



The Rt Hon Lord Foster of Bath
Chair, Peers for Gambling Reform
House of Lords
London
SW1A 0PW

28 May 2026

By email

ASA response to your report: *Gambling Advertising, Marketing and Sponsorship: Recommendations for Reform*

Dear Lord Foster,

I am writing on behalf of the Advertising Standards Authority (ASA) to respond to the report on 'Gambling Advertising, Marketing and Sponsorship: Recommendations for Reform' and the Westminster Hall debate on 'Gambling Advertising', both dated 23 April 2026.

Thank you for your patience over the past month. Since the publication of the APPG and PGR report, there have been several updates that we thought pertinent to include in our response, meaning that we took additional time to ensure these developments were reflected in our reply. We outline these updates below.

Important clarifications

Before responding on specifics, I would quickly highlight some factual inaccuracies in your report.

Firstly, the ASA has published rulings involving 'content marketing' (three in last quarter of 2025) and a further two in 2026. We outline these rulings below.

Legal, decent, honest and truthful

Chair The Rt Hon the Baroness Morgan of Cotes **Chief Executive** Guy Parker
ASA Council (Broadcast) Dekan Apajee, Matt Barwell, Murphy Cobbing, Pippa Glucklich, Elizabeth Gordon, Alison Hastings, Claire Hilton, Mark Howe, Rotha Johnston, Lord Jones of Penybont, Richard Lloyd, and Monisha Shah

Secondly, we have taken enforcement action in relation to loot boxes. And following a series of rulings on this in 2025, the Committee of Advertising Practice (CAP) issued an Enforcement Notice in February this year.

Our role and remit in relation to gambling advertising

Before addressing the report in detail, I think it is important to again set out the ASA's role and remit in regulating gambling advertising generally.

The ASA system's approach to gambling advertising is centred in the legislative framework, which, through the establishment of the Gambling Commission, inherently permits licensed operators to promote their services through advertising. The rules on gambling, set out in the Advertising Codes, sit on top of general provisions that require ads not to mislead, harm or offend. Dedicated sections of the Codes ensure that gambling ads are socially responsible and have a particular regard to protecting under-18s and other vulnerable people from harm. Advertising may invite adults to gamble, but advertisements compliant with the UK Advertising Codes must not do so in a way that is likely to encourage or condone harmful behaviour.

I would now like to respond to some of the perceived regulatory failures set out in the report.

Content marketing

It was disappointing to note the report's "*timeline of inaction*" which stated, inaccurately, that "*the ASA has not published a single substantive ruling, or intervened meaningfully, in relation to gambling content marketing*".

At the time of publication, we had published three rulings on content marketing issues ([Dribble Media Ltd t/a Midnite](#), September 2025); ([Eaton Gate Ltd](#), October 2025); ([Dribble Media Ltd t/a Midnite](#), November 2025). The rulings, all of which stemmed from complaints made by the University of Bristol, deal with content marketing posts featuring well known sports stars.

We have published a further two rulings in May following investigation. One concerning [Thierry Henry](#) and the other [Erling Haarland and Harry Kane](#).

Each ruling firstly addresses the remit of the posts and why we consider them to be an ad and secondly whether the celebrity featured was of strong appeal to U18s. Rulings provide us, industry and stakeholders with precedent on what is and is not acceptable when posting about celebrities on gambling operators' own social media feeds.

I am also able to inform you that the ASA has been carrying out a proactive sweep of gambling operators' organic social media posts, covering several months' worth of content (August 2025 – March 2026) using our data science driven Active Ad Monitoring System.

Over 700 posts were marked for review by the Active Ad Monitoring tool covering all of the main licenced gambling operators, of which a representative sample of 388 were assessed. Meanwhile, the Executive led a desk-based review of operator posts published on X during February to March.

Our human experts assessed whether the posts were likely to (a) be advertising for the purposes of the CAP Code [via the 'directly connected' test], and if so, (b) break the ASA's rules, primarily by including content that would be of 'strong appeal' to children, because of the inclusion of individuals who were or appeared to be U25 or for any other reason.

