

# *Digital Realities: Sex work // Internet Governance*





# CREDITS

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# Decriminalisation

The decriminalisation of sex work repeals sex work-specific criminal and licensing laws. This framework recognises sex work as work, and opens the sex industry's access to the civil laws that protect and govern all other workforces. Civil laws protect people's health, safety, privacy, autonomy, and human and industrial rights.

Criminal laws that apply to everyone are still enforced. In this way, decriminalisation is not absence of regulation, but a whole-of-government approach. Most importantly, it's the model *every sex worker peer organisation in Australia calls for!* As the primary stakeholders in sex industry regulation, and THE ONLY people with any first-hand, client-facing industry experience, sex workers are uniquely placed to lead the way in sex industry regulation!

It's why we say, *"Nothing About Us Without Us!"*



# Licensing Framework

The licensing framework creates multiple sets of laws, codes and regulations specific to the sex industry. Sex workers working outside of these laws are criminalised and targeted by police. These laws — most frequently written by people with zero experience in the sex industry — directly impede our ability to make decisions about where, when, how, and with whom we work based on our individual health and safety needs. They are also ambiguous, confusing, illogical, and incredibly expensive to administer. The inefficacy — or some would argue, intention — of these laws is to create a two-tiered system where most sex workers are forced to work outside the law.

In QLD, some of the things independent sex workers are criminalised for include:

- working alongside another sex worker
- messaging another sex worker with their current location or when a client arrives or leaves
- describing what services are and are not offered



*We have to choose between working  
legally or safely!!  
Which would you choose?*

# The Entrapment Model

(aka 'Nordic' or 'Swedish' model)

The Entrapment Model (aka 'Nordic' or 'Swedish' model) criminalises clients and third parties, attempting to reduce the sex industry while lifting the harm of criminalisation off of sex workers. The reality of this model is that it creates a 'buyers market', where sex workers must cater to and prioritise their client's need to avoid arrest over their own health and safety.

This environment pushes sex workers away from populated areas, forces them to rush or even skip screenings, and — due to there being fewer clients willing to take the risk of seeing a sex worker illegally — pushes workers to take jobs they would usually deny, just to make a living wage. More money means more power to choose *where, when, how, with whom*, and *if* you want to work.

Reducing the sex industry and criminalising our clients only weakens our autonomy!!

*This is why it's so important to  
centre sex worker voices when  
writing the legislation that  
governs us.*

*We know what we're talking  
about ;)*



# Criminalisation

This model criminalises the entire sex industry: workers, clients, and sex industry businesses. Exploitation thrives in a criminalised environments because of the criminalisation model itself.

There's no Fair Work ombudsman in a criminalised workplace! Under the criminalisation model, sex workers can't access labour or industrial rights, and cannot report crimes for fear of conviction themselves. This makes us targets for perpetrators who know we are unprotected and therefore believe they can act violently with impunity.

Already a heavily stigmatised community, sex workers with multiple marginalised identities bear the brunt of police brutality, and are disproportionately targeted by law enforcement who apply their own personal, bigoted lenses to their interactions with sex workers.

Street based sex workers, migrant sex workers, trans and BIPoC sex workers are targeted, harassed, and arrested by police at a much higher rate than their cis white colleagues.

*Take it from a sex worker!!  
Criminalisation doesn't protect  
us; it targets us!! And hating sex  
workers doesn't make you a hero, it  
makes you a bigot.*





# Myth Busting

*p.s: a SWERF is a Sex Work Exclusionary Radical Feminist. They're a small (but loud) group of feminists who argue that sex workers are all victims who are unable to make their own decisions. They advocate for laws which are proven to cause violence against sex workers in an effort to "stop prostitution".*

## *1. "Sex workers sell their bodies."*

We still possess our bodies. Just like a builder or a physiotherapist, sex workers sell a service produced through physical and emotional labour. This is SWERF talking point which objectifies sex workers while blaming us for this objectification — "selling bodies" implies that we are objects to be traded, and cannot think for ourselves.



## *2. "Police keep sex workers safe."*

Globally, the police are the biggest source of violence against sex workers. Already a heavily stigmatised community, sex workers with multiple marginalised identities bear the brunt of police brutality, and are disproportionately targeted by law enforcement who apply their own personal, bigoted lenses to their interactions with sex workers. Street based sex workers, migrant sex workers, trans and BIPoC sex workers are targeted, harassed, and arrested by police at a much higher rate than their cis white colleagues.

# Myth Busting

## 3. *"Sex trafficking is the most prevalent and pervasive form of trafficking."*

While exploitation does occur within the sex industry, primarily due to criminalisation and a lack of labour rights, labour trafficking is a much larger issue in manufacturing, farming and domestic cleaning/maintenance. Of course, since that labour is used to produce the goods the public use to maintain their lifestyles, politicians are less willing to tackle exploitation in those industries. It does not serve them to do so.



## 4. *"Sex workers have higher rates of STIs than the general public."*

Contracting an STI makes it harder to earn a living as a sex worker. Because of this risk to our health and income, sex workers tend to have more knowledge of sexual health and harm reduction than the general public. The public perception that sex workers are 'vectors of disease' is a perfect example of how stigma affects our community.

