in three months because of our previous knowledge of the context and of many SW. Although this sample size would be considered small in other settings, during a pandemic and with a difficult-to-reach population, the members of which are highly reluctant to discuss issues with scholars seem a rather acceptable number in our view (see by comparison other studies conducted with SW during the COVID-19 outbreak that included from three to 30 SW in their samples). Further, we believe that interviewing in four languages in which both the SW and researchers are fluent—French, English, Spanish, and Romanian—increased the validity of the data collected, in the sense that the SW understood the terms used in the questionnaire more precisely than if they were explained only in French. This also diversified our sample, because there are many SW who come to Switzerland only occasionally and therefore, do not speak any other language

**Table 1** Sociodemographic and Covid-19-related data ( $N=40$ )

Biological sex	38 Women 2 Men
Gender	39 Women 1 Non-binary
Age	Mean = 35.8; Median = 34; SD = 10.9; Min = 20; Max = 60
First Nationality	Brazilian = 3; Bulgarian = 1; Camerounian = 6; Colombian = 1; Dominican = 2; Ecuadorian = 1; Spanish = 3; French = 3; Nigerian = 5; Romanian = 12; Swiss = 1 *2 missing values
Legal situation	Legal situation (Swiss, residence permit or 90 days announce) = 15 Illegal situation = 20 *5 missing values
Civil status	Married/in partnership = 12 Single = 26 *2 missing values
Offspring	Yes = 22 No = 18
Effect of the pandemic	Very negative or negative = 33 Neither negative nor positive = 5 Positive = 2
Worked when sex work was prohibited (March–June 2020)	Yes, face to face = 10 Yes, webcam = 1 Yes, erotic phone = 1 No = 26

than their own. In addition, we protected our participants by anonymising our data and providing herein only trends and general distributions of their drug use and victimisation and not any personal details about them when analysing specific variables. In addition, we disclose that we decided to retain categories that included less than five SW because they could not be identified. Similarly, we did not share any of the specific answers to the questionnaire with the NGO and stored our data in a safe Swiss server our universities provided.

We faced methodological and ethical challenges as well. First, we encountered logistic issues attributable to the COVID prevention measure of social distancing, such as the need to conduct surveys 1.5 m from the SW. As well, because of the pandemic, the member of the team who was in the prostitution area needed to stay out of the NGO's auto-caravan and therefore, had to carry out the interviews in the open in the middle of the Swiss winter. Although the NGO provided a car at her disposal where she could warm up and conduct surveys, it was impossible to do so because many SW were not wearing face masks, which would have endangered her health. Moreover, in the street and the erotic massage salons, many SW were not wearing a face mask, which made us quite fearful and could have influenced our non-verbal reactions and thereby influenced the participants unconsciously. As well, the fact that several surveys were not conducted with the SW individually

might affect the answers' reliability; nonetheless, we are aware that this is a challenge even in high-standard European surveys, such as the EU-MIDIS study of the European Union Agency for Fundamental Rights (2017).

Addressing questions with respect to precariousness and victimisation at such a difficult time for many SW was often both ethically and emotionally challenging for us. To avoid having SW disclose difficult experiences that might trigger a revival of trauma, we always referred them to the NGO's social workers at the end of the survey and explained to them that they could assist them further if needed. Similarly, interviewing people who shared with us that they had been, for instance, starving for several days, that they had lost their housing in the middle of the pandemic, or that they had been assaulted, obviously was highly challenging emotionally. To face that challenge and maintain relative neutrality, the research team also debriefed together, if needed, about the difficult situations lived in the field.

Last, one of the methodological challenges we faced was explaining the objective, purpose, and utility of our research to the SW. For example, two of them assumed, a priori, that we were conducting the study because we believe that SW have been vectors of coronavirus. Despite our explanations, they were still reluctant to participate and therefore, we did not conduct any surveys with those individuals.

**Table 2** Victimization of SW ( $n=33$ )

Types (multiple choice)	Prevalence ( $n$ )	Incidence ( $n$ )	Complaint ( $n$ )
Theft	11	1	1
Fraud 1 (displacement)	6	2.6	0
Fraud 2 (client does not pay for the service)	7	1.6	1
Physical assault	4	1	1
Sexual assault	4	1	1
Other: fake bank notes	1	1	0
Other: wrongful restraint	1	1	0

*Lambda variety = 2*

### Participants' Sociodemographic Characteristics and COVID-19-Related Situation

Table 1 illustrates the sociodemographic data of the 40 participants. Our sample was composed largely of cisgender women, who are in their 30s on average, foreigners, and largely in an illegal situation. As well, the majority are single, but have children to look after. Most of the SW stated that the pandemic has affected them (very) adversely. This was stressed many times during our observations, and we even found SW who had not eaten for one or two days or who did not know where they would sleep the next day. Although these aspects with respect to precariousness and psychosocial effects during the pandemic are essential, they are not addressed in this article because they are the object of other publication.

During the period that sex work was prohibited in the canton of Vaud (mid-March until the 6<sup>th</sup> of June 2020), a quarter of the sample, all persons in an illegal situation, indicated that they have continued their work face to face.

## Findings

### Victimization: Prevalence, Incidence, Variety, and Reporting to the Police

Overall, 17 SW (over 33 persons, 7 missing values) were victims of at least one of the following seven offences: theft; physical assault; sexual assault; three types of fraud; and wrongful restraint by a customer who forced the SW to stay in his car. For 33 SW, the previous-year prevalence of victimisation was 51.5%, although if we assume that the 7 SW who did not answer these questions were not victimised, the prevalence during the previous year would be 42.5%. In this

section, we address the previous-year prevalence, incidence, variety, and reporting of victimisation (Table 2).

With respect to the incidence of victimisation in the previous year, during the first year of the pandemic, on average, SW were victims of customer fraud 2.6 and 1.6 times, respectively, whilst they were victims of one offence on average for the remainder of the crimes. Therefore, they were not victims of the same offence repeatedly, except for the customer's fraud. This is a positive indicator, in the sense that they did not suffer continuous victimisations and although we do not have sufficient data to support this, it may indicate that, once victimised, they may have engaged in strategies to lower their risks of victimisation, for example, by asking for friends' help or avoiding a certain type of customer. The lambda variety of victimisation was 2: each person endured two different offences on average. Eight SW were victims of only one of the offences included, whilst nine were victims of more than one. Specifically, two SW were victims of two different offences, six were victims of three offences, and one suffered four different offences.

SW tend not to contact the authorities when they are victims of a crime. Table 2 shows that one SW reported a theft to the police and that amongst the four victims of physical and sexual assault, as well as fraud, only one complained to the police. In addition, none contacted the police when they were victims of fraud (client dropping the SW), when they were forced to stay with the client in his car, or when they were given a forged banknote. With respect to the latter case, the SW reported that because she knew that she could be in trouble if found with a counterfeit banknote, she tore up and discarded the note. From our fieldwork, we can affirm that the reasons for not contacting the police are related primarily to the illegal status of the SW, who want to stay off of the authorities' radar so they will not be expelled from Switzerland but also because they believe that the police cannot do very much to help them.

### Victimization: Locations and Times

More participants ( $n=11$ ) reported that they had been victims of theft. Eight SW indicated that the thefts occurred in the street, two in the erotic massage salons, and one in a hotel. Vis-à-vis the times when these thefts occurred, nine SW said that they happened either in the evening or at night and only two indicated in the afternoon. From our field observations, it is plausible that these crimes are the most frequent because of the many opportunities that emerge for motivated offenders, particularly in the prostitution neighbourhood: The SW, who normally carry cash, are an attractive target for both customers and passers-by, who walk, and sometimes even loiter, in the zone for hours and who can monitor SW' movements and decide the best moment to steal from them. As well, when they are with a customer,

**Table 3** SW' drug use during the first year of the pandemic compared to before the pandemic ( $N=40$ )

	Tobacco	Alcohol	Illegal drugs
Does not consume	25	25	36
Consumed more during the pandemic	7	5	1
Consumed the same amount during the pandemic	8	7	2
Consumed less during the pandemic	0	3	1

Variety: 0 products = 14; 1 product = 20; 2 products = 4; 3 products = 2

in his car, for example, SW need to leave their purse out of sight to engage in the sexual service or when working in an erotic massage salon, they sometimes go to the bathroom and leave their belongings with the customer.

Fraud is the second offence reported to have occurred most during the pandemic: Seven SW were victims of the deception of customers who promised falsely to pay for the service and six were contacted by clients who asked for an appointment at their place, but when the SW went to the meeting place, they were not there. These events took place in the street ( $n=6$ ), in an erotic massage salon ( $n=2$ ), at the SW' residence ( $n=1$ ), at someone else's ( $n=1$ ), i.e. the customer, and in other places as well ( $n=2$ ). Further, they occurred primarily during the evening ( $n=4$ ) and night ( $n=5$ ) and less often in the afternoon ( $n=2$ ) and morning ( $n=2$ ). As stated above, another form of fraud that a SW disclosed was being paid with a forged banknote.

Physical assaults (four victims) and sexual assaults (four victims) were less prevalent, although, in the entire sample, they still affected 10% of the participants. Physical assaults occurred exclusively in the street during the evening ( $n=2$ ) or night ( $n=2$ ). Sexual assaults took place primarily in the street ( $n=3$ ) and at the customer's place ( $n=1$ ) at night as well. Another offence reported was the wrongful restraint of a SW whom her customer forced to remain in his locked car for a period of time.

### Drug Use During the Pandemic

Most SW in our sample do not use drugs in general (Table 3). With respect to prevalence, tobacco and alcohol are consumed most commonly ( $n=15$ ), whilst illegal drug use is an exception ( $n=4$ ), but still has a non-negligible prevalence (10%). Few SW used more substances during the first year of the coronavirus pandemic compared to the pre-pandemic period. Table 3 shows that seven SW indicated that they smoked more, five used more alcohol, and one consumed more illegal drugs (cannabis, cocaine, heroin, etc.) during the first year of COVID-19 than before the pandemic. The person who used more illegal drugs also used more alcohol and similarly, the SW who consumed fewer drugs also consumed less alcohol. With respect to the variety of products used, 14 SW do not use any of the three drugs

studied and 20 used only one. Nonetheless, four SW use two substances and two use three.

### Characteristics of the Victims

Table 4 synthesises the differences between the victims ( $n=17$ ) and non-victims ( $n=16$ ) expressed in frequencies and percentages. The group of victimised SW was younger (mean age = 33.7 years old) than the SW who were not victims of a crime during 2020 (mean age = 36.9).<sup>4</sup> As well, more people in the group of victims were in an illegal situation. The pandemic affected them slightly more as well and a greater proportion of them worked during the period that prostitution was prohibited. More victims worked in rather clandestine places during that time, such as their own residence and the customers'. This pattern still followed after prostitution was legalised again in June 2020, when more SW victims of a crime continued to work at the customers' or at their own residence and less on the Internet or by telephone.

Vis-à-vis the victimised SW' drug consumption, a higher percentage used more alcohol and illegal drugs during the pandemic than before that period, but a lower percentage reported that they consumed more tobacco. The results with respect to their customers' behaviour are less straightforward: A greater proportion of victims were contacted by customers during the period that prostitution was prohibited, but, in general, a slightly higher percentage of non-victims reported that their clients insisted that they lower their price more than before the pandemic, as well as have unprotected sex. In addition, more non-victims had clients who insisted on engaging in the sexual service without a face mask, but at the same time, a greater proportion of non-victim SW' clients insisted that they be tested for COVID-19.

### Victimisation of SW Who Worked During the Period That Prostitution Was Prohibited

We also attempted to determine whether there were differences between SW' victimisation depending upon whether

<sup>4</sup> The group of multi-victimised SW was the youngest (mean age = 28 years old), but there were no clear age differences between the non-victims and the victims of 1–2 offences (mean age 37 and 38 years old).



**Table 4** Comparison between non-victims and victims

	Non-victims ( <i>N</i> = 16)	Victims ( <i>N</i> = 17)
<i>Age (average)</i>	36.9 (SD = 11.7)	33.7 (SD = 11)
<i>Sex</i>		
Cisgender woman	15	17
Transgender woman	1	
<i>Nationality</i>		
Swiss	1 (6%)	0
EU-member citizen	9 (56%)	7 (41%)
Extra-EU citizen	4 (25%)	10 (59%)
Illegal situation	5 (31%)	12 (71%)
<i>Pandemic: adverse effect</i>	12 (75%)	14 (82%)
<i>Worked during period when prostitution was prohibited (March-June 2020)</i>	3 (19%)	7 (41%)
<i>Street</i>	1 (6%)	4 (24%)
Salon	1 (6%)	1 (6%)
Internet	1 (6%)	0
Telephone	1 (6%)	1 (6%)
At own residence	0	3 (18%)
At the customer's in the same city	1 (6%)	3 (18%)
At the customer's in another city	2 (13%)	3 (18%)
<i>Worked since June 2020</i>		
Street	8 (50%)	8 (47%)
Salon	4 (25%)	6 (35%)
Internet	4 (25%)	1 (6%)
Telephone	2 (13%)	1 (6%)
At own place	1 (6%)	2 (12%)
At the customer's in the same city	1 (6%)	8 (47%)
At the customer's in another city	3 (19%)	5 (29%)
<i>Drug use</i>		
More tobacco than before the pandemic	4 (25%)	3 (18%)
More alcohol than before the pandemic	1 (6%)	3 (18%)
More illegal drugs than before the pandemic	0	1 (6%)
<i>Behaviour of their customers</i>		
Contacted during period when prostitution was prohibited	3 (19%)	10 (59%)
More customers insisted on a lower price	13 (81%)	12 (71%)
More customers insisted on having non-protected sex	6 (38%)	6 (35%)
Insisted on having sex without a face mask	6 (38%)	3 (18%)
Insisted that SW have a COVID-19 test	4 (25%)	4 (24%)

or not they worked when sex work was prohibited. The first finding is that indeed, as stated in the section above, 70% of the SW who worked when prostitution was prohibited from March to June 2020 were victims of at least one offence during 2020, compared to the 37% of those who did not work during the prohibition period. This was also corroborated by the variety (standard) of victimisations: SW who worked during the period that prostitution was prohibited were victims of 1.3 different offences, on average, whilst the number for those who did not work was 0.78.

Broken down by offences, we did not observe important differences between victims of fraud or theft. Nevertheless, 22.2% of the SW who worked during the prohibition were victims of sexual assault, compared to only 9.5% amongst those who did not work during the prohibition. Conversely, no SW who worked during the period that prostitution was prohibited was a victim of physical assault, compared to the 19% of victims amongst the group of those who did not work. Last, interestingly, 55.6% of the SW who worked

during the prohibition were victims of no-shows on the part of their customers, compared to the 4.8% of the SW victims amongst those who did not work. Amongst the victims who did work during the period that prostitution was prohibited, none of them reported their victimisation to the police.

## Discussion and Conclusion

This paper shed light on the experiences and situation of 40 SW during the first year of the coronavirus pandemic in Switzerland, one of the few countries in the world where prostitution is legal. When compared to the general population, our participants' victimisation (e.g. 10% for physical assault) is definitely higher than that of the general Swiss population (0.6% for the same offence) (Caneppele et al., 2019). Although we do not possess a Swiss comparison point vis-à-vis the victimisation of SW in a conventional setting—and therefore cannot carry out a pre-post-pandemic assessment such as the one Boyer (2020) conducted—our results are similar to those of previous studies, particularly with respect to the high prevalence of work-related victimisation in prostitution (Deering et al., 2014). Nonetheless, our study finds a nuance potentially related to the legality of sex work in Switzerland, with respect to the higher prevalence of property crime—i.e. theft and fraud—rather than violent offences during the first year of the pandemic. Nevertheless, their work conditions worsened during the pandemic. A number of the SW continued their work during the lockdown and similar to Azam et al. (2021), Adebisi et al. (2020), Kimani et al. (2020), and Macharia et al.'s (2021) studies, under more clandestine conditions, such as working at their residence and at the customer's domicile. Further, in the same sense as Lam's (2020) study, the migrant SW in an illegal situation could not stop working during the prostitution ban and thus exposed themselves to higher risks for victimisation. This is related to their illegal status, because of which they could not request state assistance that is provided to freelancers in Switzerland. Our findings are consistent as well with Singer et al.'s (2020) results with respect to the worsening of the customers' behaviour during the pandemic, although in our study, only some of the behaviours worsened, such as the pressures to lower the prices as well as have unprotected intercourse. Another important finding that is likely also related to the legal status of sex work in Switzerland is that none of the participants mentioned any assault on the part of police officers. This contrasts strongly with the situation described in Campbell et al.'s (2020) study with respect to the brutal policing of Kenyan SW.

However, we cannot determine whether the SW' victimisation increased or decreased because of the pandemic because of the lack of statistics with respect to their victimisation before the health crisis; with the arrival of the

pandemic, we also observed that there were fewer SW, as well as fewer people walking through the prostitution neighbourhood at night, which makes it plausible that the lower informal social control may have facilitated some offences. Nonetheless, because unfortunately, we do not possess a comparative point of view, we cannot determine whether the number of motivated offenders decreased and therefore, fewer SW were victimised compared to the pre-pandemic period. In any case, we can affirm that non-documented migrants, young SW, and SW who needed to work during the COVID-related period when prostitution was prohibited were more at risk of suffering victimisation during 2020.

With respect to SW' drug consumption, the results are consistent with previous Swiss studies of SW populations (Lociciro et al., 2017; Molnar et al., 2021): Although a small number of SW consume illegal drugs, most do not use products, such as cannabis or cocaine. However, many SW reported using more tobacco than before the pandemic, perhaps because of the strain imposed by the latter and the adverse effects it had on their lives and work.

In addition to those mentioned in the data and methods, a limitation of the study is that in contrast to Callander et al. (2021), we could not reach male SW, which leaves the question of the way the pandemic affected this population unanswered. The same is applicable to transgender SW, as only two participants identified themselves as such. Nonetheless, it is possible that the underrepresentation of transgender SW in our sample is attributable to the actual small number of them working currently in Vaud: during the recruitment process, we only encountered a total population of eight transgender SW. As stated in the Data and Methods section, amongst those, one was reached face to face and seven were contacted via their online advertisement.

The lack of a point of comparison for SW' victimisation deserves further consideration. Therefore, we recommend conducting periodic victim surveys based upon the ICVS (van Dijk et al., 2007), for instance, of a considerable sample of SW in Switzerland. This could be useful to identify the extent of their victimisation, its specific forms, and emergent challenges. Prostitution is a rapidly changing phenomenon in Switzerland (Biberstein & Killias, 2015) and the challenges that existed ten years ago—for example, the high prevalence of drug-addicted SW—are seldom encountered today (Lociciro et al., 2017; Molnar et al., 2021). This is the reason why a periodic victim survey at the Swiss level could be of use to target the type of interventions better, as well as design better crime prevention programmes in sex work.

Many of the crimes the SW reported occurred in the street during the night. Therefore, in practice, it could be useful to apply basic situational prevention techniques (Cornish & Clarke, 2003), such as installing locker rooms in the street and increasing the cohesion amongst SW, which could

increase the guardianship amongst them (in the same sense as Cohen & Felson, 1979) and thereby decrease their victimisation. In addition, it would also be important to revisit and identify safer and less expensive indoor locations that more SW could afford. For example, currently, a room in an erotic massage salon costs approximately 100 Swiss Francs daily (approximately 90 euros) or 3,000 Swiss Francs monthly (approximately 2,700 euros), a sum that many of the SW cannot afford. Further, crime prevention campaigns should continue to be conducted that inform SW about the risks of performing sex work at the customer's abode, as well as the prevention techniques that they could apply to stay safe even in these settings (Molnar & Pongelli, 2019). Further, actions with respect to reporting victimisation to the police, the way to complain, as well as victims' rights and assistance appear to be fundamental to encourage SW to report their victimisation to the police, which they do very infrequently at present.

Last, working under a prostitution ban, as well as without following the legal procedures, is associated with higher risks of victimisation. To address this, we recommend that researchers investigate citizens' of the European Union reasons for working illegally in prostitution. However, it is not possible for extra-European nationals to work legally and therefore, in the event of another pandemic, if social and migration policies are not revisited, the outcomes of the risks described herein will be similar.

**Acknowledgements** The authors would like to warmly thank Silvia Pongelli and Sandrine Devillers, the members of the board of Fleur de Pavé, as well as all the social workers who assisted us in our study. We also thank all the sex workers who participated in our study. Finally, we would like to thank Yuji Zocatelli Hashimoto for his support in the design of the questionnaire and Edoardo Cocco for his feedback on earlier versions of the manuscript.

**Author contributions** LM and JR designed and planned the research; LM and JR collected the data; LM performed the data analysis, LM drafted the manuscript; JR reviewed critically the manuscript.

**Funding** Open access funding provided by University of Lausanne. The authors received no financial support for the research, redaction of the manuscript, or the publication of this article.

