

EXPERT PANEL

Age Restrictions

MEETING ARRANGEMENTS

Location: Yoti, 130 Fenchurch Street, London, EC3M 5DJ

Date: Tuesday 21st January 2020 14:30 – 17:30

Attendees: Tony Allen – Age Check Certification Scheme (Co-Chair)
Brandon Cook – Chartered Trading Standards Institute (Co-Chair)

Iain Corby – Age Verification Providers Association
Howard Brown – British Standards Institution
Julie Dawson – Yoti
Jackie White – BEIS Office for Product Safety & Standards
Lisa Peters – South West Regional Trading Standards Coordinator
Peter Hannibal – Chair – Gambling Expert Panel
John Nash – Oxfordshire Trading Standards
Tim Gass – Primary Authority Supermarkets Group
Kelly Moss – Wine & Spirit Trade Association (By Telephone)
Joanne Mahoney – Bucks & Surrey Trading Standards
Ian Savill – Reading Trading Standards
Mark Oliver – Primary Authority User Group
Andrew Green – British Beer and Pub Association
Richard Clifford – UK Hospitality
Antonia Bayly – Department for Digital, Culture, Media & Sport (DCMS)
Ken Daly – SCOTSS – Trading Standards Scotland
Vee McGinley – Trading Standards Scotland
Danny Whitehorn – Yoti
Robin Tombs – Yoti
Heather Ashton – Morrisons plc
Julie Byers – Association of Convenience Stores
Murray Perkins – British Board of Film Classification

Apologies: Warren Russell – Co-Chair – Age Verification Providers Association
Anna Bennett – Proof of Age Standards Scheme
Alastair Graham – Co-Chair – Age Verification Providers Association
Andrew Chevis – Proof of Age Standards Scheme

MEETING NOTES

Ref	Notes	Actions
	The meeting commenced at 14:35	
	Introductions	
200121/01	T. Allen (Co-Chair) welcomed all participants to the meeting and expressed his thanks to Yoti for their hospitality.	
	Terms of Reference	
200121/02	T. Allen advised that the Terms of Reference for the Expert Panel had been prepared and published by OPSS and were circulated to the Panel. There being no objections, the Terms of Reference were formally adopted.	
	Minutes of the Meeting on 08/10/2019	
200121/03	<p>The minutes of the meeting held on 08/10/2019 were agreed as a correct record.</p> <p>Knowledge Hub – Availability & Access</p> <p>T.Allen advised that the Knowledge Hub page for the Expert Panel had been created and was available for all members of the Panel (including those outside of local government) and for other interested parties. The previous agendas, minutes and papers received by the Panel had been posted to the Group Library.</p> <p>Offensive Weapons Act Guidance</p> <p>Although contact had been made with the Home Office, no further information was presently available on progress with the development of guidance under the Offensive Weapons Act 2019.</p> <p>Digital Proof of Age Standards.</p> <p>J. Byers (ACS), on behalf of James Lowman (CEO of the Association of Convenience Stores & Chair of the PASS Standards Committee) advised that PASS was making progress on the proposal to develop digital proof of age standards. The matter was due for consideration at the PASS Board meeting on 24/01/2020.</p> <p>I. Corby (AVPA) advised the Panel of a useful discussion he had held with J. Lowman and thanked him for his commitment to openness and broad timely consultation as proposals for digital proof of age develop further.</p> <p>Consultation on Change in Age Restriction for the National Lottery</p> <p>T.Allen advised that he had met with officials at DCMS on behalf of the Panel following our submission of a response to their consultation on</p>	

