



**The Family Online Safety Institute's response to the European
Commission Public Consultation on Age Verification, Cross Media
Rating and Classification, Online Social Networking
July 2008**

Overview

The Family Online Safety Institute (FOSI), formerly the Internet Content Rating Association (ICRA), is an international, not-for-profit membership-based organisation with offices in the United Kingdom and Washington DC.

Founded in 1996, the Family Online Safety Institute works to make the online world safer for kids and their families by identifying and promoting best practice, tools and methods in the field of online safety, while respecting free expression.

We do this through the development of public policy, technology, education and special events. FOSI is a trusted convener, bringing together leaders in government, industry and the nonprofit sectors to collaborate and innovate to develop new solutions for child safety in a Web 2.0 world.

The current members of FOSI include AOL, AT&T, Blue Coat Systems, BT Retail, Cisco, Comcast, Cisco, Crisp Thinking, Fox Interactive Media, France Telecom, Google, GSM Association, Kingston Communications, Loopt, Ning, Microsoft, Mpower Media, Privo, RuleSpace, Sentinel, Telefonica, TELMEX, The Wireless Foundation and Verizon.

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To learn more about the Institute go to www.fosi.org.

Name of the organisation: FAMILY ONLINE SAFETY INSTITUTE

Questionnaire 1: Cross media rating and classification

With the current trend towards platform and media convergence, the opportunity and feasibility of cross media rating systems need to be discussed. In its recent Communication on the protection of consumers, in particular minors, in respect of the use of video games, the Commission welcomes and supports further efforts to achieve a self-regulatory and co-regulatory cross media, pan-European age rating system.

One session of the Safer Internet Forum 2008 (25-26 September) will be dedicated to this topic. In order to collect facts and views on this issue, the European Commission launches a public consultation with the following questions:

- 1. Of which media rating systems are you aware in your country. Has there been an attempt to implement a cross-media rating system? If yes, what are the positive outcomes of it and its success factors? If no, what could be used as a starting point towards a cross media rating system?**

As an international organisation, FOSI supports all media rating systems that help families select content that is safe and age appropriate. Around the world, governments and industry are responding to a convergence of digital devices, content and services. The prospect of almost universal access to the Internet is within view and it is logical that cross-media rating systems will emerge as part of this trend.

Currently, most European countries have some kind of voluntary or regulated rating system for film, TV and video games. For the most part they reflect the priorities of their respective cultures and are rarely cross-media. However, some countries are either considering, or starting to implement, what are effectively cross-media rating systems.

For example, one of the key recommendations of the Byron Report¹, commissioned by the UK government, published in March 2008 and currently being implemented in the UK, includes the use of the British Board of Film Classification (BBFC²) and Pan-European Game Information (PEGI³) on video games packaging and point-of-sale material in the UK.

Although there is considerable disagreement between the ratings organisations involved, the UK could provide an important role model for other countries to follow. The positive outcome for parents is that it should make it easier to select video games that are appropriate to their child's age. If that same rating system extended to films (an already trusted rating environment) then families will find it easier to make the right choices. Overall, industry has an excellent track record in creating, implementing and enforcing voluntary rating schemes. That these should be combined with broader regulatory rating schemes to create a cross-media rating platform is the logical next step.

One distinction that is worth making, however, is that a converged rating system cannot mean that the same rating will always appear on a film and an associated video game. People interact with video games in a qualitatively different way than they do when watching a film: one is role-play; the other is the total suspension of disbelief. This difference must be reflected in the ratings, even if the same set of symbols is used to show that, for example, a film is classified as 15 and the related film is classified at 18.

2. What are the main obstacles moving towards a pan-European cross media rating system?

Many countries in Europe have well-established media rating systems. These reflect the cultural values and language diversity of a geography with over 300 million households. That diversity inevitably makes it harder to create cross-media agreement, or indeed cross-border systems of any kind. To take an example, James Cameron's film *Titanic* was classified as U in France and 12 in the UK (and the DVD was classified as 18 in Korea).

3. What role should the different stakeholders play (industry, public bodies, etc.), towards implementing a pan-European cross media rating system?

FOSI has worked with stakeholders in Europe and North America to facilitate dialogue amongst both its membership and non-member organisations⁴. In this far-reaching dialogue, the parties all share best practice.

