OpenCritic's Look Into Brash Games

SUMMARY

On March 31st, the OpenCritic team received evidence that Brash Games, then an official publication on OpenCritic, had changed the review score of a review written by Josh Robertson despite his clear objection. When we reached out to former writers for Brash Games, we received numerous similar reports of scores being changed without informing the author or in spite of clear objections.

Additionally, multiple critics claimed Brash Games had removed them from the by-line of their reviews, thus stripping them of credit for their work. Web archives, including OpenCritic's own archives, supported their allegations, showing that when a critic ceased to work with Brash Games, they would often lose credit to their work, even when separations were amicable. Several of these critics were not paid by Brash Games and were volunteers trying to develop their early careers in the industry. Some of critics had their name removed during our investigation.

Each time we confronted Brash Games with a specific accusation, we found traces of attempted cover-ups including efforts such as editing or deleting old reviews, sending dubious legal documents and threats, blocking OpenCritic team member IP addresses, and removing Brash Games from the Wayback Machine.

During this investigation, Brash Games requested to no longer be listed on OpenCritic. In the interest of transparency, and to meet our launch commitment to investigate and report unethical conduct, we detail our investigation below. We'll continue to update this report if we receive additional comments from Brash Games.

In hindsight, Brash Games did not meet the spirit of OpenCritic's audience trust requirement, though they do appear to genuinely exceed the specific metric thresholds that resulted in their approval. By granting approval this past December, we feel that we made a significant error as an aggregator by providing validation and drawing industry attention to an editor-in-chief and hobbyist that seems to lack formal journalism understanding, professionalism, and training. As engineers, we ourselves admittedly lack similar training.

As a result, OpenCritic is in the process of re-evaluating its official publication requirements and is committed to contracting independent and experienced journalists should situations like this arise in the future.

The OpenCritic Team *April 10th, 2017*

NOTES

On March 29th, 2017, around 10:30 pm PDT, Brash Games published a review written by Joshua Robertson for Toy Odyssey: The Lost and Found. Because Brash Games was an official publication on OpenCritic, the review was <u>automatically aggregated</u> a few minutes later. The review was initially published with a score of 5/10, according to <u>our html snapshot</u>. For context, OpenCritic captures an html snapshot of each review at the moment of aggregation.

On March 31st, Twitter users alerted us to <u>a tweet made by user @ReviewsFlash</u> alleging that Brash Games had "forcibly changed" his review score. We reached out to over Twitter and asked him to elaborate on his tweet. Josh explained:

After I played [Toy Odyssey: The Lost and Found] for a while I wrote my review giving it a 3/10 because I personally didn't like it.

The next day, I received an email telling me that my score for the game was very low compared to the average reviews on the games Metacritic page.

A few emails were exchanged in which I said that even though I understand it's low, I still believed that it's the score I'd personally give it.

A couple days pass, and I receive no more emails. I decided to check the website and my review of Toy Odyssey had been published but with the much higher score of 5/10.

Josh then provided what appear to be <u>email exchanges</u> between him and Paul Ryan, the owner and Editor-In-Chief of Brash Games that corroborate his story. We redacted Josh's full name and public email per his request.

We then reached out to Brash Games via email. Paul Ryan quickly responded: "Just to be clear, we DO NOT change scores and all of our reviewers score the games themselves." Brash Games stated that the review had been published by mistake and was meant to be set to pending rather than scheduled. He noted that this was Josh's first review for Brash and claimed that Josh did not "adhere to the review scoring system [Brash] has in place." Brash then removed the review from Brash Games and edited the OpenCritic review card to link to a review published prior to joining OpenCritic.

On March 31st, at the same time as the initial contact with Brash Games, we also reached out to several critics that had previously written for Brash Games to see if they had any similar experiences. Jordan Biordi was the first critic to respond:

Yes, this is something I have experienced while writing for Brash. It was in writing a review for the Wii U version of Ziggurat, and giving it a score of four, I was told in an email that it

would be changed to a seven to better line up with the game's Metacritic average. I responded to the email saying, in an attempt to compromise, I would go as high as a five, but my critical opinion is not meant to service Metacritic.

The html snapshot of the Ziggurat review showed that the review had been <u>initially published</u> with a score of 5/10. On April 4th, the score was still set to 5/10. We assume that Brash Games edited the review after being confronted with this information on April 4th, as the score became 4/10 by April 7th. We also note that, as of April 9th, Jordan Biordi does not appear to be credited with this review (html snapshot of by-line).

