

Summary

To hear, to see and to obtain?

A study into the functioning of the self-regulations systems Kijkwijzer and PEGI (Pan European Game Information)

To inform parents about and protect children and adolescents against violent or otherwise harmful media content, a system of self-regulation was introduced in the Netherlands. This started with the foundation of the Dutch Institute for the Classification of Audiovisual Media (NICAM) in 1999. The NICAM introduced a classification system (called Kijkwijzer) consisting of age pictograms and content warning pictograms for audiovisual media productions, such as television programs and movies. The pictograms are placed on covers, packing materials, posters, and other advertising materials, and are also shown at the start of a movie or television program. Kijkwijzer was officially introduced in 2001. Two years later, the Interactive Software Federation of Europe (ISFE) introduced PEGI, a similar system specifically aimed at games. According to the NICAM, Kijkwijzer is primarily meant to inform parents and teachers about the harmfulness of audiovisual products for children below certain ages. In addition, Kijkwijzer helps the audiovisual business to comply with the Dutch Media Law and the Criminal Law, which state that children under the age of sixteen must be protected against harmful media. Kijkwijzer informs about the harmfulness of media for children below a certain age (6, 12, 16 years), whereas PEGI informs about the suitability of media above a certain age (3+, 7+, 12+, 16+ and 18+). Whether a game is suitable or a dvd or movie is harmful depends on the specific content of the game or dvd/movie.

Kijkwijzer and PEGI are both systems that are being maintained by the lines of business concerned. The lines of business consist of television broadcasting stations, cinemas, video and dvd rental companies, libraries, department stores, toy stores, cd/dvd stores and game shops. This report focuses on the effectiveness and functioning of both systems of self-regulation, with special emphasis on the degree of compliance with the age restrictions prescribed by Kijkwijzer and PEGI. Based on a literature study and document analysis, several parameters for effectiveness have been identified, which then were empirically investigated. The parameters are:

- the penetration of the systems;
- the coverage of the systems;
- the degree of maintenance (complaint system and penalties);
- the degree of compliance with the age restrictions by the lines of business;
- the degree of compliance with the age restriction by television stations;
- the execution of the advice function by the lines of business;
- the knowledge about and support for both systems within the lines of business;
- reasons to comply with the systems or not;
- potential side-effects of the Kijkwijzer and PEGI pictograms.

Penetration of Kijkwijzer and PEGI

The penetration of Kijkwijzer and PEGI refers to the number of producers, distributors and television broadcasting stations that joined the systems. Concerning Kijkwijzer, document analysis and interviews showed that a (self-reported) penetration of 95% is realized. Specifically, among television broadcasting stations (national and commercial) and cinemas the penetration is 100%. The range among record stores and video stores appeared to be 90% and 80% respectively. With Dutch mobile phone providers a new agreement has been made. Part of this agreement is the introduction of a new system mainly aiming at erotic content.

The penetration of PEGI increased considerably, after the large game consoles Microsoft (X-box), Nintendo (Nintendo and Wii) and Sony (Playstation) had joined the system. These game consoles are responsible for about 95% of all commercial sales of games. Game publishers who develop games for

these game consoles are required to use the PEGI classifications. Otherwise no license is given. A current leak in the system is the Internet. However, with the new initiative PEGI-online the ISFE also works on this problem. According to NICAM, 220 companies have joined PEGI in 2006.

Coverage

Coverage refers to the number of classifications placed on audiovisual products. According to representatives of NICAM, the producers and distributors who joined NICAM are responsible for about 97% of all audiovisual products in the Netherlands. In 2006, 2,317 audiovisual products were classified.

NICAM also manages the archives in which all PEGI classified games are stored. In 2006 the total number of classified games was more than 5,000.

Maintenance (complaints system and penalty)

The complaint procedure of Kijkwijzer is accessible: it only takes a relatively small effort to issue a complaint. Besides, the complaint procedure is made public in a clear way. In general, the handling of a complaint takes a week, but when an official complaint procedure is started this will take two months. There are also possibilities for an expedited procedure. The members of the complaints board and appeals committees operate independently. Meetings can normally be attended by the public and verdicts are distributed to the General Board, to the complainant and to the defendant. The verdict is also published anonymously both on the website and in the annual reports. An important drawback of the current complaint systems is that incidents concerning the sales of audiovisual products to minors are not eligible for a complaint. Furthermore, anonymous complaints will not be considered, and it is unknown to what extent the public is aware of the complaint procedure.

If a complaint concerning Kijkwijzer is granted, the complaints board can impose one or more sanctions. If the complaints board of PEGI determines that a game requires a higher age classification, the game is withdrawn from sales until new packing materials with the correct age classification are reprinted. This implies considerable costs for a publisher and ensures that the publishers will operate carefully when classifying games. The promotion materials, too, have to be readjusted.

