

Age verification roadmap consultations: Cross-sector workshop

Summary report

January 2023



Contents

Workshop overview	3
Workshop objectives	4
Discussion of draft principles	5
Discussion of case studies	11
Case study 1: 8-year-old who uses a shared family tablet	12
Case study 2: 12 or 13-year-old who uses their own mobile device to scroll through their social media newsfeed and sees pornography.....	13
Case study 3: 15-year-old who uses their own laptop to search for information about having sex and finds explicit content produced by an Australian adult content producer where the primary purpose is not educational	14

Workshop overview

eSafety held an independently facilitated cross-sector workshop with a wide range of stakeholders on 19 July 2022 to inform the development of an age verification roadmap.

This workshop followed on from consultation sessions held between November 2021 and July 2022, where several stakeholders told eSafety that it would be a useful and constructive experience to bring together all of the different sectors affected by this work. They said this would give stakeholders the chance to share their perspectives with eSafety and with each other.

eSafety invited a selection of stakeholders from academia, the adult industry¹, children's wellbeing advocacy groups, digital rights and privacy experts, education authorities, safety technology providers and digital services and platforms.

The cross-sector workshop provided participants with an opportunity for multi-disciplinary discussion, as well as an opportunity for eSafety to further understand the issues raised during previous consultation sessions.

This document provides a high-level, anonymised summary of the cross-sector workshop. Summaries of the prior individual meetings and sector-specific roundtables are available [on our website](#).

The views and opinions in this summary are those of the stakeholders and do not necessarily reflect eSafety's ultimate position. However, they are an important contribution to informing the development of the age verification roadmap.

More information about the roadmap is available [on our website](#).

¹ Adult industry covers commercial enterprises (individuals, businesses or peak bodies) involved in the sale or purchase of sex-related entertainment services.

Workshop objectives

These were the objectives of the workshop:

- Bring stakeholders together to ensure previously expressed views have been properly captured and to help us all build an understanding of the full range of competing factors that must be balanced.
- Define principles that can help shape the direction of the report and its recommendations, balancing areas of consensus and disagreement.
- Identify and consider proportionate and feasible measures for reducing the risks and harms of underage access to online pornography.
- Deliberate the roles and responsibilities of government, industry, family and others.

eSafety thanks participants for their time and thoughtful contributions to the workshop.

Discussion of draft principles

eSafety’s consultations involved wide-ranging discussions and broad, diverse views.

Based on these discussions, eSafety drafted a series of six high-level principles to distil the points of consensus, to serve as guideposts in drafting the roadmap.

eSafety asked workshop participants to provide feedback on the draft principles.

The following table includes the draft principles as presented at the workshop, and a snapshot of emerging themes from both the workshop and prior consultations.

Principles the age verification roadmap should follow	
Draft principle 1	<p>Take a proportionate approach based on risk and harm</p> <p>Understanding the nature of the risks and harms – and the areas where there is greater or lesser evidence and agreement – will enable measures which are reasonable and targeted.</p>
What we’ve heard from other consultation meetings	<p>This is what stakeholders have told us previously:</p> <ul style="list-style-type: none"> • There is general agreement that younger children may experience harm from viewing online pornography, especially if they haven’t had any previous education or support on the matter. Some also experience harm from negative reactions of trusted adults. • There is lesser agreement, but a growing evidence base, about potential harm to older children, especially where pornography use is frequent. • Not all uses of pornography are harmful, and notions of ‘harm’ should be examined for bias. • The risk of harm depends on the context, and there is no single intervention that is applicable to or appropriate for all contexts. All interventions carry their own risks, consequences and trade-offs which must be identified and considered.
Workshop feedback	<p>This is the feedback from participants at the workshop:</p> <ul style="list-style-type: none"> • The research informing the roadmap should be drawn from a diverse range of interdisciplinary sources, including the field of pornography studies. • Not all access to pornography is harmful, and reducing access is not necessarily the best way to reduce harm in all cases. • The roadmap should draw a distinction between younger children and older teens, who will experience different levels of risk and harm. • The roadmap should acknowledge that there are cultural differences in understanding harm and pornography.

