

Your response

Question	Your response
<p>Question 1: Do you have any comments on Section 3 of the draft guidance on harmful material and related definitions?</p>	
<p>Question 2: Do you have any comments on the draft guidance about measures which relate to terms and conditions, including how they can be implemented?</p>	
<p>Question 3: Regarding terms and conditions which prohibit relevant harmful material, do you have any comments on Ofcom's view that effective protection of users is unlikely to be achieved without having this measure in place and it being implemented effectively?</p>	
<p>Question 4: Do you have any comments on Ofcom's view that, where providers have terms and conditions requiring uploaders to notify them if a video contains restricted material, additional steps will need be taken in response to this notification to achieve effective protection of under-18s, such as applying a rating or restricting access?</p>	
<p>Question 5: Do you have any comments on the draft guidance about reporting or flagging mechanisms, including on Ofcom's view that reports and flagging mechanisms are central to protecting users?</p>	
<p>Question 6: Do you have any comments on the draft guidance about systems for viewers to rate harmful material, or on other tagging or rating mechanisms?</p>	
<p>Question 7: Do you have any comments on the draft guidance about age assurance and age verification, including Ofcom's interpretation of the VSP Framework that VSPs containing pornographic material and material unsuitable for classification must have robust age verification in place?</p>	<p>It's hard to see how our sites could survive age verification.</p> <p>The first problem would be the uploaders – would they be willing to age verify or just find another platform to upload their material?</p> <p>To tell people you can't upload here unless you age verify is not exactly a selling point, especially when it's extremely easy for them to find other platforms where they don't have to age verify.</p> <p>On our biggest site we only have 25 uploaders anyway, so even losing a few of them would be greatly damaging.</p>

The problem is that we don't have any content of our own. We're just a platform, not a content provider. Others have to provide the content.

So age verification isn't a measure which would set age verification for viewing the content, it would only set age verification for viewing the content ON OUR PLATFORM. Which people could avoid with the greatest of ease by just utilising a different platform. Would anyone be willing to age verify? What incentive could we give them?

They have 3 sound alternatives. Firstly, other video sharing sites, some of which are very well known and already attract some uploaders which we would like to have. Second, social media sites. Some of our videos are short enough to be uploaded to Twitter. Plus there are now other "twitters" which allow longer videos are which wouldn't be subject to age verification. Third, it only takes a few minutes for someone to start their own blog or other site where they could upload as they wish.

Again, age verification would not deter people from sharing their content, it would just deter them from sharing it via OUR PLATFORM.

The second problem would be the site visitors. How many would be willing to age verify, just for our sites? It probably wouldn't be many.

When age verification was proposed previously it was an across the board measure, which would have given people a good incentive to do it. Now it's different. Now it would only be aimed at a select few of us, meaning that most people would surely be reluctant to go through with it. The issue again here is that we don't have any content of our own. We can't say to people that we have the kind of content that you can't find elsewhere. Our main site receives on average less than one new video a day. It's enough to interest people, but would it be enough to get them to age verify?

These 2 problems are also overlapping, because if there are less visitors then there is even less reason for anyone to upload, even if they were willing to age verify, and in the same way if there were less uploaders there is less reason for anyone to visit the site, even if they were willing to age verify.

Asking us to age verify would put us at such a disadvantage that it would be a struggle to get people to upload or to even visit the site.

Even our main site is a very small site – it gets one upload a day. I don't see how we could survive when virtually all our competition would not be subject to the same measures.

Question 8: Do you have any views on the practicalities or costs relating to the implementation of robust age

Even given the above reply to the previous question, I would nevertheless still be willing to give age verification a go and see if it could be made to work –

verification systems to prevent under-18s from accessing pornographic material and material unsuitable for classification? Please provide evidence to support your answer wherever possible.

if there was any way of doing it which would be reasonable for us and wouldn't act as too much of a deterrent to people. If I gave it a go and it failed to work at least I would have tried.

