

OnlyFans Creators Between Platform Economy and Sex Work Regulation

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ABSTRACT

Digitalisation rapidly reshapes labour markets and the relationship between those who provide online services and their clients/consumers, having an impact also on commercial sex. This article examines sex work in digital spaces on platforms like OnlyFans and the challenges around protection of content creators working on them. In light of recent legislative developments in the European Union (EU) concerning platform work, the article draws attention to the difficulties of applying Directive 2831/2024/EU to activities involving the creation of digital content and, consequently, of extending its protections to content creators. Drawing on feminist debates about sex work and its digitalisation, the article also considers the impact of various models of sex work regulation adopted by European countries. It highlights how the position of content creators on platforms such as OnlyFans sits at the intersection of the challenges inherent in platform-mediated gig economy work and the impacts of sex work regulation, including the frequent lack of protections.

La digitalizzazione sta rapidamente trasformando il mercato del lavoro e il rapporto tra chi fornisce servizi online e i clienti/consumatori, con un impatto anche sul sesso commerciale. Questo articolo si concentra sul lavoro sessuale online tramite piattaforme come OnlyFans e sulle tutele dei *content creators* che vi lavorano. Prestando attenzione ai recenti sviluppi legislativi dell'Unione Europea (UE) in materia di lavoro su piattaforma digitale, l'articolo evidenzia le problematiche nell'applicazione della Direttiva 2831/2024/UE sul lavoro in piattaforma alle attività che consistono nella creazione di contenuti digitali, e dunque nell'estensione delle sue tutele ai *content creators*. Si esamina inoltre l'impatto sul lavoro sessuale online dei vari modelli di regolamentazione del lavoro sessuale adottati dai Paesi europei ed esplora il dibattito femminista sul lavoro sessuale e la sua digitalizzazione. L'articolo mette in luce come la posizione dei *content creators* su piattaforme come OnlyFans si collochi all'intersezione tra le sfide inerenti al lavoro della gig economy mediato dalle piattaforme e l'impatto della regolamentazione del lavoro sessuale, in particolare la frequente mancanza di tutele.

KEY WORDS

OnlyFans, digital platforms, sex work, digitalisation, regulation

OnlyFans, piattaforme digitali, lavoro sessuale, digitalizzazione, regolamentazione

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1. *Introduction*

In recent decades, digitalisation has significantly changed the way labour markets function, the working conditions and needs of employees and the relationships between service providers and their consumers/clients (see, among others, WOODCOCK, GRAHAM 2020; SMORTO 2017). The development and penetration of digital technologies has impacted both offline and online commercial sex businesses and encounters (SANDERS et al. 2018; SANDERS et al. 2020). Digital technologies have enabled sex workers to advertise their services to clients in new ways. At the same time, entirely new forms of commercial sex have emerged, such as webcamming, which occur in digital spaces on platforms like OnlyFans. As Sanders et al. have underlined (SANDERS et al. 2018, 9), these developments have led to services being matched more closely to needs, as well as enabling fast communication between clients and providers. This has had a particularly significant impact on the working conditions of sex workers, who now have greater autonomy over their schedules and the services they offer. They can avoid dangerous physical contact and exploitative third-party management, even if forms of violence and abuse can also occur in digital space (JONES 2015).

Platforms such as OnlyFans have provided an opportunity for people who would usually offer sexual services in person to start offering them online (BROUWERS, HERRMANN 2020). The prospect of earning high incomes has made OnlyFans an attractive option for the unemployed or those in low-paid jobs, especially since the outbreak of the Covid-19 pandemic. A key example in this regard is the recent and much-discussed case in Italy of a primary school teacher who opened an OnlyFans account, partly to earn more money (NALIN 2025).

Platforms such as OnlyFans are part of wider changes to the labour market involving gig economy work (EASTERBROOK-SMITH 2022), which consists of «labour markets characterised by independent contracting through, via and on digital platforms» (WOODCOCK, GRAHAM 2020, 9). OnlyFans is integral to this broader transformation, through which contemporary markets have adapted to support the exchange of diverse goods and services via digital platforms – serving businesses and individuals alike. As with other platforms in the gig-economy, OnlyFans places workers in a position of taking on risks and costs (JONES 2022). Indeed, research across various disciplines has highlighted that the gig economy offers individuals a straightforward, flexible and efficient way to generate income (see, for instance, ROY, SHRIVASTAVA 2020). On the other hand, from the outset it has also emerged that the gig economy poses a threat to labour rights and the protections traditionally associated with standard employment (see, for instance, LASSANDARI 2018).

At the same time, the rights and protection of content creators working on platforms such as OnlyFans are intertwined with the regulation of sex work and its lawfulness in different legal systems. For example, national models for the regulation of sex work in European countries differ, ranging from the criminalisation of clients under the Nordic model to the

decriminalisation model adopted in Belgium (BAKOWSKI, PRPIĆ 2024). These models have varying impacts in terms of the stigmatisation and protection of sex work (GAROFALO GEYMONAT 2014; SERUGHETTI 2019).

