

# Gambling advertising

Review of the ASA's application of the UK Advertising Codes

October 2014



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## 1. Executive summary

### 1.1. Background, objectives and methodology

The Gambling Act 2005 ('the Act') relaxed legal controls that had previously prohibited bricks and mortar gambling advertisers from advertising across media, including TV. The Act recognised gambling as a legitimate leisure activity, but one that needed to be effectively regulated to protect against risks of personal and social harm, for example through excessive or underage play.

New gambling rules were added to the UK Advertising Codes, administered by the Advertising Standards Authority (ASA), to control the content and placement of ads. Importantly the rules required social responsibility in ads, such as by ensuring they don't encourage gambling in ways that might harm or exploit children, young people or vulnerable adults.

The deregulation under the Act has meant that since 2007 there has naturally been an increase in the number of ads appearing. In line with the ASA's ambition to ensure that every UK ad is a responsible ad, we agreed with the Department for Culture, Media and Sport (DCMS) that it was timely to review how we're applying the UK Advertising Codes to gambling advertising.

In accordance with our published Terms of Reference<sup>1</sup>, we looked at:

#### *Complaints data*

- We analysed ASA complaints data from 2007 onwards for trends in complaints about gambling advertising.

#### *Societal benchmarking*

- We commissioned a research agency to conduct qualitative research into the public's views on gambling advertising.
- We included a series of questions on the Gambling Commission's most recent telephone omnibus survey to obtain quantitative data.

#### *ASA decisions*

- We reviewed all decisions on gambling advertising complaints from the past year.

### 1.2 Summary of key findings

#### *Complaints*

The number of cases (groups of complaints about the same ad) has been on an increasing trend since 2011. Gambling cases made up 3.5% of all cases we dealt with in 2013.

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<sup>1</sup> <http://www.asa.org.uk/News-resources/Media-Centre/2014/~media/Files/ASA/News/ASA%20Gambling%20Advertising%20Enforcement%20Review%20TOR.ashx>

A significant minority of complaints refer to gambling advertising in general, where the complainant does not specify a particular ad but instead has an inherent dislike for the promotion of gambling products or services.

Of complaints about specific ads, around half referred to potentially misleading content, and in particular concerns about 'free bets' or other promotional offers.

The remaining complaints are divided between concerns about potentially harmful or offensive content. Harmful in this context might refer to concerns over ads 'glamorising' gambling, and offence might refer to the use of bad language or offensive imagery.

### *Societal benchmarking*

The qualitative research supports the view that our decisions on gambling advertising are meeting societal expectations. For example:

- A majority of participants considered gambling to be a normal leisure pursuit and were relaxed about the concept of gambling advertising provided it did not mislead or was not specifically targeted at children.
- A majority of respondents agreed with the judgements made by the ASA, which they found appropriate and balanced.
- Children's exposure to sports betting was not seen as a significant problem.

Participants generally considered that the UK advertising rules appropriately covered their concerns about where and how gambling ads can appear.

The research did, however, highlight a few areas that we wish to explore further:

- Some participants disagreed with the ASA's interpretation of 'appeal' to children in one case – although they agreed with the outcome of the complaint.
- Regular male gamblers confirmed they are motivated to bet by in-play sports betting ads, and cited one example of a 'bet now' ad that was thought as potentially linking gambling to 'toughness'.
- Regular gamblers were critical of 'free bet' offers, believing they were likely to appeal to younger people and prompt them to gamble, a view broadly supported by both qualitative and quantitative data.

### *ASA decisions*

Over the past year, the ASA received complaints about 398 gambling ads. We reviewed whether the decision we reached in each case was the right one.

Complaints we receive can be resolved in different ways. We can formally investigate an ad and publish a ruling after a decision by ASA Council, the jury that decides whether ads have breached the rules. We can 'informally' resolve cases where, if we identify a problem, we ask the advertiser to amend their ad without undertaking a formal investigation. If we judge, following initial assessment of a complaint, that an ad clearly does not breach the rules, we can make the decision to dismiss the complaint without involving ASA Council at all. These steps help us deal with complaints efficiently and proportionately, in the interests of both consumers and those we regulate.

Our assessment found that our published rulings had all been correct. In addition, however, we did identify a small number of matters for which additional scrutiny, or a more

proactive approach by the ASA to assess issues not raised directly by the complainant, would be more appropriate in future.

### 1.3 Conclusions

The primary objective of this review was to determine whether our decisions on complaints about gambling ads have been appropriate, consistent and in line with current societal expectations. In light of our findings - particularly the feedback we've received from members of the public - we're satisfied that we have been meeting our key objectives of protecting young people and vulnerable adults.

However, our review has identified several areas that warrant our further consideration to ensure our regulation of gambling advertising remains effective:

#### *'Free bet' offers and other sales promotions*

Misleading sales promotions have consistently been the most prevalent issue in gambling ads found in breach of the rules, and their potential to mislead, and to appeal to younger adults, was highlighted by focus group participants. The ASA and CAP have already conducted a large amount of work on this issue, including publishing new guidance in February 2014. But this will remain a key priority.

#### *Children and scheduling*

The findings support the approach we have taken to scheduling restrictions around gambling advertising. However, the differing views amongst focus group participants over whether the content of one of the ads examined might be of particular appeal to children means that we will look again at our approach.

#### *'Toughness' in gambling ads*

Linking 'toughness' to gambling is prohibited by the rules, but prompts very few complaints from the members of the public. However, a minority of the participants in the qualitative research highlighted a small number of TV ads featuring characters that they suggested could be considered to embody traits such as toughness, resilience and recklessness. This requires further consideration.

### 1.4 Next steps

The Gambling Act recognises that gambling can be enjoyed responsibly, subject to protection against potential harms, including around how it is advertised. It's our job to ensure that we're applying the ad rules in a way that addresses those harms in a proportionate and targeted way. The review has confirmed that, overall, we've been getting it right.

We're not, however, complacent. Our report has identified areas in which we believe we can improve and so we're taking the following action:

- We've presented our findings to the ASA Council so that it is fully aware of the issues arising in this review when making decisions on cases.
- We'll prioritise potential breaches relating to sales promotions in gambling ads, and will raise proactive challenges about issues not raised by complainants. If we spot a problem we'll be more likely to seek a published ruling so that gambling marketers know

where the line is drawn and why.

- We'll be more proactive on issues relating to social responsibility, especially around "toughness" in ads and particular appeal to children. We'll raise our own challenges if appropriate and present more cases to the ASA Council.
- We'll continue to work with DCMS and the Gambling Commission, particularly around the issues of offers and rewards, finding ways to continue to source data to inform our decision making.

## 2. Background

### 2.1 Introduction

Changes to the law implemented in 2007 relaxed legal controls that had previously applied to gambling advertising. Gambling was recognised as a legitimate leisure activity, but one that needed to be effectively regulated to protect against risks of personal and social harm.

New gambling rules were added to the UK Advertising Codes to control the content and placement of ads. These require that gambling ads are socially responsible.

The relaxation has meant that since 2007 there has naturally been an increase in the number of ads appearing. As technology evolves, we're also now accessing gambling products in new and different ways such as online and via mobile devices. As the amount of ads has increased, so has the number of complaints we receive as the UK's advertising regulator.

In April 2014 the Department for Culture, Media and Sport asked the ASA, alongside other regulatory and industry bodies, to re-examine if the advertising regulatory objectives of the Act were continuing to be met.

In line with the ASA's ongoing commitment to ensure that every UK ad is a responsible ad, we agreed that it was timely to review how we're applying the UK Advertising Codes to gambling ads to ensure that we're doing so effectively and proportionately.

Taking into account our review findings as a whole, we committed to considering whether there might be scope or reason to change our current position on how we apply the UK Advertising Codes to gambling advertisements.

### 2.2 About us

The ASA is the UK's independent regulator of advertising across all media. We apply the UK Advertising Codes, which are written and maintained by the Committees of Advertising Practice<sup>2</sup>.

Our purpose, as set out in our new five year strategy 2014 – 2018<sup>3</sup>, is to make advertisements responsible. Our ambition is to make every UK ad a responsible ad.

We look into complaints about ads from members of the public and from industry, and proactively monitor advertising to ensure its compliance with the rules.

More information about the ASA can be found at [www.asa.org.uk](http://www.asa.org.uk).

### 2.3 What are the rules?

The rules prohibit ads from encouraging gambling in ways that might harm or exploit children, young people or vulnerable adults. 'Vulnerable' means someone who is mentally, socially or emotionally immature, those whose judgement is impaired (for example, by

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<sup>2</sup> <http://www.cap.org.uk/>

<sup>3</sup> <http://www.asa.org.uk/About-ASA/Strategy.aspx>

alcohol or drug addiction) or those who are at risk of gambling more than they can afford to or want to.

