

To the Online Safety Branch,

I am deeply concerned with the draconian, puritanical, anti-sex and anti-internet nature of the new draft Online Safety Act, which acts to give unprecedented and unreasonable, far-reaching powers to an Australian government and police force that is already known for having one of the most heavily censored, non-diverse and restrictive media in the western world.

I have many issues with the proposed Online Safety Act, which include:

1. Part 9 – the Online Content Scheme – giving the government the power to block any website according to the 1995 Classification Act, which is unreasonable, discriminates against women, the LGTBQIA+ community, and the consensual kink community, and should not be in the scope of the bill at all.
2. The complaints based process means that an increasing number of puritanical, anti-sex people can troll Australians and global websites from within Australia in order to get them sent with many unnecessary removal notices. The risk of losing access to websites like Fetlife – which help disabled queer people like myself connect with the kink community – is both real and unacceptable. This process will absolutely be weaponised by bigots, the prejudiced, homophobes, transphobes, disabled people, people of colour and far more.
3. The eSafety commissioner will be unelected, offer no appeal process, and will have discretion to ban anything online. This is undemocratic, unreasonable and untenable. It also unrealistically doesn't address the fact that hundreds of people will abuse this system to send thousands of reports simply to discriminate against queer and marginalised communities. One unelected person is not equipped to deal with this.

This Act is censorship at its worst and most egregious, and is an attack on all Australians while hiding under the guise of wanting to 'protect the vulnerable.' This act will directly harm many vulnerable and marginalised people, specifically the LGTBQIA+ community, women, the disabled community and the consensual kink community.

The Online Content Scheme needs to be excised entirely from the proposed bill.

It is completely unacceptable to grant one unelected person the power to ban online content.

This bill is a trojan horse that looks like protecting children and the cyberbullied and cyberabused on the surface – a very noble and necessary cause and one I support – that actually proposes extremely unworkable, unacceptable, un-Australian content that will harm marginalised communities and just about any healthy adult who enjoys engaging in consensual adults-only material online. The proposed Online Safety Act is based on discriminatory, backwards, outdated and marginalising content from the 1990s (Classification Act), and makes no attempt to modernise this Act in a way that recognises the existence of a consensual kink community and the growing body of science that clearly demonstrates that people who engage in sex online are not deviants. The Classification Act is already known as an Act that marginalises the LGTBQIA+ community, women, disabled folk, and more.

As a queer, disabled person, I find many sections of this act horrifying, and it will do far more damage to the sex positive freedoms of marginalised adults in Australia, than it will to genuinely help those being bullied or abused with adult content.

We need a bill that focuses exclusively on cyberbullying, cyber abuse and harmful content, and does not include a broad scope that includes consensual online sexual activity (including things like BDSM and sex education).

This bill needs to be heavily revised, consultations need to be made with marginalised communities, as well as sex-positive and kink-positive communities and psychologists where possible, and the scope narrowed to be less outdated, draconian, unfairly punitive and undemocratic.