

ESCORTS ONLINE:  
EFFECTS OF POLICY ON SEX WORK THROUGH DIGITAL SPACES

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## **ABSTRACT**

In April 2018, the Trump Administration approved two acts that frame sex work as human trafficking. Subsequently, the Federal Bureau of Investigation seized popular adult personals site, Backpage.com, used by Canadian and American sex workers. This led to the increase in censorship of online spaces, which sex workers require to safely conduct their independent business through advertising, processing secure transactions, and maintaining safe communication with clients and the sex work community. My work aims to understand how these changes have explicitly impacted sex workers as they advertise and communicate their services, working predominantly as escorts in Canada and the United States. Governmental documents and laws like Bill C-36/PCEPA and SESTA/FOSTA, which claim to save exploited populations, may harm autonomous citizens making a living through stigmatized labour by seizing their resources and forcing them to use outdated, unsafe methods of business and communication. Most, if not all, of these regulations are developed without the input of sex workers or relevant empirical evidence. Through interviews with current sex workers in Southern Ontario and an overview of ads, a deeper understanding of the communication practices of consensual sex work, its fight for decriminalization, and the importance of the Internet is reached.

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## **CHAPTER ONE: INTRODUCTION**

Over the last twenty-five years, various North American laws and policies meant to protect sex workers have been passed. These include Bill C-36, or the Protection of Communities and Exploited Persons Act (PCEPA) (Canada), and 115-164 SESTA/FOSTA (United States of America), both of which have in fact put sex workers in greater jeopardy. These pieces of ‘saviour’ legislation have endangered sex workers by equating them with trafficking victims, removing their measures of safety and communication with clients and the rest of their sex worker communities, effectively making sex traffickers and their victims harder to identify and apprehend. Without spaces like Backpage and Craigslist, used by both Canadian and American sex workers, escorts cannot ensure safe communication and transactions with their clients, and must change their communication practices. Laws that further criminalize the commercial sex industry disrupt the autonomous way in which sex workers have been able to advertise their labour. The sex industry in Canada, particularly as it concerns female-identifying persons who voluntarily work as escorts, has not been fairly represented or discussed by a segment of academia, representing only half of the debate on the matter (see Ekberg, 2004; Farley, 2003; Hughes, 2003b; Raymond, 2013). My research concerns itself with the ways in which the FBI seizure of popular personals ad site, Backpage, and increased censorship of websites and online forums, challenges the safety and exacerbates the inherent occupational risk for female-identifying persons who work as escorts in Canada. An analysis of ads pre- and post-SESTA/FOSTA, and personal interviews with sex workers are presented to uphold that ‘saviour’ legislation has proven far more dangerous than protective.

As a non-sex worker white woman, I acknowledge that my perspective on the matters of sex work, advertisements thereof and applicable legislation is not neutral, but rather grounded in

my own social and cultural biases. Working a job that is unburdened by stigma, it is a privilege for me to investigate the ways in which sex workers have been affected by policy, policing, and legislation without myself being affected by these developments. Being an outsider has limited my scope as well as my reach, therefore while my aim has been, from the start, to speak with sex workers and amplify their voices, I submit that my work and findings cannot be wholly representative of the lived experiences of sex workers in North America. Yet, I have been aware of sex work; on a family trip to Amsterdam when I was ten, I first saw women in red windows seducing passers-by. Since then, sex workers were a subtle but constant presence I would notice in books, movies, and television series, often portrayed as beautiful, glamorous women living a life of opulence, luxury, and vivid femininity, at least within the media I consumed. Of course, the news would show a very different kind of sex worker: the abused, struggling woman on the street riddled by drugs, offering tricks for no more than the price of a simple meal, bogged down by the circumstances of her life, void of hope for a better one. Still, sex workers of any sort felt distant from my reality, almost as though their existence could never intersect with my own.

In university, I began reading a user-generated gossip site that exposes the scandalous affairs and wrong-doings of people in different communities, including my own just outside Toronto. Names of girls I had gone to high school with, worked out at the gym with, or followed on Instagram were being associated with the terms ‘escort’ and ‘sugar baby’ (but more commonly referred to as ‘sluts’ and ‘whores’, a constant reminder of the whorephobia present among my peers). I would notice more frequently that young women in my broad social circle would be slandered for being ‘floozy’ and ‘eskies,’ with those submitting the posts boldly demanding that these women ‘just get a real job’. I will admit, that got me thinking: how were these women, most of them in their early twenties, who I knew were working as anything from

cashiers to bottle service girls, affording five trips a year, their own Mercedes, weekly hair appointments, lip fillers, and luxury goods? More importantly, where was I going wrong, working my minimum wage job while in school and feeling guilty if I bought Starbucks twice in one week? Perhaps the posts were right—perhaps these girls were escorts and sugar babies. And if that was the case, then they already had a real job.

A common practice on this gossip website is to ‘out’ sex workers. Initially used when referring to revealing one’s homosexuality, *outing* now also refers to an occasion when it is made public that one is a sex worker—in other words, revealing information that someone would otherwise keep private, usually for the sake of their safety. Many women would have their pseudonyms and advertisements exposed through gossip websites and forums. The stigma they would so pointedly try to avoid would catch up to them through the vengeful and harmful choices a scorned client, jealous ex-partner or scandalized acquaintance made by hitting ‘submit post’ on the website, only for the woman to swiftly see her reputation and image in ‘straight’ (non-sex working) society quickly falter. As the women interviewed in this thesis will confirm, stigma is the most dangerous part of the job.

The notion that a woman would willingly and happily participate in sex work and choose this as a career, whether it be their principal source of income or a temporary endeavour, is rarely included in conversations around labour, autonomy, and the legitimacy of the sex work industry. Rather, it is typically understood that ‘autonomy’ and ‘sex workers’ in the same sentence is either a typo or an oxymoron. The sex industry is a part of the larger informal economy, which includes the most intensely criminalized industries, in the least understood sectors, which have methods of organization and convention that are kept intentionally private, but exist, nonetheless.

The workers of these industries are confined to what sociologist Sudhir Venkatesh (2014) calls a 'floating city' or existing outside the confines of legitimate society.

Sex workers have been historically framed by legislation, including the Vagrancy Act and the Criminal Code of Canada, as well as news and entertainment media, as victims with no autonomy over their bodies, and more pointedly, victims of human trafficking (Van der Meulen, 2012; Van der Meulen, Durisin & Love, 2013). This became clear when the Trump Administration signed the Stop Enabling Sex Traffickers Act and Fight Online Sex Trafficking Act (SESTA/FOSTA), as an amendment to Section 230 of the United States' Communications Decency Act, into law in April 2018. SESTA/FOSTA received almost bipartisan support from the House of Representatives, with only two votes against (Cole, 2018). The verbiage in the acts allows the term 'prostitution' to go undefined and without distinction between consensual sex work and human trafficking. As such, through SESTA/FOSTA, (an example of 'saviour' legislation), sex work is not seen as legitimate work and sex workers cannot organize as workers in other industries would. Most tangibly, SESTA/FOSTA does not directly punish potential traffickers, but makes websites legally liable for any user-generated content found to facilitate or support prostitution (Cole, 2018). Under the new law, this involvement is a federal American crime. The law undermines Section 230 of the United States Communications Decency Act, which protects the right of citizens to communicate and share information through online communities, and challenges freedom of speech and net neutrality. In so doing, websites have been eliminated and forums through which consensual sex workers work safely online are censored: SESTA/FOSTA caused many sites to over-censor, to remove potentially problematic sections, or to completely shut down. Backpage, the second largest classified ad website known for its classified and personals sections, was seized before the two acts were even finalized and

announced. Allegedly, Backpage was the leading source for sex ‘trafficking’ ads on the Internet world-wide. Many of these ads, however, belonged to escorts working voluntarily, posting their own ads, and conducting their business in a safe, reliable manner.

I argue that indoor sex workers, namely escorts working independently and not through an agency, should not be classified as exploited or trafficked persons. Escorting is a subsection of sex work that involves not only physical, but emotional and intimate labour whereby the escort (still legally referred to as a prostitute) provides companionship as well as sexual services at an agreed-upon price. Often, these transactional relationships are discussed and planned prior to the escort meeting her client, after the client has had a chance to read the escort’s biography, peruse her etiquette expectations, and shop her price list. The escort is a modern businessperson, who utilizes various resources, namely the Internet, just like any other entrepreneur would. In independent escorting, the woman is her own business. With her clients, who she has vetted through online research and communication, boundaries between business transactions and romantic relationships are often blissfully blurred, as far as the client is concerned.

The saviour mentality guiding the legislation that affects sex workers is misinformed and misguided – sex workers do not need to be saved. In fact, “laws prohibiting or regulating prostitution [...] create highly complex and oppressive situations for women if they become involved in sex work” (Kempadoo, 2003, p. 145). ‘Saviour’ legislation implies that policy and laws passed by governments aim to rescue those involved without consideration of the community’s needs. At this moment in time, the autonomy of women involved in this line of work demands rights, not rescue. I do not deny that victims of the sex trade do exist, and human trafficking is a global problem that warrants resources and investigation. Nor is any of this to say that misogyny and sexism do not exist in the workplace of sex work (Smith & Mac, 2018, p.4).

However, women who work as independent escorts are now denied access to safe virtual spaces and are effectively being forced closer to the circumstances of trafficking, if they are unable to adapt to new avenues of communication, such as Instagram and OnlyFans. By taking away safe avenues for sex workers, those who were previously autonomous become victims, too. Online spaces are important for sex workers, especially those working independently. It is ultimately a matter of life or death, as their well-being relies on being able to vet clients, work safely and have a supportive, private community of other sex workers. Shortly after SESTA/FOSTA passed, many sex workers “reported feeling less safe and financially secure” (Blunt & Wolf, 2020, p. 119). The bill places all aspects of sex work safety under direct attack for consenting indoor sex workers across North America.

This research addresses both a timely issue through its focus on the effects of SESTA/FOSTA, and a stigmatized community. The former has been relatively unexplored with the exception of several new works, including Ashley Horning’s (2019), *Quitting the Sex Trade: Keeping Narratives inside the Debates on Prostitution Policy and Legislation*, and Whitney Polich’s *Away from the Screen and Back to the Streets: The Impact of FOSTA SESTA Legislation on the Lives of Sex Workers and Tensions within Online Activist Spaces* and Barwulor et al.’s (2020) *Disadvantaged in the American-dominated Internet: Sex, Work and Technology*. The 1999 text, *I’d Rather be a Whore than an Academic*, written by an anonymous PhD contributor, compares the general perspective of society on sex workers to the Marxist point of view of capitalism, and the way the worker is exploited as commodity. However, only in the case of sex work is the worker blamed for supposedly accepting their ‘commodity status.’ While the common worker cannot resist objectification due to the inherent oppression of the capitalist system, the sex worker is seen as willfully submitting to objectification to sell herself.

When she is not portrayed as a self-objectifier, the sex worker is portrayed as a victim. The often-misunderstood relationship between pre-supposed pimp and abused sex worker is not so different from the common dynamic between capitalist and worker, however this perspective omits the possibility of choice and autonomy of the sex worker. Not all sex workers are street prostitutes and more importantly, not all sex workers are victims. In fact, my research will focus on the ‘invisible’ segment of sex workers, the 80-90%, who work as escorts and choose to partake in this industry (Dennis, 2008, p.17) —those who do indeed have other career options available to them and cannot relate to the predator/prey paradigm.

The theoretical perspective assumed through my research is based on sex positive academics, including but not limited to Kamala Kempadoo, Carol Leigh and Laura Agustín. Sex positivity acknowledges the risks of sex-related practices but emphasizes diversity and freedom of choice (Williams et al., 2015). It champions that sex and the uses thereof do not challenge feminism, but rather represent a view through which one has the right to choose and use sex to their advantage, rather than to their detriment (Glick, 2000). Sex positive theory is also often referred to as pro-sex feminism, sex-radical feminism, or sexually liberal feminism. In summary, my work will attempt to fill the void that is present when combining notions of consensual sex work, use of digital space for savvy business by independent escorts, and the struggle to advertise their chosen form of labour in the face of perpetually harmful policy and legislative interference. It is important to note that although I use the term ‘women’ throughout my work, this is inclusive of all individuals that personally identify as women, including trans and non-binary individuals. None of the participants interviewed identify as trans or non-binary themselves.

## CHAPTER TWO: LITERATURE REVIEW

### Advertising: The Rise of Classified Personal Ads

Heavily debated whether educational and reliable or a vehicle of deceptive propaganda for the rich, the power of the press has been prevalent in Canada from the 19th century onward (Rutherford, 1975). ‘New Journalism’, pre-dated by the ‘people’s journals’, was made possible through technological improvements in machinery, as well as an influx of consumer goods thanks to industrial expansion, which “manufacturers and retail merchants wished to sell to the public through advertising” (Rutherford, 1975, p. 170). These improvements to the circulated press allowed for much larger audiences, and advertising soon became the primary source of revenue when costs and income became a concern: “By the end of the century, the press was filled with advertisements for theatres, restaurants, local stores, fine liquors [...]” (Rutherford, 1975, p.172). Increasingly following the 1950s, advertising and media efforts began playing a significant role in the legitimization of “middle-class men’s right to participate in the hedonistic pleasures offered by the postwar marketplace” (Coulter, 2014, p.21). In publications like *Playboy*, the women or ‘Playmates’ that adorned the pages drew the connection between sex and consumption and upheld the narrative that men are “naturally driven to ogle beautiful women” (Coulter, 2014, p. 24). While *Playboy*’s target audience was the financially successful, sophisticated male consumer (Coulter, 2014), sex and consumerism were realized differently through a specific type of advertisement.

Classified advertisements (‘classified ads’) have been a pervasive feature of newspapers since the mid-19th century, but they evolved differently from the marketing ads used to sell products (Lingel, 2020). These ads were underscored by a person-to-person connection rather than a company-to-person connection, intended to represent a personal exchange rather than a

professional one (Lingel, 2020). Due to their light-hearted nature, the act of browsing classified ads suggested a voyeuristic quality (Merskin, 1995). Additionally, as has been perceived when over-viewing contemporary sex workers' print ads, classifieds were and continue to be "an exercise in extreme brevity" (Lingel, 2020, p. 41). While classified ads can take many forms (for example, real estate, jobs, automobiles), personal ads have been the most controversial (Lingel, 2020). The search for connection, companionship or romance through newspapers and other forms of press elicited suspicion and stigma while closely reflecting the norms of dating, sexuality, and identity (Cocks, 2004; Lingel, 2020). In fact, classified and personal ads were key to the formation of subversive resistance at the margins of mainstream newspapers. Cocks (2004) explains that personal ads were perceived dangerous for women, as they were suspected to draw women into inappropriate social situations through the anonymous connections they enabled:

[...] classifieds were not only an area of danger, but also the location for meetings of diverse subcultures [...]. [...] they circumvented the moral surveillance which [...] was increasingly directed against freedoms which seemed to contain dangers of racial and sexual degeneration. (Cocks, 2004, pp.3-4)

Thanks to fewer editorial restrictions, personal ads created space for marginalized readers to partake in community building, expressed either directly or indirectly to other readers (Lingel, 2020).

In the early twentieth century, personal ads were used predominantly for either political messaging, or the covert selling of pornography (Cocks, 2004; Lingel, 2020). These 'disdainful' purposes meant that by the 1960s, classified personal ads became a fixture for alternative publications, with some of the highest-grossing alternative publications carrying a substantial number of personal ads, many of which were sexually explicit (McMillian, 2011). The content of these ads caused many editors to restrict or limit the number of classified personals available in their publications, further reinforcing the stigma that has come to be associated with personal

ads. In fact, “the moral judgements surrounding personal ads in newspapers have a parallel with the mainstream social resistance to online dating, where romantic encounters that start through mediated dating sites [...] are stigmatized as antisocial or perverse” (Cali et al, 2003, as quoted by Lingel, 2020, p. 44).

Classified personal ads elicit fears of anonymity and authenticity, wherein the intentions of these ads are often questioned. These concerns resurface online through message boards and online classified platforms (Cocks, 2004), like Craigslist. Craigslist, among other new media platforms, offers a free alternative to printed classified ads. As such, Craigslist quickly became known as the newspaper killer, reducing newspapers’ revenue from classified ads and providing the reader (turned user) with an easier interface to navigate and form connections (Christensen, Raynor & McDonald, 2015). The shift of classified personal ads from print to online, and the increased integration of the web into social life, ultimately began to reach and impact sex and sex work.

### **Online Sex Commerce and the Internet**

The sex industry has been making use of the Internet prior to the public introduction of the World Wide Web in 1991—in fact, sex commerce online could be traced back to the featured ads and forum-style discussions about sex workers on Usenet in the 1980s (Holme, 2012). Therein, Petter Holme notes that information amongst sex buyers, or clients, is spread through social networks because mass-media consumer channels ‘banish’ it, leading this group to use Internet forums and boards to disseminate sex work-related information (Holme, 2012). But clients, who are predominantly male, are not the only ones to make use of the Internet for the purpose of sex commerce. Sex workers, previously discussed to be perceived largely as women,

have experienced a great deal of change due to the ongoing expansion of the sex industry to online platforms (Castle & Lee, 2008; Heil & Nichols, 2014; Hughes, 2003a; Koken, Bimbi, Parsons & Halkitis, 2004; Nelson, Korgan, Izzo & Bessen, 2019; Pajnik, 2015; Keith & Earle, 2002; Soothill, Keith & Sanders, 2005). Naturally, these changes have been presented through research as either good or evil.

“Many independent escorts use social media, blogs, and newsletters to maintain connections and interactions with their clients, as well as to attract new clients by displaying their photos and persona through content creation” (Nelson, Korgan, Izzo & Bessen, 2019, p. 674). Indeed, the Internet has allowed sex workers, particularly escorts, to shift from street corners to online websites (Castle & Lee, 2008), and has supported the development of online services that support independent sex workers (Finn & Stalans, 2016). In turn this allows escorts to have more control over their clientele and business, whereas having to step out from behind the online persona (which I argue is the consequence of laws like SESTA/FOSTA) leads to less protection (Koken, Bimbi, Parsons & Halkitis, 2004), due to decreased anonymity and means of communication. Capiola, Griffith, Balotti, Turner and Sharrah (2014) compare the rates charged by escorts through online advertisements in relation to the escort’s sexual orientation, age, weight, and photos. More importantly for the scope of my research, Capiola and colleagues found that the ability to advertise online with the use of ‘honesty markers’ such as facial and nude photos allow for higher rates to be charged, increasing the financial gain and autonomy of the sex worker (Capiola et al., 2014).

Furthermore, Mojca Pajnik sees the Internet as a space of possibilities for sex commerce that allows for new practice, allowing sex workers to “engage in production of sexual scripts and images that often challenge the dominant power relations and gender norms in the sex industry”

(Pajnik, 2015, p.182). Simply put, the Internet allows for agency in sex work. However, Pajnik is diligent in noting that the exploitation of sex workers may ultimately be heightened by new media like the Internet, a notion supported by Nelson and colleagues, who claim that sex workers may become “convenient targets for law enforcement and federal abolitionist legislation aimed at disrupting Internet-facilitated sex work” (Nelson, Korgan, Izzo & Bessen, 2019, p.664). This perspective is not to be ignored, as it is a symptom of the conflation of the consensual sex trade with sex slavery, or human trafficking, which will be discussed shortly.

Still, this diversification of skills that is increasingly required and expected from indoor sex workers has been made more urgent by the Internet, as has the need for sex workers to engage in emotional labour. The Internet has restructured sex commerce in a way that “many middle-class sex workers have been able to benefit” (Bernstein, 2007a, p. 479). Interacting via social media is yet another facet of the ‘girlfriend experience’, requiring emotional labour from the escort, to render herself personable to her clients (Bernstein, 2007a; Nelson, Korgan, Izzo & Bessen, 2019). This engagement in seemingly genuine self-disclosure, reflective of emotional labour, serves to increase intimacy between client and provider, like the kind of intimacy one might find in a non-transactional relationship. Not only has the Internet allowed for sex workers with digital literacy skills to work independently, operate their business without much interference from the justice system, and gain greater profit by accessing elite and specialized clientele, it has also “enabled sexual commerce to thrive [...] by facilitating community and camaraderie amongst individuals who might otherwise be perceived (and perceive themselves) as engaging in discreditable activity” (Lane 2000, p. 198). Additionally, sex worker-run websites like The Erotic Review (‘TER’) are “considered a key resource for getting started in the

business”, with TER serving as “one of the largest databases of escorts and [...] free for escorts to access” (Nelson, Korgan, Izzo & Bessen 2019, p. 673).

In a 2010 study, 4% of the most popular websites in the world turned out to be sex related (Ogas & Gaddam, 2012). Unsurprisingly, given the common framing of the Internet as an open and free platform thanks partly to American net neutrality laws, the Internet is now the primary tool for selling sex services (Finn & Stalans, 2016; Ogas & Gaddam, 2012). As a result of the protections offered by technology and the way in which it has reshaped prostitution, sex workers, who conduct their business online rather than outdoors are less likely to encounter the dangers frequently associated with street-based sex work (Finn & Stalans, 2016), and yet, the prevalence of the sex trade online has not gone without its own set of critics.