Content provisions set out in the Gambling and Lotteries sections of the UK Advertising Codes<sup>4</sup> state that ads for gambling must 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 particular 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).

In addition, section 21 of the UK Code of Broadcast Advertising contains rules specifically for betting tipsters ads, around issues such as proofing requirements and profit claims.

The UK Advertising Codes also include provisions on how ads are targeted:

- Non-broadcast gambling ads must not be directed at those aged below 18 years (or 16 years for football pools, equal-chance gaming [under a prize gaming permit or at a licensed family entertainment centre], prize gaming (at a non-licensed family entertainment centre or at a travelling fair) or Category D gaming machines) through the selection of media or context in which they appear.
- Broadcast gambling and betting tipsters ads (except lotteries, football pools, equal-chance gaming), prize gaming (at a non-licensed family entertainment centre or at a travelling fair) or Category D gaming machines) may not be advertised in or adjacent to programmes commissioned for, principally directed at or likely to appeal particularly to audiences below the age of 18.
- In addition, broadcast ads for lotteries and other gambling services may not be advertised in or adjacent to programmes commissioned for, principally directed at or likely to appeal particularly to persons below the age of 16.

The full UK Advertising Code gambling rules can be found in Appendix 1 and at [www.cap.org.uk](http://www.cap.org.uk).

The gambling industry also has its own voluntary code, the Gambling Industry Code for Socially Responsible Advertising, which prevents gambling products (except bingo advertising) from being advertised on television before 9 pm, but with an exemption for the advertising of sports betting around televised sporting events.

Recently four leading gambling companies, William Hill, Ladbrokes, Coral and Paddy Power, committed to a voluntary ban on advertising sign-up offers (free bets and free money) on TV before 9pm from 1 October 2014. These are voluntary requirements, which we do not have responsibility to enforce and have not been a focus of this review.

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<sup>4</sup> <http://www.cap.org.uk/~media/Files/CAP/Codes%20CAP%20pdf/16%20-%20Gambling%202014-09-04%20CAP.ashx>

## 2.4 Review objectives

The primary objective of our review has been to ensure that the rules in the UK Advertising Codes are being applied to gambling ads proportionately, consistently, and in line with societal expectations.

In conducting this review, we were mindful of the following areas of particular concern in relation to gambling advertising:

- **Children's exposure** to gambling advertising. In particular, sports betting ads on TV which may be seen around live sports events before 9 pm, and bingo ads which are not subject to the industry's voluntary code and can be broadcast during the day.
- Whether ads for in-play sports betting, containing messages such as 'bet now', are '**aggressive**' and hurry consumers into making a decision to gamble.
- Ads featuring '**free bets**' and **other bonus offers**. These ads continue to prompt complaints and breach the ad rules more commonly than other gambling ads. There are concerns about these types of promotions both in terms of their potential to mislead, and also their general social responsibility.

Taking into account our findings as a whole, we considered whether there was scope and reason to change our current position on how we apply the rules to gambling ads. This might have included, but wouldn't be limited to, changes to our handling of complaints about gambling ads, or changes to our interpretation of the rules as they apply to gambling ads.

Our review did not examine the rules themselves. CAP began its own review earlier this year to assess the regulatory implications of key research on the impact of gambling advertising, and will determine whether there is a need for changes to the rules on gambling ads.

We look forward to the outcome of CAP's review, which will be completed by late autumn 2014. Further details can be found in the [Terms of Reference](#) at [www.cap.org.uk](http://www.cap.org.uk).

## 2.5 Summary of methodology

In line with our published Terms of Reference, we used a mixed methodological approach which looked at:

### Complaints data

- We analysed ASA complaints data from 2007 onwards for trends in complaints about gambling advertising.

### Societal benchmarking

- We commissioned a research agency, Research Works Ltd, to conduct qualitative research comprising of a series of focus groups and in-depth interviews to explore the public's views on what is harmful and irresponsible in gambling advertising.

- We included a series of questions on the Gambling Commission's most recent telephone omnibus survey to obtain quantitative data, in particular exploring responses to 'free bet' and in-play gambling ads.

#### ASA decisions

- We reviewed all decisions on gambling advertising complaints from the past year.

### 3. Complaint trends

#### 3.1 Introduction

We assessed the complaints we've received about gambling advertising since 2007 to determine whether there had been any trends. Our complaints data is a useful indicator for identifying trends in public concern, but because it's self-reported, it can over-represent consumer feeling, or even miss it entirely. It remains, nonetheless, a useful and relevant source of insight.

#### 3.2 Number of complaints/cases about gambling ads received

As well as the number of complaints, we also look at 'cases', which is where we group complaints about the same ad, or sometimes several similar ads, into one unit of work. This is more meaningful because it filters out the potentially distorting effect of individual ads that draw numerous complaints, often concerning issues of offence (e.g. one TV ad from 2010 generated more than 1,300 complaints).

The total number of complaints received annually has fluctuated depending on one or two high profile cases. The increase in levels of advertising and complaints from pre-2007 levels has been from a low initial base. Nonetheless, there's been a rising trend in cases received from 2011 onwards (Table 1).

Case numbers rose from 375 in 2011 to 654 in 2013, an increase of 174%. To put that into context, gambling cases made up 1.7% of all cases (22,366) in 2011, increasing to 3.5% of all cases (18,532) in 2013.

**Table 1: Number of complaints and cases received**

	<b>Gambling complaints (% of all complaints)</b>	<b>Gambling cases (% of all cases)</b>
2007	305 (1.3%)	279 (1.5%)
2008	438 (1.6%)	357 (2.3%)
2009	357 (1.2%)	300 (2.1%)
2010	1,682 (6.6%)	278 (2.1%)
2011	439 (1.4%)	375 (1.7%)
2012	1,230 (4.1%)	569 (3%)
2013	1,063 (3.5%)	654 (3.5%)

TV ads are the main driver of this increase, consistently making up nearly 50% of all gambling cases each year, but the contribution of marketer's own websites since we extended our remit to include all online advertising in March 2011 is notable, along with an increase in cases concerning internet sales promotions (e.g. free bets and bonuses). Complaints about other media types have remained at a consistently low level in comparison.

#### 3.3 Cases by issue

Although public discussion about gambling ads often concerns issues of potential harm (e.g. the effect on children), nearly 50% of cases handled by the ASA concern potentially misleading ads, with the remainder divided between issues of harm or offence. For

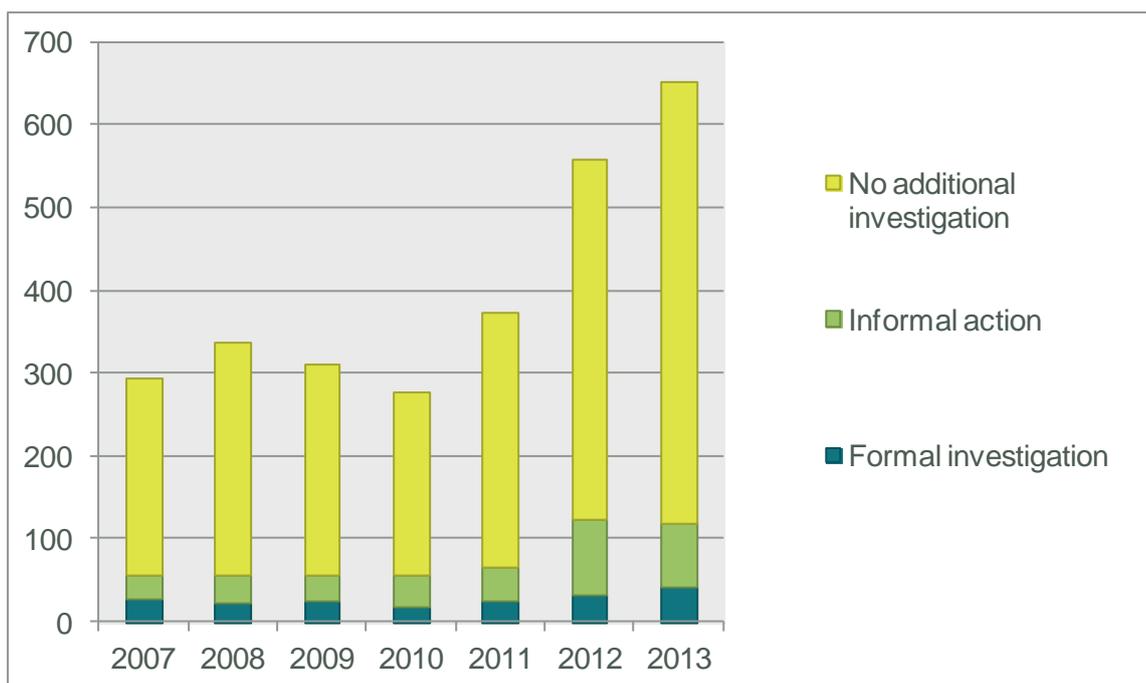
example, complaints about sales promotions (e.g. free bets), primarily that they are misleading, have consistently been higher than those that refer to potential harm to children or scheduling matters.