Dylan Chaundy made a similar complaint, initially anonymously:

One of my review scores was changed (without consent/consultation) and it became apparent that the names of colleagues who had left [Brash Games] were having their names removed from their reviews/written work. I was very unhappy about this and chose to leave the site behind me.

As a result of these two additional accusations, we revoked Brash Games access to OpenCritic's CMS and confronted Brash Games with the additional allegations:

So we're just trying to reconcile this here, because the screenshots we have do not support your version of the story and four separate and unaffiliated individuals are disputing your assertion [that Brash does not alter review scores].

We note that, at this time, John McCormick responded to our email inquiry and stated that during the process of publishing two reviews, he had not experienced or witnessed any improper treatment of reviews.

Brash Games responded on April 3rd asking that OpenCritic reveal their anonymous sources. Prior to this time, we had not confirmed with Jordan that he was prepared to be on record and was presented to Brash as an anonymous source. Dylan was also not revealed to Brash Games until his later comments on April 8th. Unlike Jordan, we note that Dylan was removed from the by-line before being revealed to Brash Games. Dylan's comment:

I discovered today that [Brash Games] had removed my name from all of my reviews for absolutely no reason -- I personally left the site on good terms. That was the straw that broke the camel's back.

Go ahead and use my name publicly.

Before we could respond, Brash Games requested to have all of their reviews deleted from OpenCritic. Brash Games had still offered no response to the additional allegations. We made the decision to voluntarily disable all Brash Games reviews a few hours later so that they would

not appear on OpenCritic. On April 9th, we unanimously finalized this decision and purged Brash Games reviews from OpenCritic's main database.

Another critic, who also asked to remain anonymous, painted a similar story several days later:

A couple of my scores were definitely changed, yes. I don't remember which ones specifically, but it happened on more than one occasion without me even being consulted.

Yes, for sure. I was asked why my score was as low as it was, when the Metacritic average was a bit above. My score was changed, though I was never asked to rewrite the review to reflect that higher score.

On April 4th, we discovered (now deleted) Twitter user @x_Mataeus_x, who tweeted that "@brashgames are liars who practiced score manipulation." After studying his previous tweets, we found this tweet. Using the Wayback Machine web archive tool, we noticed that all of Mat Cooper's reviews on Brash Games were no longer attributed to Mat Cooper and were instead attributed to Brash Games. As an example, Fallout 4: Nuka-World's September 5th archive attributed Mat Cooper in its by-line, but the October 31st archive attributed "Brash Games."

Mat Cooper explained via email that he had written reviews for Brash Games for several months and left in Autumn 2016. Similar to other authors, he had also been removed from the by-line. Mat claimed that when he tried to republish his content on True Achievements, Brash Games sent a suspicious DMCA claim to True Achievements, demanding they take down the content:

[True Achievements] looked at the apparent DMCA claim filed by Brash which turned out to be a forgery, a document downloaded from the internet with very slight editing to make it appear genuine. Also, it kept talking about "federal law", and both Brash and True Achievements are wholly UK based. I knew it was bollocks from the word go, because I of course hold the copyright, and have hard copies of everything I write.

True Achievements' manager Rich Stone later <u>tweeted</u> in response to the Brash Games twitter account. His tweet appears to support Mat Cooper's claim that illegitimate legal documents had been sent to True Achievements:

The guy also sent me a load of takedown notices that he'd c&p'd from the Internet and then didn't change the date or address on them

In regards to his claim about score manipulation, Mat stated:

I also saw that at least one of my reviews – Ride 2 – had been altered on Brash Games from a final score of a 6 – "above average" – to a 7 – "Good".

Mat Cooper then said "I already went through all of this once before with Metacritic," potentially explaining why newly published Brash Games reviews no longer appear to be aggregated by Metacritic and Game Rankings.

Mat Cooper also told us that, in trying to rebuild his relationship with Brash and regain his content rights, he believed Brash Games was regretful and had recognized wrongdoing:

I have to state here and now that since that time, I've managed to rebuild a relationship with Brash Games, having talked at great length about why they cannot take credit for other writers' work.

Brash Games did lie, about the origin / ownership of 'their' reviews, and about copyright claims. They also did practice score manipulation, as evidenced by testimonies.

I do believe, however, that Brash are regretful, and as an all too positive and trusting person, we have had discussions to reverse the above attitudes and behaviours. My reviews have been mostly re-credited to myself, and Brash's owner has shown regret at his actions. I finally got him to talk and rectify everything that was morally / factually wrong, and he stated: "Don't worry I won't let this happen again. It's resolved between us."

Mat then requested privacy and that he not be contacted on this matter any further. **April 12th Update:** Mat reached out to OpenCritic to reiterate that he in no way supports the behavior of Brash Games staff and clarified his relationship with Brash Games.