Considering the growing appeal of platforms such as OnlyFans, which has led an increasing number of individuals to create accounts in order to generate additional income, this article examines the specific characteristics of this platform and the challenges involved in protecting the content creators who use it. In particular, it considers recent EU legislative developments concerning digital platforms, exploring whether content creators have access to the protections set out in the Directive 2024/2831/EU on improving working conditions in platform work (hereafter “the Platform Work Directive”). It also considers the various models of sex work regulation adopted by European countries and their impact on the rights and protection of sex workers including in the digital space. Lastly, the paper draws on feminist debates concerning the impact of feminist perspectives on policy debates and regulatory frameworks surrounding online sex work.

The article does not address whether sex work is truly a free choice or whether it is morally right or wrong. Instead, it starts from the premise that sex work cannot be characterised in totalising categories as either exploitative or empowering. Rather, it exists within «a constellation of occupational arrangements, power relations, and worker experiences» (WEITZER 2009, 6). The focus should be placed on the material conditions in which sex workers operate and on the protection of their fundamental rights. From this perspective, the article emphasises how online sex workers are caught between the precarity inherent in platform-mediated gig economy work and the lack of protection stemming from restrictive sex work regulations, which contribute to rendering the industry criminalised, underground and stigmatised (JONES 2022).

2. *OnlyFans*

In recent years, several digital platforms have emerged to facilitate the production and consumption of sexual work via their digital infrastructure (RAND 2019), enabling sex workers to provide personalised content to users in exchange for money. The most popular of these is OnlyFans. Launched in 2016 by UK businessman Timothy Stokely, it was created to host creative adult content, mainly in the form of sexually explicit photos and videos. Although OnlyFans was initially intended for influencers and celebrities (SANCHEZ 2022), it has quickly evolved into a viable option for those interested in technology-mediated sex work (CUNNINGHAM et al. 2018; BROUWERS, HERRMANN 2020).

OnlyFans is a content delivery platform which allows workers to sell access to content and communication. After undergoing a process of document verification, content creators (adults) on OnlyFans can upload messages, photos and video and charge their fans a monthly subscription fee for access. Creators can also send individual pieces of content or messages directly to their fans, requiring an additional payment to view them – a system commonly referred to as “pay-per-view” (PPV). It is therefore possible to purchase customised content as well.

In this way, as it has been noted, the labour on OnlyFans «comprises a mix of both synchronous and asynchronous work, based on the specific niche that a worker occupies» (FAIRWORK 2025, 18). Like platforms such as Patreon and Twitch, it operates on a model of digital patronage, whereby fans provide content creators with recurring financial support through systems that facilitate direct monetary transactions (BONIFACIO, WOHN 2020). OnlyFans takes a 20% cut from the subscription fee. The remaining 80% is paid to the content creators.

OnlyFans has experienced rapid growth in recent years, reporting a turnover of \$6 billion in 2023 (ALVICH 2024). A key driver of this surge was the Covid-19 pandemic, which had a significant influence on user and creator engagement on the platform. The platform enabled many sex workers, cis and transgender people, to maintain their income during lockdowns by

offering a digital alternative to in-person services. At the same time, it became a refuge for those who lost their jobs during the emergency pandemic period or for those who wanted to earn more money (BROUWERS, HERRMANN 2020).

One feature of the OnlyFans model is its heavy reliance on monetising pre-existing popularity. Unlike most other platforms, it does not have an internal search engine, meaning user profiles can only be accessed via direct links obtained from outside the platform. Therefore, creators have to rely on a wide range of social media platforms to promote themselves. However, this can present significant challenges since most of these platforms tend to restrict or exclude sexually explicit content (ESWA 2023; FAIRWORK 2025). Consequently, many sex workers have adopted various strategies to attract more fans while avoiding the risk of being banned. As Di Cicco has noted, while OnlyFans' dual function as a platform infrastructure and an invisible employer is characteristic of many areas of digital labour, what sets it apart is creators' reliance on a wide network of interconnected platforms (DI CICCIO 2023). Indeed, despite having a direct economic relationship only with OnlyFans, creators remain dependent on their broader connections with other platforms (see also SWORD et al. 2021). This highlights a specific feature of OnlyFans, as «creators generate value not only for OnlyFans, but also through the immaterial and unpaid labour they perform on other platforms» (DI CICCIO 2023).

3. *Opportunities and Risks of Working on Platforms like OnlyFans*

In recent years, several sociologists have demonstrated how the proliferation of digital technologies, particularly online platforms, has profoundly reconfigured the sex industry, creating new opportunities and safer environments, but also introducing new risks (see, for instance, SANDERS et al. 2018; CUNNINGHAM et al. 2018).

Platforms like OnlyFans have provided sex workers with a space that allows them to monetise and control their content without the interference of intermediaries or regulators typically involved in traditional forms of direct sex work (such as pimps, procurers or managers). As Pezzuto has noted, «self-producing content through various monetised online platforms actively blurred the line between performer and producer and gave performers more flexibility, autonomy, and agency of power» (PEZZUTTO, 2019, 44; see also JONES 2015). Compared to more traditional working methods, such as working in a brothel or involving third parties, working online through self-managed profiles on platforms often enables sex workers to earn more, offering greater autonomy and flexibility. They have more control over when and where they work, the services they offer, the boundaries they set and the clients they accept (CUNNINGHAM et al. 2018). For these reasons, as studies have underlined (see, for instance, HAMILTON et al. 2022), OnlyFans is often perceived as a better alternative to other kind of gig work.

