

Persons Admitted to Swinger Events in Germany: Anonymous Data Harvested on the Web

Data Collection

What data will you collect or create?

The data package consists of various files that contain different types of information, mainly focusing on anonymous data of persons who visit swinger events:

1. Admission Data (tabular)

1. **Focus:** Primarily on admission and pricing details concerning swinger events.
2. **Unique Aspects:** Differentiation of prices based on gender and membership status. It also contains variables defining restrictions and venue details.
3. **Format:** The data are provided in both *.xlsx and *.sav formats, allowing sharing and long-term access to the data.

2. Event Data (tabular and PDF/A)

- **Focus:** Detailed data regarding specific swinger events, such as date, venue, restrictions, and event classification. No data relating to persons.
- **Unique Aspects:** Classification of events into ordinary swinger events, dance/food focused, sex-focused, and combined dance/food and sex-focused events.
- **Format:** The data are provided in both *.xlsx and *.pdf formats, allowing sharing and long-term access to the data. The alternative *.pdf format had been chosen for better human legibility.

3. Software

- Python scripts used for data conversion and structuring are provided for transparency reasons.

How will the data be collected or created?

The data not deriving from the third-party sources were harvested from the web as follows:

Collection of the Event Data

After the end of the respective event, the profile data of the profiles identified as admitted visitors in Joyclub were recorded separately for registered couples, individual men and individual women, as they are split up on the events pages on Joyclub. These raw data were anonymized and structured using the scripts documented in the data package, and as described a markdown file. By means of automated geocoding, the information on the county of residence of persons was directly converted into a distance information, whereby for technical reasons incorrect calculations, which occurred during the geocoding of two towns, were eliminated without replacement.

By that, the age or, in case of couples, the ages, the distance between the event venue and the place of residence recorded in the respective Joyclub profile, and the status as solo woman, solo man, couple, or accompanied solo, were recorded as cases.

Anonymous registrations were also recorded. They also provide the data mentioned above.

On the basis of the descriptions contained in the event pages listed in a metadata of the events were collected.

Data on the external admissions, recorded either through the white-label registration solution provided by Joyclub, or manually by the organizers, as explained above, were collected from the raw data using a script provided in the data package, using the method described in the data package in further detail.

Events selection:

- Events were selected based on specific criteria, like permission for open sex and a minimum of 95 registered guests.
- Data was collected post-event, focusing on anonymized profile information, such as age, gender, and distance from the event.

Quality-Assurance Procedures Performed on the Data

Manual random comparisons between the raw data and the script generated corpus data were performed to assess the proper functioning of the scripts. In that course, it was revealed that the automatic distance calculation to the cities of Marl and Hattingen resulted in wrong results. For this reason, the wrong data were discarded, and the DIST variable was not filled with data with respect to events taking place in these two cities. Other mistakes were not found.

As far as possible, data were copied, and not manually typed, into datasets to avoid mistakes that can occur when copying data manually.

Documentation and Metadata

What documentation and metadata will accompany the data?

Comprehensive markdown texts describe the methods and the datasets themselves in detail. The texts are based on a metadata template provided by Cornell University.

The documentation also contains

- a markdown file explaining the method and results of a calculation of exclusively same-gender oriented profile owners on Joyclub in markdown format,
- a markdown file explaining in detail how the software (Python scripts) was used,
- a markdown file setting out the legal and ethical considerations concerning the creation of the data package, and
- general readme file for this data package in markdown format.

Ethics and Legal Compliance

How will you manage any ethical issues?

The comprehensive considerations that the European and German legislators have made on individual issues of data use in terms of copyright and data protection law are obviously strongly guided by ethical considerations. The resulting laws form a legally binding framework for research ethics.

Possibility of Group-Based Discrimination

An ethical consideration that goes beyond purely legal considerations relates to address group-based discrimination against the individuals under investigation. Haywood (2022) had discussed that issue in connection with a study which involved harvesting swinger data in the United Kingdom. However, the situations of swingers in the United Kingdom on one hand and of swingers in Germany on the other hand are different. In Germany, swingers do not have to fear group-related collective discrimination or other disadvantages, as explained in further detail herebelow.

Legality of Swinging in Germany

- From a legal point of view, swinging is allowed in Germany without any restrictions which are not contained in general laws, e.g. regarding consent and a minimum age for sexual acts. Swinger clubs are considered to be restaurants and require a permit if alcohol is served there.
- In 2002, the highest German court responsible for administrative law (Bundesverwaltungsgericht, 2002) ruled on a complaint against the refusal of a restaurant permit for the operation of a swingers club. The court had to decide whether the competent authority must refuse the requested license. According to the laws, the respective authorities must not permit the operation of a restaurant if facts justify the assumption that the applicant holder does not possess the necessary reliability for the business operation, in particular encourages immorality. The court held that operating a swingers club does not constitute immorality within the meaning of the statute. According to the court, the concept of immorality must reflect the right of the individual to the free development of his or her personality, which also includes the right to freedom in the organization of the intimate sphere. The court explained that individuals enjoy a right to self-determination as to the form in which they organize their sexual lives, insofar as this does not violate the constitutional order of values, normative requirements, or the rights of others. The court argued that the purpose of the immorality restriction contained in the restaurant law was not to promote morality as such or to educate to it. The generation of income from sex-related behavior of others could generally not be considered immoral, according to the court, since the legislature had also made it possible, for example, to create good working conditions for prostitutes in luxury brothels and sauna clubs. Finally, the human dignity of the visitors had not been seen violated by the court, because no objective role was imposed on the visitors that could be considered degrading, but they freely decide in which way they participate in the event.
- In the past 20 years, there were no incidents reported where authorities or courts have seen any reason to intervene against swingers clubs, including on the basis of complaints from neighbors. In a recent case, the city administration of Koblenz, Rhineland-Palatinate, had issued a permit which expressly stated the operation of a swinger club as the type of operation of a restaurant. This happened in response to a complaint from a neighbor who had noticed that the earlier license of the already existing swinger club did not contain the appropriate mention. As a consequence to the reaction of the city administration, the neighbor filed a lawsuit that was directed against the updated permit and that, in addition, was aimed at obtaining a court order obliging the administration to intervene against the operation of the club. The neighbor did not state immorality, but purported nuisance by traffic and noise resulting from the operation as the reason for the complaint. The lawsuit was unsuccessful before the Higher Administrative Court (Rheinland-Pfalz, 2021), as it was in the subsequent final instance (Bundesverwaltungsgericht, 2022).
- As emphasized by Stühler (2006), municipalities are not allowed to define and implement a swingers club policy in the context of urban land use planning. They lack any own regulatory competence on these matters.

