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Harm and offence in media content: a review of the evidence
Book

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Harm and Offence in Media Content:

A review of the evidence

Revised and updated second edition

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Acknowledgements

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Preface

This volume offers a critical review of the evidence for harm and offence from media content on different platforms. The first edition, published in 2006, included research undertaken and published up to 2005. Since then, the Audio Visual Media Services Directive has been adopted in Europe (2007), replacing the earlier Television Without Frontiers Directive. This has had repercussions throughout Europe as plans are implemented to reflect the extended scope of the new Directive in a complex and converging media and communications environment. In the United Kingdom, the Culture, Media and Sport Select Committee heard evidence for harm caused by the Internet and video-games while Dr Byron has undertaken a review of the potential for harmful effects on children of the Internet and video-games. In the United States, concerns about the way in which young people, in particular, are using new technologies has given rise to partnerships between the legislature in some states and commercial Internet protocol based companies.

Indeed, regulators throughout the world are discussing how to approach the regulation of content delivered via newer delivery mechanisms. It is against this background that the UK regulator, Ofcom, approached the authors to update the 2006 literature review. This second edition examines the published evidence regarding the potential for harm from television, the Internet, video-games and filmic content (this last commissioned by the BBFC, the UK classification body for film), as well as for radio, print, advertising and mobile telephony. Since the literature is expanding more in some areas than others, with most focus on audio-visual and online media, some parts of this volume have been updated and rewritten more than others.

To produce effective, evidence-based policy, an assessment of the evidence for content-related harm and offence is required. Research on the question of harm is often scattered across different academic disciplines and different industry and regulatory sectors. Much of this research has been framed in terms of 'media effects', occasioning considerable contestation over research methods. Research on offence is more often conducted by regulators and the industry than by academics, being seen by some academics as either unmeasurable in a reliable fashion or as a policy tool for undermining civil liberties. This review seeks to identify and integrate different sources of knowledge, recognizing the strengths and weaknesses of the main research traditions, in order to offer a critical evaluation of key findings and arguments relevant to policy-formation.

The comparative scope of such a review is needed because, typically, literature reviews focus on a single medium, prefer one or another methodology, examine just one type of potential harm and/or position the analysis within one disciplinary specialism. Although there are many reviews of psychological experiments on the effects of exposure to television violence, most notably, what is lacking is a review that is as 'convergent' as the communications environment itself. Yet in developing regulatory policy, considerations of harm and offence must increasingly be evaluated in the context of a converging media environment. The present review integrates published research conducted on diverse media and using diverse methodologies including epidemiological studies, tracking surveys and in-depth qualitative analyses. It also encompasses diverse theoretical approaches, given the various conceptions of harm and offence employed in different disciplines.

This volume offers:

- An analysis of the definition(s) of harm as distinguished from offence, so as to inquire into the basis for distinguishing harmful from offensive and other kinds of media contents.

- An up to date review of the empirical evidence regarding media harm and offence, recognizing the strengths and limitations of the methods used and identifying where findings apply to particular media or particular audience/user groups.

- A critical inquiry into the attempt to generalize from research on older, mass media to the challenges posed by the newer, converging and online media forms, noting emerging issues and research gaps.

The body of empirical published research reviewed here is expanding fast, especially in relation to the Internet. In undertaking this review, albeit within the limits of practical constraints on time and resources, a sustained search was conducted of extensive electronic and library sources across a range of academic disciplines including media and communication studies, education, psychology, psychiatry, paediatrics, gender studies, social/family studies, sociology, information and library science, criminology, law, cultural studies and public policy.[i] We draw upon relevant policy and industry-sponsored research where publicly available, and on information obtained from key researchers in the field.[ii]

Given the vast amount of reading that this generated, several strategic decisions were necessary to prioritize those most relevant to current debates regarding content regulation. Specifically, we focus on empirical evidence for harm and offence, rather than on descriptive data about media markets and use.[iii] We concentrate mainly, though not exclusively, on recent material (post-2000). Emphasis is given to UK-based material where this exists, though a considerable body of material from elsewhere is included as appropriate, much of it conducted in America. We also prioritize high quality (i.e. academic peer-reviewed) original publications that report empirical research evidence rather than discussions of theory or method. As a result of our search strategy and the selections noted above, this review is based on an electronic database containing some 1,000 items.

This review does not examine evidence for positive or pro-social benefits of the media[iv] and so does not aim to offer an overall judgement on the relative benefits versus harms of the media. It is also beyond the scope of this review to consider the moral or legal arguments for or against content regulation, though these are many and complex. There is a substantial literature on the history of regulation in the United Kingdom and elsewhere, detailing how policies have been formulated and implemented, cases contested, complex judgements made, and precedents established and overturned.[v] Note further that some interpretation is required in matching the regulatory framework of 'harm' and 'offence' to academic publications, given that neither term is widely used other than in the psychological or legal fields.

Given the complexity of this field of research, and the persistent gaps in the evidence base, we would urge our readers to retain a sceptical lens in assessing the evidence. Questions such as the following should be asked over and again. What specific social, cultural or psychological problem is at issue? Which media contents are hypothesized to

play a role? Which segments of the public are particularly vulnerable or give rise to concern? What are the strengths and weaknesses of the research methods used to generate the relevant evidence? Under what conditions are these media contents being accessed in everyday life? What kind of risk, and what scale of risk, does the evidence point to, if at all, and for whom?

Our review finds that the evidence for harm and offence is significant but constantly qualified, resulting in contingent answers that do not make life easy for regulators, policy-makers or the industry. When dealing with complex social phenomena (violence, aggression, sexuality, prejudice, etc.), many factors – including but not solely the media – must be expected to play a role. Hence we argue for a risk-based approach to media-related harm and offence that enables decisions based on proportionality.

Although there is less evidence regarding the effectiveness of possible interventions, there is considerable evidence that regulatory interventions on a proportionate basis are welcomed and expected by the public. In looking to the future, paramount consideration must be given to the dynamic nature of the technological change that is driving these questions anew, with evolving uses and developing forms of practice, especially among the young.

As homes become more complex multi-media environments, and as media technologies converge, it must be a priority to develop and extend the available evidence base, so that we sustain our understanding of the differences across, and relations among, the changing array of media and communication technologies. The challenge is to seek ways of minimizing risks, while also enabling the many benefits afforded by these technologies for our society and for the socialization of our children. Nonetheless, while new research will always be needed, this volume seeks to understand how best to formulate continuing and new regulation on the basis of present evidence.

Executive summary

Aims and scope of the review

The concepts of 'harm' and 'offence' are gaining ground, especially as policy-makers and regulators debate the possible effects of the contents and uses of the new media technologies. The debate mainly concerns the exposure of minors to potentially harmful or offensive material, although there are other sensibilities such as offence or harm caused to those from minority groups.

This research review is designed to examine the risk of harm and offence in relation to the usage of media content. Uniquely, it asks what evidence is available regarding content-related harm and offence, looking across the range of media from television to electronic games, from print to the Internet. It focuses on recent research, mainly published between 2000 and 2007, and has been thoroughly updated in this second edition of the review.

This review has the following aims:

- To offer a comprehensive and up to date review of an important, policy-relevant body of research literature, combining empirical research from diverse disciplines across the academy, together with research conducted by industry and regulatory bodies.

- To distinguish and to seek to understand the relation between harm and offence, identifying such evidence as exists for each as it relates both to the general population and to specific 'vulnerable' subgroups, notably children and young people.

- To compare findings obtained across the major forms of media (both established and new), evaluating these in the context of critical debates regarding theory, methodology and the politics of research in order to contextualize and qualify as appropriate the empirical claims in the published literature on media harm and offence.

- To draw on the latest research conducted in the United Kingdom and internationally, while recognizing that, in different regulatory contexts cross-nationally, different findings may be obtained and, therefore, culturally-specific conclusions may be required.

What this review does not cover

The field of research examining claims regarding media harm and offence is vast, and so the parameters of the present review must be made clear at the outset.

- The review does not cover research evidence for the positive or pro-social benefits of the media, though these have been extensively researched elsewhere, except where they are discussed in relation to harm and offence. The review should not be read, therefore, as offering an overall judgement on the benefits and harms, taken together, of the various media.

- It also does not consider other issues of public health being debated, such as the potential for physical harm caused by media content triggering epilepsy for example, or the possible effects of using mobile telephone handsets. Nor does the review consider areas of consumer detriment such as financial risk.

- It is important also to note that the review only reflects the changing nature of media consumption insofar as it has been the subject of research which refers to harm and offence. Since there are many gaps in the empirical research base, a number of questions must remain unanswered. Further it is clear that the changing patterns of media use continue to be significant in framing the ways in which people relate to different media (in terms of access, expectations, media literacy, etc). Such changes should remain a priority for the future research agenda.

The organization of this review

The review of the literature is organized according to the following rationale:

- We begin with the policy-context within which the debate about the potential for harm and offence is framed. In Europe the Audio Visual Media Services Directive (adopted in 2007) is to be implemented. In the United Kingdom the Byron Review (2008) has undertaken a critical and comprehensive analysis of the evidence for the potential for harm to children from the Internet and video- games. A parliamentary Select Committee is, at the time of writing, undertaking a similar review, and several other initiatives are underway to 'protect' young people from the risk of harm. In America, the regulator (FCC, 2007) has called for a review of the way in which violent content is made available to the public, using not only technical access management systems and scheduling conventions but also financial incentives for viewers. In other countries too, the policy-debate spills over into a debate about the possibility, and feasibility, of regulating content in an almost-infinite space.

- We then move on to an account of the research in this field, arguing that it is important to distinguish theories of short-term and long-term effects, direct and indirect effects. We review the advantages and disadvantages of the main research methods in use (experiments, surveys, qualitative social research), noting the ethical and political issues that structure the field of research. We stress the value of integrating qualitative and quantitative research findings, discussing each in the light of the other, where available.

- The review presents recent research conducted for each medium in turn, examining evidence for different types of potential harm and offence and according to categories of audiences or users (i.e. types of vulnerability). Research methods and findings are critically evaluated to identify the strengths and weaknesses of the empirical research base. They are also contextualized so as to identify factors that may mediate any media effects (e.g. conditions of access to media, the cultural/regulatory context in which the research was conducted, and the media literacy of parents or carers in managing their children's media access).

This review identified empirical studies primarily by searching a range of extensive electronic and library resources, these being largely but not exclusively academic,

though it also draws on information obtained from key researchers in the field. The body of empirical published research is expanding fast in some areas – especially in relation to the Internet, though as in the earlier review, that published in the English language remains largely American.

It is worth noting that, although in policy-discussions 'harm and offence' is often used as a single phrase, it is not always clear just what the difference between them is taken to be, nor how they differently relate to legal or regulatory frameworks. Similarly, harm and offence are often not clearly distinguished in terms of academic research evidence, though in the main, academic research is concerned with harm rather than with offence.

Findings by medium

Television

- Television is still an important medium, especially for young children. The research included here primarily concerns violence, sexualization and stereotypes, as these have attracted the most research attention. Other effects research is noted (though not discussed here), such as effects on scholastic performance and the effect of commercial activity.

- Over the decades, significant research effort has been expended on this ubiquitous and accessible medium, and many studies of other media are based on those from television. There is also a body of research that examines the benefits of exposure to television content but this is not considered here unless it also refers to a consideration of harm and offence.

- The evidence suggests that, under certain circumstances, television can negatively influence attitudes in some areas, including those which may affect society (through the creation of prejudice) and those which may affect the individual (by making them unduly fearful, for example). Thus, it seems that television plays a part in contributing to stereotypes, fear of crime and other reality-defining effects, although it remains unclear what other social influences also play a role, or how important television is by comparison with these other factors.