A known critic of sex work, prostitution and ultimately the impact of the Internet on women in the sex trade, women’s right researcher Donna M. Hughes claims that the Internet has made it easier for men to access prostitutes while maintaining their own privacy (Hughes, 2003a). Pruitt and Krull (2010) seem to agree, stating that “men who peruse escort advertisements may perceive Internet sex work to be less coercive and more of a personal choice of the women themselves than is true of women who work in street prostitution” (Pruitt & Krull, 2010, p. 59). What is arguably problematic here is that this removes agency from the sex worker and places it solely in the client’s hand, particularly when considering that,

One of the advantages to men seeking sex workers via the Internet as opposed to the street or massage parlour is that they have more time to evaluate potential dates by examining their pictures and personal descriptors than men who drive through areas populated with streetwalkers or men who visit massage parlors. (Pruitt & Krull, 2010, p. 55)

Lastly these academics claim that it is not only the client (read ‘man’) that gains greater control over the sex worker through the Internet, but also the trafficker (Heil & Nichols, 2014; Hughes,

2003a). According to Hughes, Internet sex advertisement sites are appealing to traffickers because they are usually free of charge, and the promotion of sex for sale online is rarely directly punishable by law. Therefore, the trafficker can use the Internet, which is a legitimate means of communication, and frame their sale of non-consensual sex as legitimate by using words such as ‘date’ (Heil & Nichols, 2014). Since perceived traffickers were successfully finding buyers (note my use of the word ‘buyers’ rather than ‘clients’ in the context of trafficking to indicate lack of mutual consent) using online forms of advertisement, there was no need to find alternative methods. Following the law enforcement crackdown on websites that openly sell or aid in the sale of sex, many websites are now encrypted, and the use of hidden forums has skyrocketed. Online advertisements for the sale of sex put forth by traffickers rely heavily on codes, with noticeable patterns when an ad is referring to a minor - the words ‘child’ and ‘underage’ are rarely used, replaced instead with ‘fresh’ and ‘new’ (Heil & Nichols, 2014). For reasons like this, Hughes sees the Internet as a tool of empowerment for perpetrators rather than sex workers, explaining that “websites facilitate the marketing of women by pimps. Many escort services and brothels advertise on the Web [...] Men communicate with the pimps and book appointments through the Web or by email” (Hughes, 2003a, p .4).

Indeed, there is an argument to be made that the Internet and new communication technologies increase the imbalance of power in favour of perpetrators, but while scholars like Hughes choose to see this as an extension of the violation of women’s dignity and integrity that is prostitution, I uphold that this reinforces the difference between sex trafficking and consensual sex work.

## **A Brief Overview of Sex Work in Canada**

In the late 1970s, ‘prostitution’ began to be known as ‘sex work’, a politicized term coined by Carol Leigh in 1978 marking the transition from a state of being to a form of labour. ‘Sex work’ “generally indicates that the speaker thinks that selling sex is or can be work. It is therefore rejected by those who think that selling sex is not work” (Smith & Mac, 2018, p. 1). The predominant debate surrounding sex labour, both in my research and in many pre-existing works, is whether sex work is consensual labour, or exploitation (for example Agustín, 2005; Brents & Sanders 2010; Nelson, Korgan, Izzo & Bessen 2019; Weitzer 2010, all of whom take a different stance in the debate). Sex work is real work, becoming increasingly similar to mainstream service work (Brent & Sanders, 2010, p.45), and not any more exploitative than any other ‘job’ or form of labour in a capitalist economy (Marx, 1844).

In Canada, laws and theories try to tell sex workers that they are victims, but this is not the lived experience for most Canadian women in the industry (Van der Meulen, Durisin & Love, 2013). Sex workers want to be understood as knowledge producers and want their labour to be legitimate, but instead the stigma faced by sex workers is both institutional (at the hands of police and law enforcement) or personal (through friends, family, etc.). With all this in mind, to frame consenting sex workers as victims is incorrect, Victoria Love explains: “we are willful actors; to say that we are anything less simply doesn’t reflect our experiences” (Van der Meulen, Durisin & Love, 2013, p.17).

Throughout Canadian history, policy and legislation have endangered sex workers (McBride et al., 2020). While end-demand legislation encourages sex workers to contact the police, McBride et al.’s (2020) work demonstrates that end-demand laws, also referred to as the Nordic Model, exacerbate harm faced by indoor sex workers, rather than removing the barriers to

justice. Prior to 1867, Canadian laws concerning prostitution aimed to limit the number of brothels and minimize street-based prostitution and vagrancy, while also protecting women twenty-one and younger from defilement (Van der Meulen, Durisin & Love, 2013). These laws were based on the monetary value associated with women in comparison to men. Some cities allowed prostitution, as they saw a need for it to appease the male demand for sex. Toward the end of the nineteenth century in Canada, women could be charged and detained for vagrancy simply for being prostitutes. The Vagrancy Act of 1869 “maintained the existing status offence for prostitution and added new provisions that criminalized men who were found to be ‘living on the avails’ [of prostitution]” (Van der Meulen, Durisin & Love, 2013, p.20). Ultimately, the Vagrancy Act was absorbed into the Criminal Code—the first federal Criminal Code, which included many provisions against prostitution and immoral behaviour.

In 1972, it was argued that the offenses established through the Vagrancy Act were in violation of the 1960 Bill of Rights. This led to the replacement of vagrancy legislation with laws against solicitation (Van der Meulen, Durisin & Love, 2013). Because they were separate from the Vagrancy Act, the bawdy house and procurement sections of the Criminal Code remained. Being a prostitute was no longer illegal, but related activities were, leading to confusion for law enforcement. Unfortunately, this meant women continued to be disproportionately targeted. Bill C-49, put forth in 1985, aimed to make communication for the purposes of prostitution illegal as per the Criminal Code, both for workers and clients. This would have sex workers “liable for arrest at the mere suggestion of sex” and would designate parked cars as public spaces (Van der Meulen, Durisin & Love, 2013, p.23). Bill C-49 was added to the Criminal Code as Section 195.1, later section 213. Criticism of the bill in the following years revolved mainly around the fact that it did not eliminate prostitution from Canadian society, it only displaced it (Lowman &

Atchison, 2006). Effectively, Bill C-49 increased the marginalization of sex workers and rendered them easier targets.

In 2014, Bill C-36, the Protection of Communities and Exploited Persons Act, received Royal Assent. I uphold that this is yet another example of ‘saviour’ legislation as it treats prostitution “as a form of sexual exploitation that disproportionately impacts on women and girls” (Department of Justice, Government of Canada 2014, p. 3). The aim of this legislation is to protect the dignity of Canadians by “denouncing and prohibiting” commercial sex, particularly on the side of the buyer, but also by discouraging the “institutionalization of prostitution through commercial enterprises, such as strip clubs, massage parlours and escort agencies that offer sexual services for sale” (Department of Justice, Government of Canada 2014, p.3). Like many other decisions made by law enforcement and government in North America, Bill C-36 does the opposite of protecting the dignity of sex workers, rather further criminalizing and stigmatizing them in the eyes of the law as well as society.

### **Labour & Emotional Labour**

Sex work and its subsets are framed as ‘marginalized labour’ by academics like Chris Bruckert, Colette Parent and Pascale Robitaille, who assert that “‘prostitution’ is not recognized as a profession like any other. On the contrary, within traditional criminology, it has (erroneously) become the symbol of female criminality [...] it represents the ultimate symbol of women’s oppression” (Bruckert, Parent & Robitaille, 2003, p.1). Indeed, while those who perceive sex workers as consenting labourers, a perspective held largely by sex-positive academics and feminist, uphold the value of prostitution as labour, understanding that sex work is real work is not yet a mainstream perspective (Van der Meulen 2012). Interchangeably

referred to as prostitution, many liberal intellectual opponents of sex work assume a prostitute is always a helpless, objectified victim reduced to a commodity on the market, conflating prostitution with paid slavery (Farley, 2019, p.1). Certainly, prostitution could be degrading for those who do not want to be prostitutes, but many (and importantly, the demographic of sex workers on which my research is based and those consulted therein) choose to do it despite options of other work (Roberts et al, 2010). Prostitutes are not the only ones who are commodified—we are all objectified by capitalism, and our labour, be it sexual or not, is a commodity for sale.

Marxist thought does not blame the worker for being a commodity because capitalism reduces us all to the labour we produce and sells us. Yet, this unspoken understanding is not awarded to sex workers. Although it is the oppressive economic and social systems we exist in that lead to objectification, most blame sex workers for their respective oppression, as though they could somehow objectify themselves without the pre-existing socio-economic conditions at play in a capitalist society. In fact, the pimp/prostitute dynamic that is so eagerly portrayed by the media is not too different from the capitalist/worker dynamic. Although Marx saw prostitution as inherently problematic, this also rang true for his perspective on other forms of labour. His comment, ‘prostitution is only a specific expression of the general prostitution of the labourer’ (Marx, 1844), opened the door for others to equate sex work with labour. As an anonymous PhD working as an escort from University of California-Berkeley wrote in 1999: “like the stereotypical pimp, the capitalist’s objective is to derive the most profit from the worker’s labour and pay the worker as little as possible”, a notion upheld by Marxist feminists, who argue that “capitalism continues to be the overarching oppressor of women. As long as capitalism exists, women will live in a patriarchal state” (Gerassi, 2015, p. 3).

Noticeably through various academic and political texts, the prostitute is condemned due to fear and hatred of sex, as well as the assumption throughout history that women who sell sex are evil (Van der Meulen, Durisin & Love, 2013; Ross, 2010; Weitzer, 2010). After feeling more exploited by academia than prostitution, the anonymous PhD explains that we are all victims of exploitation, but prostitution is a relatively invisible occupation that allows many opinions of capitalist abuse to be projected onto it. For sex workers to be given rights, they must first be seen as labourers in a necessary sector of the service industry (Bernstein, 2007a; Van der Meulen, 2012; Wolkowitz, 2002). In the late 1990s in post-industrial American cities such as San Francisco, it was as common to see a 'help wanted' sign for an information-technology company as it was for a sex work agency (Bernstein, 2007a). In post-industrial economies, women have historically worked the lower-paying, less reliable jobs. By comparison, sex work including but not limited to escorting and stripping is tempting to middle class women thanks to its high pay and stability. In interviews for her work, *Sex work for the middle classes* (2007a), Elizabeth Bernstein spoke to women who had transitioned from mainstream jobs to sex work. Most if not all shared that they joined sex work because it paid better and was more lucrative than jobs in the mainstream market. This view is supported in Brents and Sanders's 2010 work on mainstreaming the sex industry. 'Mainstreaming' refers to the expansion in the size of the sex industry. And, just as one has a career trajectory in mind when working in technology, hospitality, or any other sector, so do women in sex work: the goal for many indoor sex workers, whether they are working class or middle class, is to work independently (Ditmore, Thukral & Murphy, 2005). Women in Bernstein's interview also expressed that they were constantly working on skills to better their business (of selling sex), such as marketing, massage certification and yogie

breathwork: “For middle-class women, cultural capital, work experience and special training often constitute vital components of sexual labour” (Bernstein 2007a, p. 482).

Cultural changes and neo-liberal policies have allowed for the economic mainstreaming of sex work, not only in North America but globally (Brents and Sanders, 2010). Although for the purpose of this research my interest lies solely in North American sex work advertising and regulation, a global lens is often useful. International travel, changes in consumption and more leisure time have “increased the visibility of sexual commerce” globally and locally (Brents and Sanders, 2010, p. 41). Interestingly, Brents and Sanders’s (2010) work upholds that sex work has experienced increased acceptability in non-sex industry commercial networks. I question the validity of this in our current socio-political economic climate at the turn of the decade, given the introduction of legislation like SESTA/FOSTA. With that said, sex labour has become increasingly an option for many women over the last two decades, and notably more-so for middle class women, thanks to the proliferation of sex work advertising over the Internet (Nelson, Korgan, Izzo & Bensen, 2019). As mainstreaming relies on social and economic integration, it is difficult to ignore the similarities between sex work and widely accepted labour practices. For example, sex work businesses increasingly adopt traditional business forms such as franchising, marketing, and traditional-style financing (Brents & Sanders, 2010). Sex work is work because, like many other industries, it requires a wide range of skills and knowledge. Further, seeing sex work as real work is supported by the fact that most sex workers do not feel that their work defines them any more than workers in other industries do (Pajnik, 2015). In fact, the similarities run so deep that material conditions of both sex worker and non-sex worker women provide the sexual servicing of men, suggesting that this is not specific to the sex industry, but is rather a common feature of women’s waged work (Baron, Adkins & Kwolek-

Folland, 1996). Middle class workers now turn to sex work for livable wages in expensive urban communities, like Toronto, that have expensive urban living and low wages for long hours in traditionally mainstream jobs.

Framing sex work as real work is also fundamental to ensuring that workplace standards are enacted and maintained for sex workers (Van der Meulen, 2012). The decriminalization of prostitution-related offenses is crucial to this paradigm, a notion to be further discussed in my overview of literature addressing policies and legislation. Emily Van der Meulen conducted twelve interviews (two of whom were former sex workers) for her work in 2012, which indicated sex workers would benefit from written contracts (within reason) and workers' compensation benefits—facets that are rights, and not a privilege, for labourers in other industries. Most erotic dancers in Southern Ontario do not receive a salary from the clubs in which they work and often must pay an out-of-pocket fee to be allowed to perform in a strip club (Lewis, 2006). Unwritten problematic standards in sex work establishments such as the 'black girl limit', paying racialized workers less than white sex workers for the same services provided, and fair pay for time worked (an issue most commonly found in massage parlours) (Van der Meulen, 2012, p. 156), would be diminished should sex work be accepted as a form of labour and decriminalized, although it would not overcome managerial practices that work to deny sex workers access to most labour protections.

Sex workers, like workers in other sectors of the service industry, increase their earnings, control, and sense of autonomy by engaging in emotional labour (Lewis, 2006; Bernstein, 2007a; Sanders 2005; Hochschild, 2003; Chapkis, 1997; Love, 2013). Arlie Hochschild coined the term 'emotional labour' in 1983, later expanding on the concept, noting it requires:

[O]ne to induce or suppress feeling in order to sustain the outward countenance that produces the proper state of mind in others [...] the sense of being cared for [...]. This

kind of labour calls for a coordination of mind and feeling, and it sometimes draws on a source of self that we honor as deep and integral to our individuality. (Hochschild 2003, pp. 6-7)

Hochschild presents this through a case study of Delta Air Lines flight attendants, who constantly smile, disguise fatigue, frustration, and so on, all for the comfort of the passengers on-board. Similarly, sex workers must manage their feelings at work and portray the feelings their clients want from them. Hochschild is also known to refer to this as ‘deep acting,’ which aligns with what Elizabeth Bernstein calls ‘bounded authenticity’. Although sex workers disagree on whether they are performing ‘deep acting’ as opposed to ‘surface acting’ (the former referring to “real feelings that have been self-induced” (Hochschild, 1983, p. 35) and the latter meaning using “the body, not the soul, as the main tool of trade” (Hochschild, 1983, p. 37)), clients value authenticity despite the transactional nature of client/provider sex trade interactions. This can include emotionally engaged conversation, mouth-to-mouth kissing, and other acts that go beyond sex that one might engage in with an intimate partner—something that escorts (but not street-based sex workers, strippers, or masseuses) offer, referred to as the ‘girlfriend experience’, or GFE (Capiola et al., 2014; Pruitt & Krull, 2010; Keith & Earle, 2002). The ‘girlfriend experience’, almost always the highest-priced service offered by an escort, can be understood as “sex with a prostitute that seems as if it is consensual and unpaid” (Keith & Earle, 2002). Enacted emotional authenticity wherein the boundaries are blurred but always enforced, particularly in transactional instances of sex work, require strategic signaling of said authenticity for clients (Sanders 2005). Emotional labour, deep acting, and bounded authenticity are all facets of escorting, and are important components of a client-provider interaction for clients who invest a large amount of money and expect more than a fifteen-minute trick (Bernstein 2007a).

## Stigma

The most common hurdle identified both in practice and on paper that gets in the way of the decriminalization of sex work and its conceptualization as labour is stigma.

Erving Goffman defines stigma as an “attribute that is deeply discrediting” (Goffman, 1963, p. 12). It is an attribute that conveys a devalued stereotype and restricts the well-being of stigmatized individuals. It is also an attribute that is in direct contradiction with the status quo. Expanding on Goffman, Link and Phelan’s 2001 work divides stigma into four simultaneous processes: labeling human differences, stereotyping said differences, separating those labeled from ‘us’, and status loss and discrimination against those who have been labeled (Link & Phelan, 2001). This therefore allows us to understand how stigma relates to the creation, reproduction, and consequences of social inequalities. Thus, we can discern that stigma is a common lived experience for sex workers, who for a variety of reasons have become a highly stigmatized group (Agustín, 2005; Brock, 1998; Dawn, 2013; Lewis et al., 2005). In fact, prior research has described discrimination against sex workers as rooted in the stigmatization of sex work as well as in its position as an illegitimate occupation (Brock, 1998; Parsons, 2005, p. 156). This is demonstrated through academic claims that past sexual trauma is fundamental to one’s entry into sex work (Farley, 2004), wherein homelessness, domestic abuse, economic exploitation, and sexual assault are considered “the norm for women in prostitution” (Farley, 2004, p. 2). Unsurprisingly, scholars who claim this are the same who claim prostitution is violent, oppressive, and exploitative (see Dawn, 2003; Farley, 2004; Giobbe et al., 1990), a perspective not shared by the sex workers interviewed for this project nor sex-positive theory. Nonetheless, the principle of traumatic re-enactment, or “placing [oneself] at emotional risk or in

physical danger in a compulsive mimicry of the past” (Rogers, 2020, p.1) continues to be a guiding axiom for ‘saviour’ legislation.

Moral panic in the 1960s surrounding taboo activities like drug use, sex and even the facilitation of social interaction, was fundamental to media and advertisements at the time (Martel, 2006). One characteristic of moral panic, whether it be concerning marijuana, or sex work, “concerns the presentation of news and a way of reporting social reality that favours a specific angle, which [...] was sensationalistic and tragic” (Martel, 2006, p.14). Representations of marijuana users in news coverage for the *Globe and Mail* and the *Toronto Telegram*, which have later been revealed to present inaccurate facts (Martel, 2006), uphold harmful stereotypes like the ‘stoner’ or the ‘slut’. Van Brunshot et al. (1999) studied coverage of sex workers in five major Canadian newspapers from 1981 to 1995 and identified four dominant themes: sex work as a nuisance; sexually exploited children; violence against sex workers; and non-Western sex work and exploitation. This framing of sex workers that essentially pulls on viewers’ heartstrings by attempting to evoke empathy is an advertising strategy that also impacts charitable campaigns and ads about poverty: in each instance, “the victim is often viewed as culpable” (MacLennan, 2018, p.227). The notion that poverty is caused by the poor prevents systemic and legislative change (MacLennan, 2018), and is mirrored by the notion that sex workers are the cause of their own harm. These enduring social values and the misconceptions they breed “prevent [...] agencies from providing a complete narrative [...], but instead a more palatable one is engineered” (MacLennan, 2018, p. 227). Therefore, autonomy, empowerment and success are left out of most media representations of sex work, an industry which has long been framed as taboo (Aminath et al., 2008; Bell, 2009; Green, 1989; Hammond & Kingston, 2014; Marcus, 2016).

Foucault rejects the notion that, although taboo, sex and sexuality have been societally repressed (Foucault, 1976). Rather, he claims that we have a “will to knowledge” about sex, reflected in (but not limited to) discourses of criminal justice and demography” (Foucault, 1976, pp. 53-57). Additionally, in response to the belief that one must liberate themselves from sexual repression by acting on their sexuality, Foucault argues that attempting to act on the notion of true sexuality does not achieve freedom, as there is no ‘true’ sexuality at all (Foucault, 1976). By outing sex workers, or asking them to reveal their occupations, the obligation of confession becomes the constraining power (Foucault, 1976). This push to reveal a sex worker for what she is becomes “akin to a secret whose discovery is imperative” (Foucault, 1976, p. 34), a ‘secret’ which, when revealed, often exposes the sex worker to the dangers of stigma.

