

## ONLINE SAFETY BILL - WHAT IS IT?

The Online Safety Act aims to target cyberbullying & abuse, the promotion of “abhorrent & violent” content (i.e. fetish & kink), non-consensual image sharing, & ensuring minors do not access inappropriate content.

The bill imports a problematic classification system created in 1992 designed for TV & film, & applies it to all of the internet including private messages, SMS & Signal etc. It is outdated, ambiguously worded & not in line with current community standards.

The commissioner will decide the type of restricted access control system that goes into effect - facial recognition or submitting ID are methods of age verification that could be developed without consulting relevant industries that will be affected and suffer implications for privacy online.

## WHO WILL BE AFFECTED?

Do you use the internet including, but not limited to; SMS, Signal, MMS, private messaging on online platforms? You will be affected!

As we know, a lot of new legislation is pushed through with particular communities used as guinea pigs. We saw this with FOSTA/SESTA and it will be the same with this new legislation.

Without our input, many in the government aren't even aware of the impact these regulations will have on our communities' livelihoods and it's important for us to get our voices heard now.

This new bill seeks to regulate internet content, but is not limited to public feeds only.

Any platform you use, even in private contexts, will be subjected to this new regulation.

## OUR CONCERNS

- The bill is ambiguously worded, subjective, & gives absolute power to an unelected individual (commissioner) to remove content from all internet services

- The bill will incentivise algorithmic policing of all sexual content online including social media, email, sms, & apps like signal. This likely means more mass purging of accounts, and will include private messages i.e. sexting with a partner on whatsapp

- There is no sunset clause for review, transparency or accountability for the commissioner

- Lack of information available on how to comply with the legislation, or clarity of the appeals and recourse. So far the Bill has not provided users with a chance to defend their content before it is removed

- Lack of clarity on measures for restricted-age barriers

#### WHAT WE WANT:

-Less ambiguity around powers & classifications; clearer definitions, stronger boundaries & more accountability/ transparency

-Define an appeals process & mechanisms for recourse of lost income should your content be restored, as no process has yet been defined - the current process leaves users subject to immediate removals with no concerns for the context of the content

-A sunset clause or period of review of effectiveness of the legislation

-Protection for SW's livelihoods, income, and physical and mental health and wellbeing

-Commissioner should acknowledge privacy as a safety concern for sws- we want equitable access & the right to not use our legal names

-Clearer definitions addressing the nuances & conditions of consent for sharing of intimate images i.e. consent can be given for a particular time period, website, purpose & withdrawn

#### WHAT CAN YOU DO?

Let the government know what you think! The best way to get your voice heard is to write a submission before the 14th of February!

Online Safety Branch Content Division

Department of Infrastructure Transport, Regional Development and Communications

GPO Box 594

Canberra ACT 2601

or by email to [onlinesafety@infrastructure.gov.au](mailto:onlinesafety@infrastructure.gov.au)

#### NEED HELP?

The following slides are a brief guideline on how to write a submission.

If you need further assistance, please get in contact with your local sex worker organisation.

If you have further questions or queries about the actual bill please contact Zahra at Scarlet Alliance:

[research@scarletalliance.org.au](mailto:research@scarletalliance.org.au)

If you are seeking a review of your submission before you send it off please contact:

Gala (Scarlet Alliance): [npm@scarletalliance.org.au](mailto:npm@scarletalliance.org.au)

Harry (hole\_money): [pole\\_money@protonmail.com](mailto:pole_money@protonmail.com)

Or contact [@\\_zengineer](https://www.instagram.com/_zengineer) [@tilly.whoretopia](https://www.instagram.com/tilly.whoretopia) via instagram

#### HOW TO WRITE A SUBMISSION

- Make your submission unique, don't copy and paste directly from draft submissions.
- Acknowledge there is a need for safe spaces online, while focusing on the changes you'd like to make your specific community safe.
- Try not to use terms that could incriminate the industry eg: use 'online safety strategies' rather than mentioning specific databases or groups that keep us safe within the community, and avoid language that stigmatises other workers or methods of working.
- Think about who is reading these submissions: make them clear and use subheadings and/or dot points.
- Decide if you would like your submission to be public or private and think about which name you'd like attached to the document. It's wise not to disclose any illegal activity and to be aware of the laws in your state.

#### POSITION YOURSELF:

What do you do? How do you use the internet?

Eg: My name is Sally, I've been a full service sex worker for 5 years, and I use adult directories to advertise online.

Eg: My name is Colin, and my partner works internationally and we have used Facebook messenger to stay in touch and maintain our intimacy during COVID.

Eg: My name is Jezabel, I am a sex therapist and sex educator, and I share educational information via Instagram.

#### HOW WILL THIS BE PROBLEMATIC FOR YOU?

Will this impact your safety, financial security, mental health, business, etc.?

Eg: Removing my online advertising will affect my safety and income. I have two kids to support and am a single parent.

Eg: Instagram is how I connect with my community and keep myself safe. This bill will isolate my peers and sever access to our online safety strategies

#### USE PERSONAL ANECDOTES/CASE STUDIES

Has internet censorship affected you in the past? Provide anecdotes of how this has negatively impacted you, with examples.

Eg: When my advertising was removed overnight in 2018 while I was on tour, I wasted thousands of dollars in accommodation and advertising, and I was unable to pay my rent, and was evicted from my home.

Eg: When I was removed from Facebook, I lost access to my usual screening processes and took on a booking with a client who turned out to be violent.

READ THE COMMUNITY POLICY KIT, AND REFER TO THE CONCERNS OUTLINES IN THESE SLIDES OR THE SCARLET ALLIANCE TOOLKIT

Your submission can address just one of these concerns, or all of them. Use subheadings to break up your submission and keep them personal, unique and clear.

REMEMBER THE BILL WILL PASS AND YOUR SUBMISSION ADDRESSES THE ADAPTATIONS YOU WOULD LIKE