- The primary subjects of research have been children and young people[vi], as they are thought to be most vulnerable to negative influences which may, in turn, affect long-term attitudes or behaviour. However, there is a growing body of evidence which suggests that there are also vulnerable groups of adults who may be negatively affected by certain types of media content; for example, people with particular personality disorders.

- The lack of longitudinal tracking data makes it difficult to determine whether there are longer-term changes to attitudes or behaviour that result from watching violent content.

- Methodologically, one must accept the research evidence is flawed, partly because much of it derives from a different cultural and regulatory environment from that of the United Kingdom (most of the research was conducted in the United States). However, it is important to evaluate what the findings are, focusing on those studies that have minimized the

methodological and cultural difficulties so as to understand the indications of influence and effect that they provide.

- Many of the studies use experimental methods, and are subject to considerable criticism. They demonstrate short-term effects on attitudes and behaviours, among a particular research sample (e.g. college students) and under particular conditions. It is also the case that too little of the research evidence examines the viewing of age-appropriate material, although a number of studies use content popular among the target group being examined.

- Other studies use content analysis techniques to examine the nature of content, making assumptions about the way in which the images might be received. However, in the United Kingdom and elsewhere, qualitative and social research techniques show it is valuable to talk to audience groups to understand their reasoning and reactions to content they view.

- The review of research showed the importance to the audience of certain variables in making sense of or justifying a portrayed act. These include the context within which the act is set and the importance of identification and empathy with the protagonists.

- Transmission time remains an important variable within audience attitudes towards broadcast television content, with established conventions designed to reduce the potential for offence.

- Much of the research evidence shows that most audiences are generally able to distinguish fact from fiction. The evidence also suggests that the viewing of fictional content does not diminish the distress that may be caused by violence in real-life.

- There are clear audience differences based on gender (in particular, boys seem to be more influenced by violent content) and age; but also family settings, a predisposition for a particular programme genre, the way in which the content is used and other such variables all appear to play a part in the way content is viewed and assimilated.

- Much of the research has been less equivocal in demonstrating evidence for areas of offence caused (such as with regard to offensive language, violence or the depiction of sexual activity) in comparison with harm. Contextual and demographic variables are seen particularly to affect the levels of offence felt.

- Importantly, some of the research literature argues that the influences or effects of television need to be understood and recognized not only by researchers and policy-makers but also by those in the industry.

Film, video and DVD

- The empirical research evidence for harm and offence in relation to film has been concerned primarily with 'adult' or relatively extreme sexual and violent content, such material being more available, though restricted by age, on film and video than – at present – on television.

- Although concerns are consistently raised regarding the reality-defining or stereotyping effects of film, we found little recent research on this. Evidence

for emotional responses to film, particularly fear, exists and is relatively uncontentious, though whether this constitutes longer-term harm is more difficult to determine given the absence of longitudinal research studies.

- Considerable attention has been paid to pornography, focusing variously on harm to those involved in production, to male consumers, to children, and to society (especially, attitudes towards women) more generally. The evidence for harm to men viewing non-violent (or consensual) pornography remains inconclusive or absent. However, the evidence for harm from viewing violent (non-consensual) pornography is rather stronger, resulting in more negative or aggressive attitudes and behaviours towards women as well as supporting the desire to watch more extreme content.

- The evidence that viewing pornography harms children remains scarce, given ethical restrictions on the research, though many experts believe it to be harmful. Other vulnerable groups have been researched, however, with some evidence that the harmful effects of violent content especially are greater for those who are already aggressive, for children with behaviour disorders, for young offenders with a history of domestic violence and – for pornographic content – among sexual offenders.

- Public attitudes to film content are, generally, more tolerant than for television. This is partly because the public is aware, and supportive of, current levels of regulation in film, and partly because people understand the decision process behind choosing to watch violent or sexual content. Tolerance is lowest (or offence is greatest) for the portrayal of sexual violence. Studies of audience interpretation of potentially harmful or offensive content in film throw some light on the complex judgements made by the public in this area.

- As the conditions for viewing film – both at home and in the cinema – are changing, too little is known regarding the conditions under which people, especially children, may gain access to different kinds of potentially harmful content.

Electronic games

- Although research on electronic games is relatively new, it is strongly polarized between the psychological/experimental approach that argues that electronic games have harmful effects, and the cultural/qualitative approach that defends games as merely entertaining, even beneficial on occasion.

- Possible outcomes of game-playing, including harmful ones, depend on the type of game and the context in which it is played.

- In the psychological/effects approach, a growing body of research is accumulating which suggests harmful short-term effects, and especially for games with violent content, especially on boys or men who play them. There is some evidence to suggest the effects may be as much associated with games containing unrealistic or cartoon violence as they are with those employing realistic and sophisticated computer graphics.

- However, this research remains contested in terms of how far it can be applied to aggressive situations in everyday life. It also remains unclear how much this evidence concerns media violence in general and how much it is video-game specific. One empirical comparison across research studies found that the effect of violent video-games on aggression is smaller than that found for television violence. However, more research is required to compare the effects of, for example, violent television and video-games. On the one hand, it has been argued that television imagery has hitherto been more graphic/realistic and hence more influential (although technical advances in video-game technology are allowing them to 'catch up'). On the other hand, it has been argued that video-games require a more involved and attentive style of engagement – a 'first person' rather than a 'third person' experience – which may make games more harmful.

- There is also growing evidence about excessive game playing, which some researchers suggest shows addictive behaviour among a minority of players.

Internet

- The authors found a fast-growing body of research in this area, particularly for research examining the ways in which social networking sites and services are being used.

- While the positive social benefits of these sites and services are noted, these were not the subject of this review. The present focus was instead on the evidence for the potential for harm that these sites create – primarily by facilitating the easy uploading and accessing of inappropriate content, sharing and disseminating personal information, and extending the possibilities for inappropriate contacts.

- While some argue that there is little new about online content, familiar contents merely having moved online, most disagree, expressing concern about the accessibility of more extreme forms of content that are, potentially, harmful and offensive.

- Much of the research shows that young people using these sites are aware of the risk of harm, and are generally aware of both the technical measures and codes of behaviour that they should adopt. It also suggests that they often ignore these or, for various reasons, open themselves up to inappropriate or risky experiences.

- For children, there is a growing body of national and international research on children's distress when they accidentally come across online pornography and other unwelcome content.

- There is a limited, but growing, literature on the potentially harmful consequences of user-generated contact, this including everything from the school or workplace bully to the grooming of children by paedophiles. It has become evident that many children and adults experience minor versions of such contact, with some evidence also of criminal (paedophile) activity.

- Further, research shows that when people – adults and children – receive hostile, bullying or hateful messages, they are generally ill-equipped to respond appropriately or to cope with the emotional upset this causes.

Similarly, parents are unclear how they can know about, or intervene in, risky behaviours undertaken – deliberately or inadvertently – by their children. As for pornographic content, the consequences of exposure seem to be more harmful for those who are already vulnerable.

- People's responses to 'hateful' content tend to be more tolerant, on the grounds of freedom of expression, though they find it offensive. Little as yet is known of how the targeted groups (mainly, ethnic minorities) respond.

- The lack of clear definitions of levels or types of pornography, violence, etc on the Internet, where the range is considerable, impedes research, as do (necessarily) the ethical restrictions on researching the potentially harmful effects of online content, especially but not only on children.

- As many defend online pornography as suggest it to be harmful, though there is a growing body of research – though still small – suggesting such content to be particularly harmful for vulnerable groups – specifically, people who are sexually compulsive and/or sexual abusers.

- In general, the case for further research seems clear, firstly in relation to the characteristics of vulnerable groups (including strategies for intervention) and secondly in relation to the ways in which the Internet seems to support or facilitate certain kinds of harmful peer-to-peer activity.

Mobile telephony

- There is growing evidence that mobile telephony may cause harm through the creation of fear and humiliation by bullying, for example. Although it is evident that new communication technologies are being incorporated into practices of bullying, harassment and other forms of malicious peer-to-peer communication, it is not yet clear that these technologies are responsible for an increase in the incidence of such practices.

- There is little substantive academic evidence for the potential risk of harm or offence caused through access to the professionally-produced content market for mobiles, although inferences are being made about such possible effects from other media.

- It is questionable whether mobile technologies are used in the same way as other fixed media, particularly because they have rapidly become personal and private forms of communication. This is an area where the lack of research evidence is especially felt.

Radio

- Despite being the background to so many people's lives, little recent research of radio was found in relation to questions of harm. Such concern as does arise is concentrated particularly on talk shows and similar programmes based on call-ins or user-generated content, and in relation to the lyrics of popular music.

- Research shows that radio is found to be offensive on occasion by a substantial minority of the audience – particularly in relation to the treatment of callers by presenters, offensive language and racism.

Music

- There is little research which examines harm and offence in relation to music. The research that exists is mainly content analytic rather than based on audience reactions, except for occasional opinion surveys, and is mainly focused on popular music lyrics.

- These studies reveal consistent messages in music lyrics that may be considered harmful and are considered offensive by some - including messages promoting violence among boys/men, homophobic messages, or those encouraging early sexuality among young girls/women. Some argue that these are particularly damaging for ethnic minority audiences.

- There is a small body of experimental evidence suggesting that, as for other media, these messages can negatively influence the attitudes or emotions of their audience.

Print

- The history of the print media and the precedents set in terms of policy-making have helped frame debates about other media and have also provided a framework for the way in which much media content is regulated.

- Research suggests the print media, especially the press, can frame public discourse, providing important civil information. The potential complicity of the media in misinformation is questioned in many studies reviewed here. It is argued that the potential of harm that may occur not only affects the individual but also has broader consequences for society.

- The importance of the public or private nature of different types of print media has not been widely researched but the evidence suggests that how strongly one is affected by print content is closely linked with this distinction.

Advertising

- There is a moderate body of evidence pointing to modest effects of both intentional (i.e. product-promoting) and incidental (i.e. product context) advertising messages. This suggests that advertising has some influence on product choice, and that the nature of its portrayals has some influence on the attitudes and beliefs of its audience.

- Specifically, a range of reality-defining effects[vii] have been examined - in relation to the stereotyping of population segments and, most recently, in relation to obesity and products with other health consequences. This tends to show modest evidence for harmful effects of advertising, particularly on children, although it remains contested. Since the influence of advertising is not large, according to the evidence, research is needed to determine what other factors also influence these harmful outcomes (stereotyping, obesity, smoking, etc).

- This question of intent has implications for media literacy. In relation to advertising, the intent to persuade is generally considered acceptable provided the public recognizes this intent. In relation to children, considerable research

exists on the development of 'advertising literacy' with age, though it has not been clearly shown that more media literate, or advertising literate, consumers are less affected by advertising (or other media), nor that interventions designed to increase literacy have the effect of reducing media harm.

- Little is yet known of how all audiences – adults as well as children – recognise advertising, sponsorship, product placement etc in relation to the new media environment.

- There is also a body of research linking advertising to offence. This research reveals the considerable cultural variation, both within and across cultures, in what content is found offensive and by whom.

Regulation in the home

- Research shows that users are generally accepting of regulation of content and have particular areas of concern such as violence in the media. Evidence also suggests that both parents and children are increasingly aware of the risks associated with media use.

- There is a move away from content regulation towards the provision of more information and more access prevention tools for users. Many respondents in research say they welcome this. It is clear however, that they accept this greater 'empowerment' only within a (currently) regulated framework. Thus there is growing support for the importance of media literacy and for systems of content labelling and information, together with an increasing awareness of the difficulties in ensuring that such knowledge is fairly distributed across the population.

- Many parents have long employed various strategies for mediating their children's television use, notably those that restrict the child's viewing (by restricting time spent or content viewed), that promote parental values and media literacy by discussing viewing with the child, and by simply sharing the viewing experience with the child. These and other strategies have been extended to electronic games and, more recently, to children's use of the Internet.

