

Protecting Eden: Pornography and Age Verification Down Under

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Sex on the screen and on the page has often incurred the wrath of Australian censors. Over the years, the opaquely functioning Office of Film and Literature Classification has been guarding Australians like the children of Eden, fearful that their sensibilities might be corrupted. But Australian politicians and various advocacy groups have broadened their interest over the years to focus on the Internet and how best to regulate both posted content and access to it.

Pornography features highly in this effort. In April former opposition leader and shadow minister for government services **Bill Shorten** [remarked](#) to the National Press Club that, “Children have too easy access to pornography in this country online ... I think a lot of parents are oblivious.” While not claiming to be a censor, he still insisted that children “shouldn’t be getting their sex education from hardcore pornography.”

The House of Representatives Standing Committee on Social Policy and Legal Affairs is also exercised about the subject, having tabled a [report](#) in February 2020 asking the Digital Transformation Agency (DTA), working with the Australian Cybersecurity Centre, to develop a regime for online verification that would limit access to such services as online wagering and pornography. “These standards will help to ensure that online age verification is accurate and effective, and that the process for legitimate consumers is easy, safe, and secure.”

The report’s title is suggestive of a broader moral mission: *Protecting the Age of Innocence*. Much material is marshalled against pornography. The average age of a child first exposed to porn was somewhere between eight or 10 years of age. Its consumption led to harm, be it in terms of education, health, relationships and wellbeing.

The committee was firm in suggesting that the eSafety Commissioner steer the “development of a roadmap for implementation of a regime of mandatory age verification for online pornographic material”. This would be “part of a broader, holistic approach to address the risks and harms associated with online pornography.”

The government [response](#) to the report was made last month, supporting age restrictions on accessing such material “in principle”. “The government is committed to protecting young people while safeguarding the privacy and security of people of all ages in an increasingly digital environment.”

An acknowledgment was made that technology could only be “part of the solution.” The response notes that parental engagement and education should also constitute a “multifaceted approach” in reducing “the adverse effects of online pornography and other harmful content.” But there is agreement “that the Digital Transformation Agency is well placed to explore extending the digital identity program.” The government’s initial focus “will be to complete work underway that explores the potential for changes to the policy and accreditation framework ... Depending upon the findings of this work, further technical interventions may be required.”

The DTA has been enthusiastic about the merits of its Trusted Digital Identity Framework. In its [submission](#) to the House of Representatives Standing Committee on Social Policy and Legal Affairs in 2019, it claims that, “Digital identity does not involve a unique identifier, nor does it allow tracking of online activities. Instead, it provides a means for a person to authenticate their identity online.”

The eSafety Commissioner **Julie Inman Grant** is now engaged in exploring various means of age verification, and [promises results](#) in this crusade to shield children from pornography. “The last thing anyone wants is for this material, which is becoming increasingly violent and degrading towards women, or the less dominant intimate partner, becoming the de facto sex education tool for a generation of children.”

The use of digital ID for reasons of verifying age is a subject of concern for the cyber fraternity. Matt Warren of RMIT University [wonders](#) if such policies might well encourage children to explore other realms of the digital frontier such as the dark web. “Society norms wouldn’t apply there because they’re not regulated or policed.” The problem would not only remain unaddressed but could be worsened.

Cyber expert Susan McLean, while not necessarily convinced that children would plunge into the world of dark web pursuits, [suggests](#) old fashioned parental guidance and restraint. Age verification measures, were they to be used, had to be more than mere box ticking. “On its own, it’s not going to work.” It needed to be supplemented by education. “We need support for parents, we need education for parents.”

This firm push for regulating Internet content and access [should also be read alongside the Online Safety Bill](#), which [is directed](#) at improving online safety through enlarging the cyber-bullying scheme to remove material harmful to children found on services other than social media; establish a adult cyber-abuse scheme, where material seriously harmful to adults may be removed; and create an image-based abuse scheme, where intimate images shared without consent may be scrubbed.

While the spirit of the scheme may be laudable, its effects are unlikely to be. Such regimes [tend to encourage](#) the deletion of links relevant to sex education while restricting access to what are otherwise deemed legitimate services (dating apps, escort advertising platforms). Digital Rights Watch [warns](#) that such activities as watching porn, visiting kinky websites or maintaining subscriptions to adult content will fall within the remit of the eSafety Commissioner “to tell you what you can and cannot see.”

As with most measures tinged by moral outrage and paternalistic indignation, the outcomes of these policies may well prove not only self-defeating but even more pernicious than the ills they seek to address. Be wary of the law of unintended consequences.

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