COMMONWEALTH OF AUSTRALIA

Official Committee Hansard

HOUSE OF REPRESENTATIVES

STANDING COMMITTEE ON SOCIAL POLICY AND LEGAL AFFAIRS

Age verification for online wagering and online pornography

THURSDAY, 5 DECEMBER 2019

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HOUSE OF REPRESENTATIVES

STANDING COMMITTEE ON SOCIAL POLICY AND LEGAL AFFAIRS

Thursday, 5 December 2019

Members in attendance: Dr Freelander, Mr Ramsey, Mr Simmonds, Mr Wallace, Dr Webster.

Terms of Reference for the Inquiry:

To inquire into and report on:

The House of Representatives Standing Committee on Social Policy and Legal Affairs will inquire into and report on age verification for online wagering and online pornography.

The inquiry will have particular regard to:

1. its potential as a mechanism for protecting minors online;

2. requirements of Commonwealth, state and territory government laws, policies and practices (including technical and privacy requirements) that relate to, and enable improved age verification requirements;

3. the potential benefits of further online age verification requirements, including to protect children from potential harm, and business and non-government organisations from reputation, operational and legal risks;

4. the potential risks and unintended consequences in further restricting age verification requirements, including, but not limited to:

   a) pushing adult consumers into unregulated/illegal environments or to other legal forms of these activities;

   b) privacy breaches;

   c) providing false assurance to parents and carers; and

   d) freedom of expression;

5. best practice age verification requirements internationally, including standards, verification and implementation timeframes, and particularly the likely effectiveness of the proposed age verification for access to online pornography in the United Kingdom's Digital Economy Act 2017;

6. barriers to achieving stronger age verification requirements, including but not limited to:

   a) capabilities of existing technology of business and verification providers;

   b) access, adequacy and security of third-party and government databases; and

   c) accurate and standardised capture of customer information;

7. education and warning messages associated with age verification;

8. the economic impact of placing further restrictions on age verification on business, including small business, and the potential financial and administrative burden of such changes;

9. the impact of placing further restrictions on age verification on other eSafety resourcing, education and messaging; and

10. Australia's international obligations.

WITNESSES

ERRATT, Ms Amelia, Head, Age Verification, British Board of Film Classification

Evidence was taken via videoconference—

Committee met at 19:05

CHAIR (Mr Wallace): I declare open this public hearing of the House of Representatives Standing Social Policy and Legal Affairs for the inquiry into age verification for online wagering and online pornography. This is the first public hearing for the inquiry and, at the outset, the committee would like to thank all of the organisations and individuals who have contributed evidence and shared their views with the committee to date. At tonight's hearing, the committee will hear from witnesses about progress in the United Kingdom towards an age verification system for online pornography in that country. Those present here today are advised that filming and recording are permitted during the hearing. I remind members of the media who may be present or listening online of the need to fairly and accurately report the proceedings of the committee.

Although the committee does not require you to give evidence under oath, I should advise you that this hearing is a legal proceeding of the parliament and therefore has the same standing as proceedings of the House. The giving of false or misleading evidence is a serious matter and may be regarded as a contempt of parliament. Please note that while Australian law provides parliamentary privilege to witnesses appearing before committee inquiries, that privilege does not extend beyond Australia. I now invite you to make a brief opening statement before we proceed to a discussion.

Ms Erratt: Thank you for asking me to give evidence today. At the BBFC, we have been preparing for the implementation of a regime to protect children's access to pornography. In my statement, I would like to briefly take you through why it is important to act and the three factors we believe will make a successful regime to protect children in Australia. The motivation to deal with this issue is the same in Australia as the UK. The UK government has calculated 1.4 million children see pornography every month. First exposure is often accidental, and children as young as seven years old stumble across pornography online unintentionally. The BBFC has carried out research which shows the impact that exposure to pornography can have on people and their relationships in the long term. We have shared our key findings of this research with the committee already, which showed both parents and children support age verification.

I think from our experience there are three crucial factors for Australia to consider in order to implement an effective and practical regime which will protect your children. First, I cannot stress enough how important it is to ensure there is a level playing field in terms of regulation. There are between four and five million adult websites online but most of these are controlled by a small number of companies. To maximise the effectiveness of any regime, it is best to start with maximising compliance. This is such a highly competitive industry that it is important not to allow any major companies to avoid regulation. This is because, inevitably, others would follow. So enforcement is vital. As the regulator, the BBFC would have a global reach and effective enforcement powers. These included the ability to block non-compliant websites and request that payment service providers withdraw their services from them. As you can imagine, the adult industry is financially driven, so the threat of losing income means that these are very effective enforcement powers for any regulator. The adult industry believed the new regime would work and saw regulation as inevitable given the international consensus that children should not have unrestricted access to pornography. The BBFC engaged directly with the adult industry, and we anticipated that over 80 per cent of pornographic websites were set to comply with age verification from day one.

Second, it is vital to have age verification which is both robust and easy for consumers to use. In the UK, there were a number of age verification providers ready to provide robust yet light-touch solutions to make this child protection measure work. Many of these companies had also been voluntarily undergoing privacy audits under the BBFC's age verification certificate. A number of them also operate internationally. I'm sure you'll hear more of this from the AVPA.

Third, it is really important to focus on public awareness of age verification so that consumers understand that it is a child protection measure. It's also important that consumers trust age verification systems. They need to be aware that they have a choice of options available to them and know how to age-verify safely. In the UK, there were some concerns from certain pressure groups and politicians about privacy. The BBFC and the government responded to this by establishing a voluntary certification scheme. The standard against which age verification providers were to be assessed was developed in conjunction with the government: GCHQ, the Information Commissioner's Office and the Government Chief Scientific Adviser. The symbol for the age verification certificate would have been promoted so that consumers knew they had a Kitemark to indicate that privacy audit had been undertaken by the age verification provider. So those are the three factors we think you need to consider.

In terms of where we are in the UK, the government had planned to bring in age verification for online pornography this year under the Digital Economy Act. This has now been postponed so that it can be integrated into the government's wider online harms strategy, but the government is still committed to age verification. We have always acknowledged that age verification is not a silver bullet, but without a doubt it can prevent young children from stumbling across commercial pornography online. With online regulation, no single solution will be perfect, but that shouldn't prevent action being undertaken.

We're happy to pass on our experience and learnings about how to practically put in place controls to protect children from harmful material online. We welcome any opportunity, now and in the future, to share our expertise with the Australian government and your regulator appointed for this work. Thank you.