No Danger of Job Loss

Individual guests of swingers clubs in Germany do not have to fear any legal disadvantages due to their activity. Employment contracts may not be terminated, and civil servants or soldiers must not be dismissed because of extramarital sexual relations (Mayer, 2013).

No Disadvantages in Family Law

Disadvantages of a family law nature, such as the assumption of an unwritten public order as at least previously in Spain (Navarro, 2016), have not been reported in Germany.

No Negative Press Coverage

Negative coverage of swingers clubs in the German public sphere cannot be identified. In contrast to reports on British media reactions to sex in public places (Hennelly, 2010), the German tabloid press portrays the clubs in a positive light, highlighting, for example, how visits increase guests' self-confidence (Witte, 2023) or how an older gentleman took over the management of a club in order to remain sprightly (Selig, 2023). The national press reported about Joyclub in a neutral manner, presenting the website to a larger audience (Ponath, 2022; Süddeutsche Zeitung, 2012).

Clubs not Operating in Secrecy

Because of the neutral to friendly treatment of the topic in the media as well as by the administrative and judicial practice, a clandestine appearance of the scene is not required. The secrecy of the clubs described by Haywood (2022) with regard to the United Kingdom is not prevalent in Germany.

- In contrast, in the city of Hattingen, as can also be seen from the bus network map for the city (Verkehrsgesellschaft Ennepe-Ruhr mbH & Verkehrsverbund Rhein-Ruhr AöR, 2020), a bus stop is named after the "Steinenhaus" swingers club next to which it is located.
- Even though the majority of the German population may not be inclined towards CNM relationships and does not engage in swinger activities, the topic has not caused any commotion for decades and has not led to attempts at containment by politicians or authorities. Individual court cases are rather due to neighbor disputes, which thematically dealt with noise and comparable problems (Rheinland-Pfalz, 2021).

Joyclub is not a Clandestine Niche Website

The portal Joyclub itself is not a clandestine operation, as well.

- The platform originated from a chat, which then turned into a forum for discussing erotic topics and was transformed into the Joyclub platform in 2005 (Ponath, 2022).
- According to its own information on the member search page (Joyclub, n.d.-b), accessed October 15, 2023, it had 5,247,900 members at that time. The alleged membership figure could not be independently verified, nor does it appear in the audited financial statement documents of the operating company F&P GmbH, Selbitz (2023).
- Most of the members are from German-speaking countries, according to the most recently published financial statements of the operating company, F&P GmbH, Selbitz (2023).
- The platform, which was already described as a market leader in the national press in 2012 (Süddeutsche Zeitung, 2012), employed five managing directors and 157 employees including mini-jobbers in 2021. In the fiscal year 2021, it was able to increase sales by 14.0% compared to the previous year. Against the background of an equity ratio of 88.1%, the coverage of all accruals liabilities by liquid funds and a return after taxes in relation to total output of 27.8%, the management described the situation in the last published annual financial statements (F&P GmbH, Selbitz, 2023) as very good and the sales and earnings development as pleasing.

Conclusion

For this reason, I decided, in the interest of the transparency of the research, to take a different approach than Haywood (2022), and to expressly mention the portal Joyclub as well as the venues where the different events which were researched took place.

(Remark: References can be found at the end of the next section)

How will you manage copyright and Intellectual Property Rights (IPR) issues?

Database Protection Laws

Applicable database protection laws are those of the Federal Republic of Germany. The author as well as the operator of the website Joyclub (<https://www.joyclub.de>) have their residence or legal seat, respectively, in Germany (Joyclub, n.d.-a).

German database protection laws expressly regulate data harvesting from databases that are accessible for researchers.

- According to Section 87b of the German Copyright Act (Federal Republic of Germany [Federal Ministry of Justice] & Federal Office of Justice, n.d.-a), which regulates database protection, "the producer of a database has the exclusive right to reproduce and distribute the database as a whole or a qualitatively or quantitatively substantial part of the database and to make it available to the public." According to Section 87a of the German Copyright Act, a *database* is any data "arranged in a systematic or methodical way and individually accessible by electronic or other means and whose obtaining, verification or presentation requires a substantial qualitative or quantitative investment."
- According to Section 60d of the German Copyright Act, text and data mining for purposes of non-commercial scientific research are expressly permitted, thus limiting the exclusive right of the database producer (Mandon, 2018). According to Section 60g(1) of the Copyright Act, a the database producer may not rely on conflicting contractual agreements, such as i.e. contained in its general terms and conditions.
- The contents of the databases collected in this way may also be transmitted to third parties for the purpose of checking the quality of scientific research, i.e., in particular for peer reviews (Section 60d(4)2 of the German Copyright Act). This applies only to the corpus of data, not to the source material, which may not be redistributed (Brettschneider, 2021); upon permitted sharing of the corpus, the sources must be stated (Mandon, 2018).
- The database right is not a right over the information stored in the database (Duisberg, 2017). Database protection exists independent of the content of the database (Kleinkopf, 2022, p. 162). Therefore, analysis in the context of text and data mining as such is permitted by copyright law even without a separate legal norm that would allow it (Kleinkopf, 2022, p. 170). Consequently, if database data are processed, in particular aggregated, and thus the specific arrangement of the data in the

original database is not included in the new work thus created, it is not identical with the protected work. The producer of the original database then cannot claim any rights in the resulting new work.