## Declarations

**Conflict of interest** All Authors declare that they have no conflict of interest.

**Availability of data and material** Project questionnaires are available at <https://doi.org/10.5281/zenodo.5881464>.

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# Homelessness during the Coronavirus Pandemic. Exploratory Study in Switzerland

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## ABSTRACT

The coronavirus pandemic has negatively affected people of all social strata, and continues to do so, but its effect has been the most severe on members of the most precarious populations. In this exploratory study conducted in Switzerland, the specific situation of homeless people, a particularly vulnerable population, is examined from a criminological perspective. In total, we surveyed 32 homeless individuals: 14 during the first wave of the pandemic (March–September 2020) and 18 during the second wave (December 2020–March 2021). Results corroborate that the pandemic has had adverse effects on the respondents – both socioeconomic and psychological. Most of the participants do not use drugs and, overall, those who reported drug use did not report an increase during the epidemic. The occurrence of both victimization and offending is low among the participants. Ethical and methodological considerations such as the minimization of social desirability bias, satisfying, as well as the recruitment of difficult-to-reach participants and data collection more broadly during a pandemic are discussed.

## ARTICLE HISTORY



Received 24 October 2021

Accepted 1 February 2022

## Introduction

Exceptional situations with the potential to affect large swathes of a population, like biological threats, natural disasters or civil unrest, often have a large effect on the behavior of people, even more if they are unexpected, acute, and stressful (Hodgkinson and Andresen 2020). Since the beginning of 2020, the coronavirus disease (COVID-19 from now on) has been afflicting global health, forcing considerable changes upon the economy, social life, and social and cultural institutions in an attempt to contain the spread of the virus. Between 2020 and 2021, multiple countries have enacted lockdowns, states of emergency have been declared, borders have been closed, travel has been restricted, and for several months only essential businesses could remain open to the public. The stringency of public health measures varied between governments (Hale et al. 2021). For example, after the initial wave of lockdowns, many states imposed curfews, mandated testing for routine activities such as frequenting bars, nightclubs or traveling, and/or declared new national or regional lockdowns.

The COVID-19 pandemic has influenced multiple public spheres, criminality included (for a review, see Jaccoud, Burkhardt, and Caneppele 2021). For instance, Hodgkinson and Andresen (2020) analyzed Canadian crime trends during the first lockdown in 2020, concluding that the shift in crime trends during the pandemic is most consistent with the predictions of *Routine Activities Theory* (RAT) coined by Cohen and Felson (1979). Summarily, the pandemic changed the structure of opportunities for committing a crime during 2020 and therefore criminality. The largest study conducted thus far (Nivette et al. 2021) involving 27 cities belonging to 23 different countries found that the lockdowns were linked to an overall drop of 37% in urban crime. At the same time, some offenses have increased during the lockdowns, such as hate crimes against East Asians (Eisner and

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Nivet 2020; Gover, Harper, and Langton 2020; Tessler, Choi, and Kao 2020), non-lethal domestic violence (Arenas-Arroyo, Fernandez-Kranz, and Nollenberger 2021; Campbell 2020; Piquero et al. 2021) and cybercrime (Buil-Gil et al., 2021). However, other offenses, such as femicides, have not shown the same pattern and stayed stable or even decreased (Aebi, Molnar, and Baquerizas 2021; Hoehn-Velasco, Silverio-Murillo, and Balmori de La Miyar 2020).

Switzerland, a federal European republic with a population of approximately 8.4 million citizens (Confédération Suisse 2017) and the country in which this study has been conducted, was also negatively affected by the pandemic. Seeking to reduce the spread of the virus, Switzerland enforced in March 2020 a partial lockdown which required bars, clubs, and other non-essential businesses to be closed, public gatherings –including demonstrations– to be controlled, and strongly encouraged the facultative confinement of the general population. After the first semi-lockdown, Swiss restrictions varied according to the time of year: after a period of relaxation, a second semi-confinement was declared in December 2020 and lasted until February 2021 (Conseil fédéral 2021). Although the Swiss federal government appeared to have successfully managed the first wave of the pandemic, it has not been immune to criticism (Sager and Mavrot 2020), and the situation of precarious citizens –such as homeless individuals– has been a concern. Namely, for public authorities, the fact that homeless people infected with COVID-19 are difficult to detect, isolate, and quarantine has been a cause for concern both with respect to a) the health of homeless people themselves, i.e., their high risk of mortality and of otherwise developing life threatening health complications, and b) public health, because homeless individuals infected by COVID-19 could potentially infect a large proportion of the population on account of their outdoorsy lifestyles (Albon, Soper, and Haro 2020; Baggett et al. 2020; Banerjee and Bhattacharya 2021; Imbert et al. 2020; Kirby 2020; Lima et al. 2020; Morgan 2020; Tobolowsky et al. 2020; Tsai and Wilson 2020). In this regard, preexisting Swiss night shelters were already overcrowded before the pandemic and/or lacked resources to receive all homeless people during a contagion which required maximizing the number of collaborators while simultaneously dealing with social distancing and the implementation of the strictest hygienic measures. Furthermore, the governmental closure of public places forced the homeless to remain outdoors during the day and, therefore, the sanitary measures encouraged by the authorities were hardly accomplishable (“Face au coronavirus, la situation des sans-domicile fixe inquiète.” 2020).

In the past, criminological studies have found a link between homelessness and both offending and victimization (see Baron 2004, 2007; Gaetz, 2004; Kipke et al., 1997; Tyler and Johnson 2004). For instance, in Canada, Baron (2004) tested Agnew’s *Strain Theory* by analyzing the link between the offending rate of 400 young homeless and ten strains: emotional abuse, physical abuse, sexual abuse, homelessness, having been a victim of robbery, violence or theft, relative deprivation, monetary dissatisfaction, and unemployment. He found that all strains were predictive –either as main effects or in interaction with other variables– of offending. Gaetz (2004) argued that the victimization of the homeless youth in Canada was related to the social exclusion they experienced. Along the same lines, Kipke et al. (1997) studied 432 young homeless in the USA, finding that both homeless women and men manifested a high rate of exposure to violent victimization. Homelessness seems therefore a topic of interest for criminologists since the criminality and victimization of the homeless may constitute part of the dark figure of crime as well as due to their specific vulnerabilities and needs. However, to our knowledge, whilst criminological scholarship has carried out studies on the impact of COVID-19 on crime trends, the situation of the homeless has not been explored, except by Yakubovich and Maki (2021) and by Garriga (2021), whose objectives are different from ours: The former address women’s homelessness during the pandemic as a consequence of intimate partner violence whilst the latter focus on the public discourses regarding homelessness during the pandemic.

This paper therefore aims to study the experiences of homeless people in the French part of Switzerland with respect to pandemic-related economic and emotional strains, victimization and offending, as well as drug use during the year 2020. Our goal is threefold: (1) to fill a gap in the existent literature on homelessness in the context of the COVID-19 pandemic; (2) to explore the

relationship between strains and outcomes such as victimization, offending and drug use; (3) to illustrate the challenges (research design, respondent identification, and response validity) of surveying an understudied and difficult-to-reach group during a global pandemic.

## Data and method

### The study

Thirty-two homeless individuals were recruited between May 2020 and August 2020 (first phase) and between December 2020 and March 2021 (second phase) (see Figure 1). The research began as a pilot study on the effect of the lockdown on the lives of homeless people in Switzerland (n = 14) and was extended while the pandemic persisted, monitoring the effects of its second wave as well (n = 18). It is to be noted that out of 32 participants, 28 were interviewed once, and two participated twice, i.e., once during the first round and once during the second one. However, it is seldom possible to know with certainty who participated twice in the questionnaire. Unfortunately, the homeless population is rather difficult to be studied in a longitudinal manner because of the challenges with providing codes to participants to identify them while preserving anonymity. Therefore, this study should be considered as consisting of two snapshots of the situation of the homeless during the first two waves of the coronavirus pandemic in Switzerland.

Figure 1 illustrates the data collection procedure consisting of an iterative method in which we analyzed the data from the pilot before carrying on with the second phase. During the pilot, we contacted five night shelters situated in four different cities in Romandy, among which three accepted to assist in recruiting participants and/or collecting the data. These night shelters were reached either through networking (since the first author has been working for four years as a social worker) or with the help of two professors in social work who acted as gatekeepers. Because of the aforementioned social distancing and public health measures, we could not be present on the field to observe the functioning of these night shelters and to personally collect the data. Instead, we were obliged to create a short questionnaire (fillable on paper or online). The questionnaire (Annex 1) was originally written in French and it was then translated into English and Romanian based on the recommendations of the directors of the night shelters who informed us of the nationalities of their users. We sent the three versions of the questionnaire to the

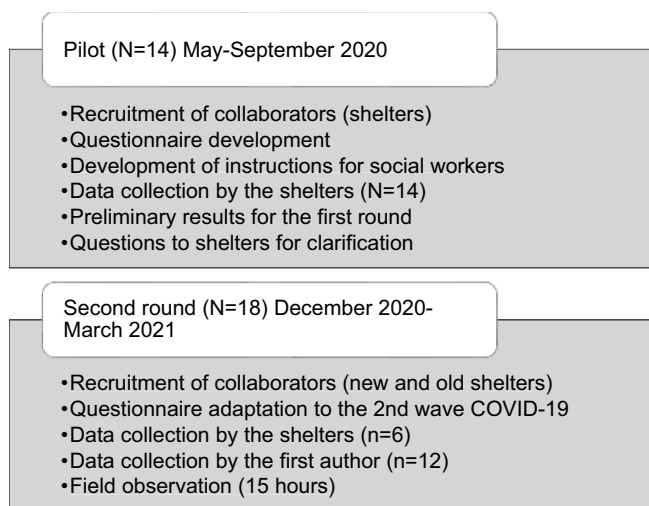


Figure 1. Study design.



participating night shelters via e-mail, alongside a URL to access the online version. The social workers affiliated with the collaborating night shelters then distributed them among the homeless users and/or eventually conducted face-to-face interviews with interested participants, depending on their reading skills, the available time and space, and the resources available to the night shelter. During the second phase of the study (December 2020 to March 2021) we recontacted the already participating shelters, but we also sought new collaborators, among which a day shelter. Overall, we could count on the participation of structures operating in three cities. We used the same questionnaire with slight modifications to take into account the second wave and to ask the respondents whether they had previously participated in our study. This time, the first author of the manuscript was able to go on the field and observe and collect part of the data by herself: in total, the questionnaire was distributed to six persons by the staff of the shelters and the field researcher distributed other twelve. Moreover, she observed the field for roughly 15 hours, which allowed contextualizing, and therefore augment, the collected data evidently.

During the entire process, we maintained contact with our collaborators and remained available to satisfy any queries. In addition, in both rounds, the questionnaire was accompanied by a document containing instructions for the social workers (Annex 2), intended to increase the validity and reliability of the research. Information provided included the survey goals, its modes of administration (face-to-face or self-administered), as well as recommendations for decreasing potential biases. The recommendations were, among others, to administer the questionnaire individually and to avoid the possibility of other users overhearing, to clearly explain the survey goals and its voluntary and non-remunerated character, to encourage each user to answer honestly, to keep any information shared by the user confidential, and to read the questions as neutrally as possible. This latter was intended for minimizing the social desirability bias (Gaia 2020). It is also to note that we have experience conducting delinquency and victimization surveys with difficult-to-reach and vulnerable populations, and having been a social worker ourselves, we are trained for non-judgmental interactions with the users. Nevertheless, it is plausible that in spite of our efforts, social desirability was still present.

In total, seven questionnaires were filled online, and the rest on paper and sent to the research team, or completed by the research team. Overall, 21 questionnaires were filled on paper and sent to the research team by mail and seven were completed online. Eighteen surveys were filled through a face-to-face interview with the researcher or a social worker, seven participants completed the survey by themselves while asking questions to the administering social worker, and seven individuals completed the survey entirely by themselves. Twenty-two questionnaires were filled out in French, five in English, three in Romanian, and two in Spanish. We estimated the participation rate to around 50% although we do not possess reliable data since to document this aspect too time-consuming for the social workers. No participant dropped out once the questionnaire started but we were obliged to discard three questionnaires because the participants, users of the day shelter, were no homeless but just in a precarious situation. Those three questionnaires are not a part of the final sample ( $N = 32$ ).

Particular attention has been given to both ethical and methodological concerns<sup>1</sup> since both the population and the topic were judged sensitive. The data protection of the participants was fully insured by not collecting their personal data such as name, surname, and date of birth, and the research was both explained orally and on the questionnaire. We did also not discuss the specific answers given by the respondents with third parties, such as social workers, and as mentioned above, we requested the interviewers to likewise maintain the responses strictly confidential. We were also wary of both over-stigmatizing and over-victimizing a population living on the margins of society and facing daily struggles, and which may understandably be hesitant to discuss or to think about our

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<sup>1</sup>It is to note that our research did not need to count on the examination of an Ethical committee. At our university, this is a facultative procedure since our type of research does not enter the domain of application of the Swiss Federal Law related to research on the human being (Loi fédérale relative à la recherche sur l'être humain, 2014).

research questions; in fact, it has been observed that surveys and interviews can be cathartic, but also traumatic (Birch and Miller 2000; Peritore 1990). We took special care in designing our survey questions, which were also approved by the directors of the shelters before being delivered to the participants. In addition, when faced with a person in a highly vulnerable situation, we oriented them toward the night shelter social workers for further assistance. In our case, comments provided by our respondents and feedback received from the social workers suggest that our target population received the questionnaire in a positive manner. For illustration, one social worker told us:

Respondents perceived the questionnaire rather well. The explanation you gave me suited them and satisfied them. However, money matters are often difficult for them. Answering these questions made them reflect on how they experienced the confinement and sometimes led to great discussions. It should be noted that the questions asked addressed points that we rarely discuss with our users (Social worker).

## Questionnaire

The questionnaire comprised the following sections of which the results are addressed in the findings section:

- (1) *Sociodemographic data (basic)*: sex, gender, age, parental status, and civil status.
  - (2) *Living conditions*: regular place of sleeping, self-reported health, 'higher risk from coronavirus' status.
  - (3) *Life during the pandemic (since March 2020)*: self-rated effect of the pandemic, spheres of life negatively affected by the pandemic, social interactions during the pandemic, and affect during the pandemic.
  - (4) *Substance use (tobacco, alcohol and drugs) during the pandemic (since March 2020)*.
  - (5) *Victimization and offending during the pandemic (since March 2020)*: prevalence<sup>2</sup> of theft and physical assault, incidence<sup>3</sup> of theft and physical assault, place and time of day of victimization or offense.
  - (6) *Sociodemographic data (sensitive)*: monthly income and total savings, educational attainment, nationality, and residence status.
- (7). *General needs*

## Description of the sample

Table 1 illustrates the sociodemographic characteristics of our sample, broken down by the first and second wave of the pandemic. Overall, twenty-six men, five women, and one intersex person participated in the study. Age distribution ranges from 18 years old to 71 years old ( $M = 43.6$  years old,  $Mdn = 46.0$  years old,  $SD = 15.1$ ). Most participants were middle-aged or older, i.e., 45 years old or older. Most respondents were single ( $n = 23$ ), with children ( $n = 20$ ), and foreigners ( $n = 25$ ). Eighteen had either an irregular or no residence status, and 15 had at most completed secondary education.

Twenty-five participants sleep at a night shelter, two on the streets, one in an abandoned camping car, one in his own car, and seven at someone else's domicile. Most of the respondents ( $n = 17$ ) have no monthly income and, among those who do, their income is markedly low (to provide a point of reference, the median salary in Switzerland is around 5,000 Swiss francs). In the same vein, most respondents ( $n = 21$ ) possess little (less than 60 Swiss francs<sup>4</sup>) to no savings.

<sup>2</sup>The proportion of participants committing or suffering an offense during a given time period (Aebi 2006).

<sup>3</sup>The number of offenses of the same type (e.g. theft) committed or suffered by an individual during a given time period (Aebi 2006).

<sup>4</sup>60 Swiss francs are 55 Euros approximately.



**Table 1.** Description of the sample N = 32 (1/2) and (2/2).

First wave	Second wave
<b>Sex</b>	
Male n = 10	Male n = 16
Female n = 3	Female n = 2
Intersex n = 1	
<b>Age</b>	
Min: 20; Max: 71 years old.	Min: 18
Average: 49.8; Median 50.0; SD: 14.3	Max: 62
Young adults n = 3	Average: 39.11; Median 37.0; SD: 14.42
Middle-aged n = 6	Young adults n = 8
Seniors n = 4	Middle-aged n = 7
1 missing value	Seniors n = 3
<b>Civil status</b>	
In a relationship/married n = 4	In a relationship/married n = 5
Single n = 10	Single n = 13
<b>Offspring</b>	
Has children n = 8	Has children n = 12
Does not have children n = 6	Does not have children n = 6
<b>Nationality</b>	
Swiss n = 1	Swiss n = 4
Foreigner n = 12	Foreigner n = 13
1 missing value	1 missing value
<b>Residence status</b>	
Legal residence status n = 5	Legal residence status n = 3
None/Irregular n = 7	None/Irregular n = 11
2 missing values	4 missing values
<b>Educational attainment</b>	
No education n = 1	No education n = 2
Primary school n = 1	Primary school n = 2
Middle school n = 5	Middle school n = 4
High school n = 2	High school n = 7
University n = 5	University n = 3
<b>Refuge/accommodation</b>	
At someone else's home n = 1	At someone else's home n = 6
At a night shelter n = 10	At a night shelter n = 15
On the streets n = 2	On the streets n = 0
Abandoned camping-car n = 1	Car n = 1
1 missing value	
<b>Monthly income<sup>5</sup></b>	
<sup>5</sup> The original query was an open question. In order to reduce the number and size of the intervals, we grouped these into clusters. Therefore, the scale is not continuous, nor are the categories exhaustive.	
0 Swiss francs: n = 8	0 Swiss francs: n = 9
100–500 Swiss francs: n = 0	100–500 Swiss francs: n = 4
700–1000 Swiss francs n = 1	700–1000 Swiss francs n = 1
1250–1500 Swiss francs n = 0	1250–1500 Swiss francs n = 2
2500 Swiss francs n = 1	2500 Swiss francs n = 0
4 missing values	
<b>Savings</b>	
0 Swiss francs n = 4	0 Swiss francs n = 9
10–50 Swiss francs n = 4	10–60 Swiss francs n = 4
1000 Swiss francs n = 1	100–500 Swiss francs n = 2
5 missing values	1400–2000 Swiss francs n = 3
	5 missing values
<b>Health situation</b>	
Healthy/very healthy: n = 10	Healthy/very healthy: n = 10
Neither unhealthy nor healthy n = 1	Neither unhealthy nor healthy n = 6
Unhealthy n = 1	Unhealthy n = 2
2 missing values	
<b>At-risk person for COVID-19:</b>	
Elderly person: n = 1	Health problems: n = 2
Not at-risk: n = 10	Not at-risk: n = 16
3 missing values	3 missing values

Most respondents self-rated as healthy or very healthy ( $n = 20$ ), and only three persons self-reported as being at higher risk from coronavirus by virtue of being 65 years or more, or having health problems. It should, however, be noted that our sample includes seven respondents aged 65 or more.

## Homelessness during the pandemic: findings

### *Evaluation of the effects of the coronavirus pandemic*

In general, the pandemic had a negative effect on the life of the homeless interviewees (Table 2). Among these, three women, and 19 men reported a negative or a very negative effect on their everyday life. Whereas respondents aged between 18 and 54 perceived the pandemic as having a negative effect on their lives ( $n = 18$ ), those older than 60 were more heterogeneous in their judgment ( $n = 3$  negative,  $n = 3$  neutral,  $n = 1$  positive).

Regarding the specific negative outcomes emerging from the pandemic, 17 homeless people lost their jobs and stopped meeting their friends because of social distancing, 15 individuals needed to spend most of their savings, twelve ate less, eleven lost their housing, five were furloughed, four felt their health worsen, nine had friends or relatives that were coronavirus positive, four people got infected with the coronavirus, and three had friends or relatives deceased because of the virus. In total, almost all have suffered at least one of the listed consequences. Moreover, 18 respondents have suffered three or more of these negative outcomes contemporaneously, seven have faced two negative consequences, and five respondents have endured only one of the aforementioned negative effects of the pandemic.

