

# Risico's, voordelen en regulering van games



# Summary (English)

## Background

The popularity of video gaming raises new concerns and amplifies existing concerns. Like other media behavior, gaming influences both mental and physical health. Sometimes gaming becomes an addiction-like behavior. Innovative monetization models and related game design choices are increasingly seen as a concern. "Loot boxes", randomized treasure chests that provide game content, are one example. Following new monetization models, games are now directly influencing gamer's time, money and their social environment. Historically gamers all paid the same amount for a game. Now, the revenue stream revolves around the volume of in-game purchases done by players. To what extent should the Dutch government, both local and in international collaboration, respond to these developments in the video gaming landscape?

## Aim

The current study explored the currently popular games and their features. The risks and benefits of video games in general were explored as well. It was assessed to what extent these risks and benefits can be linked to the most popular games. It was also examined which policy measures, regulation and self-regulation are present in the Netherlands: to what extent do the measures cover existing risks and promote gaming benefits? Which needs for regulation exist, according to experts? Finally, the international landscape with regards to regulation of games was explored with an eye on useful lessons for the protection of gamers in the Netherlands.

## Method

Thirty popular games were the starting point for the analysis. These games were selected by combining public and quasi closed sources. The characteristics of the games were assessed via digital field research and written sources. The known risks and benefits of video games were derived from a systematic reduction of the subjects studied in the scientific literature on games (N=46,000 articles included). Analytical case descriptions were drafted for three games per platform (pc/console/mobile). Current efforts to regulate, self-regulate and the necessity to do so were established via interviews with three researchers/health care professionals, seven representatives from the gaming industry, and ten government policy professionals. In the international context, experts in gaming research from the UK and South Korea were interviewed, as well as an expert in the online protection of children.

## Conclusions

### Risks and benefits of games

The following benefits were established in the literature: instrumental use of games to improve health, games for education, and positive mental-social health benefits from games (among which: gaming is fun). The following risks were established in the literature: various risks for mental, social and physical health, the role of in-game culture (e.g. toxic communities, misogyny), exposure to marketing, gambling and gambling simulation, problematic gaming/gaming disorder, and harmful or manipulative choices in game design. There is much debate about the relationship between games and substance use, and the relationship between aggression and games is heavily contested.

### Popular games and their features

The thirty most popular games in the Netherlands were identified (e.g. Call of Duty franchise, Minecraft, Roblox, Grand Theft Auto). In each of these games it is possible to spend additional money via in-game purchases. Games are regularly free-to-play, but depend completely on in-game transactions to generate revenue. Game monetization steers game design and impacts the gamer and the gamer's health and finances beyond the game. Game design patterns and behavioral manipulation of the player increasingly receives attention. Detailed analysis of nine specific games reveals that each of these popular games reveals some type of player manipulation in relation to the monetization model. Positive design patterns, improving the players wellbeing, are rarely seen in the games.

### Experts about regulation and self-regulation

Most of the interviewed experts indicated that policy measures, or (self) regulation are necessary in the Netherlands for the following subjects: mental/social health risks of games, games and marketing, problematic gaming/gaming disorder, the interplay between gambling & games, and harmful/manipulative design choices. The Netherlands has gaming policy: the KSA's crackdown on loot boxes (in-game purchases with a randomized outcome) is an example of this. That said, the gaming policy is very fragmented within the government. There are various initiatives, from both the government and industry, with regards to the (self) regulation. For example, education efforts and subsidies for gaming-oriented projects. These initiatives are regularly not well connected to each other.

Within government, responsibilities for subjects are not always clearly assigned: particularly when the subjects are situated in a grey, intermediary area. With a lack of conceptual clarity about innovative monetization approaches, some potential risks are at risk of becoming overlooked, policy wise. This includes issues such as: simulated gambling, playing games for real-money prizes, hidden algorithms that maximize

revenue via game design, and the influence of battle-pass systems – in which players pre-commit to regular play. The effectiveness of existing measures to combat gaming risks is largely unknown to experts. The Dutch government has limited insight into the effectiveness of self-regulation efforts as efforts are not formally evaluated. Moreover, it is questionable how effective Dutch government regulation is, especially with regards to gambling and harmful design choices. Institutions are held to their legal mandate, and complex monetization models - such as loot boxes - only partially conform to legal frameworks. Even when boundaries are clear, the international gaming companies do not automatically conform to Dutch rules.

Data about gamer behavior, gamer expenses, and gamer's time playing are exclusively in the hands of the industry, with a central financial interest. This creates a Catch-22 situation. The data-driven research to illustrate the scope of the problems, as well as their solutions, is in the hands of a party with financial interests that can conflict with the health protection aims.

Full transparency and open research into these data could cause significant financial damage to these companies, at least in the short term. So far, the gaming industry has not managed to coherently respond to the presence of vulnerable people within the games either, while this group is increasingly relevant with increased pressure on the consumer's behavior.

### **International comparison**

The international comparison revealed that challenges are not unique to the Netherlands. The British government is actively considering a new regulator, South-Korea forces spending limits in games, and UNICEF is providing detailed instructions to game companies that include warnings about not deceiving players and avoiding behavioral manipulation of children via design choices. Without external oversight, many of these instructions are free to be ignored.

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