Degree of compliance with age restrictions by the lines of business

In one of the empirical studies, it was examined to what extent the lines of business comply with age restrictions imposed by Kijkwijzer and PEGI. The systems imply that no audiovisual products (dvd, game or cinema ticket) may be sold to children and adolescents who are too young for the Kijkwijzer or PEGI classification. In this study, mystery shoppers of 11 and 15 years made in total 528 purchase attempts for audiovisual products with the age classifications *12 years* and *16 years*. The 11-year-old mystery shoppers tried to buy or rent products with the classifications *12* and *16 years*; the 15-year-old mystery shoppers tried to buy or rent products with the age classification *16 years*. The participating adolescents were selected by teachers. Furthermore, an age-verification test involving 80 respondents confirmed the perceived age of the mysteryshoppers. Several suppliers of audiovisual products were visited, namely department stores, toy stores, cd/dvd stores, gameshops, video and dvd rental companies, libraries, and cinemas.

The visits of the mystery shoppers showed that it was quite easy for adolescents to obtain a dvd, game or cinema ticket for which they were too young. The compliance rate was only 14%; 86% of all purchase attempts proved to be successful. In cinemas, the compliance rate was 28%, followed by cd/dvd stores and video stores where an hiring attempt was conducted (both 19%), video stores where a purchase attempt was conducted (17%), game shops (10%), toy stores and libraries (both 8%), and, finally, department stores (3%). In the majority of the visits (89%), the adolescents could get the products without any intervention (no questions about the age or the ID of the adolescent). If an intervention took place (11%), adolescents sometimes could still obtain the dvd, game or cinema

ticket. Asking about the adolescents' age had a preventive effect in 34 of the 45 cases. Asking for an ID resulted in a sale in 6 of 9 cases. Of all visits, only three involved a combination of the two interventions; in all three cases, the dvd or game was eventually not sold to the adolescent. When there was no intervention (471 times), the purchase attempt was successful in the vast majority of the cases (93%).

Degree of compliance by television stations

To examine the compliance with the age classifications by television stations broadcastings, a content analysis was conducted. This study comprised all television programs (and program components) broadcast during one week (18 hours per day, the 12 large TV channels). For television, too, compliance with the rules is an essential condition for the functioning of the self-regulation system. In this case, compliance relates to *coverage* (the extent to which Kijkwijzer classifications are assigned to programs), *broadcasting time* (programs which are classified for younger age groups are not allowed to be broadcast before a certain time slot) and *characterisations of the pictograms* (size of the pictogram and screening time).

During the week of the research, Kijkwijzer was shown on television 985 times, which is 21% of the total number of programs or program components of that week (4,641). Concerning broadcasting time, this study shows that, in contradiction to the regulations, during this television week 31 (3%) program components with the age classification 12 years were broadcast before 8 PM, and that 25 (3%) program components with the age classification 16 years were broadcast before 10 PM. Remarkably enough, hardly any complaints are being issued on this matter. It is unclear what the possible cause may be.

Execution of the advice function by the lines of business

How do sale employees deal with their advice function? Do they consider Kijkwijzer and PEGI to be useful instruments? These questions were answered by means of so-called mysterycalls. Sale employees of several suppliers of audiovisual products were telephoned by research assistants. In these phone calls, the research assistants pretended to be a concerned father (75 calls by a male research assistant) or mother (74 calls by a female research assistant). The research assistants asked the sale employees for advice with regard to the age classifications on a dvd, game or cinema movie. The parents wanted to know, whether they could safely expose their children to a movie or game with age classifications that were too high for their child. Again, three conditions were included in this study (parents asking for advice concerning an 11-year-old child and a classification *12 years*, an 11-year-old child and a classification *16 years*, and a 15-year-old child and a classification *16 years*). The results of the mystery calls confirm the findings of the mystery shopping study. Kijkwijzer and PEGI do not appear to be very important to the sale employees when they gave their advice. Only 35% of all mystery calls ended with an advice that complied with the rules of Kijkwijzer or PEGI. Half of these negative recommendations were explicitly based on the Kijkwijzer or PEGI age classifications. In all other cases advice was given on the basis of other considerations. Sale employees were more flexible when the distance between the adolescent's age and the age classification was relatively small. When the distance became larger, sale employees tended to comply more with the Kijkwijzer or PEGI classifications. Sale employees seem to consider their own knowledge concerning the content of movies or games to be equally important as the age classifications. Furthermore, many sale employees tended to assign the responsibility for deciding whether or not it would be wise to expose children to a movie or game to the parents, even though the parents had explicitly asked them for help.

Knowledge about and support for both systems

In another study, a survey with written questionnaires was used to shed more light on the question why sale employees do not comply with the age restrictions of Kijkwijzer and PEGI. The respondents were

sale employees of libraries, video and dvd rental companies, cinemas, department stores, toy shops, cd/dvd stores and game shops. In the questionnaire, respondents were asked about (a) their knowledge of the systems Kijkwijzer and PEGI, (b) their support for these systems, and (c) the reasons why they would or would not comply with the systems.