CHAIR: Thanks very much, Ms Erratt. I'll start the proceedings off with a series of questions, and then I'll throw it open to my colleagues. I'm just keen to get an understanding from you. The system that you were going to have in the UK was for commercial pornographic material. The definition of 'commercial' didn't necessarily mean only pay-per-view sites; it also included—and correct me if I'm wrong—sites that provided free product but generated income from advertising. Is that correct?

Ms Erratt: Yes, that's correct. The government defined the scope of the legislation in some regulations called the Online Pornography (Commercial Basis) Regulations. You're right: the scope of the legislation wasn't just for sites that you had to pay to access. It included sites that made money from providing pornography through things like advertisements.

CHAIR: Did you think, or did the UK when it was modelling this system think, that it was a bridge too far or just too hard to look at regulating sites that were free and that didn't have advertising income generation?

Ms Erratt: I think the definition of 'commercial online pornography' didn't just look at advertising. It was introduced to be broader than that. For example, it looked at a content threshold—websites that had more than one-third of their content being pornographic. Advertising was one of the factors. Other factors could be that as long as a website was commercial and clicking through to other pornographic websites and supplying other websites—

CHAIR: Sorry, would you say that again, please?

Ms Erratt: The commercial basis regulations didn't just look at advertising wehern determining if they were commercial. They also looked at marketing—so whether a website was marketing making pornographic material available was a consideration as well.

CHAIR: You say that the UK model steered clear of social media pornographic sites. Why was that?

Ms Erratt: To put it in context: when the Digital Economy Act was brought into force, the government asked the regulator to focus primarily on websites that were dedicated to online pornography. They had always intended to look at online harms more broadly further down the line, and that would include social media. Indeed, there were clauses in the legislation that required the regulator to report to government 12 months after entry into force on the effectiveness of the regime. In that kind of report, we may have recommended that the government needed to look at social media.

CHAIR: I have got a lot of questions to ask, but I will throw to my colleagues first and I will more than likely mop up, so to speak.

Mr RAMSEY: I'm interested as to why the process did not go ahead. Your submission says that it fell foul of EU commission time lines, which is a very interesting thing given your current election—anyway, let's put that to one side. Is there bipartisan support for these reforms in the parliament, and, in your opinion, are they determined to actually get this done or has this just been a convenient way to put it off?

Ms Erratt: In the government's statement, they have announced that they want to take a coherent approach to online harms. Initially, as I said, the government brought in the Digital Economy Act to look at websites dedicated to pornography and would then look at social media further down the line. Unfortunately, there have been some delays in the timing of the Digital Economy Act. For example, after bringing in the primary legislation, secondary legislation needed to be passed. As well as that, two weeks before the law was supposed to come into force in July, the government realised they had made an administrative error and needed to notify the European Commission under EU regulations. By the time the government was looking at a date for entry into force for the Digital Economy Act, it was running up quite closely to their Online Harms Strategy time line, which is what informed them to take this coherent approach. On top of that, there are European regulations that are being transposed into UK law in September 2020; that was another factor in the government's decision to look at everything together. You would have seen in the government's statement as well that they are fully committed

to doing something about online harms. Specifically, they think that age verification will be an effective way of protecting children online.

Mr RAMSEY: Does the opposition hold a similar view?

Ms Erratt: The Digital Economy Act always had cross-party support.

Mr SIMMONDS: You're the regulator. What have you done in terms of sourcing the tech solution? Did you just give it out to the AVPA to choose? What's your view of the tech solutions available, in terms of their rigour?

Ms Erratt: Under the Digital Economy Act, the regulator was required to provide guidance on age verification standards. We decided that it was important to take a principle based approach and set standards that allowed for innovation over time. As you can imagine, the age verification industry is tech based. There is a lot of innovation in this space. In the couple of years that we were working on it, we saw a lot of solutions come to market and be developed to meet the requirements of the legislation.

Mr SIMMONDS: You were talking before about consultation. You talked about lots of consultation with the industry and the like. What about the public? Did you engage directly with the public as well as with the regulator?

Ms Erratt: Yes, we consulted on our guidance, and there was a full-scale public consultation. The public responded to that too. We were planning a public engagement program where we could educate consumers about age verification. It really speaks to one of the three critical factors in my opening statement. We really did understand the importance of ensuring that consumers understood why age verification was coming in, which was to protect children, and that they understood how to age verify safely.

Mr SIMMONDS: And that was around the tick kind of thing—the symbol that that they'd see when they were going through the process.

Ms Erratt: Yes. That's to do with the voluntary age verification certificate, which we developed with government to meet that demand for safe age verification. The age verification certificate ensured that an age verification provider could not share personal information with a pornographic website. Even though it was voluntary, we had most of the major age verification providers signed up to be certified under it, and they were undergoing assessments. When an age verification provider was certified, they'd be able to carry a logo on their platform and, if consumers needed to check that verification provider, they could click on that logo, and it would bring them to the BBFC website, where they could read a summary report if they wanted to.

CHAIR: On that provider?

Ms Erratt: Yes.

CHAIR: Dr Freelander.

Dr FREELANDER: I'm aware that the United Kingdom government has had a number of pauses in their pursuit of age verification. I'm also aware that the most recent pause has been variously reported as being evidence that the system is impossible to implement, there being technological difficulties or there being no will to carry it forward, because of a variety of political reasons. Can you say with some evidence that it is possible to do this? Are you aware of any other jurisdiction that has been able to implement successfully age verification for access to pornography?

Ms Erratt: From working on age verification for a couple of years, the BBFC were ready to go and ready to bring in age verification under the Digital Economy Act. We had engaged the adult industry, which understood why the legislation was coming in and was set to comply. There were a number of age verification providers who had developed solutions to provide to market that would have worked very well. Could you repeat the question?

Dr FREELANDER: There have been a number of pauses in the process. We're aware of that. It has been reported to us recently that the reason that the present stop has been implemented is that there's been a realisation that it's not possible to implement.

Ms Erratt: Like I said, unfortunately, the delays were really down to issues to do with timing and parliamentary processes. For example, secondary legislation would need to be brought in and, two weeks before the law was going to come into force in July this year, the government realised they'd made an administrative error, which caused a further delay. The government have made a statement on their change of policy, and in that statement they say that they are very committed to doing something about online harms and are bringing in a broader online harms strategy, which they consulted on earlier this year. In that statement they say that they believe that age verification is an effective way of protecting children online and will be used in future.

Dr FREELANDER: Are you aware of any country in the world that's been able to introduce this technology?

Ms Erratt: Not that I'm aware of. It would be a world first.

Dr FREELANDER: Thanks very much.

CHAIR: Dr Webster.

Dr WEBSTER: I have a social work and sociology background and I'm curious. I certainly feel more like a luddite when you're talking technology and amazing digital things such as the web. I know that there is a dark web. Will this have any impact on that side of web browsing? It worries me that there seem to be pockets that are still accessible to children that, for example, I would never find. How will this assist?

