

**Submission to the Inquiry into online gambling and its impacts on those experiencing gambling harm**

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**Declarations**

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This submission is written in our personal capacity as public health academics, and does not necessarily reflect the opinions of the Institute for Health Transformation or Deakin University.

## 1. Overview

In this submission we have chosen to focus on our research examining the impact of gambling marketing on the normalisation of gambling for children and young people. We will not set out the well-established harms from gambling, which impact our most at risk communities, including young people.

Gambling has been described by the WHO-UNICEF-Lancet Commission on 'A future for the world's children?' as a '*potentially large and unaddressed public health challenge for children*' [Clark et al. 2020, p. 631]. Research has clearly demonstrated the impact of gambling advertising and marketing on young people's awareness of, and receptivity to, gambling. While many people continue to talk about the normalisation of gambling for young people, we would argue that gambling is already normalised for young people, and significant efforts now need to be made to denormalise these harmful products in order to prevent the next generation of harm.

This submission seeks to address online gambling in the context of the current gambling environment, in which online gambling and gambling marketing play an increasingly important role. Our recommendations take account of the reality that many of the current concerns relating to online gambling can only be properly addressed through a comprehensive public health approach to gambling issues.

In this submission we outline:

- The importance of independent public health approaches to preventing gambling harm.
- The impact of gambling marketing on children and young people.
- What young people and their parents think should be done to prevent the exposure and influence of gambling marketing on young people.
- Recommendations for a comprehensive public health approach to gambling marketing.

## 2. The importance of an independent public health approach to preventing gambling harm and protecting gambling research, education, and policy from vested interests

Gambling is now globally recognised as a public health issue [Orford 2019; van Schalkwyk et al. 2021]. However, gambling policy and regulation have not kept up with the rapid transformation of the gambling industry, including its ability to reach the most vulnerable members of our community. The Faculty of Public Health (UK) recently stated that the current gambling policy system and industry in the UK:

*".... creates, exacerbates, and exploits vulnerabilities, counter to the governments duty to protect the health and wellbeing of everyone"* [Rae & Fell 2022].

We would argue that a similar situation is also occurring in Australia. Fragmented government policy and regulatory systems both at the federal and state/territory level have not adequately protected the Australian community, and in particular children and young people, from the risks of gambling industry tactics, products, and promotions. Furthermore, despite significant critiques of ‘responsible gambling’ approaches to harm minimisation, there is still an overwhelming reliance on individual responsibility approaches in gambling research, education, and treatment [Marko et al. 2022b]. We also note that while gambling is a public health issue, it is rarely considered as part of the remit of Departments of Health or related health organisations. This is a significant flaw in current government approaches to gambling research, education and treatment.

We also note that approaches that are taken to ‘minimise’ harm are not always based on robust independent evidence. There is still limited evidence about the effectiveness of existing interventions in preventing gambling harm – particularly in relation to public education campaigns and school-based education. For example, the recent Victorian Auditor-General’s Office (VAGO) performance report into the Victorian Responsible Gambling Foundation concluded that there was limited evidence that the Foundation’s programs “*have had any impact on reducing the severity of gambling harm*”, or that education programs conducted by the Foundation could “*match what sports betting companies spend on advertising, both in scale and intensity*”, and that “*The Foundation does not know whether its prevention and treatment programs are effectively reducing the severity of gambling harm*” [Victorian Auditor-General’s Office 2021].

While some organisations, researchers, and government agencies claim to take a public health approach to gambling harm prevention, these approaches are not always as robust as the comprehensive public health approaches that have been applied in relation to other harmful industries and their products, such as tobacco and alcohol. Such approaches recognise that a complex range of individual, socio-cultural, environmental, commercial (that is, industry for profit motives) and political (or government policy) processes contribute to harmful product consumption [McCarthy et al. 2022b]. In relation to policy, this includes whether governments choose to prioritise protecting the public from being harmed by gambling [Rae & Fell 2022], over the economic interests of the gambling industry.

