


Your response

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<p>Question 1: Do you agree with our proposed guidance on scope? If not, please provide any information or evidence in support of your views, including descriptions of services or content where you consider it is unclear whether they fall within the scope of Part 5.</p>	<p>Confidential? – No</p> <p>We agree with the proposed guidance on scope in general but for clarity we would suggest that tube sites should be in scope as well. Ultimately what Ofcom wants to put in place is a regime to reduce harm and protect children online. With this ultimate goal in mind it is important to avoid creating loopholes or confusion.</p>
<p>Question 2: Do you have any comments on how our proposed guidance applies in respect of pornographic content created by generative-AI services within the scope of Part 5? Please provide any information or evidence in support of your views.</p>	<p>Confidential? – No</p> <p>We are supportive of the approach to include generative-AI within scope, especially if and when AI is being misused to create CSAM.</p>
<p>Question 3: Do you have any comments on our proposed guidance in respect of the kinds of age assurance which could be highly effective? If you consider there are other kinds of age assurance which have not been listed that you consider could fulfil the proposed criteria, please identify these with any supporting information or evidence.</p>	<p>✂</p>

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<p>Question 4: Do you agree that service providers should use the proposed criteria to determine whether the age assurance they implement which is highly effective at correctly determining whether or not a user is a child? Please provide any information or evidence in support of your views.</p>	<p>Confidential? No</p> <p>We broadly agree with the proposed criteria but we believe that Ofcom should explicitly set the acceptable level for each otherwise it might create an incentive to go with the lowest common denominator. The age assurance industry is mature with certification schemes in place that Ofcom could reference as a baseline to ensure the right level of protection for users and certainty for businesses.</p>
<p>Question 5: Do you have any information or evidence on the extent of circumvention risk affecting different age assurance methods and/or on any steps that providers might take to manage</p>	✂

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different circumvention risks for different methods?	✂
Question 6: Do you agree with our proposed guidance that providers should consider accessibility and interoperability when implementing age assurance? Please provide any information or evidence in support of your views.	✂

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<p>Question 7: Do you have comments on the illustrative case study we have set out in the guidance? Do you have any supporting information or evidence relating to additional examples of how the criteria and principles might apply to different age assurance processes?</p>	<p>Confidential? – No</p> <p>We welcome the case study for illustrative purposes and we agree that it is for the service provider to determine which is the most appropriate method or process for its service.</p> <p>To gather additional examples of how the criteria and principles might apply we would encourage Ofcom to publish regular reports on age assurance to stimulate best practices sharings. We believe this is a unique opportunity to lead by example as a number of initiatives are being developed and tested around age assurance worldwide. Ofcom could and should take the lead to demonstrate that effective implementation is possible and industry collaboration is key.</p>
<p>Question 8: Do you agree with our proposed guidance on the record-keeping duties? Please provide any information or evidence in support of your views.</p>	<p>Confidential? No</p>
<p>Question 9: Do you have any comments on our proposed approach to assessing compliance with the duties on service providers who publish or display pornographic content, including on the proposed examples of non-compliance? Please provide any information or evidence in support of your views.</p>	<p>Confidential? No</p> <p>We are concerned with the following statement “it may take time for service providers to bring themselves fully into compliance after the Part 5 duties come into effect. In particular, service providers may need time to understand the new regime, assess the risks their services pose to users and make the necessary adaptations to their systems and processes”.</p> <p>The regime came into force in October 2023 and as it relates to age assurance the market is mature enough to understand the requirements and put effective measures in place swiftly. Ofcom has been the regulator for VSPs for three years now and some services in scope are the same. Ofcom and the industry can build on these learnings and protect children from harm. It is urgent to create a level playing field for all supported by robust technology.</p> <p>Age verification can be implemented proportionately, conveniently and cheaply, adopting the appropriate level</p>

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	<p>of assurance for the risk of the product or service involved. Privacy-preserving age verification technology is already used at scale; it is highly effective and age verification can be designed to completely protect the identity of the users. We urge Ofcom to reconsider the proposed timeline of 2025 and start enforcement actions sooner.</p>
<p>Question 10: Do you have any comments on the impact assessment set out in Annex 1? Please provide any information or evidence in support of your views</p>	<p>Confidential? No</p> <p>We welcome Ofcom setting out specific expectations on what service providers 'should do' to fulfil their obligations. We believe that the impact assessment demonstrates that the approach is proportionate and therefore implementation should start immediately to ensure compliance and children protection.</p>
<p>Question 11: Do you agree that our proposed guidance is likely to have positive effects on opportunities to use Welsh and treating Welsh no less favourably than English?</p> <p>If you disagree, please explain why, including how you consider the proposed guidance could be revised to have positive effects or more positive effects, or no adverse effects or fewer adverse effects on opportunities to use Welsh and treating Welsh no less favourably than English.</p>	<p>Confidential? – No</p> <p>We are happy to support service providers who have specific language requirements and tailor our solutions to the needs of their users.</p>

Please complete this form in full and return to Part5Guidance@ofcom.org.uk.