I'm still in the early stages of assessing age verification systems, so I can't comment here in great detail, but so far the costs appear to be wholly impractical for us. Our sites do not have any direct income of their own, so have no profit or proceeds out of which age verification could be funded. We aren't selling anything either, so have no prices that we could adjust to cover such costs. On what I've seen so far, nobody has come up with an age verification system which is aimed at sites like ours. They are aimed either at much bigger sites or they are aimed at sites which age verify at 'checkout'.

Another point is that paying for an age verification system which I suspect wouldn't even get used very often isn't a promising option. Paying for something which when installed would quite possibly kill the site off wouldn't appear to be the best idea.

As regards practicalities, to have any chance at all of working for us any age verification system would have to be simple. I can't imagine many people being willing to use their passport or something of that kind in order to view adult material. They would be highly wary about doing anything like that. Discussions about this were played out at length under the previous age verification proposals. It was said over and over that people would be reluctant to compromise their anonymity like this, but some of the previous proposed solutions involved someone being asked to verify their age somewhere generally, not for any one particular site, which is a different matter entirely. If someone had a way of verifying their age generally they might be willing to do it. I can't see many people being willing to age verify just for one of my sites, unless it was something very simple, like inputting a mobile phone number.

If we had any unique content it might be different, but we don't.

For us, these current proposals are very considerably worse than the previous age verification proposals. For two reasons. Firstly, it not being an across the board proposal anymore, but us having to introduce age verification when virtually nobody else had to. Which would make public acceptance very difficult to achieve. And secondly, there not being any general solution this time, but something which had to be specific to our sites, with all the difficulties and costs which that would entail.

Question 9: Do you have any comments on the draft guidance about parental control systems?

<p>Question 10: Do you have any comments on the draft guidance about the measure regarding complaints processes or on the regulatory requirement to provide for an impartial dispute resolution procedure?</p>	
<p>Question 11: Do you have any comments on the draft guidance about media literacy tools and information?</p>	
<p>Question 12: Do you have any comments on the with the draft guidance provided about the practicable and proportionate criteria VSP providers must have regard to when determining which measures are appropriate to take to protect users from harm?</p>	
<p>Question 13: Do you have any comments on the draft guidance about assessing and managing risk?</p>	
<p>Question 14: Do you have any comments on the impact assessment in Annex 1, including the potential impacts to VSPs outlined in tables 1 and 2, and any of the potential costs incurred (including any we have not identified)?</p>	<p>I am still in the early stages of assessing costs, but from what I've seen so far I would be surprised if there was any available solution which would be an affordable cost for us. Nobody has a solution with us in mind.</p> <p>Privacy concerns would be horrendous to overcome. Why would people risk their privacy when there are so many other sites they could visit? Why risk their privacy when they simply don't need to?</p> <p>At the end of the day we have content which is tame by internet standards. You can find vastly more graphic content on dear old Twitter than we have – you don't even need to visit adult sites to find more graphic content.</p> <p>It's mind boggling really to think that people would risk their privacy (whether it really is a risk or not) to see the kind of content that we have.</p> <p>As for the uploaders, none of our uploaders receive any commercial benefit, which therefore poses the inevitable question of why would they bother uploading at all if they were required to age verify in order to do so. They have plenty of alternatives.</p>

Question 15: Do you have any comments on our provisional assessment that the potential costs for providers are proportionate to achieve the regulatory requirements of the regime?

Costs will be a huge deterrent to anyone entering the market. It's a great advantage to the bigger sites, because it means that nobody can try and compete with them.

I'd be surprised if anyone of our size can make age verification work, especially with our kind of content. I've spoken to many people in the adult industry. I haven't found anyone yet who thinks we could make it work.

Twitter has considerably more graphic content and they wouldn't require anyone to age verify – what chance do we stand?

Question 16: Do you have any comments on any other part of the draft guidance?