

Helen M. Rand

## 50 Sex work

**Abstract:** This chapter does three things. It provides a definition of sex work, specifically outlining the meaning of digital sex work. Second, in order to understand digital sex work, the chapter unpacks the role of platforms within this labor market, and how sex workers interact with adult platforms. This highlights both the risks and opportunities for sex workers online, including the role of the internet in activism and advocacy. The final part of the chapter evaluates the regulation and legislation of digital sex work, drawing attention to the harms of further criminalization.

**Keywords:** sex work, digital sex workers, platforms, online regulation

The term sex work was coined by sex worker activist Carol Leigh in 1978, before the digitization of sex work, as part of a long history of activism and political organization to assert sex worker rights. For sex work activists and scholars, using the term sex work is part of a wider campaign to decriminalize sex work and reduce stigmatization. Recognizing selling sex and sex acts as *sex* and as *work*, frames sex work as a form of labor with rights and not a criminal act. It is a term that is used to incorporate a range of labor processes and work experiences, such as stripping, porn acting, telephone sex, webcamming, and direct, in-person sex work (Weitzer, 2010). Yet, it should be noted that not all people who exchange sex or sexual services define themselves as sex workers (see Blunt and Wolf, 2020 for a discussion on this).

The term sex work is now often used in academia, the media, and in wider popular discourses, instead of the traditional and historical term prostitution—which derives from the Latin *prostitut*, to expose publicly. The terms prostitute and prostitution are predominately used in legislation written to control, regulate, and criminalize sex work, including legislation regarding the internet. Sex work is understood to be deviant and outside of normative sexual behavior so is punished by the state. Sex work and sex workers have historically—and continue to be within digital societies—regulated and controlled through criminal laws. Hence, we find sex work in a handbook of digital criminology.

In most cases, sex work that takes place in public spaces, such as street-based sex work, which has been subject to greater policing and punishment (Blunt and Wolf, 2020). Street-based sex work remains the most stigmatized, in part to do with the fervent criminalization and the conflation with drug use. Furthermore, research suggests street-based sex workers will experience more violence than those selling sex in other spaces and in other ways (Armstrong, 2018).

This form of sex exchange continues; however, developments in digital communication technologies have transformed and expanded sex markets in three notable ways (Sanders et al., 2018; Rand, 2019). First, the emergence of new digital modalities of sex work, such as webcamming (Jones, 2015; Sanders et al., 2018). Second, the ability to pur-

chase sex or sexual activity has extended to any time and almost anywhere through the mediation of digital technologies that cross time and place. Third, facilitating this expansion and diversification of sex markets are digital platforms, acting as intermediaries between clients and workers (Rand, 2019). The pivotal and transformative role of platforms in the sale of sex has been coined the “platformatization of sex work” (Van Doorn and Velthius, 2018: 179; see Platform by Egbert). The term captures the pervasive role of platforms in the digitization of sex work, in terms of organization, regulation, and labor processes highlighting. Platforms are not merely intermediaries in the organization of sex work. This entry will define digital sex work, consider what the digitization of sex work means for sex workers regarding working practices, and enquire into the governance of digital sex work.

## Digital sex work

Digital-only sex work includes the sale of sexual services mediated by technology, such as webcamming, erotic phone lines, and text services, as well as the sale of sexual content such as photographs and video reels. Webcamming, and platforms dedicated to webcam performances, have risen in popularity since they first emerged in 1996 (Jones, 2020). This section of the sex industry has become “one of the leading segments of the online sex industry in terms of revenue and numbers of customers” (Stegeman et al., 2023: 2). ‘Camming’ as it is popularly known, involves sex workers streaming live performances that can include flirting, flashing, stripping, autoerotic stimulation, use of sex toys, and role play (Stuart, 2022).

Currently, there are two main business models used on webcamming platforms. In the first instance, sex workers charge customers a fee per minute. In a ‘group’ performance, there will be several customers watching, each paying the fee set by the sex worker. In this business model, customers can request to ‘go private’ and pay a higher fee for one-to-one interactions. In the other business model, viewers are encouraged to ‘tip’ sex workers with tokens purchased from the platform. Viewers can watch for free, but sex workers commonly have a menu of sexual acts with monetary targets attached, thus encouraging viewers to ‘tip’ for the performance to proceed into more pornographic content (Jones, 2020; Stuart, 2022).

The internet has also changed how direct, in-person sex work is advertised, with many sex workers choosing to advertise their services on adult platforms rather than in traditional ways such as cards in telephone boxes or shop windows, standing in public spaces, and/or working in red-light districts. In the sex work literature, it is often suggested online advertising has made selling direct services safer, as sex workers can screen and report unwanted clients to the platform. This can result in the client being blocked from the site (Sanders et al., 2018). However, Hardy and Barbagallo (2021: 539) dispute this, suggesting there is an increasing availability of risky and unsafe practices because of the “visible labor oversupply” afforded by the platforms; thus giving the clients negotiating power.