- For this study, the consequences are as follows:
 - The requirements for the legality of the data collection, as provided for in the database protection laws, were fulfilled. The data for this study were collected with a properly set up Joyclub profile, which allows access to the respective data. Eventual contravening terms and conditions were not identified, but would anyway be legally irrelevant under German law.
 - The statutory requirements for the legality of the production of a structured corpus from the data collected were fulfilled.
 - The corpus itself may only be transmitted to third parties for the purpose of checking the quality of scientific research, i.e., in particular in peer reviews.
 - The data in the original database do not enjoy any legal protection by themselves. The same applies to data derived from them. The database protection relates to the combination of, as the first element, the arrangement, and as the second element, the content of the database, and not to any of these two elements without the respective other element. Therefore, it does not relate to the data contained in the database alone, and not to any data deriving from them. Because the aggregated data (e.g. medians, standard deviations) do not reflect the structure of the original database, and are newly generated and not the original data, they are not subject to the database rights which rest with the original database, and can thus be shared.
 - In addition, because they do not form a product of any human creativity, the original data retrieved are not subject to any copyright. This is even more true for derivative data.
 - To avoid misunderstandings, it has to be emphasized that the collection of the metadata of the events had not been based on structured data (and, thus, a database), but retrieved from individual entries on the webpage produced by the organizers of the events.

Data Protection Laws

- Data protection law, in particular the European Union General Data Protection Regulation (GDPR) (European Union [Publications Office of the EU], 2015), which is directly applicable law in Germany, refers only to personal data. According to Article 4 of the GDPR, *personal data* are data relating to an identified or identifiable natural person (*data subject*). A data subject is a natural person who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person. As long as data are collected that allow individualization, they are personal data. In that case, the processing of the data is subject to the GDPR.
- Profile data in specific the form in which they can be retrieved in Joyclub, as the result of a member search or as registration data for an event, are therefore personal data, if a profile name is provided. A profile name chosen by individuals serves the purpose to pseudonymously or openly identify them. Therefore, it clearly serves the purpose of an identifier within the meaning of Article 4 of the GDPR.
- For the assessment of the legality of sharing the corpus under the GDPR, it is relevant if individuals can be re-identified from simple age and county data, as they are contained in the corpus. The corpus does not contain further identifiers, so the data would not have the status of personal data if they would not allow re-identification. Without that status, any restrictions imposed in the GDPR would not apply. In the other case, any use of the data would be subject to the limitations provided for by the GDPR.
- The admitted visitors could visit the respective events from whole of Germany, with more than 83 million inhabitants, or from abroad.
- Sweeney (2000) has shown that it is nearly impossible to re-identify persons in populations of that size if only the age, in years, and the gender are known. Rocher et al. (2019) have demonstrated that the possibility of the re-identification of individuals rises with the increasing number of attributes known, but have confirmed the result that Sweeney had presented before relating to cases where only two or three attributes are known, and where the population of the relevant region is as high as 50,000. Therefore, the risk of re-identifying persons from the data collected for this study appears to be low. With respect to visitors of events, a re-identification of persons only on the basis of the age and gender of the visitor appears highly unlikely, because visitors travel longer distances to events, as the results have shown. In these cases, the population to which the individuals belong is too large for identification.
- To comply with highest ethical standards, data in the corpus, which contain data on the age, the gender, and the county of residence of persons are not published as open data. Also in line with the legal restrictions mandated with a view to database protection, see the Database Protection Laws section, the corpus will only be made accessible individually for the sole purpose of checking the quality of scientific research, i.e., in particular in peer reviews.
- In the light of the above, the GDPR rules might become relevant for this research as follows.
 - In a very short transitional phase, data from Joyclub profiles, without any profile pictures, were retrieved and stored as source data. These data were collected in the form of the textual data available to all members of Joyclub (<https://www.joyclub.de>), containing the profile data shown on the results pages as search results and of event registrations, respectively. In detail, they contained the profile pseudonym (nickname), any alternative texts to the profile pictures provided by the users, and shown on the results pages, each along with the age, gender, and residence county data. The detailed profile pages of members were not accessed.
 - These source data were immediately converted into a streamlined dataset, using the method described in the Scripts folder in here. That streamlined data set only contained information on the age or ages, county, and gender or genders; the plural applies to couple profiles.
 - The collected source data are *particularly protected data* within the meaning of Article 9 of the General Data Protection Regulation. Within the context of Joyclub, the data concern sex lives of natural persons.
 - However, these data are exempt from the restrictions which are generally imposed on the use of particularly protected data by the General Data Protection Regulation, because they were each manifestly made public by the respective data subjects within the meaning of Article 9(2)(e) of the Regulation.
 - The European Court of Justice interpreted the exemption contained in Article 9(2)(e) in its decision *Meta Platforms and Others v Bundeskartellamt* of July 4, 2023 (European Court of Justice [ECJ], 2023) in some detail. According to the court,

the decisive test for the application of the exemption rule is whether the data have been made available to an unlimited number of other individuals by the data controller on the basis of an informed decision. "Where, on the basis of individual settings selected with full knowledge of the facts, those users have clearly made the choice to have the data made accessible to an unlimited number of persons" (European Court of Justice [ECJ], 2023, para. 82), the conditions for the application of the exemption are fulfilled. "If no such individual settings are available, it must be held [...] that, where users voluntarily enter information into a website [...], they must, in order to be deemed to have manifestly made that data public, have explicitly consented, on the basis of express information provided by that site or app prior to any such entering or clicking or tapping, to the data being viewed by any person having access to that site." (European Court of Justice [ECJ], 2023, para. 83).

