

Resources



Court Cases

- [The legal and policy landscape of age assurance online for child safety and well-being](#), OECD
- [Age assurance practices of 50 online services used by children](#), OECD
- [U.S. Age Assurance Is Beginning to Come of Age: The Long Path Toward Protecting Children Online and Safeguarding Access to the Internet](#), Common Sense Media
- [But how do they know it's a child?](#), 5Rights
- [What happens once you know it's a child? Rethinking age assurance for a rights-respecting digital world](#), 5Rights
- [Weighing in on the Age Verification Debate: Risk-Based Approaches To Minimizing Harm for Child Users](#), Public Knowledge
- [Age Verification: The Complicated Effort to Protect Youth Online](#), OTI
- [Children's Rights and Online Age Assurance Systems: The Way Forward](#), The International Journal of Children's Rights
- [Social Media Age-Verification Legislation](#), R Street Institute
- [Mapping age assurance typologies and requirements](#), European Commission
- [States lead the way in regulating social media use by minors](#), The Cincinnati Herald
- [The Kids Aren't Alright Online: How To Build a Safer, Better Internet for Everyone](#), Public Knowledge
- [Supreme Court Upholds Age Verification: A Game-Changer for Child Online Safety Laws](#), PIPC
- [The Age of Age Restrictions Poses Policy Dilemmas for Kids Online Safety](#), Tech Policy Press
- [When Age Assurance Laws Meet Chatbots](#), Tech Policy Press
- [Check the age of the child and parental consent while respecting the child's privacy](#), CNIL
- [Age Verification in the United States](#), Tech Policy Press
- [Exploring Privacy-Preserving Age Verification: A Close Look at Zero-Knowledge Proofs](#), OTI
- [Analyzing the 2025 Children's Privacy Laws and Regulations](#), Troutman Pepper Locke
- [Supreme Court allows restrictions on children's access to social media to remain in place](#), SCOTUSblog
- [Free Speech Coalition v. Paxton, 606 U.S. 461 \(2025\)](#)
- [Netchoice v. Griffin \(1\)](#)
- [Netchoice v. Griffin \(2\)](#)
- [Netchoice v. Bonta \(1\)](#)
- [Netchoice v. Bonta \(2\)](#)
- [Netchoice v. Weiser](#)
- [NetChoice & CCIA v. Uthmeier](#)
- [CCIA & NetChoice v. Uthmeier](#)
- [Free Speech Coalition v. Moody](#)
- [Netchoice v. Carr](#)
- [Free Speech Coalition v. Rokita](#)
- [Free Speech Coalition v. LeBlanc](#)
- [Netchoice v. Murrill](#)
- [Netchoice v. Brown](#)
- [Netchoice v. Ellison](#)
- [Netchoice v. Fitch](#)
- [Free Speech Coalition v. Knudsen](#)
- [Netchoice v. Yost](#)
- [Netchoice v. Skrmetti](#)
- [Free Speech Coalition v. Skrmetti](#)
- [Netchoice & CCIA v. Paxton](#)
- [CCIA & NetChoice v. Paxton](#)
- [Students Engaged in Advancing Texas v. Paxton](#)
- [Free Speech Coalition v. Paxton](#)
- [CCIA v. Paxton](#)



Protecting children online – why it matters

ICO and Ofcom research shows that the design of online services can increase the potential for harm, exposing children to a wide range of risks online.

Children benefit from being online

- 81% of children and adults **benefit from learning online**
- 68% of children report going online to **stay connected to friends**
- Over seven in ten (73% of 8-17s) **play games** online

Many do not have an age-appropriate experience...

- 53% of children (8-12) have a **social media profile...**
- ...and a fifth (20%) of these children **have a profile that makes them aged 18+**
- Children view their data as a commodity to trade for access to services
- Age appropriate design undermined by self-declaration

...with harmful experience unavoidable

- 62% of children (13-17) had encountered a **potential harm online**
- Children more likely to have seen **suicide, self-harm, and eating disorder content** than most adults
- Loss of control of data, physical or psychological harms



UK digital regulators' remits related to age assurance



Data Protection

Responsible for the UK GDPR and DPA 2018, the Children's code (or the Age appropriate design code)

Online Safety

Responsible for making online services safer for the people who use them, especially children, under the UK Online Safety Act 2023



Are children accessing your service?

- Review likely to be accessed guidance
- Review your terms of service
- Identify if under 13s / under 18s are accessing – self-dec not considered an effective means of accurately establishing user age.