Moreover, online platforms have been shown to mitigate several of the risks traditionally associated with street-based sex work, particularly those related to physical violence (CUNNINGHAM et al. 2017; JONES 2015). Specifically, the digital space reduces the risk of «both arrest, violence from bystanders or targeted hostility from perpetrators» (CUNNINGHAM et al. 2018, 54). This is also supported by the fact that platforms such as OnlyFans provide a certain degree of autonomy, which contributes to mitigating the stigmatisation process that still affects people engaged in sex work. Indeed, sex work remains one of the most stigmatised and socially discredited forms of labour, persistently associated with images of social degradation, moral corruption and personal disgrace (see, for instance, WEITZER 2017) significantly affecting sex workers' personal and social lives (see, for example, QUINN 2009; DANIEL 2023).

Nevertheless, although OnlyFans provides some advantages for sex workers – such as increased autonomy and a sense of safety – it also poses significant challenges, particularly in terms of their health and protection of their rights. Although online sex workers can screen

clients more effectively, reducing their exposure to certain risks when providing direct sexual services, they remain at risk of other forms of abuse that pose significant threats to their safety and privacy. These include webcam stalking, data breaches and the unauthorised distribution of sexual content posted online (ESWA 2023). A study by Sander et al. (SANDERS et al. 2018) revealed that many sex workers have experienced blackmail and doxing – i.e. the deliberate disclosure by “fans” of OnlyFans accounts or content to family members, employers or landlords. Similar dynamics have also been reported by the European Sex Workers’ Rights Alliance (ESWA), which has emphasised the health, working and social consequences of such abuse (ESWA 2023). Illegal exposure of this private material can, indeed, have serious consequences, including job loss as well as issues with personal/social relationships and housing. Sex workers who are mothers face significant risks, such as losing custody of their children. Furthermore, marginalised sex workers, such as those who are racialised or migrants, may face further consequences, including racist attacks and deportation (ESWA 2023). As ESWA underlines, in these cases, the chance of identifying these individuals are scant. In addition, while some platforms «offer some safety features such as bad client lists or worker-only forums [...] such features do not exist in most mainstream platforms that do not want to invest in interventions that could improve the health and safety of the workers on the platforms» (ESWA 2023, 8).

It is worth also noting that platforms shape and affect the conditions of sex work through policies that govern digital spaces, assuming the role of third parties in the sex industry (EASTERBROOK-SMITH 2022). For example, many platforms restrict advertisements for services that they consider inappropriate and may prohibit certain words and phrases, even when they are not being used to promote services, in order to create a safe environment. The use of these prohibited words can lead to content removal or account suspension, and in some cases, even permanent bans. However, these banned words, as in the case of OnlyFans, can also include terms such as “consent” as well as everyday words like “meet”, in an effort to prevent in-person encounters. However, as ESWA has noted, the restrictions of words such as “consent” – a key word for negotiating safety – can significantly hinder sex workers’ ability to communicate clearly, safely and effectively (ESWA 2023). Furthermore, losing income due to termination or a ban can be just as damaging and traumatic for workers as dismissal is for employees in the real world.

The platform plays also a central role in the variation of income. While OnlyFans creators define the costs of their contents, the platform set the boundaries. It has been noted that

«Whilst OnlyFans does not use algorithmically curated rankings, wages are instead shaped by the functioning of social media algorithms and how your content is shared, or its ability to go viral. In both cases, wages are shaped by black box systems which workers are not able to understand or influence» (FIREWORK 2025, 30).

While it is true that working on OnlyFans often provides sex workers with work without the interference of intermediaries or other third parties typically involved in traditional forms of direct sex work, it is also true that third parties, such as agencies, still play a role that can be ambiguous. This is especially so for undocumented migrant workers, the most precarious workers operating in digital platforms. As ESWA underlines: «Lack of protection, racism and criminalisation of migration creates a prime environment for individuals and corporations who wish to exploit them for profit and personal gain» (ESWA 2023, 15).

4. Content Creators under the EU Platform Workers Directive

The emergence and development of platform work has highlighted major flaws in the existing regulatory framework governing the digital landscape (ALOISI 2022; MARTIN-CABALLERO 2024).

The speed of change poses challenges and outpaces the creation of timely and effective regulations, leaving many areas, such as privacy, informed consent and labour rights protection, poorly defined and vulnerable to violations.

In recent years, there is growing awareness of the precarious working conditions faced by platform workers, highlighting significant gaps in their legal protection and labour rights. Currently, the majority of platform workers in the EU, including taxi drivers, domestic workers and food delivery drivers, are formally self-employed. However, in many cases, it has emerged that the rules set by platforms to ensure an efficient service for users effectively create a hierarchical work organisation. Consequently, these workers are in fact in an employment relationship and should enjoy the labour rights and social protection provided to employees under national and EU law. Several national court rulings in various European countries have acknowledged this reality by extending employment law protections, traditionally reserved for subordinate employees, to those working on digital platforms (HIEBL 2024). Furthermore, the new rules for properly classifying platform work contracts introduced by Directive 2024/2831/EU on improving working conditions in platform work, will facilitate this extension of protection (SMORTO, DONINI 2024).

