Briefing Note – Government Meeting

To:	Rebecca Razavi
From:	███████████████
For:	Meeting with Jonathon Thorpe, DTA, 2pm on Tuesday 12 October 2021 Via Teams
Date:	11 October 2021

Representatives

External Attendees	NAME	TITLE
	Jonathon Thorpe	Head of Digital Identity and myGov Division, DTA
Internal Attendees	Rebecca Razavi; ██████████	
Note Taker	██████████	

Agenda

1	DTA Age Verification (AV) Trials
2	eSafety AV consultation process
3	Web crawler project – information sharing request
4	Trusted Identity Bill

Lead eSafety Business Area/s

- The relationship with eSafety is primarily managed by the International, Strategies and Futures branch, with close engagement currently managed by the Policy and Strategy team.

Summary of any previous interactions

- eSafety met with the DTA last week (7 October) to discuss changes to the age requirement associated with the Trusted Identity Bill. In summary:

  o The DTA is removing the minimum age requirement of 15 from the Bill and instead, intends to achieve this age limit through an amendment to the Age Discrimination Act.

  o There are flexibility mechanisms built into the proposed wording of the section to adjust the minimum age downwards in future if required. Lowering the age will depend on the maturity of the system.

- o The DTA intends to develop rules to allow parents or guardians to act on behalf of another, which would be an avenue for people younger than 15 to access services via a digital identity.

- o The system is only being used for services where individuals need to be over 15 (ATO, Medicare, Unique Student Identifier for tertiary studies). There is scope in the legislation to increase the types of services to age-restricted retail sales and services (e.g. alcohol, gambling, banking).

- o eSafety noted that the current services in scope for the digital identity system were not likely to raise online safety issues for children and eSafety did not have concerns as to the DTA's proposal. However, noting the flexibility in the system's scope of services, eSafety expressed interest in being informed of future developments.

- Your previous meeting with Jonathon Thorpe (14 September) included:
  - o A short update on the DTA's AV trial project – ███████████████████ ███████████████████████████

  - o DTA flagged the importance of ringfencing the TDIF. Interest in expanding its use for other purposes (e.g. pornography access) were noted.

  - o eSafety provided an update on the AV roadmap submissions.

Top points/questions to raise and eSafety outcomes sought

- Progress update on DTA's AV trial project
- Ascertain key content and agreement for information sharing on the DTA's web crawler

Talking Points:

Agenda item 1: DTA Age Verification (AV) Trials
You may wish to note that several media articles were published in September flagging that Mastercard would be collaborating with the DTA on digital identity service use.
You may wish to seek an update on ███████████.
You may wish to highlight that eSafety has received an FOI request regarding Mastercard and their role in delivering or influencing the delivery of online age verification services in Australia.
Agenda item 2: eSafety AV consultation process
• We are still analysing the submissions received for the AV roadmap and plan to engage in deep-dive consultations with key stakeholders from November.

- Of note, you may be interested to know that ███████████ made a submission – which highlighted its own age verification procedures and use of AV technology.
- Their main concern was the need to standardise online sales regulation at a national-level and ensure that any AV regime established by eSafety was consistent with the Trusted Digital Identity Framework (TDIF) and was not duplicative of the DTA's undertakings.
- They also suggested that any mandated age verification system should allow for customers to use saved or stored credentials to minimise the cost involved for retailers in administering this system.
- The application of age verification for alcohol sales and pornography access will no doubt have different privacy requirements. We will be discussing options for single or repeat access in our consultations.

Agenda item 3: Web crawler project – information sharing request

- As part of the Women's budget package eSafety has received funding to develop a technology solution to assist victims of image-based abuse.

- This includes a web crawler to help identify other instances of victims' images online. This will assist with rapid removal of images and prevent the proliferation of IBA materials, where possible.

- We are aware of the DTA's crawler as part of the data.gov.au initiative and [Whole of Government Web Crawl](#).

- Our project is in its initial scoping phases and our IT division would welcome an opportunity for knowledge-sharing on:
  o crawler approaches and technology considerations
  o legal and privacy considerations
  o general information on the DTA's initiative overall and the ability to share information on our web crawler solution

- Who would be the most appropriate contact to connect with our Head of Technology and Digital, ███████████?

Agenda item 4: Trusted Identity Bill

- ███ and ███ met with ███████████ and ███████████ regarding the Trusted Identity Bill.
- eSafety is comfortable with the approach DTA is taking and does not plan to challenge the approach to establishing a minimum age requirement – particularly noting the services the digital identity system intends to cover.
- We have shared our submission to the UN's *Committee on the Rights of the Child for the general comment on children's rights in the digital environment*, to support the DTA's human rights compatibility statement.

Additional background (if required) – could include any relevant/recent media on topics of mutual interest

You may wish to touch on the matters covered in recent media articles relating to digital identity.

Innovation Australia article

- I'm not sure whether you took notice of an article published by Innovation Australia last month, but I wanted to clarify comments attributed to the Commissioner.

- In the article, it's suggested that the Commissioner and eSafety believe Australians will be unsupportive of using a government digital identity system to access online pornography - these referred the adoption of a 'one-tool system', where a government-managed tool would be the only key to accessing online pornography for Australian adults.

- The article itself has taken a surprising turn as the interview was organised to discuss and clarify eSafety's new powers under the new Online Safety Act. It was a combative interview which veered into various subject matter we did not expect to cover.

- I want to provide reassurances that eSafety is very supportive of the approach the DTA is undertaking with the TDIF and the AV trials. The TDIF is a strong and robust model we are looking at for the technical elements of the AV roadmap.

Action on 'Big Tech' **and** Minister Robert on Sky News

- The Prime Minster, Deputy Prime Minister and Minister Robert all publicly comments on the issue on online anonymity on social media last week.

- Speaking on Sky News, Minister Robert raised the option of using the digital identity system to address online harms on social media.

- Has the DTA been requested to take any action relating to these public comments?

Meeting notes

DTA

- Still awaiting information from the ███████████. No dates have been flagged with DTA as yet.

- Mastercard did a media release on their collaboration with DTA. Did not clear element of release that flagged Mastercard was to be involved in the AV trials. Yoti contacted DTA following Mastercard's media release – interested in involvement. ███████████████████████ ██████████████████

- Mastercard – web regulator article *'the economist'*.

- Eftpos is going through accreditation now.

- User research plan being developed for eftpos and Mastercard (asking payment providers survey users on digiID experience.

- Noted they are still trying to keep other ideas/suggestions for digital ID at bay.

- **DTA research**: Initial trials will be with friends and families of company employees, roundtables with retailers will be sought out as well.

eSafety

- As per talking points above.

- Discussed AV submissions – flagged ████ had made a submission and outlined key messages of submission.

- Flagged discussions with DTA colleagues on Bill and eSafety's support/provision of our submission to the UN general comment on children's digital rights.

ACTION: join up the research teams from DTA/eSafety re the research surveys and focus group questions

ACTION: connect ██████ with █ to discuss the web crawler initiative

(Actions completed 12/10/2021)