- However, research points to a range of difficulties parents encounter, especially in managing their children's Internet use and, in consequence, some may do little to intervene in their child's online activities. Particularly, parents underestimate risks compared with those reported by the child; further, children report receiving lower levels of parental mediation than are claimed by their parents.

- Notably, there is not yet much evidence that parental regulation effectively reduces the extent or nature of media-related risks, unless parents take a generally restrictive approach to their child's access to the medium altogether.

- Similarly, although research is growing on children's media literacy, as are the number of initiatives designed to increase this literacy, it is not yet established that increased media literacy either reduces children's exposure to risk or increases their ability to cope with risk. Hence more research is needed.

Conclusions

- *The meaning of harm and offence*. As noted at the outset, 'harm and offence' is often used as a single phrase, with little clarity regarding the difference between them or how they may each relate to legal and regulatory frameworks. It is suggested that harm is widely (though not necessarily) conceived in objective terms; harm, it seems, is taken to be observable by others (irrespective of whether harm is acknowledged by the individual concerned), and hence as measurable in a reliable fashion. By contrast, offence is widely (though not necessarily) conceived in subjective terms; offence, it seems, is taken to be that experienced by and reported on by the individual.

- *Conclusions regarding offence*. Looking across all media, the research evidence shows a sizeable minority of the population find certain content offensive. This is especially the case for women and older people, though most are nonetheless tolerant of the rights of others to engage with the media of their choice. In particular, new forms of media occasion greater public concern and anxiety than do more familiar media. For these latter, the public is, in the main, supportive of the current regulatory framework. However, findings are mixed on whether people are satisfied with (or even aware of) the available processes for making a complaint about media content.

- *Conclusions regarding harm*. Drawing conclusions about harm is more difficult, for the evidence base is more strongly contested. This review notes a range of theoretical, methodological and political difficulties, resulting in a patchy and somewhat inconsistent evidence base, while questions remain difficult to research for ethical, theoretical and practical reasons. Thus, research can only inform judgements based on the balance of probabilities rather than on irrefutable proof.

- *Key gaps in the evidence base*. Priorities for future research include:
  - research on the range of marginalized and/or vulnerable groups (including the elderly, gay, ethnic minorities, and those with psychological difficulties);
  - research on new media technologies (especially Internet, mobile, other new and interactive devices) and new contents (interactive content, new forms of advertising and promotion, niche/extreme content);
  - longitudinal or long-term panel studies, to follow up the effects of short-term harm, to track changes in levels and kinds of offence, and to identify changing expectations and understandings of media (including the access conditions) among the public;
  - research on reality-defining/stereotyping effects that relates to recent changes especially in UK-originated media content, as well as imported content; research on the new issues arising from new media, particularly in relation to user-generated and malicious peer-to-peer content and contact;
  - research that puts media effects in context, seeking to understand how the media play a role in a multi-factor explanation for particular social phenomena (e.g. violence, gender stereotyping, etc), this to include a

comparative account of the relative size of effect for each factor (including the media) in order to enable regulatory decisions based on proportionality;

- o research that directly compares the public's responses to the 'same' content when accessed on different media (e.g. violence on television, in film, in computer games, online) so as to understand whether and how the medium or the conditions of access to a medium, make a difference;

- o research on the range of factors that potentially mediate (buffer, or exacerbate) any effects of media exposure (e.g. level of media literacy, role of parental mediation, difference between accidental and deliberate exposure).

- *A risk-based approach*. This review argues that the search for simple and direct causal effects of the media is, for the most part, no longer appropriate. Rather, this should be replaced by an approach that seeks to identify the range of factors that directly, and indirectly through interactions with each other, combine to explain particular social phenomena. As research shows, each social problem of concern (e.g. aggression, prejudice, obesity, bullying, etc) is associated with a distinct and complex array of putative causes. The task for those concerned with media harm and offence is to identify and contextualize the role of the media within that array. In some cases, this may reduce the focus on the media – for example, by bringing into view the many factors that account for present levels of aggression in society. In other cases, it may increase the focus on the media – for example, in understanding the role played by the Internet in facilitating paedophiles' access to children. Further, the risks of media harm may be greater for those who are already 'vulnerable'. The conclusions to this review consider a range of key claims for media harm, on a case by case basis.

- *The importance of a balanced approach*. To those who fear that the media are responsible for a growing range of social problems, we would urge that the evidence base is carefully and critically scrutinized, for such findings as exist generally point to more modest, qualified and context-dependent conclusions. But to those who hold that the media play little or no role in today's social problems, we would point to the complex and diverse ways in which different media are variably but crucially embedded in most or all aspects of our everyday lives, and that it seems implausible to suggest that they have no influence, whether positive or negative.

- *Convergence.* In a context of converging technologies and media content, we are particularly concerned at the lack of evidence providing a secure basis for making comparisons across media platforms. Audits of the media used by different segments of the population provide cross-media information regarding both use and skills for a range of platforms but there is not sufficient research about attitudes to, or the influences of, cross-media content. We note that comparisons across different media regarding the nature or size of effects are difficult in methodological terms; however, such research could and should be attempted.

- Research on the conditions under which people access and use media in their daily lives makes it clear that many contextual variables are important in

framing the ways in which people approach the media, this in turn impacting on the kinds of effects these media may have. This points to difficulties with the premise of regulation that is technology-neutral, since research shows that the public does not treat technology as equivalent and that the domestic and technological conditions of access vary; these and other factors differentially affect, at least at present, how people approach and respond to different media.

- Regulation, as currently implemented, draws on and is in many ways justified by reference to a complex base of media- and audience-specific research evidence. The balance to be struck between individuals (often parents) and institutions (industry, regulators) in managing conditions of access should, we have suggested, vary for more established and newer media. As homes become more complex, multi-media environments, and as media technologies converge, it must be a priority to develop and extend the available evidence base, so that we sustain our understanding of the differences across, and relations among, the changing array of media and communication technologies. The challenge is to seek ways of minimizing risks, while also enabling the many benefits afforded by these technologies for our society and for the socialization of our children.

Chapter 1: The policy context

Introduction

> Harm: material damage, actual or potential ill effect. (Soanes and Stevenson, 2004)

> Offence: an act or instance of offending; resentment or hurt (ibid.), something that outrages the moral or physical senses. (Merriam-Webster, n.d.)

Recent and ongoing policy initiatives in Europe and elsewhere are typically set against a background of concern regarding the potential for harm from exposure to media content. These concerns arise especially for children and especially for content delivered in easily accessible ways through platforms such as the Internet or in ways less easily regulated than content delivered through a scarce and limited spectrum (as in traditional analogue broadcasting). One of the key changes has been the acceptance of the concepts of 'harm' and 'offence' as a legitimate reason to legislate or regulate, replacing notions of 'taste' and 'decency' that had predominated previously in broadcasting regulation in the United Kingdom and Europe. Although the debate, and the evidence base, is largely focused on the exposure of minors to potentially harmful or offensive material, there are other sensibilities such as offence or harm caused to those from minority groups.

Although harmful and offensive material is, in principle, distinguished from that which is illegal (obscenity, child abuse images, incitement to racial hatred, etc), it remains difficult to define the boundaries in a robust and consensual fashion. What contents are considered acceptable by today's standards, norms and values, and by whom? Borderline and unacceptable material may include a range of contents, most prominently though not exclusively 'adult content' of various kinds, and these may occasion considerable concern on the part of the public or subsections thereof. While norms of taste and decency can be tracked, with some reliability, through standard opinion measurement techniques, methods for assessing harm especially are much more contested and difficult. Arguably too, the research evidence – of which there is a huge amount – remains concentrated on a media environment and a regulatory regime that is still in a period of rapid change, rendering the evidence potentially out of date.

With the arrival of newer media content, particularly through the Internet (though also digital television, mobile phones, etc), it is not clear how far the public recognizes or feels empowered to respond to the expanding array of content on offer. It is likely that these newer, more interactive media pose a challenge particularly to ordinary families as well as to regulators. Can they apply familiar domestic practices of regulation and restriction to newer media? What range of concerns do people have regarding new media forms and contents? What do they need to know about whether the greatly-expanded range of contents now available to children have been shown to cause harm or not?

Policy debates attempt to balance the often-conflicting concerns over possible harms against other concerns (most notably, civil liberties and freedom of speech, children's rights to exploration and privacy, and parents' capacities or otherwise to regulate their

children's media use). Difficult issues arise. How do we draw the line between the offensive and the harmful? Is it a matter of particular kinds of contents, particular forms of media or particular groups of children? What kinds of harms, if any, have received robust empirical support? What is the evidence for offence across diverse sectors of the population? How far should the regulator and policy-maker concern themselves with audiences other than children?

To produce effective, evidence-based policy looking towards the media environment of the future, an assessment of the evidence for content-related harm and offence is clearly required across as many of the current forms of evolving media as possible. That is the purpose of this updated review.

Regulating against risk of harm – the UK perspective

In the United Kingdom, the Communications Act 2003 requires that the regulator (Ofcom) draws up a code for television and radio, setting standards for programmes, on matters such as protecting the under-eighteens, harm and offence, sponsorship, fairness and privacy. The Act outlines that in carrying out its functions, Ofcom is required to secure:

> Section 3 General duties of OFCOM (Office of Public Sector Information [OPSI], 2003) 2(e) The application, in the case of all television and radio services, of standards that provide adequate protection to members of the public from the inclusion of offensive and harmful material in such services;

This was a change from previous content regulatory regimes which had talked of regulating for 'taste and decency'. Issues of taste and decency are fluid and arguably subjective, especially taste. The Broadcasting Standards Commission (set up by the Broadcasting Act, 1990) recognized this and made a distinction between issues of taste and those of decency:

> A distinction has to be made between attitudes which are subject to rapid changes of fashion, such as style of dress or modes of address, and those which reflect more enduring views of right and wrong. Matters of taste are ephemeral, while matters of decency, such as the dignity to be accorded to the dead and bereaved, reflect ideals that acknowledge our shared values. (Broadcasting Standards Commission, 1998)

Ofcom has welcomed this change to a notion of 'harm and offence', codified in the Communications Act. The former Chairman of the Content Board, Richard Hooper, said in Ofcom's 'Annual Report' (2005a: 15):

> In content regulation, the Act also supports a move away from the more subjective approach of the past, based on an assessment of taste and decency in television and radio programmes, to a more objective analysis of the extent of harm and offence to audiences. The result is a Code that is much shorter and is, more importantly, focused on providing protection to those who need it most, particularly children and young people.

In performing its duties, Ofcom (if it appears relevant to Ofcom in the circumstances)

must have regard to:

> 3 (4)(h) The vulnerability of children and of others whose circumstances appear to OFCOM to put them in need of special protection.

In addition, the Communications Act 2003 (Section 127) states:

> 127 (1) A person is guilty of an offence if he:
>
> (a) Sends by means of a public electronic communications network a message or other matter that is grossly offensive or of an indecent, obscene or menacing character; or
>
> (b) Causes any such message or matter to be so sent.

In terms of broadcasting standards regulation a key change in the Act is the standards objective which requires:

> 319 (2)(f):That generally accepted standards are applied to the contents of television and radio services so as to provide adequate protection for members of the public from the inclusion in such services of offensive and harmful material.

There is also a specific requirement within the Act (319 (2)(a)) which sets as a standards objective that people under eighteen are protected.

Within the United Kingdom, a diverse range of laws set the legal framework for considerations of harm and offence, in addition to the Communications Act 2003. These include laws regarding public decency, electronic commerce, indecent display, obscene publications, protection of children, public order, video recordings and so forth; brief accounts of these, as they relate to media content and harm/offence are outlined in Annex II.