However, as labour law scholars have highlighted (see, for instance, BARNARD 2023; DONINI 2025), the situation of those working on platforms such as Instagram, YouTube or OnlyFans differs from those operating via platforms such as Uber. Consequently, the reasoning developed by national courts in favour of other platform workers cannot be readily applied to content creators due to the entrepreneurial nature of content creators' work. They are digital content creators who enter into contracts with the platforms to provide digital content. They can earn money through advertising revenue, as well as by offering personal services. Yet, as Catherine Barnard has highlighted,

«those services are not destined primarily for the platform but for third parties, the viewers (although the platforms need to have lots of content to continue to attract the revenue stream). The element of subordination/direct control is much less than with, say, Uber where [...] it had close control over its drivers» (BARNARD 2023, 136).

It is true that platforms such as Instagram and OnlyFans have specific rules about what can be posted and what language can be used. They also control content visibility through algorithms and can amend the rules. However, certain scholarship has emphasised, the element of subordination is significantly lower compared to platforms such as Uber (BARNARD 2023)¹. By contrast, other scholars (see for instance DONINI 2025) argue that if the rules established by digital platforms to obtain remuneration or remain visible on the site are similar to nudging techniques and imply inclusion in the platform's organisation, this could result in the application of discipline for subordinate employment relationships.

At the same time, doubts remain regarding the application of Directive 2024/2831/EU to content creators, including OnlyFans creators. This Directive was adopted after a long and difficult negotiation process, with the aim of ensuring the correct classification of platform workers' employment status, tackling bogus self-employment, and regulating, for the first time

¹ Barnard refers, for instance, to , what Advocate General (AG) Szpunar said in C-434/15, *Asociación Profesional Élite Taxi v. Uber Systems Spain SL*: «Uber exerts control over all the relevant aspects of an urban transport service [...]. While this control is not exercised in the context of a traditional employer-employee relationship, one should not be fooled by appearances. Indirect control such as that exercised by Uber, based on financial incentives and decentralised passenger-led ratings, with a scale effect, makes it possible to manage in a way that is just as – if not more – effective than management based on formal orders given by an employer to his employees and direct control over the carrying out of such orders».

ever in the EU, the use of algorithms in the workplace (see SMORTO, DONINI 2024). More specifically, the Directive establishes a set of measures to ensure the correct classification of individuals' employment status when they are engaged in platform work. It enhances transparency, fairness, human oversight, safety and accountability in the use of algorithmic management in this context, and strengthens transparency to protect platform workers' data more robustly, including in cross-border situations. It establishes minimum rights for all individuals performing platform work in the EU and introduces provisions to improve the protection of personal data during processing.

At first glance, the Platform Work Directive appears to apply to digital content creation platforms such as OnlyFans. Consequently, content creators could seemingly be classified as platform workers under this directive. However, a closer look at the definition of “digital labour platform” in the legal text suggests that including them may be problematic. Indeed, the Directive does not apply to all digital platforms, but only to “digital labour platforms”, defined as a natural or legal person providing a service which meets *all* of the following requirements: a) it is provided, at least in part, at a distance by electronic means, such as by means of a website or a mobile application; b) it is provided at the request of a recipient of the service; c) it involves, as a necessary and essential component, the organisation of work performed by individuals in return for payment, irrespective of whether that work is performed online or in a certain location; d) it involves the use of automated monitoring systems or automated decision-making systems (Article 2 (1)).

With regard to platforms used by digital creators to host digital content, doubts arise in relation to requirements b and c. Regarding the first requirement, it might be challenging to argue that, in the case of content creators' platforms, platform work is “provided at the request of a recipient of the service” (Article 2). Alternatively, it could be argued that this requirement is met when platforms such as OnlyFans operate through a hybrid service model that enables content creation on demand and direct client interaction. However, as it is a mixed model in any case, it is probably necessary to consider how prevalent these models are (see also DONINI 2025 on this).

Doubts also emerge, for the reasons highlighted above, with regard to requirement c concerning the organisation of work by the platform as an essential and necessary component of the service provided. It is worth noting in this regard that the recitals of the Directive suggest this requirement can take various operational forms with different degrees of intensity: the digital platforms organise, to a greater or lesser extent depending on their business model' the execution of work, remuneration and customer relations (recital 5). Yet, recital 20 sets out the criteria for identifying the minimum essential characteristics regarding the organisational activity, identifying the outer boundary of the definition of a digital platform with regard to the requirement for work organisation appears to lie near the area of labour intermediation (SMORTO, DONINI 2024, 25). Indeed, it affirms that:

«Organising work performed by individuals should involve at a minimum a significant role in matching the demand for the service with the supply of work by an individual who has a contractual relationship with the digital labour platform or an intermediary, regardless of its formal designation by the parties or of its nature, and who is available to perform a specific task» (Recital 20).

According to some scholars, given the specificities of platforms hosting content creators' materials, it is difficult to assert that the platform “organises” the work and that such organisation constitutes a “necessary and essential” element of the platform's business model. As Barnard has underlined: «Given the entrepreneurial (and unpredictable) nature of content creators'/influencers' activities it is hard to say that the platforms are ‘organizing’ them» (BARNARD 2023, 143).