We are also concerned that the newly formulated taglines designed to replace the much criticised ‘gamble responsibly’ approach may not have the necessary robust research evidence base to suggest that they will make a substantial impact on preventing gambling harm or ‘denormalising’ gambling. For example, the taglines appear to have little in common with effective public education approaches that have been applied in other areas of public health, such as tobacco. They also do not match with findings from our own research which have shown that community members, young people, and gamblers want honest information about industry tactics, the risks associated with gambling products, and the potential harms associated with gambling, alongside strategies that individuals themselves can implement to minimise harm [McCarthy et al. 2022a; Pitt et al. 2022]. We note that there appears to have been a somewhat limited group of researchers, policy makers, and practitioners who were consulted in the development of the taglines. Very few public health experts, including those with many years of expertise in campaign development in areas such as tobacco control and alcohol harm prevention appear to have been consulted in the development of these taglines.

In considering regulatory environments, it is also important to note that global public health frameworks in areas such as tobacco seek to protect public policy from vested interests. We think it is important for the Committee to note that such frameworks are not yet available for gambling. For example, Article 5.3 of the World Health Organization (WHO) Framework Convention on Tobacco Control (FCTC) aims to protect public policy from being influenced or diluted by vested interests. Specifically, Article 5.3 legally obligates parties to:

*“...protect their public health policies related to tobacco control from commercial and other vested interests of the tobacco industry”* [World Health Organization 2003].

While there have been multiple commentaries from leading public health researchers and practitioners, and recent casino commissions and inquiries about the regulatory capture of government policy by the gambling industry [Brown 2019; Finkelstein 2021; van Schalkwyk et al. 2021], there is a clear lack of such available mechanisms to protect gambling research, policy, or practice from such vested interests. Principles of transparency in relation to relationships with industry are important in assessing any risk of bias, and in ensuring confidence in research, policy, or practice [Grundy, Dunn & Bero 2020]. It is, for example, concerning that some organisations tasked with preventing or minimising gambling harm have the gambling industry and related peak bodies listed on their websites as key partners. We also note that the gambling industry is involved in activities such as government advisory groups and consultations, sponsors and attends academic conferences and related events, and funding for research and ‘education’ activities.

Given the above, we would argue that a universal definition of a public health approach to gambling harm prevention should be developed and applied. For the purpose of this submission, we propose the following definition:

A comprehensive public health approach to gambling harm prevention is one that: a) recognises that gambling harm is caused by a complex interplay of individual, socio-cultural, environmental, commercial, and political determinants; and b) advocates for independent (i.e. free from gambling industry influence) policies and strategies that seek to prioritise health and wellbeing, and protect individuals, their communities, and families from being harmed by the gambling industry, its products, and practices.

This definition seeks to recognise that while novel gambling products, such as online sports betting, are becoming increasingly legalised and normalised across the world, gambling is not an ‘ordinary product’ [Hellman 2019]. While some gambling products may be considered to be more harmful than others, it is important to note that none of these products are ‘harm free’, and all have the potential to cause some level of harm [Booth et al. 2021; Rockloff et al. 2020]. There are very few legal products in our communities that have self-exclusion mechanisms because of the recognised potential for these products to cause harm. The growth of online gambling has been exacerbated by the range of marketing opportunities for gambling companies. This increase in accessibility, which has enabled gambling 24/7 has raised significant concerns about the appeal for, and impact on, children and young people.

We would argue that Australian governments should take a strong line in relation to gambling and its harms, as they have done in relation to other industries that are harmful for community health and wellbeing, such as tobacco.

- **Recommendation One:** A clear public health framework to preventing gambling harm should be developed by the Federal Government, in consultation with leading independent public health experts, which should outline the key pillars of a comprehensive public health approach. This should include the incorporation of a role in relation to gambling in relevant federal, state/territory and local Departments of Health and related health organisations.
- **Recommendation Two:** Mechanisms should be developed to protect government involvement in gambling research, policy, and practice from being influenced by the gambling industry, those funded by the gambling industry, or those profiting from the gambling industry.