**Table 2.** Effects of COVID-19 ( $N = 32$ ).

First wave	Second wave
<i>Effects of the Covid-19</i>	
Very negative $n = 4$	Very negative $n = 3$
Negative $n = 6$	Negative $n = 9$
Neither a negative nor positive $n = 1$	Neither a negative nor positive $n = 6$
Positive $n = 1$	Positive $n = 0$
2 missing values	
<i>Effects: specifically (multiple answers possible)</i>	
Job loss $n = 7$	Job loss $n = 10$
Stopped meeting friends $n = 7$	Stopped meeting friends $n = 10$
Spent most of the savings $n = 6$	Spent most of the savings $n = 9$
Ate less $n = 3$	Ate less $n = 9$
Lost housing $n = 3$	Lost housing $n = 8$
Furloughed $n = 2$	Furloughed $n = 3$
Health worsened $n = 1$	Health worsened $n = 3$
Friends or relatives caught COVID-19 $n = 1$	Friends or relatives caught COVID-19 $n = 8$
Caught COVID-19 $n = 1$	Friends or relatives deceased due to COVID-19 $n = 3$
	Caught COVID-19 $n = 4$
<i>Number of negative outcomes during the pandemic</i>	
0 effects $n = 1$	0 effects $n = 1$
1 effect $n = 2$	1 effect $n = 3$
2 effects $n = 5$	2 effects $n = 2$
3 effects $n = 5$	3 effects $n = 2$
4 effects $n = 1$	4 effects $n = 3$
	5 effects $n = 2$
	6 effects $n = 3$
	7 effects $n = 2$

<sup>5</sup>The original query was an open question. In order to reduce the number and size of the intervals, we grouped these into clusters. Therefore, the scale is not continuous, nor are the categories exhaustive.

**Table 3.** Social interactions and emotions (N = 32).

First wave	Second wave
<i>In-person interactions during pandemic</i>	
Spend the day alone n = 6	Spend the day alone n = 5
Spend the day with strangers n = 4	Spend the day with strangers n = 3
Spend the day with friends n = 3	Spend the day with friends n = 6
Spend the day with family n = 1	Spend the day with family n = 2
Spend the day with the significant other n = 0	Spend the day with the significant other n = 1
<i>Online/telephone interactions with family/friends during pandemic</i>	
Daily or almost daily n = 6	Daily or almost daily n = 5
Several days each week n = 1	Several days each week n = 3
Sometimes n = 6	Sometimes n = 6
Never n = 1	Never n = 2
Do not have close ones n = 2	Do not have close ones n = 2
<i>Happiness during pandemic</i>	
(Very) unhappy n = 6	(Very) unhappy n = 5
A bit unhappy n = 2	A bit unhappy n = 4
Neither unhappy nor happy n = 3	Neither unhappy nor happy n = 6
A bit happy n = 0	A bit happy n = 2
Happy n = 0	Happy n = 1
Very happy n = 1	Very happy n = 0
2 missing values	2 missing values
<i>Anxiety during pandemic</i>	
Always n = 2	Always n = 1
Often n = 3	Often n = 4
Sometimes n = 5	Sometimes n = 4
Rarely n = 0	Rarely n = 4
Never n = 4	Never n = 5
<i>Irritation during pandemic</i>	
Always n = 1	Always n = 0
Often n = 3	Often n = 4
Sometimes n = 4	Sometimes n = 2
Never n = 6	Rarely n = 8
	Never n = 4
	Much better than during first wave n = 1
	Better than first wave n = 8
	Similarly than first wave n = 5
	Worse than first wave n = 4

When comparing the responses at the first round of the questionnaire and at the second round, the difference between the number of participants that had lost their housing (three versus eight) or those who needed to eat less (three versus nine) is remarkable, and it might be symptomatic of the impoverishment of the respondents due to the continuation of pandemic times. Naturally, regarding their contagion with COVID-19, the more time passed, the higher the risks of exposure.

### **Social interactions and emotions during the pandemic**

Table 3 illustrates respondents' answers regarding their social interactions and emotions during the pandemic. Regarding the former, the participants spent most of the time either alone or in the company of strangers (n = 18). Despite the fact that most respondents lacked physical contact with friends or family (i.e., spent their days either alone or with strangers), only three participants never interacted with friends or family either online or by telephone, whereas 15 interviewees kept in touch weekly with friends or family.

In general, our respondents reported experiencing unhappiness (n = 17) during the pandemic rather than happiness (n = 4). The results are less straightforward regarding anxiety and irritation, the frequency of which is not skewed toward the extremes (never/always), while varying mostly between rarely and often. Nonetheless, when comparing the answers of the participants from the first wave with those of the second, more of the latter reported experiencing these two negative emotions rarely, if

**Table 4.** Drug consumption, victimization and offending during the pandemic (N = 32).

First wave	Second wave
<b><i>Tobacco consumption</i></b>	
I do not consume n = 8	I do not consume n = 10
A bit more n = 4	Much more n = 2
Neither more nor less n = 2	More n = 1
	A bit more n = 1
	Neither more nor less n = 3
	Much less n = 1
<b><i>Alcohol consumption</i></b>	
I do not consume n = 9	I do not consume n = 8
Neither more nor less n = 2	More n = 1
Less n = 3	A bit more n = 4
	Neither more nor less n = 3
	Less n = 2
<b><i>Illegal drug consumption</i></b>	
I do not consume n = 12	I do not consume n = 14
Neither more nor less n = 1	A bit more n = 2
Much less n = 1	Neither more nor less n = 1
	Much less n = 1
<b><i>Prevalence of victimization*</i></b>	
Assault n = 0	Assault: n = 2
Theft n = 1	Theft: n = 3
	<i>Places</i>
	On the street n = 2
	At a night shelter n = 1
	<i>Moments</i>
	Evening n = 1
	Night n = 2
<b><i>Prevalence of offending*</i></b>	
Assault n = 1	Assault n = 1
Theft n = 1	Theft n = 1
	<i>Places</i>
	At a night shelter n = 1
	In a supermarket n = 1
	<i>Moments</i>
	Evening n = 1
	Afternoon n = 1

\*No further information regarding places and moments of the victimization/offending during the first wave was provided.

ever. This might be due to a habituation effect to the pandemic: among those participating in the second round of the questionnaire (n = 18), half indicated feeling much better during the second wave than during the first. Regarding the contemporaneous experience of all three negative emotions, only two respondents have often or always felt unhappy, anxious, and irritated.

### ***Drug use, victimization and offending during the pandemic***

In general, participants reported that they do not consume tobacco (n = 18), alcohol (n = 17), or illegal drugs (n = 26) (Table 4). Overall, 12 people reported not being consumers of any of the substances included in the questionnaire, ten reported being tobacco users, five reported consuming two of the drugs listed, and other five use all three substances. Among those who reported being consumers, seven reported increased usage of tobacco, and five of alcohol. Two reported using illegal drugs a bit more during the second wave. On the other hand, five respondents reported consuming less alcohol than before the pandemic and two reduced drug consumption. Regarding the distribution of drug users by sex, three (out of five) women and 18 (out of 28) men reported not being tobacco users; four women and 12 men reported not being alcohol users, and four women and 21 men reported not being illegal drug users. In addition, among those women who use any drugs, all of them reported neither

increasing nor decreasing their consumption compared to before the pandemic. In terms of age groups, senior respondents have the lowest prevalence of consumption of any of the three substance categories ( $n = 1$  for tobacco,  $n = 2$  for alcohol,  $n = 0$  for illegal drugs). However, when comparing the first round with the second round, the findings suggest that more participants of the second round reported increasing their legal drug consumption since the pandemic started.

Self-reported victimization and/or offending during the first year of pandemic is remarkably low among our sample: the overwhelming majority of participants declared having been neither a victim nor a perpetrator of either theft or physical assault. Regarding victimization, four people were a victim of a theft, and two of assault. Among these respondents, one person was a victim of both a theft and an assault. Therefore, within the entire sample, three people were victimized. These events occurred outside on the streets ( $n = 2$ ) and at a night shelter ( $n = 1$ ), at late hours (evening or night). It is worth mentioning that, although our sample is limited, the incidence of repeated victimization since March 2020 is noteworthy: with respect to assault, one victim reported two events, and another victim reported three events. Concerning victims of theft, two reported it happening once, one victim reported suffering it three times and two victims counted four times.

Vis-à-vis offending during the first year of pandemic, two people disclosed committing theft and two people reported committing assaults. One person committed both a theft and a physical assault. These offenses were perpetrated in a supermarket ( $n = 1$ ) and at a night shelter ( $n = 1$ ) during both the afternoon and the evening. The profiles of victims and offenders do not overlap, that is none of the homeless respondents both committed and endured an offense during 2020.

### ***Needs during the pandemic***

When asked about their needs during the pandemic, most of the participants expressed material needs such as money ( $n = 7$ ), employment ( $n = 9$ ), housing ( $n = 10$ ), internet access ( $n = 1$ ), social aid ( $n = 1$ ), and a table for writing ( $n = 1$ ). Others communicated the need for general hygiene during the pandemic ( $n = 2$ ) and to talk or see people ( $n = 3$ ). For illustration, respondents expressed their desires in the following manners:

“To restart normal life” (Participant 1, 1<sup>st</sup> round).

“Safety of tomorrow” (Participant 2, 1<sup>st</sup> round).

“To stay positive and keep two meters, wash hands with soap, [and] all the time disinfectant” (Participant 11, 1<sup>st</sup> round).

“A warm place to sleep, to feel safe, masks . . .” (Participant 15, 2<sup>nd</sup> round).

“Party, meet friends, go out, do activities” (Participant 17, 2<sup>nd</sup> round).

“See people around, find a place to rest, eat warm” (Participant 18, 2<sup>nd</sup> round).

“Money for my little daughter” (Participant 22, 2<sup>nd</sup> round).

“[To get residence] papers” (Participant 23, 2<sup>nd</sup> round).

“To discuss with people” (Participant 32, 2<sup>nd</sup> round).

### ***Had you a magic wand, what would you change?***

Lastly, participants expressed what they would do if they had a magic wand. Five individuals shared community-oriented wishes, such as wishing everyone to be all right and happy, preventing the pandemic from killing people ( $n = 2$ ), stopping people from destroying the planet ( $n = 1$ ) and changing the behavior of the people ( $n = 1$ ). Others expressed personal wishes such as to find a job

(n = 9), to have a house (n = 8), to be happy (n = 4), to see their family (n = 4), to change their life (n = 2), to get a pension (n = 1) and to have some sort of small project and money to return to their home country (n = 1).

“To do regular life and to avoid that the pandemic kills so many people” (Participant 1, 1<sup>st</sup> round).

“Wrap the planet with peace, happiness and sense that there is a bright future for everyone” (Participant 2, 1<sup>st</sup> round).

“To eliminate bureaucracy and activate my pension, they ask me a lot of documents and the social worker does not want to do anything [for me]” (Participant 7, 1<sup>st</sup> round).

“That economic activity starts again” (Participant 9, 1<sup>st</sup> round).

“A little project to earn enough money to go back to my country” (Participant 14, 1<sup>st</sup> round).

“To find a job that I like and a place where to live” (Participant 17, 2<sup>nd</sup> round).

“To be helped to go back to my family” (Participant 19, 2<sup>nd</sup> round).

“Go to school and learn French, so I can learn a professional job” (Participant 23, 2<sup>nd</sup> round).

“To see my mother” (Participant 26, 2<sup>nd</sup> round).

“Good life, live in peace, a job” (Participant 29, 2<sup>nd</sup> round).

“To have a family” (Participant 30, 2<sup>nd</sup> round).

## Discussion

This paper sought to describe the situation of homeless people, in particular night shelter users in French-speaking Switzerland, during the pandemic of the coronavirus over the course of 2020. By doing so, and given that scholars have mostly focused on the health issues afflicting homeless people (see Albon, Soper, and Haro 2020; Baggett et al. 2020; Culhane et al., 2020; Imbert et al. 2020; Kirby 2020; Lima et al. 2020; Morgan 2020; Tobolowsky et al. 2020; Tsai and Wilson 2020), we hope to fill a gap in the literature concerning the effects of the pandemic on the homeless population that is confronted by many physical, psychological, and emotional threats to their well-being. Our findings corroborate the observation that members of this population are highly precarious, socially isolated, and have been negatively affected by the coronavirus pandemic. Be that as it may, our respondents also reported feeling better during the second wave of the pandemic compared to the first, even though many more people lost their employment and housing during the former. This provocative result might be explained by some sort of habituation effect over time, and suggests a need to also explore resilience in homeless people alongside vulnerabilities.

The most unanticipated, and therefore surprising, finding in our research is that despite these risk factors, outcomes such as drug use, victimization and offending are appreciably low among our respondents. Although some people have consumed more legal drugs since the pandemic started, very few have increased the use of illegal drugs. In this regard, several hypotheses can be put forward. First, it might be that the homeless population in French-speaking Switzerland is precarious but has no drug consumption problems. However, it is also possible that our recruitment did not reach the most vulnerable population, i.e., the homeless drug addicts. Both hypotheses are plausible to some extent and unfortunately, the hardest-to-reach character of the homeless drug addicts challenges our access to them. In addition, we should consider the possibility that the presence of drug dealers on the streets was reduced during some months (see for example “Drogue,” n.d.; *Drogues et confinement*, n.d.). If this is true, then a low rate of drug consumption would logically follow, all other things equal, due to a lack of suppliers. More broadly, since the pandemic has had economic costs for most of our respondents, it is also possible that the lack of economic resources partly explains the low drug use.

When comparing the first round with the second round of the study, more participants of the second round disclose an increased consumption of legal drugs. This finding is noteworthy and might indicate that the impact of the pandemic on substance use may increase as time passes and the pandemic persists. However, at this point this is a conjecture which requires empirical study.

During the first lockdown, the low rate of victimization and offending with respect to theft was not surprising under the light of *Routine Activity Theory* (Cohen and Felson 1979), since both victims and perpetrators were spending less time on the streets, which translates into reduced exposure to crime opportunities (as also stressed by multiple scholars, see, e.g., Aebi and Tiago 2020; Eisner and Nivette 2020; Hodgkinson and Andresen 2020; Nivette et al. 2021). However, given the need to share shelter with others, the low rate of physical assault is contrary to what was expected considering the results of research on domestic violence (Campbell 2020; Piquero et al. 2021). In principle, it would not have been surprising that the increase in night shelter occupation due to confinement policies combined with tensions due to a lack of resources had contributed to a noticeable number of violent interactions. A potential explanation for the contrary is the fact that the night shelters we studied are only open between 9 PM and 7 AM and therefore users were more likely to be asleep during occupation, which minimizes the chances for active violent interactions. However, the findings emerging from the second round also show low victimization and offending during the rest of the year 2020 and at the beginning of 2021, suggesting that the same pattern observed during the lockdown followed over the rest of the year. In this regard, it seems that even in a scenario in which there were more opportunities to commit an offense or to become a victim of a crime, participants' involvement in crime still remained low. Nonetheless, a factor to consider here is the age of the respondents, who were on average 44 years old. As research has consistently shown, the risk for not only offending but also victimization decreases with age (Hindelang, Gottfredson, and Garofalo 1978; Killias, Aebi, and Kuhn 2019), i.e., the older the person, the lower their criminal involvement (either as an offender or as a victim). Still, although it was a challenging exercise to gather information on the incidence of victimization and offending, the incidence of victimization among our respondents seems rather high. Therefore, our data suggest that although a stark minority of participants endured victimization, they endured it in a repeated manner. This also requires further research, since repeated victims and those who suffer multiple victimization are highly vulnerable and among the group of victims in greater need for intervention that decreases their risk exposure (Farrell 1992).

The survey we conducted provides added knowledge concerning a vulnerable and hard-to-reach population during an extraordinary situation, namely a pandemic, with respect to sensitive topics such as drug use, criminality, and victimization. The fact that we were able to collaborate with social workers who have pre-established relationships of trust with our population of interest has been invaluable, and paramount to the success of our study. This collaboration also allowed us to gather supplementary information following the data analysis (see further below). Furthermore, it is likely that lacking their input, including the recommendation of translating the questionnaire into English and Romanian, our participation rates would have been weaker. Nonetheless, we must acknowledge that a small sample size is among the main limitations of the study, alongside the fact that the research team could not directly instruct the collaborators on the field and monitor part of the data collection. Although the amount of data which could be collected with our questionnaire was limited by its length, this was also a design choice based on the existing literature on homeless people (Baron 2004; Whitbeck and Hoyt 1999), meant to minimize dropout rates and biases due to the response burden (e.g., satisficing). For instance, the latter could have emerged as a result of our participants lacking familiarity with questionnaires or experience reading long texts. Moreover, they could also have been motivated to answer without the required attention if they believed they could gain a material or immaterial reward from the research team or from the night shelter. To prevent response errors due to lack of ability or attention, we designed a short questionnaire comprising short and simple questions, we made efforts to minimize satisficing cues (e.g., leading questions), we disclosed from the beginning the lack of compensation for participating in the study, and we instructed the social workers to simply recruit respondents among their users without pressuring them to participate in any manner. In



addition, we also asked the social workers to inform us whether a respondent answered dishonestly, and we were also prepared to discard filled questionnaires presenting internal inconsistencies, although neither of these two scenarios took place.

In terms of limitations, our findings are primarily descriptive in nature and cannot alone establish causal relationships. In that regard, it is unclear whether the pandemic decreased or increased the victimization and offending among the homeless because of lack of data from the prior period. It is important to stress the ethical and methodological pitfalls that we have previously acknowledged, namely the over-stigmatization and over-victimization of our respondents as well as the risk of social desirability bias. As explained, we aimed to be as transparent as possible with our interviewees, not to be judgmental and/or intrusive with our questions and we instructed the social workers to apply the same principles. Nevertheless, social desirability bias is a factor that cannot be discarded when interpreting the low rates of drug use, victimization and criminal behavior among our participants.

Along these lines, we argue that the collaboration between social workers and researchers is a valuable option –if not, the only one– in sensitive milieus in which obtaining access, gaining the trust of the participants, and observing them would require a great deal of efforts and time. Notably, the latter is a resource that many researchers may lack in the context of an ongoing global pandemic. At the same time, we have to acknowledge the challenges of these collaborations, such as researchers lacking total control of the data collection and the risk of gatekeepers instrumentalizing the research (Díaz Fernández 2019). Although compromise is unavoidable when entering the field to study the real world, these are issues which require careful deliberation. In our view, further research should also seek to reach homeless people that do not attend any shelter whatsoever, and whose situation might be (relatively) more vulnerable. As well, we believe that it would be insightful to study the situation of the homeless after the pandemic and to compare findings. However, the most important objective would be to design a self-reported victimization and offending survey to be administered among a more representative sample of homeless people in a periodical manner. Only by doing so we could be in measure to propose evidence-based interventions to policymakers to decrease victimization and offending regarding this group and to improve their well-being and social integration.

## Conclusion

To summarize, this paper explored the situation of 32 homeless individuals in the French part of Switzerland during the first year of coronavirus pandemic which began in early 2020. Our findings seem to partially contradict the Routine Activities Theory (Cohen and Felson 1979), although we can only speculate on the virtual absence of physical assaults reported by our respondents and the lack of victimization and offending once the sanitary restrictions were relaxed. The advanced age of the participants as well as response biases (e.g., social desirability bias) might also have contributed to these low rates (i.e., skewed our results), despite our efforts to tackle both methodological and ethical challenges.

While we wish to emphasize the fact that we obtained access to a sensitive and vulnerable population and managed to investigate a sensitive topic in an extraordinary situation, we also have to acknowledge the low number of participants ( $N = 32$ ) and the fact that our presence on the field during data collection was partial. Moreover, our study cannot establish causal relationships and its design does not allow us to address the counterfactual of whether, in an ordinary setting (e.g., prior to the pandemic), we would have observed comparable victimization and offending rates. At any rate, the survey seems to have been well received by both the respondents and the social workers, and we propose that future inquiries continue to capitalize on the valuable collaboration of practitioners in order to study the post-pandemic situation of the homeless. Other domains we believe would be valuable for further research are related to the study of the self-reported victimization and offending of a representative sample of homeless individuals, their resilience in the face of adversities, and their experiences with repeated victimization.



## Acknowledgments

The authors would like to acknowledge the participating associations, as well as Profs. Marcelo F. Aebi, Sandrine Haymoz and Annamaria Colombo for their support and generous collaboration. Many thanks also to our colleagues from the School of Criminal Sciences at University of Lausanne and to Korbinian Baumgärtl, for their support.

## Authors' contributions

Planification of the research: L. Molnar & Y. Hashimoto; Data collection: L. Molnar; Data analysis: L. Molnar; Writing of the manuscript: L. Molnar Critical revision of the manuscript: Y. Hashimoto.

## Availability of Data and Material

data is not available at this stage because of the possible identification of the participants. We will post on Zenodo.org the questionnaires in French, English, and Romanian.

## Disclosure statement

No potential conflict of interest was reported by the author(s).

## Funding

The authors received no financial support for the research or redaction of the manuscript. The publication in OA is funded by University of Lausanne .

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# **Annexes**





## **PreVist project: prevention of victimisation in sex work in the canton of Vaud (Switzerland). Reflections from the criminological praxis<sup>1</sup>**

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### **Abstract**

*PreVist* is a project created and implemented by the association Fleur de Pavé, a non-governmental organisation engaged in sex work risk minimisation in the canton of Vaud (Switzerland). Based on situational crime prevention strategies and existing research on the victimisation and stigmatisation of sex workers, this project aims to reduce the victimisation of sex workers. Three types of workshops were developed for the sex workers: “crime prevention and victims’ rights,” “what makes a good client” and “the need to be supportive and united”. We conducted workshops with indoor and outdoor sex workers and their clients. As an additional measure, pocket alarms were distributed. To motivate prosocial behaviour, we developed a guide for clients which was handed out in the street prostitution area in Lausanne and in the erotic massage salons in the canton of Vaud. Although the project was perceived as useful by the target population, at this stage, its limitations are: a) the lack of systematic and rigorous experimental evaluation of the efficacy of the project, b) the limited room for manoeuvre of an association, and c) the risk of encouraging undocumented migrants to report crimes. To overcome these limitations, we suggest collaboration between academia and NGOs for the design, implementation and evaluation of such programs. Nonetheless, we hope that this project inspires other organisations to carry out prevention projects in this field.

