

How I use the internet

I am a full service sex worker, activist, and online content creator and I've been working for almost 5 years now. I use the internet to connect to my community, keep in contact with my clients, keep myself safe, stay informed about laws and campaigns around sex work, and advertise my availability or post my online content to my subscribers. I've worked with sex work orgs across the country to campaign for better legislation and my social media has been a huge part of mobilising my community to create submissions and give feedback to Government and legislators. I've raised thousands of dollars for my community when crowdfunding via my social media. And I've kept myself housed and fed while I've been out of work with injuries or during COVID, all through my online content creation and in turn promoting that on social media. The sex working community is my support network and I connect with them globally. I take pride in being an online educator for my peers and being able to keep other sex workers safe, informed, and comforted with the reach I have on social media. In the past I've experienced de-platforming, censorship, and several other hurdles when it comes to being a sex worker online – which I will address later in my submission. The sex working community are a heavily discriminated against and isolated group of people, and it's important for our health and wellbeing that we're able to express ourselves, share our stories, and be visible on the internet. Apart from the mental health aspect, it's also essential me and other workers be allowed to use the internet to generate income and promote our businesses; sex workers across the globe have an ultimate goal of full decriminalisation, and a vital piece of that is acknowledging us as consenting workers, within real jobs, and autonomy, and giving us the same rights as other internet users.

My concerns with the Online Safety Bill

The ambiguous wording of the Bill, outdated classification system, and how that incentivises algorithmic policing

The Bill refers to an aim to protect users from 'harmful', or 'offensive' content and imports the outdated classification system of RC or X18+ content. In general I feel this classification system should be updated as it hasn't been reviewed since before I was born (23 years ago), and a classification system meant for broadcasting TV and radio should not be imported for an entity so profound and with as much potential as the internet. X18+ content should be allowed on Australian servers full stop. It's unfair to put the onus on websites, and their users, and sex workers specifically for the sake of this argument. Sites that host adult content already work hard to have systems in place to make sure the users accessing it are over 18. For example, age restriction barriers on porn websites and escort directories, or the opportunity to put an over 18 flag on Twitter profiles. Parents should be responsible for creating parental controls on their computers, or their children's phones should they have concerns about the content they're viewing online. The National Classification Code should be amended to include fetish materials including BDSM; it is a consensual act, between adults, and adult users have a right to access that content and it not be subject to censorship. Without getting into too much of a battle of morals, sex is normal, natural, unavoidable, and should not be censored on the internet.

Giving an E-Safety Commissioner power to give take-down notices or remove content based on wording as ambiguous as ‘harmful’ leaves room for personal bias and discrimination. Sex workers advertising their availabilities, new content, or services to their clients is not harm. We have seen the way this kind of language incentivises algorithmic policing or bots¹ on websites such as Instagram² or after legislations such as SESTA/FOSTA³. These bots are often biased and will not make effort to understand the context of the content. For example, Instagram is known to use algorithmic policing in line with their vague Terms of Use and Community Guidelines. My account has reached a point where I cannot safely share memes, fully clothed photos of myself, the word ‘whore’, or content posted by other users, without it being subject to removal. This is a direct symptom of censorship legislations such as SESTA/FOSTA, and social media networks reacting as heavily penalising and removing their users to avoid fines or responsibility. This censorship and these removals are isolating for any user, let alone people so reliant on online community such as myself. I remember when SESTA/FOSTA came into law a few years ago, I spent most of my time worried my friend was going to commit suicide due to her advertising being pulled overnight – and some sex workers overseas actually did commit suicide or died at the hands of violence after their loss of internet use⁴.