### 3. The impact of gambling marketing on children and young people

A variety of social agencies, including sporting organisations, broadcasters, the gambling industry, and the government play a role in the ‘cultural construction’ of gambling [Thomas & Lewis 2012]. This includes gambling framed as a legitimate leisure activity that has many socio-cultural and economic benefits for communities [Marko et al. 2022a], and that creates a collective ‘blueprint’ for the normalisation of gambling [Egerer & Marionneau 2019, p. 128]. We define this normalisation as:

*“The interplay of socio-cultural, environmental, commercial, and political processes which influence how gambling activities and products are made available and accessible, encourage their routine and regular use, and become an accepted part of everyday life for individuals, their families, and communities”* [Thomas et al. 2018a].

It has been disappointing to see major sports organisations continue to allow themselves to become such an integral part of the normalisation of gambling through marketing and sponsorship, and as such play a role in increasing its appeal to children and young people. Too many sporting codes are prepared to accept the money offered by the gambling industry and so too become part of the problem. Considering that 75% of young people in studies conducted in Australia and the UK consider gambling a normal or common part of sport [Djohari et al. 2019; Pitt et al. 2016], regulatory action by governments is urgently needed to untangle this relationship.

Marketing has many functions for the gambling industry. Some of these include normalising and embedding gambling as an ‘everyday’ activity aligned with various social and cultural environments (such as sport); softening perceptions of harm associated with its products (particularly through ‘corporate social responsibility’ activities, and ‘responsible’ or ‘safer’ gambling campaigns); and reaching new customers (including women [McCarthy et al. 2022a; McCarthy et al. 2020]) and building brand loyalty among potential and existing customers. Gambling marketing has also been significantly influential in increasing interest in gambling among children and young people. This has been due to marketing creating the perception that gambling is fun and an easy way to win money, and that everyone is gambling [Pitt et al. 2016].

In recent discussions about gambling marketing, there has been an overwhelming focus on televised sport. While this is important, gambling marketing is much broader than this and includes a range of direct and indirect strategies including various promotions, incentives, sponsorships, and corporate social responsibility and public relations initiatives. We note that in this context, there has been significant investment in other areas of public health (such as junk food, alcohol, and tobacco) to map and monitor marketing and its impact on population groups [Alcohol and Drug Foundation 2021; Australian Medical Association 2012; Carpenter, Wayne & Connolly 2005; Mackay et al. 2011; Wood et al. 2020]. There has not been a similar focus or commitment in relation to gambling, including from government agencies tasked with preventing or minimising gambling harm.

Much research in this area has focused on the range of socio-cultural and commercial determinants that may contribute to the normalisation of gambling for children and young people. Some discussions have focused on if and how gambling marketing strategies may be targeting children and young people, but our research demonstrates that it is exposure to this marketing that is central to the normalisation process. Marketing exposure includes the overall ways that young people may come into contact with or experience gambling marketing. The impact of repeated exposure of harmful product marketing in shaping and influencing the health risks of young people is well documented in other areas of public health [Chambers et al. 2019; Coreas et al. 2021]. Exposure to gambling marketing also has an important influence on how young people form attitudes about gambling [Nyemcsok et al. 2021; Pitt et al. 2017a; Pitt et al. 2016]. At present, many of the messages or exposures that children and young people receive in relation to gambling give very positive or normalised messages about gambling [Nyemcsok et al. 2021]. This arguably includes the messages that young people receive in many education programs and campaigns, which may start from a basis that gambling is a socially accepted entertainment activity [Marko et al. 2022a].