As with other forms of work organized and managed via platforms, there is a distinction between sex work that takes place in-person (in the platform labor literature this is known as geographically *tethered work*) and sex work that is mediated through online platforms, or other digital technologies (known in the platform labor literature as *cloud work*) (see Woodcock and Graham, 2020 for a critical introduction to platform work). The distinction is important due to the experiences of labor and the physical and health risks associated with in-person sex work as opposed to technology-mediated sex work such as webcamming. Performing a live or pre-recorded striptease on a web camera differs significantly from having penetrative sex in an isolated hotel room or rented flat. Furthermore, the distinction is key in terms of the profit-making opportunities for the platforms (Hardy and Barbagallo, 2021).

In both cases, the platform acts as a broker between those selling services and those buying the services. Legal restrictions in most jurisdictions do not allow third parties to make money from prostitution, direct in-person sex work. However, platforms can make an income from extracting a percentage of the fee paid by the customer for digitally mediated forms of sex work. Although this varies, platforms take between 30% and 60% of the income generated by sex workers in each transaction (Rand, 2019). Platforms also charge for advertising and encourage sex workers to regularly upload new digital content in the form of photos and video reels. The content is freely uploaded as it is an essential part of advertising and making money as a digital sex worker (Rand, 2019). Increasingly, digital sex work is centered around the relationship with 'fans.' Digital sex workers engage in relational labor to build an online presence and engage with 'fans' to secure future work (Rand and Stegeman, 2023). Not unlike online 'influencers' whose labor relies on building audiences for their cultural production.

For many sex work scholars, the platforms are understood as extractive, acting more as third-party managers rather than merely facilitators of sexual exchanges. Early research on the camming industry suggested sex workers had greater agency over the content of digitally mediated sexual services than when working in offline markets (Jones, 2015), but as the industry has developed and been subject to greater regulation, scholars note the increase in the control over content (Stegeman, 2024; Tidenberg, 2021). For example, some platforms only allow cisgender women to sign up as webcammers or have restrictions on what words can be used (Easterbrook-Smith, 2022).

There are increasing concerns regarding the property rights of content streamed and uploaded by digital sex workers. The intellectual property rights of the content posted by sex workers are, in the main, owned by the webcam platforms, as stipulated in the platforms' terms of service (Stegeman, 2024). Due to this ownership, Stuart (2022) claims webcam platforms sell and distribute sex workers' content without renumerating them, beyond the initial fee paid by the customers and without control over where the content is posted online. Furthermore, digital sex workers are exposed to risk associated with capping (see Abuse by McAlinden and Vulnerability by Ranchordas and Beck). Capping refers to the non-consensual recording or copying of webcam perform-

ances, photographs, and videos which are then often distributed without consent on other platforms (Jones, 2020).

The digitization of sex work has offered greater degrees of control over working conditions and increasing flexibility of hours that is often appreciated by workers (Rand, 2019). Yet, digital sex workers can find themselves dependent on adult platforms more so than other platform workers because of the stigma, financial discrimination, and criminality associated with sex work (Easterbrook-Smith, 2022). This gives the platforms the power to operate in favor of profit margins rather than workers' safety and well-being. For example, the design of the platforms promote competition and price suppression and attempt to limit solidarity amongst digital sex workers (Rand and Stegeman, 2023). These concerns raised by academics and activists have not been addressed in the most recent legislation that concerns digital sex work.

## **Regulation and legislation of digital sex work**

Sex work remains in most parts of the world, to lesser and more degrees criminalized; apart from Aotearoa (New Zealand), Belgium, and New South Wales and Northern Territories in Australia (see Global Network of Sex Work Projects (2023) for case studies and details of national legislation). National legislation regarding the internet has been slow to catch up with the rapid and dynamic changes it has brought to our daily lives. So, it is only recently we have seen nation-states actively pursuing legislation. Often the focus of this legislation is based on morality and access to sexual content. Scoular notes that during periods of economic, social, and cultural changes, prostitution laws are targeted as a site of "moral regulation" (2010: 15). Thus, legislation to control sex work and sex workers are created in an attempt to maintain the hegemonic order. In many ways, this can be seen with the concerns from many governments regarding online legislation by populist, rightwing administrations.

It is with this in mind, the following section addresses legislation enacted in the United States, under the presidency of Donald Trump. Scholars of platform governance suggest the moral and cultural values of the US have created the internet due to the concentration of tech companies originating and operating in the US (Gillespie, 2018). This dominance continues through legislation. In 2018, the US government enacted the Fight Online Sex Trafficking Act and Stop Enabling Sex Traffickers Act. FOSTA-SESTA, as it is commonly known, legislated to hold platforms responsible for "promoting or facilitating prostitution" or "knowingly assisting, facilitating or supporting sex trafficking" (Allow States and Victims to Fight Online Sex Trafficking Act of 2017). The law aims to stop trafficking for sexual exploitation in the belief that if sex markets are eradicated, all forced and coerced sex will stop. A common view held by what is sometimes known as the abolition lobby (see Mac and Smith, 2018). Sex workers in the US have widely criticized FOSTA-SESTA for being naïve at best, and more likely to be motivated by sexual morality and anti-migration ideologies. So far, there is no evidence to suggest FOSTA/SESTA has reduced sexual exploitation (Blunt and Wolf, 2020).

