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Video games classification: a consultation

Dear Secretary of State,

Tiga welcomes the opportunity to respond to the above consultation document. Our response is set out in three parts. Part I provides you with more information about Tiga. Part II outlines Tiga's general perspective on the classification system for video games. Part III gives Tiga's specific response to the policy options contained in the consultation paper.

Part I: about Tiga

Tiga is the only games developers' association representing the interests of games developers throughout the UK. We have 160 member companies including games developers, outsourcing firms, technology businesses and universities. Tiga's vision is to make the UK the best place in the world to do games business. We focus on three sets of activities: political representation, generating media coverage and developing services that enhance the competitiveness of our members. This means that Tiga members are effectively represented in the corridors of power, their voice is heard in the media and they receive benefits that make a material difference to their businesses, including a reduction in costs and improved commercial opportunities.

Part II: Tiga's perspective on the classification of video games

Dr Tanya Byron recommended that any new classification system should meet nine essential elements¹:

1. There must be a trustworthy, uniform and clear set of symbols or labels to categorise the age ratings with accompanying descriptors which explain game content.
2. There must be the power to refuse to certify certain titles so they cannot be sold (or supplied) in the UK.

¹ See *Video games classification: a consultation* (Department for Culture, Media and Sport), p. 8.

3. There must be a statutory basis to the video game classification system from the age of 12 onwards.
4. There should continue to be a non-statutory system up to the age of 12.
5. Any system must be flexible and future proof.
6. The system must work for the games industry.
7. The system must support retailers.
8. The system must reflect the evidence on potential harm.
9. Government and industry must take into account how the system will translate into online gaming.

Tiga sympathises with these recommendations. Tiga in particular believes that, as a bare minimum, the system for classifying video games should aim to achieve the following three objectives:

- protect children and young people from potentially harmful or inappropriate material on the internet and in video games;
- give consumers, particularly parents, adequate information to enable them to make informed choices about the content of video games and material on the internet;
- provide game developers and publishers with an effective, efficient and responsive process that ensures that games are rated accurately, quickly and as cheaply as possible; the regulatory and financial burden on the UK games industry must be kept to a minimum given the competitive threats that the industry faces.

The UK games development sector is a world class industry, creating products for global consumption. We develop games not only for the UK market but for many others too. For many game developers, the USA market is at least as important as the UK market. By extension, the regulatory system governing the classification of video games in other countries is as important to some games developers as the system that pertains in the UK.

The issues of greatest importance to the UK games development sector are economic in nature. Our industry faces subsidised competition from abroad and skills shortages at home. For the majority of UK games developers, measures to promote a more favourable tax environment (through the provision of a tax break for games production or reductions in corporation tax) and steps to address skills shortages (principally to increase the supply of good quality graduates in mathematics and computer science) are of more pressing importance than the nature of the UK's video classification system.

Part III: Tiga's response to the Government's four policy options

The Government's four options

The Government's consultation document suggests four different approaches to classifying video games.

Option 1: Hybrid classification system (the Byron 'solution')

The BBFC would rate all games that are only suitable for players over the age of 12. PEGI would rate all 3+ and 7+ games.

Option 2: Enhanced BBFC system

The BBFC would act as the sole statutory classification body for all video games, applying its ratings from U to 18. It could refuse to classify games it feels are potentially harmful.

Option 3: Enhanced PEGI system

A UK-based body, potentially the Video Standards Council, would be designated statutory classification body for video games, applying the PEGI ratings which would be enforceable in law. All video games would be rated using the PEGI system. The only role for the BBFC would be to classify film content which is not integral to the game.

Option 4: Voluntary code of practice

The current system of dual classification would continue to exist. The Government would ask retailers and suppliers to sign up to a voluntary Code of Practice to secure support for the classification system when selling/supplying games to children aged 12 or above. However, no statutory offence would be committed if they violated the Code.

Tiga's response

Option 1: Hybrid classification system (the Byron 'solution')

This option would increase costs for some games developers. Under this option, more games would be classified by the BBFC. Those games developers that also publish games and who export to countries where PEGI operates would have to pay at least two sets of classification fees (to the BBFC and to PEGI). Additionally, it is questionable whether having two sets of logos on a video game pack will clarify or cloud consumer and parental understanding.

Option 2: Enhanced BBFC system

If this system was adopted the UK's classification system would differ from that being used in many European and some non-European countries. This system would entail an increase in costs for many games businesses as they would have to comply with both the BBFC and the PEGI classification systems. It is simpler for the industry to have to comply with just one classification system in Europe.

This approach could also result in BBFC symbols being used on packaged video games and PEGI being used for online games.

Option 3: Enhanced PEGI system

This approach would be simpler for many games businesses because they would not typically have to comply with the BBFC's classification system (the exception being if a boxed game included film and video content). Compliance costs would therefore be generally cheaper with this option.

The online games industry is also likely to support this approach because the PEGI Online method for rating games is common to many European countries.

The Byron Report recommended that the power should exist so that certain video game titles can be refused certification and therefore be prohibited from sale in the UK. If the Government is to meet this objective then it would have to empower and properly resource an institution like the Video Standards Council to exercise this authority.

If this model was to be adopted, some improvements to PEGI would have to be undertaken. For example, the PEGI pictograms need to be improved and properly publicised in order to enhance consumers' understanding of the PEGI system.

Option 4: Voluntary Code of Practice

Given the Government's belief that all nine of the Byron Report's recommendations for a new video games classification system should be met, this option does not look plausible. The Byron Report called for a statutory basis to the video game classification system from the age of 12 onwards; a voluntary Code of Practice would self-evidently not satisfy this objective.

Conclusion

The UK games development sector would like the reformed classification system to protect children and young people from potentially harmful or inappropriate material; provide consumers with sufficient information to enable them to make informed choices about purchasing games and viewing content on the internet; ensure that the classification system is enforced; and ensure that games are rated accurately, quickly and as cost effectively as possible. PEGI, therefore, must have a central role in the new classification system.

With respect to the issue of banning games, Tiga believes that any organisation that can ban video games in the UK must be absolutely transparent as to its reasons and decision making process. Additionally, the organisation in question should use people who actually play games and who understand the games industry when deciding whether to ban games.²

Yours sincerely,

Dr Richard Wilson
CEO of Tiga

² At present, the BBFC refuses to disclose the full list of reasons it applied when deciding to ban *Manhunt 2*. In addition, the decision to ban *Manhunt 2* was taken by four people who do not play video games. See Vincent Scheurer, "The BBFC has no place in the games industry", *Interactive Issue* 03 October 2008 (Tiga).