



The Mobile Broadband Group
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A response from the Mobile Broadband Group to the European Commission's consultation on Age Verification, Cross Media Rating and Classification and Online Social Networking

1. The Mobile Broadband Group (MBG) welcomes the opportunity to respond to the European Commission's public consultation on age verification, cross media rating and classification and online social networking.
2. The MBG was founded in 2002 and represents the UK operations of O2, Orange, T-Mobile, Virgin Mobile, Vodafone and 3, working on a range of public policy issues around, for example, content, payment mechanisms, location services and advertising.
3. The MBG has been a member of the Home Secretary's Task Force for child protection on the Internet and will be represented on the newly formed UK Council for Child Internet Safety. All MBG members are supporters of the Internet Watch Foundation, the UK's hotline for reporting illegal images found online, and the MBG represents the mobile operators on the UK's Committee for Advertising Practice, the self-regulatory body that oversees non-broadcast (including on-line) advertising in the UK.
4. In 2004, the MBG published the UK Code of Practice for the self-regulation of new forms of content on mobile and appointed the Independent Mobile Classification Body (www.imcb.org.uk) to provide an independent classification framework against which content providers for mobile can classify as **18** content unsuitable for consumption by children.
5. As a consequence, the MBG feels well qualified to comment on the first two parts of this consultation but has not made a response to question 3.

Cross media rating systems in the UK

6. There are a number of formal and informal rating systems used in the UK for a variety of media. Cinema films are classified by the British Board of Film Classification (BBFC), as are Videos and DVDs. The visual symbols used are the same. The BBFC also has a role in classifying adult video games. These systems rely on each individual item being submitted for assessment.

7. The Video Standards Council oversees the system of rating of non-adult games using the Pan European Games Institution (PEGI) system. Games sold only for mobile are not usually rated. If an adult mobile game were made available it would be subject to the IMCB classification framework. In practice, no such game has been offered in the market.
8. Commercial content made available on a mobile, as mentioned in paragraph 4, is subject to the IMCB's classification framework. Any content with an **18** classification is placed behind access controls and is not made available to the customer until the mobile network, through a process of age verification, has satisfied itself the customer is at least eighteen years old. The system does not rely on visual symbols, as mobile operators do not believe that parents of children using mobiles would consider that mere symbols would give adequate protection in the context.
9. The IMCB framework is closely based on standards used in other media and has been very successful. Complaints coming into operators and regulators about inappropriate content on mobile are negligible and the IMCB itself has only had to resolve one formal dispute where a content provider has mis-classified content. The system has recently been subject to independent review by Ofcom. The results will be published shortly but we understand that Ofcom agree that this system is a good example of effective self-regulation. Operators also provide signposting for their own portal content, including, if relevant, warnings about content that customers may find offensive.
10. The television companies in the UK each have their own method of communicating information about content that is targeted at their particular audience and is consistent with their brand values. The system is more informal than, say BBFC or PEGI, and relies on a combination of G for guidance, backed up with fuller written explanations, and oral communications prior to broadcast. Digital broadcasters and video on demand providers provide PIN protection for some services.
11. A further method of signalling content is through the telephone numbering system whereby the regulator, Ofcom, designates certain number ranges to denote the nature of content accessible through the telephone (for example premium rate sexual entertainment services).
12. In 2006/07, the MBG was party to discussions led by the Broadband Stakeholder Group and which included TV companies, Internet Service Providers, Search providers, Ofcom, BBFC amongst others.
13. The objective was to consider the best approach to providing appropriate signposting for content in a variety of media contexts.
14. The group discussed the possibility of providing a uniform system for all UK platforms and firmly rejected the idea on the grounds that it would be too confusing to customers and insufficiently nuanced to provide a single system that conveyed the appropriate information in all the different contexts.
15. Furthermore, in order to set up such a system, it is almost certain that there would need to be some central regulatory body that determined the standards for TV, cinema, radio etc.. This would very likely lead to the unjustified abandonment

of self-regulatory schemes that are functioning well (such as the IMCB) and cause further cost without any apparent consumer gain.

16. Instead, the BSG group published Good Practice Principles for the provision of information about content. Many providers are already meeting the good practice principles and it is intended that the group will in the medium term carry out a review to check what progress other providers are making towards meeting the Good Practice Principles. This will ensure that the GPMs are meaningful and provide the necessary information to consumers.
17. The MBG does not agree with the idea of a pan European cross media rating on the same grounds. In addition, a pan European system would suffer from the problem that, for cultural reasons, individual member states have varying standards of taste and decency. It would be highly inappropriate to impose, for example, the UK's tastes on other member states, or worse, to attempt to find a standard that satisfied all.

Age Verification

18. As was mentioned in the previous section, mobile operators do not make available commercial content classified as **18** until they have satisfied themselves, through a robust process, that the customer is at least eighteen years old.
19. Mobile operators use a variety of methods – physical verification in store, verification against credit reference agency lists such as Experian and processing transactions on credit cards (but not debit or prepaid cards that can be used by minors). The mobile operators recognise that it would be possible for a minor to use an adult's credit card without permission. A low value transaction is therefore processed through the card (and immediately credited), so that an item will appear on the credit card bill. This gives the customer notice if the card is used without permission. The MBG is not aware of credit cards being misused in this way, though.
20. Indeed, since the self-regulatory code for new forms of content came fully into effect in 2005, complaints about minors accessing inappropriate content on mobiles have been negligible, despite very strong growth in the number of minors possessing a mobile. This is strong evidence that the age verification procedures of the mobile operators work well.
21. Verifying age at a distance, including on-line, is well known to be complex, because of the difficulty of confirming that the person being verified is the person providing the back-up information and because of the lack of suitable methods of validation for those under the age of 18, particularly in the UK, where there is no national ID card.
22. The MBG is confident that the systems currently used for verifying those that are at least eighteen is reasonably efficient. We would welcome systems that can provide simple and secure methods for verifying the age of those under eighteen, providing they are widely adopted and would not unnecessarily exclude consumers from digital services.
23. The MBG would suggest, though, that the most important threshold for age verification is eighteen, where the UK and most member states strike the cut-off

point for adult products such as the purchase of alcohol, erotic entertainment and gambling. The majority of public policy concerns will be dealt with if there is reliable age verification for that threshold, which is demonstrably achievable.

24. For younger age groups, the search should continue for reliable and widely available methods of age verification but regulators should not force solutions that are not widely available and thus unnecessarily restrict young consumers' ability to participate in new services, when there is no compelling reason for doing so. In parallel consumers can continue to be educated in the importance of, for their own protection, self-providing accurate information about age.