- When registering for an event, users have the option to register anonymously, as is evident from every event page on Joyclub (<https://www.joyclub.de>). They will be informed of this option before registering and that anonymous registration prevents the possibility of newly made acquaintances contacting them afterwards. In the case of anonymous registration, the profile of the person registering is disclosed to the organizer. Only other guests see the profile only with an avatar, the writing "Anonymous" instead of the profile name and the age and gender of the registered visitor. The anonymously registered and the non-anonymous visitors are displayed on the page of the event after activation by the organizer.
- Due to the possibility to register anonymously for events, and because it is immediately obvious when calling up event pages that registrants will be listed on the event page after confirmation, non-anonymous event registrations are thus manifestly made public within the sense of the interpretation of the European Court of Justice. They are therefore subject to the exception in Article 9(2)(e).
- The same applies to the profiles themselves, because they are created precisely for the purpose of serving as a presentation of the own person and preferences.
- As Joyclub states a number of registered members on several of its webpages in the website, and since that number exceeds five million, and because, from their own registration, users know that everyone has the possibility to register to the website for free, it is also clear to users that they do not communicate to a small number of persons, but to a potentially unlimited audience.
- In addition to the above, the exception in Article 9(2)(j) of the General Data Protection Regulation, which grants the Member States legislative competence to regulate data processing for scientific research purposes, applies. In Section 27(1) of the German Federal Data Protection Act (Federal Republic of Germany [Federal Ministry of Justice] & Federal Office of Justice, n.d.-a), the German federal legislature has provided a general provision for the use of particularly research purposes on condition that the interest of the processor clearly outweighs that of the data subject and that appropriate safeguards have been put in place. Because of the immediate anonymization, against the background that the Data Subjects themselves have made the data accessible to an unlimited number of persons, because the data are pseudonymous at the onset, as users mostly do not use real names as profile names, and against the background that the corpus would only be transferred for the limited purpose of the assessment of the quality of science, the interest of the processor clearly outweighs the interest of the data subjects. The immediate anonymization of the data provided for in Section 27 (3) of the Federal Data Protection Act has been carried out.
- In summary, the data retrieved are immediately anonymized and unlikely to allow re-identification of the data subjects, and likely not be considered as data which are related to an identifiable data subject, which excludes them from the scope of the European data protection regulations. Even if the data should be considered person-related, an exemption would apply to them, because the data subjects knowingly and manifestly made the data public. In addition, German federal legislation applies which allows the processing of data for scientific purposes, as the interest in processing clearly outweighs the interests of the data subjects for the reasons stated.

Issue of the Notification of Data Subjects

Subsequent notification of the data subjects about the processing of their data is neither legally mandated nor reasonable under Section 27(2) of the German Federal Data Protection Act. In the design of this research project, priority had been given to immediate anonymization. A notification would not have added value for the data subjects. On the contrary, identifying information would have to be retained beyond the short period of time before the built-up of the corpus. In addition, it would not have been logistically feasible to notify the data subjects. As the only possibility for such communication would have been internal Joyclub messages, the manual creation of messages within Joyclub to the owners of the pseudonymous profiles would have been necessary.

REFERENCES

- Brettschneider, P. (2021). Text und Data-Mining – juristische Fallstricke und bibliothekarische Handlungsfelder [Text and data mining - legal pitfalls and library action areas]. *Bibliotheksdienst*, 55(2), 104–126. <https://doi.org/10.1515/bd-2021-0020>
- Bundesrepublik Deutschland [Bundesministerium der Justiz] & Bundesamt für Justiz (Eds.). (n.d.-a). *BDSG - Bundesdatenschutzgesetz* [Federal Data Protection Act]. [gesetze-im-internet.de](https://www.gesetze-im-internet.de/bds_g_2018/BfJR209710017.html). Retrieved October 15, 2023, from https://www.gesetze-im-internet.de/bds_g_2018/BfJR209710017.html
- Bundesrepublik Deutschland [Bundesministerium der Justiz] & Bundesamt für Justiz (Eds.). (n.d.-b). *Act on Copyright and Related Rights (Urheberrechtsgesetz – UrhG)* (U. Reusch, Trans.). [gesetze-im-internet.de](https://www.gesetze-im-internet.de). Retrieved October 27, 2023, from https://www.gesetze-im-internet.de/englisch_urhg/englisch_urhg.html
- Bundesverwaltungsgericht. (2002). BVerwG 6 C 16.02, Judgment of November 6, 2022, ECLI:DE:BVerwG:2002:061102U6C16.02.0. <https://www.bverwg.de/de/061102U6C16.02.0>
- Duisberg, A. (2017). „Datenhoheit und Recht des Datenbankherstellers“ – Recht am Einzeldatum vs. Rechte an Datensammlungen [“Data sovereignty and the right of the database producer” – Right to the individual data vs. rights to data collections] [PDF]. In FZI Forschungszentrum Informatik [Smart-Data-Begleitforschung] (Ed.), *Daten als Wirtschaftsgut: Europäische Datenökonomie oder Rechte an Daten?* (pp. 16–27). https://www.digitale-technologien.de/DT/Redaktion/DE/Downloads/Publikation/2017-11-22_smartdata_daten_wirtschaftsgut.pdf?__blob=publicationFile&v=3
- F&P GmbH, Selbitz. (2023). Jahresabschluss zum Geschäftsjahr vom 01.01.2021 bis zum 31.12.2021 [Annual financial statements for the financial year from 01.01.2021 to 31.12.2021]. In *Unternehmensregister (Germany)*. Bundesanzeiger Verlag GmbH.