In the UK and Australia, legislation in the form of Online Safety Acts have seen further criminalization of 'prostitution.' There is a concern among sex workers and their allies, that these acts, including FOSTA-SESTA, silence sex workers online through over-censorship. Research in the US has shown platforms have failed to differentiate 'promoting prostitution' and 'supporting sex trafficking' from other content such as sex work activism, self-expression, humor, sex work, sex education, and so on. Platforms have tightened their terms and conditions concerning sexual content to avoid criminal sanctions under FOSTA-SESTA (Tidenberg, 2021).

Many platforms have banned and blocked individual sex worker accounts due to the legal and business risks of being shut down for "promoting prostitution" (Hacking-Hustling.org, 2023). Furthermore, platforms distance themselves from commercial sex, specifically full-service direct sex work, as seen with *OnlyFans*, *Tumblr*, and *Craigslist*. The prosecution and closure of *Backpage*, a popular platform for advertising direct sex work sent a clear message to platforms that they will face criminal sanctions if the platforms advertise direct sex work (Tidenberg, 2021). Shortly following the Online Safety Act in Australia, *Switter*, an online community for sex workers shut down due to fears of defamation lawsuits. Sex worker activist organization, Hacking/Hustling refer to this as a gentrification of the internet (Blunt and Wolf, 2020).

Closing platforms, dissociation of other platforms, and the blocking of sex workers' online accounts impact sex workers' ability to participate in cultural, social, economic, and political life. This is evident in several ways. First, limiting choices on where and how to work does not eradicate sex markets, but rather marginalizes the work into more dangerous and exploitative spaces. Second, it reduces opportunities for sex workers to screen clients, having been reported as one of the key benefits of using platforms to sell sex. Third, sex workers report that their activist accounts on social media platforms have been blocked and removed (HackingHustling.org, 2023). This risks reducing opportunities for sex workers to collectively organize online and share information; thus, threatening a long history of self-advocacy and support (Easterbrook-Smith, 2022).

## Digital activism

That said, the collective response to FOSTA/SESTA has seen a swell of digital activism and collective organizing by sex workers and allies. For example, shortly after FOSTA/SESTA was enacted, the campaign #SurvivorsAgainstSESTA began. The connected website and social media pages provide an online space for sex workers to disseminate information regarding payment processors, social media platforms, and crowdfunding platforms that discriminate against sex workers; how content is policed; and to organize events offline —protests, sex work benefit shows, and writing workshops. As Feldman (2014) notes, the virtual anonymity of the internet allows sex workers to 'come out' online and champion issues that impact them as sex workers. For example, hacking/hustling, "a collective of sex workers, survivors, and accomplices working at the intersection of tech and social justice to interrupt violence facilitated by technology" have organized in response to

FOSTA-SESTA. They conducted research and created resources and carried out research to “center people in the sex trades as producers of knowledge and expertise in the movement to create safety for our communities without policing” (hackinghustling.org, 2023). Hearing and listening to sex workers are vital in all research relating to sex work. Advocacy groups such as hacking/hustling, NSWP, and ESWA centre the voices and experiences of sex workers.

## Conclusion

Digital societies are dynamic and ever-changing, having dramatically changed how we conduct our daily lives. New technologies develop, replacing and making redundant current technology. Lawmakers and politicians try to keep a handle on these changes and in the process further marginalize and criminalize sex workers. In attempt to address trafficking for sexual exploitation, developments in legislation can end up further criminalizing sex work. This is an ever-evolving legal, social, and cultural landscape.

The key takeaways from this chapter are:

- Sex work is a broad term to incorporate the sale of sex or sexual services in exchange for goods or money. Not all of those who exchange sex/sexual services will define themselves as a sex worker (Blunt and Wolf, 2020).
- All sex workers experience stigma, but how they negotiate and navigate stigma intersects with the context and racism, xenophobia, classism, and transphobia.
- Sex work is experienced differently depending on the person’s gender, race, class, sexual orientation, place of origin, citizenship status, and other identity-related factors.
- Regrettably, the shift online has not led to further decriminalization, despite the unilateral support for decriminalization by all sex work advocacy organizations globally, international human rights organizations, and the World Health Organization.
- The legislation addressing online safety does not address the harms sex workers face by selling sex and sexual activities online, rather the law further criminalizes sex workers and further responsibilizes the platforms.

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