I have nothing to do with Brash Games beyond logging into the site and posting my review and opinion feature text, just like any other person who's written for them.

We continued our search on Twitter, discovering <u>this tweet</u> by Graham Sherry alleging that Brash Games "blatantly ignored me for weeks as I didn't review a game with a score that you wanted." In reviewing this account, we found <u>this tweet</u> about a review for Monochroma on Brash Games. In the August 13th archive, Graham Sherry was attributed this review. However, the April 3rd archive showed "Brash Games" to be attributed.

We reached out to Graham to learn more about his experiences. Graham privately detailed his last review for Brash Games:

The last game I reviewed was 140, and I awarded it a 2/10, which I felt was justified. [Paul] then gave a press key to another reviewer Mat Cooper in the hope of a higher score. Mat awarded it a 4/10.

Graham provided a dump of emails between himself and Paul Ryan. <u>One email in particular</u> seemed to support this story. We were unable to find any record of a 140 review attributed to Graham Sherry on brashgames.co.uk or review archives.

OpenCritic also reached out to various editors of gaming publications for their reactions to the investigation so far. Most editors refused to make public comments, but some called out how they had experienced oddities when vetting applicants to their publication: the Brash Games by-line appeared to not correctly attribute authors for their work.

We were then introduced to Amy Kay Purcell. Amy told us that she ceased writing for Brash Games in early February 2016 due to personal time constraints. She felt that they separated amicably and that her "scores were never changed to the best of my knowledge." Shortly after she ceased writing for Brash, however, Amy noticed that her name had been replaced with "Brash Games" and initiated some legal action:

On February 16th, I discovered that the author links on my reviews had been changed to "Brash Games," and that my profile page no longer existed. I contacted Mr Ryan twice, once on the 16th and again on February 23rd, requesting he update the pages with a by-line. I have not received a reply to either email. ...

After receiving no reply, I contacted the webhost, Freelola.com, who did not respond to two DMCA takedown requests. After waiting another week and a half, I contacted their customer support, who determined that, despite my providing sworn statements, the google doc where they could see the article being composed, as well as archives of the articles having previously been credited to me, this was not a copyright issue and was a personal issue I would have to resolve with Mr Ryan. They did, however, inform him that a copyright complaint had been filed against his site by myself. I have still received no communication from Mr Ryan.

She provided links to several archived reviews which initially credited Amy in the by-line. The current reviews, however, credit "Brash Games." One review was particularly upsetting, Amy recalls:

I would also like to note that the Attack of the Friday Monsters review is especially painful to see living on Brash Games without credit, as it was written years earlier and posted to my personal blog. I provided this review as my sample and removed it from my personal blog, as Mr Ryan, reasonably, did not want the SEO results to point to two locations.

Brash Games responded with a series of emails. The first appeared to be a copy/pasted email from Mat Cooper in which Mat clarifies publishing strategy for an unspecified game before discussing OpenCritic's questions and comments. In the copy/pasted response, Mat Cooper also indicates he reached out to Graham. We did not reach out to Mat to verify the authenticity of this response per Mat's previous request to not be contacted, and have such opted to not publish it.

The second email provided an alternate explanation for the changing scores, along with a response to Amy's complaints:

Brash Games is not for SALE at any price and I must admit this seems like a witch hunt by a group of individuals directly associated with Open Critic and I take these libellous statements very seriously. ...

The scores are added as images and it quite common for reviewers to upload the incorrect score and or not include a score at all as they write for several sites, some of which do not use ratings. If you type Rating 5 in the box for instance all 10 rating show up so this is maybe what you are referring to. As a rule disgruntled ex-employees are just that, those who were let go for consitantly failing to meet deadlines, those who accepted numerous codes without reviewing them and those dismissed for plagiarism make for unreliable witnesses in court, especially when they were let go by other sites too. Any user accounts deleted were done so in accordance with the terms and conditions of the website. ...

With regards to Amy Kay Purcell she was let go for failing to meet the minimum requirements of staff reviewers and the article Attack of the Friday Monsters was deleted from Brash Games as a gesture of goodwill.

Another email was simply <u>a link to a video</u> of what appears to be a person attempting to use Brash Games CMS to add a review score. We removed the copyright audio and uploaded it to YouTube.

