

The legal and policy games jam: towards engaged research

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Keywords

Games law, games industry, games policy, business of games, global games

INTRODUCTION

Law and policy issues impact all aspects of the games industries. However, as legal and policy scholars, we are aware that the language and practice of our discipline can be opaque and inaccessible to those outside of the law and policy field. The global games industries operate in an ecosystem driven by economic rationales and legal concepts, which can exist in tension with each other. From copyright issues to publisher agreements, from loot boxes to the PEGI system, from state funding for game development to considerations of archiving, each aspect of the games industry is shaped by the complexities of legal, policy and business arrangements. Given that games are made and played within a global environment, understanding the nuances and implications of regional, national, territorial and global law and policy concepts is fraught with difficulty. This workshop will open discussions of how we might approach academic analysis of games industry law and policies from multiple perspectives, as well how our findings can be best communicated to the relevant stakeholders.

This workshop aims to unravel the concepts underpinning the key law and policy issues shaping the games sector, offering a space to exchange ideas, practices and building a shared research agenda on law and policy issues relating to games.

WHY LAW AND POLICY ISSUES RELATING TO GAMES?

Legal and policy choices are foundational to the games sector. However, scholarly investigation of these governance structures is underdeveloped in the academic sector. It is only in recent years that academics in law and policy have begun to identify, analyse and understand these issues. The identification of legal concepts, including for example copyright, IP, regulation and privacy, and how they relate to the development, dissemination, playing and preservation of games has been explored by

Proceedings of DiGRA 2025

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some academics (Erickson, 2014; Maier, 2015; Thomas, 2023a, 2023b; Erickson and Rodriguez Perez, 2024; Xiao, 2024). In addition, the policy and business infrastructures within which the games industry operates have been explored by others from different perspectives whether global (Kerr, 2017), as a form of cultural and creative industry (Fung, 2017), critical political economy (Dyer-Witheford and De Peuter, 2009), game development cultures (Keogh, 2023; Sotamaa, 2021) and the role of local and EU state aid policies (O'Brien, 2024; Webber, 2020) with some foundational theoretical interventions addressing the transnational capital elements (Jin, 2010). Of interest also are certain texts relating to creative industries policy (Hesmondhalgh, 2018; O'Connor and Gu, 2020) and platform studies dynamics (Poell et al, 2021) which address elements of game development and consumption. However, there is scope for additional targeted and explicit legal and policy analysis of games as an industry, as a creative force, and as a regional, national, transnational and global phenomenon.

A key focus of this workshop is to encourage cross-fertilization of ideas, to decode or demystify key legal and policy concepts, and to provide building blocks for industry, academic and stakeholder engaged legal and policy research going forward. This workshop aims to go beyond legal studies, political economy studies and games production studies to find commonalities in study of how regulatory issues (broadly defined) shape the games environment. Too often legal and policy concepts are studied within national boundaries, given the continued significance of the nation-state in imposing legal norms, shaping policy interventions and driving business models. However, the games sector by its nature is both local and global or transnational, with development, dissemination and engagement taking place across and through borders.

WORKSHOP AIM

This workshop aims to develop interdisciplinary, international connections between people researching aspects of the games industries, as well as identify gaps in research. We will explore the key legal concepts shaping engagement with games. We will share methodological approaches of legal, socio-legal, critical policy and political economy concepts from different angles. The panelists, participants and organisers will consider how to share knowledge going forward and how to develop future collaborations on legal, business and policy matters relating to games. In addition, this workshop will demystify certain of the key legal and policy concepts that shape the games world.

Most importantly, this workshop will operate as a genuine space for exchange of ideas. As legal and policy researchers, the organisers have knowledge of the regulatory and governance space of games studies from a regional, national and selective international perspective. However, while we believe that law and policy issues are central to the study of games and the games industries, we know that legal and policy scholars (including ourselves) often do not have sufficient knowledge of other aspects of the games industries to enable in-depth analysis. This workshop will offer a space for real exchange of knowledge, borrowing the format of the game jam to share expertise.

It is possible to run the workshop in a hybrid fashion depending on technological affordances.

WORKSHOP PROGRAMME

The program is scheduled to take place over two to three hours (depending on scheduling) including appropriate breaks.

Session 1	<u>Setting the Scene</u>
	Key policy issues in games studies Key legal issues in games studies
Session 2	Engagement on case presentations from around the world from policy and industry academics including ECRs
Break	Short coffee break
Session 3	Open exchange with participants and audience on legal and policy issues: <i>the law and policy of games</i>
	Sample discussion topics as below which will be used for guidance, but exact topics will depend on participants and audience
	What are key legal and policy issues in your jurisdiction?
	How can game studies approach these?
	How can global research be undertaken given the territorial specificity of law and policy?
	What methodological issues are there with collaborative work?
	How can academics influence policy?
	3 hours in total

Table 1: outline of workshop programme

CALL FOR PANELLISTS

The workshop is open to all attendees at DiGRA 2025. The organisers believe that many academics and attendees have practical and worked knowledge of the legal, business support, policy and regulatory practices in their own jurisdiction, and this experience is valuable. Therefore, we welcome participants who are not formal legal or policy scholars but who have relevant knowledge to enable informed discussion. The format of the workshop is to have an open and engaged discussion on these issues.

- **If you are interested participating in the workshop, please submit a short (300 word) abstract on an aspect of law and policy of games that is of interest to you together with a short bio note.**
- **Please send submissions to maria.m.obrien@universityofgalway.ie to express an interest in participating in the workshop.**

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