

To whom it may concern,

I am writing to you in regards to the New Online Safety Bill that seeks to protect adults from online bullying and abuse. While I'm sure your intentions surrounding this bill are positive in nature, there are a number of unintended consequences many people in my community will bear the brunt of. I am a sex worker, academic, educator and podcaster who uses social media and the internet for both business and pleasure every single day. Navigating the internet as a sexually positive woman is already quite difficult and this submission will hopefully open your eyes to these unintended consequences facing my community.

As a sex worker, I work in brothels and establishments, which means I don't use the internet to advertise my services, but given that I am in NSW where sex work is decriminalised I have publicly stated that I am a sex worker on my social media pages. Just being a sex worker online means we are constantly faced with hurdles and we struggle with maintaining a presence online, with many of the internet platforms already limiting our participation in these online spaces. The prevalence of the internet into everyday life means that when our access to these spaces is restricted our civil participation becomes limited and the ways in which we deal with risk management and safety precautions become difficult and dangerous.

The new ability to complain about harmful/offensive (& non-consensual) content appears to be a double edged sword for the sex working community as it gives us better access to make a complaint, but we need this to be an equitable access system that allows us to make a report without disclosing our legal names. Many sex workers exist on the internet without disclosing their legal details, and this is a safety tactic. We need to be able to follow through the entire process anonymously while simultaneously being taken seriously. At this stage there is no indication of the appeals process of this complaint scheme and sex workers often face unprovoked attacks by morality trolls. We need a clearer understanding of this process with more transparency from the E-Commissioners office.

The proposal to enforce the outdated media classification system is also quite troubling for sexually positive content creators and I struggle to understand how implied sexual activity is considered more harmful than actual violence or hate. The new categories of 'Class 1' and 'Class 2' are far too broad, and I do find it interesting that consensual sexual acts involving any form of violence (think BDSM content) can be considered more harmful than a Hollywood Action thriller which consists of non-stop violence but is only deemed M15+. Sex and sexuality are intrinsic forms of humanity and the idea of consent seems to not factor in this bill and appears to be coming from a moral standpoint rather than having an evidence-based approach. The normalisation of not just violence, but things like gambling, alcohol use and junk food which are not facing the same sort of heavy online regulation, seems to be a kick in the face to educators like myself, and other consensual content creators. Protecting children from harmful online content needs more resources, and rather than wasting time and energy on policing consensual content, the same resources could be funnelled into education on consent, healthy relationships and digital and media literacy.

The new bill also proposes that the commissioner will be able to decide what kind of restricted access system will be required for different types of content. For many sex workers who sell their content online, they are already engaging in different forms of restricted access for example: many workers use sites like OnlyFans and ManyVids which have a paywall restriction for content hosted on their sites. But there are other forms of content that may be sexual in nature but is ultimately educational. How will these forms of content be expected to restrict access? Given that I have a podcast about sexuality education, would my podcast be forced to charge my listeners in order to

restrict access? The new bill has failed to address this aspect with clarity and I fear that I will be forced to create a restricted access system which would limit my educational reach.

Under the proposed bill the E-Commissioner has immense power, and without the transparency of their processes this is quite scary. For sex workers who want to comply with the requirements, there is little information required from the Commission as to how to do this and lack of transparency makes it extremely difficult for us to understand the limits of both the bill and the power of the E-Commissioner. Without a clear appeals process combined with the lack of transparency on part of the E-Commissioner, I fear that sex workers will be unfairly targeted with no recourse to appeal. With COVID-19 many sex workers were forced to migrate their work online and if we are suspended or disabled, whether by mistake or on accident, it would subsequently affect our income and there would be no consequence to the E-Commissioner. This implies that the E-Commissioner could potentially be overcautious with their take downs with no ramifications for them should they get it wrong.

The Basic Online Safety Expectations could also see platforms themselves enforce their own restrictions in order to protect their corporations from government penalties. When FOSTA-SESTA was signed into legislation in the US in 2018 the ramifications for sex workers around the world were beyond devastating. For our community we see this bill as the Australian equivalent, allowing platforms to enforce even stricter 'community guidelines' which again focus on sex and sexuality as equally as harmful as violence, alcohol or gambling. In my own personal experience I have reported a number of Nazi and white supremacy accounts on platforms such as Instagram and Facebook only to be told those accounts/content were not in breach of community guidelines. Using sex as the moral scapegoat when it comes to harmful online content allows hate and violence to flourish and I think the normalising of these sorts of things are so apparent, we hardly recognise them as offensive and harmful anymore. These big tech companies employ algorithmic processes to enforce their community guidelines, and this has proven problematic for the community. As mentioned before I have stated on my social media that I am a sex worker, and that in and of itself has made my account more susceptible to warnings against particular content. For example I tried to repost a photo advertising a particular brand of lingerie. When I attempted this I was told I could not post it due to nudity and sensitive content, however the owner of the post has nearly 4 million followers (SavagexFenty on Instagram). The overpolicing of particular bodies on social media is already such an issue for many non-cis white men including; trans and gender diverse bodies, fat and plus-size bodies, people of colour and indigenous people who all regularly face censorship, shadowbanning and deletion. While at the same time, people like Andrew Bolt and Miranda Devine are amplified and their incitement to hate is valued under the idea of freedom of speech (which is not constitutionally protected in Australia) with no new bill aiming to curb *their* harmful content.

I hope this submission has opened your eyes to understanding how this bill feels like an attack on sex workers. It appears that our community is not often considered when making new legislation and I suggest that the government works more closely with organisations such as Scarlet Alliance and other LGBTQI+ orgs who will be able to assist in the process of creating such bills. Many marginalised groups of people are often left out of legislation processes but without our voices, unintended consequences like the ones described above will continue to make our lives dangerous and susceptible to further discrimination.

Kind regards,

Tilly