

TO: CITY MANAGER July 12, 2000
FROM: DIRECTOR PLANNING AND BUILDING OUR FILE: 17.817
SUBJECT: VIOLENCE IN VIDEO AND COMPUTER GAMES

PURPOSE: To provide information on current initiatives to curb the violence, hatred and sexual exploitation to which young people are exposed through video and other computer-based games.

RECOMMENDATIONS:

1. **THAT** Council request staff to prepare a possible amendment to the resolution which will be debated at the 2000 UBCM Convention to include hatred and sexual exploitation, with or without violence as a context, in the list of elements for which films, videos, and computer-based games should be screened.
2. **THAT** Council write to the Provincial Attorney General and the B.C. Film Classification Branch requesting that hatred and sexual exploitation, with or without violence as a context, be included in the elements for which films, videos and computer-based games are screened.
3. **THAT** Council write to the Federal Minister of Justice requesting that appropriate action to curb violence, hatred and sexual exploitation in video and other computer-based games be taken at the Federal level.
4. **THAT** copies of this report be forwarded to:
 - a. the Community Issues & Social Planning Committee
 - b. the Family Court & Youth Justice Committee
 - c. the Community Policing Committee
 - d. the Members of Parliament for Burnaby
 - e. the Members of the Legislative Assembly for Burnaby
 - f. Senator Ray Perrault
 - g. Mr. Cran Campbell

REPORT

1.0 BACKGROUND

At its meeting of 2000 May 15, Council considered correspondence from Mr. Cran Campbell, in which he outlined his concerns regarding the violence that is marketed through video and other interactive computer games. Mr. Campbell has written to a number of municipal councils in the Lower Mainland about his concerns, as well as to the Provincial Attorney General, several Provincial Members of the Legislature and Federal Members of Parliament, and the Provincial Film Classification Branch. Council referred Mr. Campbell's correspondence to the Community Issues & Social Planning Committee, which received Mr. Campbell as a delegation at its meeting of 2000 May 24. As a result of Mr. Campbell's presentation, the Committee requested that staff prepare a report on curbing violence in video games, and forward the report directly to Council. The Committee also requested that copies of the report be forwarded to Burnaby's Members of Parliament, Burnaby's Members of the Legislative Assembly, and Senator Ray Perrault.

This report responds to the Committee's requests.

2.0 PREVIOUS BURNABY INITIATIVES ON THE ISSUE

In 1993 and 1994, Burnaby's Community Issues & Social Planning Committee and its Family Court and Youth Justice Committee considered the social consequences of the Serial Killer Board Game and other video and electronic games which expose young people to violence, hatred, and sexually explicit material. Their deliberations resulted in a request from Burnaby City Council to the Federal government to amend the definition of "obscene" in the Criminal Code of Canada (and in the Tariff Code) to include acts of violence or hatred outside of a sexual context, and to apply this definition to video and other games targeted to young people. Burnaby Council also sponsored a resolution at the 1994 convention of the Union of British Columbia Municipalities (UBCM) which requested the Provincial government to:

- broaden the Provincial Motion Picture Act to include video games in the definition of "motion pictures" and to require video games to be submitted for classification based on their level of violence, hatred or sexual exploitation, whether or not they qualify as "adult" material;
- instruct the Provincial Director of Film Classification to regulate arcades and other venues offering video games as if they were theatres;
- amend the Provincial Trade Practice Act to include consumer transactions involving minors and video and other types of games depicting violence, hatred or sexual exploitation in the list of "unconscionable acts or practices" restricted by the Act.

The resolution was approved by the Convention. UBCM and City staff have been monitoring progress on the requests to the Province on an ongoing basis since 1994. The Province dismissed the third request by noting that the inclusion of consumer transactions involving minors and video and other types of games in the Trade Practice Act does not fit with the type of protection offered to consumers by that Act, which is designed to provide recourse for unfair business transactions. With regards the other two requests, the Province, after discussions with the video industry, agreed to an industry-regulated rating system to provide consumers with information on the age suitability of various games as an alternative to government regulation. The Attorney General at the time indicated, however, that the Province would be prepared to re-examine the merits of amending legislation should industry self-regulation fail.

