

Good morning,

I'm writing today to outline my concerns in relation to the bill for the new Online Safety Act. While I can definitely appreciate the intention and where it's coming from, after careful consideration of its contents, I do have some points I'd like to cover. Thanks for taking the time to read through all of this.

I'd like to start by asking that you please include the amendments being put forth by the sex worker community. It's understood this bill is going through regardless, and by including amendments by the community you're ensuring less harm to a vulnerable and already at-risk group of the population, with a high number of at-risk and marginalised people within that community. The whole point of the bill is to protect people from harm, and that should include sex workers and their livelihoods, in addition to civilians / non-sex workers.

The introduction of an RC classification is problematic, given the rise in people exploring their sexual interests being extremely important for personal freedoms and sexual liberation. This new RC classification would prohibit content involving certain kinds of fetishes even if they're created and performed by very much consenting adults, simply because some kinds of people who aren't that way inclined find it offensive. Others can find the liberation involved extremely beneficial for working through traumas and very liberating, and you can't take people's personal power and autonomy away like this. The old classification systems being imported onto the new online content model is problematic - considering the community perspectives and standards on what is deemed appropriate or harmful are really quite outdated. Given that the Commonwealth Classification Act 1995 and National Classification Code 2005 were established a fair while ago now, they are especially narrow and problematic in a 2021 climate (while they were already pretty narrow to begin with). Considering the X18+ system excludes rough sex and even dirty talk, it's clear that things have come a long way in the wider everyday community in terms of what's deemed abhorrent and what is simply differing tastes, and such advances in perspectives outline that the systems are outdated. They don't reflect the current attitudes or perspectives of the vast majority of Australians today, and are out of line with community expectations. In terms of what is considered harmful online content, this is very much subjective. Correlating something being offensive to something being legitimately harmful doesn't make sense, as they don't inform one or the other. The implications of something being flagged for removal for being offensive, when such a thing is entirely subjective, is really problematic.

With regard to the election of a *solitary* e-safety commissioner, I find this really troubling. The likelihood that this will be a lone person who has been *appointed and not elected*, who has no experience or vested interest in the sex-worker community, is of concern. It's really important that there's instead a team or board of e-safety that is *elected*, and that sex-work representatives / delegates are included in this process to ensure people's livelihoods and sources of income are considered and respected. This will also ensure that the Board of E-Safety can be expected to give justification for their decisions if need be. In addition, this also ensures that there's not an inevitable influx of random bots haphazardly taking down anything nudity or porn-related, consensual or not, as the responsibility doesn't ultimately fall on one person who will inevitably be too overworked with too many tasks to carefully consider the ramifications of banning particular pieces of content. If content is going to be restricted like this, it's absolutely vital that it's done with careful consideration for different parties involved and considers the ramifications of removing content made by consenting

adults. Public consultation on an appropriate system would be beneficial. In the absence of public call-outs for such systems, consultation with groups like Scarlet Alliance (Australian Sex Workers Association) would be particularly beneficial and welcomed by both sex-workers and civilians/non-sex workers alike. This would also make the review process for the complaints process considerably more fair and just, considering the only legislated criteria for commissioner investigation and how it is conducted, is based on what the commissioner 'deems fit'. This is clearly incredibly vague and therefore worrying in terms of the potential for bias and misuse of power. Sex workers are already subject to high levels of discrimination and malicious complaints, so by including a widely respected and reputable sex worker organisation like Scarlet Alliance, this would help to ensure their interests, livelihood and safety are considered just as much as civilian interests, livelihood safety are.

For the Bills' system of managing non-consensual sharing of images, it's especially important to involve an amendment that includes a person's ability to withdraw consent for an intimate photo being posted. This amendment should also touch on the ability for someone to explicitly outline where, how, and for how long an image or piece of content can be posted.

With concern to the Basic Online Safety Expectations, the risk of internet service providers just outright banning any and all kind of sexual content, following risk of fines for sexually explicit content which isn't actually harmful, is not democratic. The internet is an extremely valuable safety measure for sex workers, as it assists in screening and doing safety checks among other things, which helps ensure sex workers are able to adequately screen and communicate with a potential client. The benefit in workers being able to talk with other sex workers and affiliated organisations to get information is of great importance, and Acts like this going through without amendments increase the likelihood that such methods will be extremely difficult if not impossible, and push people into even less safe methods of work with less information resources and community support. Such restrictions on communication and screening measures are extremely harmful, as has been seen with the US FOSTA-SESTA legislation (which has also had lasting effects on the community in Australia).

Other businesses aren't held to the same standard as sex work industries are, and sex workers shouldn't be at the mercy of discriminatory legislation - from a human perspective, but also because it's a largely lawful industry. Sex workers are already working to ensure that their content isn't accessible to minors, through the use of paywalls, 18+ warnings and the like. It seems like the bill is going to do more harm than good as is, so I implore you to please include the amendments being suggested by sex workers, and be sure to include them more in changes being made going forward.

I really appreciate your time in reading over this. I sincerely hope my points and concerns, and those of sex workers and other civilians, are carefully considered and inform the process for the Online Safety Act going forward.

Thank you for your time.