The results of this study show that the vendors had more knowledge of Kijkwijzer than of PEGI. It became clear that sale employees do not always know the meaning of the pictograms, and that it was not entirely clear to them on which products they could expect Kijkwijzer- or PEGI-classifications. Besides, the legal status of the age restrictions caused problems. Sale employees frequently did not know the legal status of the *12 years* classification. Furthermore, sale employees indicated that non-compliance with the rules would normally not be discovered. Visits of external inspectors were not to be expected. Sale employees also thought that when adolescents were refused a purchase, they would be able to buy the dvd or game in another shop. They generally estimated that the age restrictions of Kijkwijzer and PEGI were less observed in other shops. Sale employees did not think that they or the shops they worked for were responsible for the adolescents' purchases. They thought that especially the adolescents' parents, and, to a lesser extent, the adolescents themselves, were responsible.

Reasons to comply with the systems or not

The results of the survey show that three factors may influence the sale employees' degree of compliance. The first factor is their personal acceptance of the systems. The individual perceptions of the sale employees, rather than the perceptions on the level of the store, may influence the willingness of sale employees to comply with the rules. A second important factor involves the legal basis for the age restrictions. Employees' willingness to comply increases when they know that there is a legal basis for the systems. The third factor is the perceived degree of (external) surveillance. Compliance may increase when sale employees are aware of the possibility of external monitoring activities. In the current situation, factors like sanctions and practical concerns do not seem to be very relevant. However, when sale employees were asked directly why they would not comply with the system, they often mentioned practical barriers (for example: the prevention of conflicts with customers and the difficulty of assessing the age of children and adolescents).

Potential side-effects of the Kijkwijzer and PEGI pictograms

An experimental study was designed to investigate whether the pictograms of Kijkwijzer and PEGI would have an appealing effect on adolescents. In the experiment, 332 elementary school students and 337 high school students were exposed to 10 covers of dvds or games. The participants were asked to judge the attractiveness of the dvds and games. Four of the covers were shown without any pictograms, and served as fillers). The remaining six covers formed the experimental material. Participants were randomly assigned to a dvd or game condition. Then, in two age categories (9-11 years and 13-15 years) they were randomly assigned to eight groups. These groups were based on the presence of an age pictogram (no classification, all ages, 12 years and 16 years) and on the presence or absence of a combination of three warning labels (violence, sexuality and abusive language). The results show that the pictograms of Kijkwijzer and PEGI are not appealing to adolescents. Still, the adolescents seem to pay some attention to the pictograms. The appreciation of the elementary school students was influenced negatively by the warning labels, and the high school students preferred dvds and games with the classification *12 years* above dvds and games for *all ages*.

Conclusions

Self-regulation comprises several activities. *Normative guidelines, implementation* (setting up and application) and *enforcement* may be distinguished (Dorbeck-Jung, Oude Vrielink & Reussing; 2006). The lines of business concerned seem to focus especially on the normative guidelines, and less (or not at all) on implementation and enforcement. This report shows that sale employees do not take the age

classifications very seriously. It is quite easy for adolescents to obtain a dvd, game or cinema ticket for which they are too young. The attitude of sale employees towards the systems Kijkwijzer and PEGI seems to be crucial. At present, sale employees do not consider the systems as a regulations, but as some kind of information and/or recommendations for parents. This lack of engagement means an indifferent attitude with respect to the age classifications, which does not contribute to the protection of adolescents against harmful media content. The information on the harmfulness of a movie or a game is available, but the question is whether this information is (sufficiently) used. When testing the advice function of sale employees (with mystery calls), it can be seen that sale employees give insufficient and wrong advice. Given the social importance involved in protecting children and adolescents against harmful media content, it is necessary that sale employees will play a more active role in the future.

The weakest link in both systems involves the actual purchase moment. Stores and individual sale employees do not seem to be aware of the necessity to comply with the regulations. Individual sale employees are not adequately informed about Kijkwijzer and PEGI. They do not have sufficient knowledge about the meaning of all pictograms and the legal basis of both systems. Moreover, their shops pay very little attention to Kijkwijzer and PEGI. Sale employees also perceive adolescents and/or parents to be not well informed about the implications of the systems as well. Given the current level of enforcement, not selling a dvd or game to someone who is too young will appear strange. Vendors indicate that they do not believe that the public expects them to actively comply with Kijkwijzer and PEGI. Given these considerations, the effectiveness of both systems relies on the willingness of individual sale employees to take the age limits seriously, in spite of the economic benefits of selling the audiovisual product.

Further, the external control mechanisms to monitor compliance are problematic at this moment. In the perception of sale employees, there is no real chance that someone will check whether or not they comply with the age restrictions. As a result, no feedback will emerge on the actual functioning of Kijkwijzer and PEGI. The complaint procedure is not informative in this respect as well: it is simply not possible to issue a complaint about compliance.

To conclude, studies on the quality of Kijkwijzer (and PEGI) are being conducted by NICAM. In those studies, results are reported on the correctness of the age classifications of television programs, promos, music videos, cinema movies and movie trailers. Reliability tests among coders are also reported, as well as results of studies into the reputation of Kijkwijzer, the use of the classifications by the public and the opinion of adolescent, parents and other parties concerning Kijkwijzer. Finally, an overview is given of all the complaints that were brought to the complaints board. However, no reports are available that pay attention to the compliance with the age restrictions by cinemas, video and dvd rental companies, libraries, department stores, toy stores, cd/dvd stores and game shops.