Draft principle 2	<p>Respect and promote human rights</p> <p>Making the online world a safer space is ultimately about fulfilling the human rights of those who inhabit it.</p>
What we've heard from other consultation meetings	<p>This is what stakeholders have told us previously:</p> <ul style="list-style-type: none"> • The best interests of the child should be the paramount consideration, informed by children's rights to protection, health, participation, expression, information, education, privacy and non-discrimination. • Children have agency, resilience and evolving capacities and should be equipped with skills to navigate the online environment and interpret the content they encounter. • eSafety should consult with children of different ages as the roadmap is being developed (and rolled out) to define what is in their best interest. • The roadmap should acknowledge children's agency, and that children are not merely passive consumers of content. • The rights of all other affected persons must also be taken into account, including the rights of adults who lawfully make, share and/or consume online pornography. • It is particularly important to consider the rights of people who may be most at risk online, including children and adults: <ul style="list-style-type: none"> ○ with disability ○ who are First Nations people ○ from culturally and linguistically diverse backgrounds ○ who are members of the LGBTIQ+ community ○ who identify as girls or women.
Workshop feedback	<p>This is the feedback from participants at the workshop:</p> <ul style="list-style-type: none"> • The roadmap should reference and reflect UN General Comment 25 on children's rights in relation to the digital environment.² It should also explore the intersections between the rights of children and the rights of adults in a productive way, acknowledging there are some areas of convergence and some areas of tension. • Teens' agency and their own rights to participation and expression should be considered. • Particular consideration should be given to LGBTIQ+ communities, including how LGBTIQ+ young people engage with pornography as a form of sex education and expression. The roadmap should not have the effect of excluding LGBTIQ+ and other young people who may not have support from their parents. • The rights of sex workers (including pornography performers and producers) should be acknowledged. • Some age verification tools (including those which rely on ID) are not accessible to all, which potentially affects individual rights to digital access and participation.

² <https://www.ohchr.org/en/documents/general-comments-and-recommendations/general-comment-no-25-2021-childrens-rights-relation>

<p>Draft principle 3</p>	<p>Propose a holistic response, recognising that everyone has a role to play</p> <p>There is no ‘silver bullet’ technology and a whole-of-community approach is required.</p>
<p>What we’ve heard from other consultation meetings</p>	<p>This is what stakeholders have told us previously:</p> <ul style="list-style-type: none"> • There is a role for government, the online industry, the adult industry, safety tech providers, educators and other frontline workers, parents and carers, other trusted adults – and children and young people themselves – to reduce the risks and harms associated with online pornography. • The nature of their role and responsibility may shift depending on the context, for example, parents and carers may have a more prominent role for younger children. • Technology alone – and particularly age assurance or verification alone – will not resolve these issues. A level of failure or error is inevitable, so it is crucial to provide a fast, empathetic and caring pathway to redress. • Tailored, inclusive and age-appropriate education about sex, relationships, consent and online pornography is key for both children and the adults in their lives.
<p>Workshop feedback</p>	<p>This is the feedback from participants at the workshop:</p> <ul style="list-style-type: none"> • A holistic response requires consideration of different stakeholder roles, but also consideration of the different ways and reasons why children and young people access online pornography. • Different types of technical interventions may be appropriate for different situations – for example, inadvertent access by young children compared to deliberate access by older teenagers. • The general public should be engaged in developing the roadmap, so they can feel that policy changes are done with them, not to them. • Educators have an important role to play, but will need support with guidance and training. More research may be needed about the effectiveness of different types of educational interventions. • The role and interests of parents and carers in protecting and supporting their children should be more clearly reflected. • Parents and carers should be engaged in a meaningful way rather than merely being asked to tick a box to give consent for their child to engage online. • Empowering parents to protect and support their children should be a principle underpinning the roadmap, consistent with a child rights approach. Currently, many parents feel excluded from, or powerless in relation to, decisions that affect their children and families. • There should be a principle that explicitly recognises the need to protect access to sex education and ensure resources and support are relevant for LGBTIQ+ young people. If sex education is not accessible and inclusive, young people will continue to turn to pornography to learn about sex. • A whole of community approach should include sex workers who produce content about consent and sex education for the community. • It may be too broad to say that ‘everyone’ has a role to play. There may be risks with certain groups playing a role, such as concerns about the role of police in enforcement or conflicts of interest by safety technology providers or digital platforms. Government may not be best placed to determine what constitutes sex-positive pornography.