It's also notable that a high proportion of the complaints we receive about gambling advertising do not specify a particular ad. Our second most complained-about gambling issue is, in fact, gambling advertising itself. The Gambling Act 2005 relaxed legal controls that had previously applied to gambling advertising, resulting in an increase in the overall number of ads. The ASA's role is to ensure these ads are responsible, but we recognise that there are those who are concerned that gambling is permitted to be advertised at all.

### 3.4 Action taken

In 2013, gambling ads accounted for less than 3% of the total number of ads amended or withdrawn following ASA investigation. Around one in five complaints about gambling ads were either formally investigated (resulting in a decision by ASA Council and ruling on our website), or were informally actioned, where the advertiser agreed to amend or withdraw the ad without the need for a formal investigations process or ASA Council decision (Figure 1).

**Figure 1: Number of cases by action taken**



The majority of informal cases concerned misleading terms and conditions for sales promotions or misleading claims in ads for betting tipster services. The remaining 80% or so of complaints were not investigated either because they did not fall within our remit or because we judged there was clearly no case to answer under our rules. This is generally consistent with figures for all complaints we receive.

The percentage of formally investigated gambling cases that were found to breach the rules each year (2007 – 2013) was 59-84%, which was similar to the proportion for all formally investigated cases (57-72%). Gambling ads that include misleading sales promotions account for the most breaches of the UK Advertising Codes by gambling advertisers.

All charts and data tables can be found in Appendix 1.

## 4. Societal benchmarking – qualitative research

### 4.1 Background, objectives and methodology

We commissioned an agency, Research Works Ltd, to conduct research into the public's views on what constitutes responsible advertising of gambling to determine whether our decisions matched societal expectations.

Mindful of the concerns previously described in section 2.4, the research focused on the following areas:

- Children's exposure to sports betting and bingo ads (particularly on TV).
- Whether TV ads for bingo are leading viewers to websites where 'harder' forms of gambling are promoted.
- Whether ads encourage gambling in such a way that could lead to increased problems in vulnerable groups.
- 'Aggressive' ads asking people to "bet now!"
- Whether free bet offers and other sales promotions encourage consumers to gamble irresponsibly.

A qualitative approach was adopted to learn the views of six groups of eight to ten participants, representing a cross-section of demographic, age, gender and current gambling activity. More in-depth interviews were also carried out with regular gamblers. All respondents were asked to complete a diary to record advertising seen in the week prior to the focus group, as well as immediate feelings about that advertising and whether it had any impact on their behaviour.

Those with gambling problems, ideological or religious opposition to gambling, or who had submitted any complaint to the ASA, were excluded from the survey to eliminate bias.

The full report, including the identity of the ads presented to the focus groups, can be found here: <http://www.asa.org.uk/News-resources/Reports-and-research.aspx>

### 4.2 Summary of key findings

The diary task demonstrated that people are exposed to more gambling advertising than they might have assumed, and that younger men and older women from lower socio-economic groups in particular saw gambling ads, especially bingo ads, on daytime TV.

Respondents broadly believed gambling had the potential to be harmful, and that children in particular needed to be protected. However, a majority of participants also considered gambling to be a normal leisure pursuit, which could be enjoyed responsibly. There was resistance to the idea that gambling advertising should be targeted for constraint, and a majority were relaxed about the concept of gambling advertising provided that it was not misleading, inaccurate or specifically targeted at children.

A majority of respondents agreed with the judgements made by the ASA in all cases they were shown, which they found appropriate and balanced.

Children's exposure to sports betting was not seen as a significant problem, and their exposure to bingo ads was likewise seen as unlikely to cause harm. Bingo advertising was broadly seen as more acceptable and less aggressive than sports or casino advertising.

Participants could mostly only speculate about the potential effects of 'bet now' advertising, but these types of ads did appear to have an impact on the group of regular male gamblers, who confirmed that they were motivated by this type of ad.

An example of 'bet now' advertising, a 'Bet365' TV ad featuring the celebrity Ray Winstone, was viewed by the groups. Although not representative of all views, one participant (male, family-stager, 26-40 years old) commented "*Ray Winstone is your archetypal geezer – he has respect, he's no-nonsense, strong, firm, direct*".

The groups debated whether scheduling restrictions reduced harm for the vulnerable, but were generally against censorship as long as material was not obviously offensive or intended to manipulate or deceive.

### 4.3 Issues in detail

#### 4.3.1 Attitudes toward gambling

General views of gambling were mostly libertarian and, although some older participants were concerned about the 'aggression' of the industry, most felt it appropriate for people to make their own minds up.

Many respondents had at least an occasional personal bet, and the sample was strongly inclined against interventions in advertising and associated behaviour. They considered that as long as children were actively protected by the restrictions in place, then adults should be free to make their own decisions.

#### 4.3.2 Free bet offers

Although they were not personally affected by advertising of 'free bet' offers, regular gamblers were particularly critical of them, believing they were certain to appeal to younger people. Many had experienced this, either themselves or through family or friends, recognising that children and young people would take these offers at face value rather than questioning the claims.

In general, however, this group were strongly of the opinion that people should be able to practice autonomy in taking up gambling as a leisure pursuit, and agreed with the wider sample that regulation did not need to go further than protecting children from harm and ensuring ads are honest. Participants on the whole agreed that these offers seemed very likely to appeal to younger people and make them interested in gambling, and were cautious about how they should be used and where they should appear.

#### 4.3.3 Scheduling of ads

Most respondents thought it was the responsibility of parents to control what children saw on TV and that, whilst inappropriate adult advertising scheduled around children's programming would be likely to be harmful, ads for gambling (and other leisure activities) should be able to be shown at suitable times.

This held true for ads for sports betting, which participants did not think should be restricted from appearing around sporting events. Some participants reiterated that they felt it was up to parents to manage how children are exposed to this type of advertising, and many

pointed out that children would be unable to respond practically to the ads even if they saw them.

Few respondents were concerned about children's exposure to bingo ads, most seeing them as light-hearted and unlikely to have significant impact on children's attitudes or behaviour.

#### 4.3.4 Effects on the vulnerable

Respondents recognised that gambling advertising might affect vulnerable individuals in a negative way, but most felt that virtually all ads could lead to potentially damaging life choices and behaviours, not just gambling. There was a belief that media could not solely be shaped by the considerations of vulnerable groups, and that censorship of media on these grounds was unacceptable.

However, participants considered that a common sense approach should be taken, and that any ads deliberately targeted at vulnerable groups to exploit them, or that were offensive, should be banned.

#### 4.3.5 Consideration of ASA decisions

Respondents generally agreed with ASA decisions on all the ads they viewed, in some cases very strongly. They agreed that scheduling restrictions, clearly fantastical scenarios and reflections of normal, non-problematic gambling situations, were elements in creating a responsible ad. In line with the adjudications, they believed children's cartoon characters, glamorisation of gambling, or aggressive tones contributed to making an ad potentially irresponsible.

Agreement was particularly strong in cases where the ASA did not uphold complaints that participants felt were unfounded or spurious, and where there were clear issues to do with glamorising gambling in cases we found to breach the rules. Some respondents may have taken a more relaxed approach to some of the ads they were shown, but acknowledged that the ASA had applied the rules correctly in these cases.

There was, however, some disagreement with the ASA's view of one ad in particular – a TV ad for 'Foxy Bingo' featuring a person in a fox costume leading a large group of people, which evoked a 'party' type atmosphere. The complaint received, which the ASA did not find in breach of the rules, was that the fox character was likely to appeal to children. A number of participants, including those who were family-stagers, believed the ad would appeal to children both because of the colourful and musical nature of the ad, as well as the animal character. The ASA is required to prevent gambling ads that appeal particularly to children or young persons, and we did not judge that this was the case with this ad. Moreover, although respondents raised this as an issue and thought that the ad might attract children's attention, there was less certainty about how this would translate into harm. Overall, most respondents agreed with the ASA's decision, particularly in light of the scheduling restrictions in place.

Other sources of disagreement arose around issues like the normalising of gambling as an everyday activity or presenting it as easily accessible. Some respondents also had concerns that the use of computer graphics or video game settings in gambling ads might appeal to children, although these were raised in the context of discussions around adjudications dealing with different issues and therefore hadn't been considered formally by the ASA.

#### 4.4 Conclusions

The research supports the view that the ASA's current position on gambling advertising is in line with societal expectations.

It was not widely felt that children's exposure to bingo or sports betting ads was of significant concern, so long as these were subject to appropriate content and placement restrictions.