There is a dichotomy within the popular conceptualization of sex work, wherein escorting is considered ‘high class’ as the safer, lucrative, and invisible option, whereas the danger and low income of street-based sex work pushes it to the bottom. However, sex work faces a low social status overall (Lewis et al., 2005). Off-street sex workers often refer to themselves in ways that distance them from street-based sex work, for example a stripper might call herself a ‘performer’, or an escort might say she is not ‘like them’, referring to street-based prostitutes (Lewis et al., 2005). Moreover, stigma varies by gender, meaning that women in sex work carry more stigma than men, a phenomenon that is noticed when thinking of the narratives around women in the sex trade: often labeled ‘hookers,’ ‘prostitutes’ and ‘whores’, as opposed to men in the industry, who are almost always called ‘hustlers’. Furthermore, “scholarly discussions of sex workers nearly always specify “she”, “her”, or “the woman”, as if no man ever sold his sexual services” (Dennis, 2008, p. 12). Therefore, since women are greater victims of stigma and are more likely to be seen as deviants than male sex workers, women have to manage their identities

more carefully (see *Vagrancy Act of Canada*, 1869; Lewis et al. 2005). Unlike men in the sex industry, female sex workers' experiences with stigma expand beyond their working lives. While a male escort might be understood as pursuing a 'side hustle' to earn disposable or greater income, a woman who sells sex is considered a victim of other's actions (Agustín, 2005). And, even though, there are many male and transsexual sex workers, prostitution discourse implies that those who sell sex are women and those who buy sex are men. Much of the literature on sex workers in the early 2000s perpetually victimized the female prostitute, condemning her to a narrative of no agency and even some undesirable character flaws: drug addiction, childhood trauma, etc. (see Farley, 2003; Dawn, 2003). Consequently, I agree with Laura Agustín (2005) who argues that seeing sex workers unequivocally as victims disqualifies elements of their identity and truth.

“Challenges faced by women working in the inner-city sex trade” by Brown, Higgitt, Miller, Wingert, Williams and Morrissette (2006) perfectly exemplifies the tone with which academia often treats and presents sex workers. The study examines inner-city women from Winnipeg who are survival sex workers—women that enter the sex trade due to lack of options and dire need for money, as well as fear that, for example, their children will be taken away (Brown et al., 2006). It also addresses the challenges faced by sex workers in disadvantaged urban neighbourhoods and the hurdles they face in trying to exit the sex trade. Brown et al. draw on previous research by Baker, Case and Policicchio, who noted that “studies have shown that women working in the sex trade face numerous challenges on a daily basis, including poverty, violence, health, addiction, law enforcement and community exclusion” (Brown et al., 2006, p. 39). Brown and colleagues interviewed twenty-one women, claiming that very little information from the perspective of women in the inner-city sex trade was available at the time. This is an

example of research that has led most sex worker organizations and alliances to effectively blacklist researchers, despite highlighting legitimate challenges escorts face, as most academia presents an account of sex workers' experiences told without the input of any actual sex workers. The 2006 study suggests that there is only shame and harm to be experienced or felt through involvement in the sex trade, going as far as framing the process of exiting the industry as 'recovery'. The few participants interviewed for the Brown et al. paper "felt that neither law enforcement nor community residents cared about them" (Brown et al., 2006, p. 50). Considerable academic research on sex work does not centre sex workers' wellbeing, either, as the common framing remains that of a victim needing escape from the sex industry (examples include Lane, 2000; Hughes, 2003; Hughes, 2005). This framing is harmful as it implies, once more, that sex workers have no autonomy in their work, which is not uniformly true for all indoor sex workers.

Increasingly, research involves sex workers' voices and opinions, speaking with them, not to, for, or about them (including Allan et al., 2014; Benoit et al., 2017; Dawn, 2013; Holme, 2012; Horning, 2019; Sterling & Van der Meulen, 2018; Weitzer, 2010). As such, a shift in perspective could be perceived. Instead of focusing on the flaws of the women, who decide (a word used sparingly as many question the agency involved in entering the sex trade) to participate in sex work, research, and memoirs by sex-worker academics like Amber Dawn shift the focus unto ways in which systematic flaws are the true root of harm. Dawn (2013) explains that sex workers feel that the laws intended to protect them have failed them, and that sex workers are seen as servants of the patriarchy, accusing North American society of being whorephobic. Stigma is faced at a much larger scale through politics, policies, and the media, all of which have played a role in the 'sex panic' caused by equating sex work with sex trafficking.

## **Modern Slavery: The Sex Trafficking Debate**

Without question, the most divisive point of debate amongst researchers, politicians, media, and citizens is whether sex work is a consensual form of labour, or if it is a form of modern slavery, specifically sex trafficking. International reports demonstrate that sex trafficking is indeed a problem that merits attention, but the amount of people trafficked across borders yearly, whether for sexual or labour purposes, is unknown. According to the Trafficking Victims Protection Act, sex trafficking is a commercial sex act that is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age. Abolitionist groups claim that trafficking is a growing problem, but these claims are not substantiated by evidence (Weitzer, 2010). Still, the tactics of these groups do gain media traction and the attention of policy makers. A common tactic is to frame trafficking as an epidemic (Lancaster, 2011; Weitzer, 2010). The crusade against trafficking, and ultimately against the sex trade, generalizes that all clients are criminal predators, and all sex workers are victims, however studies show that the correlation between client and predator remains low (Brooks-Gordon, 2006).

In her study through the Sex Workers Project of the Urban Justice Center, social work academic Crystal DeBoise notes that involvement in sex work can be coerced via trafficking, circumstantial or chosen, but specifies that over half of the social service clients at the Center meet criteria to be defined as victims of human trafficking (DeBoise, 2014). DeBoise's paper seems confused, to some degree, about the 'victims' of which it speaks: while at some points she writes that the women are not believed when they say that they left a lower paying, minimum wage job for a higher-paid one in the sex industry, DeBoise also makes it understood that trafficking victims are not differentiated at all from consenting sex workers, who may find

themselves at the Center for other reasons. In fact, trafficking victims and sex workers are treated using the same social work techniques and methods, such as counselling and therapy.

Throughout, DeBoise frames sex workers as needing help and treatment. This framing may lead readers to believe that trafficking victims pursue sex work because they need money, but DeBoise does not point out that sex work is not always and in all ways one with [or the result of] trafficking. In critical sex work literature, however, it is emphasized that sex work, although conflated with it, is both not inclusive of and not synonymous with sex trafficking (Agustin, 2007; Albright & D'Adamo, 2017).

It is likely that these sorts of accounts lead to national and international confusion regarding the problem of trafficking and the truth of sex work. Numbers presented by the United States Government, for example, have gone from 45 000 to 50 000 people trafficked in 2000, to 18 000 - 20 000 in 2002, to 14 500 - 17 500 in 2005 (Weitzer, 2010, p. 18). Few organizations have challenged these figures, but a General Accountability Office evaluation pointed out that these figures are estimates and that there are gaps in the methodology to acquiring these statistics (General Accountability Office, 2006). Furthermore, the State Department's 2008 *Trafficking in Persons* report did not provide concise figures at all, opting instead to use the general term, 'thousands'. A White House press officer during the Bush Administration stated that it is more about how awful the crime of trafficking is than the actual numbers involved (Weitzer, 2010). So, when numbers are challenged, officials are quick to say the numbers do not matter. However, the American government continuously cites numbers when justifying enforcement to rescue victims of trafficking and intrinsically, 'victims' of the sex trade. Resources on human and sex trafficking provided by the Canadian government also feature vague wording and a stark absence of facts and figures. Instead, the federal government's website offers statements such as:

“Canada is also a country where domestic trafficking for sexual exploitation prevails,” with no statistics to follow (RCMP, 2020, p.1). Further, Canadian laws are not harmless either, as it was concluded that shortly after the Protection of Communities and Exploited Persons Act (PCEPA) was passed in 2014, reinforcing the end-model approach wherein purchasing, but not selling, sexual services is illegal,

18 per cent [of sex workers] were not able to access health services when needed, compared to 13 per cent prior to the law. Similarly, 77 per cent accessed sex work support services before the law was changed and that dropped to 69 per cent after the new legislation. (Picard, 2018, p. 1)

Another grey area noted in academic literature is how many ‘victims’ are true victims, and how many have chosen to sell sex (Brooks-Gordon, 2006; Brysk & Choi-Fitzpatrick, 2012; DeBoise, 2014; Guerette & Bowers, 2009; Lancaster, 2011; Weitzer, 2010). Abolitionists and radical feminists argue the former, asserting that no one can consent to working in the sex industry (Ekberg, 2004; Farley, 2003; Hughes, 2003b; Raymond, 2013). Hughes upholds that the connection between trafficking in prostitution is paramount, as is the fight against commercial sex overall, while Melissa Farley claims that “prostitution is best understood as a transaction in which there are two roles: exploiter/predator and victim/prey,” and that clients of sex workers are “in the same category as rapists, pedophiles, and other social undesirables” (Farley in MacLeod et al, 2008, p. 30).

Along with religious conservatives, abolitionists and radical feminists have pushed against prostitution for decades, labeling it a source of societal moral decay and heavily influencing the American government, which impacts Canadian policing, politics, and policies, too. Not to be overlooked, however, are Canada’s own abolitionists and laws, including the Criminal Code of Canada itself which does not make mention of ‘pimping’ but criminalizes “sex workers and their clients [...] under s. 213 (the communicating offence), s. 210(2)(a) (being an

inmate of a bawdyhouse) and s. 210(2)(b) (being found in a bawdy-house)” (Bruckert & Law, 2013, p.16). Alongside anti-trafficking movements, laws have given new opportunity for conflating trafficking with sex work, which leads to the development of unjust regulations and ‘saviour’ legislation.

### **Policing, Policies and Legislation Research**

The relationship between sex workers and authorities has been well-documented over the years by academics, highlighting the tensions (Van der Meulen & Durisin, 2008; Weitzer, 2010), attempts at regulation (Horning, 2019; Larsen, 1992; Lewis & Maticka-Tyndale, 2000; Maticka-Tyndale et al, 2005) and overall effects of policing on sex work (Cimino, 2019; Pivot Legal Society, 2006; Ross, 2010; Showden & Majic, 2014). An understanding of the Criminal Code of Canada, specifically the provisions dealing with prostitution, is crucial to sex work research and is explained in various works, including those by Larsen (1992), Lewis & Maticka-Tyndale (2000), Maticka-Tyndale et al. (2005), Pivot Legal Society (2006) and Van der Meulen & Durisin (2008). Prostitution in Canada is not illegal, but the conditions through which it stays legal render it unsafe. This is largely due to these provisions of the Criminal Code of Canada criminalizing activities associated with prostitution, as well as Bill C-36, or PCEPA, (2014) and the corrupt ‘pick-and-choose’-style law enforcement put forth by the authorities that make sex work in any form at least somewhat unsafe. Described as an “‘abolitionist’ approach to sex work” (Galbally, 2016, p. 135), Bill C-36 emulates the Nordic Model in that it continues to criminalize prostitution on the demand-side, resting on the radical feminist perspective that sex work is exploitative (Galbally, 2016; McLean, 2017), and those involved must be saved.

No clear statistics exist indicating how many people in Canada are involved in the sex industry (Pivot Legal Society, 2006). Evidence suggests that most sex workers in Canada operate as escorts, in massage parlours, or independently, and make use of both print and Internet ads. In Vancouver, it is estimated that less than 20% of sex workers are street-based (Pivot Legal Society, 2006, p. 18). Still, indoor sex workers and escorts are largely ignored in research (Lewis et al., 2005). In a 2006 Vancouver-based study, street-based sex workers stated that the bawdy-house provisions in the Criminal Code kept them from working indoors and in a safer environment, indicating a direct correlation between policy and harm (Pivot Legal Society, 2006). Law enforcement often prevents street-level sex workers from having a substantial and constant influx of clients, forcing them to work in high-crime areas of the city they are in. Since street-based sex work is more visible than other forms of sex work, and is deemed a public nuisance, many street-based workers often face harassment and assault at the hands of the police; because of this, “[s]treet-level workers described having little faith in the government, and little faith that anything could be done to further the protection of their human and labour rights” (Pivot Legal Society, 2006, p. 20).

This sentiment is not isolated to sex workers in one part of Canada. Sex workers in Edmonton and Calgary expressed feeling restricted by by-laws concerning advertising and licensing, and Lewis and Maticka-Tyndale’s overview of the stigmatization of the escorting sector in Windsor, Ontario following the attempt at municipal involvement and licensing of the local sex trade tells a similar story (Lewis & Maticka-Tyndale, 2000; Maticka-Tyndale et al., 2005). Specifically, Lewis and Maticka-Tyndale’s research paints the picture of a task force that did not enact any actual regulations, but who instead jeopardized all the progress made toward rights for sex workers in Windsor through police-initiated victimization, entrapment, and abuse.

Similarly, the 1980 Vancouver-based vigilante task force ‘CROWE’, or Concerned Residents of the West End, assumed a “well-funded leadership role in coordinating a vigorous crusade [...] against Vancouver’s prostitutes” (Ross, 2010). CROWE tried to influence legislation and political agendas, often through acts of violence, like throwing beer bottles at sex workers. Not surprisingly, CROWE was able to convince the Mayor, city councillors and members of parliament that prostitution was a blemish on urban living. Papers like those written by Ross demonstrate scary but true instances of law enforcement leading to increased stigmatization, danger, and displacement of sex workers in Canada.

Larsen (1992) and Lam & Lepp (2019) both emphasize that the police usually only act when complaints are made or other violations of the Criminal Code are present, the latter exemplifying this through an analysis of RCMP massage parlour raids, but journalist and sex worker Melissa Gira Grant provides a critical account of police involvement in sex work, both street-based and indoor, through her 2014 book, *Playing the Whore: The Work of Sex Work*.

Police violence isn’t limited to sex workers who work outdoors. [...] 14% of those who primarily work indoors reported that police had been violent toward them; 16% reported that police officers had initiated a sexual interaction. [...] In most cases, it’s not necessary for police to observe a sex act in progress in order to make an arrest. (Grant, 2014, p. 5)

Escorting in Canada during the late 1970s is deeply intertwined with police involvement in the sex trade, as explained by Lewis and Maticka-Tyndale: “escort services filled the void left by police crack-downs on massage parlours and other fronts for prostitution” (Lewis & Maticka-Tyndale, 2000, p.437). The abusive trend trickled throughout the first half of the twentieth century, too:

Official policy concerning prostitution vacillated between controlled toleration and moral zeal. During times of abolitionist fervour, sex workers were flushed out of brothels, hustled off East End [Vancouver] streets, charged as inmates or vagrants, fined, occasionally jailed, then discharged only to become vulnerable, once again, to waves of civic protest. (Ross, 2010, p. 198)

Academics, including Grant, Lewis, Maticka-Tyndale, and Ross, indicate that more often than not, governmental, or legal meddling with the sex trade has done more harm than good for the very group they at least partially claim to protect by removing means of communication or the possibility of anonymity, from the reach of sex workers. In fact, “Canadian municipal and federal regulations violate sex workers’ basic labour rights and contribute to physical and economic vulnerability” (Van der Meulen & Durisin, 2008, p. 290), proving that the regulation of consensual adult sex work can expose workers to otherwise unencountered and unnecessary risks (Van der Meulen & Durisin, 2008). It is no coincidence that as with the framing of sex work as trafficking, it is radical feminists and abolitionists that have negatively affected prostitution-related policy (Van der Meulen & Durisin, 2008; Weitzer, 2010). Radical feminists are very influential both in Canada and internationally (Anderson, 2017). Their approach is reminiscent of 19th century abolitionists and early moral reformers, meaning they do not acknowledge the autonomy of sex workers and assume that all sex workers are victims (Gerassi, 2015). This is grounded in the belief that sex work is degrading and immoral, a belief that has come to guide the decisions and actions of politicians, policy makers and police officials. Academics like Ronald Weitzer (2010) have pointed out flaws in the radical feminist approach, critiquing it for its poorly researched foundation and misleading presentation.

Additionally, despite a great deal of research showing how harmful Canadian legislation has been toward sex workers, there is a reluctance from politicians to reform the Criminal Code. Politicians refuse to accept the voice of sex workers when it comes to debates about decriminalization and dismiss views that sex work is a form of labour (Van der Meulen & Durisin, 2008). Instead, many bylaws that govern sex work practices in Canadian cities and provinces have been unchanged for decades, even though the social and political focuses have

shifted. Often, bylaws in sex work function as moral surveillance, by increasing the risk of a sex workers' encounter with the police (Van der Meulen & Durisin, 2008).

In 2008 for example, residents of San Francisco voted against the continued enforcement of laws against prostitution (Weitzer, 2010). The measure did not go through but was supported by 42% of voters. With that said, this is an exception and not the rule; prostitution is continuously and increasingly marginalized and criminalized in North America (Grant, 2014; Weitzer, 2010). In 2020, 45% of Canadians did not support the notion of legalizing prostitution (London's Abused Women's Centre, 2020, p. 1). Policy efforts are framed as being against trafficking, but it seems apparent through legal documents and academic literature that the crusade is in fact against sex work itself. Legislation like SESTA/FOSTA passed by the Trump Administration and the US Senate in 2018, aimed to "target online sites where sex is sold [...] by making these sites responsible if third parties post ads for prostitution, including consensual sex work" (Horning, 2019, p.534). Seemingly, 'saviour' legislation such as this, which on the surface claims to want to save those involved, is not evidence-based since academic research and trends in other countries show it leads to an adverse effect. Prostitution policies often result in dangerous work conditions by eliminating necessary means of communication and protection and reinforcing stigma at multiple levels (Cimino 2019; Horning 2019; Van der Meulen & Durisin 2008; Weitzer 2010). Unfortunately, "policies and laws that aim at decreasing the sex trade should take into account social actors' perspectives within the sex trade [...] Creating dangerous and uninhabitable markets is never a viable policy angle" (Horning 2019, p. 537).

When it comes to consensual sex work, it is not so much the sexual activity involved that renders it dangerous, but the external factors such as laws, regulations and policing that do. This could easily be avoided if sex workers were invited to participate in the development of

legislation at any level of government that will affect them and abiding by the understanding that sex workers need rights, not rescue.

### **A New Perspective**

Criminal interpretations of sex work and its implications have been dominant in academia, emulating the media, legislation, and the general public's consciousness despite critical studies (Agustin, 2005; Benoit & Shaver, 2009; Gerassi, 2015). In understanding the consequences of stigma, upheld by the evolution of sex work online, the debate on sex trafficking and the contested nature of the sex industry as a form of labour reflected through policy and legislation, there is the opportunity for a more progressive perspective. While my perspective is not new amidst sex-positive academics and the sex worker community, the concept that a sex worker is a capable and autonomous businessperson that is oppressed rather than liberated by the efforts of conservative politicians and feminists is rejected. Moving forward, areas of sex work beyond escorting, such as street-based sex work and pornography, would also benefit from a similar perspective, prioritizing the autonomy and choice of those directly involved.

## **CHAPTER THREE: METHODOLOGY**

This work builds on the impact of the legislative changes that impacted the advertisement of sex work. To investigate the impact of legislative changes in the advertising of sex work, two primary methods were required. The sample of sex work advertisements was limited to those available through online resources. Additionally, access to the population of sex workers was extremely limited since as a researcher, I am not a member of the sex worker community.

### **Textual Analysis**

For the ad-based portion of my research, a textual analysis of sex work advertisements was conducted. Textual analysis involves understanding language, symbols, and pictures in texts to gain information regarding how people communicate, especially when the messages communicated are heavily influenced by larger social structures, as is the case with sex workers' advertisements (Allen, 2017). Through their use of codes, emojis and chosen language, sex workers challenge the ethical and cultural contexts in which they exist, as they need to constantly adapt their methods of communication and messaging to fit into an increasingly regulated online environment. A non-random, quota sample was employed to select advertising from three websites that included advertising for sex workers, which was supplemented with a non-random convenience sample of older print ads available online. Textual analysis "investigates the relationship between the internal workings of a discourse in order to discover what makes a particular text function persuasively" (Allen, 2017, p. 136). Building on the textual analysis, patterns were assessed for purposes of comparison.

A total of 35 ads were selected as a non-random, quota sample divided by each of the 3 websites: escort-ads.com, leolist.cc, and torontoadults.com. Within each website, the ads were

selected randomly. No restrictions of any kind, such as location or age, were applied to the search. The sampling process generated 5 to 10 advertisements per website. In addition, images of the print ads as part of my non-random convenience sample drawn from *NOW Magazine* (2014) and *The Grid* (2014), as well as available screenshots of *Backpage* ads from 2011-2017 found through archival photographs made available online to supplement the website samples.

Lastly, I supplement my interviews with content created by sex workers on social media platforms such as Instagram and Twitter, which are less explicit than what would previously have been found on Backpage due to the increase in censorship and content regulation. Social media analysis allows for a nuanced approach in collecting insight, serving as a rich complement to traditional qualitative methods, while not allowing it to become a substitute. As sex workers increasingly form communities online and use Instagram and Twitter to mobilize, these channels should not be excluded from sex work research moving forward.

### **Research Project Parameters**

Interviews add perspective from sex workers on the evolution of their work and environment due to the legislative changes. For the purposes of this research, sex workers were limited to women voluntarily involved in sex indoor work, predominantly escorts, who provide both in-call and/or out-call services and may work either independently or through an agency. Escorting is a subsection of sex work that involves emotional and intimate labour whereby the escort provides companionship as well as sexual services at an agreed-upon price. Additionally, to review the impact of the changes to advertising, interview candidates had to have prior experience using the Internet for the purpose of communication or advertising.

