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7 March 2024

# Gambling advertising: how is it regulated?



## Summary

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## Summary

Gambling operators selling into the British market must have a [Gambling Commission](#) licence to transact with, and advertise to, British consumers. The Commission's [Licence Conditions and Codes of Practice](#) require operators to comply with the [Advertising Codes](#), administered by the [Advertising Standards Authority](#) (ASA). The Codes aim to ensure that gambling adverts do not:

- portray, condone, or encourage gambling behaviour that is socially irresponsible or could lead to financial, social or emotional harm.
- exploit the susceptibilities, aspirations, credulity, inexperience, or lack of knowledge of children, young persons or other vulnerable persons.
- suggest that gambling can be a solution to financial concerns.
- link gambling to seduction, sexual success, or enhanced attractiveness.
- be of strong appeal to children or young persons, especially by reflecting or being associated with youth culture.
- feature anyone gambling or playing a significant role in the ad if they are under 25 years old (or appear to be under 25).

Adverts that breach the Codes must be amended or withdrawn. If serious or repeated breaches occur, the ASA can refer advertisers to the Gambling Commission and broadcasters to [Ofcom](#).

## Concerns about advertising

Gambling advertising has increased substantially since the [Gambling Act 2005](#) came into force. This has led to concerns about the impact of advertising on children, young people, and vulnerable adults.

The relationship between gambling and sport has come under particular scrutiny. In a December 2023 report, the Culture, Media and Sport Committee [recommended that the Government should work with the Premier League and the governing bodies of other sports to reduce the volume of gambling adverts in sportsgrounds](#). The Committee also said there was an “urgent need to better understand the effects of gambling advertising on the risk of harm”.

## What is the gambling industry doing?

The [Betting and Gaming Council](#) (BGC) represents around 90% of the UK's betting and gaming industry. Members of the BGC must, among other things, comply with an [Industry Code for Socially Responsible Advertising](#) (PDF)(September 2023).

## The gambling white paper (April 2023)

The Government published a [gambling white paper](#) in April 2023. According to the white paper, there was “good evidence” that advertising had a “disproportionate impact” on people who already had problems with their gambling. In addition, some forms of online advertising had a strong appeal to those under 18. While the white paper welcomed industry initiatives, it said these did not go far enough. It therefore set out proposals for:

- the Gambling Commission to review incentives such as free bets and bonuses to ensure they are constructed and targeted in a socially responsible manner.
- the Commission to continue to monitor practices around online VIP schemes to make sure they are not used to exploit at-risk gamblers.
- the Commission to work to strengthen consent for direct marketing for online gambling, with new and existing customers given more choice on what offers they want (including requiring consent to ‘cross-selling’ new products) and how marketing is sent to them.
- DCMS to work with the Department of Health and Social Care and the Gambling Commission to develop a new, evidence-based model for independently developed safer gambling messages.

In November 2023, [the Gambling Commission published a consultation on bonus offers, free bets, and other incentives to gamble to make sure they do not encourage harmful or excessive gambling](#). The consultation closed on 21 February 2024.

A July 2023 [consultation sought views on giving customers more control over the direct gambling marketing they wish to receive](#). The consultation closed on 18 October 2023. The Commission has not yet published responses to either consultation.

For discussion of the white paper, see:

- Library Briefing, [Gambling white paper: a reading list](#) (2 June 2023).
- Culture, Media and Sport Committee, [Gambling regulation](#) (PDF), December 2023.

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# 1 Introduction

From September 2007, when the [Gambling Act 2005](#) came into force, gambling operators have been able to advertise across all media in Great Britain. Since then, the market has grown significantly. An Ipsos MORI report, published in March 2020 by the [GambleAware](#) charity, found a “clear increase” in gambling advertising to over £328 million in 2018:

Across all media, with the exception of online advertising for which there is limited trend data available, the estimated spend on gambling ‘paid for’ advertising has steadily increased year on year from £264,657,325 in 2015 to £328,945,916 in 2018. This represents a 24% increase from 2015 to 2018.<sup>1</sup>

A February 2020 National Audit Office report also found a significant increase in the spend of gambling operators on advertising, particularly online and on social media.<sup>2</sup>

## 1.1 The impact of advertising on consumers

A 2016 Government review found that, although the number of adverts had “increased substantially” since the Gambling Act came into force, problem gambling had remained statistically stable, although gambling-related harm was harder to measure.<sup>3</sup> Many of the public’s responses to the review claimed there was too much advertising on television and called for it to be banned or heavily restricted because it promoted or normalised gambling.