Overall, participants considered that the UK advertising rules appropriately covered their concerns about where and how gambling ads can appear.

## 5. Societal benchmarking – quantitative research

To support the focus group research we included a series of questions on gambling advertising in the Gambling Commission's most recent telephone omnibus survey of 1,000 people. The survey was conducted by ICM using random digit dialling, in which software picked out random telephone numbers and the survey asked of whoever was happy to respond. The results were weighted to account for differences in proportion of key demographics. Alongside the Commission's own questions, including those relating to age, gender and other household demographic information, the survey asked respondents about:

- the frequency and media type of the gambling advertising that they saw
- whether participation in these activities (excluding National Lottery) was prompted by advertising
- whether the activity was a one-off or whether play was continued
- whether a free bet or other promotional offer prompted respondents to participate in betting on events such as races and sports, as well as whether this influenced the choice of service provider
- whether these same respondents were prompted to participate by in-play ads

The results of the survey were very detailed, particularly when divided into demographics such as social grade, geographic region and household affluence measures.

These figures can only suggest, rather than definitely inform us about, gambling advertising issues, and the results may not translate onto other surveys on this topic because the methodologies and phrasing of questions might be significantly different. However, there were several results of particular interest.

### 5.1 The influence of advertising on gambling participation

Survey respondents taking part in gambling activities other than the National Lottery were specifically asked whether advertising prompted their decision to participate. An overwhelming majority (90%) denied that advertising had prompted them to do so.

For younger age groups (18-24 and 25-34) the majority was a little smaller, with 80% and 79% saying that they had not been prompted by advertising. For those over 45, the majorities ranged from 96% to 100%. Those who had seen newspaper, poster or billboard ads (over TV or online) were slightly more likely than average to agree that advertising had prompted their participation in gambling, with 12% stating that it did.

The largest variance came from those respondents who took part in a mixture of different gambling activities, with 28% reporting that advertising had prompted their decision.

Despite these variances, it's clear that the survey respondents generally considered that advertising had not prompted them to participate in a gambling activity.

### 5.2 Influence of 'free bet' and other promotional offers

Of the respondents who placed a bet on 'live events' such as dog races, horse races and sports, 20% said that they were prompted to participate by a free bet or other promotional offer – twice the rate of 'gambling advertising' in general. In addition, 32% of those who had also spent money across a variety of gambling activities (including those outside the 'live events' type) stated that these offers had prompted their original participation. This

indicates that promotional offers do play a role in consumers' decision to gamble, although it is not a primary consideration as it was only referenced by a minority of respondents. The survey also asked those who *had* participated because of a promotion how much this had influenced them – results were collected on a 1-7 scale, with 7 being 'a lot of influence' and 1 'no influence'. The average response was 3.24, meaning that for those who agreed that ads for promotions had played a part in their decision to gamble, these offers had a reasonable amount of influence.

There was, however, a notable spike in affirmative responses to this particular question in the 25-34 age group, where 44% (more than twice the proportion represented on average) said that an ad for a promotional offer had prompted their participation in gambling. Nonetheless, the influence score for this group was lower than average at 3.04. The highest influence, 4.62, was recorded by the 35-44 year old age group, of whom only 21% agreed that an ad for an offer had prompted them to gamble. We should, however, note that the sample size for these responses was small in comparison to the survey group as a whole.

### 5.3 Influence of in-play ads

The same type of respondent was also asked whether an in-play ad had prompted their participation in gambling, and it's worth noting that this included those betting on virtual horse and dog racing. Only 10% of these respondents agreed that in-play ads had prompted their decision to participate, which would appear to indicate that participation as a result of these ads is less than as a result of promotional offers.

However, the average influence score attributed to this type of advertising was 4.11, meaning that for those players who are prompted by in-play ads they are perhaps influenced *more* than those who are prompted by promotional offers.

### 5.4 Choice of service provider

Respondents who had been prompted by either a promotional offer or an in-play ad were also asked what level of influence the ads had over their choice of bookmaker/service provider. For promotional offers the average influence score was 3.95 and for in-play ads it was 4.19.

While they reflect only modest differences in comparison to the respective influence scores over the decision to gamble, these results indicate that promotions and in-play reminders may serve more to influence consumers as to the provider of the service, rather than their ultimate decision to gamble.

### 5.5 Comparisons with other data

Given the large amount of data we have considered from other sources, we thought it prudent to look at the telephone survey results in the light of other information about gambling advertising.

Our qualitative research indicated that more gambling ads are seen by younger men and older C2DE<sup>5</sup> women. The telephone survey appears to broadly support this, as both

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<sup>5</sup> For more information about Social Grade see: [https://www.mrs.org.uk/cgg/social\\_grade](https://www.mrs.org.uk/cgg/social_grade)

younger adults (18-24) and C2 & DE social grades were more likely to see TV gambling ads on a daily basis. 62% of young adults reported seeing TV gambling ads every day, as opposed to responses of 45 – 54% across other age groups. C2 and DE social grades reported 55 and 52% respectively, compared with 48 – 50% for the other grades. Notably, C2DE respondents were also more likely (16 and 17% compared to 9 – 14%) than other grades to report seeing no TV advertising for gambling at all.

The concerns raised by the regular gamblers in the focus group, that free bet promotions are more likely to appeal to the young, receives some support by the responses explored above. However, we must be conscious that the results for the telephone survey did not group by both age and gender (so a direct comparison is impossible) and that the focus group sample was very small.

The survey indicated that TV gambling ads are most commonly recalled by respondents, with 83% reporting that they had seen such ads at least as frequently as once per month, compared with 73% for newspapers, posters and billboards (combined) and 65% for online advertising. Our own figures show that TV ads account for by far the highest number of gambling-related cases, followed by national press and online advertising. While the recall of the survey respondents roughly correlates with the number of cases we manage, it does not appear to follow that a high level of recall or exposure necessarily leads to higher levels of complaints (or potential issues), as proportionally the number of cases we receive for the press, poster and billboard and online media types are much lower than would be expected if this were suggested to be true.

## 5.6 Conclusions

As noted above, this survey provides us with a series of general indications and suggestions rather than defined answers. However, the implications of the answers are of interest in this review.

Of particular note is the statement that 44% of 25-34 year olds placing bets on events were prompted by a free bet or promotional offer, especially when contrasted with the general response from 90% of respondents that ads for gambling did not prompt them to participate in gambling activities.

While advertising in general is not providing much of a prompt to engage in these activities, free bet and other promotional offers are more likely to do so. The survey therefore indicates that it would be sensible for the ASA to consider closely future complaints received about the social responsibility of such offers.

## 6. Analysis of decisions

### 6.1 Introduction

The primary objective of this review was to determine whether the course of action and final decisions we had taken on complaints about gambling ads were appropriate and proportionate, particularly given the specific concerns we are aware of in relation to issues of social responsibility. To accomplish this we conducted an analysis of our recent decisions.

### 6.2 Methodology

The ASA received 649 complaints about 398 gambling ads in the last 12 months (1 June 2013 to 31 May 2014). An interdepartmental ASA working group was established and tasked with taking a fresh and open-minded look at the ads and whether the decision we reached in each case was the right one. Working group members looked at ads that they had not previously assessed in their day to day roles at the ASA.

We looked at all cases that had been formally investigated, informally resolved or were deemed to require no additional investigation under the UK Advertising Codes. Complaints about ads that did not fall within our remit, were withdrawn or that concerned mail order or database issues were excluded from the review.

In light of the particular concerns set out at 2.7 above, our review focused particularly on decisions that related to:

- Ads exploiting the susceptibilities, aspirations, credulity, inexperience or lack of knowledge of children, young persons or other vulnerable persons
- General issues of social responsibility and scheduling
- Misleading free bet offers or other sales promotions

### 6.3 Data

Of the 398 cases reviewed:

- Around 40% concerned TV ads, 15% internet sales promotions, 13% advertisers' own websites, 9% emails, with the remainder divided between other media types
- 126 cases (135 complaints) raised issues of misleading sales promotions, mainly around terms and conditions
- Complainants in 60 cases (70 complaints) were concerned that the content of the ads was socially irresponsible, of which 18 specifically mentioned children
- 31 cases (57 complaints) raised issues around the scheduling of ads in relation to children (22 cases/40 complaints) or other vulnerable persons (9 cases/17 complaints)
- 305 cases (547 complaints) were deemed to require no additional investigation.
- 17 cases (21 complaints) were formally investigated, 14 of which breaches the rules
- 75 cases (91 complaints) were resolved informally with the advertiser agreeing to either withdraw or amend the ad

### 6.4 Findings

Complaints we receive can be resolved in different ways. We can formally investigate an ad and publish a ruling after a decision by ASA Council, the jury that decides whether ads

have breached the rules. We can 'informally' resolve cases where, if we identify a problem, we ask the advertiser to amend their ad without undertaking a formal investigation. If we judge, following initial assessment of a complaint, that an ad clearly does not breach the rules, we can make the decision to dismiss the complaint without involving ASA Council at all. These steps help us deal with complaints efficiently and proportionately, in the interests of both consumers and those we regulate.

