

Your response

Question	Your response
<p>Question 1: Ofcom’s general approach to information gathering (Section 3 of the draft guidance)</p> <p>Do you have any comments on Ofcom’s proposed general approach to information gathering, as outlined in Section 3 of the draft guidance?</p>	<p>Confidential? – N</p> <p>Ukie is the trade body for the UK’s video games and interactive entertainment industry. A not-for-profit, it represents more than 700 games businesses of all sizes from start-ups to multinational developers, publishers, and service companies, working across online, mobile, console, PC, esports, virtual reality and augmented reality. Ukie aims to support, grow, and promote member businesses and the wider UK video games and interactive entertainment industry by optimising the economic, cultural, political, and social environment needed for businesses in our sector to thrive.</p> <p>Ukie’s members appreciate Ofcom’s careful consideration of the potential causes and impacts of information gathering and the cumulative impact of the proposals. We are also aware that these proposals can’t be one size fits all as Ofcom considers over 100,000 services.</p> <p>Our members have no general comments on Ofcom’s proposed general approach to information gathering. They do however caution Ofcom to take a proportionate approach to information gathering and enforcement to ensure the process is not overly intrusive or burdensome.</p> <p>Additionally, members argue that the most intrusive enforcement powers should be reserved for the most serious cases.</p>
<p>Question 2: Information notices (Section 4 of the draft guidance)</p> <p>a) Information notices</p> <p>Do you have any comments on Ofcom’s proposed approach to the process for issuing and responding to information notices.</p> <p>b) Requiring a test</p> <p>Do you have any comments on our proposed approach to information</p>	<p>Confidential? – N</p> <p>No further feedback or comments by our members.</p>

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<p>notices that require recipients to perform a test?</p> <p>c) Remote viewing</p> <p>Do you have any comments on our proposed approach to Remote Viewing Information Notices? For example, to the factors that we may take into account when considering whether to issue a Remote Viewing Information Notice.</p> <p>d) Coroner Information Notices</p> <p>Do you have any comments on our proposed approach to issuing Coroner Information Notices for the purpose of responding to requests for information by investigating authorities in connection with an investigation or inquest into the death of a child?</p> <p>e) Naming a senior manager</p> <p>Do you have any comments on the section relating to naming a senior manager who is in a position to ensure compliance with an information notice?</p>	
<p>Question 3: Skilled persons' reports (Section 5 of the draft guidance)</p> <p>Do you have any comments on our approach to skilled persons' reports? This might include when we might decide to require a skilled person's report, and the typical process that we propose to follow.</p>	<p>Confidential? – N</p> <p>NA</p>
<p>Question 4: Interviews (Section 6 of the draft guidance)</p> <p>Do you have any comments on the section of guidance dealing with the power to require an individual to attend an interview?</p>	<p>Confidential? – N</p> <p>As stated in our answer to Question 1, our members caution Ofcom to take a proportionate approach and that the most intrusive enforcement powers should be reserved for the most serious cases.</p>

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<p>Question 5: Entry with or without a warrant (Section 7 of the draft guidance)</p> <p>Do you have any comments on our proposed approach to entry either with or without a warrant? This might include the typical process and our interpretation of the requirement to have regard to the Home Office’s code of practice on powers of entry.</p>	<p>Confidential? – N</p> <p>See above.</p>
<p>Question 6: Audit (Section 7 of the draft guidance)</p> <p>Do you have any comments on our proposed approach to the power for Ofcom to carry out an audit to assess compliance?</p>	<p>Confidential? – N</p> <p>See answer to Question 4.</p>
<p>Question 7: Consequences of failure to comply with an information power (Section 8 of the draft guidance)</p> <p>Do you have any comments on the potential consequences of a failure to comply with any of the information gathering powers covered in the draft guidance? This might be either on breaches that may be subject to enforcement action by Ofcom, or those that may constitute criminal offences.</p>	<p>Confidential? – N</p> <p>NA</p>
<p>Question 8: Additional comments</p> <p>Do you have any other comments on the draft guidance?</p> <p>Please provide any information or evidence in support of your views.</p>	<p>Confidential? – N</p> <p>Our members want Ofcom to be aware of the great distinction between the two online services, and that Ofcom reflects the differences in any upcoming guidance’s to ensure that no obligation is one size fits all and do not accommodate the real differences between social media platforms and online games.</p> <p>It is important to mention that online multiplayer games vary greatly from social media and other online platforms. Content is designed to meet our well-established</p>

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	<p>age-appropriate standards, and where interactions between users are possible, they will typically be limited in nature, often ephemeral, and restricted by parental controls or according to the age-appropriateness of the product in which they are contained.</p> <p>Specifically, the communication capabilities in games are usually far more restricted than the capabilities in social media platforms. It is almost always ancillary to the core features of the service. Unlike social media, the purpose of the communication is to enable, enhance or complement the gameplay. Games services are not there to provide open forums for sharing of ideas and long-term conversations about topics outside of the game. The purpose is purely to discuss the gameplay.</p> <p>The communication is often limited in many ways as a result, such as by the amount of text that can be shared, or the number of recipients. In many cases it is not possible to choose recipients, or to find the same recipients again for continued conversation on a later occasion. Interactions are often session-based, with a purpose to collaborate on moment-to-moment game-play, not to develop long-term conversations about broader topics.</p>

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