On the contrary, as stressed above, according to other scholars, the organisational requirement in the Directive may be less difficult to meet (see, for instance, DONINI 2024). While the notion of work organisation as a necessary and constitutive element may seem particularly stringent,

they argue that, as highlighted in national case law², practices such as setting remuneration, using ranking algorithms and penalising workers based on performance or behaviour are mechanisms through which platforms exercise organisational control over service provision (see, for instance, NOVELLA 2021). In essence, organisational power adapts its forms of expression according to the nature of the productive activity. According to this view, in order to apply the organisational requirement it is necessary to assess the degree to which contractual terms and operational modalities are pervasive. These scholars agree, however, that the Directive's requirement for a request from the beneficiary is the most difficult to fulfil (see DONINI 2025).

Taking all these considerations into account, it could be argued that applying the Platform Work Directive to platforms hosting digital content is problematic, especially with regard to the requirement that the service be "provided at the request" of the recipient. Consequently, content creators, including those on OnlyFans, are not entitled to the rights and protections established by the Directive.

However, as outlined above, there are undeniable elements of dependency and control in the relationship between the platform and content creators. Platforms, including OnlyFans, exercise forms of control through rules establishing what can be posted or not and what terms can be used or not. Moreover, content creators can experience forms of violation concerning their personal data and material and can be victims of dynamics of abuse and blackmail, with significant consequence in terms of their health and safety. In this regard, the European Sex Workers' Rights Alliance (ESWA) has stressed:

«Even though such platforms do not always algorithmically manage the work on their platform, this does not mean that workers do not need better transparency and accountability, considering the power and control they have over sex workers' lives» (ESWA 2023, 15).

The fact that content creators do not fall within the scope of the Platform Work Directive results in their being left without adequate protection. As a consequence, they risk operating in opaque environments, being subject to algorithmic control, and facing income instability as well as exposure to rights violations (ESWA, 2023; JONES, 2015).

Moreover, in the case of content creators working on platforms such as OnlyFans, the lack of these protections compounds the already weak, or, in some cases, entirely absent, safeguards and rights available to sex workers, which vary depending on the national regulatory model on sex work adopted.

5. *Models of Sex Work Regulation Adopted by European Countries*

Attitudes and regulatory approaches to sex work and consequently to the protection and rights of sex workers vary among EU Member States, reflecting differing perspectives on the nature of sex work (BAKOWSKI, PRPIĆ 2024; SERUGHETTI 2019; ZENO-ZENCOVICH 2015). In particular, five regulatory models are adopted across the EU: legalisation (regularisation), decriminalisation, abolitionism, prohibitionism and neo-prohibitionism (or neo-abolitionism).

Under the regularisation model adopted in countries such as Germany and the Netherlands, prostitution is seen «as a potentially risky form of employment that requires harm reduction measures» (BAKOWSKI, PRPIĆ 2024:4). Therefore, the sale, purchase and organisation of voluntary sexual services are recognised as legal activities, albeit subject to specific regulations designed to protect the public interest, particularly with regard to public health and safety. Examples of these

² For examples of Italian case law, see the Court of Cassation's decision of 1663/2020, for instance.

regulations include the designation of specific areas where sex work is permitted, compulsory health checks for sex workers to prevent and control sexually transmitted infections and mandatory registration with the government as a sex worker. While proponents of this model underline that it has positive impacts for public health and safety, the legalisation approach has been criticised for still fostering control and stigmatisation of sex workers, affecting in particular more marginalised sex workers, such as migrant sex workers (see, for instance, HOFSTETTER 2022).

In the decriminalisation model the sale, purchase and organisation of voluntary sexual services are legal but not subject to specific regulations. This model acknowledges sex work as a form of employment and aims to minimise associated risks while safeguarding the human rights of those who engage in it. This model has been supported by sex-worker organisations and various NGOs and stakeholders supporting sex workers' rights (MACIOTI 2022). Belgium adopted this model in 2022 following New Zealand, which was the first country to implement the decriminalisation approach to sex work (D'ANNEO 2022). Notably, Belgium has also recently passed a law enabling sex workers to obtain formal employment contracts (Law No. 2024/202750, *Loi portant des dispositions en matière du travail du sexe sous contrat de travail*). This new legislation is considered one of the most progressive worldwide, treating sex work like any other form of subordinated labour. It grants sex workers a range of rights, including health insurance, a pension, maternity leave, sick pay, holiday pay, unemployment benefits and wage protections. Furthermore, the law addresses the issue of consent, allowing individuals employed in this sector to refuse to provide services to particular clients, without the exercise of this right being deemed a breach of the employment contract by the sex workers (see also in this regard DONINI 2025). Furthermore, the link between consent and freedom in sex work is such that employers or workers may request a further review of the safety conditions under which work is performed if consent is withdrawn repeatedly. These are important rules and it would be desirable to additionally specifically apply them to online sex work.

The abolitionist model, adopted for example in Italy, does not criminalise those selling sex work but instead the conducts such as facilitating, inducing and exploiting sexual services. The idea is therefore not to criminalise sex workers, but to punish those who exploit them. In Italy, for instance, prostitution itself is allowed under the Merlin Law (No. 75 of 20 February 1958), but any acts by third parties that facilitate or exploit it are punishable offences. Therefore, although the exchange of sexual services for money is not regulated by law, it is not illegal or subject to criminal prosecution. However, when it does occur, it is not legally recognised as it is considered contrary to public morals. This assumption was recently reaffirmed by the Constitutional Court in decision No. 141/2019. Embracing an objective notion of human dignity, the Court defined prostitution as an activity that degrades and demeans the individual, even when voluntary, as it reduces the most intimate sphere of the body to a commodity made available to the client. This decision has been criticised for relying on an objective notion of dignity that risks completely obliterating any space for self-determination and autonomous definition of life choices by individuals (BANDELLONI 2022; PARISI 2019).