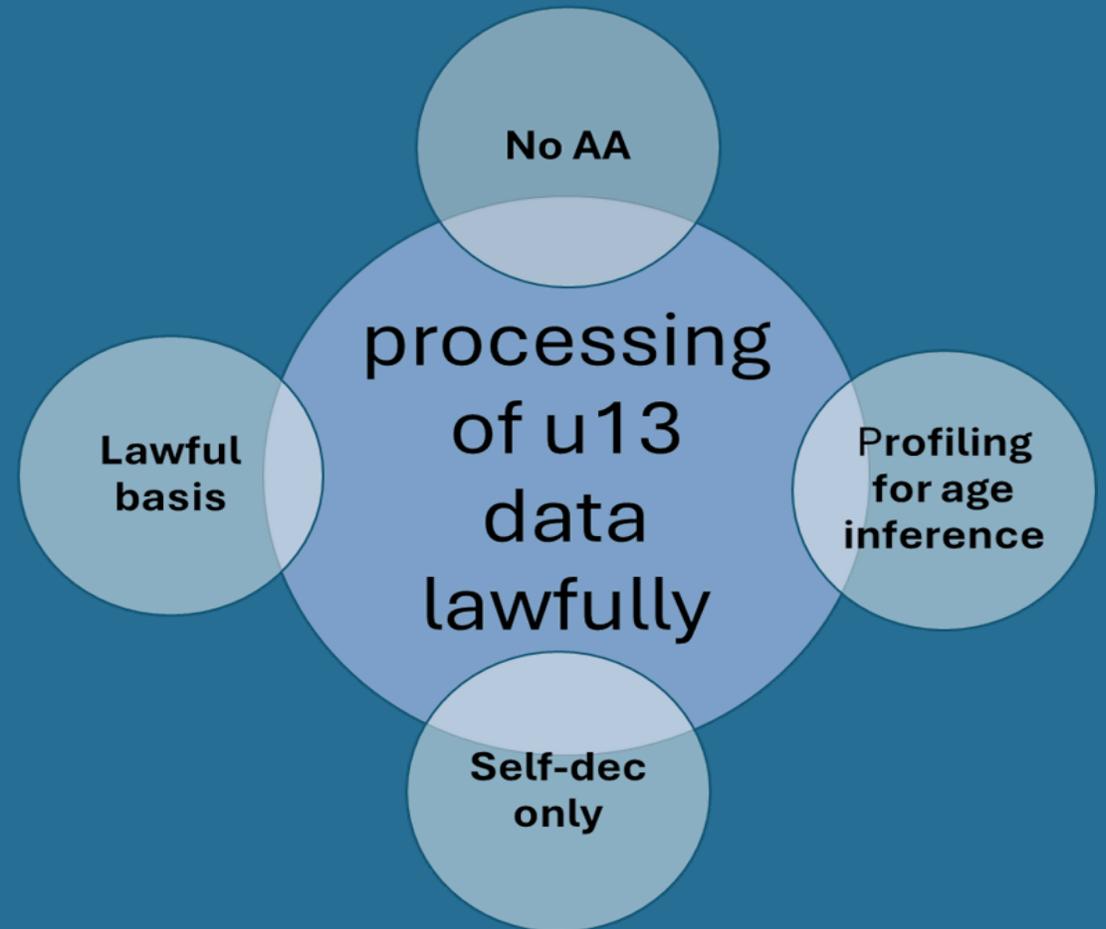


ICO age assurance priorities

You need to know if children are using your service to effectively protect their data.

Processing children's data must be done lawfully.

Take a risk-based approach to recognising the age of individual users and ensure you effectively apply the standards in the Children's code to child users.





Implementing age assurance

Ofcom – Highly effective age assurance

Capable of being highly effective:

- Credit card checks
- Open banking
- Photo-ID matching
- Facial age estimation
- MNO age checks
- Digital identity services
- Email-based age estimation

Not capable of being highly effective:

- Self-declaration
- Debit cards
- General contractual restrictions on the use of the service by children

ICO – Waterfall approach (13 age gate)

Age
inference
profiling

Self-declaration



Age estimation



Age verification



Vouching



Y/N; data deleted



How do I meet data protection requirements?

DP principles

- Lawfulness, fairness, transparency
- Purpose limitation
- Data minimisation
- Accuracy
- Storage limitation
- Integrity and confidentiality
- Accountability

Art 5.1 – DP principles

Art 25 – DP by design and default

Art 6 – lawful basis

Art 35 – DPIAs

Art 8 – compliance with consent requirements

Controller/processor relationships



European age assurance

Legislative framework

GDPR

Digital Services Act

Audiovisual Media
Services Directive

EDPB principles to design GDPR-compliant age assurance

Risk-based assessment of the proportionality of age assurance
Prevent data protection risks of age assurance measures
Purpose limitation and data minimisation
Effectiveness of age assurance (accessible, reliable and robust)
Lawful, fair and transparent
Use of automated decision making
Automated decision making 'should not concern a child'
Art 25 State of the art
Security
Accountability



International