	<p>proposals to increase the age restriction for National Lottery products from 16 to 18. DCMS expressed their thanks to the Panel for the response and undertook to keep in touch as the policy develops.</p>	
	<h2 style="text-align: center;">Ethical Challenges of Artificial Intelligence Age Estimation</h2>	
<p>200121/04</p>	<p>J. Dawson (Yoti) gave a presentation on the practical and ethical challenges associated with the development of AI age estimation, how these have been researched and addressed and how Yoti is building trust and confidence in AI age estimation.</p> <p>She described the principles adopted by Yoti under the oversight of their independent guardian council. They have also worked with Keele University on how to label AI consistently, set appropriate buffers, examination of skin tone bias and approaches to transparency of reporting results. Yoti have worked to continuously improve the AI age estimations processes.</p> <p>As a part of their commitment to transparency, Yoti have published a white paper on the results gathered so far and how these have improved over time.</p> <p>Members of the Panel were invited to participate in some demonstrations of the Yoti AI solutions and Yoti shared a link to a video.</p> <p>I. Corby (AVPA) asked if there were any particular concerns raised by the Yoti guardian council and how these had been addressed. J. Dawson advised that the guardian council had been involved from the outset of the project, had seen all of the developments and considered in detail the ethics associated with handling and using biometric data. The industry wide concerns about skin tone bias, disfigurement, accessibility and convenience were all given consideration. R. Tombs (Yoti) advised that they had already conducted 240 million age estimations and the technology was being adopted quickly. He advised that shortly trials would begin in a large US supermarket.</p> <p>T. Gass (PASG) advised that the technology had enormous potential. The public perception of how their data being used remains a concern. Eventually, biometric scanning will become normalised, but until then there are concerns from consumers about trust and how their data will be used or potentially misused. He also advised that, in connection with automating alcohol sales, it was important to remember that retailers had responsibilities for preventing the sale of alcohol to people who are drunk and proxy sales.</p> <p>T.Allen (ACCS) advised that the Age Check Certification Scheme had now secured the necessary funding from the Northern Powerhouse Investment Fund to build a state-of-the-art testing laboratory for age check systems. This will include for testing presentation attack detection (PAD), sometimes known as anti-spoofing; effective functionality of AI</p>	<p style="text-align: center;">JW</p>

	<p>age estimation systems and appropriate certification. This will be the first such facility outside of the US.</p> <p>The chair thanked J. Dawson for her presentation.</p>	
	<p>Online Harms White Paper</p>	
200121/05	<p>T. Allen introduced a focussed session on the Online Harms White Paper published by Government. He gave a brief overview from the Government's summary of the policy. The government wants the UK to be the safest place in the world to go online. The government also wants the UK to be the best place to start and grow a digital business.</p> <p>They intend to bring in a new regulatory framework to make sure that people are safe online. This includes a generic duty of care, in a similar manner to the duty of care that any owner of a building owes to the health and safety of people visiting the building. They have been consulting widely on the scope and provisions of the proposals with a view to bringing forward legislative proposals as set out in the Queen's Speech.</p> <p>A. Bayly (DCMS) added that they intended to take an holistic approach. Looking at providers of services that support user generated content. She said that age restricted content may or may not be within scope, but provisions about age assurance were likely to form part of the proposals. DCMS were particularly interested in the work by the Verification of Children Online (VoCO) project [The Panel received a briefing on the VoCO project at a previous meeting].</p> <p>P. Hannibal (Licensing & Gambling Expert Panel) asked if Gambling and Gaming was within scope. It was suggested that already regulated sectors (like Gambling) were unlikely to be within scope, whereas those with little or no regulation (like Gaming) were more likely to be within scope.</p> <p>I. Corby (AVPA) asked if there was any timetable, to which A. Bayly (DCMS) responded that Ministers would provide updates on proposed timetables and next steps when Parliamentary time permitted, but underlined the current government's public commitment to proceed with their plans.</p>	
	<p>White Paper – The Foundations for an Open, Competitive and Reliable Global Age Assurance Market</p>	
200121/06	<p>I. Corby (AVPA) introduced a draft white paper prepared by the Age Verification Providers Association concerning how to develop an open, competitive and reliable global age assurance market. He described how Age Verification Providers Association (AVPA) members are global leaders in the field of age-assurance, and are already engaged with many government departments, regulators and other non-departmental</p>	

public bodies, advising, developing and implementing age-checking solutions for a large number of goods and services around the world.