**Keywords:** *sex workers, crime risk, prevention project, situational crime prevention.*

<sup>1</sup> This project has received the funding of the Swiss federal police [Ordonnance 311.039.4 du 18 novembre 2015 (Etat le 1<sup>er</sup> janvier 2016)].

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## 1. Introduction: sex work in the canton of Vaud (Switzerland)

This paper presents the prevention project *PreVist* taking place in the canton of Vaud, in Switzerland. The objective of *PreVist* is to reduce sex workers' victimisation and to increase their resilience. We describe the theoretical basis and the implementation of the project and discuss its advantages and limitations.

Switzerland is a federal state composed of cantons. In this country, sex work is a legal activity regulated by each canton. The federal penal code prohibits pimping, sexual exploitation and illegal practice of prostitution (art. 195, 199, RS 311.0 Code pénal suisse du 21 décembre 1937). The canton of Vaud established sex work regulations in 2004. According to this law, sex work can only be conducted as a freelance activity (Loi 943.05 sur l'exercice de la prostitution, 2004). Only Swiss and European nationals are eligible for freelance administrative status for sex work. Non-Europeans cannot obtain a work permit for prostitution. Nonetheless, in the canton of Vaud, non-documented sex workers exist, and their access to different types of services and rights is reduced (Ros, 2018).

Sex work is permitted in two places in the canton of Vaud: on the street and in the erotic massage salons (indoor prostitution). In Lausanne (the capital of the canton of Vaud), the law permits street prostitution in the neighbourhood of Sévelin, every day from 10 PM to 5 AM (Ville de Lausanne, 2016). Sex workers can tout for customers, but sexual services are not legal in public areas. Indoor prostitution is allowed in the "erotic massage salons", which are apartments, clubs, or cabarets in possession of administrative authorisation for erotic activity. Sex work conducted at places or times other than those specified in the law can be punished with a penal fine (art. 199, RS 311.0 Code pénal suisse du 21 décembre 1937).

Since 2018 several incidents have led to increased media coverage of prostitution in the canton of Vaud. Firstly, the municipality reduced the legal perimeter for touting for clients in the neighbourhood of Sévelin (Ville de Lausanne, 2018). The length of the



touting zone was decreased from 1700 meters to 700 meters, causing the relocation of prostitutes to the inner part of the neighbourhood. Secondly, the media reported an increase in fights between sex workers competing for working places and in sex workers' perception of insecurity (Toulami, 2018) as a consequence of the reduced perimeter. Additionally, the media reported the operation carried out by the Swiss police against Romanian and Nigerian criminal networks involved in human trafficking (ATS, 2019; Matteo, 2018; Terriennes, 2019).

Fleur de Pavé is a non-governmental organisation (NGO) engaged in the minimisation of risks related to sex work (sexually transmitted diseases, social exclusion, and victimisation), and the protection of sex workers' rights in the canton of Vaud. Among other measures, social workers of the NGO visit salons and work in the street to provide material for safe sex and information about socio-medical and administrative topics.

## 2. State of the art

### 2.1. Sex work: a complex definition

Sex work exists in a broad variety of forms. Harcourt & Donovan (2005) analysed 681 articles on prostitution published in English from 1996–2004 and have identified at least 25 types of sex work, depending on the worksite, mode of soliciting clients, or sexual practices. They distinguish between direct and indirect sex work. Direct sex work is “a variety of sexual services widely recognised as “prostitution” because it is clear that the primary purpose of the interaction is to exchange sex for a fee” (Harcourt & Donovan, 2005, p. 201). Prostitution in the street, in a brothel, to escort, or to work on a window or doorway are examples of direct sex work. Indirect prostitution is defined as: “not always the sole or primary source of income for individuals, even in relatively poor settings. It can provide additional income for lowly or irregularly paid workers in other industries.”



(Harcourt & Donovan, 2005, p. 203). Bondage and discipline services, lap dancing, and massage parlour are illustrations of this type of prostitution.

Sex workers have different backgrounds and diverse motivations (Chudakov, Ilan, Belmaker, & Cwikel, 2002; Kontula, 2008; Mitjans Núñez & Molnar, 2016). In Israel, Chudakov, Ilan, Belmaker, & Cwikel (2002) analysed sex workers' motivations (n=55) through a questionnaire. They have corroborated the existence of diversity in motivations and profiles in prostitution. In Lausanne, Crittin (2010) studied street prostitution by observations and interviews with prostitutes (n=5) and professionals of fields related to prostitution, such as social work, police, and law (n=6). For the sex workers in the sample, prostitution was a “default choice”, necessary for surviving or for supporting their families. The author has pointed out that street sex work is often the only option for nondocumented migrants who do not have access to the regular jobs market.

Research shows that sex work is a stigmatized activity (Crittin, 2010; Eleuteri, di Santo, Fava, & Colombo, 2018; Fitzgerald-Husek et al., 2017; Földhazi, 2010; Mitjans Núñez & Molnar, 2016; Osborne, 2004; Scambler, 2007; Sprankle, Bloomquist, Butcher, Gleason, & Schaefer, 2018; Weitzer, 2018). In Italy, Eleuteri et al. (2018) conducted an online survey (n=999) addressing the general population's view of sex workers. Of the participants, 48,5% declared that sex workers should not have the right to adopt a child. Sprankle et al. (2018) found in an experimental study that the general population has less empathy with the victim of sexual assault if she is a sex worker. Hence, most of the time, sex workers prefer to hide their occupation from their relatives and friends because of fear of rejection and judgement (Földhazi, Chimienti, Bugnon, Favre, & Rosenstein, 2007; Mitjans Núñez & Molnar, 2016; Osborne, 2004; Pons i Anton, 2004).



## 2.2. *Victimisation in sex work and crime prevention projects*

Empirical investigations have analysed sex workers' victimization in different contexts and countries (Barberet, 2000; Bungay & Guta, 2018; Földhàzi et al., 2007; Mitjans Núñez & Molnar, 2016; O'Doherty, 2011; Plumridge & Abel, 2001; Ratinthorn, Meleis, & Sindhu, 2009; Ratinthorn et al., 2009; Sanders, 2001; Shannon et al., 2009). In Switzerland, Földhàzi et al. (2007) conducted qualitative research (n=36) on sex worker victimisation in Geneva, the neighbouring canton of Vaud. Sex workers in the sample reported on being victims of work-related crimes by their clients, colleagues, and passers-by (when working in the street). Examples are disrespect of sex workers' professional boundaries (unprotected intercourse, harassing or stalking), refusal of payment for the service, and thefts in places without social control. Working alone and the consumption of alcohol during work have been identified as victimisation risk factors by Földhàzi et al. (2007).

Similar results were found by Crittin (2010) in the canton of Vaud. Sex workers reported being victims of stealing or robbery, physical aggression, sexual violence or harassment, crimes whose authors are either clients or passers-by. Crittin (2010) has corroborated the disrespect of sex workers' boundaries, which is in agreement with the earlier study by Földhàzi et al. (2007). Some clients demanded sexual services that have not been previously negotiated. Groups of strangers hassled the street prostitutes with insults or throwing stones, water, or bottles full of urine at them, among others. Risks factors found by Crittin (2010) are: 1) the secrecy of nondocumented migrants, who need to hide from the authorities, and 2) the drug addiction of some sex workers. Crittin (2010) has argued that nondocumented persons are easy targets for motivated offenders because they are less likely to report the crime to the police.

Ros (2018), through participant observation during five months at Fleur de Pavé, has also argued that very few numbers of non-documented migrants consider reporting a

crime because of the risk they encounter of being identified and expelled to their country of origin. Although they might be recognised as victims by the authorities because of the Federal Law on assistance of victims of infractions (RS 312.5 Loi fédérale du 23 mars 2007 sur l'aide aux victimes d'infractions), at the same time, they might be prosecuted because of an infraction of the Swiss Law on foreigners (RS 142.20 Loi fédérale du 16 décembre 2005 sur les étrangers).

### *2.3. Prevention projects in sex worker victimisation worldwide*

Prevention projects in sex worker victimisation have been implemented by organisations worldwide (Global Network of Sex Work Projects, 2012). However, only a limited number of interventions have been evaluated rigorously.

In Mongolia, Carlson et al. (2012), through a randomised clinical trial (n=166), examined the efficacy of an HIV/STI risk reduction intervention at decreasing paying and intimate partner violence against Mongolian female sex workers. They recruited and randomized to either: 1) four sessions of a relationship-based HIV/STI risk reduction intervention (n=49), 2) four sessions of a relationship-based HIV/STI risk reduction intervention plus two additional motivational interviewing sessions (n=58), or 3) four-session control condition focused on wellness promotion (n =59). They found a statistically significant reduction in sex workers' risk of suffering violence in all the conditions. This suggests a positive impact on the reduction of victimisation of female sex workers even in low impact interventions as wellness promotion.

In Brazil, the organisation *Fio da Alma* opened a drop-in centre where sex workers participated in workshops about crime prevention following a community approach. Participants were encouraged to discuss and share experiences with other colleagues. This intervention showed an improvement in sex workers' abilities to deal with challenging clients (World Health Organization, United Nations Population Fund, Joint United



Nations Programme on HIV/AIDS, Global Network of Sex Work Projects, & The World Bank, 2013).

Beattie et al. (2015) evaluated the *Avahan programme* (n=5792) in Karnataka (India). This intervention aimed to reduce violence towards female sex workers. The evaluation suggests that large-scale comprehensive HIV prevention programming which incorporates empowering techniques and violence prevention elements are useful to reduce violence and arrests among female sex workers.

### **3. *PreVist*: a project for improving sex workers' security and resilience**

#### *3.1. PreVist: theoretical background and goals*

In January 2018, Fleur de Pavé started the *Previst* project, which is financially supported by the Federal Police (ordonnance RS 311.039.4 du 18 novembre 2015). Sex workers and their (potential) clients are the target population of this project.

Theoretically, this project is based on the routine activity approach (Cohen & Felson, 1979). According to this approach, “most criminal acts require convergence in space and time of likely offenders, suitable targets and the absence of capable guardians against crime” (Cohen & Felson, 1979, p. 588). “The lack of any one of these elements is sufficient to prevent the successful completion of a direct-contact predatory crime” (Cohen & Felson, 1979, p. 589). Considering this framework, the sex worker is considered a suitable target because of the risk factors aforementioned: working at night, alone, consuming alcohol, or being a clandestine migrant (Crittin, 2010; Földhàzi et al., 2007). The clients or passers-by are considered likely offenders. Colleagues and other clients or passers-by are considered capable guardians.

The general framework is completed with situational prevention strategies updated by Clarke & Homel (1997). These authors complete the situational prevention strategies proposed by Clarke & Mayhew (1980) and Clarke (1997). *Grosso modo*,

these scholars classify four types of opportunity-reducing techniques for offenders: a) increasing the efforts, b) increasing the risks, c) reducing the rewards of offending, d) removing excuses.

The goals of this project and the measures we implemented for reaching these objectives are shown in Table 1.

**Table 1.** *Goals of PreVist Project.*

<b>Goals of <i>PreVist</i> Project</b>	<b>Measures of <i>PreVist</i> Project</b>
To decrease sex workers' risk of being suitable targets.	Improving sex workers' crime prevention and management strategies. Improving their knowledge of sex workers' rights in case of victimisation.
To decrease clients' risk of becoming offenders.	Motivating the clients to behave in a prosocial manner.
To increase guardians' capability to prevent crimes.	Encouraging sex workers' ingroup support. Motivating clients to report criminal activity to the police, including prostitution of minors or persons under constraint.

### *3.2. Activities with sex workers*

#### *3.2.1. General description*

Three types of workshops for sex workers were conducted within the perimeter of legal prostitution in the street and in erotic massage salons in the canton of Vaud. The workshops were guided by the coordinator of the project and a trained social worker. They took place at night in the street and during the day at the erotic massage salons. Depending on the number of sex workers interested or available at the place, workshops were done individually or in a group.

At the beginning of each workshop, the team introduced the project to the sex workers with a flyer (Figure 1). Since empowerment was one of the objectives of the

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project, we chose a strong female character to avoid over-victimisation or over-stigmatisation of the sex workers. Hence, the flyer is called “Do we prevent crime?” and its logo is *Wonder woman*, a DC Comics book character. This is used to introduce the topic and guide the discussion. Since there are many foreign sex workers in the canton of Vaud, the flyers were translated into four languages: Romanian, English, French and Spanish.

In addition to the workshops, pocket alarms were distributed to the sex workers. Specifically, pocket alarms shaped like lipstick were distributed at erotic massage salons, and keyring alarms were offered in the perimeter of legal prostitution. The primary objective was to provide a tool that is useful in dangerous situations: The alarms are discrete to carry and can alert colleagues and the neighbourhood in case of an offence. This increases the offender’s risk of being spotted and deters them from carrying on with an offence.



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Figure 1. Flyer “Do we prevent crime?” in English.

**FLEUR DE PAVÉ**

**Do we prevent crime?**

**STOP** Know your limits and yourself. Be clear with what you do and do not.

Avoid giving to the clients any information about you, the place you live etc.

If you have a smartphone – activate the GPS and send your position to a friend.

Do not have much money with you. Keep an eye on your stuff!

Try to look confident – the attitude matters!

Try to have a good relationship with your colleagues and to not isolate yourself.

**You have rights!**

You have 3 months for a formal complaint  
You do not need to give any evidence to the police—that is their job!  
In case of violent aggression, hurry to the hospital and contact the police  
If you are victim of a crime, you can contact a LAVI center in order to get any kind of help

**You are not alone! Count on us!**

Fleur de Pavé Avenue de Sevelin, 32B 6e étage 1004 Lausanne Tel. 021 661 31 21

Police 117 Centre LAVI Rue du Grand-Pont 2 bis 1003 Lausanne Tel. 021 631 03 00

### 3.2.2. Crime prevention and victims' rights

The first workshop is based on crime prevention and victims' rights, specified in the Federal law for assistance to victims of infractions (RS 312.5 Loi fédérale du 23 mars 2007 sur l'aide aux victimes d'infractions). During the workshops, practical strategies for risk minimisation are advised. Key points are the followings:

- To know that, according to the law, sex workers are freelance workers that can decide their services, prices, and working days.
- To know the Federal Law for assistance to victims of infractions.
- To have clear boundaries and limits and to express them to the clients.
- To avoid violent clients or clients who are under the influence of drugs.
- To be aware of the risks when going with the client in the car.

- To take notes of the registration number of the client's car.
- To be aware of the risks arising from noise isolation by using headphones during work.
- To avoid consuming alcohol or psychoactive substances while working.
- To have a good relationship with the colleagues and to not be isolated.
- To have a good relationship with the residents in the vicinity.
- To activate the GPS on the phone and share the location with someone.
- To report suspicious activities to the police.
- To be aware of the advantages of making a formal complaint to the police.
- To know the deadline for reporting a crime to the police.

### 3.2.3. *What makes a good client?*

*The second workshop* is called “What makes a good client?”. The main goal is to encourage sex workers to reflect on their boundaries and criteria when choosing a client. The first question asked by the team is: “What makes a good client for you?”. Guided debates about how to identify good and bad clients are conducted, motivating sex workers to share their experiences and strategies dealing with problematic situations. Secondly, we reflect on the most effective ways of dealing with challenging hypothetical scenarios related to clients. Amongst others, the situations were the following:

- A client who is under the influence of alcohol or drugs;
- A client who pushes too hard during the negotiation of the service;
- A client who behaves violently during sexual intercourse;
- A client who insists on sexual practices which are unpleasant for the sex worker;
- A client who locks the sex worker inside of the car/room;
- A client who demands the money back after the sexual service.



### 3.2.4. *Need to be united and supportive*

The third workshop is called “Need to be united and supportive. We aimed to increase the social cohesion between sex workers and to encourage mutual support among colleagues. Discussions were held on the advantages of being supportive with colleagues as well as on good ways to react if a colleague has been a victim of a crime. Pieces of advice were proposed, for instance:

- To note the registration number of the clients’ car if a colleague goes with a client;
- In case of being an eyewitness of a violent crime:
  - Search for a safe space and contact the police as soon as possible;
  - Pay attention to as many details as possible about the offender and the environment;
- If a colleague is a victim of sexual exploitation or human trafficking, recommend she gets confidential help from an NGO in the canton of Vaud that offers support in these situations.

### 3.3. *Activities with the clients*

The approach followed for the clients of sex work is the development of a flyer called “How to become a super client” (Figure 2). This flyer is a guide about how to behave when receiving a tariffed sexual service<sup>3</sup>. The insights produced in the second workshop with the sex workers “What makes a good client” were used for developing this flyer. To avoid stigmatising the clients, the logo of this flyer is *Superman* next to *Wonder Woman*, a DC Comics superhero who is well-known for his courage and ethical irreproachability.

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<sup>3</sup> Translated from French into English, Romanian, Spanish and Portuguese.

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Messages to improve the clients' view of the advantages of behaving pro-socially are given. The messages also aim to reduce their neutralisation techniques (Sykes & Matza, 1957). Although it does not represent most of the prostitution known to the association, human trafficking and prostitution involving minors exist (Matteo, 2018; Ros, 2018). During the year 2017, the Swiss authorities detected 37 victims of human trafficking through forced prostitution in the Canton of Vaud (Association Astrée, 2018). To increase the clients' role in the detection of these cases, we encourage clients to report to the police any sex worker they encounter who seems to be exploited or under 18 years old.

The team from Fleur de Pavé handed out the flyer in the street to passers-by, to sex workers and to managers of erotic massage salons to distribute it to the clients of their establishments.

Figure 2. “How to become a super client” flyer in English.

## How to become a super client

Guideline elaborated by sex workers for their clients

Association Fleur de Pavé  
Av. de Sévelin, 32B  
1004 Lausanne

**Sex workers offer services but they don't rent their body!**

- Choose a professional who offers the services you would like to get. Not everybody offer the same.

**The condom – the guardian angel of pleasant intercourses.**

- If you don't want to end up at the emergencies line and to ruin your savings and health you should prevent it!

**Intercourse with or without happy end? Let's be reasonable!**

- It is not sex worker's responsibility if you end up with and orgasm or not.
- Often your mood or substance consumption might affect your sexual performance.

**Good communication – the basis of human understanding**

- Whatever you wish, don't forget to ask in advance to the professional if it is okay for him/her.

**First of all – respect!**

- Violence (physical or psychological) is punished by the law and intolerable if you want to be a good client.
- Respect the person and his/her privacy.

**Don't forget to be a good citizen**

- If the sex worker shows signs of being a victim of a crime, being obliged or being under 18 years old, it's your duty to call the police! Telephone: 117

**Give the money always in advance! The price is not negotiable.**

- Sex workers do this job to earn a living and they decide their own prices. Or – is it accepted to negotiate at the grocery stores?

**Hygiene matters – don't forget to take care of it.**

- If a shower is offered to you, use it! Water is relaxing and might prepare you for a much pleasant intercourse.

F L E U R   D E   P A V É

## 4. Success of the project within the target population

In general, sex workers were satisfied with the workshops. Firstly, as we explained to them that the Federal Police funded the project, they were pleased to hear that the Swiss police care about them. That might have increased their trust in the police. Secondly, they thought that the alarms were useful. The social cohesion between them might have increased because of the alarms. Since the gadgets were distributed, they agreed that if an alarm sounds, help should be offered because a colleague is in danger.

The content of the workshops seemed to be helpful for the sex workers. Firstly, the majority expressed gratitude for the pieces of information, some unknown to them. For example, several persons thought that the deadline for complaining to the police was only a few days, so they were astonished to find out that it is possible for three months. Secondly, there were sex workers who showed interest in the “Guide for being a good client” and said that they would show it to their clients before the services. Some of them hanged the guide on their door or wall at the workplace so that clients can read it. As well, since both flyers were translated into their mother tongue, the information was more accessible to them.

So far, the success of the activities with the clients is less apparent than with the sex workers. Although some persons were very interested in the campaign, others seemed to be uncomfortable when receiving the flyer. Since sex workers and managers of the salons distributed flyers to their clients as well, the impact of this campaign is unclear for us because of the snowball methodology that we followed.



## 5. Discussion

According to scientific literature and the insights produced at the workshops, these types of projects appear necessary in the sex industry in Switzerland. Although sex work is a legal activity in this country, sex workers are likely targets for different types of crimes. A considerable proportion come from abroad and only live temporarily in Switzerland (Biberstein & Killias, 2015; Ros, 2018). Thus, these persons may lack knowledge of the country's laws and their rights. Additionally, being a client of prostitution provides many opportunities to commit a crime. However, it is vital to respect ethics and not to stigmatise the prostitutes or their clients.