Whilst we don't believe any of our published rulings have been incorrect, we did identify a small number of cases where further scrutiny, or a published ruling, might have been appropriate.

The cases generally fell into three categories:

- General misleadingness (e.g. price claims)
- Issues relating to terms and conditions linked to sales promotions, such as free bets
- Issues surrounding harm and social responsibility

#### 6.4.1 Misleadingness

Out of 131 cases concerning complaints about misleading claims (not related to a sales promotion), we identified 11 that could potentially have been dealt with differently. Here, further investigation in ten cases would have been useful to establish whether the ASA's decision that the ad was obviously acceptable was correct, or potentially too lenient.

In the remaining case, the decision to ask the advertiser to amend an ad may have been too strict because it was very unlikely that the ad breached the rules and it would have been more appropriate to close the complaint without additional investigation.

#### 6.4.3 Free bets and other sales promotions

We identified 12 cases involving terms and conditions in sales promotions where a different course of action could have been taken. These included instances where further investigation might have helped ensure decisions taken not to pursue the case were not too lenient, and cases where we might have looked at issues not raised by the complainant but which might nonetheless have been problematic.

In one case, a formal ruling as opposed to an informal resolution might have helped establish a precedent on the display of terms and conditions in ads on mobile sites.

When collectively looking at cases relating to terms and conditions in the review, there seemed to some lack of clarity with our decision making about what was likely to be defined as a 'significant condition' and sufficient prominence. Earlier this year CAP published a [Help Note](#) (Guidance on the rules for gambling advertisements), which included new, specific guidance for marketers on free bets and bonus offers. We consider further work is needed to explore the issue of prominence to gain a more defined position and greater consistency, particularly in relation to online ads.

#### 6.4.4 Social responsibility

As highlighted earlier, where ads appear not to contain anything likely to be a problem under the rules, these cases will not, as a matter of course, be reviewed by ASA Council.

We identified 14 cases concerning harm and social responsibility that might, in hindsight, have benefitted from an alternative course of action. Eleven of these cases contained content that would have benefitted from a view of the ASA Council, to ensure that our view that the ads did not contain anything problematic was indeed correct.

We identified two further cases where complainants had objected that the ads were offensive. Whilst our decision that these ads were not likely to cause serious or widespread offence was correct, the ads contained other potential issues not mentioned by the complainants that we could have proactively pursued.

## 6.5 Conclusions

Of the 398 cases reviewed, we believe that application of the rules has been proportionate and consistent in the significant majority of cases.

However, the findings from a small number of cases highlight examples where additional scrutiny, or a more proactive approach by the ASA to assess issues not raised directly by the complainant, might have been appropriate.

## 7. Conclusions

The primary objective of this review was to determine whether our decisions on complaints about gambling ads have been appropriate, consistent and in line with societal expectations.

In light of our findings we're satisfied that we've predominately been getting it right. Our analysis of recent decisions suggests to us that overwhelmingly we're making the right judgements, and this is supported by the findings of the qualitative research, which saw our judgements tested against public opinion.

However, our review has identified some areas that we feel warrant further consideration going forward, to ensure that our regulation of gambling advertising is as effective as it can be.

### 7.1 'Free bet' offers and other sales promotions

Ads featuring free bets and other offers continue to raise concerns in terms of clarity and social responsibility.

During the review we established that, of the complaints we received about gambling ads between 2007 and 2013, the majority related to sales promotions and that, from 2010 onwards, the number of complaints about that particular issue had grown year-on-year. In addition, gambling ads that include misleading sales promotions account for the most breaches of the rules related to gambling.

The issue of 'free bet' offers was mentioned by the regular gamblers focus group, who raised concerns that such promotions were likely to appeal to young or naive gamblers who would be attracted by the concept of 'free' money. There was also agreement in all groups that these offers seemed very likely to appeal to younger people and make them interested in gambling, and caution was expressed about how these offers should be used and where they should appear. The results of the telephone survey suggested that more than 44% of respondents in the 25-34 age group (more than twice the proportion represented on average) said that an ad for a promotional offer had prompted them to gamble, although it's important to note that being prompted to gamble does not equate to causing 'harm' to this group, under a wider framework in which gambling is recognised as a legitimate leisure pursuit.

The ASA has already formally investigated misleading gambling sales promotions on a number of occasions. The CAP [Help Note](#)<sup>6</sup> (Guidance on the rules for gambling advertisements), published at the beginning of this year, responded to the need for additional guidance for advertisers on how to ensure their offers don't mislead. The Gambling Commission has proposed an amendment to its licence conditions and codes of practice to make reference to this guidance which, if it goes ahead, should help to ensure that advertisers pay closer attention to the requirements for free bets and bonus offers.

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<sup>6</sup> <http://www.cap.org.uk/Advice-Training-on-the-rules/Help-Notes/Guidance-on-the-rules-for-gambling-advertisements.aspx#.VCXnGayYZ8w>

Nonetheless, given the range of conditions and methods of presentation that tend to feature in cases of this type, the effect of offers as an inducement to gamble and the concern expressed by focus group participants about their potential to mislead, we consider that gambling sales promotions is an area that requires continuing scrutiny in order to ensure offers are being clearly and accurately advertised consistently.

Achieving this means prioritising potential rule breaches relating to sales promotions. It means considering ads as a whole where necessary, rather than focusing only on the concern highlighted by complainants. It also means resolving more cases formally, resulting in a published adjudication that will help establish an increasingly comprehensive precedent on the circumstances in which sales promotions in gambling ads are likely to breach the UK Advertising Codes.

At the time of this review we became aware of the formation of the Senet Group, a collaboration of William Hill, Ladbrokes, Coral and Paddy Power, who, amongst a series of measures, have committed to a voluntary ban on advertising sign-up offers on TV before 9 pm from 1 October 2014.

## 7.2 Children and scheduling

The qualitative research found that children's exposure to sports betting and bingo ads was not seen as a significant problem, with participants reluctant to support further restrictions. Respondents agreed that scheduling restrictions were an element in creating a responsible ad but most considered it was the responsibility of parents to control what children saw on TV and that a common sense approach should be taken when considering the protection of vulnerable groups.

Of the ASA cases we reviewed, 7.8% related to scheduling or targeting, either about specific ads or gambling advertising in general. 5.5% of all cases related to children and 2.3% to other 'vulnerable' people.

Given the relatively low number of cases we receive that relate to scheduling or targeting, and the agreement of focus group participants with the ASA's general approach and specific decisions in this area, we can conclude that the existing provisions are providing appropriate levels of protection.

However, the focus groups highlighted one ASA decision in which participants disagreed with us on what content might appeal to children. We also identified a small number of more cases concerning general issues of social responsibility that would have benefitted from a view of the ASA Council, to ensure that our view that the ads did not contain anything problematic was indeed correct.

We therefore consider it important that regardless of the objection made by the complainant, we should be more proactive in considering all aspects of the ad and in seeking a view from ASA Council in cases that might not be clear-cut, in particular around issues of appeal to children.

## 7.2 'Toughness' in gambling ads

During the review we saw a small number of ads featuring characters that could be considered to embody traits such as toughness, resilience and recklessness.

At the time we did not put these particular ads before the ASA Council because we had received no specific complaints regarding this issue. The results of the qualitative research indicated that ads, sometimes using the 'bet now' call to action, are well-known amongst those who watch live sports. While 'bet now' ads were not themselves seen as problematic by participants in and of themselves, individual comments suggested a potential link to 'toughness' in certain ads using the 'bet now' call to action.

We believe that there is a strong case for us to be more proactive the issue of 'toughness' in ads, raising our own challenges if appropriate and presenting more cases to the ASA Council.

#### 7.4 Next steps

The Gambling Act recognises that gambling can be enjoyed responsibly, subject to protection against potential harms, including around how it is advertised. It's our job to ensure that we're applying the ad rules in a way that addresses those harms in a proportionate and targeted way. The review has confirmed that, overall, we've been getting it right.

