

At the Unterhaltungs software - Selbstkontrolle (USK), we have been following with interest the debate in Great Britain about the future direction of video game classification in Britain following the Byron Review. I thought that you may welcome a German perspective, especially since we had a similar debate in 2002/3 as a result of public and political concern about the violent content of video games and their potential to harm children. Many of the arguments we are hearing in Britain in 2008 were played out five years ago in Germany. Please feel free to pass on any of this information to the Government if you think it would help their deliberations on the subject.

I therefore attach an abstract explaining how Germany classifies video games. The points which are of particular relevance to your present debate include:

- Germany strengthened the protection of children in 2003 by making it a legal requirement for video games to carry age ratings;
- rather than choose PEGI, or any other self-regulatory system, Germany chose to employ genuinely independent national experts to rate games;
- rather than adopt unsatisfactory classification criteria based on a simplistic and flawed methodology, Germany preferred to adopt a national classification system based on German sensibilities and notions of harm;
- USK experts must be independent of the video game industry to ensure that their classification decisions are based on the protection of children rather than on commercial considerations. The fact that PEGI is owned and controlled by publishers cast doubts as to its independence and was a factor in the decision not to adopt PEGI in Germany;
- USK experts do not focus purely on visual detail. They take full account of tone, the context of a game, and the pleasures it offers to the gamer, including the immersive experience. Germany chose not to adopt a "tick box" methodology because this is a crude and inappropriate way of rating a game and which can result in strange decisions as we saw at the conference in Berlin last week.

Although I do not wish to express a preference for any of the four options outlined by the Government, I should say that if the BBFC was not chosen to classify video games in Britain, this would mean an unfortunate end to the excellent cooperation the USK has with the BBFC. Our two organisations are working together to improve the protection of children from harmful content in video games, both now and in future. Between Germany and Great Britain, we cover much more than 50% of the European games market. Because of our concerns over PEGI systems and methodology, the USK would not be able to replicate this work with PEGI, with a consequent risk of damaging child protection in this area.

I have been following some of the arguments put by games publishers against the BBFC. In many respects, these are the same arguments which were made against independent video game regulation in Germany in 2002/3. But as soon as the 2003 Law was passed, games publishers quickly adapted to the new procedures. I may

say that cooperation and relations between publishers and the USK are excellent. The video game industry has not collapsed under the burden of independent, expert regulation. Indeed, the industry continues to thrive in Germany.

I was interested in the Government's thinking on packaging under Option 1. In Germany, both USK and PEGI ratings appear on packaging. This works well where the ratings are the same. But where the ratings are different, the consumer is often confused. You may wish to learn from the German experience in this regard.

Yours sincerely,

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