Nonetheless, these types of projects have limitations. Firstly, because of the ethical principles of social interventions and social work (Fédération Internationale des Travailleurs Sociaux, 2004), the prevention strategies need to be implemented with every person. In consequence, an experimental model cannot be implemented, nor a systematic evaluation of its benefits or side effects. The only evaluation that could be done is of sex workers' satisfaction with the project, which has been contested by researches as not being an accurate indicator of the efficacy of the program (Killias, Aebi, & Kuhn, 2012; Mathey et al., 1997; McCord, 1978, 1990). Many other programs and interventions have faced this limitation in the same field (Deering et al., 2014). Secondly, taking into consideration that undocumented migrants carry out sex work as well, it is complicated to encourage them to report a crime to the authorities because they could be expelled from the country (Ros, 2018; RS 142.20 Loi fédérale du 16 décembre 2005 sur les étrangers).

For further research, it seems relevant to analyse this topic at different levels. At the micro-level, it seems pertinent to analyse the situational context where sex work takes place and propose situational prevention strategies. One example would be the installation of locker rooms on the street, to decrease the risk of being a victim of theft or robbery. At the meso-level, it also seems necessary to study the implementation of sensitisation campaigns with the general population to decrease neutralisation techniques (Sykes &

Matza, 1957). If people think that prostitutes sell their bodies, it seems, *a priori*, more probable that prostitutes could be victims of rape. At the macro-level, an evaluation should be conducted regarding the prostitution law and its effects.

In conclusion, this project was very positively perceived by the sex workers, who showed enthusiasm towards these interventions and evaluated the information received as being useful for them. However, this is a field in need of more rigorous studies and prevention projects, as postulated by other scholars (Deering et al., 2014). Therefore, the involvement of public authorities and the collaboration of academia are needed. Regardless, we hope that this project will inspire other organisations to develop rigorous studies about sex workers' victimisations and crime prevention projects among this population.

## Acknowledgements

We want to thank the Swiss Federal Police for their financial support, which made this project possible. As well, to the colleagues of Fleur de Pavé for their enormous work, translations and advice. Finally, to Korbinian Baumgärtl, to Ionuț and Erica Costică, and to Laritza Mitjans Núñez for their unconditional support.



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**PREVIST PROJECT: THE PASSAGE FROM THE "OBJECT PARADIGM" TO THE "CHOICE PARADIGM". A SWISS CAMPAIGN WITHIN THE GENERAL POPULATION FOR CRIME PREVENTION IN SEX WORK**

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Published in E. Casado-Patricio et al. (2021). *Forjando nuevos caminos: Investigaciones noveles en Criminología*, pp. 130-136. Tirant-lo-Blanch.

*Recommended citation (APA 7<sup>th</sup> Edition):*

Molnar, L. (2021). *Previst Project: The passage from the "object paradigm" to the "choice paradigm"*. A Swiss campaign within the general population for crime prevention in sex work. In E. Casado-Patricio et al. *Forjando nuevos caminos: Investigaciones noveles en Criminología*, pp. 130-136. Tirant-lo-Blanch.

**Abstract**

This paper discusses a campaign called "We don't buy a body but a service", part of a crime prevention program in the canton of Vaud (Switzerland). The campaign aimed to prevent antisocial behaviour towards prostitutes by encouraging population's more realistic view of the sex work and by minimising the excuses for crime -the neutralisation techniques as defined by Sykes & Matza (1957). With the slogan "we don't buy a body but a service", we installed a panel in the prostitution neighbourhood in Lausanne (the capital of the canton of Vaud). We also organised four artistic performances in the city centre and we advertised the campaign through interviews with the media. Although the impact of this campaign on the behaviour of the population is difficult to assess, we estimated that the number of local citizens reached is non-negligible. We suggest that sex workers should be encouraged to participate in further campaigns towards the general population as well as the academia should collaborate with practitioners for evaluating the impact of such projects.

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**Keywords:** applied criminology; prostitution; neutralisation techniques; situational prevention

## 1. Introduction

In Switzerland, sex work is a legal activity regulated by each canton. According to the prostitution law of the canton of Vaud, sex work must be a freelance activity (Loi 943.05 sur l'exercice de la prostitution, 2004), allowed in two places: on the street and in the salons for erotic massage (indoor prostitution). In Lausanne (the capital of the canton of Vaud), street prostitution is allowed in the neighbourhood of Sévelin, every day from 10 PM to 5 AM (Ville de Lausanne, 2016).

Based on situational crime prevention strategies, the *Previst* project (Molnar & Pongelli, 2019) aimed to reduce the victimisation of sex workers by the development of workshops with prostitutes and a prevention guide for their clients, called "How to be a SuperClient". This paper<sup>2</sup> aims thus to present the last part of this project: a campaign within the general population for the minimisation of the victimisation of sex workers (for multimedia material from the campaign, see Molnar, 2021). This project has been developed by the association *Fleur de Pavé*, whose main objectives are the reduction of risks related to prostitution and the protection of the rights of sex workers in this canton.

## 2. State of the art of the victimisation and stigmatisation of sex workers

Several scholars found that sex workers feel stigmatised because of their occupation and therefore they are reluctant to share their work-related experiences with their family or friends (Eleuteri et al., 2018; Fitzgerald-Husek et al., 2017; Földhazi, 2010; Mitjans Núñez & Molnar, 2016; Scambler, 2007; Sprankle et al., 2018; Weitzer, 2018). The hypothesis of the stigmatisation of prostitutes was as well corroborated by studies within the general population in Italy and the United States of America (Eleuteri et al., 2018; Sprankle et al., 2018). For instance, in the United

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<sup>2</sup> For a French abstract of the campaign in an social work journal see Molnar & Pongelli (2020).

States, Sprankle et al. (2018) conducted an experimental study with undergraduate students (N=197) about their perception of sexual assault survivors. To half of their sample, they provided news about sexual assault when the victim was a prostitute and to the other half, news which described the sexual assault experienced by a non-prostitute. According to their results, the students who received the paper about sexual assault towards a prostitute showed less empathy and manifested more victim-blaming than the other group.

Scholars researched sex workers' victimisation in different contexts and countries like Canada, England, New Zealand, Spain, Switzerland and Thailand, among others (Barberet, 2000; Bungay & Guta, 2018; Földhàzi et al., 2007; Mitjans Núñez & Molnar, 2016; O'Doherty, 2011; Plumridge & Abel, 2001; Ratinthorn et al., 2009, 2009; Sanders, 2001; Shannon et al., 2009). In Switzerland, according to the qualitative research of Földhàzi et al. (2007) with 36 prostitutes, some clients disrespected the professional boundaries of the sex workers by imposing sexual practices or taking out the condom without their consent, some of them stole from the sex worker if unseen, and others refused to pay for the sexual service.

Organisations conducted worldwide prevention projects to minimise sex workers' victimisation (Global Network of Sex Work Projects, 2012), in Mongolia (Carlson et al., 2012), India (Beattie et al., 2015) and Brazil (World Health Organization et al., 2013). To our knowledge, none has taken place towards the general public.

### **3. Theoretical framework: neutralisation techniques and situational prevention techniques**

First, we use as a general theoretical framework Sykes' and Matza's (1957) *neutralisation techniques theory*. These techniques are defined as excuses that people use when they commit a crime for not feeling any remorse. There are different techniques such as 1) denigrating the victim, 2) denying the negative consequences

of the crime or 3) condemnation of those who condemn. The question that remains unanswered is if the neutralisation techniques are the cause of the criminality or the result of it (Killias, Aebi et al., 2019). In that sense, it has also been argued a reciprocal effect between the criminality and the neutralisation techniques, resembling a vicious circle (Bandura, 1977). Therefore, the commission of an offence would call for justifications which remove remorse; and they also would facilitate the continuation of crime and even with more severe crimes (Agnew, 2016).

Regarding the link between the neutralisation techniques and the victimisation in sex work, some part of the general population, the media and researchers –for example, Farley (2018)– still consider the prostitutes as “objects” that can be sold and bought. Even the so-called abolitionist feminism stands for this idea (Ripa, 2016). In our view, this representation of sex workers (which we called as “the object paradigm”) might increase prostitutes’ risk for work-related victimisation. In this sense, according to this view, if a client perceives the prostitute as a product, it seems more likely that he imposes non-consensual sex. However, it looks more likely that a customer behaves prosocially if he perceives the prostitute as a full-fledged worker and if he is aware that the authorities will prosecute any violation of the legal framework.

Second, the situational prevention strategies updated by Clarke & Homel (1997) and Cornish and Clarke (2003) complement our framework. These authors completed the situational prevention strategies proposed by Clarke & Mayhew (1980) and Clarke (1997). *Grosso modo*, these scholars proposed 25 prevention techniques and classified them in five types: 1) increasing the efforts for committing a crime, 2) increasing the risks of getting caught, 3) reducing the rewards of offending, 4) removing the provocations and 5) removing the excuses. According to Medina Ariza (2011), removing the excuses of offending can be vital in ambiguous situations with no clear moral framework, which might facilitate the offending. Besides, in a former publication, Mitjans Núñez & Molnar (2016), aiming to decrease

the victimisation of sex workers in Spain, proposed these prevention strategies towards the general population:

There are also techniques concerning strengthening moral convictions. Being aware that not all situational prevention techniques are acceptable in the rule of law and not wanting to carry out intrusive or moralistic measures, we propose the installation of posters in sex work areas or advertising spots with slogans such as “You do not buy a woman, you buy a service” or “Paying for sex is not a crime. Yet, it is an offence not to pay the sex worker what you agreed upon” (Mitjans Núñez & Molnar, 2016, p. 360).

#### **4. A campaign to prevent violence towards sex workers**

As mentioned in the introduction, the association Fleur de Pavé organised a campaign with the slogan “We don't buy a body but a service”. We aimed to reach the general population and to increase the awareness of the Swiss prostitution legal framework. This campaign was part of a larger prevention project, the *Previst* project (for further information see Molnar & Pongelli, 2019).

Firstly, we installed a panel with the slogan of the campaign (“*For the respect of the sex work: We don't buy a body, but a service*”). in September 2019. The panel was located at Sévelin Avenue, Lausanne's prostitution area. The panel was visible for the neighbourhood, the passers-by, the customers and the prostitutes for two weeks. The neighbourhood is a semi-residential area, composed by blocks of flats, several buildings for offices, a high school (*Gymnase de Bugnon*), a centre for professional formation (*École des Métiers*), a Skate Park, a Bar (*Base-Bar*), a Fitness studio and a hall concert (*Les Docks*), among others. In this neighbourhood at night, sex work becomes legal and prostitutes tout for clients. Therefore, the population that frequents the area, both during the day and the night, is diverse in age, sex, formation and employment.



One month after the beginning of the campaign in the prostitution neighbourhood, we organised four artistic performances on the 12<sup>th</sup> of October 2019 in downtown Lausanne. In each performance, a giant puppet (symbolising a sex worker) occupied the centre of the Saint-Laurent Square. The puppet was accompanied by dancers, who, carrying a paper bag on their head, represented “the object paradigm”. In that sense, when dancing, they expressed several reactions to the stigmatisation: falling on the ground, withdrawal, struggling and running away. Suddenly, switching from the “object paradigm” to the “choice paradigm”, they tore the bag off their heads. All the participants began to dance, symbolising protection, defence, taking our own spot and setting boundaries. At the end of the performance, loudspeakers spread the message of the campaign to the audience. The slogan of the campaign was verbalised by sex workers and supporters of the NGO through the audio system in several languages, since 43% of the inhabitants of Lausanne are foreigners:

“A campaign for the respect of sex work. A negotiated contract is a respected contract. Sex work is a freelance activity in which the proposition "satisfied or reimbursed" does not apply. Any violence or disrespect towards sex workers can lead to legal action. You don't buy a body, but a service”.

For increasing the audience of the campaign, we also collaborated with the media. Two journals covered the performance and interviewed social workers and prostitutes working for the association (Haddou, 2019; Kabacalman, 2019). As well, the director of the NGO, Silvia Pongelli, discussed the aims of the campaign and the legal status of sex workers in Switzerland on the local radio (Radio Django, 2019). The local press commented on the show in the following way:

“An unusual street show enlivened Lausanne on Saturday. It highlighted the violence suffered by sex workers from clients, pimps or street passers” (Kabacalman, 2019, p. 1).

## 5. Discussion and conclusion

This humble campaign illustrates an example of the application of criminological knowledge for preventing violence against sex workers. As well, we demonstrate that the situational prevention techniques are an interesting inventory of measures that can be applied in diverse contexts.

Nonetheless, one clear limitation of this campaign is the lack of evaluation of its impacts on the behaviour of the population towards the sex workers. One of the reasons for the impossibility of evaluation is that the NGO received funds for developing a crime prevention project in prostitution but not for evaluating it scientifically. An alternative evaluation would have been to compare the rates of victimisation before and after the campaign took place but no official statistics on the victimisation of sex workers are available. Moreover, the Swiss studies with sex workers Földhàzi et al. (2007) were qualitative, therefore the extent of their victimisation is unknown.

Despite the evaluation difficulties, some figures on the reach of the campaign are available. As mentioned, the prostitution neighbourhood is the intersection of different professional, training and leisure activities. The flow of people frequenting the area is relatively large and therefore also the number of persons reached by our message. Moreover, during the street performances, we witnessed around 40 or 50 spectators during each show, in total, approximately 160-200 people. Since the press and radio covered the campaign, before and during the performances, we believe that we have reached, at least, a non-negligible part of the local population. The local press commented on the reactions of the passers-by in the following way:

"The performances are linked every hour. The show challenges. The passers-by stop and look, the opinions are divergent. "Dialogue helps understand difficult situations, especially those which are taboo. I always wondered how they [prostitutes] deal with violent people"" (Kabacalman, 2019, p. 4).

For further programmes, we think it is necessary to perpetuate this type of campaign by also encouraging prostitutes to participate in. Involving sex workers might increase the population's awareness of the reality of prostitution and its challenges. In that sense, we encourage the formation of a syndicate of prostitutes in Switzerland. Last, we believe that collaborations between practitioners and scholars would allow the effective implementation and evaluation of prevention programmes.

### **Acknowledgements**

We express our gratitude for the generous financial support of the Swiss Federal Police and the foundation Emilie Gourd without whom, the Previst project could have not been implemented. Many thanks to my colleagues from Fleur de Pavé, notably to Silvia Pongelli, Sandrine Devillers and Sandra Muri. Furthermore, to the editors of this book, Maria Izco, Elena Casado and Ana Páez for their assistance and collaboration. Finally, to Korbinian Baumgärtl and Laritza Mitjans for their unconditional support.

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## **Chapter 7.**

### **Researching the Roma in criminology and legal studies: Experiences from urban and rural participant observation, interviews and surveys**

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#### **Abstract**

The Roma are the largest European minority and among the groups that have suffered the most dreadful persecution and trauma in the past that persists today. This chapter addresses the fieldwork experiences of two early career researchers who conducted criminological and socio-legal studies on several Roma groups in urban and rural settings in two countries. We discuss the particularities necessary to access the field and gain the participants' acceptance, those both with and without Roma ethnicity, through diverse gatekeepers, i.e., a network of acquaintances, as well as NGOs. We used such data collection methods as interviews and self-reported surveys in our studies, the procedures and challenges of which are discussed herein. Emotional and ethical challenges in our studies were related to the dilemmas with respect to our role as researchers and witnesses of poverty and difficult situations or testimonies. We argue that the adaptation of tools, integration of researchers who share an ethnic or linguistic background with the participants, thorough reflection on the researchers' role, and an open-minded attitude that accepts the participants' cosmovision are necessary to conduct fruitful research among the Roma.

#### **1. The Roma: Definitions and Delimitations**

The Roma are an ethnic group from India who arrived on the European continent in approximately the 13<sup>th</sup> century (Grellmann & Vali, cited in Fonseca, 1995/2018; Martínez-Cruz et al., 2016). It is notable that they are far from being homogenous; on the contrary, they constitute multiple subgroups and are classified in many ways: *Roma*, *Sinti*, *Kale*, *Manus*, *Travellers*, *Dom*, *Lom*, *Kelderash*, *Lovari*, *Gurbeti*, *Churari*, *Ursari*, etc. (for more details, see Council of Europe: Descriptive Glossary of terms relating to Roma issues, 2012; Hancock, 1997). "Roma" is the



umbrella term the Council of Europe uses to encompass this minority, which is estimated to be the largest in Europe. Today, the Roma are European nationals who possess the citizenship of a European country.

The Roma have been an overstudied, but also understudied group (Fraser, 1995; Lipphardt et al., 2021; Powell and Lever, 2017). In the 19<sup>th</sup> century, criminologists played a role in promoting the Roma's stigmatization, including such scholars as the Italian phrenologist Lombroso (1887/2006) and the Spanish scholars Rafael Salillas y Panzano, Jerónimo Montes, and Bernaldo de Quiros, all of whom claimed that the Roma were a criminal race (Rothea, 2007). The so-called social hygienists also studied them during the National-Socialist German regime in World War II. These studies addressed, in a pseudo-scientific (and highly unethical) way, the inherent *deviant* characteristics that this group supposedly possess. It was not until the second half of the 20<sup>th</sup> century that scholars began to focus on their disadvantages and the violation of their rights (see Villareal & Wagman, 2001; European Agency for Fundamental Rights, 2017). Ethical concerns about studying the Roma have naturally been raised, notably with respect to this group's discrimination and stigmatization (Lipphardt et al., 2021).

Based upon Molnar's (2021) narrative review of studies published from 1997 to 2020, criminological research focused largely on Roma's victimization. The most relevant topics were intimate partner violence (Dan and Banu, 2018; Hasdeu, 2007; Kozubik et al., 2020; Tokuç et al., 2010; Vrăbiescu, 2019), domestic violence (Oliván Gonzalvo, 2004; Velentza, 2020), hate crimes (European Union Agency for Fundamental Rights, 2017; Greenfields and Rogers, 2020; James, 2014; Wallengren, 2020; Wallengren et al., 2019; Wallengren and Mellgren, 2018), or organized criminal networks (Campistol et al., 2014; Gavra and Tudor, 2015; Vidra et al., 2018). These studies adopted primarily qualitative methods: i) analyses of archives; ii) studies of judicial sentencing; iii) press analyses; iv) interviews, and v) participant observations. This overrepresentation of qualitative studies is certainly related to the methodological challenges that quantitative studies face, i.e., the lack of a public register of Roma individuals as well as the strong stigma that the Roma suffer, such that some avoid disclosing their ethnicity because of fear of prejudice and discrimination. The exception to this is the EU-MIDIS project, which applied alternative sampling methods, such as *random route sampling* (European Union Agency for Fundamental Rights, 2017). We discuss these studies in more detail in the following sections.

In this chapter, we address the methodological and ethical aspects of two field studies in criminology and socio-legal studies with and among the Romanian Roma, both in Switzerland and Romania, that we conducted for one year and four years, respectively (for more details, see Molnar and Aebi, 2021; Vallés, 2019, 2020). In our research, we studied these Roma groups' discrimination, power relationships, victimization, and offending. At the time of the studies, we were both beginning our research career, and therefore, we hope that this chapter will help other early career researchers address the methodological and ethical issues that may emerge in the course of their studies.

## **2. Fieldwork Among and With the Roma**

We conducted several years of research<sup>1</sup> and interventions with and among groups of Roma in both urban and rural settings. Marc spent three years traveling from Spain to rural Romania for a total of nine months over the course of three years, whilst Lorena travelled between two Swiss cities, each with approximately 200,000 inhabitants, on a weekly basis for approximately one year. She conducted her fieldwork in these cities, where the migrant Roma constitute a small fraction, the number of which the public authorities do not know. Marc's ethnography was conducted in a small Romanian village of 2,280 inhabitants composed of 82% non-Roma and 18% Roma Spoitor. There, the locals knew each other and maintained relationships in everyday life. We used participant observations and ethnography, surveys, and interviews in our studies, the details of which are related below.

### *2.1 Participant observations and ethnography*

We both depended upon gatekeepers of Roma and non-Roma –a *Gadje* in Romani language) origins who introduced us to the groups and assured them that we were trustworthy. Lorena's fieldwork was also facilitated by the fact that, one year before her study began, she was a social worker who supported sex workers and was coordinating a project about male sex work. In this context, she intervened with these sex workers among the Roma by being 'in the field' and offering prophylactic material (condoms, gel, flyers with information about the way to prevent

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<sup>1</sup> It is noteworthy that none of our studies were submitted to an Ethics committee for approval due to the inexistence at that time of both the committee and the obligation to submit our research project to such an organ. Nevertheless, the reader should note that this might differ depending upon the country, university, and topic of study.

sexually transmitted infections, etc.), health-prevention workshops with both men and women, and counselling. Thanks to a Romanian local Gadge whom he knew personally beforehand through his network of acquaintances, Marc was able to access Roma informants from the rural commune of Gradistea who belong to the Spoitor subgroup.

