



Sarah Gardener
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20 December 2019

Dear Sarah

Re: GambleAware's Interim Synthesis Report – update on CAP activities

Thank you for your letter of 2nd December.

When I wrote to you in October, I promised an update before the end of the year on progress with CAP's commitments in response to GambleAware's Interim Synthesis Report.

Your letter notes that the second phase of GambleAware's research is now likely to be published in February next year. While we await its publication, we will continue to make progress against the four commitments summarised below, which respond to GambleAware's interim findings.

- **Compliance and enforcement:** we are continuing to assess and work through the circa 8,000 items of social media content identified in the GambleAware research: the Report questioned whether the content appealed particularly to under-18s in breach of the UK Code of Non-broadcast Advertising and Direct & Promotional Marketing ('the CAP Code'). It is now clear that many of the items flagged in the research do not amount to 'advertising' as defined by the CAP Code either because they are editorial in nature or the content is obviously directed at non-British consumers. In the first quarter of next year, we should be in a position to better define the size and shape of any enforcement activity we deem necessary on the back of our assessment.
- **E-sports and regulatory remit considerations:** The compliance assessment is feeding into our work on the regulatory status of marketing activity related to e-sports. As this involves questions of whether a particular activity is considered "gambling" for the purposes of the Gambling Act 2005, we will share our

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assessment with the Commission early in the New Year with a view to considering the need for and merits of joined-up communication on this issue.

- **Exposure and targeting restrictions:** Work to review CAP's online media targeting guidance, [Children and Age-restricted Advertising Online](#), has been initiated but is in its very early stages. We are analysing relevant ASA rulings to draw out where they clarify and potentially strengthen the protections afforded by the guidance; we are assessing whether advances in ad tech provide new means to ensure age-restricted ads are kept away from under 18 audience segments; and, we're reviewing wider sources of insights, such as the GambleAware interim synthesis report, to ensure the guidance takes into account the most relevant and up to date intelligence.

The timings for this process are, to a certain extent, dependent on external factors; we await the second phase of GambleAware's research along with Government's public response to its consultation on further restricting the targeting of ads for food and soft drink high in fat, salt or sugar to children (including online ads), which may have implications for the guidance. We are also keen to explore what useful insights might arise from the ongoing industry work to improve the use of ad tech, itself a result of GambleAware's recommendations. With this in mind, we met recently with Sarah Hanratty, Chief Executive of the Senet Group to discuss how we might support that initiative.

- **Appeal of ad content:** in addition to the compliance and enforcement points made under the first bullet point, we stand ready to consider the second phase of the GambleAware research to our rules and the protections they afford take into account the latest evidence on the impact of gambling advertising.

You might also be interested in [our recent publication](#) of data on children's exposure to gambling advertising on TV. It confirmed that children's exposure to gambling ads has remained broadly the same in recent years (in 2018, they saw, on average, 3.2 gambling ads per week), following the significant decline in exposure since 2013, when children were seeing, on average, 4.4 ads per week.

We intend to produce another exposure report with data for 2019 early next year; this will, of course, cover the period in which the industry's 'whistle-to-whistle' ban was introduced.

I look forward to corresponding again with you in the New Year after we have had time to consider the second phase of GambleAware's research and any follow-up action we may undertake.

Yours sincerely

A handwritten signature in black ink that reads "S. Coupal". The letters are cursive and fluid, with a large 'S' and a long, sweeping tail on the 'l'.

Shahriar Coupal
Director, Committees of Advertising Practice

CC: GambleAware
Department for Digital, Culture, Media and Sport
Advisory Board on Safer Gambling