Ms Erratt: Age verification is not a silver bullet. We know that there are going to be tech-savvy teenagers who find ways to circumvent the legislation. From our research, though, we've found that only 14 per cent of 11- to 13-year-olds claim that they know a workaround like the dark web or like VPN. Age verification works hand in hand with other child protection initiatives like education and parental filters, but it will definitely go a really long way to stopping young children from stumbling across pornography online, which we know is happening and happening at a very young age.

Dr WEBSTER: Thank you.

CHAIR: I'm keen to have a bit of a chat with you about your dealings with the adult industry. You say that they were on board. When this was first floated, was there any pushback from them?

Ms Erratt: Not that I'm aware of, no. We spoke to the major providers. As a regulator, we needed to take a proportionate approach, so we looked at the websites that had the highest levels of traffic. As it turns out, in the adult industry, even though there are between four and five million pornographic websites, you might be surprised to know that they're actually owned by a relatively small number of companies. If you engage with those companies, you can have quite a broad impact on compliance. So there was no pushback as far as I'm aware. Like I said in my opening statement, there needs to be a level playing field for enforcement.

CHAIR: We have had some technical difficulties, but you were telling us about how you were able to get a good footprint into the four to five million websites that are producing porn.

Ms Erratt: Yes. It's not that 80 per cent of porn sites are owned by a small number of companies; it's really that the whole industry is operated by a small number of companies, so, if you engage with those companies, you can have a broad impact.

CHAIR: All right. I understand that many of the porn service providers are actually offshore from the UK. How were you going to deal with regulating those offshore companies?

Ms Erratt: It's really about the enforcement framework and the powers that are given to a regulator. Under the Digital Economy Act the age verification regulator had a range of powers. They included ISP blocking. We could also notify payment service providers and request that they withdraw services from non compliant pornographic websites. We could also notify ancillary service providers and request that they withdraw services from non-compliant websites. Ancillary service providers were defined quite broadly in the Digital Economy Act as anyone who enables or facilitates access to a non-compliant website, so it's quite broad but could in theory include companies such as social media websites, advertising networks and broader website infrastructure like hosting services and domain registries. Those three powers would have been very helpful and have international reach as well. Obviously, with ISP blocking you would block a website from being accessible in the UK, but what we had understood from the payment service provider power is that, if you cut off a website's payment services, that can have a global impact on their business. Given that these websites are quite financially focused, the threat of having their payments cut off was enough to make them want to comply with the legislation.

CHAIR: I think you used in your submissions the example of a company offshore and you either threatening or in fact cutting off their payment services from Visa or Mastercard. That would impact on their income generation throughout the world. Cutting off from Visa or Mastercard would, in effect, work worldwide. Is that right?

Ms Erratt: Yes, it has the potential to, so it's quite a serious power.

CHAIR: It is indeed. Do you feel qualified to speak to some of the technical aspects of age verification?

Ms Erratt: I can have a go. If there's anything that I need to follow up with you in writing then I can do that too.

CHAIR: We are likely to have some other witnesses who can speak to it, but I'm keen to hear from you if you can assist the committee. The first thing I'd like to ask you about is how age estimation technology works.

Ms Erratt: We have seen examples of age estimation technology from a few age verification providers. They didn't involve recording images of people's faces but really just used technology to estimate someone's age. In terms of how that could be used as age verification on websites, those technology companies could set a threshold. It's really about ensuring that the age estimation technology is accurate enough to let adults through to the website. At the moment, I haven't seen any age estimation technology that gets 100 per cent accuracy at 18, but if they set the threshold a bit higher—say, 25 or 26; I'm not sure exactly—then they can get very high levels of accuracy. This type of technology is just one of many examples of innovation in the sector we saw whilst we were working in age verification. It's quite a seamless solution. Any age verification solution that reduces friction for consumers who want to access these websites is a good thing.

CHAIR: How does it actually work, though? I don't understand how it estimates someone's age. Does it ask a series of questions?

Ms Erratt: The examples I've seen looked at an image of a person's face and estimated how old they were. In terms of the technical details, it's probably best to ask the companies for that information.

Dr FREELANDER: Can I interrupt there? There is not much evidence that these age verification techniques are particularly accurate—would I be right in saying that? Particularly in very young children and adolescents.

Ms Erratt: From the age verification solutions that we've seen being offered, there were some that were very accurate. It's really the purpose of age verification guidance to set a robust standard to make sure that age verification systems do the job that they're supposed to do, which is to stop children from accessing websites. The guidance took a principle based approach, and looked at things like the type of data that people could use to age verify. For example, we required that the type of data used be data that was only known by that person rather than broadly known. Age, name and address, for example, could not be an acceptable dataset to age verify, because that is information that could be reasonably known by another person.

CHAIR: I'm keen to get more of an understanding from you, and I'm sure the committee is as well, about the various types of ways that the BBFC envisaged clarifying someone's age. I draw your attention, as an example, to the age verification retail card. Do you want to explain how that works? I'm very keen to learn more about the concept of verifying someone's age without the porn provider having what you or other organisations have called a 'honey pot'.

Ms Erratt: For the most part, age verification is much more simple than people realise. It already happens online for lots of industries like gambling and the sale of age restricted goods—at least in the UK. There are a lot of solutions already on the market. In terms of the age verification solutions that we were looking at, for the most part age verification is provided by a third party, which means that you don't give your personal data to a pornographic website; you leave the website and carry out your age verification separately. Some of the solutions that would have been on offer could have included traditional methods of age verification, such as using someone's credit card, passport or driver's licence to verify that they were an adult. Other new solutions, like you say, include things like the retail card. With the retail card, which involved consumers going to a shop in real life and buying the age verification card just like any other age restricted goods, like cigarettes or alcohol, the age verification then happens face to face. The retail card had an anonymous code on it, which could then be input online to complete the age verification process, is just one example of a solution that doesn't use any personal information to carry out age verification. There were also solutions—

CHAIR: Can I stop you there? So someone walks into a newsagent, for example, hands over to the shopkeeper their driver's licence and the shopkeeper says: Yes, Andrew Wallace, you're over 18. I've sighted your driver's licence. Here's an age verification retail card.' And on that card it has a code and then I can input that code into a site, whether I'm trying to gamble, access porn or, if I were in the UK, buy a knife, for example?

Ms Erratt: Yes, that's how it works in principle.

Mr SIMMONDS: It's an 18-plus card, essentially, right? If I buy an 18-plus card, what's to stop me from handing it to the 16-year-old next to me and him inputting the number?