We're not, however, complacent. Our report has identified areas in which we believe we can improve and so we're taking the following action:

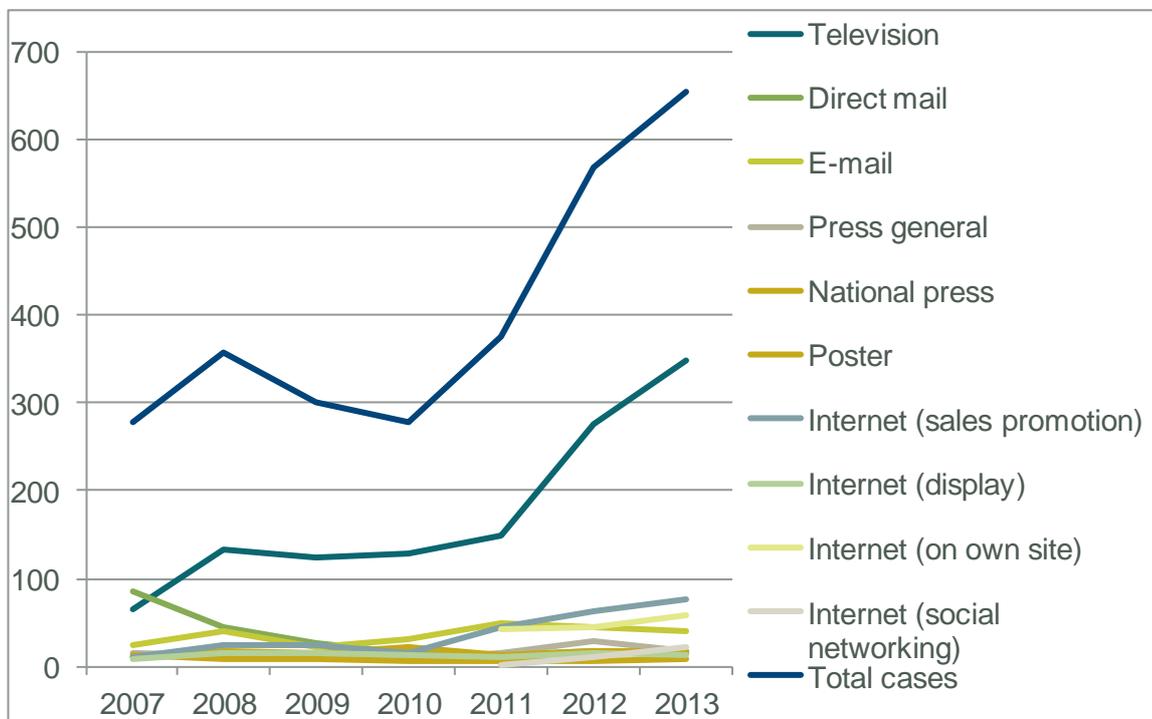
- We've presented our findings to the ASA Council so that it is fully aware of the issues arising in this review when making decisions on cases.
- We'll prioritise potential breaches relating to sales promotions in gambling ads, and will raise proactive challenges about issues not raised by complainants. If we spot a problem we'll be more likely to seek a published ruling so that gambling marketers know where the line is drawn and why.
- We'll be more proactive on issues relating to social responsibility, especially around "toughness" in ads and particular appeal to children. We'll raise our own challenges if appropriate and present more cases to the ASA Council.
- We'll continue to work with DCMS and the Gambling Commission, particularly around the issues of offers and rewards, finding ways to continue to source data to inform our decision making.

## Appendix 1: Complaint trends – data tables and charts

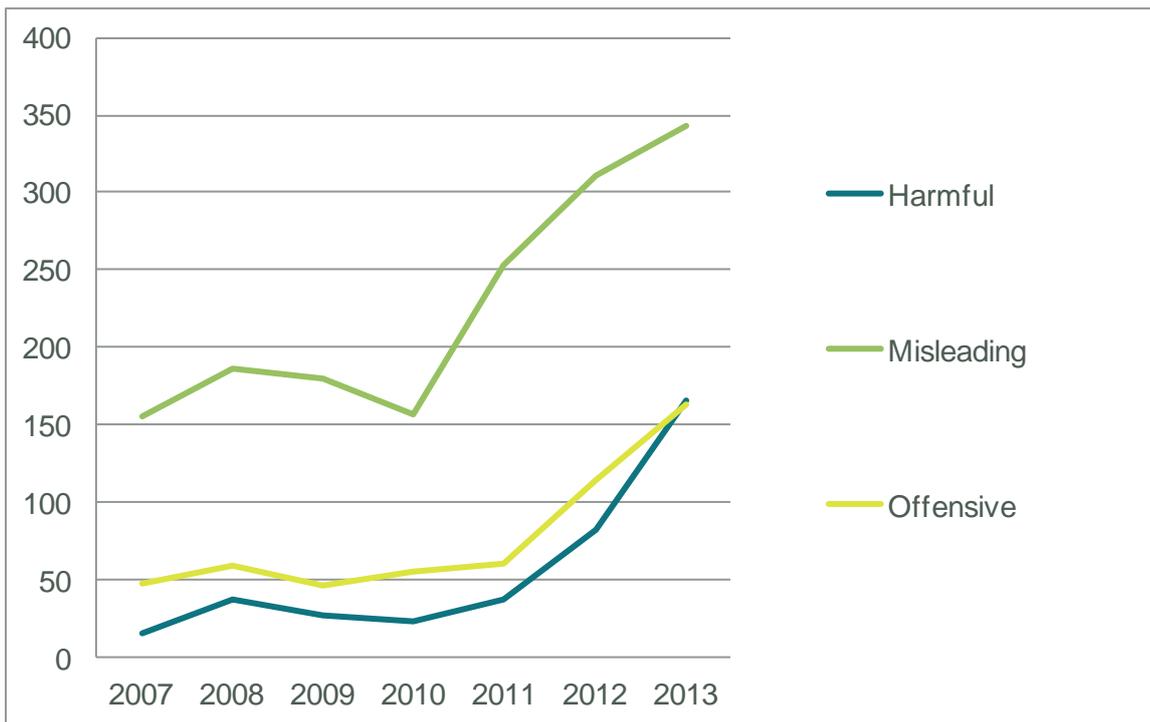
**Table 1: Number of complaints and cases received**

	Gambling complaints (% of all complaints)	Gambling cases (% of all cases)
2007	305 (1.3%)	279 (1.5%)
2008	438 (1.6%)	357 (2.3%)
2009	357 (1.2%)	300 (2.1%)
2010	1,682 (6.6%)	278 (2.1%)
2011	439 (1.4%)	375 (1.7%)
2012	1,230 (4.1%)	569 (3%)
2013	1,063 (3.5%)	654 (3.5%)

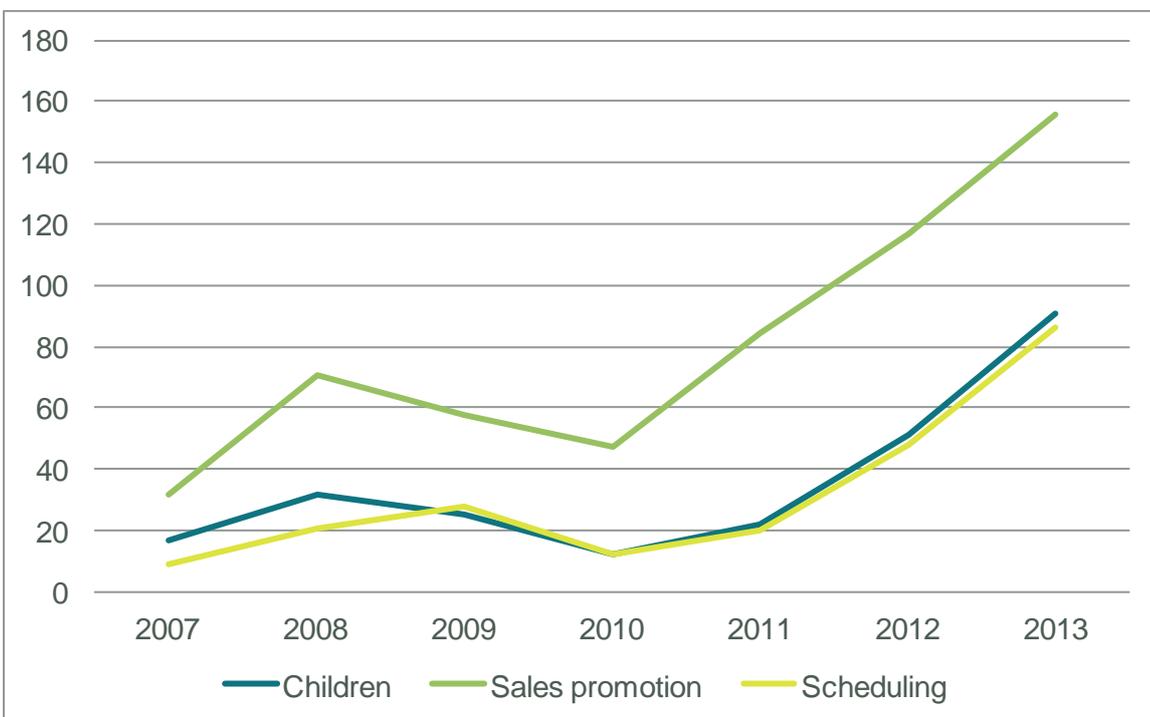
**Figure 1: Number of cases by media type**