However, it is worth underlining that although the abolitionist model does not criminalise sex workers directly, it does so indirectly. As underlined in the literature, offences relating to the facilitation or exploitation of prostitution are often broadly applied to individuals with any kind of relationship with sex workers (PARISI 2018). For instance, offering a place of work to a sex worker or supporting them in any way may be deemed illegal, even in the absence of exploitation. Consequently, it becomes impossible in practice for anyone to engage in sex work without either breaking the law themselves or putting those close to them in legal jeopardy. This exposes sex workers to blackmail, fear of the authorities and an increased risk of becoming involved with criminal networks (GAROFALO GEYMONAT, SELMI 2022; COLLETTIVO OMBRE ROSSE 2022).

Under the abolitionist model, platforms such as OnlyFans are not considered illegal. In Italy, for example, online sex work is compatible with the legal system (see DONINI 2025). Yet, research and testimonies from sex workers have emphasised that the social stigma surrounding

them, coupled with the fear of criminal consequences for facilitating prostitution, often causes them to remain isolated and afraid to seek advice or support, including information on how to safely produce sexual content and pay taxes (see, for instance, STEFANELLO 2025)³.

Unlike the abolitionist model, the prohibitionist model aims to ban all aspects of sex work, deeming it a threat to public order or a form of violence against women that needs to be eradicated. The prohibitionist model is adopted in Croatia, for instance, where sanctions are imposed on people selling sex, as well as on those facilitating the exchange or exploitation. Lithuania also follows the prohibitionist approach making it illegal to both buy and sell sex.

A variation of the prohibitionist model is the neo-prohibitionist or neo-abolitionist model which, in addition to criminalising third-party activities such as pimping, targets the demand side by criminalising the purchase of sex rather than sex workers themselves. Also known as the “Nordic model”, this approach has grown in popularity in Europe (RUBIO GRUNDELL 2022). First introduced by Sweden in 1998 through Law 408, it aims to reduce demand for prostitution – which is equated with a form of violence against women perpetrated by men – by criminalising the clients (typically considered men) but not sex workers, who are assumed to be (female) victims of the system. This model has been subsequently adopted by Norway, Iceland and France and has emerged as a leading model in debates on prostitution policy. Its perceived success in addressing and preventing exploitation and trafficking is being emphasised both within the EU and around the world (KINGSTON, THOMAS 2022). However, national institutional assessments reveal several shortcomings in the implementation of the Nordic model (WILLAERT et al. 2020; SWEDISH GENDER EQUALITY AGENCY 2021). Several researchers and sex workers’ organisations have also highlighted that, like other prohibitionist models, the Nordic model has not reduced exploitation and trafficking. Instead, it has pushed sex work further into the realm of illegality (see, among others, GAROFALO GEYMONAT, SELMI 2022; JOHANSSON 2022).

Within the Nordic model, the approach to online sex work is not homogenous. For instance, in France, which adopted the Nordic model with Law No. 2016-444 of 13 April 2016, the 2022 High Court decision has excluded webcamming from the legal definition of prostitution, relying on a narrow interpretation of prostitution as requiring a physical contact between sex workers and their clients (*Cour de cassation*, 2022 No. 21-82.283). This strict definition means that by not being categorised as “prostitutes”, sex workers operating as webcam content creators on platforms, like OnlyFans, avoid the threat of client criminalisation and that these platforms may thus avoid being prosecuted for pimping. As Lannier has noted, «by maintaining a very narrow definition of prostitution, the French High Court effectively excludes a significant portion of sex work from the indirect criminalisation imposed by the neo-abolitionist framework» (LANNIER 2024, 179).

In Sweden, the Nordic model has had another impact on online sex work, particularly on content creators working on OnlyFans. In May 2025, the Swedish Parliament passed a new law – set to take effect on July 1 – that imposes strict limitations on the use of platforms such as OnlyFans within Sweden. By addressing the consumers/clients, this law makes it illegal to pay someone to perform a sexual act remotely, such as via live video, for the explicit purpose of the buyer viewing it. The law will also criminalise earning money from or promoting others who engage in such acts for payment on demand. While OnlyFans is already banned outright in some countries, such as Turkey and Saudi Arabia, Sweden is the first Western nation to introduce such restrictions. The law will significantly restrict content such as live videos where viewers can comment and leave

³ It is worth noting that prostitution is taxable in Italy (see Italian Court of Cassation (Civil, Section V), 27 July 2016, No. 15596). See also CROWHURST 2022. In April 2025, Italy’s National Statistics Institute (ISTAT) introduced a specific ATECO code for prostitution and sexual services. The ATECO code is alphanumeric classification system used by ISTAT to categorise economic activities for statistical, fiscal and administrative purposes. However, the fear of social stigma and the consequences of criminal laws against the facilitation of prostitution is likely to prevent many sex workers from using this code.

“tips”, and it will also completely criminalise personalised content created on request, which is the main source of income for many OnlyFans content creators. However, as discussed below, the impact of these restrictive measures can be to leave sex workers without protection, pushing them towards more underground and potentially dangerous forms of sex work.