Additionally to the legal and statutory framework considering the risk of harm, there have been two recent inquiries considering the potential for harm of the Internet and video-games. The Byron Review (2008) was an independent review, tasked with considering the risks to children in particular and much of the updated material presented here was used by Ofcom in its submission to the Review.[viii] Byron's report suggested a simplification and clarification of the classification system. Regarding the Internet, recommendations include the establishment of a UK Council for Child Internet Safety, reporting to the Prime Minister. The task of this Council should be:

> to lead the development of a strategy with two core elements: better regulation – in the form, wherever possible, of voluntary codes of practice that industry can sign up to – and better information and education, where the role of government, law enforcement, schools and children's services will be key.

Byron suggests that the Council should also have an ongoing research role and that it should re-examine the legislation surrounding sites that may contain harmful and inappropriate material. Further, she makes specific requests of the industry, including a recommendation that computers sold for use in the home should have kitemarked

parental control software which is easy to install and use. Across both sectors Byron calls for raising awareness of the issues, especially for parents and carers, and for clear information. She also calls for 'whole-school' policies regarding e-safety and improving awareness.

In addition to the Byron Review, there has been a Culture, Media and Sport committee inquiry into harmful content on the Internet and in video- games, which looked at all consumers, not just children. Other initiatives have also taken place – the Department for Children, Schools and Families produced an action plan which includes an anti-cyber-bullying pack and a Virtual Cyber-bullying Taskforce.[ix] In its 'Action Plan' on tackling violence, the Home Office commits to 'working with the technology and communications industries to tackle violence and offensive content on the internet, and in video games, films and other media'.[x]

Similarly, the Home Office Taskforce on Child Protection on the Internet has published guidance for social networking, aimed at parents and children, and the providers of social networking sites.[xi] It makes several recommendations including those relating to safety information, editorial responsibility (including appropriate advertising), registration, user profile and associated controls, identity authentication and age verification. The 'Kitemark for Child Safety Online' has been launched (2008) – a collaboration between the British Standards Institute, the Home Office, Ofcom and representatives from ISPs and application developers.[xii] This allows manufacturers to get their products certified, increasing control over the standard of filtering, monitoring and blocking applications.

Regulating against risk of harm – the European perspective

The change in content regulation from 'good taste and decency' was driven in part by the European Union's formulation of 'harm and offence' (see also Shaw, 1999). Article 22 (1) of the Television Without Frontiers (TVWF) Directive (2003) required Member States to take appropriate measures to ensure that television broadcasts 'do not include programmes which might seriously impair the physical, mental or moral development of minors, in particular those that involve pornography or gratuitous violence.' The same Directive said that 'programmes which are likely to impair the physical, mental or moral development of minors' may be broadcast as long as scheduling or other access control systems are put in place.

In 2007 the Audio Visual Media Services (AVMS) Directive was adopted by the Member States of the European Union.[xiii] It replaces the TVWF Directive and is a response to what the Commission saw as the increasing convergence of technologies and markets and the way in which content could be accessed. The AVMS Directive extends regulation to all audio-visual media services, regardless of how they are transmitted, that offer the same or similar 'television-like' services. So content such as online games and user-generated videos, as well as electronic versions of newspapers and magazines, fall outside the scope of the AVMS Directive. The Directive refers to the need to protect minors:

> (44) The availability of harmful content in audiovisual media services continues to be a concern for legislators, the media industry and parents. There will also be new challenges, especially in connection with new platforms and

new products. It is therefore necessary to introduce rules to protect the physical, mental and moral development of minors as well as human dignity in all audiovisual media services, including audiovisual commercial communications.

The Directive mentions the importance of media literacy to create a knowledgeable user base. The Directive is expected to be implemented in the United Kingdom in 2009.

The relevance of media literacy was amplified by the Commission's 'Communication on Media Literacy' (2007) which focuses on three areas:[xiv]

- media literacy for commercial communication, covering issues related to advertising;

- media literacy for audio-visual works, which is in part about raising awareness of European film and enhancing creativity skills;

- media literacy for online which, for example, will give citizens a better knowledge of how Google and other Internet search engines work.

A separate recommendation on the protection of minors and human dignity and the right of reply in relation to the competitiveness of the European audio-visual and information services industry was adopted in 2006.[xv] This recommendation focuses on the content of audio-visual and information services covering *all* forms of delivery, from broadcasting to the Internet. It encourages cooperation and the sharing of experience and good practices between self- and co-regulatory bodies that deal with the rating or classification of audio-visual content. Thus, it is hoped, viewers can assess the content and suitability of programmes, in particular parents and teachers. The recommendation particularly mentions the importance of media literacy.

Alongside these European initiatives, the European Union has continued with its Safer Internet plus Programme, with a budget of 55 million Euros.[xvi] It will:

- Reduce illegal content and tackle harmful conduct online: providing the public with national contact points for reporting illegal content online and harmful conduct, focusing in particular on child sexual abuse material and grooming.

- Promote a safer online environment: especially through self-regulatory initiatives.

- Ensure public awareness: targeting children, their parents and teachers. Exchange best practices within the network of national awareness centres.

- Establish a knowledge base: bringing together researchers engaged in child safety online at a European level.

While it is clear that content which may not conform to generally accepted standards or which may offend can be identified through opinion research,

complaints and other tests of public tolerance, it is unclear how harm is to be objectively measured. The key objective of this review therefore, is to examine notions of harm and offence across key media, identifying the evidence that exists, while recognizing that regulatory practice and policy may not necessarily be based on direct evidence. It will be important for the industry (from broadcaster to content provider), the regulator and other policy-makers to be able to identify what may cause harm especially, as this is a more profound concept in its implications than offence. It is also important to identify whether and when offence may become harmful, again in relation to the available evidence.

Modes of access

The distinction between types of content services, long established within UK legislation and regulatory practice, has been superseded – or updated – by the adoption of the AVMS Directive. Broadcasting, 'linear' programming or a 'push' technology, means that content is pushed at the viewer according to a schedule or transmission timetable set by the content provider (or broadcaster). Content that is 'pulled down'(i.e. provided as a result of selection by the viewer), such as video-on-demand or Internet-based services, is non-linear and has not been regulated thus far. It does not fall outside the legal framework, however, for it is subject to the criminal law.

With the convergence of broadcasting and Internet protocol-based technologies, the Commission argued that certain regulatory practices should apply to all audio-visual content regardless of its mode of delivery (Eurobarometer, 2004; European Commission, 1997). The AVMS Directive continues to distinguish between linear and non-linear services, but allows for some regulation of 'television-like' services based on judgements about audience expectations and editorial responsibility, regardless of delivery platform. Thus, regulation will continue for linear services such as traditional broadcasting, but will also be extended to include television schedules delivered over the Internet (IPTV), streamed content and near video-on-demand. Non-linear services (including video-on-demand) will, for the first time, be regulated, although less prescriptively than linear services. While the Directive argues that transfrontier communications should remain unrestricted, it recognizes that nation states will have to interpret the Directive's principles according to their own systems. Importantly, the newer technologies such as IPTV remove geographical obstacles. Thus, the ability of Member States to regulate for national cultural sensitivities is uncertain when material crosses geographical boundaries. It is not clear that the new Directive, yet to be implemented, has taken sufficient account of this when seeking to create a European content regulatory system (see Wheeler, 2004).

In the United Kingdom, Ofcom regulates the BBC's broadcasting output through the Ofcom Broadcasting Code on fairness and privacy and on programme standards (excluding impartiality and accuracy). Television production quotas and certain programme genre quotas set by the BBC must also be consulted on or agreed with Ofcom. However, like all broadcasters, the BBC assumes responsibility for its own output. To this end the BBC produces editorial guidelines that set out its 'values and standards' (2005). Key to these is the determination 'to balance our rights to freedom of expression and information with our responsibilities, for example, to respect privacy and protect children'. Further, the guidelines cover all the BBC's output, including its websites (while Ofcom has no control over the Internet). The BBC's

Director General says that this creates guidelines 'designed for a multi-media world: the guidelines apply across all BBC content on radio, television, new media and magazines' (2005).

This literature review will examine the challenges posed by the new technologies as regards regulating for the individual, or regulating the individual, in comparison with regulating the industry that offers content to individuals. The growing focus on modes of access recognizes both that individuals have responsibilities in making content decisions but also that they make choices within constraints set by others and that they may need support in framing appropriate decisions. Oswell (1998) draws together the three groups involved in child protection on the Internet – government, industry and those who have guardianship of children – when arguing that it is important to think carefully about the levels of parental accountability being assumed and the 'consistency' of responsibility and regulation being expected of parents. This offers a sceptical framing of the increasingly popular solution, namely to seek to increase media literacy among audiences and users. For media literacy is widely seen as reducing the need both for regulation of firms and for restrictions on freedom of speech. Coming from an anti-censorship lobby in the United States, Heins (2001) argues:

> There is urgent need for coherent, objective, and clear-sighted exploration of the best 'tools and strategies' for addressing concerns about minors' access to pornography and 'other inappropriate internet content'. In the final analysis, affirmative educational approaches are more likely to be effective than technological 'fixes'.

Others call for better regulation of media content. For example, Webb, Jenkins, Browne, Afifi and Kraus (2007: e1227) call for improved film classification, noting from their content analysis of the violence portrayed in films rated PG-13 in the United States 'the use of violence as a common means by which conflicts are resolved and stated goals are obtained'. Since, they judge, these films are viewed by teenagers, many of whom are 'already embroiled in social violence', responsibility for what is viewed cannot be left solely to the individual viewer. This challenge has been taken up by the Federal Communication Commission regarding violent content on television, with an information guidance system in place which uses a technical solution, the V Chip, embedded in television sets, to restrict viewing when activated (FCC, 2007). The FCC has suggested a scheduling-based convention for television as well as asking cable operators to consider how they structure their programme packages.

In sum, there is increasing evidence that policy-makers and industry are seeking to work together to obviate an unnecessary regulatory burden while also protecting users of the media. For example, in the United States, the New York Attorney General has announced models of behaviour and good practice in association with a social networking site (Facebook) to ensure improved complaints procedures which allow, among other things, for children to report harassment (2007). Similarly, the new kitemarking scheme launched in the United Kingdom in 2008 to promote Internet safety, resulted from collaboration between government departments, the regulator and the industry. Indeed, in calling for enhanced multi-stakeholder cooperation regarding children's online safety in the United Kingdom, the Byron Review (2008)

asserts three linked strategic objectives – reducing availability of harmful content, restricting access by children, and increasing children's resilience to harmful material if and when accessed.

Media content regulation

Within this wider framework that recognizes the importance of regulating both modes of access and the promotion of media literacy, media content regulation is based on a number of key considerations. These include:

- The concept of detriment (or risk of harm).
- Proportionality (what weight is to be attached to the detriment).
- Disadvantaged or vulnerable groups (who suffers?).

The notion of preventing harm has guided many of the concerns about media content and subsequent regulation. In the United States, the Parents Television Council, a lobby group, have argued that the FCC (the converged regulator in the United States) should 'make a priority of reducing TV violence and expand the definition of broadcast indecency to include violence' (Parents Television Council, n.d.).

In the United Kingdom, the *criminal* offence in the area of harm is that governed by the 1959 Obscene Publications Act (OPA) and it involves an explicit effects-based test. Section 1 of the Act defines a publication to be obscene 'if its effect....is, if taken as a whole, such as to tend to deprave and corrupt persons who are likely, in all the circumstances, to read, see, or hear the matter contained or embodied in it'. For a description of legal processes in place in the United Kingdom, and legislation being discussed, see Annex II.