- European Court of Justice [ECJ]. (2023, July 4). Judgment of July 4, 2023, Meta Platforms and Others v Bundeskartellamt, C-252/21, ECLI:EU:C:2023:537 [Press release]. <https://curia.europa.eu/juris/document/document.jsf?text=&docid=275125&pageIndex=0&doclang=EN&mode=req&dir=&occ=first&part=1&cid=1628197>
- European Union [Publications Office of the EU] (Ed.). (2015). REGULATION (EU) 2016/679 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation). *Official Journal of the European Union*, L119, 1. <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R0679>
- Haywood, C. (2022). Sex clubs in the UK: recreational sex, erotic diversity and Geographies of desire. *International Journal of the Sociology of Leisure*, 5(3), 297–320. <https://doi.org/10.1007/s41978-022-00108-8>
- Hennelly, S. (2010). Public space, Public Morality: the media construction of sex in public places. *The Liverpool Law Review*, 31(1), 69–91. <https://doi.org/10.1007/s10991-010-9073-x>
- Joyclub. (n.d.-a). Impressum [Imprint]. JoyCLUB. Retrieved October 15, 2023, from <https://www.joyclub.de/impressum/>
- Joyclub. (n.d.-b). Members. Retrieved October 15, 2023, from <https://www.joyclub.com/en/member/> Accessible after free registration.
- Kleinkopf, F. L. (2022). Text- und Data-Mining [Text and data mining]. Nomos. <https://doi.org/10.5771/9783748935360>
- Mandon, S. (2018, May). 7. Sonderfall: Text und Data Mining [7. Special case: Text and data mining] (Universität Bremen, Ed.). Retrieved October 27, 2023, from <https://www.uni-bremen.de/urheberrecht/wissensplattform/7-sonderfall-text-und-data-mining>
- Mayer, C. (2013). Ehebruch als Dienstvergehen? [Adultery as a service offence?]. *JuristenZeitung*, 68(7), 350–354. <https://www.jstor.org/stable/23467599>
- Navarro, P. P. (2016). Beyond inclusion: non-monogamies and the borders of citizenship. *Sexuality and Culture*, 21(2), 441–458. <https://doi.org/10.1007/s12119-016-9398-2>
- Ponath, N. (2022, February 19). ». . . sie wurden gewahr, dass sie alle nackt sind« [". . . they became aware that they were all naked"]. *DER SPIEGEL, Hamburg, Germany*. Retrieved October 9, 2023, from <https://www.spiegel.de/partnerschaft/joyclub-wie-ein-erotikportal-zum-groessten-digitalen-swingerclub-wurde-a-48f1c59c-7033-4f15-a180-c6dd15f00c69>
- Rheinland-Pfalz. (2021, January 12). *Nachbarklage gegen Swingerclub in Koblenz erfolglos* [Neighboring action against swinger club in Koblenz unsuccessful]. Retrieved October 15, 2023, from <https://ovg.justiz.rlp.de/presse-aktuelles/pressemitteilungen/detail/nachbarklage-gegen-swingerclub-in-koblenz-erfolglos>
- Rocher, L., Hendrickx, J. M., & De Montjoye, Y. (2019). Estimating the success of re-identifications in incomplete datasets using generative models. *Nature Communications*, 10(1). <https://doi.org/10.1038/s41467-019-10933-3>
- Selig, F. (2023, June 5). Swingerclub: Chef mit 79, weil ihm sein Arzt dazu riet [Swinger club: Boss at 79 because his doctor advised him to do so] | Regional. *bild.de*. <https://www.bild.de/regional/chemnitz/chemnitz-news/swingerclub-chef-mit-79-weil-ihm-sein-arzt-dazu-riet-84174602.bild.html>
- Stühler, H.-U. (2006). Swinger-Clubs in baurechtlicher Sicht [Swinger clubs from the point of view of zoning law]. *Gewerbearchiv*, 1, 20–26.
- ? Süddeutsche Zeitung. (2012, October 13). Sex als Konsum [Sex as consumption]. *Süddeutsche.de*. Retrieved October 9, 2023, from <https://www.sueddeutsche.de/leben/boom-von-swinger-clubs-bei-jungen-gaesten-alle-mal-anfassen-1.1386420-3>
- Sweeney, L. (2000). Simple Demographics Often Identify People Uniquely (Data Privacy Working Paper 3). [dataprivacylab.org](https://dataprivacylab.org/projects/identifiability/paper1.pdf); Carnegie Mellon University. Retrieved October 27, 2023, from <https://dataprivacylab.org/projects/identifiability/paper1.pdf>
- Verkehrsgesellschaft Ennepe-Ruhr mbH & Verkehrsverbund Rhein-Ruhr AöR (Eds.). (2020, December). Bus network map of the Ennepe-Ruhr district. https://www.vrr.de/fileadmin/user_upload/pdf/Stadtlinienplaene/Ennepe-Ruhr-Kreis_rs_2021-compressed.pdf
- Witte, C. (2023, February 26). Witten: BILD im ältesten Swingerclub von NRW [Witten: BILD in the oldest swingers club of North Rhine-Westphalia] | Regional. *bild.de*. <https://www.bild.de/bild-plus/regional/ruhrgebiet/ruhrgebiet-aktuell/witten-bild-im-aeltesten-swingerclub-von-nrw-83012484.bild.html>

Storage and Backup

How will the data be stored and backed up during the research?

- The data are stored on the harddisk of a single PC.
- Automatic daily backups are provided using a commercial web service. The data are stored in a cloud within the European Union in encrypted form.
- Laptops are not in use.

How will you manage access and security?

- The PC is situated in a restricted-access room and secured by a secure password.
- The harddisk is encrypted using BitLocker.

Selection and Preservation

Which data are of long-term value and should be retained, shared, and/or preserved?

- The corpus files will be retained with a non-profit scientific data repository, taking appropriate security measures to prevent unauthorised use, for as long as they are needed for the purposes of the scientific research or the monitoring of the quality of the scientific findings. They will be deleted after 10 years.
- The other data will be archived with an appropriate scientific archive.
- As it cannot be predicted which of the data can be valuable for future research, all published data will remain published.

What is the long-term preservation plan for the dataset?

As of now, the data will be stored in an established no-cost repository.

Data Sharing

How will you share the data?

The shareable data will be shared via a repository, and be mentioned in a journal paper outlining the research performed on the data by the creator of the data package. A DOI shall be assigned.

The corpus will only be shared upon signing a Data Usage Agreement (except for double-blind peer review, where the editors will handle the issue), and only for the purpose of the monitoring of the quality of the scientific findings.

Are any restrictions on data sharing required?

The restrictions pertaining to the corpus are legally required to protect the database rights of the owner, as set out hereabove.

Responsibilities and Resources

Who will be responsible for data management?

As a double-blind peer study will be performed, a name will not be included here.

The responsible person will be the creator of the data package.

What resources will you require to deliver your plan?

Normal resources are required (PC, standard software, IBM SPSS, internet access).

Planned Research Outputs

Dataset - "Metadata on Swinger Events"

Table 'General Data'

Number of variables: 18

Number of cases/rows: 88

Variable List

- *Variable name;*
 - *Description;*
 - *Variable type;*
 - *Unit[;]*
 - *Value label 1, if applicable[;]*
 - *Value label 2, if applicable[;]*
 - *Value label 3, if applicable[;]*
 - *Value label 4, if applicable*
- Event no;
 - Number of event;
 - Nominal;
 - nominal
- Date;
 - Date of the event;
 - Nominal;
 - YYYYMMDD
- Screen name of venue;
 - Screen name of venue;
 - Nominal;
 - nominal
- Screen name of different organizer;
 - Screen name of different organizer;
 - Nominal;
 - nominal
- Municipality, state;
 - Municipality, state of venue;
 - Nominal;
 - nominal
- Verbal description of restrictions;
 - Verbal description of restrictions applying for admission;
 - Nominal;
 - nominal
- Verbal description of event
 - Verbal description of the event, drafted by the creator of this dataset;
 - Nominal;
 - nominal
- Event class;
 - Event class;
 - Nominal;
 - nominal;
 - 0 = Ordinary swinger event;
 - 1 = Dance / food focused event;
 - 2 = Sex focused event;
 - 3 = Dance / food and sex focused event
- Entrance female;
 - Entrance solo female guest in Euro;
 - Scale;
 - Euro
- Entrance female Joyclub premium;
 - Entrance solo female guest, Joyclub premium member, in Euro;
 - Scale;
 - Euro
- Entrance male;
 - Entrance solo male guest in Euro;
 - Scale;
 - Euro
- Entrance male Joyclub premium;
 - Entrance solo male guest, Joyclub premium member, in Euro;
 - Scale;
 - Euro