In July 2008, FOSI hosted a roundtable at the Oxford Internet Institute (OII) – a prime example of sharing best practice in which cross-media rating systems were discussed in detail. The roundtable, entitled *Educating Rita 2.0 – Effective Methods and Messages in Online Safety Education*, included a keynote speech from Dr. Tanya Byron and subsequent roundtable discussion. This event followed the success of FOSI's first Online Safety Education Initiative roundtable at the National Cable & Telecommunications Association in the United States (NCTA) in April 2008, with a special viewing of the PBS Frontline documentary *Growing Up Online*. The producer, Rachel Dretzin, took questions afterwards, followed by a roundtable on the state of online safety education.

- 4. Are you aware of relevant research, pilot projects, or national cross media rating initiatives? If published online, please provide us with the relevant URL.**

With the creation of the UK Council for Child Internet Safety (UKCCIS) in September 2008 and the implementation of the Byron Action Plan, video games will effectively use the PEGI and BBFC rating systems on packaging.

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Questionnaire 2: Age Verification

Various systems are used by internet, content and service providers, and mobile operators to verify the age of their users, and provide appropriate services linked to that age (e.g. access to adult content, access to social networking communities for adult only or above a certain age like 13).

One session of the Safer Internet Forum 2008 (25-26 September) will be dedicated to this topic. In order to collect facts and views on this issue, the European Commission launches a public consultation with the following questions:

1. Which age verification systems are you aware of? In which domains are they being used?

Very few age verification systems can be truly effective at preventing minors accessing inappropriate content or contact-based services.

Most adult or 18+ verification systems are part of an online credit card transaction or contract. This is particularly the case with mobile phones⁵, where premium rate calls require a credit card and/or an identity check. Even in this environment pre-paid cards or the transfer of a previously registered adult handset could mean that such restrictions may not be correctly applied or alternatively assume a level of anonymity that would be difficult to check.

2. Do you think that these systems are efficient? If yes, please state why. If no, why do you think they are unsatisfactory?

The Family Online Safety Institute believes that current age verification systems are broadly effective. Although the anonymity of the Internet will always present a challenge, for minors it is becoming increasingly difficult to circumvent these systems. However, predation remains a challenge.

3. Are you aware of legal requirements in your country for providers of online services to verify the age of their visitors/customers?

4. Are you aware of relevant research, pilot projects or national initiatives towards age verification on the internet? If published online, please provide us with the relevant URL.

Age ratings for downloaded video content and video games have been introduced in the UK. Run by the British Board of Film Classification, BBFC Online means that certificates appear on websites and in streamed content in the same way as they appear in cinemas. Many leading content providers and aggregators are working to implement this well-respected rating system.

PEGI Online achieves the same for online gaming services such as Microsoft's Xbox Live, Sony's PlayStation Network and Nintendo's WiiWare, all of which offer video and games for download.

FOSI is in contact with both organisations and intends to work with them to make use of the expected W3C POWDER Recommendations (allied to the Quatro Plus project) in the medium-term future so that these ratings can be made technically interoperable and machine readable.

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Questionnaire 3: Online Social Networking

Online social networking is a communication service typical of the “second generation” online world sometimes referred to as Web 2.0. Social networking sites (SNSs) are inclusive, participatory services which embody these principles fully. Users can place themselves in a social space of their own choice, engaging with others on their own terms whatever their physical or material circumstances. The popularity of SNSs, and the many opportunities for social interaction which they offer, must count as one of the most striking and potentially powerful benefits of the Internet.

SNSs are especially popular with young people, who represent the majority of users on many sites. Minors have been born into the digital age and are well equipped to grasp the opportunities which social networking offers. This raises safety issues which the Commission wants to explore in the next Safer Internet Forum (25-26 September). In order to collect facts and views on this topic, the European Commission launches a public consultation with the following questions:

- 1. What risks are minors most likely to encounter on SNSs? Are you aware of relevant research or statistics? If published online please provide us with the relevant URL.**

There is strong evidence⁶ to indicate that social networking sites are posing some risks to children. It is FOSI’s view, however, that given the recent and rapid growth of social networks, the current providers are responding well to likely risks. In Europe and the US in particular, these vendors⁷ have worked closely with government and regulatory bodies to introduce guidance for the industry, as well as for families.

