Commissioner Meeting Brief

Meeting with Snap

Brief#: CMRB_25/0044

To	The eSafety Commissioner
Cleared by	s 22 ⬛ i, a/g Executive Manager, ICE Branch
From	s 22 ⬛ , Manager, Industry Supervision
Meeting Details/Subject	Meeting with Snap on Regulatory obligations
Date of meeting	Monday 22 September
Time of meeting	9:30AM – 1:15PM
Location	3200 Ocean Park Blvd, Santa Monica Meeting room: 'Small'
Purpose	To: 1. Discuss eSafety's preliminary assessment and Snap's self-assessment as an age-restricted social media platform 2. Discuss expectations and regulatory guidance for age restricted social media platforms 3. Seek an update on how Snap plans to meet its obligations if it is an age restricted social media platform.
External Attendees	s 47F

Internal Attendees	Julie Inman Grant
	s 47E(c), s 47F
	s 22

Proposed Run order		
	9:30 AM	Arrive at **3200 Ocean Park Blvd.**
		Light breakfast available on-site
	9:45 AM	Welcome, Introductions, Housekeeping & Agenda Overview
	10:00 AM	eSafety Social Media Minimum Age (SMMA) Overview & Final Regulatory Guidance
	10:15 AM	Snap SMMA Response + Product Overview
	10:45 AM	Joint Working / Discussion Session
	12:00 PM	*Lunch on-site*
	12:30 PM	Spectacles Demonstration
	1:00 PM	Final thoughts, Next steps
	1:15 PM	End of visit

Social media minimum age

Key points

- On 15 August eSafety sent Snap a letter setting out eSafety's expectations by 10 December, noting that eSafety would be undertaking assessments to give a preliminary assessment of whether Snap is an age restricted platform with obligations.

- A response was received on 28 August, but no further information was provided to inform eSafety's assessment. Snap is yet to confirm its position on whether it considers itself to be an age restricted platform.

- On 4 September, eSafety published summaries of its broad consultations and assessment guidance to support industry in assessing who is an age-restricted social media platform.

- eSafety has held two consultations with Snap in Australia. During these meetings Snap has asked for a phased approach to implementation and has not set out any compliance roadmap to demonstrate how they intend to comply. Snap declined any further discussions until this meeting in the US.

Key messages

- **Note** Snap's engagement is appreciated, but it needs to be matched with clear and timely commitments.

Assessment framework

- **Acknowledge** Snap's response to eSafety's 15 August letter.

- eSafety is undertaking a preliminary assessment of Snap. Snap will be given procedural fairness in this process as required.

- Noting Snap was one of the platforms named by the PM and Minister on 30 July, we expect Snap to be planning what steps it will take in the lead up to 10 December. While the reasonable steps guidance was only recently released, Snap was advised earlier this year that self - declaration alone will not be sufficient.

Regulatory guidance

- Offer to provide an update on the regulatory guidance:

  - On 16 September, eSafety published the regulatory guidance outlining a principle-based and technology neutral approach.

  - Reasonable steps consist of systems, technologies, people, processes, policies and communications which support compliance with the obligation. The guidelines discuss each of those elements, with a particular focus on age assurance.

  - eSafety considers it is reasonable for platforms to take a layered approach across the user journey and to implement a range of measures to meet the SMMA obligation.

  - Whether a provider has taken reasonable steps will include an assessment of the holistic impact of all steps taken by a provider, across the service. Measures will not be evaluated in isolation. This is about systems and processes, not individual accounts.

- As set out in our 15 August letter and regulatory guidance, the **initial focus for 10 December should be detecting and deactivating existing accounts** held by under 16s – with proper advance warning and supportive messaging, as well as the ability to appeal if a mistake has been made – and taking reasonable steps to prevent those underage users from immediately creating new accounts (including relying on signals already in use to prevent suspended account holders from coming back on the service).

- **Can Snap advise** how many Australian accounts they determine to be held by under 16 year olds?

Compliance roadmap

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- *Invite Snap to share its plan for achieving compliance if it is an age-restricted social media platform by 10 December.*

- eSafety welcomes understanding:

    - what specific age assurance measures will be in place by 10 December including additional signals that will be used to infer age and moderator guidance for assessing over/under 16s and acceptable ID types

    - what measures will be implemented post 10 Dec, and what that timeframe looks like.