## **Recruitment Process**

Recruitment of interview candidates was conducted through Craigslist, targeting several communities, including Toronto, Windsor, Montreal, London, and Vancouver.

As an underlying goal of my research has been to observe a shift in advertising and communication behaviour by sex workers over time given legal, political, and social developments, I did not limit myself to a certain age. In fact, it was just as important to speak to sex workers who had been in the industry for two years as those who had been involved in sex work for 20 years. Due to the nature of my work, which upholds that a large portion of sex workers in North America are in fact consensual, I was sure to specify that participants must be adults (over the age of 18). Similarly, I emphasized that I was only open to speaking with female-identifying persons.

As such, I ultimately included current or former sex workers who identified as women, were over the age of 18, lived and worked in Canada, and operated either independently or through an agency, constituting the parameters of participation in my research.

## **Demographic**

All six participants were self-identified women, three of whom were white, and three were racialized women. My recruitment specifications had requested female-identifying persons over the age of 18, to ensure that I am only dealing with women above the age of consent. Their ages ranged from 23 to 50, and all six were involved in the industry at the time of their interviews. Their sex work ranged from escorting (independent and through an agency), to stripping and dancing, to web-cam work, to fetish-domination work. All six had at some point been escorts, and as such were able to speak directly to their current or former advertising,

communication, and business practices. Outside their involvement in the sex work industry, the participants were students, mothers, and professionals in fields such as education and retail.

## **Interviews**

I chose to engage in semi-structured interviews with my participants. Interviews provide qualitative data that media and laws cannot. Through my interviews, I was able to understand more about the lived experiences of several sex workers and acquire a rich base of new information that overlays and challenges information gathered from secondary resources. Semi-structured interviews are most valuable when the researcher only gets one chance to interview the participant, rather than repeated opportunities to meet and discuss (Bernard, 1988), as was the case with my work. The inclusion of open-ended questions creates an opportunity for new perspectives, themes, and understandings to come up, which I find is the true value in this form of interview (see Appendix B). As Katherine Bischooping and Amber Gazso (2016) assert, conversation and talk are rich resources of meaningful data not to be overlooked by researchers. The development of dialogue and connection is essential to semi-structured interviews (Cohen & Crabtree, 2006).

I conducted, digitally recorded, and transcribed the interviews verbatim, between June and December 2019. Due to the criminalization and stigmatization of the sex work industry, it was of utmost importance to maintain the anonymity of the participants. As such, most identifying features within the interviews were removed, except for information pertaining to certain geographical communities to provide context. It is also notable that all participants consented verbally to participate and to be presented throughout this project by their working names, however, to ensure anonymity, I have assigned them each a pseudonym. Interviews took

place either in-person at York or Ryerson University campuses, through the phone using solely audio, or via webcam call using audio and video capabilities. This decision was left to the discretion of the participants. In all cases, the interviews were audio recorded using an iPhone, and thereafter transcribed using transcription software Descript. Participants were compensated \$30 for their time. Follow up communication with the participants was done through email, using a Gmail account created solely for the purposes of this project, to be deleted in its entirety following the completion of this work. My non-random convenience sample is small, as sex workers are commonly considered a hard-to-reach population in qualitative research (Abrams, 2010; Barros et al., 2015; Benoit et al., 2005; Bonevski et al., 2014; Bungay et al., 2016).

### **Sex Work Research Methodology**

A well-documented issue in sex work research is potential insensitivity from researchers that may lead to fear and dishonesty from participants (Agustín, 2004; Weldon, 2006). Sex workers put themselves at risk when speaking with researchers, not only because they could be framed as objects of curiosity, but because there is often no guarantee that the researcher is an ally and is not involved with the police. Sex workers are often skeptical of researchers because the latter has nothing to offer the former, as a sex worker explains in Laura Agustín's work, *Alternate Ethics, or: Telling Lies to Researchers*: "I don't understand what they're doing, they don't have anything to offer. The others that come are doctors, they give us medicine, exams. But these want to talk, and I don't have any reason to talk to them" (Agustín, 2004, p. 6). Reading the narratives that are cast unto sex workers in academia, one might understand the reluctance of this group to participate in research —why contribute to something that will offer them no benefit and will misconstrue their reality?

Through my research, I speak with sex workers, rather than about them, similar to the works of Emily Van der Meulen and Tuulia Law. Sex work research faces ethical and nonexploitative challenges due to the marginalized population that is the focus of the work.

Representative samples are difficult to acquire for a few key reasons: the size of the population itself is unknown, and concerns of privacy and confidentiality are paramount (Shaver 2005). Since sex workers continue to be stigmatized and victimized despite evidence to support the contrary, sex workers are a population that continues to be treated as a homogeneous group. Traditional methods of sampling populations, such as snowball sampling, are not solutions to the problem of accessing a small number of participants, since this method favours cooperative participants. Consequently, the story of sex workers who are less interested in sharing their experiences and might be in crisis are seldom presented (Shaver, 2005). It is also crucial to keep in mind the many dichotomies still at play in the characterization of sex workers: workers versus victim, good girl versus bad girl, “high-class” versus street-based, and identity vs revenue-generating occupation. In her work, Emily Van Der Meulen (2012) uses autoethnography and interviews to further illustrate her perspective, demonstrating that it is shared by the group of sex workers she has been able to access. Similarly, Tuulia Law (2011) uses interviews to interrogate concepts of transition, exit and experience in sex work.

Qualitative data allows for holistic, nuanced conclusions to be drawn, because the methods therein let researchers explore the decision-making process of a given group (Austin, 2014; Wolff et al., 2018). The most common qualitative approach is the one-on-one interview, which creates space for conversation and the opportunity to collect valuable data, particularly when these interviews are conducted face-to-face, as this allows for the reading of body language. I was able to interview six sex workers for my research, as opposed to Law’s ten in

“Not a Sob Story: Transitioning out of Sex Work” (2011) , Van Der Meulen’s twelve in “When Sex is Work: Organizing for Labour Rights and Protections” (2012), and Brown et al.’s twelve in “Challenges faced by women working in the inner city sex trade” (2006), due in part to my lack of personal connection and inexperience with the sex worker community. These consistently low sample sizes indicate the difficulty of access to a marginalized, criminalized and stigmatized demographic, otherwise known as ‘hard to reach populations’ (Abrams, 2010). Examples of such groups include “transient youth and young adults, homeless people, IV drug users, sex workers, and incarcerated, institutionalized, or cognitively impaired individuals” (Abrams, 2010, p. 536).

Researchers most regularly use agencies or snowball sampling approaches when attempting to access hard to reach populations (Abrams, 2010). In my research, I was sure to request that my participants consider putting me in touch with other potential participants who might be interested, however this did not result in additional interviewees. Recruiting of hard to reach populations is made increasingly difficult due to Institutional Review Boards requiring researchers, including myself, to pursue indirect recruitment strategies which imply the potential participant must “volunteer for the study by making contact with researchers” (Abrams, 2010, pp. 542-543). Despite receiving initial interest from more individuals than my final six participants, screening these individuals for appropriateness limited the number of suitable connections made. Screening is acknowledged as an additional barrier when dealing with hard to reach populations (Abrams, 2010).

In my research, I make use of qualitative one-on-one semi-structured interviews, and juxtapose my findings with presentations of sex workers and the industry at large in media and policy. Qualitative sampling “is not typically intended to be ‘representative’” (Abrams, 2010, p.537) of the population in question, but by comparing the insights gathered from my interviews

in tandem with text-based research and textual analysis of ads, I was able to draw conclusions highlighting the disparity of representation and the misconception of the sex worker experience by the general population. This is paramount for my research as I uphold that it is these very misconceptions that cause the most harm for the overall North American sex worker community.

### **Interview Content**

My interview guide (see Appendix B) provides questions derived from the themes that arose from academic literature and new media tackling the topic of sex work. During the private interviews, my participants and I discussed their unique experiences in sex work, whether as escorts, dancers, or other genres of sex worker. They shared with me their personal insights on the stigma felt through media and the silencing limitations inflicted by policy and legislation. After verbally confirming consent to participate, the women provided quick demographic information, and were asked 35-40 questions each depending on where the conversation lead, with some questions being omitted due to redundancy or relevance following certain dialogue. The topics covered were: general sex work and escorting, advertising and the Internet, stigma, and the law. While I gave all participants the option of declining to answer questions at their own discretion, each interviewee engaged with all questions asked.

### **Data Analysis**

While most qualitative research concerning sex workers ultimately leads researchers to using computer software to make data analysis quicker and easier, Patton notes that “using software is not a requisite for qualitative analysis. Whether you do or do not use software, the real analytical work takes place in your head” (Patton, 2015). The central steps to data analysis in

qualitative work are managing, coding, representing, and interpreting the data. The first step, data management, largely consists of the organization of data. I did so by allocating a digital folder to each participant which included the audio recording of their interview, the transcription thereof, and records of any communication related to research we had outside of the interview. The latter was simply for my organizational purposes, not to be included in my project. While a transcription software (Descript) was used at this stage, all other data analysis was done by hand.

Since I retain information and draw connections more effectively with pen and paper in hand, I printed out the transcribed interviews and made notes directly on the page to develop and identify codes, make reflections, and summarize connections across different interviews. As Creswell and Poth highlight, I felt it was important to understand the overall story of each interview before getting into specifics: “Scanning the text allows the researcher to build a sense of the data as a whole without getting caught up in the details of coding” (Creswell & Poth, 2018, p.188). The process of taking brief notes while assessing a data set such as interviews is referred to as ‘memoing’. Memos attempt to synthesize phrases, ideas and concepts found in data into higher level analytic meanings (Miles & Huberman, 2014). I found that memos made my interviews more easily digestible when it came to incorporating them into my discussion chapters, as well as maintaining a clear framework throughout my project. The next step was coding the information.

“The process of coding is central to qualitative research and involves making sense of the text collected from interviews [...]. Coding involves aggregating the text or visual data into small categories of information” (Creswell & Poth 2018, p.190). I was able to identify codes that emerged from both literature and the interviews, which played a large part in the way my project is ultimately organized. Predominant codes that arose included stigma, boundaries with clients,

business and advertising practices, effects of legislation, media portrayal, and sex work regulation. Since the interviews were semi-structured and often trickled off on tangents (depending on my level of comfort with the participant and vice versa), codes that were less relevant to my research also came up, including but not limited to drugs, fetishism, strip club management, and body positivity.

Relevant themes that emerged include the changing practices of sex work, consensual sex work, and the contrast with trafficking. My research is a qualitative ethnography, meaning that converting data into codes and themes allowed me to interpret and make sense of my interviews to understand how sex work is experienced by my participants. This is in line with what Wolcott (1994) and Creswell & Poth (2018) recommend for ethnographic research: data analysis through description, analysis, and interpretation of the culture-sharing group. As a result, my discussion portion heavily reflects the perspectives held by my participants.

### **Ethics Process**

My ethics application was a one-step process, as I had decided on my demographical parameters prior to submitting for REB Review. I included a six-page informed consent form, which each of my participants later reviewed in full and signed (or in the case of remote interviews, provided verbal consent) (see Appendix C). The informed consent form briefed participants on the purpose of my research, the intended procedure of each semi-structured interview, the risks and benefits, confidentiality, and reimbursement. As such, my ethics application outlined that I would be offering each participant \$30/interview. I felt this was necessary, especially given that sex workers' time is valuable and the source of their income, however I also feel that this low remuneration contributed to the low participant turnout. I was,

essentially, booking one or two hours of their time that they could otherwise be using to earn hundreds of dollars. I also included an interview guide outlining 41 intended questions, covering topics from consent, stigma, advertising, and legal matters.

## **Limitations**

My project, although successful in identifying some effects of legislation on the climate of Canadian and North American sex work, is not without its flaws. A challenge I faced was finding participants that would be willing to discuss their experiences with me or reply to my calls for participants at all. I posted a total of 41 calls for participants on Craigslist, 30 of which were almost instantly removed due to the nature of the content despite my diligence in avoiding the use of terms such as ‘sex work’, ‘escort’ or ‘provider’. I continued to use Craigslist as a form of ‘convenience sampling’ wherein hard to reach populations are sought where they are (and where I, a non-sex worker, can access them) (Abrams, 2010). Out of the seventeen responses I received, only five resulted in an interview (the sixth participant, Soraya, was found via Instagram rather than Craigslist). Despite providing all respondents with information about my research and the promise of compensation, six of them did not reply aside from their initial outreach to my post. Having the input of only six sex workers, although each valuable, is a considerable limitation since this small sample size cannot be interpreted as representative of Canadian sex workers overall.

## **CHAPTER FOUR: SEX ADVERTISING, *NOW AND LATER***

Digital technology has impacted sex work in three main ways: creating an online space for advertising, marketing, and negotiating for off-line encounters, particularly escorting; providing a virtual space where sexual services are performed and sold (such as webcamming); and “supplying a virtual space through which sex workers can form professional and social networks to enable professional peer advice, support, advocacy and campaigning” (Sanders, Brents & Wakefield, 2020, p. 9). This, of course, is threatened by SESTA/FOSTA, but various advertising spaces used by the sex industry have been changing periodically far before Trump’s bill. Advertising and communication are fundamental to keeping sexual services visible for those seeking and providing them. Today, majority of sex work is advertised and negotiated online (Bernstein, 2007a; Cunningham & Kendall, 2011). Not only has digitization made the entry of diverse groups into the commercial sex industry more accessible; it has also cut out third parties between consumers and providers (such as agencies) and provided new business opportunities for sex workers. While making sex more accessible to consumers, the Internet has also made the sale of sex more visible to the public (Sanders, Brents & Wakefield, 2020). And, whereas there are no statistics to support that the Internet has led to an increase in trafficking, several studies have recently been published that uphold the Internet has created a safer environment for sex workers (Argento et al., 2016; Campbell et al., 2018).

Prior to the Internet, sex workers made heavy use of newspaper and magazine advertising. Escorting in North America was mainly advertised in free classified and alternative magazines, distributed in street boxes or available in convenience stores. With the continued increase in Internet use across sectors, “services that were previously components of private personal or familial relationships, such as cooking, caring, friendship, and sex, can now be

purchased on the market” (Heineman et al., 2012, p. 1). Furthermore, the timeless adage, *sex sells*, is ever-present in a North American society that many academics now consider ‘pornified’ (Paul, 2005). Set within this context, the convergence of the pornographic and the mainstream has led to the ubiquitous sexualization of daily life. In fact, the sex commerce has come to encompass a wide array of mediums, including books, magazines, movies, clubs, mobile phone applications, pay-per-view content, streaming videos, and sex toys (Heineman et al., 2012). This increase in the sex industry’s visibility has led to ‘mainstreaming’, which can refer to “the spread of the adult entertainment industry into businesses that do not directly supply sex” (Brents & Sanders, 2010, pp. 42-43). In regions where sex work is legalized, like Nevada, escorts are widely advertised as the “key component of Nevada’s tourist industry” (Heineman et al., 2012, p. 1). Nevada is the only state wherein sex work is legalized, and its brothel industry “profits [...] approximately \$35-50 million annually”, serving “400,000 clients a year” (Heineman et al., 2012, p. 1). As such, newspaper, magazine and physical ‘backpage’ ads (or advertisements found at the back of a magazine) continue to be commonly found around Las Vegas. Torontonians may remember *NOW Magazine*’s backpages, crowded with ‘sex for sale’ ads. *NOW Magazine* is a free, alternative newspaper first published in 1981 in Toronto (and online since 1993). The publication has been firm in its stance that denying advertising space to sex workers is a form of discrimination. Former publisher Alice Klein stated that “denying sex workers their right to advertise when few publications would allow it was not an option” (O’Neil, 2018, p.1).

*NOW*’s backpage ads were called into legal question in 2014 through Bill C-36, to which Klein responded that the magazine would continue printing adult classified ads, arguing that “the new law’s specific wording creates exceptions for magazines that publish only certain kinds of ads” (Kupferman, 2014, p. 11). Not soon after, many Torontonians began opposing *NOW*’s adult

advertisements—decals reading “*NOW* Sells Sex Slaves” and letters claiming *NOW* facilitated trafficking started appearing around the city in 2017 (Scott, 2017). In September 2018, the magazine announced that it would no longer carry sex ads in the backpages of its paper. Klein, the editor and publisher at the time, wrote in the September 6, 2018, edition that “*NOW* will always be sex positive and shameless in our support for sexual choice and the rights of sex workers [...]. But this week marks a change for how we do that in our print publication”, suggesting that sex workers already had a sufficiently robust marketplace available to them online (Klein, 2018, p.1). While *NOW* continues to offer sex ads on its website, sex workers in Toronto were upset by the magazine’s decision to stop its adult print ads. Many believed that the safety and autonomy of sex workers in the Greater Toronto Area would be compromised without it (Scott, 2017). After announcing that escorting and sex industry ads would no longer be featured in *NOW*’s printed issues, the magazine reported a loss of more than \$832 000 within one year and was subsequently sold to Media Central Corporation (The South Bayview Bulldog, 2019).

*NOW* magazine, despite its financial decline, serves as an excellent example of sex for sale in print ads, with detailed listings, pictures and contact information. Sex print ads in both Canada and the United States could be published because the sexual acts to be performed are not themselves advertised—this remains illegal, but could continue without lewd language or references to financial transactions. Particularly, the transactional and sexual interactions that result from the ads cannot be explicitly stated in ads. Magazines and newspapers felt political pressure in the 2000s which, along with the rise of online ads, resulted in a noticeable decrease in the use of print ads for selling sex (Sanders, Brents & Wakefield, 2020). Additionally, advertising in newspapers and magazines often require a significant financial investment, as

opposed to the online advertising environment, which offers different price points as well as several free options. The shift from print to online advertising between the early 2000s and 2010s caused a decline in street markets and increased the consumer's ability to access independent workers, making sex work more accessible and transforming commercial sex (Ryan, 2019). Online, sex workers could utilize various platforms, websites, and review systems, while clients could access sexual services based on their needs, desires, preferences, and budgets. Sex workers and clients have both benefited from the growth of Internet advertising—online communication is discrete but bountiful (Ryan, 2019; Argento et al., 2016). This has, in turn, led to the rise of the independent escort (Sanders, Brents & Wakefield, 2020).

Independent escorts now often create their own websites, with many purchasing their own premium domain names, and make use of their own online space to introduce themselves to potential clients, discuss their etiquette expectations, establish boundaries, state their pricing, and facilitate booking communication. Creating their own online space has allowed escorts to move away from brothels and agencies, distancing themselves from delicate bawdy-house laws and cutting costs that would previously be spent on third-party advertisers, managers and in some cases, pimps. The shift toward online spaces in sex work has given more dominance to the middle class, thanks to the access to information, ease to connect with niche markets, and increase in possible safety measures (Bernstein, 2007a). Elizabeth Bernstein found that sex workers believe their own website allows them to be more selective in terms of their clients, while clients no longer must rely on secretive methods of finding sexual services. In short, the Internet provides sex workers with anonymity, convenience, and discretion (Burghart, 2017).

When creating an ad that is considered successful, “female sex workers may have [...] awareness of the traits and qualities that male patrons are seeking and they likely tailor their

services and fees to the conditions of the market” (Edlund & Korn, 2002, in Griffith et al., 2016, p. 1). This implies that highly sought-after qualities clients look for in escorts allow the sex worker to charge higher fees, but also that these workers have an attuned awareness of their ‘mate value’ (Buss & Shackelford, 2008; Perilloux et al., 2013). Escorts in particular offer brief sexual encounters for a predetermined fee, so clients can expect to know the degree of financial investment required for the escort of their choosing. (Griffith et al., 2016). However, the limitations brought about by Bill C-36/PCEPA and SESTA/FOSTA have changed the information delivered through these ads over time. What follows is an overview of thirty-five (35) North American escort ads, spanning from 2011 to 2021. For the continued anonymity and preserved security of the sex workers whose ads I am including in this non-random critical case sample, names and particularly descriptive information has been modified or omitted. These ads were collected from escort-ads.com (5), leolist.cc (5), torontoadults.com via *NOW* Magazine (10), *NOW* Magazine in print (7), *The Grid* in print (3) and archival screenshots of Backpage (5). All ten print ads and five archival Backpage ads were created between 2011-2015, with the remaining twenty online ads created in 2020 and 2021. However, the online ads assessed only represent this short, recent timeframe because the chosen websites only show ads as old as 2020, and have archived expired or older posts. Only four out of the thirty-five ads are by American escorts, and all four of those are from the Backpage sample. The thirty-one Canadian ads included in this study were created by escorts in Toronto (29), Halifax (1) and Winnipeg (1). Although this perceived distribution of escorts across Canada could suggest that there is a larger population in bigger cities than smaller cities (Toronto has a general population of 2.9M, compared to Winnipeg’s 749,534 and Halifax’s 431,479 in 2017 (Stats Can, 2017), this sample is too small to accurately reflect general demographic trends.