Ms Erratt: Firstly, like I said, age verification isn't a silver bullet. Determined teenagers are always going to find ways to work around things. The examples of the retail card that we had seen from age verification providers had various safeguards in place to mitigate things like that happening. For example, they could expire or have to be used within a certain time. I can follow up in writing with some of the other safeguards that were in place.

CHAIR: The age verification certificate, do you want to run us through that?

Ms Erratt: In the UK there is a privacy regulator called the Information Commissioner's Office. They have the powers and remit to make sure that companies are compliant with data protection legislation. When the Digital Economy Act was passed as legislation, the government acknowledged that there needed to be a way for

consumers to use age verification and feel comfortable with it and so ensure that their personal information didn't end up with pornographic websites. That's why we created the age verification certificate, which really helped to set a gold standard of data protection. The age verification certificate is voluntary, and age verification providers can come forward to have their solutions assessed by a third-party data security specialist. The standard against which they're assessed was developed by the BBFC with the Information Commissioner's Office and with GCHQ. One of the requirements of that standard is that an age verification provider cannot provide personal information with a pornographic website. Once an age verification provider is certified, they're allowed to carry a symbol which confirms that they are certified. The purpose of the age verification certificate is really to provide that comfort to consumers and ensure that they're confident in using age verification. It also gives age verification providers an opportunity to demonstrate that their solutions meet robust data protection standards. It's probably worth saying that, given that consumers were demanding solutions that looked at privacy or that did not use their personal information, a number of solutions were built by age verification providers to meet this demand—for example, the retail card.

Mr SIMMONDS: Why not just make it compulsory to meet those data security standards? Why did you choose to make it voluntary?

Ms Erratt: In terms of the legislation in the UK, data protection already has a regulator in the UK, and that's the Information Commissioner's Office. In terms of making the system compulsory or voluntary, it probably doesn't make a difference, because what we saw was that all of the major age verification providers wanted to be certified under that scheme anyway.

CHAIR: I noticed that on page 13 of your submission—and this is a particular issue that I've been working on in other areas, but it certainly interests me—you talk about the application of age verification technology in relation to the control of sites like pro-ana sites and sites that promote and encourage suicide. Can you step us through that a little bit?

Ms Erratt: The BBFC operates a voluntary scheme for mobile network operators in the UK where we set the framework—basically, in the UK all mobile phones come with adult filters set on. If you want your adult filters to be turned off, then you need to age verify with your mobile network provider. The BBFC sets the framework by which content is behind those adult filters, and that includes content like pro-ana and suicide content. In terms of age verification, what we understand is that it can be used across a wide range of platforms and content. It's just a case of how it's implemented on a platform, so it could be that it applies to content as well.

CHAIR: Can you just confirm with me what the law is in relation to how you deal with online gambling in the UK?

Ms Erratt: I'm probably going to have to follow up in writing on that one. I understand that there is age verification in place for online gambling in the UK.

Dr FREELANDER: I have one last question. Is the UK government going to pursue this as far as you're aware or is this a permanent pause until the government changes?

Ms Erratt: As far as I'm aware, they are going to pursue this, as they said in their statement. But, obviously, we're in a general election at the moment. As I said, age verification and online harms have cross-party support, so we'd expect this to be taken forward.

CHAIR: Thank you for your attendance at today's hearing. If you've been asked to provide any additional information, could you please forward it to the secretariat? You will be sent a copy of the transcript of your evidence and you'll have an opportunity to request corrections to transcription errors. Thank you very much for your time this morning. I appreciate it. I realise it's very early there.

CORBY, Mr Iain, Executive Director, Age Verification Providers Association

[19:47]

CHAIR: I now welcome a representative of the Age Verification Providers Association to give evidence here today. Although the committee does not require you to give evidence under oath, I should advise you that this hearing is a legal proceeding of the parliament and therefore has the same standing as a proceeding of the House. The giving of false or misleading evidence is a serious matter and may be regarded as a contempt of parliament. Please note that, while Australian law provides parliamentary privilege to witnesses appearing before committee inquiries, that privilege does not extend beyond Australia. That wouldn't apply to you in respect of your evidence here today, but, if you were to say something about a company in the UK, that might be quite different. I now invite you to make a brief opening statement before we proceed to discussion.

Mr Corby: Thank you very much, Mr Chairman and honourable members.

CHAIR: Before you do that I should acknowledge the fact that you have flown out from the UK especially to brief us, and we are very, very grateful that you've gone—

Mr SIMMONDS: You are probably desperate to jump in on some of those technical questions, are you?

Mr Corby: To an extent. I shall endeavour this evening to keep things fairly simple. I'm relatively new to this field. I've been involved for six months. Prior to that I was the deputy chief executive of GambleAware, which is the leading charity funding treatment of problem gambling in the UK. So I can look at the gambling and the wagering side of things as well as pornography. But actually I think it's important to open up the conversation to all forms of online age verification because, if you want to have a society where what is illegal in the real world is also illegal in the virtual world, then you're looking at a whole range of goods and services.

The point I wanted to make at the outset was that the members of the APVA are already doing thousands of checks every day for age restricted goods and services. This is a system that is already working. It's very robust. It can be as effective as you need it to be, so it's a proportionate system. For some things you would never want anybody to scrape through whereas for other things you might not be quite so concerned. I give the example of a barman in a bar who wants to know, broadly speaking, if you are old enough to grow a beard before he decides if he's going to serve you a beer, but he doesn't need to know your specific date of birth. However, if we're selling you a knife, we might want to have a much higher level of assurance, as we call it. You can scale up or down as appropriate, and that's important because you want to allow the wheels of commerce to keep turning without too much extra friction, so you only want to ask the questions you really need to.

The other point I wanted to make at the outset was that age verification is not identity verification. They're very separate. What we try to do is have the minimum amount of data used in the first place and then retained going forward. For quite a lot of uses, you wouldn't need to retain any personal data at all. All you need to know is that person X—and we only know them as 'X'—has at some point proved, to a certain standard, that they are over a particular age or within a particular age range or they have a particular date of birth. You can record those attributes, as we call them, in a highly encrypted fashion and you can then exchange those with the sites. We employ privacy by design, so the age verification providers are independent of the goods and services that are being supplied which are age restricted. You do your age verification over here, which might involve knowing that I'm Iain Corby and my date of birth was 26 February 1973, but, when I go to a website over here, they just need to know that I am this person and that, at some point, I have proven my age. In fact, when they check with the age verification provider, the providers don't even know, necessarily, which websites are checking. So you never build up this history of your browsing activity or what you've been doing online, which of course is one of the concerns that people have expressed in the past.