6. *Feminist Debates on Platform Sex Work and the Need for a More Nuanced Approach*

As outlined, sex workers operating as content creators on platforms such as OnlyFans often find themselves caught between two regulatory gaps. On the one hand, they are excluded from the rights and protections typically accorded to platform workers. On the other hand, they remain subject to restrictive or underdeveloped sex work regulations that offer little to no protection. Against this backdrop, it is crucial to consider the feminist perspectives that have historically influenced, and continue to shape, policy debates and regulatory frameworks surrounding online sex work.

Feminist thought encompasses diverse positions and approaches to sex work. Many of these share the same concerns or conclusions, albeit from different theoretical perspectives. Historically, this has not prevented the creation of alliances. However, in recent decades, these nuances have increasingly been reduced to a binary of being either for or against sex work (GAROFALO GEYMONAT, SELMI 2022). In this context, neo-abolitionist feminist thought has played a pivotal role in shaping the Nordic model. Over the past 20 years, this feminist framework has gained significant traction both globally and across Europe (including Italy), particularly in response to increased attention on human trafficking and the implementation of international and national measures to prevent and combat it (see for instance CHUANG 2010).

One of the main scholars who has influenced the neo-abolitionist view is the legal scholar Catharine MacKinnon, a leading figure in American radical feminism. Considering the subordinate condition of women in terms of the erotisation of male dominance, MacKinnon sees prostitution, pornography, as well as rape and sexual harassment, as «abuses of women; they are abuses of sex» (MACKINNON 1989, 113). She views heterosexual relations, from marriage to rape, as mechanisms that, to varying degrees, institutionalise male dominance and female subordination. These dynamics are seen as the foundation of the broader systems of oppression experienced by women in Western capitalist societies. Within this framework, prostitution is interpreted as a central metaphor for understanding female sexuality and, consequently, the subordinated condition of women. According to MacKinnon, the roots of prostitution indeed lie in a patriarchal social order that positions men as agents of desire and power while reducing women to passive objects of that desire (MACKINNON 1989). As Marella emphasised (MARELLA 2008), in Mackinnon’s view the commodification of female sexuality through prostitution is not viewed as an aberration in male–female relations, but rather as a natural consequence of a male-dominated system that is fundamentally rooted in sexual power. This perspective leads to the condemnation of all forms of sexual commerce, which are not seen as expressions of free choice – as this is considered unattainable within a structurally sexist society – but rather as further evidence of, and factors perpetuating, women’s subordination.

In this light, it is not surprising that MacKinnon has strongly condemned platforms such as OnlyFans. According to MacKinnon, OnlyFans is «as niche pornography as mediated soft prostitution» and takes advantage of women’s socio-economic and psychological vulnerability. As she argues,

«OnlyFans has been to conventional pornography what stripping has been to prostitution: a gateway activity, sexual display with seeming insulation from skin-on-skin exploitation, temporary employment for those with their financial backs against the wall and few if any alternatives. It offers

the illusion of safety and deniability for producer and consumer alike. It offers the illusion of safety and deniability for producer and consumer alike» (MACKINNON 2021)

According to MacKinnon, OnlyFans may appear to be a safe space, but in reality, it represents just another form of pornography – one that individuals turn to not out of genuine choice, but out of a lack of viable alternatives. From the perspective of neo-abolitionist feminists, consent cannot be regarded as valid in contexts such as prostitution and pornography, which are seen as inherently harmful and as violations of women’s freedom and dignity. Male demand for paid sex is therefore identified as the primary driver of this form of violence. In this framework, the most effective strategy to combat it is to target clients, alongside prosecuting those who coerce individuals into sex work. Neo-abolitionist feminists therefore advocate for punitive measures directed at male clients, as well as support systems for victims engaged in sex work.

The support for this repressive approach, exemplified by the Nordic model, has been interpreted by some authors as indicative of a “carceral” (BERNSTEIN 2010) or “punitive” turn (PITCH 2022) within feminist movements, where protection and repression are closely intertwined. As Elizabeth Bernstein has emphasised, some feminist positions have moved away from social justice goals towards more punitive politics and an agenda increasing the power of criminal justice institutions. Bernstein defines this “carceral feminism” as «a vision of social justice as criminal justice, and of punitive systems of control as the best motivational deterrents for men’s bad behaviour» (BERNSTEIN 2010, 58).

However, as sex workers’ organisations and research have highlighted (GIAMETTA et al. 2018; JOHANSSON 2022), the repressive measures promoted by the Nordic model – and now extended in Sweden to sex work platforms – do not protect sex workers or prevent exploitation and abuse. Rather, this approach indirectly legitimises and reinforces the social stigmatisation not only of clients but, inevitably, also of sex workers themselves (GIAMMARINARO 2022). At the same time, such policies tend to push sex work further underground, leaving sex workers without essential protections and, consequently, increasing their vulnerability to abuse and exploitation (see, for instance, VUOLAJÄRVI 2019). In this context, organisations that support the rights of sex workers argue that the Swedish extension of the Nordic model to online sex work, by criminalising paying someone to perform a sexual act remotely (such as via live video), will have a profoundly negative impact on online sex workers. Many of those who currently rely on platforms such as OnlyFans, where they can maintain autonomy and set personal boundaries while reducing their exposure to physical risk, may be forced to abandon this space (see, for instance, KÖVER 2025). This could push them towards more underground and potentially dangerous forms of sex work. As ESWA argue:

«sex workers on digital platforms are put in danger by the impact of the criminalisation of sex work that prevents platforms from adopting helpful safety features. For example, some safety features that are available on platforms based in countries where sex work is decriminalised, such as tips and information for people new to sex work, cannot be adopted by platforms that operate in other national contexts where sex work is a criminal activity» (ESWA 2023, 8).