- Entrance couple;
 - Entrance couple in Euro;
 - Scale;
 - Euro
- Entrance couple Joyclub premium;
 - Entrance couple, Joyclub premium members, in Euro;
 - Scale;
 - Euro
- Code for gender restriction;
 - Code for gender restriction;
 - Nominal;
 - nominal;
 - 0 = Unrestricted;
 - 1 = Couples and solo women only;
 - 2 = Couples only
- Age restriction single person;
 - Age restriction single person (maximum years of age) (no value means no restriction);
 - Scale;
 - Age
- Age restriction couple - sum of ages;
 - Age restriction couple (maximum sum of ages) (no value means no restriction);
 - Scale;
 - Age

Missing data codes:

- Empty cell : No applicable or data not available

Specialized formats or other abbreviations used: N/A

Table 'Explanation and remarks'

Number of variables: 1

Number of cases/rows: 12

List of variables

- Explanation and remarks
Verbal explanations regarding the contents of the tableGeneral Data

Missing data codes: N/A

Specialized formats or other abbreviations used: N/A

Table 'References'

Number of variables: 1

Number of cases / rows: 88

List of variables

- References
Webpages used as sources for the collected event data, in a format based on the 7th edition of the Publication Manual of the American Psychological Association (APA, 2020)

Missing data codes: N/A

Specialized formats or other abbreviations used: N/A

Dataset - "Aggregated Admission Data to Swinger Events in Germany"

Number of variables: 53

Number of cases/rows: 76

Variable List

- *Variable name;*
 - *Description;*
 - *Variable type;*
 - *Unit;*]
 - *Value label 1, if applicable;*]
 - *Value label 2, if applicable;*]
 - *Value label 3, if applicable;*]
 - *Value label 4, if applicable*
- EVENTNO;
 - Number of event;
 - Nominal;

- nominal
- Date;
 - Date of the event;
 - Nominal;
 - YYYYMMDD
- EVENT;
 - Short name of event;
 - Nominal;
 - nominal;
- REPR_EVENT;
 - Part of the consolidated set (admitted persons > 94, number of external registrations < 20%);
 - Nominal;
 - boolean;
 - 0 = no;
 - 1 = yes
- ISRELIABLE;
 - Whether the event had 95% JC registrations of all admitted guests;
 - Nominal;
 - boolean;
 - 0 = no;
 - 1 = yes
- EXTERN_percent;
 - Percentage of admitted guests with external registrations;
 - Scale;
 - persons * 100 / persons
- Citationreference;
 - Citation reference of webpage related to the event;
 - Nominal;
 - nominal
- Screennameofvenue;
 - Screen name of venue;
 - Nominal;
 - nominal
- Screennameofdifferentorganizer;
 - Screen name of different organizer;
 - Nominal;
 - nominal
- Municipalitystate;
 - Municipality, state of venue;
 - Nominal;
 - nominal
- Verbaldescriptionofrestrictions;
 - Verbal description of restrictions applying for admission;
 - Nominal;
 - nominal
- Eventclass;
 - Event class;
 - Nominal;
 - nominal;
 - 0 = Ordinary swinger event;
 - 1 = Dance / food focused event;
 - 2 = Sex focused event;
 - 3 = Dance / food and sex focused event
- Entrancefemale;
 - Entrance solo female guest in Euro;
 - Scale;
 - Euro
- EntrancefemaleJoyclubpremium;
 - Entrance solo female guest, Joyclub premium member, in Euro;
 - Scale;
 - Euro
- Entrancemale;
 - Entrance solo male guest in Euro;
 - Scale;
 - Euro
- EntrancemaleJoyclubpremium;
 - Entrance solo male guest, Joyclub premium member, in Euro;
 - Scale;
 - Euro
- Entrancecouple;
 - Entrance couple in Euro;

- Scale;
 - Euro
- Entrancecouplejoyclubpremium;
 - Entrance couple, Joyclub premium members, in Euro;
 - Scale;
 - Euro
- Codeforgenderrestriction;
 - Code for gender restriction;
 - Nominal;
 - nominal;
 - 0 = Unrestricted;
 - 1 = Couples and solo women only;
 - 2 = Couples only
- Agerestrictionsingleperson;
 - Age restriction single person (maximum years of age) (no value means no restriction);
 - Scale;
 - Age
- Agerestrictioncouplesumofages;
 - Age restriction couple (maximum sum of ages) (no value means no restriction);
 - Scale;
 - Age
- AGEF_median;
 - Median age women;
 - Scale;
 - years
- AGEF_sd;
 - Std.D. Age women;
 - Scale;
 - years
- AGEM_median;
 - Median age men;
 - Scale;
 - years
- AGEM_sd;
 - Std.D. age men;
 - Scale;
 - years
- AGEACC_median;
 - Median age acc solo;
 - Scale;
 - years
- AGEACC_sd;
 - Std.D. age acc solo;
 - Scale;
 - years
- MEDAGEDIFF;
 - Median of Difference age difference in couples (positive means man is older);
 - Scale;
 - years
- NUM_VISITORS_sum;
 - Number of JC visitors;
 - Scale;
 - persons
- IFFAR_persons_sum;
 - Number of persons who are known to have a residence which is > 100 km away from venue;
 - Scale;
 - persons
- IFSOLOF_sum;
 - Solo women JC visitors;
 - Scale;
 - persons
- IFSOLOM_sum;
 - Solo men JC visitors;
 - Scale;
 - persons
- IFACC_sum;
 - Solo accompanied solo JC visitors;
 - Scale;
 - persons
- IFCOUPLE_sum;
 - Couples JC admitted (number of couples, not persons);