Broadcasters, the ASA/CAP, the Advertising Association, and sporting bodies referred to research showing that the impact of advertising on problem

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<sup>1</sup> Ipsos MORRI, [Final Synthesis Report: the impact of gambling marketing and advertising on children, young people and vulnerable adults](#) (PDF)[online], March 2020, para 1.2.1 (accessed 5 March 2024)

<sup>2</sup> National Audit Office, [Gambling regulation: problem gambling and protecting vulnerable people](#) (PDF) [online], HC 101, February 2020, p36 (accessed 5 March 2024)

<sup>3</sup> Department for Culture, Media and Sport (DCMS), [Review of Gaming Machines and Social Responsibility Measures: Call for Evidence](#) (PDF) [online], October 2016, see pp13-4 on advertising. The findings of the 2016 review are set out on pp40-50 of the DCMS’ [Consultation on proposals for changes to gaming machines and social responsibility measures](#) (PDF)[online], October 2017 (accessed 5 March 2024)

gambling was small.<sup>4</sup> They also pointed out that investment in sport and sports coverage depends heavily on gambling advertising.<sup>5</sup>

There is ongoing concern about the growth in advertising and its impact, particularly on young people and vulnerable adults.<sup>6</sup> According to the Ipsos MORI report:

- more than four out of five (85%) aged 11-24 reported seeing gambling advertising on TV (including national lottery adverts).
- 70% of children and young people noticed gambling adverts in betting shops on the high street, window displays as well as promotions on shop floors and near tills. However, those aged between 18 to 24 had higher exposure to gambling during sports events, on smartphone apps, through merchandise, gambling websites, emails and from word of mouth.
- two-thirds (66%) reported seeing gambling promotions on their social media channels, that were most likely to be in the form of video adverts while watching clips on YouTube or ads appearing while scrolling through Facebook feeds.<sup>7</sup>

The report pointed out that the relationship between advertising and gambling behaviour was “complex and multifaceted” and that the attitudes and gambling behaviours of peers and carers were also important in shaping behaviour.<sup>8</sup> However, it did conclude there were “reasonable grounds for concern” about the impact of advertising. After noting the precautionary principle<sup>9</sup>, the report made recommendations including:

- the need for clearer safer gambling messages and campaigns, to increase the awareness of risk of gambling to children and young people.
- improving safer gambling education initiatives, that extend to parents, as well as children and young people.

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<sup>4</sup> Binde P, [Gambling advertising: a critical research review](#), Responsible Gambling Trust [now GambleAware] (PDF)[online], 2014; Per Binde has since published [A bibliography of empirical studies on gambling advertising](#) (5th ed)(PDF)[online], OnGambling.org, December 2022 (accessed 5 March 2024)

<sup>5</sup> DCMS, [Consultation on proposals for changes to gaming machines and social responsibility measures](#) (PDF)[online], pp42-3

<sup>6</sup> See, for example: [Glasgow study finds link with gambling adverts and addiction](#), Glasgow Times [online], 26 January 2023; [Gambling kills' should be on every betting advert, bereaved mothers say as they lobby PM](#), Sky News [online], 5 December 2022; [Gambling: Boy, 16, lost thousands after seeing advert](#), BBC News [online], 17 November 2022; [Players to wear yellow laces to support gambling advert ban](#), BBC Sport [online], 3 November 2022; [Gambling firms among heaviest radio advertisers during school run](#), Guardian [online], 8 November 2021 (all accessed 5 March 2024). See also footnote 14 of this Briefing.

<sup>7</sup> [The effect of gambling advertising on children, young people and vulnerable adults](#). Ipsos MORI news [online], 27 March 2020 (accessed 5 March 2024)

<sup>8</sup> Ipsos MORI, [Final Synthesis Report: the effect of gambling marketing and advertising on children, young people and vulnerable adults: Executive summary](#) (PDF)[online], March 2020, p9 (accessed 5 March 2024)

<sup>9</sup> ie taking preventative measures even if cause and effect relationships are not fully established.