He said that the White Paper aims to:

- stimulate a vibrant new technology sector to generate innovative solutions
- meet the requirements of many diverse use-cases efficiently within a common framework
- avoid the creation of bespoke regulatory solutions for each and every purpose
- not further entrench the oligopolies of existing technology platforms
- deliver reliable age checks with an appropriate level of robustness applicable to the risks that the checks seek to mitigate
- deliver age assurance that does not hinder daily business but recognises the responsibilities of suppliers to implement effective age verification
- allow for interoperability between AV providers, providing convenience for consumers through ubiquitous acceptance
- reduce the risk of fraudulent use of AV to misappropriate data by creating independent certified Age Verification Providers
- reduce the risk of data privacy breaches and abuse of personal data through anonymisation and data minimisation, highlighting the distinction between age verification and identity verification
- achieve comprehensive coverage of age verification, based on regulations that apply to the point of consumption not only the point of supply

He described the important first step of supporting and developing a Code of Practice for Online Age Verification service providers developed by the British Standards Institute and the Digital Policy Alliance. PAS 1296 – a Publicly Available Specification – is intended to assist providers of age restricted products and services online (such as gambling, adult content or goods) with a means to adopt and demonstrate best practice and compliance.

He also highlighted the AVPA's Code of Conduct as a set of guiding principles their Members agree to follow when conducting business. Their aim is that these principles will drive high standards from the industry, assist in establishing best practice and create a collaborative approach to solving the problems of age verification. The key goals of the Code are:

- To promote effective age verification
- To encourage age verification adoption in a manner compliant with regulations
- To encourage sound business practice
- To promote the highest levels of data protection and data control

	<p>AVPA are keen to gather the views of members of the Expert Panel over the next few weeks to help develop and improve the draft white paper. Given the timescales, it was agreed that comments on the draft could be sent to T.Allen and then a decision would be made by the co-chairs and OPSS on whether or not those responses could simply be forwarded to AVPA or whether they needed to be reconsidered by the Panel. All comments on the draft to be sent to T.Allen by 18th February 2020.</p> <p>The Chair thanked I. Corby for his presentation.</p>	
	<p>Online Adult Content Age Verification</p>	
<p>200121/07</p>	<p>M. Perkins (BBFC) gave an update on the current position with the regulation of AV for online adult content. He advised that Government had decided not to proceed with implementation of Part 3 of the Digital Economy Act 2017 in its current form, but instead to fold it into the broader online harms prevention legislation.</p> <p>He advised that the Audio Visual Media Services Directive, due to be implemented by September 2020, would have consequences for adult content providers and age verification requirements.</p> <p>He said that there was a lot that was good about BBFC's plans for implementation of Part 3 of the Digital Economy Act. He believed that it would have been more successful than many of its detractors had alleged. Whilst recognising legitimate concerns about privacy, BBFC had worked to develop a privacy protecting AV certification scheme. This work had led to the emergence of AV companies that changed the landscape, significantly brought the costs of AV down, eliminated or reduced the need for document checks and address constant reverification concerns. He was also pleased that the emerging market was not dominated by a single supplier or tech giant. He felt that it would be a shame in the government's future plans were not implemented in a broadly similar manner. It was important to take preventative action, but also to have access to appropriate proportionate enforcement powers.</p> <p>He highlighted the Av certificate set up with NCC Group with input from the Information Commissioner, GCHQ and DCMS to create a specific privacy standard for AV providers. Three companies had met the standard and others were already working towards it at the point the decision by government was taken not to proceed with the implementation. What happens with that certification now will depend upon whether there is a desire to maintain that.</p> <p>He advised that online content was being added at the rate of over 400 hours of footage every minute, so new innovative approaches were needed to deal with the classification of that material. BBFC had developed a strong partnership with Netflix to enable their tools and algorithms to automatically classify content. Platforms for user generated content were exploring and deploying crowd classification techniques.</p>	