Barnett and Thomson (1996) point out the definition of depravity and corruption has been left to jurors in individual cases, but it is clear that some kind of change in mental or behavioural orientation is implied. It is not enough merely to have offended people, even in large numbers. In describing the OPA, and pointing to cases where it has been called upon, Murphy (2003) observes:

> It is the tendency to deprave and corrupt which is important. This can refer merely to the effect on the mind in terms of stimulating fantasies and it is not necessary that physical or overt sexual activity should result... obscenity is not necessarily concerned with sexual depravity but also includes material advocating drug taking or violence…The persons likely to be depraved or corrupted need not be wholly innocent to begin with: the further corruption of the less innocent is also included. Nor is it necessary that all those who are likely to read, see or hear the article should be corrupted. It is sufficient that the article should tend to deprave or corrupt a significant proportion of them.

Due to a perception of the limitations of the OPA to deal with certain significant issues raised by the advent of the Internet (in particular), there is current debate in the United Kingdom about whether or not the Act should be strengthened (United Kingdom Parliament, 2004). Other legal mechanisms for the prevention of harm exist such as those that restrict the dissemination of child pornography, for example,

covered by the Protection of Children Act 1978 or the Suicide Act 1961. However, these are also being challenged by new technologies that make access to certain information both easer and quicker. Hendrick, in a debate in Parliament about websites that promote suicide, said:[xvii]

> I have researched the matter and it is abundantly clear that the Suicide Act 1961 is woefully inadequate to deal with the use of the Internet for the promotion of suicide. I say that for the reasons that I have outlined: cyberspace does not respect national boundaries or legislation, and both the physical location and author of a source of information can be concealed.

The OPA is used more sparingly now, though cases continue to be brought in relation to OPA offences. What has been created in the area of content regulation is a series of organizations designed to regulate what Barnett calls an 'affective' notion of harm, that is, 'offence' caused by content. In the United Kingdom, as in many other countries, various regulatory bodies oversee different media. (For a comprehensive review of the practices of many regulators in the field of negative audio-visual content regulation, see Millwood Hargrave, 2007).

Within the United Kingdom, several organizations are involved in content regulation, as shown in Table 1.1.

Table 1.1: The regulation of media content in the United Kingdom

Organization	Industry	Role	Code	What it does
ASA	Advertising	Self-regulatory	Yes	Code of practice
ASA (B)	Broadcast advertising	Co-regulatory	Yes	Established 2005– Ofcom has backstop powers
ATVOD	On demand services	Self-regulatory	Yes	Code of practice
BBC	Broadcast	Self-regulatory/	Guide lines	Impartiality and accuracy
		Statutory	Yes	Other areas via Ofcom Programme Code
BBFC	Cinema/ films	Co-regulatory (with local authorities)/ Statutory	Guide lines	Guidelines revised 2005
	Video/DVD	Statutory		
	Video-Games	Co-regulatory (with PEGI)/ statutory for non-exempt games		
DMA	Direct marketing	Industry assoc.	Yes	
ELSPA-ISFE (Europe)	Electronic games	Industry assoc.	Uses Europe-wide rating system (PEGI)	
ICO	Data	Advisory	Yes	Advises on breaches of

				data protection law
ICRA	Internet	Self-regulatory		International ratings system for websites
Phonepay Plus	Premium rate telephony services	Co-regulatory	Yes	Code of practice for promotion powers and content. Ofcom as backstop
IMCB	Mobile content	Self-regulatory	Yes	Code of practice and classification framework for content rating
ISPA Euro ISPA	Internet service providers	Industry body	Yes	Code of practice
IWF-INHOPE	Hotline for illegal Internet content	Advisory	Yes	Operates a hotline for reports of illegal content
Ofcom	Telecoms and broad-casting	Statutory	Yes	Licensing and regulation of broadcast content. Internet only through media literacy.
OFT		Statutory		OFT will prosecute breaches of the law; e.g. ASA referrals
PCC	Press	Self-regulatory	Yes	Code of practice
VSC	Video content	Self-regulatory	Yes	Code of practice

Regulation of harmful and offensive media content

Media content regulation is not limited to minors, and may include a number of issues as outlined in Ofcom's Broadcasting Code (2005b):

> 2.3 In applying generally accepted standards broadcasters must ensure that material which may cause offence is justified by the context. Such material may include, but is not limited to, offensive language, violence, sex, sexual violence, humiliation, distress, violation of human dignity, discriminatory treatment or language (for example on the grounds of age, disability, gender, race, religion, beliefs and sexual orientation). Appropriate information should also be broadcast where it would assist in avoiding or minimising offence.

Increasingly, regulatory bodies (such as the BBFC and a number of European content regulators) are taking account of other areas such as the portrayal of antisocial behaviour or vandalism in their regulatory processes, or the fear or distress that may be caused to young people by the depiction of certain material.[xviii] For example, responding to its own research, the BBFC recently added the following issues to the range of classification concerns, some being new and others having increased in emphasis: incitement to racial hatred or violence; expletives with a racial association; language which offends vulnerable minorities; suicide and self-harm; emphasis on

easily accessible weapons; sexual violence and rape; and promotion or glamorization of smoking, alcohol abuse or substance misuse.

A number of systems have been put in place to help protect or forewarn users of media from material that may be considered 'inappropriate'.[xix] In many cases, 'Codes of Practice' or guidelines back up these systems of forewarning and content suppliers or providers sign up to them, often as a key element within their membership of a regulatory framework. Shearer (1998) outlines what some of the basic principles of such a code might be, addressing the Internet in particular. These include:

- Maintenance of interconnectivity.
- Freely accessible 'public good' information.
- Authentification of information.
- Privacy of communications.
- Freedom of speech within the Internet (with the proviso that the best interests of children are protected in information delivery).

The regulatory processes vary by media. A key consideration is how readily accessible the content is, especially to children. The systems also vary by audience type (whether designed to protect children or adults or other potentially vulnerable groups, such as disabled people (Institute for Communication Studies, 1997). For example:

- Broadcasting uses scheduling systems, based loosely on the probable age of children in the audience. (Unlike in the United Kingdom, some European countries have an explicit graduated age-based scheduling system.)
- Pre-transmission information is used widely to forewarn members of the audience about content that may be offensive.
- Other non free-to-air services delivered through the television screen use labelling systems which give information about age-appropriateness.
- In the on-demand world, where content is actively requested by the user, and in some other areas of broadcasting (such as-pay-per view), access management systems such as Personal Identification Numbers are used.
- Film uses access control systems such as age verification (at point of sale) and labelling.
- Music uses packaging information to warn of explicit material at point of sale.
- The Internet has filtering devices and 'walled gardens' available, based on age-appropriateness or type of content.
- Mobile telephony systems that provide audio-visual content or access to the Internet have age verification systems in place.
- The press, in particular press catering to niche markets such as magazines, *de facto* tend to attract particular audiences.

The effectiveness of these various systems, especially with the development of

technologies, is being challenged. The principle of a family viewing time on television, defined by the watershed at 9 p.m. is being contested by broadcasting systems which allow viewing at any time – although usually after additional access management systems have been implemented. Similarly questions are being asked of the effectiveness of filtering systems or the efficiency of search engines in aiding child protection (Machill et al., 2003).

In the United States and Canada the V-chip has been introduced in all television sets (Roberts and Storke, 1997). This reads a 'label' attached to each programme and the adult (presumed to be the parent) sets a threshold level for sexual content, offensive and obscene language and violence. [xx] Studies have been undertaken however, that challenge the adequacy of these systems, either because of lack of parental understanding or ineffective rating of programmes (Kaiser Family Foundation, 2001; Kunkel, Farinola, Donnerstein, Biely, and Zwarun, 2002). The evidence in America suggests that parents value content rating systems more than age ratings, but do not always understand these systems (Helsper, 2005). Bushman and Cantor (2003) found that age and content ratings work better for under eights than for older children, arguing that for teens, such ratings increase children's motivation to watch such programmes (Sneegas and Plank, 1998).

Television programmes in Australia are also classified (Aisbett, 2000) and Australian children were found to be highly aware of, though also critical of, content rating schemes (Nightingale, 2000). Not only do children claim to evade age-based restrictions and see 'adult material' but also they are positively motivated to do so. Classification systems are used by children as benchmarks of their progression to adulthood. There is a shift between adults monitoring children's media viewing and children maturing into monitoring it themselves. Children seek out adult content to learn more about adult life and test themselves to see if they could 'cope with' adult material (p.13).

The United Kingdom has rejected a uniform content classification system to date, recognizing the different relationships that viewers have with content through various delivery platforms. The broadcasting content regulator, Ofcom, has suggested that the possibility of a cross-media common labelling system should be considered, and it proposed as part of its media literacy remit (Ofcom, 2005):

> a study to test the feasibility of a common labelling scheme for content across all broadcast and interactive platforms, and whether this will equip people to make more informed choices.

The interactive games industry has developed a pan-European age-based rating system, the Pan European Games Information (PEGI) system.[xxi] Although developed by the trade body for the European games industry (the Interactive Software Federation of Europe), it is administered by a non-governmental organization in the Netherlands (NICAM). In the United Kingdom, the Video Standards Council acts as an agent for NICAM. The BBFC classifies all games that have 'gross violence, criminal or sexual activity, human genitals, certain bodily functions, or games with linear film content' – in effect this means that all games likely to receive an 18 classification are classified by the BBFC. While the PEGI system is voluntary, console manufacturers do not allow games to be played on their system if they have

not been rated by either body. Further, the vast majority of UK retailers will not stock games without one of these ratings, thus ensuring that games generally go through one or other of the ratings processes (Byron, 2008). The Byron Review has suggested that there is considerable consumer confusion about the classification system (especially among parents, who sometimes misunderstand the PEGI ratings as corresponding to 'ability' or 'skill' ratings). She therefore recommends that future reforms of the classification system incorporate an extension of the statutory basis to include video- games which would otherwise receive a 12+ PEGI rating and that the industry works towards a single classification system.

In addition to these systems of regulation, all these bodies have complaints procedures in place. These allow users to make known their views on the content they have consumed, or to correct any inaccuracies. The FCC in the United States has just introduced an online complaints system for people to complain about 'indecent' programming on television and radio (Federal Communications Commission, n.d.). Some of the bodies also conduct research into satisfaction with such procedures to ensure they remain relevant to customers (New Zealand Broadcasting Standards Authority, 2004). Nonetheless, some continue to argue against the development of self-regulatory mechanisms, most recently with regard to the Internet, and for greater responsibility to be taken by individuals; according to Akdeniz (2001):

> If a 'light regulatory touch' with an emphasis on self-regulatory or co-regulatory initiatives represent the (UK) government's vision, then 'self' should mean individuals rather than self-regulation by the internet industry without the involvement of individuals and internet users.

Audience rights and responsibilities

Each medium brings with it different expectations and this is recognized in regulatory practice, as noted above. The differences in the nature of the relationship between radio listeners and television viewers has been well-documented, for example, with the essentially private relationship between the radio and its listener acknowledged in comparison with the more public communication generally offered by television (Millwood Hargrave, 2000b).There are differences also in the way that different types of television services are received and interacted with. Numbers of complaints about subscription services are far smaller than complaints about free-to-air programming because of the nature of the 'contract' with the viewer. In the case of subscription services, viewers pay for the material they watch and this gives them a greater sense of control over the management of the service they receive (Goldberg, Prosser, and Verhulst, 1998).

This degree of control felt by the audience or user is important. There is a financial relationship in place with subscription television services. In addition, there are a variety of access control systems for many media delivery platforms. For satellite television, this may be access via personal identification (PIN) codes. In the cinema there may be entry restrictions based on (apparent) age. In the mobile telephony world, access may be based on age verification at the point of purchase of a telephone. However, the blurring of these traditional boundaries may occur as content is delivered via more or less 'public' access systems, such as radio over the Internet,

radio via mobile telephony or radio via television (Ofcom, 2006).