<p>Draft principle 4</p>	<p>Ensure any technical measures are data minimising and privacy preserving</p> <p>Safety measures will not work unless they are private, secure and trustworthy.</p>
<p>What we've heard from other consultation meetings</p>	<p>This is what stakeholders have told us previously:</p> <ul style="list-style-type: none"> • Interventions to improve safety must also respect privacy and security, and promote trust, which is critical for the adoption and success of age assurance or verification technologies. • International standards for age verification are being developed to protect privacy and minimise data collection. These standards should be upheld domestically, with some stakeholders expressing that they should be incorporated into Australian law. Standards should be iterated and improved over time, and technologies should be continuously monitored and audited for compliance and the potential risk of re-identifying anonymised data. • Children (and adults) need to be aware of the data and privacy implications of using assurance technologies, and should be equipped to make informed choices and have access to remedies for breaches. • There are pros and cons to: <ul style="list-style-type: none"> ○ placing technical interventions up and down the digital stack³ ○ introducing in-house versus third-party solutions ○ implementing age estimation (which is often data minimising but may rely on biometrics which are considered sensitive) compared to age verification (which often relies on government identification and carries its own sensitivities and issues of equity).
<p>Workshop feedback</p>	<p>This is the feedback from participants at the workshop:</p> <ul style="list-style-type: none"> • Trust and privacy are critical to young people's help seeking. • The roadmap should consider both the actual risk of data breaches – particularly where data is centrally held by a government or corporation – as well as public perceptions in relation to those risks, which may or may not be aligned. • Age assurance may prompt users, including children, towards less secure parts of the internet or more extreme pornography sites to avoid real or perceived surveillance. • The uptake of certain measures may normalise surveillance and encroach on personal privacy. Safety and security can be promoted by collecting, using, storing and sharing less data. • There should be mandatory standards relating to data minimisation to promote trust and give people confidence that their data is not at risk if they use age assurance technology. • Data privacy and online anonymity for sex workers are crucial to their safety and access to income. • The roadmap should consider device- and operating system-level age verification as users tend to already trust these providers with their information. • Age assurance technology providers should be public about their systems and processes, and should demonstrate adherence to information privacy and security standards. There should be consequences for data breaches or other misuse of mishandling of data.

³ Digital stack refers to layers of technology – for example, accessing a website involves a device and its operating system, an internet service provider, a browser, hosting providers, as well as the site itself.

Draft principle 5	Consider the broader domestic and international regulatory context Potential responses cannot be considered in isolation.
What we've heard from other consultation meetings	This is what stakeholders have told us previously: <ul style="list-style-type: none"> • Both the domestic and international regulatory landscapes are highly dynamic, and influenced by a range of social, cultural and political factors. • It is important to take a consistent and coordinated approach to age assurance requirements which are either in place or being considered across state and federal governments in Australia. • It is also important to collaborate globally and promote harmonisation and interoperability across national standards, while also recognising local contexts. • Consideration should be given to the potential for regulatory burden, particularly for sole traders and small businesses.
Workshop feedback	This is the feedback from participants at the workshop: <ul style="list-style-type: none"> • Australia should develop a regime that matches its national policy priorities, values and ideals, however, international regulatory cooperation and dialogue is important to promote coherence globally. • The impact and conflict of obligations under international laws should be considered. For example, some age verification methods may put individual pornography producers and performers in violation of the European General Data Protection Regulation. • The roadmap should differentiate between dedicated adult industry sites compared to sites that provide more broad-based content and experiences (such as social media platforms). • The roadmap could look to examples such as the UK Age appropriate Design Code (Children's Code)⁴ which mandates privacy protections and child-friendly terms and conditions. • Adoption of international standards for age verification allows for both a convergence of approach and flexibility of application. • There was a difference of opinion about the utility of this principle; one participant felt it made sense given the global nature of the internet while another felt that it did not provide meaningful guidance and may not be helpful to the roadmap.
Draft principle 6	Consider what is feasible now and into the future Measures should not be 'set and forget'.
What we've heard from other consultation meetings	This is what stakeholders have told us previously: <ul style="list-style-type: none"> • There is a range of technical options currently available and in use to reduce children's access to online pornography and/or to make services age appropriate for children more broadly. These are associated with different levels of assurance and accuracy, as well as concern regarding issues such as bias and equity. • The development, uptake and improvement of age assurance and other safety tech measures is rapidly evolving, with a number of companies announcing new measures since consultation began.

⁴ <https://ico.org.uk/for-organisations/guide-to-data-protection/ico-codes-of-practice/age-appropriate-design-code/>

- As interest in the move towards a decentralised Web 3.0 grows, more initiatives around self-sovereign identity are being proposed.⁵
- The roadmap should be future focused and consider this changing online landscape as well as the need for standards which don't prescribe specific technologies (technology neutral standards).
- Democratic checks and balances must be in place to limit the potential expansion of verification systems and the passing off risks without accountability.

**Workshop
feedback**

This is the feedback from participants at the workshop:

- Policy should not rely solely on the potential of future technology; it should also consider the feasibility of current technology.
- Some of the technology in the age assurance space is potentially 'hyped-up'. An ecosystem-wide approach is more likely to be effective.
- The roadmap should explain both how measures will be implemented and how the impacts of measures will be evaluated to inform future reform.
- There should be support for the adult industry in Australia to adapt to changes, as it is predominately made up of small businesses.