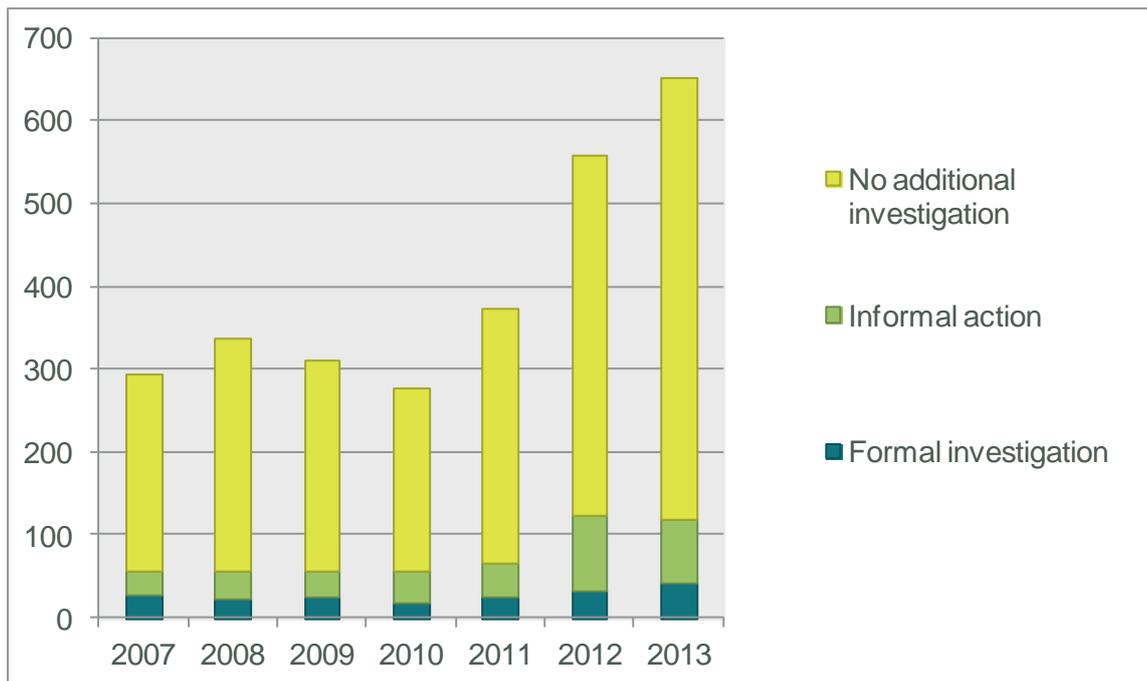
**Figure 2: Number of cases by theme**



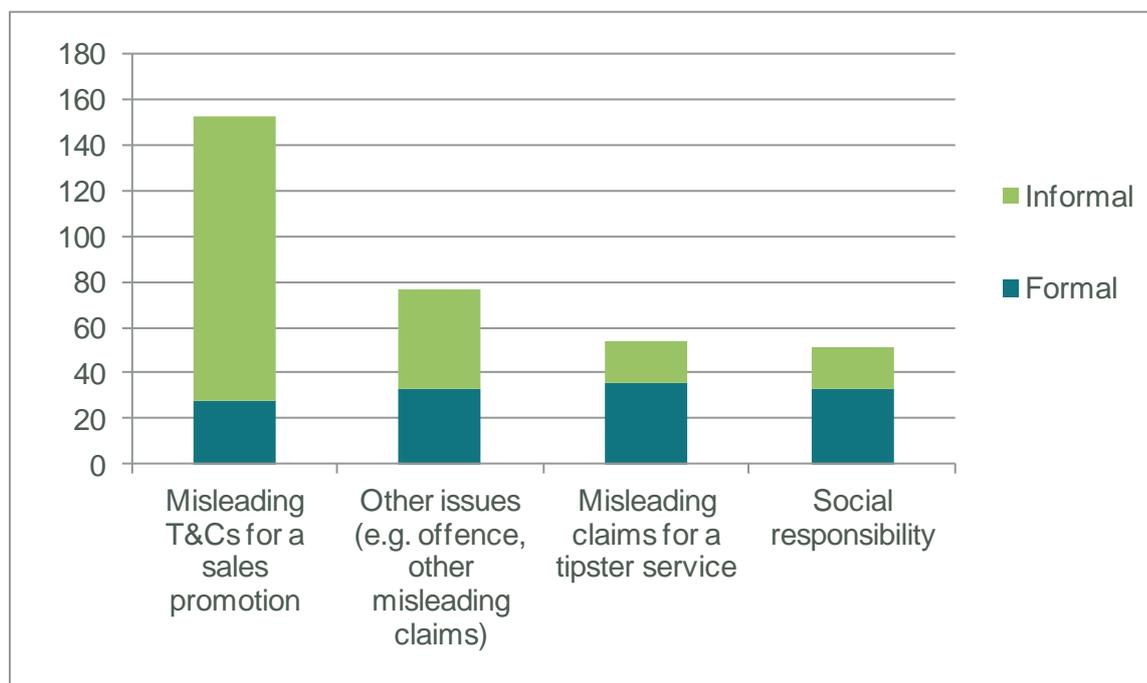
**Figure 3: Number of cases by key issue**



**Figure 4: Number of cases by action taken**



**Figure 5: Upheld formal and informal investigations by key issues 2007-2013**



**Table 2: Number of cases received by advertiser since 2006**

<b>Rank</b>	<b>Advertiser</b>	<b>Cases</b>
1	Paddy Power plc	243
2	Advertising Generally	206
3	William Hill Organisation Ltd (89) WHG Trading & WHG International Ltd (83) William Hill (Gibraltar) Ltd (18)	190
4=	Ladbrokes Betting & Gaming Ltd (143) Ladbrokes plc (41)	184
4=	Camelot Group Ltd (63) Camelot UK Lotteries Ltd (44) Camelot Group plc (77)	184
6	Cassava Enterprises (Gibraltar) Ltd	147
7	Cashcade Ltd	104
8	Bet365 Group Ltd	94
9	Betfair Ltd	87
10	Gala Coral Group Ltd (65) Coral Group Trading Ltd (17)	82

## Appendix 2: Relevant Advertising Code rules

### UK Code of Non-broadcast Advertising Section 16: Gambling

**16.1** Marketing communications for gambling must be socially responsible, with particular regard to the need to protect children, young persons and other vulnerable persons from being harmed or exploited.

**16.2** In line with rule 1.2, the spirit as well as the letter of the rules in this section apply whether or not a gambling product is shown or referred to.

**16.3** Marketing communications must not:

**16.3.1** portray, condone or encourage gambling behaviour that is socially irresponsible or could lead to financial, social or emotional harm

**16.3.2** exploit the susceptibilities, aspirations, credulity, inexperience or lack of knowledge of children, young persons or other vulnerable persons

**16.3.3** suggest that gambling can provide an escape from personal, professional or educational problems such as loneliness or depression

**16.3.4** suggest that gambling can be a solution to financial concerns, an alternative to employment or a way to achieve financial security

**16.3.5** portray gambling as indispensable or as taking priority in life; for example, over family, friends or professional or educational commitments

**16.3.6** suggest that gambling can enhance personal qualities, for example, that it can improve self-image or self-esteem, or is a way to gain control, superiority, recognition or admiration

**16.3.7** suggest peer pressure to gamble nor disparage abstention

**16.3.8** link gambling to seduction, sexual success or enhanced attractiveness

**16.3.9** portray gambling in a context of toughness or link it to resilience or recklessness

**16.3.10** suggest gambling is a rite of passage

**16.3.11** suggest that solitary gambling is preferable to social gambling

**16.3.12** be likely to be of particular appeal to children or young persons, especially by reflecting or being associated with youth culture

**16.3.13** be directed at those aged below 18 years (or 16 years for football pools, equal-chance gaming [under a prize gaming permit or at a licensed family entertainment centre], prize gaming (at a non-licensed family entertainment centre or at a travelling fair) or Category D gaming machines) through the selection of media or context in which they appear

**16.3.14** include a child or a young person. No-one who is, or seems to be, under 25 years old may be featured gambling. No-one may behave in an adolescent, juvenile or loutish way.

Individuals who are, or seem to be under 25 years old (18-24 years old) may be featured playing a significant role only in marketing communications that appear in a place where a bet can be placed directly through a transactional facility, for instance, a gambling operator's own website. The individual may only be used to illustrate specific betting selections where that individual is the subject of the bet offered. The image or other depiction used must show them in the context of the bet and not in a gambling context.