Regarding content, the following data was found: all of the ads clearly stated the escort's location, either by naming a city or an intersection (i.e. 'Bay & Bloor'); 32/35 ads listed the escort's name, and two of the remaining anonymous ads were very brief in the other information provided, too, offering a phone number for contact but no description of the escort or her services; 7/35 ads did not explicitly state the escort's race or ethnicity, and all seven of these ads were print ads; of the 28 that included a descriptor of race or ethnicity, 13 of the escorts are white, 8 are Asian, 4 are Latina and 3 are Black; 18/35 ads had physical descriptions of the escorts, twelve of them offering quantitative measurements for height, weight and breast size. None of the print ads had quantitative descriptors of the escorts, but 3/5 of the archival Backpage ads did. This small sample of ads suggests that print ads differ from online ads both visually and in the information they provide: all ten print ads are sectional ads, with words overlaid on a faceless photo in 7/10 of the ads (two of the remaining ads had no photo at all, and in the last ad, the escort chose a photo in which her face is clearly shown). The print ads only offer a phone number as means of contact and offered no quantitative descriptions of the escorts, but two print ads did have a vague description: 'attractive, Black female' and 'sexy, busty'. The print ads did not reveal the escorts' prices, and none made any explicit mention of sexual services offered. In fact, only one print ad offered 'extras' and only two used the word 'incall'. In sum, these print ads are extremely vague, take up little space, offer an anonymous photo through which the escort cannot be identified and do not explicitly advertise sexual services.

By contrast, the 25 online ads allow for more information, photos, and personalisation: 17/25 ads featured a short blurb wherein the escort describes herself, her sexual preferences, any criteria for her clients, and/or a bit about her services, but none of the ads featured all of these aforementioned points of information. None of the five archival Backpage ads I looked at

included explicit mention of sexual services offered, although one made mention of a ‘special offer’ available at the time. Instead, the Backpage ads stated that the escorts were looking for ‘private companionship’, ‘adult fun’, ‘discreet fun’ or a ‘sexy friend’. Missing from these Backpage ads was any mention of the girlfriend experience, a term that by contrast appeared in one quarter of the online ads from 2020 and 2021. Whereas the Backpage ads were diligent in avoiding the mention of explicit services, 15 of the ads from 2020-2021 all featured full nude photos, explicit photos showing genitalia, explicit mention of preferred sexual services (e.g., oral sex, BDSM), or specifications for preferred clientele (one ad mentioned ‘no Black gentlemen’, another ‘mature gentlemen preferred’). Most noticeably, not only are the contemporary online ads far more explicit regarding services and intent, but also less concerned with anonymity: 10/25 online ads (including archival Backpage) featured the escort’s face clearly in at least one photo compared to 1/10 print ads showing the escort’s face. However, as far as contact information is concerned, while all ten print ads featured what is assumed to be the escort’s personal phone number, 6/25 of the online ads only permit clients to view the escort’s contact information through VIP access (requiring verified registration on the website, and payment), and one of the Backpage ads only permitted contact through a ‘reply here’ link. Although most escorts advertising online chose to publicly post contact information, online platforms offer sex workers the possibility of increased anonymity, privacy, and security, since all websites included in this sample give the option of a click-through link through which the client can connect with the escort—it is up to the escort to include contact information in the public bio, if she so chooses. Contact information is paramount in print ads because in most cases, it is the only information provided.

In comparing pre-SESTA/FOSTA ads (15) and post-SESTA/FOSTA ads (20), a clear distinction arises: contemporary ads are created with a more personal flare, offering more photos and customized biographical sections, as well as noticeable heavy emoji use. While escorts posting today are open about the services offered, there is a noticeable shift in focus toward emotional labour, intimacy, non-sexual activities the escort enjoys (such as dinner dates), ideal travel destinations (included by escorts who are open to traveling with a client, at a premium rate) and personality traits (descriptors that came up several times include ‘classy’, ‘sweet’, ‘fun’ and ‘trustworthy’). Despite legislation increasingly censoring online communication regarding sex for sale, the online ads reviewed for this research show a trend toward explicitness and transparency between escorts and potential clients, but this is likely due the Canadian ownership of the websites used, and Canadian laws currently permitting the advertisement of one’s own sexual services.

The emergence of new online practices has been commonplace during the ongoing COVID-19 pandemic, which started toward the end of my research. With the restrictive parameters of lockdowns, social distancing and safety precautions in most cities, there has been an increase in the need for convenience, parallel with an increase in Internet usage, which has not excluded the sex work industry. These factors have led to an acceleration in the commercialisation of sexual intimacy, allowing OnlyFans, a British-owned platform launched in 2016, to surge in popularity over the course of 2020, with 85 million users and over 1 million creators in December of that year (Shaw, 2020). And, according to OnlyFans founder and CEO Tim Stokely, “OnlyFans is adding as many as 500,000 users a day and paying out more than \$200 million a month to its creators” (Shaw, 2000, p.1). Through OnlyFans, creators profit by offering subscriptions to users for access to content, which is most often pornographic in nature.

Like other areas of sex work, the creators are predominantly women, and the users tend to be men . OnlyFans takes the girlfriend experience and makes it accessible to whoever is willing to pay, from the comfort of their homes directly through their smartphones, and with many creators advertising their OnlyFans links via mainstream social media, it has brought sex work to the forefront of the general public's mind once again. With no pornographic content on display without an active, paid subscription, OnlyFans can continue to provide sex workers that until recently have been searching for a new avenue of income considering SESTA/FOSTA, with a safe, autonomous, and legitimate platform to work. To this point, Stokely, an app developer who by 2016 had already created several fetish platforms, explains “strippers and porn stars eager to make up for their lost earnings have flocked to OnlyFans, while regular strip-club customers have found a new place to get their jolt of excitement” (Shaw, 2020, p. 2). That is, at least, until North American legislature decides to ‘save’ sex workers once more.

The anti-sex trafficking movement has motivated governments to closely monitor the Internet, putting pressure on online platforms to rename their sex for sale sections, scale back on advertising spaces and in some cases, remove them entirely. This has been detrimental to voluntary sex workers, exacerbating economic and racial disparities and making certain demographics of sex workers, mainly trans and racialized providers, disproportionate targets of anti-sex worker violence (Hagen, 2018; Kunimoto, 2018; Sanders, Brents & Wakefield, 2020). Independent escorts' websites have a smaller reach, and websites that continue to serve sex workers are now able to charge more thanks to the skew in supply and demand of advertising platforms versus sex workers. Sex workers that earn less must leave the Internet and return to street-based solicitation, rendering them vulnerable to arrest, harassment (from civilians and

police), violence and exploitation once more. The most recent culprit is Donald Trump's Stop Enabling Sex Traffickers Act and Fight Online Sex Trafficking bills.

## **CHAPTER FIVE: SESTA/FOSTA AND BACKPAGE**

At 11 AM on Wednesday, April 11th, 2018, President Trump signed a bill into law, formerly passed by the United States Congress a month earlier. The bill is made up of two acts: Stop Enabling Sex Traffickers Act and Fight Online Sex Trafficking Act (SESTA/FOSTA), which make websites liable for what is said and done through their platforms, starting first with a clarification as to the intention of U.S.C 230, the Communications Decency Act:

[S]ection 230 of the Communications Act [...] was never intended to provide legal protection to websites that unlawfully promote and facilitate prostitution websites that facilitate traffickers in advertising the sale of unlawful sex acts with sex trafficking victims [...] clarification of such section is warranted to ensure that such section does not provide such protection to such websites. (H.R. 1865—115<sup>TH</sup> Congress, 2017-2018, p. 132)

It also hurts sex workers who have, until now, been effectively using the Internet for the safe operation, advertisement, and communication of their business:

Whoever [...] owns, manages, or operates an interactive computer service [...], or conspires or attempts to do so, with the intent to promote or facilitate the prostitution of another person shall be fined under this title, imprisoned for not more than 10 years, or both. (H.R. 1865—115<sup>th</sup> Congress, 2017-2018, p. 132)

The law is quick to assert that “such conduct [contributes] to sex trafficking” (H.R. 1865—115<sup>th</sup> Congress, 2017-2018, p. 132). Immediately after the bill passed in Congress, platforms began shutting down forums or entire sites through which the sale of sex was implied, out of fear that trafficking could be taking place therein, making them liable to be charged under the law. Sex advertising forums and portions of better-known platforms like Craigslist were taken down within weeks. Companies like Google and Microsoft enforced stricter terms of service around

sex-related speech. Yet most notably, Backpage was seized by the Federal Bureau of Investigation two days before the bill was even signed (Lynch & Lambert, 2018).

SESTA/FOSTA garnered bipartisan support with only two senators voting against it. It set out to pursue the lofty goal of reducing sex trafficking, particularly concerning minors, and of course, voting against such a proposition would not be a good look for congresspersons. With that said, three years later, SESTA/FOSTA has not accomplished what it set out to do. Rather than protect sex workers as it claimed it would, it has pushed the online sex trade deeper underground and rendered it more dangerous. Because SESTA/FOSTA apprehends websites that facilitate sex work, sex workers are no longer able to conduct their business online (including communicating with and vetting their clients) or share information with each other, as many of these websites are no longer accessible, or on those that remain, any implication of sex for sale could be punished by law. In July 2018, Missouri Representative Ann Wagner, the original sponsor of SESTA/FOSTA, proudly announced that the new law “shut down nearly 90% of the online sex-trafficking business and ads” (Masnick, 2018, p.1), a statement eagerly fact checked by national news outlets which turned out to be false. In fact, Wagner’s wording in her statement, put out via video, was awkward and misleading—it could just as easily be understood that she was referring to sex trafficking ads, as to sex trafficking in general. Wagner’s statement was so erroneous that the *Washington Post* gave her three Pinocchios—their in-house rating system for factual disputes (Masnick, 2018).

*The Washington Post* dug a little deeper and found that although there was an initial decline in ads due to the seizure of Backpage, the amount spiked back up after April:

Worldwide ads had a daily average of about 105,000 when FOSTA-SESTA passed [Senate] on March 21 and had dropped 28 percent by the time Backpage was closed on April 5. It then plunged another 75 percent and reached a low of 19,456 on April 17, for a total decline of about 82 percent. But on the day the Judiciary Committee posted the [Ann

Wagner] video, sex-trade ads were back at about 50 percent of the daily volume before the law had passed; as of Aug. 11, they were at almost 75 percent [of the original volume]. (Masnick, 2018, p.1)

It seems that Weitzer's arguments continue to ring true to this day, as the American Government relies on the panic and fear of over-sensationalized problems, in this case sex trafficking, rather than evidence-based research, to pass bills and laws that are not only life-changing but deadly for some.

In 2017, Backpage was considered the market leader in commercial sex advertising, "netting more than 80% of such advertising revenue in the United States" (Raphael 2017, p.1). Between 2013 and 2015, Backpage received 99% of its revenue from its adult portion—in other words, sex ads (Harris 2016). In the years leading up to its seizure, Backpage has faced many critics both in academia (including Citron & Wittes, 2018; Makatche, 2013; Portnoff, Huang, Doerfler & Afroz 2017; Raphael 2017) and in litigation, but the latter rarely held up thanks to Section 230 of the United States Communications Decency Act, which protected Internet service providers and platforms from being held criminally liable for content published on them. But in 2010, the U.S. Senate's Permanent Subcommittee on Investigations of the Committee on Homeland Security and Government Affairs ('the Committee') found that,

Backpage was editing 70 to 80% of the ads in the adult section either manually or automatically. This procedure looked for the use of forbidden words and erased them, eliminating the necessity of rejecting entire ads (and thus losing money). Words such as "Lolita", "young", "little girl", "teen", "fresh", "innocent" and "school girls" were included in this filter. (Raphael 2017, p.2)

While many sex workers continue to market themselves as 'young' and 'innocent' both through chosen words and aesthetic (Vartabedian, 2017), the use of such descriptions on websites led to the slow and steady downfall of Backpage, since the United States Court of Appeals sustains that editing the user-created content eliminates the immunity previously enacted by Section 230.

Therefore, it seems that Backpage was made aware of potential instances of trafficking but

edited out the indicators and posted the ads regardless, taking no further action to prevent the possible crime taking place.

## **The Consequences**

While many radical feminists (see Dawn 2003; Farley 2003), abolitionists, and religious conservatives, celebrate SESTA/FOSTA and continue to see it as a victory for the Trump Administration, the passing of the bill denotes a dark turn in the modern history of the Internet, threatening net neutrality. Although SESTA/FOSTA does not eradicate trafficking, or even lower it significantly, it does silence online speech and heavily censors Internet users. Additionally, here is a sobering truth: Congress' 'saviour' legislation made trafficking victims less safe (Harmon, 2018; Markowicz, 2018; Tracy, 2018). As such, SESTA/FOSTA should be understood as a cautionary tale of Congress' good intentions resulting in a bad law. It also exemplifies Congress' inability to listen to those who are most affected by it: sex workers. Even if we were to step away from sex workers for argument's sake, SESTA/FOSTA remains a harmful piece of legislation that undermines freedom of speech online, decidedly one of the Internet's most valuable assets. By undermining Section 230, this bill puts the foundation of the Internet as we know it in North America at risk. For example, without the protection offered by Section 230, "noncommercial platforms like Wikipedia and the Internet Archive likely wouldn't have been founded given the high level of legal risk involved with hosting third-party content" (Harmon, 2018, p.1). Furthermore,

Section 230 strikes a careful balance between enabling the pursuit of justice and promoting free speech and innovation online: platforms can be held responsible for their own actions, and can still host user-generated content without fear of broad legal liability. (Harmon 2018, p.1)

In practice, online platforms of American origin have had to become far more restrictive in terms of the content they allow, resulting in the censorship of innocent users along the way. While the degree of erasure will vary platform to platform, it generally means that sexual content is banned, particularly advertisements by consenting sex workers trying to make their living. This results in a less inclusive Internet: “when platforms choose to err on the side of censorship, marginalized voices are censored disproportionately” (Harmon 2018, p. 1).

SESTA/FOSTA was evangelized by its supporters: Senator Blumenthal proclaimed, on March 21, 2018, that the law was going to save people (Jackman, 2018). According to its many advocates, SESTA/FOSTA would reduce deaths, prevent rape, and end abusive sexual activity (Chamberlain, 2019). Thanks to this ‘saviour’ legislation, women’s bodies would no longer be the property of pimps, children would be safe, and the sex industry would dissipate. Yet, within one month of SESTA/FOSTA’s enactment, thirteen sex workers had gone missing, two had been held at gun point and two had committed suicide in a small San Francisco neighbourhood alone (Simon, 2018). In addition to the seizure of Backpage and the censorship of Craigslist’s adult classified ads, access to many of Reddit’s sex-work related subreddits, Cityvibe, The Erotic Review (USA), Nightshift, Men4Rent.com and Eccie has been lost. VerifyHim, an app that women use to verify men before meeting them, removed its boards along with other verification sites that had previously proven lifesaving for sex workers. Payment processing and hosting websites changed their terms of services and refused to serve sex workers any longer. Sex workers’ social media accounts, and sex work-specific social media platforms like Switter, became shadowbanned and lost their service providers. Escorts who had recently come off the streets were thrown back out once SESTA/FOSTA began to take effect, and an increase in pimps and traffickers contacting sex workers was reported within hours of the Backpage seizure

(Simon, 2018). As of April 2018, sex workers in North America found themselves in what many described as a 'SESTApocalypse', begging for their safety and freedom online using the chilling hashtag, #LetUsSurvive. Even the use of popular social media platforms, like Twitter and Instagram, have tightened up on user-generated content censorship through 'shadowbanning', reproducing what Jody Liu (2020) considers spaces of exclusion online. Liu goes on to uphold that "SESTA/FOSTA mirrors previous anti-sex trafficking and anti-sex work legislation by imposing a form of *digital spatial governmentality*" (Liu, 2020, p.117). To comply with the regulations demanded by SESTA/FOSTA, Facebook, Instagram and Reddit have enforced bans pertaining to hosting and producing now-illegal content, making it difficult for sex workers to conduct their business (Liu, 2020). Ultimately, "this digital spatial governmentality has resulted in sex workers either returning to the street once more, or, in some cases, venturing out onto the street for the first time in their careers" (Long, 2018, as quoted by Liu, 2020, p. 127).

## CHAPTER SIX: CONVERSATIONS WITH SEX WORKERS

Sex-positive research that has correctly framed sex workers as labourers, autonomous beings and voluntary actors has consistently benefited from the direct involvement of sex workers themselves. Without it, all work speaking of the sex workers' experience would be little more than an assumption, with researchers guessing how a woman in this industry might be feeling about the social and legislative changes that continue to shift periodically. I spoke with six women, each of whom consider themselves sex workers; each with their own insights and opinions; and for whom sex work is their job, not without its challenges, negotiations, and rewards. While it was initially intimidating for me to speak intimately with women who so assertively work, both literally and figuratively, for their independence, all six of my conversations provide valuable insight into the perspective and opinions of sex workers at the frontlines of crucial changes in their industry.

The women are all current sex workers. Four of them are (or were) university students, two are mothers, and two are involved in the sex industry beyond escorting. Three shared that their loved ones do not know what they do. All identify as women and use she/her pronouns and are currently working and living in Southern Ontario. Eloquently and patiently, all six took me through their experiences with stigma, shared with me their encounters with both good and bad clients, and asserted themselves as voluntary, consensual sex workers —although the way they came to be sex workers differed, of course. I did not spend over 10 hours with victims —I spent those hours with funny, confident, warm, insightful, and savvy women earning a living in a way that is both sexually empowering and financially satisfying. I left each interview with an odd feeling of connection to each woman, a sense of understanding as to why clients would return repeatedly to be in their presence, perhaps having just experienced bounded authenticity,

although it did not seem forced for any of them. Maybe they have perfected their trade to this degree, but I like to think they had enjoyed our conversations as much as I had.

## **Allegra**

I met Allegra in person in the summer of 2019 to conduct my first interview. Allegra is the first sex worker I have ever spoken to... knowingly! I think we both felt shy at first. Twenty-four, white and a former university student, meeting Allegra was much like sitting next to someone in class for the first time. Having entered the industry five years prior at the age of nineteen, Allegra has diverse experience as a sex worker:

So, I started like, initially just using sugar daddy-type dating sites. And basically, through one of those sites I was contacted by an agency and they pretty much outlined what they do, and I worked with them for about a year and a half on and off. Since then, I've worked independently, escorting. I've worked at two strip clubs in the city. One just dancing there, another one that's a little more than a strip club, I'll say. And then what else... I've done cam work online. I worked at... It was only open for about six months, but my strip club managers opened like an "open-every-day" bikini car wash. I worked there for a while.

Now working as an independent escort, Allegra shared with me her perspective on escorting in comparison to other jobs she has had, including retail, as “one of the most independent businesses you could have”, and one that “allows you a lot of freedom”. While sex work is a more profitable job than any she has had before, Allegra explained that it was the ability to work around her mental health and the impact she is able to have on others’ lives that continue to motivate her in her work. She is no stranger to emotional labour, but finds it valuable and rewarding:

[Some clients] just like, really want human connection and just an hour or two to like, feel special to someone if they don't have someone in their lives already, and that's kind of like, the best part for me.

It is not easy work, though, and Allegra paints a picture of emotional labour that indicates to me she is quite the empath:

You're like, hearing their secrets or like, holding them while they cry about something, you know, it's not the same and I'm like, I think it also depends on the person because I'm pretty sensitive, like I really pick up on if people have feelings going on around me.

Despite her positive outlook on sex work, Allegra is no stranger to the stigma surrounding her trade. Her eyes get wide as she tells me about the time that, while in retail, her coworkers found out she was a sex worker and was told her personal values were not properly representing the store. "Because, you know, when I'm selling people clothes, I'm like 'by the way, I'm a sex worker'", she adds with a short, sarcastic laugh.

## **Emerald**

Introduced to escorting by a friend around six years prior, Emerald also got her start through a sugar daddy website. A twenty-seven-year-old East Asian woman, Emerald spoke with me over the phone on a Friday morning about how diligently she protects her identity as a sex worker. When asked if her perception of the sex industry changed over time, she told me she never imagined herself to be a part of it. For Emerald, the journey to accepting what she does has been a bit of a struggle:

My family is quite conservative culturally, and also religiously, so I never imagined to be in this industry, honestly. I still consider it adultery, but I've come to terms with it since I started. I was very nervous, I was always afraid that I'd get caught by my family, and get revealed by like, more conservative culturally and religious people in my network that will tell my parents and they'd disown me or something, but that never happened, and I've come to terms with myself that like, this is the reality for me, and I've accepted it, that I've had all these experiences.

Yet while her words are demonstrative of the stigma sex workers face daily when navigating meaningful personal relationships, Emerald is quick to assure me that her experiences have been

altogether empowering, particularly thanks to pleasant encounters with clients and feeling respected as a woman. She also reminds me that she “doesn’t have to do it all” when and if she no longer wants to, hinting that she may leave the industry once she enters a committed relationship:

Eventually when I settle down and get married, I might quit this industry altogether to be faithful to my eventual partner [...] I could quit this anytime, I just choose to continue because I like it and it worked out for me.