## 5. *"Limiting the rights of sex workers only impacts them."*

Sex workers are often the first group to lose rights. Because our community is so stigmatised, we are a politically palatable test population for oppressive legislation and policy. Once our rights are limited, that success can be used to limit rights of the wider population.

For example, the stigma and public discomfort around sex made it possible to convince people that all pornography is inherently harmful to all people all of the time. It then became easy to ban queer-inclusive sex education in schools by labelling it "pornographic" and therefore harmful to children.



# Online Laws Impacting Marginalised Groups

By: Ada Hamilton



Internet legislation in Australia has a long history of taking regulatory approaches used offline and bending them to solve online problems. Ideas bubble to the surface after something bad happens online, the media whips people up into a frenzy and politicians want to be seen solving a problem, and hopefully score a few votes for their side of the aisle along the way.

Governments and law enforcement both use what's often referred to as the Four Horsemen of the Infocalypse - software pirates, organised crime, child abusers, and terrorists - to justify legislation and give themselves political cover to deliberately crush and silence marginalised populations. They achieve this by removing their ability to safely use the internet to: earn a living, discuss difficult and even taboo topics without the fear of stigma and in-person consequences, organise communities or simply socialise with like-minded people.

Right now, as you read this, the federal government is getting serious about checking everyone's age before they go online, is still demanding secure messaging apps give law enforcement access to all our chats and is lining up to upgrade the already overbearing Online Safety Act to include even more content for censorship. What are these laws, why were they created and what impact will they have on groups already oppressed in our society?



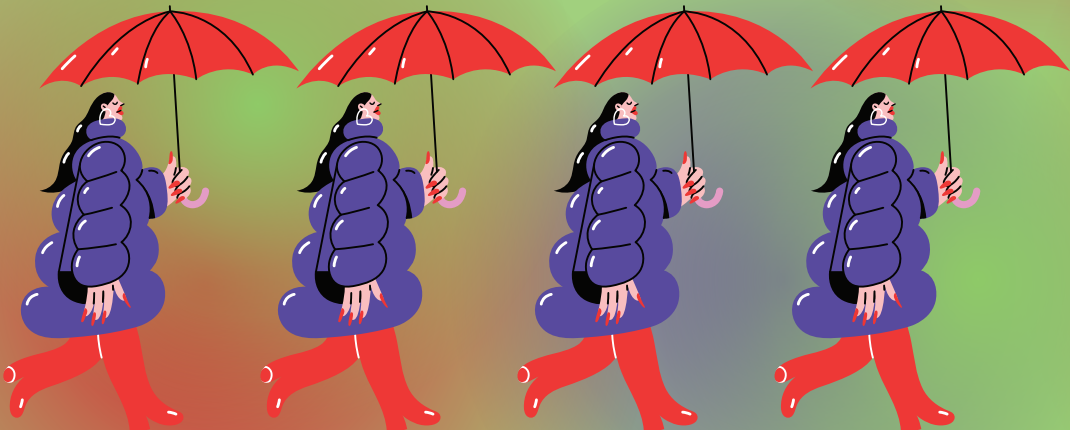
# Online Safety Act



The Online Safety Codes are guidelines used by the eSafety Commissioner to enforce the Online Safety Act's Basic Online Safety Expectations. The codes sort content into three categories - Class 1A, 1B and 1C. Class 1A is nasty stuff like child sexual exploitation, pro-terror content and "extreme" crime and violence. Where things get messy are Class 1B (crime, violence and drugs), and Class 1C material (pornography).

For the Commissioner to get Class 1B or 1C material removed, that content needs to "offend against the standards of morality, decency and propriety generally accepted by reasonable adults to the extent that such material should not be classified". Could a sexual act between consenting adults be considered offensive against the standards of reasonable adults? How about instructions on how to safely use criminalised drugs? Is organising people to do something that while could be considered a crime, is an act some of us wouldn't consider a crime, but some of us do?

We don't really know the answer because big social media platforms and the Commissioner avoid testing the Online Safety Act in court. The Commissioner doesn't want a situation where the law is found to be unreasonable by a judge and social media platforms don't want their dirty laundry aired in public. This results in overzealous automated moderation systems that take the Online Safety Act to the extreme, deleting more than necessary, silencing discussions, introducing more barriers for sex workers just doing their jobs and no recourse for unjust decisions.



# Age Verification



Nineteen US states have passed laws requiring age verification, usually with government ID, to access online pornography. These laws intend to “protect” children, but are deliberately worded to purposely conflate pornography with non-pornographic queer content, like drag shows, education about what it means to be gay or transgender or just sex education in general. Instead of protecting children, age verification laws do the opposite, making it more difficult for young people to access digital resources about these topics.