Freedom of Expression and Rights and Responsibilities

The Human Rights Act 1998 also impinges upon the communications industry, along with legal instruments (see Annex II), statutory processes and self-regulatory Codes (Lord Chancellor's Dept, 2002).

> (The) Human Rights Act…refers mainly to the responsibilities of public bodies when making determinations about people's rights. Importantly the Act (and the Convention) are seen as dynamic tools, adapting to societal change.[xxii]

The Human Rights Act, derived from the European Convention on Human Rights (ECHR), is described as a 'living instrument', which must be interpreted in the light of present-day conditions. Societies and values change and the court takes account of these changes when interpreting the ECHR.

There are key articles that are particularly relevant in the context of this review. They are:

- Article 8: Private Life and Family: This allows for freedom from intrusion by the media. However, a public authority can interfere with these rights if the aim of the interference was, among other things, the protection of health or morals or the protection of the rights or freedoms of others.

- Article 9: Freedom of Belief.

- Article 10: Free Expression: This allows for the holding and expressing of views or opinions and the freedom to receive information 'so you possess expression rights as a speaker and as a member of an audience. You can express yourself in ways that other people will not like or may even find offensive or shocking. However, offensive language insulting to particular racial or ethnic groups would be an example of where a lawful restriction of expression might be imposed'.

In 2004, the Government passed the Children Act and published its paper *Every Child Matters: Change for Children*, the aims of which include the right of a child, whatever their background or their circumstances, to have the support they need to be healthy, stay safe, enjoy and achieve, make a positive contribution, and achieve economic well-being (Department for Children, Schools and Families [DCSF], n.d.). This has been formalized into the 'Children's Plan'. One part of this commitment includes consultation with young people and children, which will be discussed in terms of the research reviewed here, together with suggestions for further work. [xxiii]

While the concern of regulators is with harm, much of the research reviewed here deals with the risk of harm - by measuring incidence of exposure to risk, risky behaviour, or the use of certain media contents which may be harmful to some. Some of the evidence does demonstrate a link from exposure to 'actual' ill effect, although this is generally measured either experimentally in the short-term or by using correlational methods which cannot rule out all confounding factors (see Annex I). However, we note that the above definition of harm includes both potential and actual ill effects, and thus we discuss harm largely in terms of possible influences on behaviour and attitudes.

Chapter 2: Researching media effects

Theorising media effects

> The primary effects of media exposure are increased violent and aggressive behavior, increased high-risk behaviors including alcohol and tobacco use, and accelerated onset of sexual activity. (Villani, 2001)

> Little consensus exists... [and] research which has examined audiences is rarely able to demonstrate clear effects of the mass media. (Cumberbatch and Howitt, 1989)

> To agree that there are severe limitations of research design in the experimental literature is not tantamount to confirming that psychological research reveals 'absolutely nothing' about children's use of violent video games. (Kline, 2003a)

If social influence is 'any process whereby a person's attitudes, opinions, beliefs, or behaviour are altered or controlled by some form of social communication' (Coleman, 2001) then the question here is what kind of influence is exerted by the media? As befits the complex role of media and communications in today's society, theories of media influence or power abound, some identifying a particular process, some entailing almost a theory of society, some framed as macro-theories of power, others as micro-theories of attitude change (McQuail and Windahl, 1993). Consequently, there are many ways of thinking about harm and offence as these may result from exposure to specific media contents. Different approaches have each spawned a range of empirical investigations over past decades, and the field is now vast. Specific potential harms have attracted more or less attention, as have different audience groups. By far the greatest research effort has been devoted to the effects of media, especially television, on children, especially in relation to violence.

Despite its vast size, it is widely acknowledged that the body of available research is less than ideal. Many studies are designed to identify correlations not causes. Possible confounding factors tend to be examined where convenient to measure (e.g. age, gender) while key factors may be neglected (e.g. parental mediation, personality, social inequalities, peer norms). Restrictions on research funding are evident in the plethora of studies with small samples and simple measures, and in the paucity of longitudinal designs and the lack of good replications. On the positive side, much of the research has been funded by public bodies, conducted by independent researchers, and published in peer-reviewed journals available in the public domain.

McQuail observes that 'the entire study of mass communication is based on the premise that there are effects from the media, yet it seems to be the issue on which there is least certainty and least agreement' (1987: 251). By contrast, home, school and peers are all readily acknowledged as major influences on children's development, though the theories and methods designed to investigate them are complex, diverse and often contested. In the contentious field of media effects too, the research questions asked are remarkably similar to those asked in the fields of education, sociology and psychology regarding the many other potential socializing influences. As in those fields, the media effects literature is divided on questions of methodology (what counts as evidence) and politics (why are certain research questions asked),

resulting in confusing messages to policy-makers. Yet it seems that straightforward answers are more often expected, in relation to media influence.

Beyond simple effects

One problem endemic to these debates is the markedly simple, even simplistic nature of the questions often asked about the effects of the media in both public and academic discussion (e.g. Is television bad for children? Do video-games make boys violent? ; Gauntlett, 1998).[xxiv] Yet if we set aside the media coverage that often accompanies new findings – admittedly often sought and sanctioned by the researchers – and instead examine the peer-reviewed published articles, we find that, by and large, effects researchers do not claim simply that, for instance, children copy what they see on television. Rather they tend to claim, carefully, that certain media contents increase the likelihood that some children, depending on their cognitive and social make-up, may copy what they see, provided they have interpreted the content in a particular way (this in turn depending on its textual framing – e.g. an association between violence and reward) and if their circumstances encourage such behaviour (e.g. playground norms) and – here a long list may follow, identifying a variety of contingent factors. Such qualified and contingent answers do not make life easy for industry or regulators; nonetheless, when dealing with complex social phenomena (violence, aggression, sexuality, prejudice, etc.), many factors – including but not solely the media – must be expected to play a role.

There are, arguably, rhetorical advantages to posing questions in a form that makes them 'impossible' to answer, and this points us to a further problem, namely the highly polemic nature of the debate, pushing opponents to extreme, polarized positions. These opposing views often, though not always, draw on psychological versus cultural studies traditions of studying the media.[xxv] In their volume, Alexander and Hanson (2003) pit opposing sides directly, showing the theoretical and methodological disputes at stake. Asking, for example, whether television is harmful to children, Potter (2003) takes a psychological perspective, pointing to the extensive body of research pointing to harmful effects, while Fowles (2003), from a cultural studies perspective, identifies a series of methodological issues (artificial experiments, small effect sizes, inconclusive fieldwork) that undermine claims for effects. Potter concludes that media violence has become a public-health problem; Fowles is concerned that this represents a scapegoating of the media that distracts politicians from addressing the main causes of violence in everyday life.

On reading the advocates of the pro-effects and null-effects camps, we suggest that the rhetoric of their reviews is perhaps as persuasive (or unpersuasive) as their content. Each side notes the methodological inadequacies of opposing evidence, not applying the same critique to the evidence that supports their case. Each side presents their supporting evidence second, as the 'answer'. Psychological researchers tend to ignore their critics; cultural researchers tend to deride the experimental research uniformly. However, although posed as alternative positions, we will suggest that it is possible to reconcile them, by concluding that the evidence points to modest harmful effects for certain groups, these effects being perhaps smaller than the many other causes of violence that may, in turn, merit greater public policy interventions but they are not, nonetheless, either insignificant or unsusceptible to intervention.

In undertaking the present literature review, we attempt to sidestep the over-simplifying and polarizing approaches to the question of media influence, neither recapping old debates nor categorizing findings into pro- and anti- camps, for this field has been reviewed more than many.[xxvi] Nor is our focus on the degree to which research evidence can or should inform policy-development (see Barker and Petley, 2001; Kunkel, 1990; Linz, Malamuth, and Beckett, 1992; Rowland, 1983), though it will be apparent that our preference is for a balanced, non-partisan approach that seeks a precautionary and proportionate response to questions of media harm and offence.

Short and long term effects

Many theories exist regarding the nature of media effects (see Anderson et al., 2003; Bryant and Zillman, 2002; MacBeth, 1996; McQuail, 2005; Signorelli and Morgan, 1990). The literature may be divided theoretically into research focusing on short-term cognitive, affective (or emotional) and behavioural effects on individuals and research focusing on long-term effects, these each being theorized at different levels of analysis (effects on individuals, social groups and society as a whole).There is also, separately, a considerable psychological literature on child development, on attitude formation and persuasion, on identity and social behaviour, much of which informs theories of media effects. Although this review is not the place for an elaborated theoretical discussion, certain key points may be made regarding research of different kinds.

Effects research is so-called because it positions the media as a cause and the individual's behaviour as an effect of that cause. However, most theories do not pose mechanistic explanations parallel with physical processes; rather they develop models of psychological processes, combined with statistical (i.e. probabilistic) testing of directional (a→b) hypotheses derived from those models. Further, many theorists acknowledge the bi-directional nature of social influence (e.g. media exposure →aggression but also aggression →media exposure choices). Media effects are generally identified through statistical comparisons (in experiments, between experimental and control groups; in surveys, between high and low exposure groups), a statistically significant finding meaning that the measured difference between the groups would not be expected by chance. The findings are thus probabilistic, and do not imply that each individual in the group is affected equally or even at all.

Most empirical research measures short-term effects, though they are often hypothesized to accumulate so as to result in long-term effects. Thus, the evidence usually pertains to short-term effects (e.g. measurements of effects over a matter of minutes or days following media exposure), but theoretically, long-term effects are postulated through the repetition and reinforcement of the short-term effect, this resulting in a more fundamental alteration to the individual (e.g. personality, emotions, thoughts, self-perception, habitual behaviours) or society (see below). Many different kinds of effects have been examined over the years – cognitive, affective or emotional and behavioural effects (e.g. encouraging racist stereotypes, engendering fear reactions, increasing the likelihood of aggressive behaviour).

Some theories link these different effects together: for example, media content →cognitive effects →emotional effects →behavioural effects. Other theories propose

multiple steps: for example, media content →priming of attitudes → increased availability of attitudes for subsequent recall →behaviour. In relation to media violence, Browne and Pennell (2000) identify the following possible outcomes: (i) disinhibition – violence becomes seen as normal, reducing social inhibitions to act aggressively; (ii) desensitization – familiarity with violent images makes the observer more accepting of violence, so that more extreme violence can be tolerated; (iii) social learning (imitation) – through repeated viewing of rewarded violent acts, observers learn to associate violent behaviour with being rewarded; (iv) priming – violent images prime already present aggressive thoughts, feelings and actions, strengthening associations and making violent effects more likely.

As for short-term effects, long-term effects may be theorized as purely individual effects (e.g. an early fear response which has long-term effects on anxiety or nightmares; or the interaction between childhood abuse and early exposure to pornography in the aetiology of an adult abuser). They may also be theorized as long-term aggregate effects (e.g. the 'drip-drip' effect of stereotypical portrayals that contributes to normative prejudices among the majority): as cultivation theorists observe, television is 'telling most of the stories to most of the people most of the time' (Gerbner, Gross, Morgan and Signorielli, 1986: 18).[xxvii] While most concern centres on unintentional effects of this kind, some may be deliberately planned, as in media or information campaigns (advertising, fund-raising, political campaigns, public information, propaganda); theories of persuasion make little distinction based on intentionality.