	<p>Finally, with reference to more traditional forms of entertainment, he advised that BBFC research indicated that physical form home entertainment distribution (DVD's etc) was a rapidly declining market and may be as low as 5% of the home entertainment market by 2023. Whereas there had been a renaissance of cinema, with more chains, venues and cinema being part of lifestyle events. The protection of children and young people from accessing films classified for older audiences remains a problem.</p> <p>I. Corby (AVPA) advised that they were considerably concerned that the decision had been taken not to proceed with implementation of Part 3 of the Digital Economy Act. He said that four members of AVPA had decided to seek Judicial Review of the decision.</p> <p>The chair thanked M. Perkins for his presentation.</p>	
	<h2 style="text-align: center;">INTERNATIONAL STANDARDS FOR AGE VERIFICATION</h2>	
<p>200121/08</p>	<p>The Chair welcomed H. Brown (BSI) to the meeting to give an update on proposals to upgrade PAS 1296 (Age Check Code of Practice) to a specification and thereafter to an international standard.</p> <p>T. Allen (ACCS) started the discussion by referring to a proposal document that had been circulated to the Expert Panel. The paper highlights 10 key principles:</p> <ol style="list-style-type: none"> 1. We are not concerned with the reason for the AV decision being taken or required. 2. It must be product, jurisdiction and AV methodology agnostic. AV can be online or offline. 3. Age Verification is distinct from Identity. The specification is not about identity. 4. It is proposed that there are three defined types of age verification: determination, categorisation and estimation. 5. It is an evolution of the core of PAS 1296:2018, but extended, improved and auditable. 6. It should be simple, expressed in simple digestible language. 7. It is proposed that each type of age verification can be demonstrated to three levels of confidence: standard (by default), enhanced and strict. 8. It will enable a marketplace and certification ecosystem to be commercially operable. 9. The PAS could refer to and repurpose established, scientific testing methodologies such as those set out in ISO/IEC 30107-1:2016 relating biometric systems testing. 10. It will be a springboard for International Standards on AV – led by the UK. <p>H. Brown advised that the proposal had been presented at a meeting with DCMS and discussed as a part of the Verification of Children Online</p>	<p>DR</p> <p>TA & BC</p> <p>AG</p>

	<p>(VoCO) workshops. The aim was to get UK Government to sponsor the programme.</p> <p>I. Corby (AVPA) asked what would happen if Government did not sponsor it and/or were slow in giving commitment to it. H. Brown advised that it was possible that it could be privately sponsored (as the original PAS 1296 was) but that it was preferable that HM Government gave the document its backing.</p> <p>T. Gass (PASG) said that he was pleased that the Expert Panel were being involved at such an early stage. Whilst the previous PAS started with quite laudable objectives, these narrowed in the final phase and it became a much more technical document for the AV industry. This upgrade is an opportunity to readdress a much broader range of needs.</p> <p>The Chair thanked H. Brown for his presentation.</p>	
	LICENSING AND GAMBLING EXPERT PANELS	
200121/09	<p>The Chair welcome P. Hannibal from the Licensing and Gambling Expert Panels. P. Hannibal provided a brief update on some areas of recent discussion by the Panels:</p> <ul style="list-style-type: none"> The creation of a new Betting & Gaming Council Trade Association. He suggested that an invitation should be extended to BGC to participate in the Expert Panel – Age Restrictions. The Panel agreed and P. Hannibal said that he would take this up with BGC. 	
	ANY OTHER BUSINESS	
200121/10	No items of other business were noted.	
	DATE & TIME OF NEXT MEETING	
200121/11	The Chair advised that, subject to securing a meeting room, it was proposed to hold the next Expert Panel meeting at the offices of BSI on 21 st April 2020. T. Allen said that he would ask the Panel Secretary to notify Panel members as soon as a meeting room had been secured.	
	CLOSE	
	The Chair closed the meeting by thanking everyone for their attendance and input. He also expressed the thanks of the whole Panel to R. Tombs and his team from Yoti for their kind hospitality for today's meeting.	
	The meeting closed at 15:55	