- reducing the appeal of gambling advertising, by addressing specific features that may appeal to children, for example the use of celebrities or humour, while also avoiding references to confusing financial incentives.
- improved use of advertising technology and age screening tools, to minimise the exposure of such content to children, young people and vulnerable adults.<sup>10</sup>

A July 2020 House of Lords Committee report on gambling harm recommended that the Government should commission independent research to establish the links between gambling advertising and gambling-related harm for adults and children.<sup>11</sup> In its December 2020 response, the Government referred to the March 2020 report by Ipsos MORI<sup>12</sup>. It also said that its [Gambling Act review](#) (see section 4 of this Briefing) would consider gambling marketing and advertising.<sup>13</sup>

## 1.2 Gambling advertising and sport

Gambling advertising in sport, especially in football, has generated particular concern.<sup>14</sup>

In April 2023, the Premier League announced that its clubs had agreed to withdraw gambling sponsorship from the front of matchday shirts. This would take effect from the end of the 2025/26 season.<sup>15</sup>

A September 2023 Bristol University report analysed live televised coverage, sports news programming, sports news radio, and social media over the Premier League's opening weekend (11-14 August 2023).<sup>16</sup> The report found that:

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<sup>10</sup> [The effect of gambling advertising on children, young people and vulnerable adults](#), Ipsos MORI news [online], 27 March 2020

<sup>11</sup> House of Lords Select Committee on the Social and Economic Impact of the Gambling Industry, [Gambling Harm – Time for Action](#) [online], HL Paper 79, July 2020, para 494 (accessed 5 March 2024)

<sup>12</sup> DCMS, [Government Response to the House of Lords Gambling Industry Committee Report: Social and Economic Impact of the Gambling Industry](#) [online], December 2020, para 69 (accessed 5 March 2024)

<sup>13</sup> As above, para 70

<sup>14</sup> See, for example: [PQ 3409 \[on gambling adverts during football matches\]](#), answered 1 December 2024; [PQ 2613 \[on gambling advertising in football\]](#), answered 27 November 2023; [PQ 98932 \[on the 2022 FIFA World Cup and gambling-related harms\]](#), answered 5 December 2022 ; [PQ 21229 \[on gambling adverts in football stadiums\]](#), answered 27 June 2022; House of Lords Select Committee on the Social and Economic Impact of the Gambling Industry, [Gambling Harm – Time for Action](#) [online], HL Paper 79, July 2020, chapter 7

<sup>15</sup> Premier League, [Statement on gambling sponsorship](#) [online], 13 April 2023 (accessed 5 March 2024)

<sup>16</sup> University of Bristol / 5 News, [New season, more self-regulation, more marketing - the prevalence of gambling adverts during the opening weekend of the English Premier League 2023/2024](#) [online](PDF), September 2023 (accessed 6 March 2024)



- A total of 10,999 gambling messages were identified during the weekend across various media channels.
- 6,966 gambling messages were recorded during the six live match broadcasts.
- 92% out of 391 content marketing ads sent by major gambling brands, were not clearly identifiable as advertising – and therefore breaching a key advertising regulation.
- Less than a quarter (20.6%) included gambling harm reduction messages and only 18.7% featured age warnings - leaving the majority without any warnings.
- There was at least one gambling ad during any commercial break on TalkSport Radio and 600 gambling messages during two hours of Sky Sports News.
- 1,902 gambling ads on social media, generating a total of 34 million impressions (the number of times an advert was seen).<sup>17</sup>

Raffaello Rossi, one of the lead researchers, said the report showed that “gambling marketing during Premier League weekends is inescapable” and that fans were “bombarded with gambling marketing through various channels, making it a normal part of football consumption”. He claimed that self-regulation of the gambling industry was “completely failing”.<sup>18</sup>

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<sup>17</sup> [New evidence exposes huge scale of gambling marketing at start of Premier League football season and lack of harm reduction warnings](#), University of Bristol news [online],

<sup>18</sup> As above

## 2

# What does gambling law require?

Under the [Gambling Act 2005](#) (as amended), gambling operators selling into the British market must have a Gambling Commission licence to transact with, and advertise to, British consumers.<sup>19</sup> The [Commission's Licence Conditions and Codes of Practice](#) (LCCP) require gambling operators to comply with the [Advertising Codes](#), administered by the [Advertising Standards Authority](#) (ASA).

The Gambling Act's third licensing objective seeks to protect children and other vulnerable persons from being harmed or exploited by gambling.<sup>20</sup> The sections of the ASA's Codes that cover gambling are designed to protect these groups from being harmed by advertising featuring or promoting gambling.

