

To whom it may concern;

My name is Arabella and I am writing this to provide my opinion on the Bill for a new Online Safety Act. I am currently based in Europe, stuck in part due to the pandemic, and I use social media to stay in touch with my friends, family and community in Australia. This Bill would isolate me from Australian communities that I am part of and support.

I recognise that there is a need for safe spaces online, but I think that the current wording of the Bill does not provide adequate clarification nor protection. I begin by summarising my concerns and then outline my suggestions in the bullet points.

I feel that the Bill is too ambiguously worded and subjective. Not only that but it gives absolute power to an unelected official (The E-Safety Commissioner) to remove content from all internet services. 'Absolute power' to unelected officials is highly problematic in any context, let alone in this context of controlling access to information or content.

The Bill also incentivises algorithmic policing of all sexual content online, which again is highly problematic. It isn't up to the government to control sexual content posted and accessed by consenting adults. This sort of thing will likely lead to the mass purging of social media accounts. Moreover, the fact that this could cover consensual sexting is an invasion of privacy. There also needs to be clarification on measures for age-restricted barriers.

It is also shocking that there is no included sunset clause for review, transparency or accountability for the Commissioner. There should ALWAYS be transparency and accountability, especially for individuals and organisations given such absolute power.

The Bill does not provide information on how to comply, nor is there any clarity on appeals and recourse. There is no option for users to defend their content before its removed, which is ridiculous. There need to be measures in place so that context is considered.

These issues are highly problematic. I suggest the following:

- Clarify the powers and classifications outlined in the Bill- provide clearer definitions, establish stronger boundaries, and establish strong, effective, and meaningful mechanisms for accountability and transparency.
- Define and include an appeals process and mechanisms- this should cover recourse for lost income in instances where content is restored.
- Include a sunset clause or period of review is included, in addition to measures of the effectiveness of the legislation. These measures should be considered and be the basis upon which continuation of the legislation is decided.
- It is absolutely vital that the Bill include protection for Sex Workers' livelihoods, income, physical and mental health and wellbeing. The internet, especially during the pandemic context, is an important platform for Sex Workers to work safely. This must be considered and appropriate measures need to be included to ensure that Sex Workers are not adversely impacted.
- The Commissioner should also acknowledge that privacy is a safety concern for Sex Workers. They should have equitable access and the right to not use their legal names if they wish to report something.
- Provide clearer definitions that address the nuances and conditions of consent for sharing intimate images. It is imperative to recognise that consent can be given for a

particular recipient, time period, website and purpose, and that that consent can then be withdrawn.

I hope that this submission is clear. Everything mentioned here is of great importance. This submission can be made public.

Best wishes,  
Arabella Comyn (she/her)