Further theories propose effects not at the aggregate but at the collective or societal level (e.g. television's role in a growing social tolerance to homosexuality, or the press' role in a growing intolerance to immigrants in society). These may be termed 'reality-defining' effects (McQuail, 1987), namely the systematic tendencies of the media, through the repetition of many similar messages, to affirm and reinforce the particular cognitions that fit one version of social reality (e.g. stereotyping or exclusion of certain groups or experiences); for children, these effects are part of socialization. It is here that researchers explore the possibility that media content shapes the social construction of reality (irrespective of whether or not the content also reflects that reality).

Others propose long-term collective effects which are mediated by personal or social influences (e.g. the influence of the news agenda is perpetuated by being taken seriously by opinion leaders who then repeat and perpetuate that agenda; or the way that the teen peer group takes up and then exerts pressure on the group to continue to favour the latest fashion brand or food product). Different again, mainstreaming theories propose a collective and long-term effect not in terms of content but by excluding (through social pressure) the expression of non-standard, 'extreme' or critical voices, thereby reinforcing (i.e. preventing change to) the moral *status quo*.

Direct and indirect effects

Although research generally examines the effect of media exposure on an outcome, theoretically it is recognized that multiple other factors are likely to affect the outcome also; the media thus represent one causal factor in a multi-factorial framework (e.g. advertising →children's food choice, but so too does parental diet

→food choice). Since these multiple factors themselves are likely to interact or mutually influence each other, this further complicates the study of indirect effects (e.g. advertising →parental food choice →children's food choice →selective viewing of advertising). Note that, importantly, effects theories are neutral regarding the harmful or pro-social nature of the effect. In other words, the same processes of persuasion are assumed to underlie effects judged positive (e.g. encouraging helping) or negative (e.g. encouraging aggression), though often the former effects are deliberate (as in public-health campaigns) and the latter unintentional. As noted earlier, we do not here review the also-sizeable research literature on the potentially beneficial effects of exposure to media content, including educational benefits, though many of the same conclusions apply there also.

Many of these theories, being concerned with long-term social change, must contend with many confounding variables and problems of inference in relating evidence to theory, this making the demonstration of media effects more difficult. Often they rely on the demonstration of short-term effects consistent with their long-term claims, longitudinal studies being in short supply. However, proponents of such theories can establish that evidence is (or is not) consistent with their hypotheses, and/or that the evidence supports one theory better than another. They are at their weakest when establishing the underlying mechanisms by which they propose media effects to work in the long-term.

As with short-term effects, most long-term media effects are proposed to operate in tandem with other factors, so that outcomes (e.g. social norms, behaviours, beliefs) are multiply caused by factors themselves likely to interact with each other. Long-term effects are, indeed, more likely to be indirect (mediated by, interacting with, other factors) than are short-term effects demonstrated under controlled conditions. As with short-term effects too, the hypothesis for a long-term media effect makes no necessary assumption regarding the agency of individuals or groups. Particularly, the assumption of social (or media) influence is taken as an inevitable and essential part of social life, not as a denial of the individual's choice or responsibility.

To clarify the distinction between direct and indirect effects, it must first be acknowledged that, leaving aside the simplistic claims noted earlier, the media represent one source of influence among others. Only thus may the relations among these multiple influences be addressed. One may hypothesize:

- Direct effects, in which one or many factors independently influence attitudes or behaviour. If many factors, each may exert a greater or lesser influence, and each contributes separately and additively to the consequences.

- Indirect effects, in which the many factors interact, so that one factor influences another when working through one or more intervening variables. It may take several factors working together to bring about the effect. One of them may alter the effectiveness of another. One may provide the background conditions under which another has its effect. Indirect relations between media exposure and measures of effect are thus conditional on other factors and so these latter must be included in research.

- Consequently, 'the total effect of one variable on another is the sum of its direct and indirect effects' (Holbert and Stephenson, 2003: 557).

Once we acknowledge that social outcomes are multiply caused, we must also acknowledge multiple possible paths of influence and, therefore, numerous possible processes of persuasion. However, since indirect effects bring together different factors in the social environment, including forms of face-to-face and institutional influence as well as media influence, the outcomes are harder to conceptualize theoretically and harder to track methodologically.

For example, many believe that 'research generally affirms that through language people can establish, maintain, legitimize and change the *status quo* or essentially construct a social reality' (Leets, 2001: 298). So, if language thus creates a negative stereotype of a social group, this can, many argue, constitute harm. However, the chain from media to social exclusion is so indirect as to challenge any research methodology. As Holbert and Stephenson (2003) comment, worryingly few empirical studies consider the importance of the media's indirect effects.

The politics of media effects research

Academic critics of media effects research are not only concerned about possible theoretical or methodological inadequacies of the findings. Indeed, the methodological disputes over samples, experimental controls, measurement and validity provide a means, a language, through which a more theoretical and political, even philosophical debate is being held regarding not only the nature of harm and offence but also why questions about these are being asked: this surely provides one reason why the scientific debate seems to run and run.

For example, there has been longstanding concern over the use of social science research as a justification for film regulation (e.g. Barker, Arthurs, and Harindranath, 2001; Gilbert, 1988; Mathews, 1994), not least because of the history of film censorship (e.g. Park, 2002) and media censorship more generally (Heins, 2001). There seems, in public discussion, often very little distance between 'regulation' and 'censorship', especially in relation to film, video and DVD content where a greater diversity of genres, aesthetic experimentation and catering for niche interests is evident than for a more 'mainstream' medium like television. Intriguingly, it has also been argued that moral panics are in the economic interests of and may be encouraged by certain sectors of the industry to create a niche or cult market outside the mainstream (Jancovich, 2002).

Others argue that 'violence' as an area of public concern is socially and historically constructed to achieve certain forms of political control while masking other forms of societal violence (particularly those committed by established authorities); 'violence' is by no means a natural category of behaviour (Barker, 2004). When cultural critics attempt to take on the censorship argument in relation to children, their case is unconvincing and inconclusive (e.g. McGuigan, 1996).[xxviii]

In general, the position adopted by critics of media effects is itself complex and multi-dimensional. Broadly, it raises concerns over the moral and political role of social scientists in responding to an 'administrative' policy agenda (Lazarsfeld, 1941). In brief, critics of effects research are concerned that this body of research is:

- Motivated by moral panics (amplified by the popular media) which accompany each new medium (preceding television, games or the Internet and back to the introduction of cinema, comics, and even earlier), channelling and appeasing public anxieties about economic and technological change.

- A scapegoating of the media, distracting public and policy attention from the real ills of society (and the real causes of crime/violence/family breakdown, etc. – most notably, poverty and inequality).

- A middle-class critique of working-class pleasures (in which the working-class are construed by effects research as irrational masses, undisciplined media consumers and so blamed for social unrest and disorderliness).

- A denial of the agency, choice and wisdom of ordinary people who, if asked, have more nuanced, subtle and complex judgements to offer about media content, who do not react in simple and automatic ways to media content, and whose critical media literacy should be recognized and valued.

- An unfortunate, even improper collaboration between supposedly objective social scientists and supposedly public-spirited policy-makers, the former gaining funding and reputation, the latter gaining justification for repressive and censorious but popular regulation.

- A normative justification for ensuring public support ('manufacturing consent') for the establishment and the capitalist *status quo* by excluding the public expression (and mobilization) of diverse views, critical voices, niche interests or alternative perspectives.

- A covert justification for strengthening a populist/moral/religious agenda that is against the enlightenment principles of the rights to freedom of expression.

Many of these arguments have widespread public and academic support (Barker and Petley, 2001; Drotner, 1992; Pearson, 1983; Rowland, 1983; Winston, 1996). They draw on recognized social values – freedom of speech, criticism of institutional censors, concern for the rights of the individual, including respecting the validity of people's own experiences, scepticism about academic funding decisions, concern to avoid moral or media-created panics, determination to avoid being distracted from more fundamental social ills, and so forth. Ironically, those advocating the critical position also believe the media to be a powerful and often malign influence on society, but they tend to frame that influence at a societal level (focusing on media influence over institutions, culture, society) rather than at an individual level.

From the point of view of the evidence base, one consequence has been the development of an alternative body of evidence – mainly using qualitative social research methods and asking different, more critical and contextual questions, according to a different, more culturally-oriented research agenda. Some of the often qualitative research that is emerging – typically based on exploratory or interpretative interviews and discussions with the public – provides a valuable counter to the otherwise dominant quantitative approach to media harms and offence. Where these studies pertain, even if indirectly, to questions of harm and offence, we have included them in what follows, in the interests of constructing a more balanced and multi-dimensional approach to the question of media harm than is often the case, particularly in psychologically-oriented literature reviews.

Detriment, proportionality and risk

In translating the above theoretical, methodological and political considerations into the policy arena, a key question is what regulatory weight should be attached to evidence of risk? One approach is to estimate what statisticians term the 'size of the effect'. For example, Hearold (1986) conducted a meta-analysis of the findings reported in 230 studies of television violence, encompassing some 100,000 subjects over the past 60 years.[xxix] In general, the correlations between viewing and effect vary between 0.1 and 0.3. These are small effects, but one should note that statistically significant findings are not necessarily significant in social or policy terms. In other words, it is a matter of judgement (by policy-makers as well as researchers) whether effects which, as in this case, account for some 5 per cent of the variation in behaviour, are important or not, or whether they are more or less important than other factors.[xxx]

A satisfactory explanation of social phenomena, such as violence, stereotypes, consumerism or prejudice, will involve understanding the combined and interactive effects of multiple factors, of which television may be one such factor, although probably not a major one. For example, in a study that, unusually, compared the effect size for television with that for other influential factors, television was found to play only a small role: this particular study was in the field of television advertising, and found that viewing television advertising accounted for 2 per cent of the variation in children's food choice, compared with 9 per cent for the influence of parental diet on children's diet (Bolton, 1983). In this context, we can interpret the research findings for media harm as 'modest' in their effect size. In another example, in his work on electronic games, Anderson (2003) calculates the correlation across 32 independent samples studied to be r = 0.20 (confidence interval, 0.17– 0.22); this suggests that playing violent video-games accounts for 4 per cent of the variation in aggressive behaviour (Anderson and Murphy, 2003),[xxxi] a figure that is broadly in line with meta-analyses for television violence (Hearold, 1986).[xxxii]

What is generally lacking in this literature is a wider consideration of other factors that also influence aggression (although see Southwell and Doyle, 2004). However, Anderson, Gentile, and Buckley (2007: 143) compile a table comparing effect sizes for a wide range of factors associated with adolescent violence, as reproduced below. This suggests video-game and media violence play a substantial role, although the effect sizes they report here are higher than those found in several other studies:

Table 2.1: Longitudinal effect sizes of several empirically identified long-term risk factors for aggressive and violent behaviour

Risk factor	Effect size	Variance accounted for (%)
Gang membership	.31	9.6 per cent
Video-game violence*	**.30**	**8.8 per cent**
Psychological condition	.19	3.6 per cent

Poor parent-child relations	.19	3.6 per cent
Being male	.19	3.6 per cent
Prior physical violence	.18	3.2 per cent
Media violence**	**.17**	**2.9 per cent**
Antisocial parents	.16	2.6 per cent
Low IQ	.11	1.2 per cent
Broken home	.10	1.0 per cent
Poverty	.10	1.0 per cent
Risk-taking	.09	0.8 per cent
Abusive parents	.09	0.8 per cent
Substance use	.06	0.4 per cent

Adapted from US Department of Health and Human Services (2001) *Youth Violence: A Report of the Surgeon General.* Rockville, MD: US Government Printing Office.

*From Study Three, with sex statistically controlled.

**From Anderson and Bushman (200).

Seeking to link such findings to policy decisions, Kline (2003b) offers a risk-based view of what accounting for 10 per cent of the variance explained (as cited by Freedman, 2002) really means in practice. He points out that:

> The Youth Risk Behavior Surveillance data for 2001 of over 1,300 teenagers finds that 33 % report getting in a fight during the last year. Since 16% of the US population of 276 million is between 12–20 we can estimate that .16 x .33 x 276 = 14, 572, 800 fights take place each year. Using Freedman's estimate that 10% of those fights can be accounted for by the statistical relationship between violent media consumption and aggression, we can estimate that about 1.45 million more fights take place every year than would happen by chance, or for other reasons.