## 2.1

# The Advertising Codes

Gambling operators advertising to British customers must comply with:

- chapter 17 of the [UK Code of Broadcast Advertising](#) (the Broadcast Committee of Advertising Practice (BCAP) Code).
- chapter 16 of the [UK Code of Non-broadcast Advertising, Sales Promotion and Direct Marketing](#) (the Committee of Advertising (CAP) Code).

The BCAP Code applies to all adverts and programme sponsorship credits on radio and television. The CAP Code applies to non-broadcast adverts, sales promotions and direct marketing communications.

The Codes aim to ensure that gambling advertisements do not:

- portray, condone or encourage gambling behaviour that is socially irresponsible or could lead to financial, social or emotional harm.
- exploit the susceptibilities, aspirations, credulity, inexperience or lack of knowledge of children, young persons or other vulnerable persons.
- suggest that gambling can be a solution to financial concerns.

<sup>19</sup> The [Gambling \(Licensing and Advertising\) Act 2014](#) introduced regulation at the "point of consumption". For background see the Library Briefing Papers [RP13/55](#) (PDF) [online] (17 September 2013) and [RP13/68](#) (PDF) [online] (25 November 2013)

<sup>20</sup> [Section 1 of the Gambling Act 2005](#)

- link gambling to seduction, sexual success or enhanced attractiveness.
- be of strong appeal to children or young persons, especially by reflecting or being associated with youth culture.
- feature anyone gambling or playing a significant role in the ad if they are under 25 years old (or appear to be under 25).

Adverts that breach the Codes must be amended or withdrawn. If serious or repeated breaches occur, the ASA can refer advertisers to the Gambling Commission and broadcasters to [Ofcom](#).

In April 2017, the Gambling Commission fined BGO Entertainment Ltd £300,000 for misleading advertising.<sup>21</sup> This was the first financial penalty imposed by the Commission for advertising failings.

## 2.2

## Guidance on the Codes

CAP/BCAP have issued guidance on the Codes in several areas.

### Gambling on eSports on social media

An April 2020 Advice Note explained that eSports betting-related advertising had to comply with the Codes. The advice applies to all social media platforms.<sup>22</sup>

### Protecting the under-18s

Revised guidance on protecting the under-18s came into effect in April 2019.<sup>23</sup> A CAP/BCAP statement explained that the guidance:

- required that gambling ads are not placed in media for under-18s and that under-18s comprise no more than 25% of an audience in other media.
- prohibited targeting of groups of individuals who are likely to be under 18 based on data about their online interests and browsing behaviour.
- included an extensive list of unacceptable types of content – e.g. licensed characters from movies or TV and sportspeople and celebrities that are likely to be of particular appeal to children and references to youth culture.

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<sup>21</sup> [Gambling business fined £300,000 for misleading advertising](#), Gambling Commission news [online], 2 May 2017 (accessed 5 March 2024)

<sup>22</sup> [Responding to new challenges: gambling, eSports and social media](#), CAP news [online], 23 April 2020 (accessed 5 March 2024)

<sup>23</sup> This followed a 2016 DCMS [Review of gambling and social responsibility measures](#) [online] (accessed 5 March 2024)

- prohibited the use in gambling advertisements of sportspersons, celebrities or other characters who are or appear to be under 25.<sup>24</sup>

## Social responsibility and problem gambling

In April 2018, guidance came into effect to help advertisers interpret the rules relating to social responsibility and problem gambling issues.<sup>25</sup>

### Free bets and bonuses

Guidance on free bets and bonuses came into force in February 2018. This stated that “significant conditions” must always be prominently displayed with an advertised offer. The guidance complemented work by the Competition and Markets Authority and the Gambling Commission to ensure that gambling firms were clear about their promotional terms and conditions.<sup>26</sup>

## 2.3

## Strengthening the rules

In October 2020, CAP published a consultation on tightening the rules for gambling adverts.<sup>27</sup> The consultation sought views on strengthening the rules to prohibit the creative content of ads from appealing “strongly” to under-18s. It also looked at:

- revisions to the responsibility and problem gambling guidance.
- considering the case for new media placement restrictions.
- technical updates to the Advertising Codes.