Our research has found that in relation to marketing exposure:

- Young people are exposed to gambling marketing in many different community, traditional media, and online environments, including television, social media, community environments, and at sporting events [Pitt et al. 2016; Thomas et al. 2018b].
- Over 90% of young people recall gambling advertising on television [Pitt et al. 2016; Thomas et al. 2018b]. Other environments have included at sports stadium advertising, on websites, and hearing gambling advertising on the radio [Pitt et al. 2016]. In our most recent published study investigating children's awareness of gambling advertising, we found that while television was the environment where most children recalled seeing gambling marketing, over half recalled seeing gambling marketing on social media sites [Thomas et al. 2018b].
- Young people have a high recall of gambling brands, and this recall starts from a young age [Nyemcsok et al. 2018; Pitt et al. 2016]. Brand recall is particularly strong if they are fans of sport [Nyemcsok et al. 2018]. Our studies show that about three quarters of young people can name gambling brands [Nyemcsok et al. 2018; Pitt et al. 2016]. They can

also identify brands with particular advertisements and appeal strategies, recall taglines and jingles, match the correct colour of the brand with the brand name, and recall brand characteristics – for example that companies have funny advertisements, or specific celebrities or appeal strategies, and can even recall the specific deals that are provided by companies [Nyemcsok et al. 2018; Pitt et al. 2017b; Thomas et al. 2018b].

*“Ads for sports betting tell you to bet with them and make it look like you’re going to win. They make it look positive and fun.”* - 15 year old boy [Pitt, Thomas & Bestman 2016].

- Young people are influenced by marketing to think of gambling in a positive way. For example, some young people believe that gambling on sport means that you are a more loyal fan, or that it makes watching sport more entertaining or exciting [Pitt, Thomas & Bestman 2016]. Some young people state that they feel confident about the ability to gamble on sport because they are knowledgeable about a particular sport [Pitt et al. 2017a; Pitt et al. 2017b; Thomas et al. 2018b].

*“Well, if you know a lot about the game you can usually pick the team that you reckon would win and then probably the best kick at goal.”* - 8 year old boy [Pitt et al. 2017a].

- Two forms of marketing seem to have a particular positive impact on young people – inducement marketing and celebrity endorsement.
  - Inducement marketing (such as cash back offers) creates a perception for young people that gambling has little or no risk attached to it, and creates a perception that you can gamble without the risk of losing money [Nyemcsok et al. 2018; Pitt et al. 2017b].
  - Celebrity endorsements, particularly from former sports stars, have been found to be highly influential among young people because they are considered trustworthy and increase the credibility of the gambling brand [Nyemcsok et al. 2018; Pitt, Thomas & Bestman 2016]. Influencers are also now endorsing gambling, which may be even more influential to young people as they are considered to be more authentic and credible than traditional celebrities [De Veirman, Cauberghe & Hudders 2017; Pitt et al. in press; Schouten, Janssen & Verspaget 2020].

*“They tell you to spend money on it and they say you have guaranteed money back. So it’s trying to reassure that you won’t lose, and it’s on in every ad break.”* - 13 year old girl [Nyemcsok et al. 2018].

- In early 2018, Australia implemented a ban on gambling advertising in live sport (up until an 8.30pm cut-off, with some exemptions for minor audience channels) [Australian Communications and Media Authority 2021]. This time period appears to be an arbitrary figure with limited evidence to suggest that 8.30pm is an adequate time to ensure that children and young people are not exposed to marketing. We conducted a study with children and young people after the 8.30pm ban was implemented [Thomas et al. 2018b]. Children reported that they saw a range of different types of gambling advertising – including seeing advertising before and after live sport and after 8.30pm. They also saw many

other types of gambling promotions within the games, including on jerseys, signage around the grounds, and on the sports court or field [Thomas et al. 2018b].

*“[I see advertisements] sometimes in the break and I’ve seen the big Ladbrokes sign on the court in the Melbourne United [basketball] games.”* - 11 year old boy [Thomas et al. 2018b].