We reached out to Amy to inform her of Paul's response. She denied being "let go" and insisted that she voluntarily quit under good terms due to time constraints. She forwarded us what appears to be her resignation email to Paul, and Paul's positive acceptance. In regards to her review, she responded:

I'm thrilled to be able to have the Friday Monsters review back on my blog! I know it's silly, but that little game is near and dear to my heart. Now if Mr Ryan would do the same for my five remaining articles, or simply add back my by-line, as I've requested several times, my issues with his site (outside of the ethical ones) will all be resolved.

Amy sent us another email a few hours later:

Just an update, it appears that multiple emails from me and copyright notifications had no impact, but your investigation did! Brash Games did, indeed, delete my Friday Monsters review, and Mr Ryan replied to my email from February a few hours ago to tell me he had restored my by-line to four of my five reviews on his blog.

I replied with a thanks and included a link to the final uncredited review of mine. He just replied saying that he'd fixed that one as well, and added that "unfortunately," accounts were being deleted instead of being marked as inactive.

On a personal note, after two months of attempted contact and copyright proceedings, I can't say that I believe this was accidental and somehow went unnoticed until now, but either way it seems that part of this saga is resolved for me, at least. And it means I don't have to pay my lawyer to write a cease-and-desist, so I want to offer you a sincere thank you for your time and effort. I hope the other authors impacted by this are able to get their by-lines back, too.

On April 9th, we received another email from Amy noting that "it seems I will need to contact a lawyer after all." Amy alerted us that her "credits have been removed once again."

Later, we found several authors that had also claimed to be stripped of credit. Meg Bethany Read <u>stated on twitter</u>:

I wrote for [Brash Games]. Then they decided to remove author credit from all of my posts when I decided not to waste my time any more. Sigh. https://twitter.com/BrashGames/status/636253656808050688

We reached out to Meg to ask if she had also experienced any score manipulation. She responded:

I have had a review score changed - my Chibi-Robo! Zip Lash one. I gave it a 4/10 and they changed it to a 5/10.

Olly Smith shared a similar experience in <u>a series of tweets</u>. Two in particular detail how he was stripped of credit:

I emailed about leaving. I was very respectful. I even said I owe them a review for a game that hasn't been made available to journos yet.

The next day I received a one-line "good luck" email and my author's credit was removed from all my articles.

He also privately stated that he had not experienced any improper treatment of his review scores and did not have his scores refuted by any aggregator average.

On April 7th, multiple users claimed to have found statements from Brash Games addressing by-line problems. One user <u>claimed to have</u> a screenshot of Brash Games' staff page with a disclaimer at the bottom. Another user found Twitter replies from Brash Games' account with <u>a similar statement</u>.

We attempted to verify the Brash Games statement, only to find that Brash Games administrators had blocked multiple IP addresses belonging to OpenCritic team members, preventing us from accessing Brash Games web properties. This is what brashgames.co.uk pages look like to OpenCritic Team members.

We then went to see if the Brash Games staff page had been saved by the Wayback Machine, only to then discover that all brashgames.co.uk links had been removed from the Wayback Machine. The Wayback Machine has the following information in their FAQ (emphasis added):

Do you collect all the sites on the Web?

No, the Archive collects web pages that are publicly available. We do not archive pages that require a password to access, pages that are only accessible when a person types into and sends a form, or pages on secure servers. Pages may not be archived due to robots exclusions and **some sites are excluded by direct site owner request**.

OpenCritic then discovered <u>this archive</u> that appears to support the screenshots discovered on Twitter. The response states:

Please note – We have had issues with disappearing profiles – If you are effected please send a list of your missing reviews and we will re-create your profile.

Unfortunately our custom wordpress CMS system is configured so so that writers are able to publish review, upload images, videos and podcasts however when an account is revoked or marked as inactive it seems to delete the account and assign content to the default account. For security reasons we do not allow admin rights to ex users either those that have left of their own accord or to those that have been dismissed for constantly failing to meet deadlines, plagiarism and or deception.

In a final request for comment, we pressed Paul Ryan on the allegations again. He claimed that his removal of by-lines was a legitimate response to ex-writers contacting publishers and developers for review copies, and cited Tom Leclerc as a long-time author who still had a dormant account and his reviews attributed to him. He also justified his actions due to "newbies or freelancers that ... who fail to meet the minimum requirements" of 3-4 reviews per month, or that they "are just interested in bagging free games." He also again justified his changing of Josh's review score, citing that a senior member of Brash Games had previously awarded the game a 7/10, permitting him to press Josh to reconsider.