- Scale;
 - couples
- IFCOUPLE_persons;
 - Couples - JC admitted - Number of visitors (two persons per case);
 - Scale;
 - persons
- Sumexternal;
 - Sum external admissions (outside JC);
 - Scale;
 - persons
- ExternalF;
 - Sum external admissions (outside JC) - women;
 - Scale;
 - persons
- ExternalM;
 - Sum external admissions (outside JC) - men;
 - Scale;
 - persons
- ExternalC;
 - Sum external admissions (outside JC) - couples;
 - Scale;
 - couples
- SOLOM_visitorstotal;
 - Solo men - Number of visitors including externals;
 - Scale;
 - persons
- SOLOF_visitorstotal;
 - Solo women - Number of visitors including externals;
 - Scale;
 - persons
- COUPLE_visitorstotal;
 - Couples - Number of visitors including externals;
 - Scale;
 - persons
- MALE_visitorstotal;
 - Men - Number of visitors including externals and in couples;
 - Scale;
 - persons
- FEMALE_visitorstotal;
 - Women - Number of visitors including externals and in couples;
 - Scale;
 - persons
- COUPLEANDACC_visitorstotal;
 - Couples incl accompanied solos - Number of visitors;
 - Scale;
 - persons
- VISITORSTOTAL_inclaccompanier;
 - Total visitors including accompanying persons;
 - Scale;
 - persons
- FEMALE_ratio;
 - Proportion of female visitors;
 - Scale;
 - $\text{persons} * 100 / \text{persons}$
- MALE_ratio;
 - Proportion of male visitors;
 - Scale;
 - $\text{persons} * 100 / \text{persons}$
- COUPLE_ratio;
 - Proportion of visitors in couples;
 - Scale;
 - $\text{persons} * 100 / \text{persons}$
- SOLOF_ratio;
 - Proportion of solo women;
 - Scale;
 - $\text{persons} * 100 / \text{persons}$
- SOLOM_ratio;
 - Proportion of solo men;
 - Scale;
 - $\text{persons} * 100 / \text{persons}$

Missing data codes:

- #NULL! : No applicable or data not available

Specialized formats or other abbreviations used:

- JC = Joyclub
- Std.D. = standard deviation

Dataset - "Same Gender Oriented Profile Owners on Joyclub (restricted)"

Number of variables: 4

Number of cases: 136

- Women (ages in years) - column A;
 - Age of woman;
 - Scale;
 - years
- Men (ages in years) - column C;
 - Age of man
 - Scale;
 - years
- Couples (ages in years) - columns E and F;
 - column E: age first person;
 - column F: age second person

Column H contains a verbal description of the selection criteria applied for collecting the data.

Dataset - "Admissions Data Restricted (corpus)"

Number of variables: 67

Number of cases/rows: 9,727

Variable List

- *Variable name;*
 - *Description;*
 - *Variable type;*
 - *Unit;*]
 - *Value label 1, if applicable;*]
 - *Value label 2, if applicable;*]
 - *Value label 3, if applicable;*]
 - *Value label 4, if applicable*
- EVENTNO;
 - Number of event;
 - Nominal;
 - nominal
- Date;
 - Date of the event;
 - Nominal;
 - YYYYMMDD
- EVENT;
 - Short name of event;
 - Nominal;
 - nominal;
- AGEF;
 - Age of woman in case - missing if there is no woman in the case;
 - Scale;
 - years
- AGEM;
 - Age of man in case - missing if there is no man in the case;
 - Scale;
 - years
- AGEACC;
 - Age of accompanied solo in case - missing if there is no accompanied solo in the case;
 - Scale;
 - years
- COUPLE;
 - Couple or solo status;
 - Nominal;
 - nominal;

- 0 = Solo woman;
 - 1 = Couple;
 - 2 = Solo male;
 - 3 = Accompanied solo
- NUM_VISITORS;
 - Number of visitors in the case;
 - Scale;
 - persons
- AGEDIFF;
 - Age difference in couple (positive means man is older, no data if not a couple)
 - Scale;
 - years
- AGEGROUP_F;
 - Age group woman (missing if no woman is in the case);
 - Nominal;
 - nominal;
 - 0 = AGEF < 35 years;
 - 1 = AGEF ≥ 35 years AND AGEF ≤ 49 years;
 - 2 = AGEF ≥ 50 years
- AGEGROUP_M;
 - Age group woman (missing if no woman is in the case);
 - Nominal;
 - nominal;
 - 0 = AGEM < 35 years;
 - 1 = AGEM ≥ 35 years AND AGEM ≤ 51 years;
 - 2 = AGEM ≥ 52 years
- DIST;
 - Distance between residence and event venue (no value means data not available);
 - Scale;
 - kilometers
- IFFAR;
 - DIST > 100km;
 - Nominal;
 - boolean;
 - 0 = no;
 - 1 = yes
- IFFAR_persons;
 - Distance is > 100 km (persons) (number of persons in the case if criterion is met);
 - Scale;
 - persons
- IFCOUPLE;
 - Whether the case relates to a couple;
 - Nominal;
 - boolean;
 - 0 = No;
 - 1 = Yes
- IFSOLOF;
 - Whether the case relates to a solo woman;
 - Nominal;
 - boolean;
 - 0 = No;
 - 1 = Yes
- IFSOLOM;
 - Whether the case relates to a solo man;
 - Nominal;
 - boolean;
 - 0 = No;
 - 1 = Yes
- IFACC;
 - Whether the case relates to an accompanied solo;
 - Nominal;
 - boolean;
 - 0 = No;
 - 1 = Yes
- CASE;
 - always 1 - helper variable;
 - Scale;