Both the social workers and the Roma population accepted our projects well. In both studies, the snowball sampling technique (Patton, 2002) was essential, i.e., the gatekeeper gave access to the first informants, who then provided access to other participants who did the same by mobilizing their network of acquaintances.

Nevertheless, it is notable that despite our experience, accessing the field is one of the most difficult tasks when conducting criminological and socio-legal research among the Roma. The population can be accessed directly through personal contacts with members of the community or through the proxy of an NGO or other type of institution, but many obstacles arise during in the journey. Participants may simply reject the researcher's presence among their group, or NGOs can refuse to help the scholars access the field. In this case, NGOs may fear that the study will stigmatize their population if a scientist discovers (and publishes a study about) such phenomena as domestic violence, forced marriages, or trafficking in human beings. Another reason for being denied access to the field is related as well to other events that may converge in time, such as political developments, poor practices of other actors, such as the police, or NGOs' lack of resources (see the example in Wallengren, 2020). In addition, it is not rare for the researcher, particularly if not Roma, to receive criticism from the non-Roma population as well for even 'daring' to study the Roma. See the interesting example in the ethnography of Iulia Hasdeu, a Romanian-Swiss researcher who conducted an ethnography with the Roma in Romanian villages.

On the other side of the interethnic border, namely the *Gadge* side, the terrain was not easier. My relationship with the authorities in Cordeni, the municipality that runs Căleni, has been very tense. Their attitude towards me, as a person interested in the life of the Roma, was contempt and almost open cynical rejection: 'But what do you want? To educate them? But they are savages, they will never civilise'. (Hasdeu, 2007, p. 45)

In Marc's case, despite his acceptance on the part of the Roma group, the reaction from non-Roma was like Hasdeu's experience. The non-Roma in the locality where he did the fieldwork did not understand how a foreigner could be interested in the local Roma and not in them.

Last night I went out for refreshments at the village bar where youngsters and the elderly gather to drink and talk about day-to-day affairs. Laughing, the non-Roma reproached me for being interested in the Spoitori with phrases like: ‘Why do you study them and not us? We are more interesting, we have history and culture, they have nothing interesting to tell’ or ‘Is this what you do at the University of Spain? Do you study the Roma? If you want them so much, you can take them all there’. (Marc’s fieldwork journal, 2016)

In general, the Roma have high intra-group cohesion but reject the Gadge’s world (Fraser, 1995). From our experiences, there is some truth in these affirmations, but they do not mean that being a non-Roma researcher is an unsurmountable challenge. As is the case with other ‘insider’ researchers (Wallengren, 2020), Lorena’s ethnic background is Romanian Roma, and she is a native Romanian (but not a native Romani speaker—the Roma’s language). This fact naturally facilitated her interactions with the participants who are also native Romanian and, in general, did not mind using the Romanian language rather than Romani. Nevertheless, one can have a Roma background, but perhaps not come from the same sub-group and therefore, not share the same experiences and cosmovision (Wallengren, 2020).

In addition, Marc’s experience showed that being a foreign non-Roma researcher can have certain disadvantages, for example, the need to learn a new language, but even more important, the distrust generated by the presence of a stranger with whom one does not share ethnic, national, and local identity. This situation can be aggravated when the informant belongs to an ethnic or social minority whose history and present are marked by discrimination in all its possible ways (see Vallés, 2019). However, that same disadvantage, as in this case, can serve in favour of the foreign researcher. Following Simmel (1950, p. 403), the foreigner who is not associated radically with the group s/he approaches, “... often receives the most surprising openness—confidences which sometimes have the character of a confessional and which would be carefully withheld from a more closely related person.” In this case, the socio-cultural and geographic distance between the researcher and the local informants allowed the participants to feel more comfortable and confident in explaining certain private matters that they would not explain in front of other local Roma because of fear or embarrassment.

I remember when in 2016 I went to interview Triana and she gave me her national ID card thinking that I was a Romanian government agent coming to collect her data because she had heard on the radio that they wanted to deport Roma back to Transnistria. Now every time we meet, she wants to talk to me about her issues because she says that unlike the rest

of the neighbors (Roma and non-Roma), I don't judge her. (Marc's fieldwork journal, 2018)

During the participant observations, we 'accompanied' the Roma in their daily life. For instance, we went to the places where they gathered, offered assistance when possible, interacted and asked questions, but also just remained in the background and waited to avoid being perceived as too 'pushy'. The assistance that we offered was filling out administrative forms written in French for them, helping their children with their homework, and helping with some household chores. A sign of the group's acceptance of us is that we were invited to celebrate Easter together, when we ate, drank, and danced with our study population.

We avoided taking notes during the observations, as our main objective was to bond with our interviewees, rather than gather information per se. Nevertheless, once the observation was over, we wrote detailed notes in our fieldwork journal. We note that this activity should not be underestimated, as creating a research journal of thorough notes of the events and interactions we had during the observations is a time-consuming and mentally taxing activity.

## 2.2 Surveys

In addition to the participant observations, Lorena administered an adapted version of the third *International Self-Reported Delinquency Study* (ISRD-3) survey and gathered the responses of 27 young Roma from 12 to 25 years old. Nevertheless, these types of questionnaires, which target an international sample, are not adapted to ethnic minorities (Rodríguez et al., 2015). Thus, the position of 'insider' helped in revising it. Lorena adapted the questionnaire herself, following the advice of two supervisors with a strong background in research methods. It was pre-tested as well with several members of the Roma community and the social workers from the NGOs. We designed the questionnaire after five months of participant observation. The adapted questionnaire may be found online (Molnar and Aebi, 2021). Still, it should be pointed out that researchers may need to adapt the questionnaire to each Roma population, as they are locally dependent. For instance, Wallengren (2020) did not include topics such as education, family, or children in his questionnaire because his participants feared further stigmatization. However, this was neither our case nor what the social workers advised.

Once the questionnaire was approved, it was transferred to the online survey platform Limesurvey and accessed via smartphone. Therefore, the surveys were *Computer-Assisted-Personal-Interviews* (CAPI) that the interviewer planned to administer and conduct face-to-face. The CAPI technique has been recommended for populations who have low levels of literacy (Killias et al., 2019). During the interviews, the participants could elaborate as much as they wished when they answered the questions. The duration of the interviews varied from 20 minutes to two hours. Most participants elaborated on their answers and they were detailed in the fieldwork journal.

The target population was Roma between 12 and 25 years of age, six of whom were minors. In all instances, Lorena asked for their consent verbally, and then their parents'. It took approximately six months to recruit just 27 participants. The population of youngsters was, perhaps, less interested in participating than the elderly, and they were also much more 'nomadic', in the sense that most of them spent some time in Switzerland and returned to Romania thereafter.

For five years they had been coming to Switzerland illegally and when they earned enough money, they left for Romania. She used to say: 'If in one or two weeks I have my wallet full of money, I'll go home'. (Lorena's fieldwork journal, 2018).

Long periods of waiting were required to find the right moment to introduce the questionnaire. Although Lorena has no statistics on this, note that, even though the participation rate was rather high, she failed to recruit participants several times.

I went to this young person with the intention of recruiting him for conducting the questionnaire, but I could see that he was not too eager to discuss. I asked him: 'Have you seen [the Roma social worker]?' He looked at me without moving, took off one of the headphones and said 'No'. I stayed next to him for five minutes smoking a cigarette, but he didn't say anything to me, didn't move, it was like I wasn't there'. (Lorena's fieldwork journal, 2018).

Most of the questionnaires were administered in cafés, where participants were recompensed with a beverage. Lorena's research protocol stipulated that the interview should begin by discussing the 'Information and Consent Form', which was recommended highly during her university lectures, and that she prepared with much care and translated into Romanian. Whilst this document is intended to increase participants' trust, she had the impression that it had the

opposite effect on the interviewees. The latter were not familiar with such documents and perceived that they were ‘bizarre’ in the best case, but also suspicious. Moreover, some of the participants were illiterate, ergo unable to read, and in these cases, they needed to trust that what was read to them was accurate. She read the document loudly in Romanian and told them that they could sign it and keep their copy with my contact data, but that they did not need to provide their name. Nonetheless, it was very difficult to obtain consent from hard-to-reach non-Western populations.

I explained the information and consent form to him, but I found it very difficult to do so. He didn’t understand the purpose of it and the most adequate technique I found to explain it to him was that the university obliged me to do it to respect the person and so that he had a guarantee that I would ensure his confidentiality. I tried to talk about ethics, but he looked at me as if I were a stranger, so I couldn’t find a better solution. (Lorena’s fieldwork journal, 2018).

### *2.3 Interviews*

In Marc’s case, participant observations were combined with interviews, as the latter allow for an in-depth study of what was witnessed during the fieldwork (Roca i Girona, 2010). In the interviews, he sought the maximum variation in narrative content, experiences, perspectives, and plurality of roles within the same group to reflect the greatest diversity in the reference population in relation to the topic of study and, at the same time, to find commonalities within the same group studied (Sanmartín, 2003; Olabuénaga, 2012; Flick, 2015). Therefore, the interviews ended when further observations no longer provided new information because of saturation and redundancy (Glaser and Strauss, 1967).

Marc conducted a total of 28 interviews with Roma Spoitor (15 women and 13 men) and 19 interviews with non-Roma (6 women and 13 men), between 17 and 73 years of age. The interviewees were informed that pseudonyms would be used to ensure their anonymity and were asked for their consent to record the interviews. Although they were offered a written document in Romanian to give their consent, in the case of the Roma this was recorded verbally, because similar to in Lorena’s case, they preferred not to sign any kind of document, claiming that they could not read or write.

The interviews were semi-structured, in that they contained a pre-established script with open questions and a list of content to be addressed that offered the interviewees' freedom to express themselves on other issues without being interrupted (Roca i Girona, 2010). This type of interview was very useful, as it allowed us to learn about crucial aspects of the interviewees' culture that the researcher himself had not foreseen in his script of questions.

Most interviewees usually answer the same about their situation during Ceausescu's communist government. However, Tica has told me about how her family used to meet with other Spoitori families from other localities to trade oxen competitively, where the honor of the male traders also came into play. This opens up a possible avenue for research on the circulation of goods and services based upon negative reciprocity between families from different territorial bands. (Marc's fieldwork journal, 2017)

Just as researchers expect participants to provide them with certain types of data, interviewees may expect to be rewarded (Ferrándiz, 2011). Therefore, Marc's interviewees were compensated with goods of their choice, such as tobacco, soft drinks, or snacks. Although the interviewees did not request this compensation expressly most of the time, on one occasion an interviewee requested it repeatedly—an elderly and respected member of his community who was aware that his word was precious, and considered that he was a “bearer of the absolute truth of his culture”.

The interview with Roger, one of the most respected elders, did not go as smoothly as with the other interviewees. Every two or three questions he would look at his cell phone checking the time and, on some occasions, he would say that maybe he had to leave because his time was precious. Despite offering a soft drink and snacks from the beginning, after a while he asked me: “Aren't you going to give me more cigarettes? Every so often he would ask me for more cigarettes, which he would keep in the front pocket of his shirt. (Marc's fieldwork journal, 2018)

The interviews were individual and generally took place in the garden of the house where Marc was staying, except for two occasions in which they were conducted in two Roma women's houses. On both occasions, the men in the family joined the interview and took control of the answers, relegating the women to the background. This phenomenon had both a negative and positive effect on the research. On the one hand, the purpose of the interview was lost, but, on the other, this situation allowed the power relationships based upon gender to be observed, a crucial discovery in the research. These relationships were corroborated not only by the women's limited



ability to participate in the interviews, but also because of the contrast between the answers that women provided when men were present and their responses when they were alone, e.g., views on arranged marriage.

Today I interviewed Pitrica again. This time the interview was in the garden of my residence, as last week I was unable to interview her properly at her home because her husband and children took control of the answers. Some of her answers varied considerably. For example, the other day (being with her family) she seemed to agree that arranged marriages between minors was something that had to be done because their custom says so. Instead, today she was in tears explaining that she does not want her 13-year-old daughter to marry so young because she would prefer that she finish high school and then she chooses whom to marry. (Marc's fieldwork journal, 2019)

In addition to the semi-structured interviews, when the occasion arose, informal interviews were conducted as well, i.e., spontaneous conversations that were held fortuitously and without a pre-established script (D'Argemir, et al., 2010). Normally, these were conducted in places of leisure, such as in the main cafeteria of the village or on park benches where they usually meet and eat sunflower seeds after work.

### **3. Methodological considerations**

There are several methodological considerations that play a fundamental role in our studies' validity and reliability. First, an instrument is valid if it measures a phenomenon efficiently, and is reliable if, when used on repeated occasions, one always obtains the same outcome, regardless of who uses it (Aebi, 2006). First, the researcher's ethnic background plays a role in the reliability of research with Roma. See, for example, Wallengren's experience with the Swedish Roma:

There were study participants who told me that they would not have participated if a non-Roma had conducted the study. However, a couple of study participants told me that they had participated in other research projects earlier but that they, in these instances, had lied to the non-Roma researchers. The reason for this, I was told, was that the participant was not willing to participate in a study, but felt forced to do so because of the need of the communities to market themselves. Some also argued that they had chosen to participate in research as a way of tricking the non-Roma researcher and 'having fun at their expense'. For these study participants, the goal was to give the researcher incorrect and 'absurd' information so that later they could talk to other Roma about how easily tricked and naive the researcher was. (Wallengren, 2020, p. 11)

The interviewer's gender plays a role in a study's reliability as well (Wilkins, 1999). If the researcher is a woman, it is likely that men will become flirtatious, and women, particularly spouses, jealous. If the researcher is a man, it is possible that women will feel intimidated and the Roma men suspicious if the interview took place individually (Wallengren, 2020). As Lorena is a woman in her 20s, there were many occasions when she was complimented for her physical appearance and asked whether she wanted to marry some of the young men. The manner in which we address these interactions is highly personal, but crucial. It was vital for her to maintain a professional image to prevent losing credibility and also fusing roles. Therefore, when someone asked her to be their 'girlfriend', she would respond that she was not there to flirt with anyone, but to work. The community appeared to understand this message rapidly and these flirtatious interactions stopped after several months of observation.

In general, there was an atmosphere of respect—everyone greeted each other, and everyone shook my hand (they already knew me, but not too well either). There were some young people who tried to seduce me, but I was quickly defended by the older men. 'Leave the lady alone, can't you see she's here for work?', the older men would say to the younger ones. (Lorena's fieldwork journal, 2018)

In Marc's case, despite being a man, he had no problems arranging interviews with Roma women in the private garden of his residence, a fact that did not provoke jealousy on the part of their husbands either. First, most of the Roma Spoitori informants appreciated the fact that a non-Roma foreigner was curious about their culture, something really surprising for a community that suffers daily discrimination and contempt from the Gadje population. Secondly, it could also benefit the endogamous conception and marriage practice because the informants shared a subgroup, where an interethnic love or marriage relationship is practically inconceivable because of identity, cultural, and social issues.

We marry our own because that is how it has always been done, neither with other Gypsy nor with Romanians, only between Spoitori [...] Only those Roma who have been Romanianized ('converted' to Romanians) and have left the village to move to the big city and marry the Gadjes. What Romanian is going to look at a Spoitori? We are too different, not only in customs. No Romanian would want to be with a Spoitori because we have no money, no school education. For them we are crows, fools, they only want us to work when they need us. (Excerpt from an interview with a Spoitor man)

Moreover, a researcher's sexual orientation or identity can also affect the recruitment of participants and even prevent their entrance to the field or determine their exit. As Wallengren reported: "Some of the study participants also questioned the fact that I was unmarried and childless. Because of my involvement in the PRIDE parade, being single and not having any children, some individuals involved in the study asked me if I was gay and told me that if I was, they would not like to participate in the study" (Wallengren, p. 11).

The correct choice of the interview or survey location is fundamental to maintaining reliability, but is a challenging task. This is because the Roma population tends to prefer to be outdoors in the urban context, and in this case, the participants were unwilling to plan appointments. Conversely, among those who agreed to schedule the interview, most did not show for the latter. Moreover, external actors may restrict the choice of the interview location. For example, several Romanian Roma who were staying in Switzerland were forbidden to enter coffee-shops or restaurants because some incident had taken place there in the past. If the interviewer is unaware of these details, which was our case, it can create a certain amount of tension. Conversely, in the rural context, the interviews were conducted behind closed doors, most of the time in the garden of the researcher's residence. In fact, the participants preferred the interviews to be conducted in private and not in public, claiming on several occasions that in the village everyone knows each other, and everyone wants to pry into each other's lives. Thus, an intimate and private space in a small rural town was the best location, as it allowed the interviewees to feel free to express their opinions without fear of rumours and gossip, which is a very powerful mechanism of social control in that town. In addition, most of the time there were no problems arranging interviews. However, there were several occasions when the most respected elder in the community agreed to an interview, but did not appear at the agreed time and place. Sometime later, the same elder arrived at the researcher's house unannounced and said he was ready for the interview, an act that we interpreted as a way to reaffirm his position of authority.

Today Gregorio unexpectedly showed up at my house [at] approximately 5 p.m. to be interviewed, after having failed to show up on three occasions. At first, he showed a haughty attitude. I had the feeling that he thought that he was doing me a big favour. He also gave me no explanation as to why he had not shown up the other times. (Marc's fieldwork journal, 2019)

Instruments should be adapted for the Roma, but it is possible as well that once designed, they need to be revisited. In Lorena's case, the questionnaire was designed initially for a population composed of late teenagers and young adults. Therefore, we addressed such sensitive issues as victimization, delinquency, and drug use. Then, after the questionnaire was designed, several young teenagers arrived in Switzerland (12-14 years old) and we considered it inappropriate to ask them these questions. In addition, instruments or techniques may need to be adapted not only because of the participants' ethnic background or age, but also their medical conditions, e.g., participants who stammer.

I couldn't ask her (a 14-year-old girl) about sex work and drug use. I hadn't thought about that beforehand in the surveys with children, but I just couldn't. I was afraid of influencing her, I didn't know what knowledge she had, and I thought it was safer not to ask than to be faced with a family argument because I explained to her what prostitution is. (Lorena's fieldwork journal, 2018)

The respondents' cosmovision influences the way they provide 'general answers' that may differ from a Westerner's point of view. Therefore, follow-up questions and clarifications are necessary to maintain the validity of the research. See the example below:

I asked him if he had been in Switzerland for a long time and he said, 'Yes, very long!' I asked him for an exact number, and, to my surprise, he said, 'Almost three months'. (Lorena's fieldwork journal, October 2018)

Reliability can be ensured in several ways, first, by allowing the population to become familiar with the researcher for some time before one begins to ask questions in a more 'standardized' way. In that respect, the Roma participants were curious about the researchers' life: how much they earn, who is their partner, where they live, where they go out, if they spend a lot of money in the grocery stores, etc. This must be considered to determine the role to adopt. In our case, we decided to share parts of our lives because we found that it helped build rapport and therefore, increased reliability. In addition, we triangulated sources to assess whether the participants had been honest. For instance, Aebi (2006) triangulated self-reported surveys with data from the criminal records of drug users who agreed to participate in a heroin prescription program. This study was conducted in the 2000s when the laws on data protection differed from those today, but it is an excellent example of triangulation in criminological research. We could not do this formally in our own research, but we conducted triangulation informally through

discussion with other members of the groups, such as social workers. Without giving them any information that was disclosed to us, we would pose questions about the members we interviewed beforehand. In addition, it is also feasible to identify signs of ‘trust’ coming from the population study. For instance:

She showed me an origami book that she has, which she uses for inspiration for the flowers she makes. She asked me to keep it a secret from her because she didn’t want other people in the community to know what she does so she wouldn’t have any competition. (Lorena’s fieldwork journal, 2019)

#### **4. Ethics and Emotions: Misunderstandings, Cosmovisions, and Boundaries**

There are several ethical challenges that emerge when studying the Roma: their comprehension of what they are about to participate in, the researcher’s need to respect the participants’ cosmovision, and his/her role in the journey. With respect to the first, some potential participants do not, and may never, understand the meaning of ‘survey’, ‘interview’, ‘academia’, ‘university’, or ‘consent’. This is highly problematic given our ethical responsibility to obtain informed consent. We attempted to explain our profession as much as possible, but it was challenging for them to imagine what scientific research was about.

