[GB] Ofcom's enforcement programme into age assurance measures on UK-established adult VSPs - findings after six months of activity

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On 10 January 2023, Ofcom launched its enforcement programme into age assurance measures on UK-established adult video-sharing platforms (VSP) – the goal of which is to look at age assurance measures in place on VSPs specialising in adult content under Ofcom's jurisdiction.

Ofcom may launch so-called enforcement programmes to look at a problem or area of concern relating to a particular group of stakeholders – in this case VSPs – or to a whole sector. The launch of the programme coincided with Ofcom entering the second year of the VSP regime, following the October 2022 report on the first year of VSP regulation which highlighted that many platforms specialised in videos containing pornographic material ("adult VSPs") "do not appear to have measures that are robust enough to stop children accessing pornographic material".

According to Ofcom's opening text from 10 January, the objectives are to assess age assurance measures implemented by notified VSPs and ensure their robustness, to identify possible adult VSPs falling in the scope of the VSP regime which have not notified their service to Ofcom (as required under the framework set out in Part 4B of the Communications Act 2003) and adult VSPs which have not put in place appropriate measures to protect minors from pornographic content. It also aims to provide Ofcom with a better understanding of the challenges that adult VSP services face when considering the implementation of age assurance measures and help in setting realistic expectations.

On 15 June Ofcom published an update on their findings after six months. A number of non-notified adult VSPs that may fall within the scope of the VSP regime and which do not appear to have appropriate age assurance measures in place have been identified. Ofcom has continuously been engaging with such VSPs to determine whether they are required to comply with the VSP regime. Ofcom notes that one platform chose to simply close down its service following Ofcom's engagement. An investigation has also been opened into Secure Live Media Ltd, believed to be the provider of an adult VSP.

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Ofcom has also engaged with smaller adult VSP providers to better understand the measures they have in place and set a deadline for improvement, should it be deemed necessary. It has yielded results, as several of them have already taken steps to improve their access controls for underage users.

These months of work have given Ofcom a better understanding of the challenges of implementing any age assurance measures but also of the respective merits of the different methods.

During the next three months, Ofcom will continue engaging with notified adult VSPs and the ones it suspects may fall under the VSP regime, and it will further its investigation into Secure Live Media Ltd. An update will be published after that period.

Enforcement programme into age assurance measures on UK-established adult video-sharing platforms

https://www.ofcom.org.uk/about-ofcom/bulletins/enforcement-bulletin/open-cases/cw_01266?utm_medium=email&utm_campaign=Weekly%20publications%20update%2016%20June%202023&utm_content=Weekly%20publications%20update%2016%20June%202023+CID_b5fc269b064eda0dc6aadd5a43752f1c&utm_source=updates&utm_term=Enforcement%20programme%20update%20Age%20assurance%20measures%20on%20UK-established%20adult%20video-sharing%20platforms

Guidance: Video-sharing platforms - who needs to notify to Ofcom?

https://www.ofcom.org.uk/online-safety/information-for-industry/vsp-regulation/guidance-who-to-notify-to-ofcom

Ofcom's first year of video-sharing platform regulation

https://www.ofcom.org.uk/online-safety/information-for-industry/vsp-regulation/first-year-report

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