In the UK, for the adult content side of things, we had a solution which was first due to be ready to go last Easter. It was then delayed, as you know, to July, and then delayed again and finally abandoned. You are politicians. You'll appreciate that bringing in a big change like this just before an election may not have been seen as a particularly palatable move. The ministers have promised to bring it back soon after the election, and I wouldn't be surprised if what rises from the ashes is quite similar to what they have dispensed with at this point in time, because actually it's a very sensible approach to doing the age verification and enforcing age verification for adult content. But, as I say, this is a system which is working very well. I represent about 10 members. A number of them are already working in Australia. A couple of them will be presenting tomorrow, so I won't steal their thunder. I'll try to stick to the broader concepts here for you. With that, I'm happy to answer your questions.

Mr SIMMONDS: Can you just explain the concept from the beginning? If I type in 'casino.net', do I go to the casino, which then shoots me off to another website or do I go straight to a different website or what?

Mr Corby: You will go to a casino website and you will go through, effectively, a portal to be taken to the AV provider that that website has contracted with.

Mr SIMMONDS: So a box comes up and says, 'You need to verify your age'?

Mr Corby: Exactly. I'll go through it. Say you're talking to AgeChecked, which is one of our providers. You will go to the AgeChecked website and you will use any number of ways of verifying your age. It might be your driving licence details or passport details. It could be a mobile phone.

CHAIR: Can I just interrupt there? When you are asked for your verification, it might say something as simple as, 'Please insert your name and your drivers licence number'?

Mr Corby: Yes.

CHAIR: That would be enough to determine that Andrew Wallace's drivers licence number is X. What other information would it be looking for?

Mr Corby: This is where it comes to the level of assurance you're looking for for the particular purpose. In some cases, a regulator might be quite satisfied with that. In other cases, they might want to have two or three different forms of check so that they have a much more robust answer.

Mr SIMMONDS: Having two or three different types, I suppose, would stop a group of 16-year-olds getting a licence from an 18-year-old and all sharing it around.

Mr Corby: Yes, and you could go right the way up to, every time somebody tries to use their age verification credential, doing a further check. In the case, for example, of Yoti, they will be looking for a live selfie to prove you're the same person who supplied the original picture. The technology is multifaceted here and it can scale as you wish in order to provide the level of certainty you're looking for.

Mr SIMMONDS: Or you could take the view that, if a teenager is really determined to get to pornography, they're going to do all these things, so perhaps a licence is good enough to weed out the accidental clicks or things like that.

Mr Corby: A good place to start would be say, 'What happens in the real world, and are we trying to at least do as well as that?' Nothing stops big brother going down to the newsagent and buying a magazine and giving it to little brother, but actually, when you get into the digital world, there are further checks that you can introduce that will perhaps mitigate some of those risks further. Amelia was speaking before me about, for example, just having a certain period of validity on an age check and then going back and having it recertified at some point.

Mr SIMMONDS: So you enter those details, you are verified, the age verification website then shoots you back to casino.net?

Mr Corby: Yes, all they are going to tell casino.net is that the customer that they have is now over 18.

Mr SIMMONDS: So in the process of shooting you back to casino.net, they don't record that they have had you as a customer go to casino.net?

Mr Corby: The age verification provider will have whatever records are required by the regulator concerned. So in some cases it may be enough to know that you had a robust process and that that provider was operating, for example, to a specification like PAS 1296, which is the prototype international standard for age verification. As long as the regulator knows that somebody went through a process certified in that way, they should be happy. For something like gambling, where you want to know more specifically exactly what the source of that age verification was, you would recall the method of verification, the date and the length of validity of that particular age verification.

CHAIR: What would prevent—let's say worst case scenario—an organised crime company setting up an age verification company where they have this repository of data of people's details? What would prevent that company from actually either selling that data on the black market or in fact, through a backhaul system, providing it to the gaming company or the porn company so then there is another pot of data that could be to blackmail people, for example?

Mr Corby: I would go back to the basic fundamentals of regulation. You need a good regulator, you need a system which allows for industry to come up with solutions and standards, you need that to be certified and auditable, and you have to have that audit structure working within the national audit structure of whichever jurisdiction you're in. These are regimes that operate in many different regulatory forms which are already working to prevent that sort of impostor getting in. Equally, there are commercial schemes like payment card networks, for example, which work very hard to keep out bad players, bad actors. They will expel people from the MasterCard network, for example, if they are abusing the data they have by virtue of lots of chargebacks or things they shouldn't be doing in a payment system. There is a combination of the regulatory structure certification—

Kitemarking as it were—plus the commercial pressures on the people who are properly authorised. With the APVA, we have a code of conduct, for example, and members have to comply with that code of conduct, so you would be looking for an AV provider who is a member of an organisation with a code of conduct. Equally, you would expect the regulator to be looking out for imposters and obviously taking action to enforce their regulation.

Mr RAMSEY: Coming back to this purchase of the retail card, the chair has used an example of a drivers licence. Is the owner of the drivers licence ever informed by another method that their drivers licence has been used to obtain the retail card?

Mr Corby: No. I think this is just one particular AV provider who had come up with the concept of this retail thing because they were trying to make it the least friction possible really.

Mr RAMSEY: If I was a father, and I am, my son, who is already over the age of 18, could easily grab my licence and say, 'Well, here's my number,' or whatever and I would never know and it would go back to my wallet and that would be it and he would have his retail card.

CHAIR: That would be assuming he is not as good looking as you though, right?

Mr RAMSEY: I think will take that as a comment, Chair.

CHAIR: If your 21-year-old son or 16-year-old son gets your licence out of your wallet—

Mr RAMSEY: Well that is if they are sighted.

CHAIR: But if they are going in to get a retail card, they have got to be sighted at a newsagents or are—

Mr RAMSEY: To take Julian's proposal and they have gone on a casino site, they are not going to sight me or are they going to sight me?

Mr SIMMONDS: No, they are not going to sight you. They will send you an age verification website that is going to ask you for your licence number so in that case so in that case they would be—

Mr RAMSEY: Yes, I've got Dad's licence.

Mr SIMMONDS: The only way to stop that would be have a second tier of verification, so give your licence and your passport so then it is not impossible but it is a lot harder for your son to grab both your licence and your passport.

Mr Corby: In looking at these questions it's worth distinguishing between what the policy questions are and what the technology questions are. Clearly, as policymakers, you can decide what forms of age verification you think are good enough for particular use cases. That's probably not the best one in the sense that it's the one where we can put the least validation in place, whereas as soon as you start interacting electronically then you can go back to databases of records which exist in most jurisdictions associated with the creation of driver's licenses, passports and so on to check validity.