As he goes on to add, drawing on Popper's epistemology of falsification:

> No experiment can ever prove media violence affects behavior, but rather only weaken our belief that there are no consequences from persistent exposure to media violence. That is generally the conclusion reached by the American Psychological Association.

In short, Kline seeks to move the debate from one of debating causality (yes or no), a debate that becomes polarized between freedom of expression and censorship positions, or that takes a reductionist approach to research evidence (can research show that child x will respond in a predictable manner to image y?). Instead, he advocates debating and weighing risk factors within a multi-factorial account. Arguing, in this case, about the potentially harmful effects of computer games, he observes that:

> Given the diversity in children's circumstances, there is little reason to expect uniform behavioral responses to violent entertainment among children whose

circumstances and experiences are diverse. This is also why most contemporary effects researchers do not predict that a majority of children will be negatively influenced by media violence. It is only by factoring in environmental factors numerically that social psychological researchers will be able to explain why not all heavy consumers of violent entertainment grow up in some situations to be aggressive and antisocial while non-gamers become serial killers.

Quoting the American Surgeon General's review of evidence for media harm in 2001, Kline adds:

> The Surgeon General's media risk model does not predict that young people will uniformly commit aggressive acts immediately after watching because media effects interact with other risk factors experienced within peer groups, schools, families, communities. Weighing up the available evidence according to well established epidemiological criteria for studying causality in multiple and interacting determinacy relations…, he recommends a precautionary rather than panglossian principle stating that 'Research to date justifies sustained efforts to curb the adverse effects of media violence on youths. Although our knowledge is incomplete, it is sufficient to develop a coherent public health approach to violence prevention that builds upon what is known, even as more research is under way'.

What follows from the risk model is the hypothesis that altering risk factors will alter outcomes. Kline thus criticises those who assume:

> … that violence has always been with us throughout history and is so pervasive in our culture that there is nothing we can do about it. A recent natural experiment conducted by Tom Robinson in San Jose suggests otherwise. Robinson (2001, 2000) reasoned that if the amount of media use really is a factor in the violence effect (because of increased exposure) then reducing that media consumption should reduce the risk. He tested this causal hypothesis, finding that schools that participated in the media education program not only reduced their media consumption by 25% but also enjoyed in a significant reduction in playground aggression and had more children with a lower rate of increase of body fat.

Unfortunately, as already noted, while much evidence has examined individual risk factors – such as media exposure – little if any has compared risk factors, examining their combined influence on the outcome of interest (e.g. aggressive behaviour). Given the paucity of such evidence, the precautionary principle has generally been applied, policy dictating that it is always better to err on the side of caution:

> The precautionary principle is not merely confined to the spheres of health and science. In today's risk-averse world, just about every sphere of life, from business and politics to parenting and health, is increasingly organised around the notion that it is better to be safe than sorry. (Guldberg, 2003)

In such circumstances, the burden of proof is said to lie with those who downplay the risk of disaster, rather than with those who argue that the risks are real, even if they

might be quite small (Runciman, 2004).[xxxiii] Hence, the precautionary principle:

> …should be considered within a structured approach to the analysis of risk which comprises three elements: risk assessment, risk management, risk communication. The precautionary principle is particularly relevant to the management of risk. (Van der haegen, 2003: 3)

[i] Efforts were made to contact known researchers in the field so as to identify and include the latest research. We thank Martin Barker (University of Aberystwyth), Arianna Bassoli (LSE), Kevin Browne (University of Birmingham), Karen Diamond (Purdue University), Jeffrey G Johnson (Columbia University), Keith Negus (Goldsmiths College, University of London), Kia Ng (University of Leeds) and Don Roberts (Stanford University).

[ii] We requested information/empirical research reports from a range of organizations. We thank those who provided or directed us towards materials for the review. These include Camille de Stempel at AOL, Claire Forbes at the Advertising Standards Authority, Claire Powell, Chris Mundy and Caroline Vogt at the BBC, Sue Clark at the BBFC, Emma Pike at British Music Rights, Nick Truman at BT, Tom Atkinson, Paul Whiteing at ICSTIS, John Carr at NCH (CHIS), Julia Fraser, Jan Kacperek, Helen Normoyle, Fran O'Brien, Ian Blair and Alison Preston from Ofcom, Annie Mullins and Rob Borthwick from Vodafone Group Marketing.

[iii] Since our focus is specifically on content-related harm and offence, we include issues of violence, sexual portrayal, pornography, racism, stereotyping, and so forth but exclude consideration of financial harms (online scams, fraud, etc.), physical harms (eye strain, sedentary lifestyle, 'phone masts etc.) and illegal content (child abuse images, etc.). Nor do we examine the effect of media use on children's scholastic performance (Anderson and Pempek, 2005; Heim, J., et al., 2007; Zimmerman and Christakis, 2005).

[iv] Though a substantial literature exists, including that concerned with the educational benefits for children, the media's contribution to civic or public society and its positive entertainment and cultural role (Davies, 1997; Fisch and Truglio, 2001; Gunter and McAleer, 1997; D.G. Singer and Singer, 2001).

[v] For discussions see Akdeniz (2001), Ballard (2004), Machill, Hart, and Kaltenhauser (2002), Oswell (1998), Penfold (2004), Verhulst (2002) and Wheeler (2004).

[vi] Where appropriate, ages of research subjects have been given. However, it should be assumed that the term 'children' generally refers to primary school-age children and 'young people' to secondary school-age children, though the latter sometimes includes young adults (i.e. students).

[vii] McQuail (1987) defines these as the systematic tendencies of the media, through the repetition of many similar messages, to affirm and reinforce the particular cognitions that fit one version of social reality (e.g. stereotyping or exclusion of certain groups or experiences).

[viii] http://www.dfes.gov.uk/byronreview/

[ix] http://www.everychildmatters.gov.uk/socialcare/safeguarding/internetsafety/

[x] http://www.homeoffice.gov.uk/documents/violent-crime-action-plan-08/violent-crime-action-plan-180208

[xi] http://police.homeoffice.gov.uk/news-and-publications/publication/operational-policing/social-networking-guidance

xii http://www.bsigroup.com/en/ProductServices/Kitemark-for-Child-Safety-Online/

xiii http://ec.europa.eu/avpolicy/reg/avms/index_en.htm

xiv http://europa.eu/rapid/pressReleasesAction.do?reference=IP/07/1970&format=HTML&aged=0&language=EN&guiLanguage=en

xv http://europa.eu/scadplus/leg/en/lvb/l24030a.htm

xvi http://ec.europa.eu/information_society/activities/sip/programme/index_en.htm

xvii www.parliament.the-stationery-office.co.uk/pa/cm200405/cmhansrd/vo050125/debtext/50125-40.htm

xviii See the guidelines for the Consell de l'Audiovisual de Catalunya for example. http://www.cac.cat/

xix Intriguingly, research suggests not only that graphic violence is capable of inducing immediate as well as enduring stress reactions but also that, as predicted by cognitive theories of emotion, forewarning of the content allows individuals to reappraise situations presented to them and thereby increases their level of suspense (De Wied, Hoffman, and Roskos-Ewoldsen, 1997). So, in an experiment, respondents (especially women) who were told that the film clip they were about to see contained graphic violence experienced significantly more distress on viewing than did respondents who were told that graphic violent content had been cut out of the clip (in fact, the violence had been cut, so it was the forewarning that resulted in the stress experienced). This suggests that forewarning can be more problematic than no warning (it may also be interpreted as questioning the validity of experiments which, for reasons of research ethics, forewarn participants about the content to be viewed).

xx For further information about US law and the mass media (see R. L. Moore, 1999). For a full description of the FCC policy regarding broadcast indecency, see the Policy Statement www.fcc.gov/Bureaus/Enforcement/ News_Releases/2001/nren0109.html

xxi Pan European Games Information http://www.pegi.info/en/index/

xxii This and other references here to the ECHR are taken from www.dca.gov.uk/hract/pdf/act/act-studyguide.pdf. For legal discussion see Annex II.

xxiii http://www.dcsf.gov.uk/publications/childrensplan/

xxiv Society does not ask, for example, whether or not parents have 'an effect' on their children or whether friends are positive or negative in their effects. Yet it persistently asks (and expects researchers to ask) such questions of the media, as if a single answer could be forthcoming. Nor, when it is shown that parents do have an influence on children do we conclude that this implies children are passive 'cultural dopes', or that parental influence is to be understood as a 'hypodermic syringe', as so often stated of media effects. Nor, on the other hand, when research shows that parental influence can be harmful to children, do we jump to the conclusion that children should be brought up without parents; rather we seek to mediate or, on occasion, to regulate.

[xxv] The psychological tradition underpins classic 'effects' research, framing the media as a source of social influence that impacts on the individual, albeit as one of many influences. The cultural studies tradition is generally critical of effects research, focusing more broadly on media power in society (rather than on individuals) and critical of the ways in which such concepts as violence or sexuality are socially constructed by policy-makers and effects researchers.

[xxvi] For recent reviews, we would direct the reader to Cantor (2000), Perse (2001), Singer and Singer (2001), Villani (2001). For critical discussions of media effects research, see Barker and Petley (2001), Kline (2003b), Livingstone (1996), Cumberbatch and Howitt (1989).

[xxvii] In seeking analogies to explain long-term but gradual effects, Gerbner (1986) talks of the 'drip-drip effect' of water on a stone – a small effect that nonetheless wears away the stone; Potter (2003) uses the analogy of the orthodontist's brace exerting a weak but constant pressure that brings about a crucial realignment over time.

[xxviii] Cultural defences of challenging or controversial material (e.g. Barker, 2004; Gee, 2003) often stress that just such material is valued by people to stimulate their rethinking of normative or established views or roles, here drawing on a long tradition arguing for the cultural merits of diverse media. We note, however, that this defence is not generally offered in support of those in the audience who express pleasure in identifying with the aggressor or in viewing violence or suffering for its own sake (though such a defence is made of people's right to enjoy pornography for sexual pleasure). In other words, researchers (like the public) are inclined to treat violent content and sexual content rather differently.

[xxix] 'Meta-analysis seeks to combine the analyses from all relevant individual studies into a single statistical analysis with an overall estimate and confidence interval for effect size' (Givens, Smith, and Tweedie, 1997: 221).

[xxx] At best causal models usually account for only a proportion (usually no more than 20 or 30 per cent) of the variance in a dependent variable. For this reason causal models include a residual or error term to account for the variance left unexplained. There are, after all, many other social characteristics which affect how people behave, apart from those measured.

[xxxi] Though greater, according to Anderson, than the effect of condom use on decreased HIV risk or the effect of passive smoking on lung cancer.

[xxxii] Anderson (2002) follows statistical convention in describing such effect sizes as 'small to moderate', stressing that these are of considerable concern because of the repeated nature of video-game-playing in everyday life. Intriguingly, a 'best-practices meta-analysis' showed that studies that are better conducted (in terms of their reliability and validity) tend to show stronger effects of violent video-games on aggression and aggression-related variables than do less well-conducted studies (Anderson et al., 2003). A further meta-analysis of 25 studies suggests a slightly lower correlation between video-game-play and aggression at $r = 0.15$ (Sherry, 2001).

xxxiii Tickner, Raffensperger, and Myers (1999) list the components of a precautionary approach, including taking precautionary action before scientific certainty of cause and effect; seeking out and evaluating alternatives, and shifting burdens of proof.