Emerald juggles escorting with a mainstream, full-time job, and is the least involved in the industry of all the women with whom I have spoken. Despite this and the fact that she is not too interested in politics, Emerald acknowledges the harm that laws like SESTA/FOSTA places on other sex workers and reflects that “people who relied on [Backpage] might have to find an alternate job in the industry that may even be more dangerous than escorting”. Ultimately, Emerald sees sex work, with a particular focusing on escorting, as a business that works with many Americans and Canadians’ lifestyles, and does not think the government has a place in trying to eradicate it. After telling me finding clients has been steady for her because her exotic look allows her to tap into a niche market, Emerald makes sure to remind me that her experiences are not representative of all sex workers: she considers herself lucky and in control.

## **Milly**

Fifty, outspoken and funny, Milly is a heavy dose of confidence and truth when we connect over video call for our interview. She is unapologetic and bold, sharply sharing her experiences after having been in the sex trade from the age of twenty-three, starting out as a dancer in a strip joint. Perhaps it is her work and life experience that inspires the dark sense of humour that comes through when she talks about her clients:

For the most part you know what, they're married. A lot of them are married. You know, kinda sad actually. Because you know, all you gotta do is communicate. But as we get older, we just forget sometimes [...] I'm single, and that's another reason why!

My conversation with Milly is filled with laughter and advice. Milly is a mother with several degrees under her belt, who is able to support her loved ones through sex work. She tells me there is a lot of freedom to be had in sex work, laughing as she says, "I can take my vacation when I want".

Working in the tech industry to "have some sort of income that verifies things" for tax purposes, Milly is adamant that sex work is almost always a choice: "You know what you're doing. I don't give a fuck; you know what you're doing. Even those ones that seem like they don't, they know what they're doing". When asked if a woman could leave the industry at any time if she wanted to, she says it is the money that has her locked in. "It's the root of all evil, truly. I understand that saying now. Once you get a little taste of that money, you don't stop", Milly shares, before telling me that she has been able to comfortably support her daughter and parents through what she earns as an escort.

But the subject of addiction does not stop at money. Milly is part Indigenous and formerly homeless, so she speaks passionately about the issues of race relations, the fentanyl crisis and harmful government intervention as it relates to sex work. I already knew the answer when I asked her if she would like the government to get more involved with sex workers in Canada, and chatting about the attempted licensing of sex work in Windsor in the late 1990s:

No. Why would I want to be licensed? For what reason, for them to get a tax cut? Fuck them, no, they've taken enough. They always gotta dip their hand in there. They're gonna try eventually. They legalized marijuana. As far as I'm concerned, fentanyl is run by the government [...] They don't even acknowledge people that get shot over drug robbery and drug things as a crime for the rest of the community be concerned. They just call it a 'disturbance'. [...] Again, no respect for the government. I don't have very much respect at all. As long as they're doing their research to get their hand in it and find out how they can gain from it... They probably already are.

Milly is also a proud Trump supporter who is not afraid to admit it. Unlike the other women who spoke enthusiastically about the emotional labour that goes into being a sex worker, Milly cannot relate: “Well that's them, they certainly have the patience for that. You gotta separate it. You gotta keep that shit separate. No, no, just tune it out. I tune that shit out, no problem. I don't see nothing, I don't care, I get it done. It's over with.”

## **Crystal**

I met Crystal just one week after I had spoken to Allegra. With a floral dress and a vibrant, bubbly personality, Crystal made me feel like I was chatting with an old friend—we even ended up sharing Netflix recommendations later that afternoon. Crystal is 34, a single mom, and currently pursuing two university degrees. She also does not identify as an escort. Rather, Crystal refers to herself as a fetish sex worker, or dominatrix. Like the rest of the women I spoke with, Crystal's primary motivation for joining the industry six years ago was money: rent upon moving to Toronto was extremely high. Unfortunately, money has been harder to come by as a fetish sex worker since Backpage shut down. When asked how the seizure of the website affected her work, Crystal responded that it “literally like, shut down your place of work. Like, if you worked at Tim Hortons and you were heading to your work and the doors never opened again, and then you're like, "what am I going to do?". Crystal has found it hard to support herself and her son through sex work over the last year and a half at the time of our interview, causing her to have to claim welfare in the summers.

About being considered a victim of her trade, Crystal calls it a “slap in the face”. But she does think sex trafficking is a problem that warrants attention:

I just saw an article the other day that showed like, a sign on the side of the road that says like, '\$25 an hour [...] call this number'. [...] That ad was actually for people who are sex

trafficking young girls. It even said like, '14 years and up, you can work today'. I think stuff like that is more important than like, targeting working women online. So those 14-year-old girls now are all 'I can make \$25 an hour for the summer, let me call the thing, I'll make my mom proud. I'm not even going to tell her until I got the job', and then they go to the interview and they get taken. Shit. [...] That's where the education should be.

With all that aside, Crystal told me she feels empowered by her job, particularly because she does not have to do it when she does not want to, and since it is her business, whatever she says goes. I asked her if she had ever felt exploited because of her involvement with sex work, to which she cleverly replied, "I have felt exploited, but it was just from men, not sex work". At the end of the day, she says, "I don't feel like, 'oh my God, I can't believe I have to do this to make money'. I feel like, 'oh my gosh, that was really fun!'".

Speaking with Crystal brought a smile to my face, and it gave me huge relief to learn that she had rarely felt like she was in danger, thanks not only to her online screening process, but to her gut instinct. She did share with me, though, a cautionary tale about a date with a client from her early days as a sex worker:

I had a guy who like, drove me. I can't remember where we were supposed to go, but he drove me like, into High Park in the middle of the night, parked the car and I was still like, 'okay...', like, I kind of feel like you can't fuck with me. Like, I will kill you. But at the same time, he kind of did scare me and then he had made a comment to me when we were driving back. I told him to take me home and we were driving back home. He dropped me off and he made a comment to me that always like, stuck with me. He was like, 'oh, you're a pretty young, bright girl'. He's like, 'don't get in the car with strangers again like that because this could have ended up way worse for you' and I'm like, oh my goodness. So that kind of like, shook me. So, I never did that again.

But Crystal was sure to leave me on a positive note, telling me that she has even cleaned houses topless: "that's super fun".

## Soraya

Rarely have I spoken to a woman as self-assured and thick-skinned as Soraya. An experienced stripper, escort, and porn actress at only 22, I video chatted with Soraya after being introduced to her via Instagram through a mutual friend. Soraya identifies as a bisexual woman who got her start as a dancer. After trying her hand at nursing school, Soraya quickly realized it was not the path for her: “It just didn’t make me happy. It didn’t fulfill me”. She does not quite remember when she transitioned from being a dancer to a full-service sex worker, but Soraya shares with me that,

People would just ask [me], you know, ‘oh, do you have services?’. I was part of the club. I just started kind of figuring out like, how that would work for me, and then just started taking on clients. So, it just kind of progressed, like dancing to camming and content production, and then kind of into just being like, comfortable enough with my boundaries as a sex worker.

Having now been in the industry for a little over five years, Soraya is well-versed in setting boundaries but has a soft spot for her clients: “I personally have clients that genuinely care about like, my happiness and my life”. She shares with me that as soon as she no longer feels a relationship with one of her clients is safe or beneficial, she cuts them off. When I asked her how she would describe escorting, Soraya replied without hesitation: “I’m just doing what you do, but I’m getting paid for it”. She is also keen to remind me that it is not always about sex despite the misconception, but regardless of the stigma, Soraya is very open about what she does. She admits that stigma is by far the toughest challenge, but she allows it to be a learning experience for her regarding the kind of people she surrounds herself with:

It is really interesting to see how people treat me based on me being so upfront with them. I get to figure out very quickly once I meet somebody and they, you know, come to terms I guess you could say, with what I do. The kind of person they are and maybe like, what kind of experiences or lack thereof they’ve had shows. [...] I’ve had people hear I do

porn and go, 'I don't want to have sex with you anymore because that's just dirty to me'. And I'm sitting there thinking like, 'I get tested every two fucking weeks'.

Speaking with someone as confident and empowered as Soraya is itself empowering. Amidst conversation about trafficking, legislation and personal relationships, Soraya explains to me exactly why she would never work with an agency: it is all a matter of safety:

A friend of mine in Australia just recently screened someone because the secretary at her brothel wouldn't screen them. She screened them and found out that they had sexual assault and stalking charges on them and refused to see them. And these are like, people that are supposed to keep us safe.

According to Soraya, some things are best left to the real people in charge: the sex workers. Following my video call with Soraya, I remember thinking how greatly people would benefit from having a conversation with someone as informed and involved as her, or as any of the women I spoke with for this project. Soraya, like the rest of the women, is passionate about her sex work. "I'm going to do this until my bones crumble. There is no age for this to stop".

## **Breanne**

I interviewed Breanne most recently, in March 2020, over the phone at the outbreak of the Covid-19 pandemic. We found each other through Craigslist's *Volunteers* section and chatted over the phone about Breanne's experiences with sex work. Twenty-four and of Asian descent, Breanne works as a massage parlour attendant and substitutes her wage from the parlour with independent escorting after-hours. Like the other five women, tells me that she got into sex work for "the money, and just trying to make ends meet, because in terms of an hourly rate, it's definitely a lot higher than working three part-time jobs and minimum wage, especially as a student". Breanne got started with sex work around the same time that SESTA/FOSTA got signed into law, but she says that there are noticeably "more restrictions online [...] business has

slowed at the parlour over the months and [she's] not able to see too many clients". It is easy to pick up on how new Breanne is to the industry—she tells me that she has not had the chance to connect with other sex workers online and has rarely interacted with others in person aside from when she has come across fellow masseuses at the parlour. She is also unfamiliar with the laws and regulations that could directly affect her, but during our discussion about legalization and decriminalization she shares,

I'd prefer to remain illegal. I don't want to be taxed and regulated by a government that condemns me for what I do and how I use my body. There's much more room for growth if my profession remains underground, with no caps on compensation or rules to follow from officials that have no experience in this industry.

Breanne admits that sex work in the current climate can be dangerous and has heard her share of horror stories, mostly from the media. She agrees that trafficking needs to be part of the conversation around sex work because it is a global problem, but Breanne makes sure to tell me, with pride:

I don't feel like a victim because this is something that I choose to do. I can leave the massage parlour anytime. I can stop escorting anytime. Like, I could stop what I'm doing right now. I'm not a victim because I have the freedom to choose.

In many ways, my conversation with Breanne reminds me of my conversation with Emerald, both being young Asian women, who do not reveal their involvement in the sex industry with their loved ones predominantly because of their culture. Like Emerald, Breanne's perspective of the industry has changed since she has gotten involved, telling me that she would previously carry the same perspective as the rest of her family.

Now that I'm involved with sex work, I understand how it works and why it's needed. I didn't always view it positively. I usually don't stop my friends and family from speaking down on it, I tend to let it go, but I personally see it differently than before and I know it's empowering. I'm pretty defensive of sex work, but only inside my head.

I cannot blame Breanne for her caution in taking a stand for sex work. In far too many cases, outspoken advocacy for sex work comes down to life or death. Breanne is an example of the new generation of sex workers bearing the fear of stigmatization and oppression that sex workers have carried for centuries. “We need more positivity in this industry,” she tells me. “We need the public to have a clearer understanding of what sex workers do, and to value the benefits of escorting and prostitution. I didn’t realize this before becoming [a sex worker] myself.”

## **CHAPTER SEVEN: DISCUSSION**

The findings in my interviews suggest that sex work is a complex industry, one that should not always and in all ways be conflated with trafficking, victimization, and oppression of those involved. My conversations and research support my hypothesis, that ‘saviour’ legislation like SESTA/FOSTA does more harm than good and endangers the very communities these documents claim to protect. In this chapter, the changing practices of sex work through Internet and policy-based developments are discussed, while drawing a firm differentiation between consensual sex work and sex trafficking. The benefits of decriminalization, in stark contrast to the harm of legalization and further governmental involvement, is presented and reinforce the recommendations and insights from the women interviewed.

### **The Changing Practices of Sex Work**

Not long after computers became an accepted household necessity and the Internet became a popular place to surf, the independent provider and the agencies discovered the potential of the Internet. The independent provider discovered that if she could put together a simple web page, she could reach a massive, upscale male audience not only in her own city, but nationally and internationally, thereby increasing her business exponentially. Before the Internet, escorts advertised in the Adult Services section of the local newspaper or perhaps in the yellow pages. (Roberts, 2007, p.217)

I argue that the development of the Internet-based sex industry has allowed for a diversification in the hierarchy of sex work. Online prostitution has largely replaced older forms of sex solicitation, such as street-based sex work, which more frequently involve social problems including poverty, drug addiction and abuse. However, I do not believe that the growth of online sex work has displaced street-based sex workers, only further augmented the complexities of sex work as a trade. The Internet has exponentially increased the ability of sex workers to reach a larger client base, build reputations for high-quality service, and reduce the risk normally

associated with sex work (Cunningham & Kendall, 2011). In fact, the strategic marketing that can be done online is fundamental to the independent escort's success (Nelson, Korgan, Izzo & Bessen, 2019). For Allegra, 24, "online is the only way I advertise", and Emerald, 27, explained that the Internet "certainly made things easier, like in terms of disseminating my ads". Soraya enjoys the community that the Internet allows her to be a part of: "I would say more of my community is online-based. It's more difficult to connect in person". Her work is also heavily dependent on the online world, as she produces and acts in porn videos disseminated online and hosts camming sessions. Crystal, 34, who specializes in fetish and dominatrix sex work, explained that the Internet allowed her to make a business out of sex work:

I would have never even thought of doing anything without the Internet because to me, that would have been like having to go find a pimp on the road and being like, 'hi, I would like to sell my body'. Like, it seems so much more oppressive than this, which is my own business.

It has also further segmented the market for commercial sex, in terms of both the clients and the providers. Previous research by Helen Reynolds (1986) and JD Roberts (2007) suggests that indeed sex work is segmented and there is such thing as a 'high-class' sex worker. The women interviewed confirmed this. Milly stated that the differentiation is "totally true":

There's this girl I know, and she's involved [in sex work], and she's a mother herself. No one knows what she does. There's a house and a home with a child and nobody knows. And then there's that other style, just on the street. There are the different levels, but you have to pick and choose.

Breanne told me that in her brief brush-ups with fellow sex workers, she has perceived judgment amongst her massage parlour peers when referring to outdoor sex providers. Emerald explained how she conceptualizes what makes her different from a street-based worker:

I wouldn't pick someone just on the street just for sex. I do know that there are people doing that [...]. There is [sic] certainly sex workers who are just in it for the sex [...] They don't mind just having sex just for the sake of it, and then they're done after like, maybe one hour. But for me, my sessions, I prefer them to be longer, like, more like dates, and

then at the end of the date, maybe move on... I can provide some sexual services, but not just that.

Allegra was hesitant to put herself above other sex workers when it comes down to class and rates:

It's kind of just like putting a hierarchy within sex work. I don't consider myself better than someone who charges lower than me. For me, it's a matter of personal comfort and that's what I'm comfortable selling my services for. If someone is comfortable selling theirs for less, under the assumption that it's consensual, like if they're comfortable with that, who am I to say that they're lower class?

Crystal felt that, "if you're standing on the street [...] something's wrong. Like, it's not glamorous for you at this point. Like, definitely, you're struggling and you're like, you know, that's how you're trying to make your money". Soraya compares this dichotomy to every other industry:

It's not a myth. There's [sic] levels to it. And this goes with any industry, like if you go to a motel versus the Marriott or another very high-class, expensive hotel, right? Like, every industry has those levels. You can go to a two-star diner or a Michelin star restaurant [...] There is survival sex work, there are street hookers, there are people that, you know, don't necessarily live up to this bougie image of what it means to be an escort [...] There's definitely high-class escorts, and I mean like, I have a lot of friends that have very high rates.

Roberts notes that the Internet has uniquely benefited sex workers in the escort and call girl categories, because of the unique advertising challenges these subsets face and the higher demand for the services they offer—companionship and the Girlfriend Experience, otherwise referred to as 'deep acting' (Hochschild, 2003) and emotional labour (Bernstein, 2007a; Chapkis, 1997). Emerald is a particularly big believer in the emotional aspect of her work as an escort:

I really believe in the emotional part, it's just human touch. Part of an escorting relationship is the interactions that you have with each other, with the client, between the client and the escort. It's important to have more than just sex ...To be a more holistic sort of service [...] I actually would consider the sexual part 40%, emotional part 60%. Sex workers of all forms are aware of the value of spatial congregation.

This is reflected online and offline, with agglomeration taking place on websites as similarly as ‘strolls’ in street prostitution (Cunningham & Kendall, 2011). Sex workers gather where clients can find them, but this form of gathering also serves toward their safety: law enforcement budgets are fixed, which may reduce the probability of arrest for each prostitute (Shively, Kliorys, Wheeler & Hunt, 2012).

A feature of sex work that has developed thanks to the Internet is the online review system. Review sites increase legitimacy for any product, including sex work, because it allows for reputation-building (Cunningham & Kendall, 2011). Information-sharing between clients and providers was limited to the informal means of word-of-mouth, but the Internet has legitimized this necessary process and consequently, has helped in the push for legitimizing sex work as real work.

Reviewing websites, such as the famous [TheEroticReview.com](http://TheEroticReview.com), which is still active and hosts over 313,660 reviews of sex workers, allow sex workers to build public reputations for the quality of service they provide. Canadian examples include Toronto Escort Review Board (TERB) and Canadian Escort Review Board (CERB). These online spaces provide a form of security, indicating whether a worker is fraudulent or dangerous. In turn, sex workers often refer potential clients to their reviews. Online reviews and the impact they have on reputation hold sex workers to a certain standard of service and safety. Reviewing is not restricted to providers, though. Sex buyers also have their reputation on the line to some degree through what is commonly referred to as ‘blacklists’ or ‘bad date lists,’ wherein sex workers provide information about clients that could be helpful (or life-saving) for other sex workers. In a 2010 study, 58% of sex workers surveyed stated that they refuse to see a client without a reference from a previous

provider (Cunningham & Kendall, 2011). Allegra told me that “not having that [Backpage blacklist] forum is the biggest difference”:

Lists online were really useful. I don't see them as much anymore [...] If you're in a city that has a community, [references are] definitely your best way. Because like, what I would trust more than checking someone's work is for another sex worker to tell me, 'I've met with him, he's good'. [...] [Backpage] used to host like, quite a few blacklists [...]. It was like a forum kind of, it wasn't an official thing, but people would post descriptions, what name they use, phone number, briefly or like, as much as they were comfortable sharing what happened that made them uncomfortable or whatever the situation was. So that was helpful.

Based on the references provided by other sex workers, one may refuse to see a client – this autonomy and right to choose clients is an important feature of independent escorting (as opposed to escorting via agency) and is fundamental to the safety of commercial sex. The Internet and the methods of communication it supports, such as email, facilitate consistent screening procedures. All six women I spoke with follow their own screening practices. When I asked Milly if she vets her clients before meeting them, she exclaimed,

Oh yeah, for sure, yeah! You have to screen that shit. Safety first, babe [...] The Internet makes it a lot easier, that's for sure. Way easier. It's easier to screen and do background checks before you're getting... you know, it's great. Makes life a lot easier.

Soraya warned me that some sex workers are ill-intentioned:

I originally used to require two provider references, but after a lot of like, discussion with other service providers and just like, seeing other people's personal experiences, I don't think it's necessary because there's a lot of hateful bitches in this world. And I've seen providers give or get references from somebody who just wanted to harm them and said, 'Oh, yeah, no, it was a great client'. And it's somebody that robbed them because they just don't care about the safety of their peers for whatever reasons. So, I no longer require a service provider reference [...] I just required two pieces of ID front and back. Um, depending on the person, I might request a work reference, whether it's like a LinkedIn profile or something, you know, just so that I have a little bit more information.

Emerald explains that not knowing the clients before meeting them in person is the most problematic part of her job as an escort, referring to it as a ‘mystery’. Still, she relies on online communication to decide whether she will be accepting someone as a potential client:

I get the email for somebody, I ask them general questions and then I tell them what my preferences are, like, I set ground rules. So, if they accept that, then we can move on with the relationship, or ‘escorting’. If not, then I would tell them that I’m not comfortable. [...] I’ll ask them some questions about, ‘how old are you?’, ‘what would you like to do during our meeting?’

Crystal echoed Emerald, telling me that,

I need to talk to [clients], like, we need to email. [...] I need to see that you’re serious [...] If they are serious, you have to send me a picture of yourself and I tell them all, ‘if you cannot disclose to me who you are with one photo then I can’t trust you because if I look through my peephole, I don’t know who to expect’. Who am I opening my door to? [...] And you cannot send me a photo with sunglasses on, I need to see your eyeballs. I’ve always had kind of like, a good judge of character. So like, if I see a picture and it gives me the creeps, you’re not coming over. I don’t care how much you’re offering.

