



Google Australia Pty Ltd
Level 5, 48 Pirrama Road
Pyrmont, NSW 2009
Australia
[google.com](https://www.google.com)

Friday 10 September 2021

Executive Manager
Investigations Office of the eSafety Commissioner
PO Box Q500
Queen Victoria Building NSW 1230

BY EMAIL: submissions@esafety.gov.au

Thank you for the opportunity to provide feedback on the Restricted Access Systems ("RAS") Declaration Discussion Paper. We have focused our feedback on the following four questions posed within the Discussion Paper.

1. *Under the Online Safety Act 2021, the RAS will only apply to Restricted Material that is provided from Australia on a social media service, relevant electronic service or designated internet service, or that is hosted in Australia. What elements should be part of an effective system to limit access to that kind of material?*

Google is committed to putting measures in place that seek to prevent and deter minors from accessing content that has been deemed to be for adult consumption. Google adopts a multi-pronged strategy to minimise the risk of exposure to such content by minors, including by using the following range of tools:

- Product design:
 - i. Developing different versions of products designed specifically for minors. For example, YouTube Kids creates a safer YouTube experience for children by using a mix of automated filters built by our engineering teams, human review, and feedback from parents and caregivers to protect our community;
 - ii. Applying more restrictive account settings as default for under 18s. For example, for Google Search we offer [SafeSearch](#), which helps filter out explicit results when enabled. In the coming months, we'll turn

- SafeSearch on for existing users under 18 and make this the default setting for teens setting up new accounts; and
- iii. Strong policies and community guidelines that limit mature content on relevant platforms or services, are clear to users and are routinely enforced. Explicit content meant to be sexually gratifying is not allowed on YouTube. Posting pornography may result in content removal or channel termination.
- Access controls
 - i. Requesting that users provide their date of birth when creating a Google account;
 - ii. Implementing a range of parental control tools and family-focused products, such as [Family Link](#). Family Link gives parents tools to supervise their child's use of Google's services and enables them to help guide their child's online experience; and
 - iii. Restricting access to mature content based on declared age. For example, on YouTube, content that may not be appropriate for viewers under 18 is age-restricted and not viewable to users who are under 18 years of age or signed out.
 - Awareness
 - i. Display of mature content warning signs / interstitials within YouTube;
 - ii. Display of content classifications issued by the relevant classification authority. For example, displaying Australian Classification Board classifications on Movies and TV available for download in Google Play and to stream from YouTube; and
 - iii. Helping parents and guardians have access to online safety information and advice to assist them in managing their family's online experience;
 - iv. Working in partnership to develop programmes for young people so they are empowered to live positive lives online. We have invested almost \$3m in the development of the Alannah and Madeline Foundation's [eSmart Digital Licence](#) and [Media Literacy Lab](#). More than 300,000 Australian students have registered for the Digital Licence, an interactive online safety education program; and 268 schools have enrolled in the Media Literacy Lab program that teaches critical thinking and media literacy skills to 13-16 year olds. We supported Project Rockit in developing a YouTube series of short form videos on difficult topics such as respectful relationships, bullying and sharing nudes. We provide an annual donation to Kids Helpline and invest in academic research to further inform policy making in this important area.

Different combinations of tools will be appropriate for different types of products and services. We firmly believe that flexibility must be built into any RAS to enable

organisations to deploy a range of tools that are appropriate to their specific service / platform. In other words, a one-size-fits-all approach will not deliver an effective system.

Furthermore, a flexible approach would allow services to adopt new technological solutions as they become available.

Google supports the aim of limiting access to restricted material. It is important to acknowledge that it can be technically challenging to avoid access with 100% accuracy and impermeability and, in some cases, efforts are undermined by minors who deliberately circumvent access restriction measures.

6. *What factors should be considered when assessing the effectiveness and impacts of systems, methods and approaches to limiting access or exposure to age-inappropriate material?*

A successful RAS will strike an appropriate balance between preserving the rights of consenting adults to anonymously consume lawful content and managing the risk of inadvertent exposure to adult content by minors. It should also ensure that it continues to allow minors to access age / maturity appropriate information, knowledge and content of their choosing. A RAS should not require that users be required to sign-in or disclose their identity in order to access a service.

In the context of relevant electronic services, consideration should be given to the constraints of restricted access systems in private 1:1 communications where there is an expectation of privacy.

Additional factors that should be considered are the nature / constraints of individual platforms and the technical and administrative burden placed on the individual platform, particularly for smaller, less well resourced service providers.

7. *What systems, methods and approaches do you consider effective, reasonable and proportionate for verifying the age of users prior to limiting access age-inappropriate material?*

Age verification mechanisms should vary depending on the nature of the particular service, the likelihood restricted material is available to children on the service, and whether the service is used by signed in or signed out users.

We would encourage the Commissioner to recognise that self-declaration mechanisms, when thoughtfully designed, can provide a good solution for age

verification. In our experience, in designing appropriate mechanisms to confirm the age of users, it is important to recognise that information about age can be reliably solicited if certain steps are taken to ensure the “neutrality” of the age screening: for example, organisations should provide users with choices which are not restricted to ages above the age of consent (e.g., users should either freely enter day / month / year of birth, or use a drop-down menu that includes ages that are both under and over the age of consent).

In addition, a technical mechanism can also be implemented to prevent a child from back-buttoning and entering a different date of birth on the form after they have confirmed their age the first time. For users under the age of 13, we ask them to get help from a parent to create an account with Family Link.

Age inference models can help establish the age of the user while minimising friction. These machine learning models can help establish the age of the user with a degree of accuracy and can help tailor the protections appropriately. The data used to infer the age of the user is used by these models exclusively for the purpose of establishing if the user is likely to be over or under 18.

The use of hard identifiers or third party verification methods should be restricted to content and services that are particularly risky for children as they have a detrimental impact on all users’ ability to access content and services and can have a disproportionate impact on particularly vulnerable groups, which may have limited access to credit cards or wider forms of identification.

These measures can be supplemented with additional steps that organisations could take to ensure that children interacting with services are being treated appropriately while also respecting data minimisation requirements.

8. *Should the new RAS be prescriptive about the measures used to limit children's exposure to age inappropriate material, or should it allow for industry to determine the most effective methods?*

RAS should not be prescriptive about the measures used to limit children’s exposure to age inappropriate material; a prescriptive approach would not allow for new and emerging technologies to be tested in this nascent area and risks stymieing innovation. Rather, the RAS should take an in-principle, outcomes based approach that allows for individual companies to select systems that work best for their service. They should also enable flexibility to ensure that service providers can adapt to new trends and challenges, and adopt new technological solutions as they become available.

We look forward to continuing to engage in this consultation process over the coming months.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Samantha Yorke', is centered within a light blue rectangular box.

Samantha Yorke

Government Affairs and Public Policy