The consultation was in response to the [research commissioned by GambleAware](#) (see p6 of this Briefing) which suggested the creative content of gambling adverts had more potential than previously understood to adversely impact the under-18s and vulnerable adults.

CAP noted that, overall, the GambleAware research did not suggest that advertising that complied with the Codes was a driver of harm. It also

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<sup>24</sup> CAP/BCAP, [Regulatory statement: gambling advertising guidance – protecting children and young people](#) (PDF) [online], February 2019, p3; [New standards protecting children from irresponsible gambling ads](#), CAP news [online], 13 February 2019 (accessed 5 March 2024)

<sup>25</sup> [Tougher standards on gambling advertising announced](#), CAP news [online], 14 February 2018 (accessed 5 March 2024). This also followed the 2016 [review of gambling and social responsibility measures](#)

<sup>26</sup> See CMA website, [Online gambling: Gambling sector told to raise its game after CMA action](#), CMA press release [online], 1 February 2018; [Gambling business fined £350,000 for advertising failures](#), Gambling Commission news [online], 14 February 2018 (accessed 5 March 2024)

<sup>27</sup> [Consultation on new strengthened rules and guidance for gambling ads to protect children and young people](#), CAP news [online], 22 October 2020 (accessed 5 March 2024)

contained “many findings” that supported the effectiveness of the current regulatory framework.<sup>28</sup> The consultation closed on 22 January 2021.

## Revised guidance on responsibility and problem gambling (November 2021)

In response to the consultation, revised guidance on responsibility and problem gambling came into effect in November 2021. An ASA news release explained that the guidance restricted adverts that:

- present complex bets or other gambling products in a way that emphasises the skill, knowledge or intelligence involved and could therefore lead to erroneous perceptions of risk or control.
- present gambling as a way to be part of a community based on skill.
- state or imply that offers (such as those involving money back, ‘free’ bets or bonuses, or enhanced odds) are a way to reduce risk.<sup>29</sup>

## Rule that ads should not strongly appeal to under-18s (October 2022)

From 1 October 2022, also in response to the consultation, the CAP Code now states that ads must not be of strong appeal to children or young persons.<sup>30</sup> A news release explained:

The previous rules required that ads must not be of ‘particular appeal’ to children. The new ‘strong’ appeal test prohibits content (imagery, themes and characters) that has a strong level of appeal to under-18s regardless of how it is viewed by adults. This will significantly impact gambling advertisers looking to promote their brands using prominent sports people and celebrities as well as individuals like social media influencers, who are of strong appeal to those under 18. In practice, this will significantly restrict the imagery and references that gambling ads will be allowed to use and should decrease the potential for gambling ads to attract the attention of under-18s in an audience. For example, ads will not be able to use:

- Topflight footballers and footballers with a considerable following among under-18 on social media.
- All sportspeople well-known to under-18s, including sportspeople with a considerable volume of under-18 followers on social media.
- References to video game content and gameplay popular with under-18s.

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<sup>28</sup> As above

<sup>29</sup> [Don't take a gamble with the Codes: CAP and BCAP's revised guidance on responsibility and problem gambling](#), ASA news release [online], 11 November 2021

<sup>30</sup> [CAP Code: Gambling - rule 16.3.12](#) [online] (accessed 5 March 2024)

- Stars from reality shows popular with under-18s, such as Love Island.<sup>31</sup>

An August 2023 news release from the ASA [reminded gambling companies of some of the issues they needed to be aware of to comply with the Codes](#).<sup>32</sup>

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<sup>31</sup> [New content restrictions on gambling and lotteries ads](#), CAP news [online], 3 October 2022 (accessed 5 March 2024)

<sup>32</sup> [Don't gamble on your betting ads being compliant](#), CAP news [online], 31 August 2023 (accessed 5 March 2024)

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## 3 What is the gambling industry doing?

The gambling industry has taken voluntary action in response to concerns about gambling advertising.

### 3.1 The Betting and Gaming Council's role

The Senet Group was set up in September 2014 in response to public concerns about gambling.<sup>33</sup> In October 2014, the Group committed to:

- a voluntary ban on advertising sign-up offers (free bets and free money) on TV before 9pm.
- the withdrawal of all advertising of gaming machines from betting shop windows.
- dedicating 20% of shop window advertising to responsible gambling messages.

From January 2015, television, online and betting shop advertising by Group members had to include a “When the Fun Stops, Stop” message.