**16.3.15** exploit cultural beliefs or traditions about gambling or luck

**16.3.16** condone or encourage criminal or anti-social behaviour

**16.3.17** condone or feature gambling in a working environment. An exception exists for licensed gambling premises.

**16.4** Marketing communications for family entertainment centres, travelling fairs, horse racecourses and dog race tracks, and for non-gambling leisure facilities that incidentally refer to separate gambling facilities, for example, as part of a list of facilities on a cruise ship, may include children or young persons provided they are accompanied by an adult and are socialising responsibly in areas that the Gambling Act 2005 does not restrict by age.

**16.5** Marketing communications for events or facilities that can be accessed only by entering gambling premises must make that condition clear.

### UK Code of Non-broadcast Advertising Section 17: Lotteries

**17.1** Marketing communications must not portray, condone or encourage gambling behaviour that is socially irresponsible or could lead to financial, social or emotional harm.

**17.2** Marketing communications must not suggest that participating in a lottery can provide an escape from personal, professional or educational problems such as loneliness or depression.

**17.3** Marketing communications must not suggest that participating in a lottery can be a solution to financial concerns, an alternative to employment or a way to achieve financial security. Advertisers may, however, refer to other benefits of winning a prize.

**17.4** Marketing communications must not portray participating in a lottery as indispensable or as taking priority in life; for example, over family, friends or professional or educational commitments.

**17.5** Marketing communications must neither suggest peer pressure to participate nor disparage abstention.

**17.6** Marketing communications must not suggest that participating in a lottery can enhance personal qualities, for example, that it can improve self-image or self-esteem, or is a way to gain control, superiority, recognition or admiration.

**17.7** Marketing communications must not link participating in a lottery to seduction, sexual success or enhanced attractiveness.

**17.8** Marketing communications must not portray participation in a context of toughness or link it to resilience or recklessness.

**17.9** Marketing communications must not suggest participation is a rite of passage.

**17.10** Marketing communications must not suggest that solitary gambling is preferable to social gambling.

**17.11** Marketing communications for lotteries that can be participated in only by entering gambling premises must make that condition clear.

**17.12** Marketing communications for lotteries must not exploit the susceptibilities, aspirations, credulity, inexperience or lack of knowledge of children, young persons or other vulnerable persons.

**17.13** Marketing communications for lotteries must not be likely to be of particular appeal to children or young persons, especially by reflecting or being associated with youth culture.

**17.14** Marketing communications for lotteries should not be directed at those aged under 16 years through the selection of media or context in which they appear.

**17.15** Marketing communications for a lottery product may include children or young persons. No-one who is, or seems to be, under 25 years old may be featured gambling or playing a significant role.

**17.16** Marketing communications that exclusively feature the good causes that benefit from a lottery and include no explicit encouragement to buy a lottery product may include children or young persons in a significant role.

**17.17** Marketing communications for lotteries must not exploit cultural beliefs or traditions about gambling or luck.

**17.18** Marketing communications for lotteries must not condone or encourage criminal or anti-social behaviour.

**17.19** Marketing communications for lotteries must not condone or feature gambling in a working environment (an exception exists for workplace lottery syndicates and gambling premises).

### UK Code of Broadcast Advertising Code Section 17: Gambling

**17.1** Radio Central Copy Clearance - Radio broadcasters must ensure that advertisements for gambling are centrally cleared.

**17.2** Advertisements for events or facilities that can be accessed only by entering gambling premises must make that condition clear.

Rules for all advertisements

**17.3** Advertisements must not:

**17.3.1** portray, condone or encourage gambling behaviour that is socially irresponsible or could lead to financial, social or emotional harm

**17.3.2** suggest that gambling can provide an escape from personal, professional or educational problems such as loneliness or depression

**17.3.3** suggest that gambling can be a solution to financial concerns, an alternative to employment or a way to achieve financial security

**17.3.4** portray gambling as indispensable or as taking priority in life; for example, over family, friends or professional or educational commitments

**17.3.5** suggest peer pressure to gamble or disparage abstention

**17.3.6** suggest that gambling can enhance personal qualities; for example, that it can improve self-image or self-esteem, or is a way to gain control, superiority, recognition or admiration

**17.3.7** link gambling to seduction, sexual success or enhanced attractiveness

**17.3.8** portray gambling in a context of winstine

or link it to resilience or recklessness

**17.3.9** suggest gambling is a rite of passage

**17.3.10** suggest that solitary gambling is preferable to social gambling.

#### Rules for gambling advertisements

#### **17.4** Advertisements for gambling must not:

**17.4.1** exploit cultural beliefs or traditions about gambling or luck

**17.4.2** condone or encourage criminal or anti-social behaviour

**17.4.3** condone or feature gambling in a working environment (an exception exists for licensed gambling premises)

**17.4.4** exploit the susceptibilities, aspirations, credulity, inexperience or lack of knowledge of under-18s or other vulnerable persons

**17.4.5** be likely to be of particular appeal to under-18s, especially by reflecting or being associated with youth culture

**17.4.6** feature anyone who is, or seems to be, under 25 years old gambling or playing a significant role. No-one may behave in an adolescent, juvenile or loutish way.

**17.5** Advertisements for family entertainment centres, travelling fairs, horse racecourses and dog racetracks, and for non-gambling leisure facilities that incidentally refer to separate gambling facilities as part of a list of facilities on, for example, a cruise ship, may include under-18s provided they are accompanied by an adult and are socialising responsibly in areas that the Gambling Act 2005 does not restrict by age.

## UK Code of Broadcast Advertising Code Section 18: Lotteries

**18.1** Radio Central Copy Clearance - Radio broadcasters must ensure that advertisements subject to this section are centrally cleared.

Rules for all advertisements

**18.2** Advertisements must not:

**18.2.1** portray, condone or encourage gambling behaviour that is socially irresponsible or could lead to financial, social or emotional harm

**18.2.2** suggest that participating in a lottery can provide an escape from personal, professional or educational problems such as loneliness or depression

**18.2.3** suggest that participating in a lottery can be a solution to financial concerns, an alternative to employment or a way to achieve financial security. Advertisers may, however, refer to other benefits of winning a prize

**18.2.4** portray participating in a lottery as indispensable or as taking priority in life, for example, over family, friends or professional or educational commitments

**18.2.5** suggest peer pressure to participate in a lottery or disparage abstention

**18.2.6** suggest that participating in a lottery can enhance personal qualities; for example, that it can improve self-image or self-esteem, or is a way to gain control, superiority, recognition or admiration

**18.2.7** link participating in a lottery to seduction, sexual success or enhanced attractiveness

**18.2.8** portray participation in a lottery in a context of toughness or link it to resilience or recklessness

**18.2.9** suggest participation in a lottery is a rite of passage

**18.2.10** suggest that solitary gambling is preferable to social gambling.

Rules for lottery advertisements

**18.3** Advertisements for lotteries that can be participated in only by entering gambling premises must make that condition clear.

**18.4** Advertisements for lotteries must not exploit the susceptibilities, aspirations, credulity, inexperience or lack of knowledge of under-18s or other vulnerable persons.

**18.5** Advertisements for lotteries must not be likely to be of particular appeal to under-18s, especially by reflecting or being associated with youth culture. Please refer to Section 32 for scheduling restrictions.

**18.6** Advertisements for lotteries may include under-18s. No-one who is, or seems to be, under 25 years old may be featured gambling or playing a significant role.

**18.7** Advertisements that exclusively feature the good causes that benefit from a lottery and include no explicit encouragement to buy a lottery product may include under-18s in a significant role.

**18.8** Advertisements for lotteries must not exploit cultural beliefs or traditions about gambling or luck.

**18.9** Advertisements for lotteries must not condone or encourage criminal or anti-social behaviour.

**18.10** Advertisements for lotteries must not condone or feature gambling in a working environment (an exception exists for workplace lottery syndicates and gambling premises).

### UK Code of Broadcast Advertising Code Section 32: Scheduling

**32.2** These may not be advertised in or adjacent to programmes commissioned for, principally directed at or likely to appeal particularly to audiences below the age of 18:

**32.2.2** gambling except lotteries, football pools, equal-chance gaming (under a prize gaming permit or at a licensed family entertainment centre), prize gaming (at a non-licensed family entertainment centre or at a travelling fair) or Category D gaming machines (see rule 32.4)

**32.2.3** betting tipsters

**32.4** These products may not be advertised in or adjacent to programmes commissioned for, principally directed at or likely to appeal particularly to persons below the age of 16:

**32.4.1** lotteries

**32.4.2** football pools

**32.4.3** equal-chance gaming (under a prize gaming permit or at a licensed family entertainment centre)

**32.4.4** prize gaming (at a non-licensed family entertainment centre or at a travelling fair)

**32.4.5** Category D gaming machines

**Contact us**

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