- We have also conducted research with young people [Nyemcsok et al. 2021; Pitt et al. 2022] and their parents [David et al. 2020; Pitt, Thomas & Bestman 2016; Thomas et al. 2016] about what they think should be done in relation to gambling marketing. Young people are able to recognise a range of measures that are needed to protect communities and young people from gambling harm, although they are very sceptical that governments will act [David et al. 2020; Pitt et al. 2022]. The following perspectives from children, young people, and their parents are powerful reminders of the role that government must play in protecting them from harm. They recommend the following:

- Young people and their parents are supportive of stronger restrictions on gambling marketing, including “none” or “much less” advertising for gambling, especially during sport [Pitt et al. 2022; Thomas et al. 2018b].
- Young people believe that sporting teams and codes should do more to prevent them from being exposed to gambling promotions, and that sports stars should be involved in warning children and young people about the risks of gambling [David et al. 2020; Pitt et al. 2022].
- Young people are also mindful that regulations are needed that extend outside of the sporting context, especially during television programs when young people might be watching [Nyemcsok et al. 2021]
- Parents have called for governments to keep up with the changing marketing tactics, including support for restrictions relating to gambling advertising on social media sites [Djohari et al. 2019].

*“It [gambling advertising] shouldn’t really be there, it’s just too persuasive and convincing, I don’t think it should be there. [It has a] very negative influence. It’s something that kids shouldn’t be able to experience at a young age. They start young and it’s an addiction.”* - 14 year old boy [Nyemcsok et al. 2021].

*“I’m a bit disappointed and sad that gambling is such a big part of sport now. I would say that like just do it because, watch it and do it because you love [sport] and don’t try to bring gambling into it. It doesn’t have to be about that, it doesn’t have to be about money.”* - 14 year old girl [Pitt et al. 2022].

- Young people have also shared their opinions on how to counter-frame the consistently positive messages that people are exposed to about gambling by the industry. Pitt and colleagues [2022] found that young people:

- Are critical of current responsible gambling messages.
- Are unsure about how effective these messages would be in protecting communities and instead recommended messages that were about the risks and harms associated with gambling.

- Recommended targeted messages to de-normalise gambling for young people.
- Think that the gambling industry should not be involved in the development of gambling harm prevention messages.

*“Tell everyone about the effects of it. If there were as many ads showing people that have had their lives stuffed up because of gambling, as there were ads telling you to do gambling, then I feel like it would be a much less harmful place.”* - 14 year old boy [Pitt et al. 2022].

- **Recommendation Three:** When considering gambling marketing, policymakers should take into account the impact of the broad range of contemporary marketing tactics used by the gambling industry. Mechanisms should be established to map and monitor gambling marketing, and how strategies may change over time. This should also include robust independent research aimed at understanding how to most effectively counter-frame the promotional strategies used by the gambling industry to normalise their products.
- **Recommendation Four:** Legislation must be formed with a primary public health aim of preventing children and young people from being exposed to gambling marketing. Given the evidence, and applying the principle of ‘logic based on parallel evidence’ [Cowlishaw & Thomas 2018], the only way to prevent young people’s exposure to gambling marketing is to apply a comprehensive ban (with significant penalties for breaches) on all forms of marketing across multiple media and community channels.
- **Recommendation Five:** Education programs are required that are strong, comprehensive, adequately funded, research-based, independent of gambling industry interests or influence, and designed to reduce gambling harm across the entire community.
- **Recommendation Six:** Education alone will not be enough to prevent the normalisation of gambling for young people. Education programs are important, but they must be based on rigorous independent evidence, and should be part of a broader comprehensive public health approach including legislation, strong public health campaigns, and policies which restrict the accessibility and availability of gambling.

#### 4. Conclusion

Gambling is a public health issue. Gambling research, education, prevention initiatives and treatment should be part of the remits of Departments of Health. Protecting young people from being exposed to, and influenced by, gambling marketing should be the responsibility of the government. Young people are clearly exposed to gambling marketing in their everyday environments, and this marketing is having an impact on how young people conceptualise and consider gambling. The strategies used in this marketing appeal to young people and play a role in influencing their gambling attitudes and consumption intentions. There is no need for more evidence to delay action: the research is clear. Governments urgently need to act now to protect the next generation from gambling harm. Implementing effective and evidence based public health measures will not only protect young people from the harms of gambling but will also protect and benefit the broader community.

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