Mr SIMMONDS: Do the providers that you represent currently have access to these databases, or has the UK government made them particularly available for this—

Mr Corby: At the moment you'd typically use credit reference agencies or mobile phone companies, where you can get access to these things. We are talking to them about how we can do age verification lower than 18, because that's a little harder to do. People don't tend to have a credit card or even a bank account. Particularly for age 13, which is helpful for social media, tying into some of the educational databases or child benefit databases is another option. Government is in a position to open up these databases to trusted intermediaries in order to facilitate this sort of verification. We saw earlier today Instagram announcing that they're now going to ask people to input their date of birth when they open an Instagram account. That is as far as they're going. That really is wholly inadequate age verification for social media. Remember, if you lie as a 10-year-old to open an account where you're pretending you're 13, that means that, when you're 15, that social media platform presumes you're already 18. It may not be the end of the world to let an 11-year-old have a chat on Snapchat or something, but you might be exposing them to a lot of other adult material if you wrongly estimate their age.

Mr SIMMONDS: If we were going to do this, would the providers you're representing be coming to government and saying, 'We need access to certain databases to achieve this,' or would they be comfortable that there is enough data available?

Mr Corby: Obviously in the Australian context you'd need to talk to some of our Australian colleagues about which databases. I know there are various government databases which are open to various extremes.

CHAIR: Which we're hearing from tomorrow.

Mr SIMMONDS: Okay. I will table that for tomorrow.

Mr Corby: Obviously you would have to have the right safeguards in place. By the way, these always tend to be one-way checks. I send to the government database my name, date of birth and address and ask, 'Is this accurate?' All I get back is a yes or a no. I'm not seeing anybody's data; it's just checking if it's accurate.

Mr RAMSEY: We asked the previous witness about age estimation technology. Do you have a view on that?

Mr Corby: Yes. I think Amelia was absolutely right in the sense that overall, in terms of age assurance as a general science, there are different levels of accuracy. If you are happy to use age estimation software, which can work from facial analysis but could also look at your Facebook account, for example, and look at the sorts of things that you're interested in, who you follow and who your friends are on Facebook—if you're pretending to be 32 and all of your friends are at junior school then it can begin to guess your age.

I think a lot of the social media platforms would like to use estimation over verification. Again, you've got to then say, 'Well, what's the purpose?' If we're just saying we're trying to make sure that only kids talk to kids and that older people aren't leading younger people astray, then you might get a reasonable idea of what generation people are in. If you're looking at whether I should be able to see a gambling ad, for example, where you don't want people under 18 to see gambling ads, then you might want to insist that those platforms take a more robust attitude to age verification. For example, what they could literally do today, even if we can't do the 11-, 12- or 13-year-olds, is that every time somebody looks as if they've turned 18 you could ask them to do a verification to prove that they are 18, and then social media platforms would know which of their customers are over 18.

One other point on that is the independence point. All of these platforms are funded through advertising and they want to have as many people as possible that they're showing their adverts to. You do need to separate the process of age verification so that people who are independent and can be audited and certified as doing proper standards based age verification are applying that rather than just letting these large multinational oligopolies set their own standards, because they won't necessarily be as robust as you'd hope.

Dr FREELANDER: I'm presuming that when there is a payment required it's easier to verify.

Mr Corby: Yes.

Dr FREELANDER: With access to pornography, when much of it will not require payment, it surely must be much more difficult to have age verification—would I be correct in saying that?

Mr Corby: Yes. Fewer than one per cent of people who are looking at adult content are paying for it. Using payment as verification is not a very helpful process there. You'd be looking at many of these other methods that are available.

Dr FREELANDER: Am I correct in saying that age verification can be quite inaccurate?

Mr Corby: They can be as accurate as the regulator needs them to be.

Dr FREELANDER: If that were the case, that it's so easy to do, why isn't it already implemented?

Mr Corby: One major adult site was expecting to lose $1 million a day when age verification came in, just because of people no longer coming to their site. It will take statutory action to put these things into force. As Amelia pointed out, you shouldn't assume the adult sites are all totally opposed to this level of protection. They want to sleep well at night. Many of them have kids of their own. They're not totally opposed to these protections. The opposition tends to come from the more libertarian freedom lobby. They obviously have strong views and strong beliefs—

Dr FREELANDER: And also probably from the more malignant side of it as well.

Mr Corby: Indeed. What we're talking about with adult content is not the devastating harm of a victim of child sexual exploitation but a small amount of harm to lots and lots of kids who are growing up and getting some very distorted views of life as a result of what they're seeing far too young. We do believe that parents have a role and that infrastructure has a role—the ISPs in the middle. What we're talking about here is the publishers also playing their part in trying to restrict what kids can see.

Dr WEBSTER: Thank you very much for the effort of coming out here and for your extensive knowledge.

CHAIR: Mr Corby, you talk about lessons learnt in your submission. If there were a decision by the Australian government to go down this route, what lessons could be learnt from the UK path?

Mr Corby: I would build on some of the things said by the BBFC before. It would be a good idea to build a framework which is based on existing standards or, where necessary, bring in some new standards, but PAS 1296 is a very good basis for age verification.

CHAIR: Let me stop you there. That's the standard for the age verification companies?

Mr Corby: Yes. That's what tells you that the method people are using for age verification is to a sufficient quality for the purpose that it's being used. But you'd also want alongside that some of the information security management standards, like ISO 27001—again, other existing standards that build things up. We ended up with the certification scheme going over and above what are basic standards. That was because the auditability of those other standards is not quite there yet, so you can't audit against the PAS, whereas you'd have to upgrade it to an international standard or a specification to be able to audit against it. It's slightly technical—I apologise for going down that rabbit hole—but you can build a framework and then allow different regulators to choose from within the framework.

The other point, particularly on the adult, is around the changed management and the communication. Because there was a bit of nervousness around how this was going to be received by the public—although there was a huge amount of support and the charities who were behind this in campaigning for years to get this to go through. Backbench members of parliament, who, by the time this was going through, had become senior ministers, were all extremely disappointed that this wasn't taken forward. What we never got to was getting out there and explaining to the public the rationale behind it, what we were trying to achieve and the protections that were in place in terms of people's data and privacy.

CHAIR: From my reading of the submissions so far, there has been a lot of consultation in the UK before and during—despite what you've just said—the process. I'm wondering whether any stats were collected on the impacts of pornography on student performance at school?

Mr Corby: I haven't come across any of those myself, but that's not to say they aren't out there. There is some further research to come, from the British Board of film classification, using an excellent research firm called revealing reality. Some of their headlines have been put out, but they've done a lot of ethnographic research, with children and young people, looking at the impact of pornography. I believe that is still due to come out, so we'll make sure that comes to the committee.