    - what metrics Snap will use to assess the robustness, accuracy and effectiveness of their age assurance measures

    - how long it typically takes to identify accounts that may be held by underage users, and whether this timeframe allows for timely and effective intervention.

Risks and sensitivities

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Background

Previous SMAR consultations

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Other engagement with Snap

- Snap is currently subject to the BOSE periodic notice process and submitted its response to report 2 on 5 September 2025. Its responses to reports 3 and 4 are due on 2 March 2026 and 31 August 2026. Snap was also part of the recent BOSE transparency process in relation to Age Assurance, which was published in February this year.

- Snap is a member of DIGI, the industry association which led the drafting of the Phase 2 Codes. We understand that Snap was actively involved in the Code drafting process. Snap also attended meetings with eSafety in April and May 2025 as negotiations about the Codes took place.

Phase 1 RES Standard

- The 'grace period' in which eSafety agreed not to enforce breaches of the Relevant Electronic Services (RES) Standard and Designated Internet Services (DIS) Standard ended in June 2025.

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- eSafety is happy to work with Snap on any questions it has on compliance with the RES Standard.

Behind the Screen report

The following information was extracted from the Behind the Screen report and is accurate as of September 2024.

- Snapchat uses multiple age assurance tools, including a neutral age gate at sign-up, restrictions on changing birthdate, and an inferred age model based on user behaviour and interests.

- In June 2024, Snap began testing proactive language analysis of public profiles to detect under-13 users, scanning five profile fields for key phrases. Accounts with clear underage declarations are terminated.

- Accuracy testing showed:

    - Language analysis tool was 70–75% accurate.

    - Inferred age model was consistently above 72%, validated against user data and third-party benchmarks.

Supplied vs. Inferred age group

Supplied Age Group ↓	Inferred Age Group → 13–17	18–20	21–24	25–34	35–plus	unknown
13–17	**89.90%**	4.27%	3.52%	0.54%	1.77%	0.00%
18–20	14.63%	**72.52%**	8.55%	1.34%	2.97%	0.00%
21–24	11.04%	9.39%	**72.13%**	4.51%	2.93%	0.00%
25–34	4.22%	3.47%	7.57%	**73.74%**	10.99%	0.00%
35+	2.73%	1.09%	2.00%	4.38%	**89.80%**	0.00%
unknown	4.83%	2.43%	7.82%	57.86%	20.55%	6.52%
Grand Total	**16.53%**	**15.10%**	**22.13%**	**21.65%**	**24.52%**	**0.07%**

- Reporting mechanisms include in-app and webform options. As of 15 October 2024, Snap introduced a dedicated in-app category for reporting suspected under-13 users.

- 96% of account bans were due to third-party reports, with only 4% from proactive detection.

Snapchat does not prevent re-registration of banned underage users, lacking default indicators to block repeat attempts.

Support for OS/app store-level verification

- In May 2025, Snap CEO Evan Spiegel publicly acknowledged the tension between privacy and age verification in an update on Snap's website. He outlined several risks associated with collecting personal data:

    - privacy risks from collecting and storing personal information

    - cybersecurity vulnerabilities

- - technical flaws, including fake IDs and unreliable algorithms
- Spiegel advocated for age verification at the operating system or app store level, arguing that it would be:
  - simpler for families, with one-time verification
  - more consistent across platforms
  - more private and secure, by reducing how often data is shared
  - more trustworthy, by using secure systems such as digital wallets
- Snap supports legislative action to make OS-level age verification universal, and referenced bills introduced in Utah and other US states.

Privacy-first model

- Snap's privacy policy, last updated in April 2025, outlines its privacy-first approach. Key features include:
  - Ephemeral by default: Messages and content auto-delete, reducing long-term data storage and exposure.
  - Minimal data collection: Snap collects only the personal data needed for core functions, which makes age inference more difficult.
  - Privacy by design: The app opens to the camera, not a content feed, and is designed to connect real-life friends rather than strangers.
  - User control: Users can access, update, delete and download their data, and manage granular privacy settings.
  - Family Center tools: Parents can monitor teen interactions, restrict AI chatbot use and set content controls; balancing oversight with teen privacy.
  - Transparency: Snap publishes regular transparency reports and provides clear in-app notices about how data is used.

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