Australia is seriously thinking about doing the same as those US states but for all social media. How it will work exactly we don't know yet, but when policies like this come into effect, many internet services take the easier route and strictly ban adult content instead of doing the work to create systems and policies to allow both a “child safe” space and an “adult” space. We saw this when Apple demanded Tumblr scrub their iOS app of any adult material to stay on the App Store. Not being on the App Store would have been an existential crisis for Tumblr, so they took a salt the earth approach to appease Apple, removing not only adult content, but adult adjacent content, destroying communities for isolated and marginalised people worldwide.





# Threats to Encryption



End-to-end encryption is incredibly empowering for marginalised groups, levelling the technological imbalance that's historically weighted in favour of the oppressor. There's many reasons everyone is entitled to privacy, but marginalised groups gain so much from encryption as it allows them extra freedom to be themselves and live without the state looking over their shoulder.

It's no surprise then that cops absolutely hate encryption. They regularly claim that end-to-end encryption makes law enforcement exponentially more difficult. They'll wheel out the Four Horsemen of the Infocalypse (software pirates, organised crime, child abusers, terrorists) and after shocking us with deplorable criminal acts, they'll demand services like Signal, Facebook Messenger, WhatsApp and iMessage provide access to everything everyone is saying.

Governments and law enforcement seem to think that if the computer boffins just computer harder, they'll find a way to maintain the security of end-to-end encryption while also providing a way for good guys to monitor everything flowing through it - but that's a fantasy. Nobody that makes this software thinks it's possible and if anything, will make security worse for everyone as it's only a matter of time until a hacker finds that same secret door and what was secure, suddenly isn't.



# Marginalised Groups Need Our Help

Sex workers, activists of all kinds, journalists, the LGBTIQ community, people deemed enemies of the political class – any group that goes against the grain and threatens the status quo – uses the internet to reach people, make a living, organise their communities and share information. As the government pays more attention to the online world, politicians will continue to bend it to their will without considering who is impacted, using marginalised groups as scapegoats for their actions, with the convenient side effect of silencing those who already struggle to be heard. This isn't theoretical, it has already happened and continues to happen while the government thinks nobody is paying attention.



It's time to start paying attention. Listen to marginalised people when they say something about the internet isn't working for them or their access to parts of the internet will be cut off. These groups are the canary in the coal mine when it comes to the erosion of all our freedoms. Support organisations like Digital Rights Watch and Electronic Frontiers Australia and most of all, make some noise! Politicians can only succeed in ignoring us because the voices that speak up to defend the internet are a minority compared to those that influence government.





# How can you support sex workers?

Something to keep in mind when thinking about how you'd like to support our community is that *We Know Our Shit!* So when it comes to supporting us, amplify our voices and let us lead the way.

## Donate to sex worker peer organisations

Peer sex worker organisation are often under-funded, despite the monumental amount of work they do advocating to our governments and delivering services to our communities. When donating to a sex worker org, make sure it's PEER ONLY, or it's recommended by a peer only org! There are a thousand random people out there talking over us, and to be honest, they're not very smart.

Here are some Australian orgs that you can donate to today.

*Decolonise Sex Work AU*

<https://www.instagram.com/decolonisesexworkau/>

*BeemIT- DecoloniseSW*

*Scarlet Alliance - The National Peer Sex Worker Organisation*

<https://scarletalliance.org.au/donate/>

*Vixen - The Naarm Peer Organisation*

<https://vixen.org.au/donate/>

*SWOP NSW*

<https://swop.org.au/get-involved/donate>

*Respect Inc. QLD*

<https://respectqld.org.au/donations/>

# Terminology

## *Why do we use the term 'sex work'?*

The term sex work makes it clear that sex work is work, and exists in a labour rights context like any other job.

'Sex work' was coined in 1978 by Carol Leigh, an activist from San Francisco, and it forms the cornerstone on which the principle 'sex work is work', is built.

Sex work is an umbrella term that includes a huge range of roles: brothel worker, BDSM professional, phone sex operator, adult content creator, and much more!

Here is a list of terminology it's appropriate to use when referring to people working within the sex industry.

*Full service sex worker:* someone who includes intercourse in their service offerings. Sex workers sometimes use: 'provider', 'companion', 'worker'.

*Brothel worker:* a sex worker who works at a brothel (easy, huh?)

*Street-based sex worker:* a full-service worker who meets their clients in public.

*BDSM worker:* someone who offers kink, fetish, and BDSM services. You may also see a BDSM worker refer to themselves as a pro dom/domme, kink or fetish escort, Master, or Mistress. A lot of these words are gendered, and their use by a specific worker is a personal choice.

*Adult content creator:* a sex worker who appears in porn flicks, or produces their own content. Some folks might describe themselves as porn performers or pornstars. Always ask if you're not sure!

*Cam performer:* someone who performs on camming sites or provides live, private shows for their clients online.

Notice a through-line? Appropriate terminology positions sex workers as workers who provide a service.

Note: Sex workers can use words that civilians can't to express themselves within their community. If you hear a sex worker calling themselves a hooker or a hoe, that doesn't mean you can!



Learn more about sex workers, from sex  
workers at <https://tryst.link/>

# 4 ASSEMBLY FOUR