⁵ Self-sovereign identity refers to models of digital identity in which individuals have sole ownership and control of their digital identity credentials, separate from third-party organisations.

Discussion of case studies

Having discussed the principles at a conceptual level during the workshop, the next step was to discuss how they might apply in practice.

eSafety assigned participants into three multi-sector groups and asked each group to consider a different case study. The three case studies reflected the evidence received to date and involved children of various ages, who were accessing online pornography through different means and for different purposes.

The objective of the exercise was to consider the practical implementation and use of different safety measures, including age verification or assurance options, as well as broader technical and non-technical interventions. eSafety was interested to hear views on how these measures could be applied to address risks and harms associated with online pornography in an effective and proportionate manner, and in different contexts, as the age and capacity of children develop.

Participants were asked to leverage their specific expertise and consider:

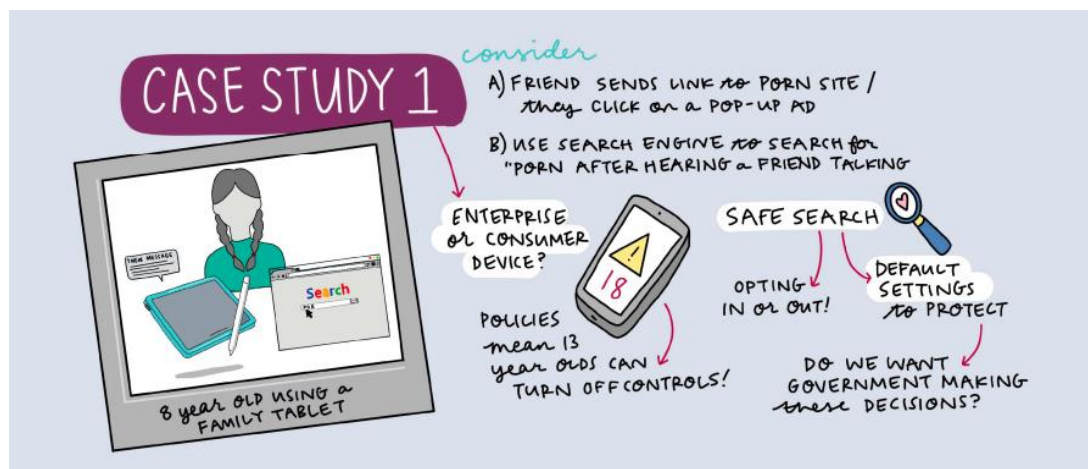
- types of measures, including tech-based measures and non-tech measures (such as education initiatives) that could be implemented
- what role families, governments and industry have in enabling the measures
- what the unintended consequences or risks associated with the measures may be
- how feasible the measures are in the context of the case studies.

Each case study contained various scenarios to prompt further discussion. Participants discussed a variety of potential measures, including device-level age verification, educational initiatives and other safety tools, such as content moderation and user tools.

Workshop facilitators provided live graphic scribing of the discussion of the case studies. Extracts of these images have been included with each summary and draw from the conversation with all participants after the small group discussion.

The inclusion of potential measures for discussion in this activity does not reflect an endorsement by eSafety.

Case study 1: 8-year-old who uses a shared family tablet



Participants received variations on the scenarios as discussion prompts:

- Friend messages the child a link to a porn site.
- The child accesses a pop-up ad for a porn site.
- The child uses a search engine to search for 'porn' after hearing friends talking about it.

The intention of this case study was to enable discussion of:

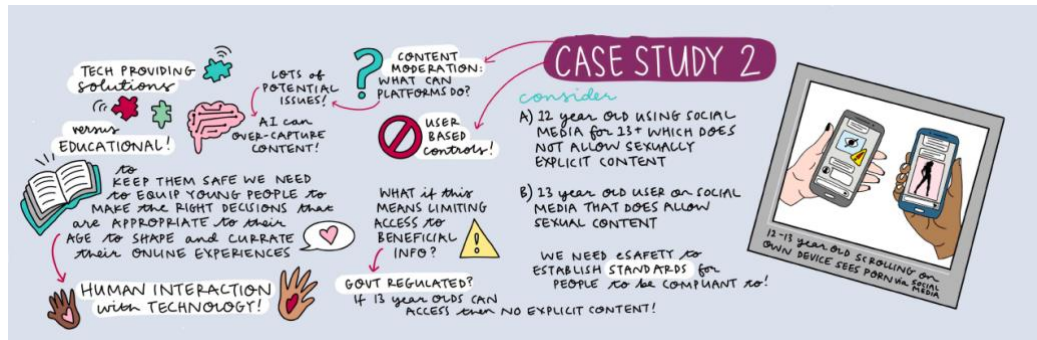
- whether different interventions may be more appropriate for accidental exposure compared to a curious search or click
- whether family devices provide opportunities or challenges for managing children's access to material online.

