



10/2/2021

RE: Consultation on the Online Safety Bill

I am writing to express a number of concerns about the new Online Safety Bill. I understand this bill intends to improve the safety of Australians while they are online. I believe that many elements of the Bill will in fact undermine the safety of individuals and groups online. This includes sex workers that use digital platforms.

As it stands the Online Safety Bill proposes a scheme that lacks transparency and accountability and does not provide effective or fair avenues for objection to decisions made by the E-Safety Commissioner. The Commissioner will have an inappropriate amount of power to make decisions about sexual content based on their own subjective positionality. This amount of unchecked power held by an individual to make judgements on what is 'offensive' or 'harmful' content is not in line with principles of democracy or fairness.

I am concerned that the online content scheme will mean that sexually explicit content can be removed within 24 hours of serving a notice. Many sex workers rely on the internet to advertise their services and to deliver content to consenting adults paying for said services and content. The ability of the Commissioner to order the removal of content within 24 hours will severely impact the ability of sex workers to have access to a stable income. This will occur in a time when, due to the Covid-19 pandemic, many people, including sex workers, are in precarious financial situations. This aspect of the Online Safety Bill will push sex workers further into precarity and will be another blow to their labour rights.

I am also concerned about the expansion of the *Commonwealth Classification Act 1995* and the *National Classification Code 2005* into the online space. These laws are outdated and out of touch with community expectations. There are many issues that need to be addressed in this legislation and it is therefore inappropriate for such problematic legislation to be reproduced in the Online Safety Bill.

Lastly it is imperative that representative bodies such as Scarlet Alliance, the Australian Sex Workers Association, are consulted and listened to in relation to legislation that will significantly impact sex workers.

Regards,