Our summary findings are as follows:

- ~85% of the posts reviewed were either not ads or were ads and compliant with our rules
- ~10% were borderline and would require investigation to establish if a rule was breached
- ~5% were clearly problematic ads

This review provides a clear and authoritative baseline for likely current compliance rates of content marketing ads.

We are now taking additional steps to secure compliance in the sector in relation to ads that are within our remit. We will be referring any examples of clear-cut breaches of the gambling rules to our compliance team, and where necessary, we will commence investigations into borderline issues where precedent will be helpful in establishing where the line is drawn. We will also refer to the Gambling Commission any posts that are not ads under our remit but which would have been a clear-cut problem if they had met the "directly connected" test.

Next month (June 2026), we will be issuing guidance to the industry which builds on the body of precedent rulings we have published on the issue to date. Our sister body, CAP, will also be issuing a sector Enforcement Notice.

Loot boxes

We were also surprised and disappointed about your reporting of our work to date on loot boxes, particularly your statements: *"while the ASA has occasionally taken action against major companies for non-compliance, enforcement is frequently pursued through informal resolution"* and *"At present, there also appears to be a clear regulatory gap between the respective roles and responsibilities of the ASA and the Gambling Commission. Neither regulator has taken effective ownership of enforcement in cases where loot box practices may breach consumer protection or gambling law. This lack of regulatory clarity and coordination has allowed potentially harmful practices to persist unchecked."*

We have published several high profile [upheld rulings](#) against advertisers that failed to mention the presence of loot boxes in games and we will continue to investigate and take action where necessary.

We also issued an [Enforcement Notice](#) in February 2026 to advertisers to make sure they are complying with our rules. Ad publishers had three months to review, and where necessary, amend their advertising. As of 26 May 2026, we have begun actively monitoring app store listings and will take targeted enforcement action if we see the rules are not being followed.

Advertising of emerging forms of gambling

We recognise the need for the regulatory system to be alert to new and emerging forms of gambling. This is why the ASA System responds to emerging evidence and one that also adapts quickly to advertising trends and the ever-evolving media and advertising landscape.

The report references new platforms like Twitch which have grown in popularity, particularly amongst younger audiences. We published [guidance](#) for advertisers placing ads on Twitch and have published [several rulings](#) against ads appearing on the platform, including [ads](#) shown in live-stream broadcasts.

Illegal advertising

The ASA is not responsible for regulating illegal gambling ads, but we play our part in helping to disrupt illegal ads by passing on intelligence to the Gambling Commission as appropriate.

We are also a member of the Government's Illegal Gambling Taskforce and our Head of Data Science chairs a subgroup on the Advertising of Illegal Gambling.

Advertising in children's video games

The APPG references the iNews investigation into Unibet and Tombola. We launched a review of these ads appearing on free-to-play mobile games and found that they were unlikely to have been targeted irresponsibly or in breach of the CAP Code, which is what we confirmed to the investigative journalist at the time.

We take the protection of children seriously. Harnessing innovative tech including [child avatars](#), [web scraping tools](#) and [metering software](#), we proactively monitor online advertising and undertake [compliance sweeps](#) to make sure ads, especially age-restricted ones such as gambling, are responsible and targeted responsibly. We are also updating our 2022 report looking at real children's (as opposed to 'avatars') exposure to age-restricted ads online, including gambling, this year.

Gambling remains a priority area for us because of the potential for harm. We have engaged with APPG and PGR openly and comprehensively over a number of years, updating you on our work and responding to your concerns.

We enjoy open channels of communication with DCMS, our unofficial sponsoring department, and regularly meet with Officials. Representatives from the ASA met with Baroness Twycross on 28 April 2026 where we discussed some of the themes that came out of the report and debate. We are copying this letter to the Minister, for information.

Yours sincerely,

Grace Curley

Public Affairs Adviser, ASA