Participants discussed device-level measures as well as site-level measures. Participants held different views on whether introducing device-level age assurance would be simple or complex to implement.

Participants said that parents, carers and families need to be supported to understand how to use safety tools, noting however that some children lack access to family support. Participants suggested that even if safety settings are on by default, there remains a need for families to have discussions about their expectations for technology use and make decisions about the types of content that may not be suitable for their family.

Participants discussed the process to determine which sites are appropriate for children, and raised considerations about which stakeholder(s) have that responsibility.

Case study 2: 12 or 13-year-old who uses their own mobile device to scroll through their social media newsfeed and sees pornography



Participants received variations on the scenarios as discussion prompts:

- 12-year-old using social media platform for 13+ users which does not allow sexually explicit content.
- 13-year-old using social media platform for 13+ users which does allow sexually explicit content.

The intention of this case study was to enable discussion of:

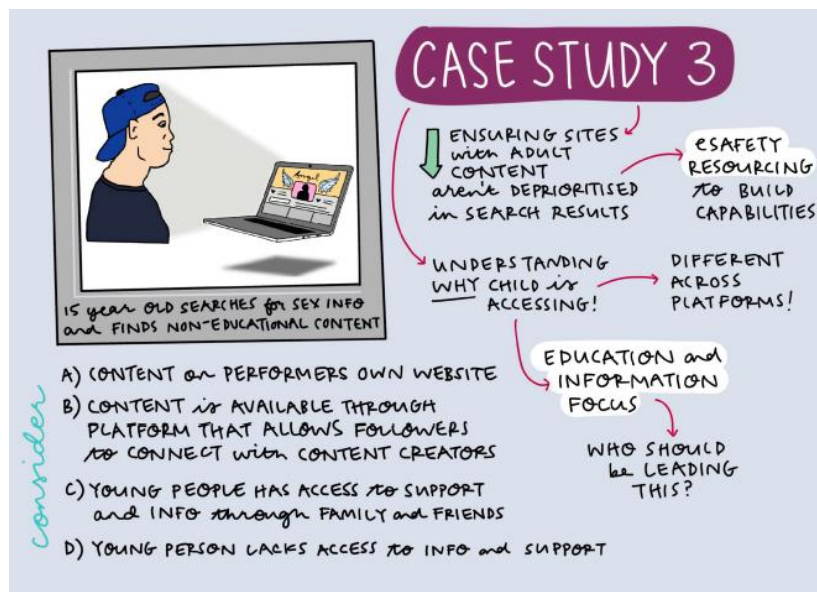
- the age assurance options for enforcing minimum age requirements to participate on various sites
- the extent to which different options may be suitable on sites where sexually explicit material is permitted compared to where it is not allowed
- the role of community rules and content moderation tools of a service
- the evolving role of parents as children grow up and begin to use their own devices and online accounts.

Participants considered the role of parental controls, device-level age verification, user-based controls, content detection and removal tools as well as educational measures in relation to this scenario.

Participants suggested that while content detection, removal tools and parental controls are available currently, and can be effective in blocking access, they also carry risks. Such tools may be used in harmful ways, and they could also block important sexual health resources.

Participants discussed that government could have a role to support a consistent approach and ensure a 'level playing field' for all platforms and adult sites when implementing measures.

Case study 3: 15-year-old who uses their own laptop to search for information about having sex and finds explicit content produced by an Australian adult content producer where the primary purpose is not educational



Participants received variations on the scenarios as discussion prompts:

- The content is available on the performer's own website.
- The content is available through a large platform, which lets followers connect with creators of user-generated, sexually explicit content.
- The young person has access to information and support through family, school, community or services.
- The young person lacks access to information and support.

The intention of this case study was to enable discussion of:

- the extent to which different measures may be appropriate for large platforms compared to sole traders or small businesses
- how a young person's circumstances and access to support may impact measures.

Participants in this group discussed options to provide young people with educational content about sex, relationships and online pornography. Participants considered different referral pathways, and education sources, including schools and mentors.

Participants explored the challenges in returning age-appropriate search results for children and young people while also avoiding over-capturing data about them. They also said that adult sites should not be deprioritised in searches by adult users.

Participants reviewed the role of not-for-profits, schools and government in providing children and young people with information, while noting that producing the information would require support and funding.

eSafety will use these case study discussions to guide consideration and assessment of the available measures within the roadmap.