In April 2020, the [Betting and Gaming Council](#) (BGC) took over the work of the Senet Group.<sup>34</sup> Members of the BGC must, among other things, comply with the Industry Group for Responsible Gambling (IGRG) Code for Socially Responsible Advertising (see section 3.2 below).

Information on the BGC's [safer gambling initiatives can be found on its website](#). These include [measures to promote responsible advertising and marketing](#).

### 3.2 The Industry Code for Socially Responsible Advertising

An Industry Code for Socially Responsible Advertising supplements the BCAP and CAP Codes and was developed to set standards in areas not covered by

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<sup>33</sup> The Group was founded by William Hill, Ladbrokes, Coral and Paddy Power. Membership was open to any gambling operator.

<sup>34</sup> [BGC takes over Senet safer gambling remit](#), BGC news [online], 6 April 2020 (accessed 5 March 2024)

those Codes. The [Industry Group for Responsible Gambling](#) (IGRG) maintains and reviews the Code and is responsible for compliance. The BGC co-ordinates the IGRG's work.<sup>35</sup> The [British Amusement Catering Trade Association](#) and the [Bingo Association](#) are other members.

The Code was originally published in 2007, for when the Gambling Act came into force. A seventh edition of the IGRG Code was published in September 2023 and came into force in December that year.<sup>36</sup> The main changes were summarised in a BGC press release:

As well as raising advertising standards for young people, the new code will extend the current commitment, which ensures 20% of TV and radio advertising is devoted to safer gambling messaging, to digital media advertising too.

BGC members have already taken major steps to ensure only those legally allowed to bet see online marketing for regulated betting and gaming products.

Previous rules ensured all sponsored or paid for social media adverts must be targeted at consumers aged 25 and over unless the website can prove its adverts can be precisely targeted at over 18s.

Under the new guidelines, the 25+ rule will be extended to all digital media platforms who provide an appropriate age filter.<sup>37</sup>

Michael Dugher, Chief Executive of the BGC, said the new edition of the Code was “further evidence of our determination to continue to ensure that standards are rising and are as high as they can possibly be”.<sup>38</sup>

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<sup>35</sup> The BGC represents around 90% of the UK's betting and gaming industry (excluding lotteries)

<sup>36</sup> IGRG, [Gambling Industry Code for Socially Responsible Advertising](#) (PDF) [online], 7<sup>th</sup> ed, September 2023 (accessed 5 March 2024)

<sup>37</sup> [BGC strengthens ads rules to further protect under 18s](#), BGC news [online], 4 September 2023 (accessed 6 March 2024). For discussion see: MacDonald S and Orfani N, [IGRG Publishes Seventh Industry Code on Gambling Advertising](#), Wiggins Insight [online], 27 November 2023; Zeffman D et al, [BGC extends IGRG Code to digital media](#), CMS Law-Now [online], 27 November 2023 (both accessed 6 March 2024)

<sup>38</sup> [BGC strengthens ads rules to further protect under 18s](#), BGC news [online], 4 September 2023



## 4

## The gambling white paper (April 2023)

The DCMS published a [Gambling Act review](#) on 8 December 2020. Its purpose was to examine whether the 2005 Act provided the right “balance of regulation” in the digital age.<sup>39</sup> The review sought views on, among other things, the impacts of gambling advertising.<sup>40</sup>

The Government’s response to the review, in the form of a white paper, was published on 27 April 2023.<sup>41</sup> According to the white paper, there was “good evidence” that advertising could have a “disproportionate impact” on people who already had problems with their gambling.<sup>42</sup> In addition, some forms of online advertising had a strong appeal to those under 18. While the white paper welcomed industry initiatives, it said these did not go far enough. It therefore set out proposals for:

- the Gambling Commission to review incentives such as free bets and bonuses to ensure they are constructed and targeted in a socially responsible manner.
- the Commission to continue to monitor practices around online VIP schemes to make sure they are not used to exploit at-risk gamblers.<sup>43</sup>
- the Commission to work to strengthen consent for direct marketing for online gambling, with new and existing customers given more choice on what offers they want (including requiring consent to ‘cross-selling’ new products) and how marketing is sent to them.
- DCMS to work with the Department of Health and Social Care and the Gambling Commission to develop a new, evidence-based model for independently developed safer gambling messages.<sup>44</sup>