CHAIR: Thank you for your attendance here today. If you've been asked to provide any additional information, could you please forward it to the secretariat. You will be sent a copy of the transcript of your evidence and will have an opportunity to request corrections to transcription errors. You are welcome to join us for the rest of this evening, and obviously tomorrow, as a member of the public. Once again, thank you very much for travelling out to Australia to give your evidence.

CURTIS, Ms Aebha, Policy Analyst, TrustElevate

O'CONNELL, Dr Rachel, Co-founder, TrustElevate

Evidence was taken via teleconference—

[20:17]

CHAIR: Welcome. Do you have any comments to make on the capacity in which you appear?

Dr O'Connell: I am the author of the PAS 1296 age checking code of practice, which is published by the British Standards Institution and is becoming a global standard, and so is relevant to discussions today.

CHAIR: Thank you very much. Although the committee does not require you to give evidence under oath, I should advise you that this hearing is a legal proceeding of the parliament and therefore has the same standing as a proceeding of the House. The giving of false or misleading evidence is a serious matter and may be regarded as a contempt of parliament. Please note that while Australian law provides parliamentary privilege to witnesses appearing before committee inquiries, that privilege does not extend beyond Australia. I now invite you to make a brief opening statement before we proceed to discussion.

Dr O'Connell: We were delighted to contribute to the consultation about the sharing of our experience of developing the PAS 1296 and addressing all of the main points in terms of requiring anonymity or pseudonymity for those people who want to access this content, and taking due regard to children's rights and balancing those with the privacy of individuals who want to access 18+ restricted content. We hope that our contribution today will help to inform and push this discussion forward.

CHAIR: Thank you. Would you talk us through why you felt the need to develop the standard PAS 1296 and what it does for age verification.

Dr O'Connell: Absolutely. Maybe I should give you a little bit about my background. My background is in forensics, tracking criminal activity online, in particular paedophile activity. That's where my passion and interest is—in keeping children safe online. I started that research—my PhD started in 1996 and I worked with the Dutch, Belgian, UK and Irish police, Interpol and the FBI. I run the Internet Safety Centre in the UK and across Europe, and I was chief security officer of the Bebo social networking site. In the last 10 years I've worked in the area of identity: How do you prove online that you are who you say you are? More importantly, how do you prove an attribute of your identity, such as age, so that you can transact online?

Section 3 of the Digital Economy Act in the UK, which you probably won't be familiar with, required adult content providers to conduct age checks. The impetus behind that piece of legislation was to try to better protect children online because children were being exposed to adult content. What was very positive was that the adult industry was also interested in limiting access to over-18s and restricting kids from accessing content. With that in mind, there was a request to the British Standards Institution to develop a standard whereby those individuals who did want to access adult content could be reliably and securely verified to be 18-plus but that their actual details—first name, last name, address; anything that was personally identifiable—wouldn't be included in that verification process. I was recruited then by the British Standards Institution to write that standard. It was supposed to take nine months; it went slightly over nine months. But the core challenge was how you enable age-related eligibility checks to be conducted in a privacy-preserving manner. When I saw the Australian Senate's efforts in relation to age verification, I thought it would be valuable to contribute the learnings that we gained over the 14-month period involved in developing that standard.

CHAIR: Dr O'Connell, I don't know whether you have us on a hands-free set, but it's very hard to understand what you're saying. We can hear you okay, but it's a very, very muffled. I don't know whether that's at your end or our end or simply the international connection between us.

Dr O'Connell: I'm not using hands-free, so it must be the connection.

CHAIR: That's a little better. Could you give us an explanation of what you mean by 'vectors of trust'?

Dr O'Connell: Absolutely. Typically identity assurance is based on levels of assurance. When someone is logging into a system, you want to know who they are. Is this Robert Smith who is presenting these credentials? Has he been identity proofed and does he have the right rights to access, for example, HR information in the company or to access sensitive files? What happens when you have levels of assurance is that you're combining that identity proofing with the credentials a person is presenting. That's fine if you really do need to know who that person is, but what happens in a situation where somebody wants to access content but they don't want you to know who they are? There may be various sensitivities around accessing adult content—religious, or somebody might hold a public office and they don't necessarily want everybody to know what they've been accessing. The traditional levels of assurance, which combine the identity proof with the credential that you're logging in with,

don't work. A vectors-of-trust approach is splitting apart the identity proofing and the credential presentation and enabling you to do an identity attribute check. For example, if you've got any contracts with a mobile operator, you have to be 18-plus to enter into a commercial contract with a telecommunications company, and therefore they've already proved that you're 18-plus. Therefore, all that's required is a token that will tell the adult content provider, 'This person who's accessing this site is 18-plus.' They can present with credentials, such as, 'I am nobody,' for example, and those credentials can be linked with the token which says that person is 18-plus. That is communicated over the network as a vector of trust.

CHAIR: You've also spoken about the experience in Denmark and Italy of age verification. There's been some discussion about whether the UK age verification model was going to be a first, and yet, in your submission, at page 6, you talk about the experience in Denmark and Italy. Can you perhaps clear up with us what's going on there and what system they have operating in Denmark and Italy?

Dr O'Connell: What's fascinating is that different countries around Europe developed identity systems in different ways. In Denmark a bank will issue you with your eID. In Sweden a mobile operator issues you with your eID. That's mobile and bank IDs. The European Commission then said, 'Wouldn't it be great if the Swedish mobile ID operators recognised the Danish bank IDs so a Danish person could open a Swedish bank account, and the Swedish bank would know, "We can trust that this person is who they say they are"?' For that to happen, you need a set of standards that enables the mutual recognition of eIDs issued in different countries. The reason I brought that up for you guys is to highlight the fact that there are standards that have been developed in Australia, Europe, America—different parts of the world—that govern the issuance of electronic identities and also now, increasingly, identity attribute checks such as age related eligibility that, because they're standardised and codified, can be mutually recognised. So, when people who are not Australian come to your country, if you set up the system correctly, they will still be able to be identified as 18-plus in a manner that also preserves their privacy.

Mr RAMSEY: Thank you very much for coming on board and trying to help us out. I may be one of those who are a bit challenged by some of the language. I'm looking at page 3 of your submission, where you're talking about primary credential usage and primary credential management. I'm struggling to understand some of the terms—the IdP, the 'C' demarcator, 'Ca', 'Cb' et cetera. Is it worthwhile me pursuing to try and find out whether I need to know these things or is it something you can enlighten me about relatively easily?