Many of the leading social networking vendors in the US, UK, Australia and other jurisdictions share similar terms and conditions in relation to their dealings with children. In particular, the minimum age at which a young person can register as a user is 13 years. Much of this stems from the Children’s Online Privacy Protection Act (COPPA), that was introduced in the United States in 1998⁸ and the UK Data Protection Act⁹. Both pieces of legislation aim to protect children’s personal information by placing a number of requirements on online providers, including only allowing users over 13 years of age to register for a service without parental consent.

As children access social networks via mobile phones, so the risk of unsupervised Internet access outside of the home becomes a consideration. However, the mobile operators themselves, having participated in establishing best practice, actively seek to promote safer Internet usage, particularly amongst minors.

2. What controls, if any, should be available to parents over their children's SNS accounts? Should parents be allowed to cancel accounts or change profiles of their children?

It is FOSI's view that children's social networking accounts should not be available to parents, or that they should be able to change accounts or profile. Subject to the child being over 13, parents should encourage children to act responsibly on social network web sites. In fact, there is evidence that children may view parental intrusion of this kind as an invasion of their privacy¹⁰. FOSI's believes it is far better to engender in children a level of trust and have this supported by good online safety education beginning at an early age.

The first UK Social Networking Guidance¹¹ published in April 2008, is an excellent example of self-regulation by the industry. It provides advice for industry, parents and children about how to stay safe online. This has been developed by a taskforce of representatives from industry, charity and law enforcement agencies, including Vodafone, the Child Exploitation and Online Protection Centre (CEOP) and the National Society for the Prevention of Cruelty to Children (NSPCC).

The report provides industry with guidance on chat rooms, instant messaging and web-based services that encourages clear safety messages and advice, and user-friendly ways of reporting abuse.

3. Which tools are the most appropriate to protect minors when using SNSs? What further steps should SNS providers take to reduce the risks to minors on their sites?

In the last few years new technologies have emerged that give social network providers some new, more effective tools to protect minors. Coupled with a range of monitoring mechanisms, 'report abuse' options and obscene language detection, social networks are able to respond well to the majority of inappropriate usage. Even predation is increasingly being tackled with a number of new technologies from companies like Crisp Thinking¹². Its anti-grooming (AGE) and anti-bullying technology, for example, uses sophisticated tools to monitor, analyse and assess online relationships as they develop over a period of time. It does this by examining live online chat and instant messenger conversations. Along with sophisticated content analysis, this technology provides valuable support to providers of social networks, interactive and user generated content.

4. What should Member States do in order to improve the safe use of SNSs by minors? (E.g. legislation, co-regulation, awareness activities, introduction of the subject into the educational curricula, etc).

Member States are already working with major social network providers to ensure minors can use their communities safely and appropriately. Industry also funds best practice guidance, as well as a number of successful educational and Internet safety awareness programmes.

REFERENCES

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¹ Byron Action Plan: http://www.dfes.gov.uk/byronreview/pdfs/byron_action_plan.pdf

² BBFC: <http://www.bbfc.co.uk/>

³ PEGI: <http://www.pegi.info/en/index/id/176>

⁴ Family Online Safety Institute: <http://www.fosi.org/events/previous/>

Questionnaire 2: Age Verification

⁵ Teach Today: <http://teacheachtoday.eu>

Questionnaire 3: Online Social Networking

⁶ The UK's Child Exploitation and Online Protection Centre (CEOP):
http://www.ceop.gov.uk/mediacentre/pressreleases/2006/ceop_04122006.asp

⁷ MySpace Safety & Security Guidance:
http://www.myspace.com/index.cfm?fuseaction=cms.viewpage&placement=safety_pagehome

⁸ Children's Online Privacy Protection Act (1998) COPPA:
<http://www.ftc.gov/bcp/online/pubs/buspubs/coppa.shtm>

⁹ UK Data Protection Act (1998): http://www.opsi.gov.uk/Acts/Acts1998/ukpga_19980029_en_1

¹⁰ UK Children Go Online Report (October 2003): <http://www.lse.ac.uk/collections/children-go-online/>

¹¹ UK Home Office Task Force on Child Protection on the Internet: Good practice guidance for the providers of social networking and other user interactive services 2008:
<http://police.homeoffice.gov.uk/publications/operational-policing/social-networking-guidance>

¹² Crisp Thinking: <http://www.crispthinking.com>