

The research and submissions on the issues explored by this committee have shown that gaming mediums and streaming services are being used for exploitative purposes, including the likes of Discord, Roblox, Call of Duty, Fortnite, and so many others.

- **In your view, should age verification also be extended to other digital services frequented by children, such as these gaming platforms and content streaming services?**

Where age assurance should be applied is a policy question, so we take no position on this. It is the case that other jurisdictions – notably the UK and EU – are including these services within the scope of legislation which implies a need for age assurance if any element of a service is potentially harmful to minors.

Do you think implementation and enforcement on these platforms would differ greatly from those imposed in relation to online pornography, gambling, or social media?

Gambling is distinct, because the process is usually an identity verification, not an anonymous age assurance process. In the UK, this now often includes affordability checks as well.

So the implementation for streaming services and gaming platforms would be similar to that for social media and pornography, noting of course that for adult content, only adults need to prove their age so there is no need to verify the ages of children. But in all these sectors, there is no need to confirm the users' full identities, only that they are old enough to meet any minimum age set by policy or law. This is the essence of age assurance – proving your age without disclosing your identity.

One thing that contributors to this inquiry have made very clear is that the Australian Government, the Australian Parliament, and those tasked with keeping Australians safe are too far behind the eight ball when it comes to responding to new and emerging technologies. The decisions we make today need constant review and updates to keep pace.

- **Based on your industry experience and insight, how frequently do you think age verification standards and regulations should be reviewed to adapt to new challenges and technologies?**

We would recommend that statutes are technologically neutral, and define the outcomes that digital services must achieve. For example, you could require that they know a user is over a certain age on the balance of probabilities, or even beyond reasonable doubt. The law could require that rules reflect the state of the art of technology, or “what is reasonably feasible technically”. The regulator then then add flesh to the bone, and set specific levels for accuracy and tolerance of variances, making use of references to compliance with a particular international standard (this is often qualified with the term “or its equivalent” so there is no monopoly given to a single standard but in practice it is clear what the detailed requirements are without the regulator needed to re-specify them all as they are already depicted in the standard). The use of co-regulation will then allow accredited auditors to assess novel innovations against the law, regulation and referenced standards, giving the ability for the framework to remain valid over time. It may be sensible for the regulator to review its rules every two years, based on the pace of change we have experienced.