With regards Burnaby's request to the federal government, similar recommendations have been forwarded to the Government by a number of federal committees over the years, including the Special Committee on Pornography and Prostitution (1985), and the House of Commons Standing Committees on Communications and Culture (1993) and on Justice and Legal Affairs (1994). It is staff's understanding that the Federal government is considering a number of initiatives, although not outright amendment of the definition of "obscene" in the Criminal Code. The government's caution on the matter can be attributed to the likelihood that any attempt on its part to directly or indirectly regulate representations of violence in the media will be met with challenges under the Canadian Charter of Rights and Freedoms. A number of high-profile cases which may contribute to the debate are still before the courts.

At the recent convention of the Federation of Canadian Municipalities (FCM), a proposal from the Corporation of Delta to have the Attorney General amend the Motion Picture Act to include all electronic, computer and video games, and to screen and rate all such games before their release to the public was referred to one of the FCM's standing committees. The committee and the FCM Board review potential resolutions three times yearly.

3.0 CURRENT INITIATIVES

As a result of Mr. Campbell's efforts, resolutions regarding curbing violence in video games have been submitted to the UBCM for consideration at the 2000 convention by three British Columbia municipalities. The resolutions are as follows:

"That the Provincial Government enact regulations for video games which are similar to those currently in effect to rate movies. " (City of Vancouver)

“That the Provincial Attorney General be requested to give serious consideration to the introduction of a standard classification system for interactive computer video games.” (District of North Vancouver)

“That the Attorney General have the Motion Picture Act amended to include all electronic, computer and video games, and that these games be screened and rated before being released to the public.” (Corporation of Delta)

A number of other Lower Mainland municipalities have written to Members of Parliament, British Columbia senators, the Federal Justice Minister, Members of the Legislative Assembly, B.C.’s Attorney General and other municipalities in support of one or other of the resolutions. One of the resolutions will be debated at the UBCM convention in October 2000.

Also as a result of Mr. Campbell’s recent efforts, the Provincial Attorney General has directed his staff to review all policy and legislative options for providing a classification system for video games, and to report to him within a few months. It is likely that the Province will establish a Working Group, composed of municipal, video game industry and consumer representatives to develop recommendations on the matter. Given Burnaby’s historic interest in the issue, the City is likely to be invited to serve on the Working Group. It is possible that the Working Group will complete its work, and that there will be a Provincial announcement on video game classification before the UBCM convention.

4.0 OUTSTANDING CONCERNS

At the present time, hatred and sexual exploitation of children and youth, which were included in Burnaby’s 1994 UBCM resolution, are not included in the list of elements for which movies are screened. Those elements include violence, gory scenes, coarse language, nudity, and suggestive scenes and language. Detail on existing film classification categories is *attached* as Appendix 1. Therefore, even if the Vancouver or Delta resolution were approved at the UBCM convention and the Province were to act on it, hatred and sexual exploitation in a non-violent context would not necessarily be identified and would not necessarily affect the classification of the video game. The North Vancouver resolution is broader, but provides no specific direction to the Province as to what elements video games should be screened for. Depending on which resolution is debated at the Convention, Burnaby’s representatives may wish to propose an amendment which would request screening for hatred and sexual exploitation, with or without violence as a context.

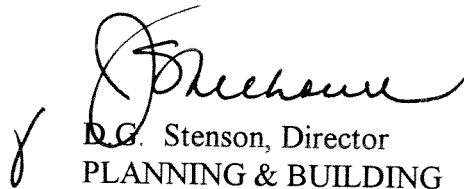
Screening and rating video games does not, on its own, limit access to video game sales and rentals by persons who are not age-appropriate for the material. Similarly, screening and rating would not limit access in video arcade machines.

It is staff's understanding, after speaking with representatives of the Attorney General's Ministry, that these issues, as well as issues regarding definition of such terms as "hatred" will be addressed by the proposed Working Group.