Vetting clients is paramount to attaining a level of safety that offline sex workers are not privy to. But it is a practice put into jeopardy by laws that effectively remove the visibility of online sex work. Due to SESTA/FOSTA, many online resources like TheEroticReview and the Open Adult Directory have had to limit access for North American users, eliminating the source of useful information for sex workers and clients alike (Nelson, Korgan, Izzo & Bessen, 2019). For Canadian sex workers, between 60-90% of clients were previously found on Backpage, and although many American clients are now looking to the Canadian sex market, sex workers north of the border have had to adapt by using sites such as Leolist, that are only established in big cities (Tierney, 2018). As Koken, Bimbi, Parsons and Halkitis (2004) found, stepping out from behind an online persona leads to less protection. The FBI seizure of Backpage and similar consequences of SESTA/FOSTA did more harm than good, at least in the eyes of the women I spoke to:

What they did with getting rid of Backpage- It's like, the worst thing you could do because if you had kept it open you could have investigated all of these people, and when something pops up that is trafficking, it could be investigated, and you could potentially find the person and the victim. With just getting rid of it online, you don't get rid of the problem. It's just that there's no paper trail anymore so you can't even find it. You're just pushing it onto like, literally the street. Good luck finding your paper trail now. You're kind of getting rid of the evidence that would actually help you help these people.

- Allegra

## **Trafficking, and the Victimization of Consensual Sex Workers**

I refer to laws such as SESTA/FOSTA as 'saviour legislation' because they are put forth under the premise that, at least superficially, they will save women from sex work. Emerald hopes that governments have good intentions but points out that "lawmakers do not have first-hand personal experience as an escort worker themselves". Consenting sex workers do not need to be saved from their profession, and often have passionately negative feelings about being considered victims or having their work conflated with sex trafficking. Milly's reasoning lies in consenting sex workers' abilities to partake in any other profession if they were to choose to do so: "Human trafficking and sex work are totally different things. These women can start another job, they can do whatever they want". For Allegra, it is "the most infuriating thing":

It takes away resources from people who are actually victims of human trafficking. Because we're spending money and bodies of police officers and time and everything going after people like me when there are people who are being trafficked who do need help and could be using these resources. Like, if we weren't going after people who are just trying to make a living, you know what I mean? Which is where 'rights not rescue' comes in because like, a lot of people's goals is just like 'well, we need to get rid of sex work to like, save all these women'. It's like, 'no, if we actually allocated it properly, we probably could save a lot more people than we are with what's currently going on', because most of the people that are getting arrested then being put in jail and stuff are consensual workers working for their own living.

Crystal considers it a "slap to the face": "They grouped all of us into like, these vulnerable 'you're all being sex trafficked', like, poor women on Backpage and that's absolutely not what

the majority of the people on there were”. Soraya is aware that trafficking is a reality, but she upholds that it is a reality in multiple industries, not just transactional sex:

They're not the same thing. Like, there are sex workers that are sex trafficked. Um, there are sex workers that don't want to be in sex work. But you could say the same thing about any industry, and it's really interesting how people want to save us while not listening to us, because that's just further endangering us - all the people that are out here that are doing this because they love it. They're doing it because they want to. And even if they don't want to, they're doing it because it does better for them and their families. Um, you know, like, you can't take our work away from us and our means to live and then not provide us resources and alternative options.

I sustain that governments and policy makers are very much aware that these sorts of legal developments harm sex workers, but as long as the sex trade is somehow, somehow eradicated, and the anti-sex status quo is maintained, their mission has been accomplished. The shutdown of Backpage, and the decrease of safe online spaces for sex workers, essentially pushes escorts toward danger. Governmental operations of taking down sites that permit and facilitate trafficking renders trafficking more difficult to be monitored and identified (Heils & Nichols, 2014). Allegra was adamant that without these online avenues through which trafficking might be observed, victims are likely to be at greater risk. Her claim is well-founded: in 2013, the FBI uncovered 105 child sex trafficking victims, and resulted in the arrest of 150 pimps in 76 US cities with the help of the Internet, and while Backpage was still running, approximately 25 – 33% of sex trafficking cases were discovered using online searches (Heils & Nichols, 2014). Now, this crime is becoming increasingly displaced. According to Guerette and Bowers (2009), “displacement is the relocation of a crime from one place, time, target, tactic or offender as a result of some crime-prevention initiative” (p.1333). Understandably, this can only exacerbate the problem at hand, and dealing with sex trafficking is increasingly difficult.

Law enforcement may not always treat trafficking cases as trafficking because they are not trained to identify sex trafficking and may therefore pursue the case as rape or domestic

abuse, instead. This is due to prosecutors fighting cases in such ways that they can nearly ensure a win, and rape or abuse are often easier to prove than the coercion and fraud required to charge one with trafficking (Guerette & Bowers, 2009). Canadian laws such as Bill C-36/PCEPA have long been criticized by scholars for incorrectly conflating sex work and sex trafficking, particularly in the case of migrant and racialized sex workers (Lam & Fudge, 2020). Not correctly identifying cases as trafficking biases the legal and administrative systems into believing it is not too prevalent of an issue, thus decreasing the resources available to law enforcement. This is another reason for which cases of trafficking are rarely tried in court. Additionally, victims of trafficking often do not want to comply with the prosecution out of fear of being persecuted themselves or manipulation from the trafficker. Further, during the Covid-19 pandemic, “60% of [Canadian]-Asian and migrant sex workers reported that they have been harassed or abused by law enforcement officials” under the guise of PCEPA and perceived sex trafficking activity (Lam & Fudge, 2020, p.1). Censoring and hot spot policing in its current form is not a likely step toward the eradication of sex trafficking, but rather forces trafficking into hiding and makes the identification of cases much more difficult (Guerette & Bowers, 2009). The practice of ‘saviour’ legislation forcing the activity to be removed from online spaces, which are publicly visible, only pushes trafficking into a private realm, like the Dark Web, further endangering true victims while also severely harming sex workers which just so happen to make use of the same public online spaces.

Allegra does not think conversations around sex work should ever include the topic of sex trafficking: “I don't even think it should be in the same sentence. Because that's like saying like, sex and rape are the same thing. Just different worlds”. Indeed, consent is a key concept at play for sex workers and calling their consent into question when they have proclaimed it and are

acting upon it is a violation of their autonomy as workers and as women. I was curious whether the six women I spoke with felt exploited or empowered through their involvement in the sex trade. Given how raw and unfiltered they had been with me throughout our interviews (sharing information about their mental health, families, former addictions, etc.), I felt that I could trust their answers to this question. Here is what they each told me:

For me, I can't say for the rest of those in the industry, I would say empowered [...] I didn't used to think I was so heavily supportive of my gender or sexuality. It definitely makes me feel empowered when I'm respected, and I have a good experience with a client. Sometimes it brings out really good experiences, even better than with a boyfriend or husband. – Emerald

I've just like, found more and more of myself as the time has progressed and it just... I don't know what it is. It just makes me feel happy. Dancing, especially. I enjoy escorting, I enjoy my porn production. I like camming, [...] I wouldn't have one without the other. I don't know, it's just... it makes me happy. – Soraya

I was intrigued by each woman's understanding of what it means to be empowered.

Through what I do, I feel super empowered. Especially because like, I only do it if I want to. It's my own time. It's like, what I say goes [...] I've always loved sex, but I've always hated that I don't get enough out of it. So even in the beginning when I was like, actually having sex doing sex favors and stuff like that, it was still like, I still liked the fact that I was getting something out of it, too. Like, not just pleasing them. It was also something for me. – Crystal

I think it's like, really, really empowering. I've had body image issues and an eating disorder my whole life until I started in this industry, honestly [...] It definitely is empowering. Not in an unhealthy way where you're like, 'oh people are giving me money for what I look like, so I have value' [...] It's kind of weird to say, but it shows you your appearance doesn't matter [...] Before I was involved in the industry, I thought it was all about how you look. But then you like, you start to realize it's a lot more just people wanting to connect with you and spend time with you. – Allegra

I can take my vacation when I want. There's[sic] perks to all of it [...] I have my own place. I'm not selling my ass for five or ten dollars. My fridge is clean [...] If I was a drug

addict all cracked or something, maybe it would be different. I'd look like those girls on the corner. I wouldn't be sitting here saying that, but I've been very fortunate, you know.  
– Milly

Their answers made it clear that what these women really need are rights, not rescue, and if I could figure that out after only speaking with six of them for a couple of hours each, I wonder how different the socio-political circumstances for sex workers would be if they were spoken with and consulted before being unequivocally labeled ‘victims.’

### **A Desire for Decriminalization**

The hashtag #rightsnotrescue has been used on over 3500 Instagram posts over the years. Searching the tag on Instagram leads one to an online community of solidarity for sex workers composed of photos and typography-based posts. Some of the top posts in terms of popularity, as of December 2019, read: “Sex work is work. End violence against sex workers. Decrim now. End whorephobia! Workers Rights! Rights not rescue” (@anti.speciesist.action); “The sex industry is dangerous because of how you treat sex workers” (@fypm.show); “What if sex work wasn’t viewed as inherently exploitative work, but viewed as work within an inherently exploitative economic system?” (@drsprinkle); and “Sex workers want #RightsNotRescue” (@theguerrillafeminist). Through social media, sex work organizations, and protests, sex workers are demanding for their work to be decriminalized. Their message is clear: they want rights for the work they do, and they do not want to be saved from it.

The Anti Oppression Network, an organization dedicated to decolonization, anti-oppression and intersectionality, outlines the following as sex workers’ rights: the right to non-discrimination: due to the stigma they face, as well as the reluctance to disclose their occupation even those closest to them; the right to life, liberty and security of the person: sex workers face

reporting violence and violence at the hands of the police, and often do not have their claims investigated; the right to working conditions that are safe and healthy: the criminalization of sex buyers and different facets of prostitution forces sex workers to work in isolation or often in conditions that could put them at risk; the right to freedom of expression and association: as per Canadian law, sex workers must work alone and their means of communication and power of negotiation for terms of service are limited; and the right to freedom from inhumane and degrading treatment: according to a 2007 Stats Canada report, sex workers are 60 to 120 times more likely to be murdered than non sex workers (The Anti Oppression Network, 2018). Fighting for these rights is paramount to ending the violence and discrimination sex workers face daily.

Melissa Gira Grant explains in her book, *Playing the Whore*, that sex workers are misunderstood and misrepresented in the media. When asked about media representation, Emerald agrees with Grant that sex workers are misrepresented, sharing:

They always portray the more negative side of escorting. Even if there is representation, it's always about the worst things, like STIs, STDS, people having their relationship with their family broken because of their culture or their family disapproves and they got caught- disapproves of this type of industry, that they got themselves involved in this type of work [...] I would rather see documentaries created about our type of work, than incorporating more negativity into fiction.

I posed the same question to Milly, asking if sex work is fairly represented, to which she replied, “fairly represented? Hm. They get your attention when somebody dies of a fentanyl overdose. It's true because next thing you know, ‘she's been on the street’ and so on”. Curious, I asked her if she felt this was an accurate portrayal. “No, not at all”, she answered.

Grant also sustains that the criminal status of sex work is the cause of the discrimination and abuse of sex workers’ civil and human rights, claiming that laws thrust sex workers into an

antagonistic relationship with police (Grant, 2014). According to her experience as a sex worker and advocate as well as through her work as a journalist, Grant says that stigma and violence faced by sex workers simply because they are sex workers is far more dangerous than any other aspect of the trade. This is echoed by Allegra, when I ask her what she finds the most challenging about being a sex worker: “I'd say for sure, like hands down, the most challenging thing is just like other people's stigma and opinions”.

Decriminalization of sex work is the legal, political, and administrative development that is indeed necessary. Decriminalization means that a previously criminal activity would not, within reason, land the ‘perpetrator’ (for lack of a better term) in jail or give them a criminal record. On the other hand, legalization would mean that there would be no legal or criminal penalty for the act whatsoever, while also implying that the government would have a heavy hand in the matter, as is the case in Canada with the legalization of marijuana. Briefly, “legalization facilitates the policing of the sex industry and gives workers access to criminal justice protection and redress, the security of labour laws, and a measure of legitimacy” (Bruckert & Hannem, 2013, p.55). Largely considered successful, the few cons to legalizing (rather than just decriminalizing) marijuana include an increased usage amongst adults 21 and older (Wen et al., 2014) and increased risk of accidents due to driving under the influence (NARR, 2020). However, the legalization of sex work, and perhaps the consequential licensing of sex workers if the trade were to be legalized, is something Milly is firmly against: “Fuck them, no, they've taken enough. They always gotta dip their hand in there [...] No reason! There is no reason, it makes no sense”. Breanne also opposes increased government intervention, telling me that it simply would not make sense for an institution that causes so much harm and danger for the sex industry to “dip their hands in the pot”.

After I explained the difference between decriminalization and legalization to a few of the other women, they all had a similar outlook. Crystal compared it to the case of marijuana:

I'm also like, a marijuana advocate as well and I always thought that I wanted it legalized, but now that it's legalized, I wish it was still only decriminalized because it will be the same way. Whereby if [sex work] was legal, they will find every other way to still charge you for something. And there will always be the underground industries, just like there is now. Everybody's not buying government weed and everybody wouldn't buy legal sex services either [...] So there's still always going to be those underground people, too, who will then be penalized if it's legal. Where decriminalizing it sort of gives you more like, leeway to just sort of make your own judgment. It's still your business.

Referring to her other sources of income, she added:

I clean, I do my dom stuff. So if it was legal, that's another thing, too - then they're gonna take money from us. And it'll be on the record, too. That would kind of go back to like, stigma. So, like, your job on the record is a sex worker. Are we going to get audited? Probably.

Soraya sees a future in decriminalisation, both for sex work and herself:

I would love to see dancers and escorts unionize. I would love to see, you know, decriminalization. I would. I want to see that. I want to do that. That is what I want to do. I want to be a part of that. So, I have no plans to leave sex work, even if I don't end up, you know, still dancing or camming or doing porn or escorting. I'm still going to be involved in industry, whether it's from a managerial standpoint or you know, who knows, maybe I'll go to school to be a lawyer or a paralegal, you know, direct my services to sex workers, but I don't have any personal plans to, to leave to do anything else.

Again, Soraya compared sex work to another subset of the service and hospitality industry: restaurants and waitresses. She explained that waitresses need to rely on tips because their income is so heavily taxed. About legalization, Soraya added that, “legalizations means that the government has a say, and the government should not have a say! Just like the government should not have a say when it comes to things like abortion. Like, this is my body. It's my right”. Allegra also presented a very well-informed and articulate opinion when I asked her to choose between legalization or decriminalization. She did not hesitate to say,

Decriminalization, 100%. Obviously, you know the difference. Legalization would just be... I mean, obviously it's still better than putting us in jail. I think a lot of people don't realize like, actually how much of a difference it would make like, if it was legalized, not decriminalized. We would have like, province of Ontario brothels that would be the only legal place you could work. They'd set your wages and you can't charge more than that. It actually takes away quite a few freedoms rather than helping. I think a lot of people just honestly don't understand the difference between the two. Like, the practical differences it would make [...] Even on the customer side, like, I had the conversation with customers and they're like, 'I don't want to go into a brothel owned by the government and like, show them my ID and be on a list'.

### **Hoping for More Canadian Solutions**

Now just over three years since the shutdown of Backpage and the enactment of SESTA/FOSTA, independent and consenting sex workers, who work as escorts, like Allegra, Crystal, Emerald, Milly, Soraya, and Breanne, are still looking for a new online space through which to conduct their business safely, professionally, and successfully. Dominatrix Crystal deeply feels the absence of Backpage, because:

It had like, more than just like, hooking up and stuff like that. You know what I mean? It was like, narrowed down. So, there was like, domination and fetish categories and stuff like that. That's all gone now. No matter where you try to advertise or where you try to look for clients and stuff like that now, they all automatically think you're [just] an escort.

This is something Crystal explains has negatively impacted her business, because domination work is very dependent on the client's mood in each moment:

People who are looking for [domination and fetish] services, they're in the mood, they post. I'm the one providing the services. I'm able to do it that day so I'm looking, so we match, right? If you post your ad on a site that nobody ever looks at and I only see it five days later, the mood is gone, the money is gone. There is no chance for that.

Crystal has been deceived by print ads, recalling that a magazine took her payment but never printed her ad, and now finds FetLife, a social networking platform for the BDSM, fetish and kink community, to be her best option. Her and Milly have both tried sites like Locanto, a free

classifieds website, but have had very little success. Allegra is back on sugar daddy websites, on which she doesn't "outright say really much" on her profile and finds that clients on those sites are:

Straight up looking for like a very like, one-hour service. They'll just message to you for that, and then the other ones will message you basically whatever they're looking for [...] I am right now like, kind of entertaining them more in like, a sugar daddy/baby relationship way. You know what I mean? Because yeah, it's been pretty difficult to do like, straight-up hour booking and advertising.

She, like Soraya, also relies heavily on Twitter to maintain an online presence wherein she could promote herself and her services. Milly continues to use Craigslist, whereas Emerald no longer spends too much time on her ads anymore, since finding a stable income via mainstream occupation after completing her university degree. For Emerald, being an escort "has always been part of a side job, or a side gig for me":

It remains that way. But, because I've become more mature, become older, I've become more selective in terms of who I want to meet and who I don't. And also with my scheduling, I'm unable to see as many clients as before and I don't need to anyways, because I have a stable income. So mostly my clients come from my other escort friends who are looking for like, a certain ethnicity. Because I'm East Asian, so I'm a little bit more, maybe, exotic than others. There's clients who are like, specifically looking for East Asian.

When Emerald is posting her rare ads, she uses Kijiji, Craigslist, and Facebook.

Allegra and Crystal pointed out that there is something that could fix this for Canadian sex workers: more Canadian-run sites, based out of Canada, that would operate under the same premise that Backpage did: Leolist, Tryst and Slixia among some that are currently filling the void. Because Backpage was an American website, it fell under the jurisdiction of the FBI and the more punitive prostitution laws of the United States. A Canadian Backpage would fill the void left behind by the infamous predecessor. "What we really need is somebody to make a

Canadian website because then it would be under Canadian law”, Allegra told me toward the end of our time together. “It would really help if some Canadian developers would make a site”. As though they had discussed it over coffee, Crystal expressed the same hope when I met with her a short while later: “If I had the means, I would make a site!” she shared, with excitement in her voice. Referring to my research, Crystal told me,

This sort of research is the kind of stuff that we would need to back up our reasoning for making a new Backpage in Canada. Just saying, right? You can’t do anything without like, stats and like, stuff to show. Like, there’s women here who want it, who are willing to, you know, advertise, and pay to advertise. Nobody’s going to start a website if they don’t think anyone’s going to advertise on it, right?

Emerald seemed to share in this support of my work, saying,

I do value the type of research you’re working on, that’s why I’m contributing my comments and experiences. You know, hopefully the government will respond to it and not look at us as victims or even like prisoners or like people who are doing illegal things.

In future research concerning Canadian sex workers, I hope the development of a national iteration of Backpage will be considered a primary objective and that the voices of sex workers continue to guide the direction of academia on the topic.

## CHAPTER EIGHT: CONCLUSION

Sex work has undergone many changes since the turn of the century, with the availability of digital spaces being taken from sex workers about as swiftly as it was offered. The North American governments' deep-seated misogyny and sex panic have only increased over the years. In fact, since beginning this research over a year ago, countless attempts by local government to further criminalize sex work have taken place, and a relentless pursuit from federal governments, both Canadian and American, to keep sex workers on the outskirts of mainstream society continues. Since speaking with Allegra, Emerald, Milly, Soraya, Crystal and Breanne, opportunities to advocate for sex workers have frequently presented themselves in social and academic situations, and these women's words have empowered me to stand firmly behind the statement, 'sex work is real work'. Equating sex work with trafficking is not only wrong, but also fundamentally violent—this is apparent through the many 'saviour' legislation that have stemmed from this misunderstanding, which have caused the death of those they claim to save, and the empowerment of those they claim to impede. Sex work might never cease to be a spectacle, attracting hoards through the lure of a pseudo-crisis and erroneously causing society to do good by feeling terrible (Grant, 2014). But sex workers do not need our sympathies any more than they need to be rescued from the physical and emotional job they have chosen. Sex work and the lives of those involved should not be up for debate, much less one uninformed by sex workers' own experiences. Based on a textual analysis of 35 escort ads from 2011-2021, and one-on-one conversations with sex workers, I conclude that the removal of Backpage and the increased censorship on various websites used by sex workers in North America has limited and endangered the women involved, and forced them to advertise their services more thoroughly, and thoughtfully.