Dr O'Connell: Basically what that is saying is that, instead of the system having to know that you are Robert Smith from a specific address and being able to track back to your actual personal details, which happens when you use the old method, the vectors of trust will be able to manage the situation whereby the adult content provider will receive a token that will contain information that tells it that 'this person, person A, has had their age related eligibility to access this content verified and they are presenting with the right set of credentials that have been issued by the right identity provider in a manner that meets the legal requirements' so that this person can access this content; or, 'this person who is presenting with these credentials doesn't have the right age related eligibility—they are under 18'—and therefore the adult content provider shouldn't afford access.

Mr RAMSEY: That is basically what we have been talking about but I just didn't understand the terminology—so thank you.

Dr FREELANDER: Has a system ever been introduced that has been able to use age verification to prevent access to online pornography anywhere in the world?

Dr O'Connell: There are systems in the UK that have been developed, and there is a wide variety of solutions that are available. For example, I mentioned leveraging the fact that the majority of people tend to have mobile contracts. There's a plethora of companies in the UK—and some of them are global companies—that have developed solutions and are ready to put those in place. In fact, a company called Portland TV is already deploying those solutions in relation to accessing what are called 'babe sites'—TV sites. So in fact the answer to that question is yes.

CHAIR: What was the name of those sites?

Dr O'Connell: Portland TV in the UK. There is also research that shows the efficacy of these approaches. For example, there is a massive drop-off rate when companies ask for credit card details so that a check can be conducted against the credit cards to make sure that that person is 18+, but there is a high degree of comfort in terms of supplying your mobile number so that companies can check whether or not you have a contract—and, therefore, by virtue of having a mobile phone contract, you are 18+. So there is research out there about the efficacy of different types of approaches.

In the Spanish and Danish context, in relation to access to gambling sites, there is evidence about the efficacy of leveraging existing EID programs. By EID I mean electronic identity where the government, bank or mobile

company issues you an electronic identify for you to transact online. What that means in reality is that in Sweden, for example, if you go to a gambling site and you are confronted with the log-in page and it is asking for a first name, last name, address and date of birth in order to check against data sources, you can choose mobile ID and it auto-populates the required fields and conducts the checks automatically.

CHAIR: Sorry, I had a little bit of trouble understanding you. Did you say that if you try to access porn in Sweden—

Mr SIMMONDS: Gambling.

CHAIR: It was gambling, was it? If you try to access gambling in Sweden then you have to provide your name, your birthdate and even a photo? Did I hear you say that?

Dr O'Connell: Exactly. In the gambling situation, they're governed by stricter laws about anti-money-laundering, so there is a requirement to know your customers and be very, very assured that the person who's accessing this site and gambling money is an adult. So that's a higher level of assurance that is required. In every country, those kinds of checks have to be done. What I was demonstrating is that, with mobile ID, that just becomes an automatic process. You check with mobile ID, and these checks are run in the background. In an instance where somebody's trying to access pornography, there isn't a requirement to know that, because there isn't money laundering, typically. There is just a requirement to know the age of the person. So the level of assurance and identity proofing, and the level of privacy that you have to give up, should be a lower threshold, and vectors of trust enable that lower threshold of giving up your privacy to access that content. But it still gives you a high level of trust that that person is over 18.

CHAIR: How confident are you of the accuracy of these systems of age verification?

Dr O'Connell: There are a number of things being trialled at the moment. There are results with the conversion and drop-off rates and the impacts. In terms of confidence, that is being worked out at the minute.

CHAIR: All right.

Dr O'Connell: I think the most accurate source would be the mobile operators in terms of the efficacy of the checks that they're running.

CHAIR: Lastly, are there any lessons learned from the UK experience that we should be aware of in Australia?

Dr O'Connell: One of the challenges in the UK right now, because we're part of Europe at the moment, is that, in the requirements laid out in the Digital Economy Act by royal assent, the BBFC—the British Board of Film Classification—became the regulator, but that was misaligned with EU regulation, the Audiovisual Media Services Directive, which also covers adult content and prescribes Ofcom to be the regulator. So I think the lesson learned from the UK is just to be mindful of who is going to be the regulator and how that fits with other pieces of legislation.

I know the focus here is on adult content, but there's also a huge amount of work going on in terms of how you can use age verification for under-18s, and there are a lot of lessons that can be learned from work that's going on in the UK with regard to checking not only 18-plus but also under-18s.

CHAIR: Are you confident that this age verification system could be utilised in determining whether someone is over 13 or over 16?

Dr O'Connell: Absolutely. In fact, that's what TrustElevate does: we enable the verification of a parent-child relationship, who is the authorised holder of responsibility for a child, what age that child is and, therefore, whether a parent can give consent to data processing on behalf of that child. Our system is built in compliance with the PAS 1296 age-checking code of practice and has been through rigorous security pen testing. We've been selected to be part of the Information Commissioner's Office, which is the UK data protection regulator. We're part of their regulatory sandbox, and they're reviewing our data protection impact assessment, our legal basis et cetera. We're running trials with major telcos and banks in the UK. So, yes, there's a huge piece of work that's going on in relation to our platform and others, but ours specifically relies on vectors of trust and can manage under-18s and over-18s.

CHAIR: I'm a little bit confused, Dr O'Connell. Earlier I asked you whether you were able to give an answer in relation to your confidence levels in the accuracy of these age verification systems and you said that you were working those confidence levels out but, for the last question I asked you, you seemed to be more confident that you were able to provide a greater degree of certainty in relation to under-18-year-olds.

Dr O'Connell: I know that area more specifically because that's the work we're engaged in. Currently, we're engaged in technical trials. We've done the user-acceptance testing, and parents are like: 'Why doesn't this system

exist already? I want this because then I'll know which sites my kids are using and I can give consent on behalf of the data processing.' Critically, because I used to work for industry, because I used to be the chief security officer for Bebo, a social networking site, which was kind of like Facebook—it was pre-Facebook—what our clients always wanted to know was if they could create safer spaces online. If they know the age bounds of the users they're interacting with then they can serve age-appropriate content and limit the access of adults to those young people. In February, we will have conducted technical trials and we'll be able to give you more concrete answers in relation to the outputs of those trials.

CHAIR: Would you undertake to provide the results of those trials to the committee in February, please?

Dr O'Connell: Absolutely.

CHAIR: Wonderful. Before I finish off, did you have anything you wanted to say, Ms Curtis?

Ms Curtis: No, I think Rachel has it covered.

CHAIR: Thank you for your attendance at today's hearing. If you've been asked to provide any additional information, could you please forward it to the secretariat—and you have, Dr O'Connell. You will be sent a copy of the transcript of your evidence and will have an opportunity to request corrections to transcription errors.

Thank you to witnesses for their participation in tonight's hearing. I declare this public hearing closed.

Committee adjourned 20:42