Second, the participants may live highly different lives from the researcher: some respondents beg, others farm, others engage in sex work, other are stay-at-home parents, or have customs that differ greatly from ours. Interviewees’ cosmovision –their worldview– can be troubling in some cases, and this is an ethical risk that researchers may face. For instance, our participants expressed conservative views about women’s role in society, early marriages, and pregnancies on the part of 14-year-old girls, as well as homophobic commentaries. This can be shocking for a liberal Westerner (the average social scientist), and one can feel the urge to ‘correct’ the person; nevertheless, this is not our role. It is essential to respect and attempt to understand the participants’ cosmovision and adhere, at least in part, to their rules during participant observations or an ethnography. Nevertheless, we needed to state our position when faced with certain potentially illegal or dangerous situations. First, one Roma man asked Lorena once about the way in which one could bring a girl and ‘put her on the street’ to make money for him, i.e., sexually exploit a woman. She was obliged to tell him that it is not possible to do such a thing because it is illegal. Second, one participant had harassed Marc for several weeks. The latter, who was under

the influence of alcohol, chased him around the village aggressively asking for money and tobacco. As a consequence, the non-Roma neighbors wanted to react violently to make the man stop his behavior. Marc had to intervene to avoid a major confrontation and, rather than informing the police, he preferred to discuss it with the most respected Roma man in the Spoitori community, who talked sense into the man and made him stop his behavior.

The Roma populations that we studied requested much assistance and it is an ethical question to consider how much the researcher should help. They were not shy about coming to us and asking, “Would you help me also with a job?” “Can you help me to have one of these CVs?” “Can you give me 20 euros?” We did not give money on principle, because, first, we were students ourselves with no research funding, but also because we were afraid that this would be discovered and the participants would participate in the research only for the purpose of obtaining financial gain. Nevertheless, we always told them where to go to seek help.

With respect to the emotional effects the research can have on both the researcher and participants, these were related to several aspects in our studies. First, the researcher spends a great amount of time with the population observed, and it is sometimes difficult to maintain the necessary distance from the informants so that affective relationships do not corrupt the objectivity of the research. Staying too close to the informants, to the point of identifying with them, can leave a researcher who becomes a “native” unable to address the research questions critically or even generate a feeling of guilt if the results of the research conflict with the interests of the group or a segment of the group. To avoid this situation, it is necessary to maintain a balanced relationship between the researcher and the informants.

I need to take a break for a few days for self-criticism. At times I feel that I have a responsibility to defend the traditions of my Roma informants vis-à-vis the non-Roma population because I am aware of the discrimination they suffer daily and because I would like to break with Eurocentric canons. However, I do not want this feeling to lead me to romanticize certain cultural practices and lose the capacity for critical reflection and objectivity in the analysis of the data collected. (Marc’s fieldwork journal, 2017)

Second, it is common to feel strong emotions—sadness, fear, or a sense of being overwhelmed—when a researcher witnesses the harsh conditions some participants endure. Sometimes, one hears or even witnesses crude crime and crime-related stories. One example is the

case of child marriages, where 13- and 14-year-olds marry for their parents' convenience and are forced to drop out of secondary school.

Emotionally, it affects me to be in front of homeless people and in an enormous precariousness. It's hard to talk about such private things and then tell them: 'Thank you for your time and your trust' and then go home, continue with my structured life, with a higher economic comfort than his. I understand that I can't do anything and that it's not my fault, but it still affects me. (Lorena's fieldwork journal, November 2018)

Local authorities, as far as I have been told, do not apply any kind of prevention or awareness-raising measures with respect to arranged child marriage, they only act *ex officio* if there are signs of domestic violence. It is painful to see how the Roma women I have interviewed reject this practice in silence and accept it in public under the male gaze. (Marc's fieldwork journal, 2018)

When we got to the question of intimate partner violence, he told me that he had hit his girlfriend and I asked him how far he had got in hitting her. He told me: 'To give you an example, the whore had cheated on me, and I hit her until I was calm and then I shaved her head.' He told me that this way the community could also see what she had done. (Lorena's fieldwork journal, 2019)

Moreover, as a woman, it was difficult to see other women with so much less agency, who endured not only domestic violence, but simply held the status of a human of less value in the community. The following was a particularly emotional interaction that still has an effect on Lorena:

I would like to be like you, Lorena. A free person, not wearing a skirt anymore, giving up tradition and finding a new life. Look, you're Roma, but you wear pants, you don't care about anything, you're happy, you have a normal life. I have to wear this fucking skirt and be a Gypsy. And I'm tired of it. I would like to sleep in the street, to work, to have a normal life'. (Lorena's fieldwork Journal, 2018)

Our manners to cope with strong emotions were i) to write about our emotions in our fieldwork journal, ii) to take a certain distance from our participants, e.g., take time off, iii) to debrief with colleagues and friends as well as our partners who provided advice and understanding, and iv) to carry on with our lives (e.g. practising our hobbies, for instance).

### **Lessons learned and Methodological perspectives**

Here we summarize the lessons that we learned during the years that we conducted participant research with the Roma in Switzerland and Romania. First, it was necessary to communicate

openly with the gatekeepers and the participants about the objectives of our research. Second, we had to protect our participants and the communities we studied. In that respect, one needs to be cautious with the methodology, as well as disseminate the results and limitations of our studies, i.e., generalization of findings, transparently and honestly. The instruments used must be adapted and pretested to be as valid as possible. In that respect, research groups should consider including a member with Roma ethnicity among their staff, or someone with the linguistic and cultural knowledge who can connect with the study population. The researcher should consider that the location and setting in which the interviews are conducted may be crucial to the results. For example, in the urban context, where impersonal relationships prevail, there are many alternatives of a relatively safe and intimate space for interviewees, for example, in any coffee shop. In contrast, in the rural context, where face-to-face relationships dominate, it is more difficult to find a location where interviewees feel that they can express their opinions freely without fear or embarrassment of being heard by others.

Third, it is necessary for researchers to create a roadmap to conduct the fieldwork properly. However, they should also be aware that they will not be able to follow this roadmap on some occasions for unforeseen reasons. Therefore, they must be able to find alternatives, adapt to changes, and re-plan certain aspects of the roadmap. For example, informants may not arrive to give an interview they scheduled, or the researcher may have to modify the interview question script in part when new information relevant to the research emerges that was not foreseen in the initial script.

Fourth, it is fundamental to reflect on their role as a researcher, for instance, whether one intends to introduce oneself as a Roma insider, a Gadje interested in the Roma, a Gadje with Roma connections, etc. In addition, we must consider how much of our life we are comfortable sharing, and the implications of this act: Will sharing one's address increase their risk, for instance. It is also imperative to consider the potential influence of one's gender and even sexual orientation or identity on the fieldwork. Researchers may need to ask for the spouse's permission to conduct an interview with a woman, or perhaps conduct a survey in a group. All of these decisions affect the study's reliability and validity. For example, if one is interested in domestic violence, it would be unwise to conduct an interview with the spouses together. People may also flirt with the researcher or, conversely, mock him/her. We recommend not taking remarks



personally and remaining professional, but accepting that sometimes we will feel strong emotions. The researcher must maintain a balanced relationship with informants. S/he must approach them and create a bond based upon mutual trust, but also maintain a certain socio-affective distance to prevent emotions from interfering with the analysis of the data collected. In the same way, the researcher may be involved in a minor conflict with a member of the group observed and whenever possible, should seek a solution to the problem to avoid aggravating the situation further. For example, it is preferable to turn to the leader or authority figure in the group in question to find a more effective and less burdensome solution than that which could be offered by Gadjé law enforcement, for example.

Fifth, the researcher must be self-critical and question his/her own assumptions. Sometimes the same concept can have different meanings depending upon the researcher and the informants' cultural schemes, for example, the conception of the passage of time illustrated herein. Further, the researcher must be critical of the conceptual categories, sometimes romanticized or reductionist, offered by the general literature available on the aspects of a social or cultural group studied, as they do not coincide with the social reality sometimes, as for example, the category "nomadism".

To conclude, criminological and socio-legal research with and among the Roma can be a highly enriching journey during which the researcher needs to consider several aspects and may face different challenges. Although we recommend beginning with a thorough research plan in which the researcher defines his/her role, one needs to be flexible and able to adapt to different contexts and participants. In addition, the researcher should maintain an open mind with respect to other cosmovisions, and intellectual honesty to identify difficult emotions and maintain a certain neutrality throughout the research process. Finally, it is imperative to be critical of one's own data and aware of their limitations, which we recommend expressing transparently when the results are disseminated to avoid over-generalizations that could stigmatize the Roma.

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To be published in Díaz-Fernández, A., del-Real, C., & Molnar, L. (Eds., forthcoming). *Fieldwork experiences in Criminology and Security*. Springer Nature.

## Chapter 13

### Conducting Criminological Practitioner Research with Sex Workers in Switzerland

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#### Abstract

Research with sex workers presents a series of methodological and ethical challenges that need careful consideration. Sex workers are a heterogeneous group that has been studied by criminologists mostly in countries where sex work is illegal. Here we address the methodological and ethical considerations of conducting research as an early career researcher and research practitioner in Switzerland, a country where sex work is legal. Based on three studies between 2017 and 2021 with roughly 140 sex workers, we discuss the need for pragmatism and adaptation to the study's population. We argue that the researcher or research team needs to cover linguistic and ethnic requirements to access the participants and the figure of researcher-practitioner might allow both the deep understanding of the context and the higher acceptance of the research by the sex workers. Observations, interviews, and surveys are complementary, and they need adaptation. The safety of the researcher and the participants, flexibility, and emotional intelligence are vital topics to be discussed in protocols that address the research with sex workers.

#### *Keywords*

Early career researcher, sex work industry, erotic massage salon, observation, survey, interview

#### **1. Sex work: definitions, delimitations and state of the art**

Criminological research on sex work is not a hot topic, but it is not scarce either, even though most studies have been conducted in countries that forbid this activity. In this chapter, I address the methodological and ethical aspects of criminological research on sex workers that my colleagues and I conducted in Switzerland, a country where sex work is a legal activity. Through the sharing of my own research experience, inspired naturally by past studies, I develop a

reflection about conducting criminological research when wearing two “hats”: one as a social worker and the other as a researcher.

### *Sex work in Switzerland*

It is imperative to define what we mean by *sex work* as this is a varied phenomenon (Azhar et al., 2020; Harcourt and Donovan, 2005) that includes many sexual practices under remuneration in a diverse context. Sex work, also called *prostitution* in the past, has been regarded differently depending on the epoch and culture (for a review, see Jenkins, 2020). Currently, its regulation or criminalization depends on each country (Danna, 2014; Jahnsen, 2019). For instance, in countries such as Romania or Croatia, prostitution is a misdemeanor, while in the Netherlands, Germany, and Switzerland, it is a freelance economic activity. Other countries, such as France and Sweden, criminalize customers of prostitution but not the sex workers per se, who are considered as victims of the society. Moreover, it is important to note that sex workers are a heterogenous “group” composed of persons of highly different socio-economic and cultural backgrounds, and therefore making generalizations should be avoided if heterogenous samples are not sufficient (Shaver, 2005).

Switzerland is a federal country that is composed of smaller administrative units, the cantons, which possess a great autonomy in ruling themselves. Areas such as the management of prisons, police, and justice are canton-dependent, for instance. The same is true for sex work. Specifically, the Canton of Vaud, situated in Western Switzerland, where my research was conducted, considers sex work as “the activity of a person who habitually engages in sexual acts or acts of a sexual nature, with a fixed or undetermined number of clients, for remuneration” (art. 1, LOI 943.05 sur l’exercice de la prostitution [LPros], 2004). Street sex work is permitted only in a specific area in Lausanne, the capital of the canton (Ville de Lausanne, 2016). At night, sex work through street soliciting is permitted from 10 p.m. until 5 a.m. sex workers are therefore allowed to solicit their customers in the street, but the sexual service must be conducted elsewhere.

On the other hand, indoor sex work is permitted in the whole canton in premises that have obtained an administrative license for erotic tariffed activities. These are named by the law as “erotic massage salons” (LOI 943.05 sur l’exercice de la prostitution [LPros], 2004; Ville de

Lausanne, 2017) and can be an apartment, which is the most prevalent type of erotic massage salon, but also bars or clubs with private rooms. In the latter, the sex workers gather in the main bar area and initiate interactions with customers of the bar. If the sex workers and the customer agree upon the conditions of the sexual service (price, sexual practices, etc.), they go to the private area where they can conduct the service in a private room. However, advertising sex services at a hotel or at one's domicile is not allowed and is punishable with a penal fine (art 199, Swiss penal code).

All erotic massage salons have a manager who rents the rooms to the sex workers. In some instances, sex workers can work alone in a studio, or together with more sex workers in a multiple-room apartment. The managers must ensure that the premises are in a proper state and that the sex workers are legally entitled to work and have a valid work permit or authorization. However, the managers cannot exploit profit from the sex work per se. That means that all gains, in principle, go to the sex workers.

*Criminological focus: Victimization in sex work*

Victimization in sex work is a relevant topic because of the various risks that sex workers face during their job (Rekart, 2005). In this regard, victimization has been studied in many countries, as mentioned above, but almost all of these countries prohibit sex work (Barberet, 2000; Berger et al., 2018; Brents and Hausbeck, 2005; Bungay and Guta, 2018; Campbell et al., 2019; Chan and Beauregard, 2019; Cunningham et al., 2018; Karandikar and Próspero, 2010; Peitzmeier et al., 2019; Sanders and Campbell, 2007) with only a few exceptions (Földhazi, 2010; Ros, 2021). These studies described the occupational hazards faced by sex workers, who have an even higher likelihood of becoming victims of murder compared to the general population. However, sex workers' risks also seem dependent on the legal framework of each country (Benoit et al., 2019). In that regard, it has been demonstrated that sex workers' victimization is less in countries where sex work is legal (Benoit et al., 2019), even though more extensive research is needed on these legalities.

To a lesser extent, sex workers' drug use has been also caught the attention of academia, specifically of those sex workers who work to finance their drug addiction (Surratt et al., 2004; Young et al., 2000). These studies focused specifically on drug-addicted sex workers, while the



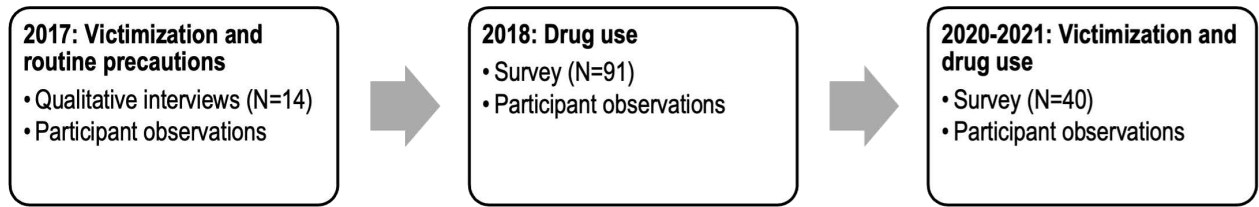
drug consumption among a general sample of sex workers has only scarcely been addressed by scholarship. One of the only exceptions is the Swiss study of Lociciro et al. (2017) who found that the rates of consumption of illegal drugs are higher than those of the general population, but they were still low and did not exceed 10% among sex workers.

Academia has endorsed the use of qualitative methods to study the victimization and drug use of sex workers. Semi-structured interviews have been conducted in different countries with different laws for sex work (Barberet, 2000; Brents and Hausbeck, 2005; Bungay and Guta, 2018; Campbell et al., 2019; Földhazi, 2010; Karandikar and Próspero, 2010; Sanders, 2001; Sanders and Campbell, 2007). Quantitative methods such as structured questionnaires have been used to a lesser manner (Berger et al., 2018; Campbell et al., 2019; Lociciro et al., 2017; Peitzmeier et al., 2019; Surratt et al., 2004; Young et al., 2000). Another type of data that proved useful for conducting research was police data (Chan and Beauregard, 2019; Cunningham et al., 2018; Potterat, 2004), and, to a lesser extent, focus groups (Surratt et al., 2004). It is worth mentioning that Campbell et al. (2019) applied participatory action research in which they incorporated their gatekeeper (an aid organization) in the design of their study.

## **2. Fieldwork: Being in the right place at the right moment with the right colleagues**

Between 2016 and 2021, together with other colleagues, we interviewed or surveyed around 140 sex workers in three main studies whose aims were to understand sex workers' victimization, trust in reporting to the police, and their drug use (Molnar et al., 2021; Molnar and Aebi, 2022; Molnar and Ros, 2022). We used interviews, questionnaires, and participant non-systematic observations (see Figure 1). sex workers are considered a hard-to-reach population: One cannot *just go into the field* without knowing anyone or anything about the topic. Former researchers mobilized gatekeepers (e.g., nongovernmental organizations [NGOs] for accessing sex workers (see Barberet, 2000; Berger et al., 2018; Campbell et al., 2019; Karandikar and Próspero, 2010; Lociciro et al., 2017; Surratt et al., 2004). Other actors who proved useful were the police (Barberet, 2000), owners of sex work clubs (Barberet, 2000; Brents and Hausbeck, 2005), attorneys (Brents and Hausbeck, 2005), and the press (Barberet, 2000; Brents and Hausbeck, 2005). The details of these studies are too vast to be explained in this manuscript, which is the reason why we invite the readers to delve into the references for further details.

**Figure 1.** Studies conducted on the domain of sex work



Our studies were possible because we were practitioners working for an NGO supporting sex workers and assisting them in various domains, such as distributing prophylactic materials, giving advice about the prevention of sexually transmitted infections, assisting them with their administrative duties (e.g., working permits, tax declarations), and accompanying them to the hospital, the police, and elsewhere. We therefore did not need a gatekeeper because we were in the field on a regular basis, in both the prostitution areas and the erotic massage salons. In the former, the social workers of the NGO were onsite from 10 p.m. to 1:30 a.m., driving a caravan to three different emplacements. Sex workers could enter the caravan and stay for a while, have a beverage and a snack, obtain prophylactic materials (condoms, gel, tissues), and receive orientation and counseling. On a weekly basis, the social workers visited the erotic massage salons of the whole canton of Vaud, usually during the afternoon, and offered sex workers the same kind of information and materials. I thereby approached my field via my professional practice, and most of the participants knew me long before I started the data collection. My ethnic background was an asset in this case because I was born in Romania and grew up in Spain, and I am fluent in Romanian, Spanish, French, and English. My linguistic skills greatly facilitated my research because the sex workers in Switzerland are frequently foreigners. The rapport was constructed during months in which, due to my work, confidentiality and anonymity were constantly addressed.

The first study (Molnar and Aebi, 2022) referred to the work-related victimization that sex workers (N=14) endured during their professional experiences, their perceptions of the Swiss police, their reporting to the police, and the prevention techniques that they used to prevent victimization. The second study (Molnar et al., 2021) addressed the drug consumption of sex

workers (N=91), that was previously scarcely studied.<sup>1</sup> The third study on which this piece is based (Molnar and Ros, 2022; Ros and Molnar, 2022) studied the impacts of the COVID-19 pandemic on the sex workers.

### **3. Getting started: Pragmatism as a guiding light**

The first study that we conducted in 2017 (Molnar and Aebi, 2022) was the foundation for the other two, and therefore it is the most important of the three. I started working for the NGO in 2016 as a social worker, since the position of *criminologist* did not exist. At that time, I had already been volunteering for four years in Spain for Doctors of the World (Médicos del Mundo) in assisting sex workers, and I was especially interested in the work-related violence endured by sex workers. The director of the NGO, Silvia Pongelli, also quickly manifested her interest in this topic, because the association lacked systematic knowledge on this area, and they wished to do more to tackle violence. We therefore decided to initiate a study on the violence endured by sex workers.

Our research, far away from academic purposes, had a purely pragmatic goal: to understand sex workers' victimization in order to propose prevention strategies to the sex workers that we encounter on a daily basis. This was later reached via the Previst project (Molnar, 2019, 2021) that we designed and that was financed by the Swiss Federal Police. The data collection would take place approximately one year after I was hired by the NGO as a social worker. At that time, my field experience was about 1,100 hours. These observations were not done with any goal since they were part of "the job" but, of course, they allowed me to gather considerable insider knowledge prior to conducting the interviews.

Nowadays, it is typical to start the research by submitting a protocol to the ethics committee (see Berger et al., 2018), but this was not our case. At that time, no one belonged to any university and the board of the NGO was positive about the project and its specifics. The

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<sup>1</sup> In the decades of 1990s–2000s, there were many drug-addicted sex workers who used heroin and did prostitution in order to finance their addiction. The NGO assisted them in the same manner as the other sex workers by exchanging their used syringes for new ones in order to increase the sex workers' safety when using and to take the used syringes out of the public domain. The sex workers would take their new syringes and go somewhere else to use drugs because the caravan was not a space for drug consumption. However, in the previous years, fewer and fewer syringes were exchanged in the caravan of Fleur de Pavé to the point that in 2021 colleagues exchanged less than 10 yearly versus the 950 exchanged in 2010.

director and I had some background in social science research, and so we planned the research and brainstormed on the potential risks, being logically inspired by articles that had already problematized these issues (especially Shaver, 2005).

We prepared a research protocol in which we planned the methodology that was to be used. In this case, it was a qualitative method using interviews. We also brainstormed and decided on many of the ethical and methodological aspects. Similar to Barberet (2000) and Sanders (2001), we planned an interview guide containing the main topics we wanted to address in our interviews. This was also the case for the study of the sex workers' drug use and the impacts of the pandemic on the sex workers.