By opposing and challenging the Nordic model and the neo-abolitionism approach underpinning it, sex workers’ organisations and activists, along with feminist scholars and organisations who support their cause, have highlighted the need to consider the diversity of experiences and positions among those engaged in sex work and the need to protect their rights. This perspective is far from homogeneous, bringing together arguments from liberal, materialist, postmodern, postcolonial and queer feminist perspectives (see, in this regard, NUSSBAUM, 1998; KEMPADOO, DOEZEMA 1998; FRANKE 2001; MARELLA 2008; CHUANG 2010). However, it can generally be argued that those who advocate this approach call for a more nuanced understanding of sex work that

goes beyond binary and simplistic views (such as victimhood vs agency), and which instead focuses on personal self-determination and the different needs, experiences and material working conditions of individuals. This contributes to a shift by removing sex work from the sole framework of violence and repositioning it within the realm of labour, recognising it as an income-generating activity. From this perspective, feminist scholars and activities have emphasised that, like other relations and exchanges in the labour market and the private sphere, sex work is embedded in a “system of intersectional inequalities that are not specific to the sex industry, but more generally to society and its reproduction” (GAROFALO GEYMONAT, SELMI 2021). Therefore, harms associated with the sex industry do not arise from the commodification of sexuality itself, but from the broader structural, legal, economic and social factors and related intersection of form of oppressions (based on gender, nationality, sexual orientation etc.) that shape the conditions in which sex work takes place. According to this view, exploitation and violence can occur in various forms and to different degrees in sex work, and they are exacerbated by the lack of sex workers’ protection, coupled with the impact of restrictive social and migrant policies (CHAPKIS 2003; KEMPADOO, DOEZEMA 1998).

In this context, sex workers’ organisations and feminist scholars have adopted a nuanced view on the impact of digital technologies on sex workers’ autonomy and protection, challenging the neo-abolitionist idea that platforms such as OnlyFans merely act as digital “pimps”, exploiting and subordinating performers. By opposing the Nordic model, they advocate for the decriminalisation model adopted, for instance, in Belgium, which recognises sex work as a legitimate form of labour and ensures the associated rights are recognised. On the other hand, they have considered the positive and negative aspects of the digitalisation and platformisation of sex work, as highlighted above (see also CUNNINGHAM et al. 2017; JONES 2015), stressing the need to recognise and improve the rights and material conditions of content creators on platforms such as OnlyFans. They have emphasised that the tendency to exclude online sex work from broader legal, political and labour discourses surrounding platforms is also due to the stigma surrounding sex work, which is considered illegitimate and therefore not comparable to other forms of work (see, for instance, RAND 2019). This further marginalises sex workers and leave them more vulnerable to abuse and discrimination as they are excluded from interventions and debates regarding workers’ rights in the new economy.

7. Concluding remarks

This article has explored the complex intersection between platform work and sex work regulation by focusing on the experiences of content creators on platforms such as OnlyFans. It has shown how the digitalisation and platformisation of sex work have reshaped the sector, offering new opportunities for autonomy and income generation, while also introducing significant challenges related to privacy, safety and rights protection for content creators.

Despite performing labour that is often shaped and conditioned by the platform itself, content creators – such as those operating on OnlyFans – appear to fall outside the scope of the protections granted under the EU Platform Work Directive. This exclusion stems from the Directive’s definition of digital labour platform, and in particular from the requirement that the service be provided “at the request of a recipient,” which seems especially difficult to meet in the case of content creation platforms.

The consequence of this exclusion is that these groups of workers are left without adequate legal protection. As a result, they risk operating in opaque environments, subject to algorithmic control, income instability, and various forms of rights violations (ESWA 2023; JONES 2015).

As discussed in this article, the lack of labour protections for content creators further exacerbates the already weak – or in some cases entirely absent – rights available to sex workers,

which vary significantly depending on the national legal frameworks in place. Restrictive regulations not only limit access to basic protections but also reinforce processes of stigmatisation and marginalisation.

Feminist and sex workers' rights perspectives have drawn attention to these regulatory gaps, challenging dominant narratives that either victimise sex workers or deny their agency. These perspectives call for a more nuanced and inclusive understanding of sex work – whether online or offline – as a form of labour embedded within wider social, economic and legal systems. The persistent exclusion of digital sex workers from mainstream legal and policy frameworks reveals a broader failure to incorporate their lived realities into contemporary debates on labour rights.

Ultimately, it appears increasingly urgent to strengthen protections for these groups of workers by addressing what Fairwork describes as a «conceptual and legislative gap that allows [platforms] to dis-embed themselves from the local context in which workers reside, sidestepping local-level accountability in the process» (FAIRWORK 2025, 12). Bridging this gap is essential to ensure that digital sex work is no longer relegated to the margins of legal visibility, but instead recognised and regulated as a legitimate form of labour deserving of rights and protection.

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