- 1
- REPR_EVENT;
 - Part of the consolidated set (admitted persons > 94, number of external registrations < 20%);
 - Nominal;
 - boolean;
 - 0 = no;
 - 1 = yes
- ISRELIABLE;
 - Whether the event had 95% JC registrations of all admitted guests;
 - Nominal;
 - boolean;
 - 0 = no;
 - 1 = yes
- EXTERN_percent;
 - Percentage of admitted guests with external registrations;
 - Scale;
 - $\text{persons} * 100 / \text{persons}$
- Citationreference;
 - Citation reference of webpage related to the event;
 - Nominal;
 - nominal
- Screennameofvenue;
 - Screen name of venue;
 - Nominal;
 - nominal
- Screennameofdifferentorganizer;
 - Screen name of different organizer;
 - Nominal;
 - nominal
- Municipalitystate;
 - Municipality, state of venue;
 - Nominal;
 - nominal
- Verbaldescriptionofrestrictions;
 - Verbal description of restrictions applying for admission;
 - Nominal;
 - nominal
- Eventclass;
 - Event class;
 - Nominal;
 - nominal;
 - 0 = Ordinary swinger event;
 - 1 = Dance / food focused event;
 - 2 = Sex focused event;
 - 3 = Dance / food and sex focused event
- Entrancefemale;
 - Entrance solo female guest in Euro;
 - Scale;
 - Euro
- EntrancefemaleJoyclubpremium;
 - Entrance solo female guest, Joyclub premium member, in Euro;
 - Scale;
 - Euro
- Entrancemale;
 - Entrance solo male guest in Euro;
 - Scale;
 - Euro
- EntrancemaleJoyclubpremium;
 - Entrance solo male guest, Joyclub premium member, in Euro;
 - Scale;
 - Euro
- Entrancecouple;
 - Entrance couple in Euro;
 - Scale;
 - Euro
- EntrancecoupleJoyclubpremium;

- Entrance couple, Joyclub premium members, in Euro;
 - Scale;
 - Euro
- Codeforgenderrestriction;
 - Code for gender restriction;
 - Nominal;
 - nominal;
 - 0 = Unrestricted;
 - 1 = Couples and solo women only;
 - 2 = Couples only
- Agerestrictionsingleperson;
 - Age restriction single person (maximum years of age) (no value means no restriction);
 - Scale;
 - Age
- Agerestrictioncouplesumofages;
 - Age restriction couple (maximum sum of ages) (no value means no restriction);
 - Scale;
 - Age
- AGEF_median;
 - Median age women;
 - Scale;
 - years
- AGEF_sd;
 - Std.D. Age women;
 - Scale;
 - years
- AGEM_median;
 - Median age men;
 - Scale;
 - years
- AGEM_sd;
 - Std.D. age men;
 - Scale;
 - years
- AGEACC_median;
 - Median age acc solo;
 - Scale;
 - years
- AGEACC_sd;
 - Std.D. age acc solo;
 - Scale;
 - years
- MEDAGEDIFF;
 - Median of Difference age difference in couples (positive means man is older);
 - Scale;
 - years
- NUM_VISITORS_sum;
 - Number of JC visitors;
 - Scale;
 - persons
- IFFAR_persons_sum;
 - Number of persons who are known to have a residence which is > 100 km away from venue;
 - Scale;
 - persons
- IFSOLOF_sum;
 - Solo women JC visitors;
 - Scale;
 - persons
- IFSOLOM_sum;
 - Solo men JC visitors;
 - Scale;
 - persons
- IFACC_sum;
 - Solo accompanied solo JC visitors;
 - Scale;
 - persons

- IFCOUPLE_sum;
 - Couples JC admitted (number of couples, not persons);
 - Scale;
 - couples
- IFCOUPLE_persons;
 - Couples - JC admitted - Number of visitors (two persons per case);
 - Scale;
 - persons
- Sumexternal;
 - Sum external admissions (outside JC);
 - Scale;
 - persons
- ExternalF;
 - Sum external admissions (outside JC) - women;
 - Scale;
 - persons
- ExternalM;
 - Sum external admissions (outside JC) - men;
 - Scale;
 - persons
- ExternalC;
 - Sum external admissions (outside JC) - couples;
 - Scale;
 - couples
- SOLOM_visitorstotal;
 - Solo men - Number of visitors including externals;
 - Scale;
 - persons
- SOLOF_visitorstotal;
 - Solo women - Number of visitors including externals;
 - Scale;
 - persons
- COUPLE_visitorstotal;
 - Couples - Number of visitors including externals;
 - Scale;
 - persons
- MALE_visitorstotal;
 - Men - Number of visitors including externals and in couples;
 - Scale;
 - persons
- FEMALE_visitorstotal;
 - Women - Number of visitors including externals and in couples;
 - Scale;
 - persons
- COUPLEANDACC_visitorstotal;
 - Couples incl accompanied solos - Number of visitors;
 - Scale;
 - persons
- VISITORSTOTAL_inclaccompanier;
 - Total visitors including accompanying persons;
 - Scale;
 - persons
- FEMALE_ratio;
 - Proportion of female visitors;
 - Scale;
 - $\text{persons} * 100 / \text{persons}$
- MALE_ratio;
 - Proportion of male visitors;
 - Scale;
 - $\text{persons} * 100 / \text{persons}$
- COUPLE_ratio;
 - Proportion of visitors in couples;
 - Scale;
 - $\text{persons} * 100 / \text{persons}$
- SOLOF_ratio;
 - Proportion of solo women;

- Scale;
- persons * 100 / persons
- SOLOM_ratio;
 - Proportion of solo men;
 - Scale;
 - persons * 100 / persons

Missing data codes:

- #NULL! : No applicable or data not available

Specialized formats or other abbreviations used:

- JC = Joyclub
- Std.D. = standard deviation

Planned research output details

Title	Type	Anticipated release date	Initial access level	Intended repository(ies)	Anticipated file size	License	Metadata standard(s)	May contain sensitive data?	May contain PII?
Metadata on Swinger Events	Dataset	Unspecified	Open	Zenodo		Creative Commons Zero v1.0 Universal	None specified	No	No
Aggregated Admission Data to Swinger Events in Ger ...	Dataset	Unspecified	Open	Zenodo		Creative Commons Zero v1.0 Universal	None specified	No	No
Same Gender Oriented Profile Owners on Joyclub (re ...	Dataset	Unspecified	Restricted	Zenodo		None specified	None specified	Yes	No
Admissions Data Restricted (corpus)	Dataset	Unspecified	Restricted	Zenodo		None specified	None specified	Yes	No