For both cases, we prepared questionnaires guided by the feedback from fellow colleagues (social psychologists, doctors, and social workers) that were as well-prettested with several people (depending on the case with sex workers and non- sex workers). We also planned to keep a diary during the fieldwork in which we reported our own impressions about the questionnaires. Some quotations from the diary are used in the next sections to illustrate the challenges we faced.

Following the recommendation of Shaver (2005) regarding the need to include heterogeneity among the sex worker samples, our goal was to reach around 12 to 16 sex workers with four different profiles: 1) cisgender women, 2) transgender women, 3) sex workers of legal status, and 4) sex workers of illegal status. We decided that we would not include those sex workers whom we knew were victims of trafficking in human beings or pimping because of the distinctive characteristics and types of violence endured, which could not be generalized to the other sex workers. Nevertheless, this was also a way to protect the potential participants by avoiding situations such as those mentioned by Sanders (2001): "On one occasion a sex worker was physically assaulted by her pimp as punishment for taking part in the research" (Sanders, 2001, p. 8).

Basic ethic "thumb rules" regarding the anonymous and confidential characteristics of the study (Barberet, 2000; Karandikar and Próspero, 2010) were also applied in our study, but we emphasized the fact that no one from the NGO would know about their answers. Our interviews would follow the same approach used for our interventions, which was to show the maximum

respect for the self-determination of the sex workers. This is slightly different from other studies, such as Shaver's study (2005, see quotation below). That study, even if ethically correct, was a study conducted solely by researchers and therefore it is understandable that they were "insistent" when recruiting participants. We decided to avoid this in order to follow the line of action of the NGO.

We also made it clear during these conversations that participation was voluntary and that we would take no for an answer and move on politely. In doing so, however, we also pointed out that, although it was their right to say no to an interview, it was our job to keep on trying. (Shaver, 2005, p. 301)

Together with the NGO's director, we decided another important aspect was my safety and that of my interviewees. We also decided that I would recruit the sex workers during working hours when I worked in tandem with a colleague. At all times, I would inform her about where I was going and at what time to conduct the interviews. We decided that we would obtain consent orally so that the sex workers could avoid providing too much personal data. This is not different from other studies (Bungay and Guta, 2018; Karandikar and Próspero, 2010; Sanders, 2001; Sanders and Campbell, 2007). It is highly probable that today this might be extremely criticized by the ethical committees at most universities, but hard-to-reach populations do not share the same type of cultural views as people belonging to WEIRD societies (Western, Educated, Industrialized, Religious, and Democratic).

#### **4. Techniques employed: Much diversity, but never enough data!**

##### ***4.1 Sampling challenges and participant recruitment***

The first challenge that one faces when conducting research with sex workers is the sample size. In this regard, we kept in mind the following:

The size and boundaries of the [sex worker] population are unknown, so it is extremely difficult to get a representative sample. The traditional methods of sampling such populations—snowball sampling, key informant sampling, and targeted sampling—do not solve this problem. (Shaver, 2005, p. 296).

In each of our studies, we aimed to cover all profiles and heterogeneity of sex work. For that, we approached sex workers who worked (1) in the streets, (2) in the erotic massage salons,

(3) those who came to the office of the NGO, and (4) those working on the internet. The latter were included only for the last study. In terms of sample distribution, we obtained a majority of cisgender women and some transgender sex workers but no men. In terms of age, we reached approximately a representative sample of sex workers. The same is true for the people in legal and illegal situations.

Having in mind the need for heterogeneity in the samples, we approached the sex workers most of the time during our working hours and let them know about our research. It might not be obvious from the beginning, but the naming and explaining of a study are cardinal issues. For instance, Barberet (2000) avoided using the word “victim” and instead used “safety.” In our case, we decided to use a broad description and present the study as “a study on the experiences in sex work” as well as “experiences of sex workers during COVID-19 pandemic.” However, with regard to the drug-use study, we had no choice but to call it, “Use of psychoactive substances and medication among sex workers active in the streets of Lausanne (prostitution area) and in the salons of the canton of Vaud.” We had no major issues about the naming, except for one sex worker who inferred that we assumed that sex workers were a vector for COVID-19 and a few who commented that “they do not take drugs,” to which I replied that we are interested in knowing about those who take drugs and those who do not.

Details count when recruiting sex workers participants: being very conscious of the space we occupied in relation to those approached; never corner a person in a doorway, or if with a partner, never approach a sex worker from two sides. Leaving them room to move away is a courteous way to demonstrate that you are not the police. More important, it provides a clear indication that the choice to participate is theirs.” (Shaver, 2005, p. 302)

We applied same principles when recruiting the sex workers. Interestingly, sex workers were interested to being interviewed but not in the places that we planned in our first protocol (Molnar and Aebi, 2022). We hoped that interviews were carried out offsite and outside of working hours in a neutral environment that facilitates discussion out of the sight of indiscreet third parties. However, the sex workers proposed that the interviews happen in the prostitution area or the massage parlors. Even though at the beginning I was quite tenacious to enforce this “rule.” from the 14 sex workers that I interviewed, this “ideal scenario” happened only around

eight times. Actually, then I realized that some sex workers—especially those who worked indoors or who combined indoor with outdoor work—were tremendously busy and had no time for drinking coffee with a researcher. We therefore conducted the interviews in the caravan of the NGO when it was transited by other sex workers who were not speakers of that language; in the street, next to the caravan but far away from other people; in one of the remotest streets of the prostitution neighborhood; and even in the erotic massage salons in empty rooms. Surprisingly, this seemed to have worked since the sex workers showed signs of feeling comfortable despite the environment.

Therefore, for the other two studies (Molnar et al., 2021; Molnar and Ros, 2022), we were more relaxed and confident about this manner of interviewing, and most of our data collection took place “in the field.” This was not unique to our study. For instance, Barberet (2000) faced the same problem: Even though her team’s ambition was to interview the sex workers in “private places,” those working at rural clubs did not have any possibility of going outside. Földhazi (2010) and Sanders (2001) stated that they chose sex workers’ place of work, without going into too much detail.

When the COVID-19 pandemic emerged, we decided to go hybrid. Besides face-to-face surveys, we also conducted online surveys, taking, for example, the innovative study of Campbell et al. (2019) who interviewed the sex workers remotely. Equipped with face masks and hand sanitizers, we surveyed sex workers at the NGO’s office, erotic massage salons in the afternoons, and the street at night. We also rendered our questionnaire online in all four languages mentioned previously—French, English, Romanian, Spanish—and disseminated it either via the erotic announces formularies or via WhatsApp by sending it to the public telephone number that was announced in the advertisement. Only seven people answered the online questionnaire, but among the 40 members of the sample, this seems like an adequate proportion. Nevertheless, several sex workers misunderstood our study and wrote us back asking for more information.

[11:16, 17.02.2021] SW2: “Excuse me who are you and where did you get my phone number? I don’t give out personal information.”

[11:17, 17.02.2021] Lorena: “Hi, I’m Lorena Molnar. I work for the University of Lausanne, and we are doing a study on the impact of the pandemic on the lives of sex workers. I found the number on [website].”

[11:17, 17.02.2021] SW2: “I don’t know who you are.”

#### ***4.2 Procedure during the data collection***

Most studies conducted their data collection face to face and audiotaped and transcribed the interviews (Barberet, 2000; Brents and Hausbeck, 2005; Bungay and Guta, 2018; Földhazi, 2010; Sanders and Campbell, 2007). This was our procedure: For all interviews, except one, I could audio record. For the remaining one, I took manuscript notes. This was due to the fact that the sex worker did not feel comfortable about being recorded.

For the surveys, we did not have this need, as the data were recorded on an online survey platform called LimeSurvey. I admit that we did not really put much thought into our choice of the platform. It was a secure platform and the one for which the subscription was paid by the NGO and later by the University of Lausanne. It is still important to consider this aspect beforehand in order to ensure that the answers are protected and confidentiality is assured. I collected the data on a tablet or on my phone via an online questionnaire in Romanian, French, Spanish, and English. There were also a couple of sex workers who were not fluent in any of the languages proposed, and for reaching out them, we counted on the assistance of a social worker from the NGO who was fluent in the specific languages.

Already in the 1990s, scholars discussed “validity” and “reliability” in the domain of sex work. An instrument is valid if it measures in an efficient manner a phenomenon and is reliable if, when used in repeated occasions, one always obtains the same outcome no matter who uses it (Aebi, 2006). Vis-à-vis the former, the impossibility of reaching out to high-level sex workers such as escorts or male sex workers is a challenge. Regarding the latter, the social desirability, the labeling of the questions, or the characteristics of the interviewer can pose serious problems in research. For instance, Barberet (2000) discussed the sex workers who claim “that everything is great” and do not elaborate much; this is a sign that the sex workers are not being honest with the researcher.



In our studies, we faced similar validity challenges. Even though we included several escorts, we could seldom find any men who did sex work. Another measuring problem was related to the estimation of the number of times that they had been victims of a crime. Sex workers did not remember these details and just answered “many times,” “sometimes,” “a couple of times,” etc. The same happened with their estimation of their monthly income, which prevented us from calculating their economic status. Regarding reliability, it is also worth mentioning that the labeling of our questions was challenging in some instances. For example, in the drug-use study (Molnar et al., 2021), we realized that even though a sex worker is a regular drug user, she would be acquainted with a maximum of three substances. However, our questionnaire addressed the consuming of more than 10 drugs. As well, when asking the sex workers if they were at-risk for COVID-19 and enumerated to them the list of conditions that put one at risk (advanced age, high blood pressure, diabetes, etc.), a sex worker responded negatively, but afterwards she let us know by coincidence that she actually has high blood pressure.

The interview went very well, seemed wary at first, then very happy to talk (thanked me several times). Hard to get her to tell me how many clients insisted that she lowers prices. She didn't say how much she was making...I don't feel like she didn't want to say, but couldn't figure out monthly average (even when I insisted, ‘Can you give me an approximate figure?’). (Fieldwork journal, January 2021).

The data storage of the participants' responses is seldom mentioned by the scholars that studied the sex workers. The exception is Campbell et al. (2019) who mention that the interviews “were recorded on a digital recorder, under strict data management procedures due to the sensitive nature of the data and the need for high levels of security around identity of the participants.”

In our case, we stored the first interviews on an external hardware, and then on a safe server at our university. Surveys were stored on the university's LimeSurvey platform. In this regard, anonymization is a highly relevant aspect: Samples with sex workers tend to be small and local, rendering them easily recognizable. To protect the sex workers' anonymity, I avoided disclosing in our papers too many of the socio-demographic characteristics of specific interviewees, and I only provided general information about the sample. Also, we “baptized” our

participants with pseudonyms, in one case, chosen randomly from the novel, *The Girl with the Dragon Tattoo* (Larsson, 2017).

### **4.3 Data analysis**

The section data analysis seems to be the least extensive in the papers the address sex workers, and I believe that this should be different. In our studies, we used both quantitative and qualitative techniques for analyzing the data. First, content analysis, used by many scholars (Barberet, 2000; Sanders and Campbell, 2007), was especially enlightening to understand the victimization endured by the sex workers and its contexts, as well as the feelings and perceptions of the sex workers during and after their victimization. We analyzed the interviews horizontally, going through each transcript, and after identifying the recurrent topics, we also analyzed them transversally, going across transcripts through each topic identified.

We also created a small database with relevant variables emerging from the interviews that could not be grasped in a qualitative manner; for instance, the number of different victimizations endured by the same person known as the so-called *variety* (Aebi, 2006). In this way, we could analyze that data by groups (transgender versus cisgender), status (legal versus illegal), the number of victimizations reported, the multiple victimizations, etc. We gained a better picture of the victimizations of the sample group, while not neglecting the context details.

The two surveys that we conducted with 91 sex workers and 40 sex workers (Molnar et al., 2021; Molnar and Ros, 2022), allowed us to do descriptive analyses of frequencies and cross-tabulation. In the first survey, we also conducted a logistical regression. Since the sample was not large (N=91) and the sex workers' drug consumption was low, we could not compute a "predictive model" of the risk factors that increased drug use in sex work. Instead, we only analyzed two risk factors—age and place of work—in relation to using alcohol and tobacco. The reason is that these were the substances consumed at a higher rate and therefore the only ones that could be statistically analyzed. Although this is unfortunate, it is the reality of many surveys that explore rare phenomena among hard-to-reach populations.

## 5. Ethical, emotional, and safety-related considerations

In my view, the first ethical challenge about studying sex work is its socially controverted character (Benoit et al., 2019). In this regard, almost everyone has an “philosophic” position about the phenomenon and several scholars perceive sex workers as perennial victims. This can influence the relationship with the participants and the manner in which we treat them. Furthermore, “Prostitution is commonly treated as an identity category rather than a revenue-generating activity” (Shaver, 2005, p. 297). This can increase the risk that researchers do not treat their participants as adults with agency but as “inherent victims.” Our position vis-à-vis sex work coincided with the one adopted in the legislation of Switzerland. In other words, we considered the sex workers as adults who, for different reasons, worked in the sex industry. It must be stressed that in our studies, we also adopted a *post-positivist philosophy*, which consists of describing and analyzing the data as objectively as possible, while keeping a *reflexive* orientation (Phillips and Burbules, 2000). This did not prevent us from being misunderstood and have our manuscripts rejected by anonymous referees who had different philosophical positions regarding sex workers.

Other ethical dilemmas appeared when conducting research in sex work, namely, the psychological and safety-related risks, participants’ recompense, and sex workers’ stigmatization. Barberet (2000) refers to the participants’ sadness and tears after remembering some traumatic event, and Sanders (2001, p. 8) mentions the risks for sex workers safety:

On one occasion, a sex worker was physically assaulted by her pimp as punishment for taking part in the research. This highlighted the risks that individuals took to be part of the research. These ethical dilemmas highlight the difficulties of doing research in a community that is saturated with violence and suspicion of officials.

Having this in mind, we aimed to minimize this risk by being transparent about the research with the whole group of sex workers. We approached a group and explained in public our study in generic terms (“experiences in sex work,” “challenges of sex work,” and “substance consumption”), and tell them that the NGO is interested in these topics and would like to discuss with as many sex workers as possible. We also stated that we wanted to discover the general trends and not the details about individuals in order to understand in which areas we can assist better.

Physical threats also affected the researcher. For instance, they might come simply from being outdoors at night, from the sex workers, or from criminals such as pimps or criminal networks. Although I did not directly face most of them, I was, on a few occasions, confronted by strong reactions from the sex workers. The sex workers, especially if they are going through a difficult time, might easily feel judged, such as, for instance, a sex worker who thought that we had inferred that she was a vector of the coronavirus. Passersby or customers can also pose a risk. For instance, as a woman in her 20s, I was faced with passersby who assumed that I was a sex worker and requested a sexual service.

Regarding the psychological risks that sex workers encounter when participating in these kinds of studies, we decided to pose our questions in a broad manner, e.g., “Did a customer impose sexual practices that you were not comfortable with?” After affirmative responses, we tried to clarify the event by asking for more details. Conversely, if the participant decided not to elaborate, we respected her wish without further insistence.

The latter situation is related to the need to connect and sympathize with the sex workers (Barberet, 2000). However, an almost unavoidable asymmetrical situation emerges at the end of an interview. In principle, a criminologist would be satisfied if they found out the relatively important prevalence of sex workers’ victimization and interesting details that can enlighten further research and public policies. Conversely, a participant who has been the victim of a crime, or of several, does not necessarily feel the same enthusiasm. On the contrary, she might feel especially vulnerable after the interview.

In our research, we referred the participants to the NGO, letting them know that social workers are also available to discuss violence, rights in case of victimization, and to accompany the sex workers to victim assistance services. Listening to the sex workers’ experiences of violence can affect the researchers’ mental health. Mirror neurons activate automatically in humans, and naturally we were emotionally affected when we met people suffering from crude violence, poverty or, a few times, illnesses such as HIV. Writing in a journal or debriefing colleagues or my closest acquaintances has always been beneficial. Personally, I prefer debriefing about my emotions with my inner circle and letting fellow colleagues offer better methodological advice.

Sanders (2001) develops a very interesting reflection by illustrating her own dilemmas regarding this issue. The advantage highlighted was the acknowledgement of sex workers' participation. The disadvantages of giving a recompense were the feeling of exploiting the sex workers or the fear that they would use the money to buy drugs. Most of the time, researchers cited a material recompense for the sex workers that consisted of the payment of some pocket money of around \$20 (Barberet, 2000; Bungay and Guta, 2018; Campbell et al., 2019; Karandikar and Próspero, 2010; Sanders, 2001).

In the first two studies, we offered a sort of recompense either paying for the beverage of the sex workers who agreed to be interviewed or offering her something such as a body lotion. However, the COVID-19 pandemic highly limited our possibilities to offer recompense since the study was conducted without any funding.

The last ethical consideration is the risk of stigmatizing the sex workers. In my view, scholars should be selective about their presence in the field and shift weight onto the relevance of our studies and the inconvenience that our presence is going to cause to the sex workers participants. They might feel like research "objects" who are often studied but seldom assisted in tackling their daily problems. We should also reflect in advance on the manner in which our research might affect sex workers' public image. For me, this poses a great dilemma because, in my view, one must be faithful to the data and avoid *activism-led science*. At the same time, one also needs to be aware of the limitations of the studies and report and communicate them in the clearest manner.

## **6. Plan, but be flexible: Lessons learned and methodological perspectives**

This section summarizes the lessons that I, an early career researcher in criminology, learned during my fieldwork. First, understanding the context before collecting data from participants is highly useful. I recommend taking advantage of all opportunities to talk with the actors involved in sex work: sex workers, social workers, neighbors, police, etc. Once one has the whole picture, the data collection is likely to be richer. Understanding all parties could also be positive for the researchers' and participants' safety. This was, in my case, happening naturally because of my role as a social worker. However, this should be part of the research protocol if one does not count as an "insider" or one who is not an insider themselves.

Second, when planning a study, consider that in central European countries, there are many foreigners sex workers, hence having a multilingual team can be an invaluable asset and increase the validity and the reliability of the research. During the research protocol, it is vital to be rigorous but also open-minded and creative. Most research protocols in sex work might need to be revisited and adjusted. As well, there might be threats or difficulties that have not been anticipated. Therefore, it is imperative to imagine a series of scenarios that could degenerate, such as if a sex worker has a panic attack when conducting the interview, a participant insists on being part of an individual interview, a participant expects more recompense, or a participant who do not show up.

As recommended by Barberet (2000), research with sex workers needs empathetic researchers, thus, “emotion” is something to anticipate when designing the research protocol in the sense that the interviewer might react to crude events with a certain degree of emotion. For instance, during the COVID-19 pandemic, a sex worker disclosed to me that she had been homeless and could not eat much during that time. I could not help my reaction of telling her that I was sorry that she was facing such a difficult situation. I also paused the interview to let her know that the NGO could assist her in finding temporary housing and give her vouchers for the supermarket. In that regard, it might be desirable that early career researchers receive emotional training so they can debrief others and prepare themselves for the anticipated fieldwork. Alone in front of a mirror, practice approaching participants, asking questions, and dealing with refusals. In relation to refusals, I recommend to never take the refusals of no-shows personally or visibly become irritated with the participant. This wrong both from an ethical and strategic point of view. Some potential participants lose interest in participating in the study and it is their right, but others might recover their interest after some time if the researcher is still in the field.

During the data collection, be prepared to conduct imperfect research. One prepares with much care the interview plan and the topics and subtopics one would like to address in order to answer satisfactorily to the research questions. In actual practice, it is possible that all topics will not be covered during the interview because the participant is willing to address the priority that is most important for them. It is recommended to redirect the conversation, but just as important is to give space to the interviewee and avoid over-insisting. In case of conducting surveys in the streets or in erotic massage salons, collecting the data on online platforms is a safer option. If one

is the victim of a theft or simply loses the device, the data will not be lost or accessible. Because of sex workers' lack of time and lack of accustomedness, I recommend avoiding long questionnaires, such as the *International Crime Victims Survey* (van Dijk et al., 2007). If applied to sex workers, this questionnaire should be adapted. The length of the questionnaire is not a straight-forward issue to decide. On one hand, one needs nuance in order to understand satisfactorily a phenomenon, but on the other, too much nuance can challenge the reliability of the study by the response burden.

Take care of your participants and their privacy. Consider beforehand your storage and anonymization strategy. Be faithful to your commitments, and honor your promises towards your interviewees and be grateful for the time and intimacy they shared with you. However, if you feel overwhelmed, I suggest leaving the field at least temporarily. Too much emotion can blur your perceptions and the validity of your research.

## **7. Conclusion**

Research on the sex work industry is an interesting but challenging area. The collaboration with NGOs is highly valuable since they already have a strong rapport with the sex workers. Observations, interviews, and surveys are possible and complementary, but they need careful consideration in order to be adapted to the sex workers' characteristics and to the sex work settings, i.e., legality or illegality. Safety of both the researchers and the participants should be at the core of the research protocol, which should be flexible enough to handle the unexpected events. Emotional intelligence is vital in order to interact with interviewees and to gain perspectives when gathering and analyzing the data.

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