### Gambling Commission consultations on the white paper’s proposals

In November 2023, [the Gambling Commission launched a consultation on, among other things, bonus offers, free bets, and other incentives to gamble](#)

<sup>39</sup> DCMS, [Review of the Gambling Act 2005 Terms of Reference and Call for Evidence](#) 8 December 2020 (accessed 5 March 2024)

<sup>40</sup> As above, see Questions 11-15

<sup>41</sup> DCMS, [High stakes: gambling reform for the digital age](#) (PDF), 27 April 2023 (accessed 5 March 2024)

<sup>42</sup> As above, chapter 2

<sup>43</sup> High Value Customers (HVCs), also labelled as Very Important Person (VIPs), are customers identified as being of high commercial value to licensees. These customers are provided with enhanced customer service unavailable to the wider customer base.

<sup>44</sup> DCMS, [High stakes: gambling reform for the digital age](#) (PDF), chapter 2

[to make sure they do not encourage harmful or excessive gambling.](#)<sup>45</sup> The Commission’s website explained:

We want to ensure that incentives such as free bets and bonuses are constructed in a socially responsible manner and do not encourage excessive or harmful gambling. As a result, we are consulting on proposals to ban or limit on the use of wagering requirements in promotional offers and a proposal to ban on the mixing of product types (e.g. betting, bingo, casino and lotteries) within incentives. We are also consulting on changes to the section of our LCCP that covers rewards and bonuses to make it explicit that incentives should be constructed in a manner that does not lead to excessive or harmful gambling.<sup>46</sup>

The consultation closed on 21 February 2024.

A July 2023 [consultation sought views on giving customers more control over the direct gambling marketing they wish to receive.](#)<sup>47</sup> The consultation closed on 18 October 2023.

The Commission has not yet published responses to either consultation.<sup>48</sup>

## 4.1

### DCMS Committee report on the white paper (December 2023)

In December 2023, the Culture, Media and Sport Committee published a report on the gambling white paper.<sup>49</sup> On gambling advertising, the Committee said there was “an urgent need to better understand the effects of gambling advertising on the risk of harm”:

...The evidence for a link between advertising and gambling harm currently appears much stronger than evidence indicating there is a risk of displacement to the black market if gambling advertising were restricted. The Government must commission independent longitudinal research on the link between gambling advertising and the risk of gambling harm, including specifically for women and children.<sup>50</sup>

On gambling advertising and sponsorship in sport, the Committee concluded that the evidence base did not show a causative link between gambling advertising and harm. However, it “seems clear that advertising encourages

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<sup>45</sup> [Views wanted on proposals to make gambling safer](#), Gambling Commission news [online], 29 November 2023 (accessed 7 March 2024)

<sup>46</sup> Gambling Commission, [Autumn 2023 consultation on proposed changes to Licence Conditions and Codes of Practice \(LCCP\) and Remote Gambling and Software Technical Standards \(RTS\)](#) [online] (accessed 7 March 2024)

<sup>47</sup> [Have your say on plans to make gambling safer and fairer](#), Gambling Commission news [online], 26 July 2023 (accessed 7 March 2024)

<sup>48</sup> Gambling Commission website, [Consultations](#) (accessed 7 March 2024)

<sup>49</sup> Culture, Media and Sport Committee, [Gambling regulation](#) (PDF), HC 176, 21 December 2023

<sup>50</sup> As above, para 78

participation in gambling and that this effect is more pronounced for children and those vulnerable to gambling harm”. While the Committee welcomed the white paper’s proposals on direct marketing and promotional offers, it said that the Government should have taken a more precautionary approach to gambling advertising in general, particularly to minimise children’s exposure. Although the Committee said a complete ban on gambling advertising would not be appropriate, there was still scope for further regulation.<sup>51</sup>

The Committee welcomed the withdrawal of gambling sponsorship from the front of Premier League players’ shirts. However, it noted that this would not significantly reduce the volume of gambling adverts visible during top-flight matches. The Committee said the Government should work with the Premier League and the governing bodies of other sports to ensure that a gambling sponsorship code of conduct contained provisions reducing the volume of gambling adverts in sportsgrounds. In addition, the Code should require that a higher proportion of gambling advertising in sportsgrounds was dedicated to independently developed safer gambling messaging.<sup>52</sup>

The Government has not yet responded to the Committee’s report.

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<sup>51</sup> As above, para 84

<sup>52</sup> As above, para 85

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