5.0 SUMMARY AND CONCLUSION

Considerable concern has recently been expressed at the municipal level in British Columbia about the violence that young people are exposed to through video and other computer-based games. In 1994, the City of Burnaby corresponded with the Federal government, and sponsored a successful resolution to the 1994 UBCM convention requesting that both senior levels of government to take steps to curb the violence, hatred and sexual exploitation depicted in video and other games. It would seem, however, that relatively little progress has been made on those requests.

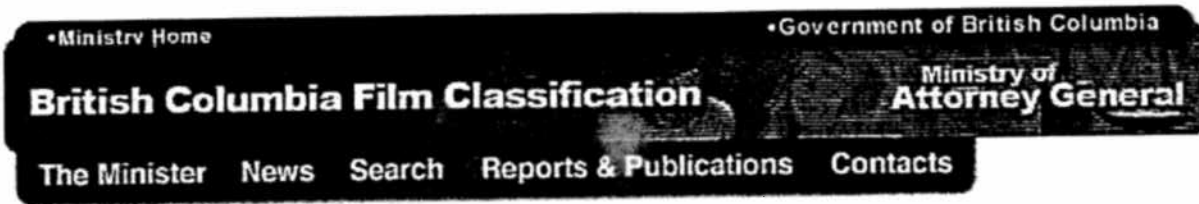
British Columbia municipalities will have another opportunity to pressure the Province by approving a resolution on the issue at the 2000 convention of the UBCM. At a minimum, Burnaby representatives to the convention could support the resolution at the convention. However, if Burnaby wishes to push for regulations which would curb hatred and sexual exploitation as well as violence in video and other games, Burnaby's representatives at the convention could propose an amendment to the debated resolution which would broaden the list of elements for which films, videos and computer-based games should be screened. If so directed, staff could prepare an appropriate amendment for Council's consideration before the convention. Given that the Province may take action on violence in video games before the October 2000 UBCM convention, it is recommended that Council also write directly to the Provincial Attorney General and the B.C. Film Classification Branch requesting that hatred and sexual exploitation be added to the elements for which films, videos and games are screened. It is also recommended that Council write to the Federal Minister of Justice to reiterate its concerns that appropriate action be taken at the Federal level. If such action is not forthcoming, an option remains for Council to forward a resolution on initiatives the Federal Government could take to the spring 2001 convention of the FCM.


D.G. Stenson, Director
PLANNING & BUILDING


JS/sa








Attachment

cc: Deputy City Manager, Corporate Services
Director Parks, Recreation & Cultural Services
City Solicitor
OIC - RCMP


 •Ministry Home •Government of British Columbia
British Columbia Film Classification **Ministry of Attorney General**
 The Minister News Search Reports & Publications Contacts

FILM CLASSIFICATION CATEGORIES

British Columbia uses six different classification categories. The following table summarizes each category and supplies the age restrictions. More extensive definitions may be found in [Section 3](#) of the Motion Picture Act Regulations.

CLASSIFICATION CATEGORY	WHO CAN VIEW	WHAT IT MEANS	
 G	General	All ages.	The contents of these motion pictures are suitable for viewing by all ages.
 PG	Parental Guidance	All ages.	Parental guidance advised. Theme or content may not be suitable for all children.
 14^A	14 Accompaniment	Anyone under 14 years of age must be accompanied by an adult.	Parents cautioned. These films may contain violence, coarse language, and/or sexually suggestive scenes.
 18^A	18 Accompaniment	Anyone under 18 years of age must be accompanied by an adult.	Parents strongly cautioned. Will likely contain explicit violence, frequent coarse language, sexual activity and/or horror.
 R	Restricted	Anyone 18 years of age or older. No one under the age of 18 may view under any circumstances.	Content not suitable for minors. May contain scenes of explicit sex and/or violence. However, the film classification office considers these films to have some artistic, historical, political, educational or scientific merit.
 ADULT VIDEO 	Adult	Anyone 18 years of age or older. No one under 18 may view under any circumstances.	May contain explicit sexual scenes and/or violence. However, the film classification office considers these films to be tolerable to the community.