Finally, Paul gave us some insight into his motivations for running Brash Games despite the lack of any discernable revenue stream:

I a, an extremely private person, I only tweet about reviews, i don't post personal photo's, events etc to social media so sending this email is not something I've done lightly. I have been running Brash Games for 6 years and the site is 100% self funded by me, out of my own pocket, I do not run any advertisements on the site so there's can be no assumption of bias and i do not seek anonymous donations via Patreon or PayPal and we do not claim to have cheats or other content like many of our competitors just to get more traffic, we just publish reviews which is what we do best. I am not motivated by money i do this as a way of a release from all the stresses and strains of life ... and to keep in contact with friends i have build up with over the years on the site.

CONCLUSION

Brash Games was accused by multiple critics of changing review scores without the author's consent and sometimes in spite of their objections.

OpenCritic believes such changes did take place, though we stress that incidents may have been rare. We feel that it's harmful to critics to publish material changes to opinion content under their name without their consent. We also believe it's deceptive towards consumers who come to Brash Games for review content created by someone who has played the game in full.

- Toy Odyssey: The Lost and Found
 - Josh Robertson accused Brash Games of publishing his review scored 5/10 instead of his submitted 3/10 and stated 4/10 upper-bound.
 - Josh Robertson commented and provided emails showing discussion around the score and attempting to compromise.
 - Brash Games deleted the review and edited the OpenCritic metadata.

Ziggurat

- Jordan Biordi claimed that he was pressured to raise his score due to the Metacritic average.
- Jordan Biordi approved the score being raised from 4/10 to 5/10.
- When Jordan's complaints were presented in full to Brash Games, they changed the score back to 4/10 and removed Jordan Biordi from the by-line.

• Ride 2

 Mat Cooper stated plainly that his original review was scored at 6/10, and that Brash Games had changed it to 7/10.

140

- Graham Sherry claimed that his review was not published due to its low score.
- Graham Sherry provided emails between him and Paul Ryan in which Paul asks
 Graham to "wait for more reviews" before publishing, presumably to see how they score.
- There is no evidence that Graham Sherry's 140 review was ever published.

Chibi-Robo! Zip Lash

 Meg Bethany Read stated plainly that her review was changed from 4/10 to 5/10 without her consent.

Dylan Chaundy

 Dylan did not provide a specific example, but he commented: "The main reasons why I moved on from Brash Games was because of the experiences you have outlined; one of my review scores was changed (without consent/consultation)"

Anonymous Critic

 Stated that "A couple of my scores were definitely changed, yes. I don't remember which ones specifically, but it happened on more than one occasion without me even being consulted." Brash Games was also accused by multiple critics of stripping authors of credit in the by-line for their work after separation, even under cordial conditions.

OpenCritic believes such a practice is still taking place. We feel that it's damaging to the personal brand and career potential of entry-level critics, especially towards unpaid writers who were attracted to voluntarily write for Brash Games in hopes of building their portfolio. We also believe that it's also unfair to consumers who wish to consider a critic's complete body of work.

Amy Kay Purcell

- Stated that she had been pursuing legal action against Brash Games for stripping her of credit despite an amicable separation.
- Wayback Machine verified that Amy was the original author of her work.
- Amy provided email exchanges supporting her telling of events.
- When confronted with Amy's allegation, Brash Games restored her by-line attribution to her reviews, passively acknowledging that such an error had happened.
- Her attribution was again removed on April 9th, though her Attack of the Friday Monsters review appears to still be taken down.

Mat Cooper

- Mat Cooper's archived Tweets and corresponding comments: "Brash Games did lie, about the origin / ownership of 'their' reviews, and about copyright claims."
- When Brash Games was confronted with Mat Cooper's allegations with Wayback Machine links, Brash presumably removed themselves from the Wayback Machine.
- Comments by Mat Cooper and Rich Stone indicating dubious legal documents.

Dylan Chaundy

 "I discovered today that BG had removed my name from all of my reviews for absolutely no reason -- I personally left the site on good terms. That was the straw that broke the camel's back."

Jordan Biordi

• When we confronted Brash Games about Jordan's complaint, his name no longer appeared in the by-line of his reviews.

Olly Smith

 "The next day I received a one-line "good luck" email and my author's credit was removed from all my articles."

Meg Bethany Read

 "I wrote for [Brash Games]. Then they decided to remove author credit from all of my posts when I decided not to waste my time any more. Sigh."

Graham Sherry

- "I have been made aware by people who read my reviews that scores had been altered, and my name removed from the published articles."
- We note that dozens of Brash Games reviews currently attribute "Brash Games" in their by-line.

UPDATES

Any updates or changes to this report will be documented here.

April 11, 2017 - 8:33 am PDT - Corrected Dylan Chandy's name in the conclusion

April 12, 2017 - 3:23 pm PDT - Added additional statement from Mat Cooper