Absolute power to an unelected E-Safety Commissioner with no transparency or accountability

Having the responsibility of investigating and removing all content under review, is too big of a job for one individual to perform for the most part on personal discretion. I fear this huge workload will lead to decisions being made in a rush that doesn’t consider the context of the content. It isn’t unreasonable to assume the E-Safety Commissioner has little to no experience with the needs of sex workers and how we use the internet, and that they will most likely not consider the impact their decisions will have on our wellbeing. The Commissioner has no responsibility for transparency or accountability regarding removals made under the Bill, which leaves no room for sex workers to look to past complaints when protecting ourselves or making appeals. Since the Bill has such ambiguous wording eg: ‘offensive’ as a justification for removal, it would be ideal to have a publicly available register of complaints, to create guidelines on how to edit our content accordingly and comply with the Bill. Without this sex workers are left to only theorise about how to properly comply. Having this kind of transparency gives sex workers and the general public an opportunity to call for any appeals, hold the E-Commissioner accountable for misuse or misjudgement regarding what is in fact ‘harmful’, and can be reflected on during periodic reviews.

¹ <https://jakartaglobe.id/news/govt-launches-web-crawler-to-seek-out-negative-internet-content/>

² <https://qz.com/1594392/instagram-will-demote-inappropriate-content-and-self-expression-along-the-way/>

³ <https://www.antitraffickingreview.org/index.php/atrjournal/article/view/448>

⁴ <https://www.engadget.com/2018-04-27-suicide-violence-and-going-underground-fosta-sesta.html>

No clarity of appeals process or periodic review of the Bill

The Bill has not provided users with a chance to defend their content before it is removed, or appeal any removals that have occurred. In the context of my own content and other sex workers content, this is totally unreasonable and unfair. Too often I have had images removed from Instagram and other heavily policed websites with no reason given and no opportunity to appeal this process. For example, I won the Scarlet Alliance 'Whore of the Year' award along with the rest of the Northern Territory Sex Worker Reference Group. This was a huge achievement for my peers and I and something to be proud of. When I posted a photo to my Instagram, it was removed for using the word 'whore' for 'adult sexual solicitation'. Surely it's clear why this is an issue; the context of the photo had not been considered and I had no opportunity to explain myself. This is only a small example and I have experiences like this often. Another more serious example is the ramifications of escort advertising directories being removed and sex workers being de-platformed as a symptom of SESTA/FOSTA. When sex workers have spent thousands of dollars in overheads (hotels, advertising, flights) for a tour, and then wake up to have their ads removed, that has the potential to seriously affect our financial security, and mental wellbeing. A lot of my peers support their children and families and cannot afford to take financial blows like this just because a non-elected individual has deemed their connection to their clients, as 'offensive or harmful'. In 2018 when SESTA/FOSTA was signed into law and Backpage was removed, I simultaneously had my account deactivated on Instagram for talking about it, and the stress from that situation led me to withdraw halfway through my university degree. All of these examples are manifestations of legislations made with broad sweeping language, that does not consider sex workers and the ways we use the internet, or give us an opportunity to appeal our removals.

This leads me to the issue of there being no clause for a periodic review of the bill. Should this bill go through with no amendments, the ramifications for sex workers, sex educators, and anyone in the peripherals of that, will be clear and hugely negative. As a desperate last resort, this bill should be reviewed and adjusted to better fit the entire Australian community, and not further endanger, stigmatise, and discriminate against vulnerable groups.

This is just a small amount of feedback that considers the concerns of the sex working community. I've taken into consideration with my submission that several other sex workers will address the pitfalls of the Online Safety Bill and sex worker organisation such as SWOP and Scarlet Alliance which I am a member of, will be writing comprehensive submissions unpacking the entire bill. Several other points of concern I'd like considered are:

- There is no recourse for loss of income should sex workers advertisement be wrongfully removed
- The need for clearer definitions that address the nuances and conditions of consent for sharing intimate images
- Sex Workers are not given opportunity to report the sharing of non-consensual sharing of intimate images under our working names (/lack of necessary privacy for sex workers)
- There is a lack of clarity on measures for restricted-age barriers and the E-Safety Commissioner has power to decide how restricted-age barriers will be used.

I hope that this, with my anecdotal examples can give clarity on how the Online Safety Bill has failed to consider my community. Once again I'd like to reiterate that online spaces are crucial for sex workers and are part of our safety, mental health, financial security, and autonomy. We do not deserve to navigate online spaces with anxiety and fear of being discriminated against. As we've seen with legislations such as SESTA/FOSTA, this is a matter of life or death.