In May 2021, the Conservative Government of Ontario passed Bill 251, Combating Human Trafficking Act. Framed similarly to SESTA/FOSTA, this new piece of saviour legislation increases police surveillance and expands police power to racially profile residents while targeting sex workers (Butterfly, 2021). These new law enforcement powers continue to uphold the conflation of sex work and sex trafficking and allows the further criminalization of sex workers in Canada, increasing censorship on Canadian platforms and failing to address structural barriers that contribute to the risk of the industry. This unfortunate development in Ontario legislation demonstrates that stigma continues to be the driving force behind policy change, with North American government at all levels failing to consult empirical evidence and the pleas of the community in question. Bill C-36, SESTA/FOSTA, and now Bill 251, are no more saviours for women like Soraya or Crystal than the men who pay for their services, then offer to whisk them away from the industry altogether. It is an industry that pays their bills, empowers them, and allows them to be entrepreneurs. Although sex work might be far from a mainstream industry, it certainly offers women a voice through which they can own their sexuality, and profit in such ways that would otherwise be unavailable to them in male-dominated spaces. By removing digital spaces that allow escorts and indoor sex workers to communicate and congregate safely, governments remove the little autonomy and power sex workers were given right from their fingertips, and rudely nudges them back into danger. To rectify this, we must continue to amplify sex workers' voices, give them platforms through which not only to share their content but to share their experiences, and encourage real discussions about the reality of sex work. Future North American bills, amendments and legislation must stop attempting to 'save' sex workers from their livelihood, and equip them with

rights, so that soon, we can look back at SESTA/FOSTA with as much relief as we feel when we look at the archaic Vagrancy Act of 1869.

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APPENDIX A

CONTENT IN SEX WORKER ADS 2011-2021

| Name                | Year | Ethn. | Loc.     | Age | Source         | Physical Description                     | Contact Info                       | Cost shown | Face in photos                                   | Other  |
|---------------------|------|-------|----------|-----|----------------|--|------------------------------------|------------|--|--|
| Julia Jayde         | 2020 | White | TO       | 47  | escort-ads.com | Yes - hair, eyes, height                 | TW, ph #, email, website           | Yes        | No   | short bio detailing interests, professional photos; reference to GFE in 'About me' "she will surprise you from the start becoming a friend and a confidante even before we meet" |
| Nina Xu             | 2021 | Asian | TO       | 18  | escort-ads.com | No                                       | No, VIP access only                | No         | Yes  | bio focused solely on sexual skills of note (oral; anal); one review of Nina posted but for VIP access only  |
| Melanie Cindron     | 2020 | White | HLF X    | 25  | escort-ads.com | No                                       | No, VIP access only                | No         | Yes  | No information provided  |
| Sara the Juicy Rush | 2020 | Black | Ham.     | 26  | escort-ads.com | No                                       | No, VIP access only                | Yes        | Yes  | List of sexual services she enjoys and travel destinations she is open to are provided.  |
| Playmate Amy        | 2020 | Mixed | Nrth Yrk | 21  | escort-ads.com | Yes - hair/eyes/height/weight/breast cup | No, VIP access only                | Yes        | No   | Some payment preferences listed; list of preferred sexual services   |
| Jayda               | 2021 | Black | TO       | 19  | leolist.c      | yes - height/weight/hair/eyes/body stats | Yes - text or call personal number | No         | Yes, but most photos were very sexually explicit | bio space more free-written than the form style of escort-ads; mentions 'full GFE'; focus on intimacy, personality   |
| Katelyn             | 2021 | White | Miss.    | 24  | leolist.c      | yes - height/weight/body stats           | No, VIP access only                | Yes        | No   | very vague bio, no direct mention of sexual services/acts; some specifications of client criteria i.e.   |

|           |      |        |          |    |                                |  |   |     |     |  |
|-----------|------|--------|----------|----|--------------------------------|--|---|-----|-----|--|
|           |      |        |          |    |                                |  |   |     |     | no black gentlemen   |
| Annia     | 2021 | White  | Nrth Yrk | 21 | leolist.c<br>c                 | yes - height/weight/breast size/hair colour/eyes | Yes - personal phone number; email VIP only | No  | Yes | GFE first word in ad; bio solely focused on brief description of sexual services                             |
| Suki      | 2021 | Asian  | Miss.    | 20 | leolist.c<br>c                 | yes - height/weight/body stats/hair/eyes         | Yes - personal phone number                 | No  | Yes | GFE, very GFE-type bio suggesting affection, intimacy, lots of extras; used coded type for most sexual words |
| Tyronia   | 2021 | Asian  | TO       | 25 | leolist.c<br>c                 | yes - height/weight/body stats/hair/eyes         | No, VIP access only                         | No  | Yes | no mention of sex services; 'pretty, simple and classy lady'; 'trustworthy' 'reliable'                       |
| Katya     | 2021 | White  | TO       | No | torontoadults.com via NOW Mag. | "nice and soft body"                             | Yes - personal phone number & website       | No  | No  | sectional ad like you'd see in classifieds; no mention of sexual services, no nudity; no head in photo       |
| Mia       | 2021 | Latina | TO       | No | torontoadults.com via NOW Mag. | "hot latina"                                     | Yes - personal phone number                 | Yes | No  | GFE & massage are only services mentioned; sectional ad; brief; cheapest so far at \$60                      |
| Margo     | 2021 | White  | TO       | 26 | torontoadults.com via NOW Mag. | Yes - body type; breast size                     | Yes - personal phone number                 | No  | No  | No mention of sex services, only brief description of hosts' apartment                                       |
| Anonymous | 2021 | Asian  | TO       | No | torontoadults.com via NOW Mag. | No   | Yes - personal phone number                 | Yes | No  | "best service" but no other mention of services; specifying some preferences                                 |
| Candy     | 2021 | Latina | TO       | No | torontoadults.com via NOW Mag. | No   | Yes - personal phone number                 | No  | No  | No description whatsoever other than name, #, ethnicity and general location                                 |
| Maria     | 2021 | Latina | TO       | No | torontoadults.com via          | No   | Yes - personal phone number                 | No  | No  | Two sentence general description "Independent, sweet, fun,   |

|            |      |       |    |    |                                |                                 |                             |  |                 |  |
|------------|------|-------|----|----|--------------------------------|---------------------------------|-----------------------------|--|-----------------|--|
|            |      |       |    |    | NOW Mag.                       |                                 |                             |  |                 | sensual"; no mention of services; name # ethnicity location  |
| Tokyo Rose | 2021 | Asian | TO | No | torontoadults.com via NOW Mag. | No                              | Yes - personal phone number | No                                       | Yes             | massage advertised as only service offer; targets mature demo; specifies time  |
| Anonymous  | 2021 | Asian | TO | 26 | torontoadults.com via NOW Mag. | Yes - height/weight/breast size | Yes - personal phone number | Yes                                      | No              | Multiple photo ad with info in description, unlike the previous; hinting at sexual services, unexplicit; brief intro |
| Victoria   | 2021 | White | TO | No | torontoadults.com via NOW Mag. | "Busty"                         | Yes - personal phone number | Yes                                      | No              | sectional ad; "open minded best service"; name \$ # location   |
| Jessie     | 2021 | White | TO | 23 | torontoadults.com via NOW Mag. | No                              | Yes - personal phone number | Yes - price list, uncommon for this site | No              | Vague reference of sexual services; mentions fantasy/fetish; name/age/location not clearly stated                    |
| Lulu       | 2014 | ?     | TO | No | NOW in print                   | no                              | phone #                     | No                                       | No              | Name/gen location/phone number/anon pic  |
| Sasha      | 2014 | White | TO | No | NOW in print                   | No                              | Phone #                     | No                                       | No photo at all | Name/gen location/phone number/times   |
| Cristina   | 2014 | ?     | TO | No | NOW in print                   | No                              | phone #                     | No                                       | No              | Name/phone #/anon pic  |
| Helen      | 2014 | ?     | TO | 25 | NOW in print                   | No                              | Phone #                     | No                                       | No              | Name/phone #/anon pic/age/gen area   |
| Diamond    | 2014 | ?     | TO | No | NOW in print                   | No                              | Phone #                     | No                                       | No              | Just one descriptor, "unforgettable"; method of payments; pic, name & #  |
| Naomi      | 2014 | Black | TO | 30 | NOW in print                   | "attractive, black female"      | Phone #                     | No                                       | No photo at all | use of word "incall"; "fetish"; brief description and general location   |
| Karla      | 2014 | ?     | TO | ?  | NOW in print                   | "sexy, busty"                   | phone #                     | No                                       | No              | use of word "incall"; brief description and general location   |

|           |      |        |     |    |                      |   |                               |     |                 |   |
|-----------|------|--------|-----|----|----------------------|---|-------------------------------|-----|-----------------|---|
| Sasha     | 2014 | White  | TO  | ?  | The Grid in print    | No  | phone #                       | No  | No              | name, brief description "russian model luxury condo", location  |
| Ilona     | 2014 | White  | TO  | ?  | The Grid in print    | No  | phone #                       | No  | Yes             | name, brief desc. "gorgeous model" "upscale", location  |
| Camila    | 2014 | Latina | TO  | ?  | The Grid in print    | No  | phone #                       | No  | No              | name, brief desc. "open minded"; mentions extras are available; location  |
| Nataly    | 2017 | Asian  | WPG | 24 | Backpage screens hot | Height/weight/breast size                           | phone #                       | No  | No              | no mention of services but uses word "in call"; bio mostly focused on brief physical descrip. And contact pref. |
| anonymous | 2012 | ?      | HOU | 22 | Backpage screens hot | hair colour   | no - 'reply here' button only | Yes | No photo at all | brief description & "special" offer only  |
| Arianna   | 2011 | No     | BOS | 22 | Backpage screens hot | height/weight/ general description "soft, tan skin" | Phone #                       | No  | Yes             | offering companionship and "fun", no explicit mention of services; mentions "incall"                            |
| Tina      | 2012 | White  | PHX | ?  | Backpage screens hot | body stats/hair colour                              | Phone #                       | No  | No              | looking for a "sexy friend"; no explicit mention of services but offers 'discreet adult fun'                    |
| Anya      | 2015 | White  | NY  | 23 | Backpage Screens hot | No  | Phone #                       | Yes | Yes             | offering "private companionship", massage, dates - no mention of sexual services; mentions client preferences   |

## APPENDIX B

### Interview Guide

#### *Questions of Understanding / Revision of Consent (asked throughout Informed Consent Form)*

- Do you know why I am asking you to take part in this study?
- Do you know what this study is about?
- Do you know that you do not have to participate if you do not wish to?
- Do you know that you may not respond to any and all questions that you do not wish to respond to?
- Can you tell me if you have correctly understood the benefits of your contribution to my study? The risks?

#### *Introductory Questions*

- How old are you?
- How would you describe yourself in terms of gender, sexuality and ethnicity?

#### *General Questions about Sex Work & Escorting*

- Please describe your experiences as a sex worker. How did you become involved in this work? How did you come to work as an escort?
- How long have you been involved in sex work?
- Are you an independent escort or do you work through an agency?
- How do you feel about your clients?
- Please describe the world of escorting.
- What motivated you to become a sex worker?
- Could you tell me what your profession means and what does it imply?
- What do you find most challenging or problematic about being a sex worker?
- What do you enjoy about this job? What do you dislike?
- In your personal experience are there any aspects of escorting that you consider glamorous?
- High class escorting - myth or truth?
- Is emotional labour as prevalent in your job as an escort as 'sex' work?
- Please describe the escorting community in Toronto [or GTA, depending on participant]
- Did your job ever put you in a dangerous situation? Explain if comfortable.
- Can you comfortably support yourself through the money earned via sex work?

#### *Advertising & Internet Questions*

- Which websites would you use to advertise your services?
- Do you vet your clients before meeting them?
- What methods of advertisement do you prefer?
- How has the Internet changed your experiences as a sex worker?
- How important is your method of advertisement?
- Do the kinds of clients you interact with vary depending on your method of advertisement?
- Has the seizure of backpage.com affected your work?
- Has this lead you to consider leaving sex work?
- What legal considerations are at play when you create your ads?

### *Stigma Questions*

- Is escorting/sex work fairly represented by the media? Policy? Why or why not?
- Please speak about the common framing of sex work as human trafficking.
- Should the correlation between sex work and human trafficking be emphasized when educating the general public about this industry?
- How and when have you experienced stigma?
- Before you entered the sex industry what was your perception of sex work?
- Did your perception change after you entered sex work and how do you perceive your profession now?

### *Legal Document Questions*

- Please describe how legal developments have affected you (i.e. Bedford v Canada; SESTA/FOSTA)
- What sentiments do you harbour concerning SESTA/FOSTA?
- What are your thoughts on legalization?

Informed Consent Form

**This consent form is for escorts who currently or recently worked either independently or through an agency and have had their livelihood affected by legal documents such as SESTA/FOSTA. As such they have been invited to participate in a Masters thesis project, titled “Toronto’s Escorts Online: Effects of Laws on Safe Sex Work Through Digital Spaces”**

**Principle Researcher Diana M Edelhauser  
Communication & Culture Dept., York University & Ryerson University  
Under the supervision of Dr Anne F MacLennan**

**“Toronto’s Escorts Online: Effects of Laws on Safe Sex Work Through Digital Spaces”**

**Master Thesis 2019**

**This Informed Consent Form has two parts:**

- Information Sheet (to share information about the study with you)
- Certificate of Consent (for signatures if you choose to participate)

You will be given a copy of the full Informed Consent Form

**Part I: Information Sheet**

**Introduction**

I am Diana Edelhauser, doing my studies at York & Ryerson universities. I am doing research on the effects and repercussions ‘saviour documents’ such as SESTA/FOSTA have on the escorting community, which uses online spaces as means of advertisement and conducting safe, autonomous business. I would like to provide you with information and subsequently invite you to participate in my research. The voices of sex workers are crucial in any sort of work that concerns their community. You do not have to decide immediately whether or not you will participate in the research. Before you decide, you can talk to anyone you feel comfortable with about the research. This consent form may contain words that you do not understand. Please ask me to stop as we go through the information and I will take time to explain. If you have questions later, you can ask them of my supervisor or me. If at any point during our interaction you feel uncomfortable, or unsafe, please inform me immediately and your participation will be stopped with no hesitation.

**Purpose of the research**

In April 2018, the Trump administration approved a pair of acts which frame sex work as human trafficking. One of the outcomes was the FBI seizure of popular adult personals site, backpage.com. This also led to an increase in policing online spaces, which various kinds of sex workers used to safely conduct their business (i.e., advertise, process secure transactions, maintain

safe communication with clients). I want to better understand how these changes have explicitly impacted escorts who work predominantly in Toronto. I would like to learn about how governmental documents and laws, which claim to save exploited groups, actually harm autonomous citizens making a living through stigmatized labour. Most if not all of these regulations are developed without the input of sex workers. I would like to hear from you about your experiences, in order to shed truth on escorting and reinforce that female identifying persons need rights, not rescue.

### **Type of Research Intervention**

This research will involve your participation in a semi-structured private interview that will take an hour and a half to two hours.

### **Participant Selection**

You are being invited to take part in this research because I feel that your experience as an escort can contribute much to my understanding and knowledge of effects of regulation on online sex work practices.

### **Voluntary Participation**

Your participation in this research is entirely voluntary. It is your choice whether to participate or not. You may change your mind and stop participating during the interview even if you agreed earlier. If the has already taken place, you can request that the information provided not be used in the research study.

### **Procedures**

I am asking you to help me learn more about the effects of ‘saviour documents’ on your use of online spaces to conduct business as an escort. I am inviting you to take part in this research project. If you accept, you will be asked to participate in an interview with myself.

During the interview, I will sit down with you in a comfortable place at a location of your choosing: York U campus, Ryerson U campus, public café or specific location preferred by you. If it is better for you, the interview can take place in your home. If you do not wish to answer any of the questions during the interview, you may say so and I will move on to the next question. No one else but I will be present unless you would like someone else to be there. The information recorded is confidential and no one else except myself will access the information documented during your interview. The entire interview will be audio-recorded, but no one will be identified by name on the tape (you will have the opportunity to choose a pseudonym for yourself). The audio recording will be transferred to and kept in an encrypted file on my computer from my iPhone. The information recorded is confidential and no one else but I will have access to the recordings. The recordings and accompanying interview notes will be destroyed as of January 2020.

You will be asked questions about your methods of advertisement as an escort online, your experiences in the sex work industry (and changes you have felt because of online policing), stigmatization of sex work as human trafficking and your thoughts on the importance of sex workers’ rights vs. rescue.

Recognizing that sex workers, whether indoor (escorts, cam models, masseuses) or outdoor

(street-based prostitution), face immense societal stigma due in part to the criminalization of their work, I will be mindful throughout my research not to further stigmatize or upset my participants during this time of confusion given recent legislative changes. Your interview will be immediately stopped at any time if discomfort, fear, or reluctance to continue is expressed (or implied). Data collected from a stopped or cancelled interview will be excluded from research, with my deepest gratitude to you for your time.

### **Duration**

The research takes place over 6 months in total (January – June 2019). During that time, I will sit with you once for an interview that will last 90 – 120 minutes. You can request an additional interview or follow up of notes taken during your interview.

### **Risks**

I am asking you to share with me some very personal and confidential information, and you may feel uncomfortable talking about some of the topics. You do not have to answer any question if you don't wish to do so, and that is completely fine. You do not have to give me any reason for not responding to any question, or for refusing to continue the interview. I acknowledge that information you share with me is sensitive and is not to be accessed heard or read by anyone but myself. Your privacy, safety and comfort are my primary concern throughout this process.

### **Benefits**

While there will be no direct benefit to you as an individual, your participation is likely to help me find out more about the negative impacts of online policing onto the escorting community. I ultimately would like to contribute to the academia on sex workers and de-stigmatize (whilst not unrealistically glamorizing) this field of female-dominated labour. I acknowledge that most research concerning sex workers does not speak for you but rather about you, and I aim to have my project become a part of the small collection of works that help sex workers gain rights, not rescue. If I choose to carry through in this line of work beyond this project, I would like my work to influence policy change toward the decriminalization of voluntary sex work in Toronto.

### **Reimbursements**

You will not be provided any incentive to take part in the research. However, I will give you \$30 as cash or e-transfer for your time and emotional labour.

### **Confidentiality**

I will not be sharing information about you to anyone outside of my research team (Dr Anne MacLennan, Dr Natalie Coulter, Dr Tuulia Law). Furthermore, the recordings and notes pertaining to your interview will only be viewed and accessed by me. The information I collect from this research project will be kept private. Any information about you will be referred to using a pseudonym (which you may choose) instead of your real name. My research team will only know you by your pseudonym. All unique identifiers about you (i.e. place of work, specific neighbourhood, etc.) will be redacted from the interview to ensure your anonymity. Your information, responses and experiences will not be shared with **any** third party.

### **Sharing the Results**

Nothing that you tell me today will be shared with anybody outside the research team, and nothing will be attributed to you by your real name. The knowledge that I get from this research will be shared with you before it is made available to my academic community. As a participant you will receive a summary of my notes of our interview. My final project, containing portions of our anonymous interview (which will be censored of any identifying information) will be presented as a thesis to a defense board comprised of faculty from York and Ryerson Universities in Summer 2018. Following my defense, I hope to publish my thesis so that other interested people may learn from my research.

### **Right to Refuse or Withdraw**

You do not have to take part in this research if you do not wish to do so, and choosing to participate will not affect your job, livelihood, or day-to-day life in any way. You may stop participating in the interview at any time that you wish without consequence. I will give you an opportunity at the end of the interview to review your remarks, and you can ask me to modify or remove any portion if you do not agree with my notes or if I did not understand or represent you correctly.

### **Who to Contact?**

If you have any questions, you can ask them now or later. If you wish to ask questions later, you may contact any of the following:

Diana Edelhauser (myself, principal researcher)

Dr Anne MacLennan (thesis supervisor)

**This proposal has been reviewed and approved by the Ethics Board of York University.**

### **Part II: Certificate of Consent**

I have been invited to participate in research about the effects and repercussions ‘saviour documents’ such as SESTA/FOSTA have on the escorting community, which uses online spaces as means of advertisement and conducting safe, autonomous business. I have read the foregoing information, or it has been read to me. I have had the opportunity to ask questions about it and any questions I have asked have been answered to my satisfaction. I consent voluntarily to be a participant in this study.

Print Name of Participant \_\_\_\_\_

Signature of Participant \_\_\_\_\_

Date \_\_\_\_\_

Day/month/year

*If illiterate*<sup>1</sup>:

I have witnessed the accurate reading of the consent form to the potential participant, and the individual has had the opportunity to ask questions. I confirm that the individual has given consent

freely.

Print name of witness \_\_\_\_\_

Signature of witness \_\_\_\_\_

Date \_\_\_\_\_

Day/month/year

<sup>1</sup> A literate witness must sign (this person should be selected by participant and have no connection to research team).

### **Statement by the researcher/person taking consent**

I have accurately read out the information sheet to the potential participant, and to the best of my ability made sure that the participant understands that the following will be done:

1. Take part in a 90 – 120-minute semi-structured private interview
2. Provide information, which may be sensitive and personal, to be used toward research

I confirm that the participant was given an opportunity to ask questions about the study, and all the questions asked by the participant have been answered correctly and to the best of my ability. I confirm that the individual has not been coerced into giving consent, and the consent has been given freely and voluntarily.

A copy of this ICF has been provided to the participant.

Print Name of Researcher \_\_\_\_\_

Signature of Researcher \_\_\_\_\_

Date \_\_\_\_\_

Day/month/year