**Simon Planzer / Heather Wardle:**

**The Comparative Effectiveness of Regulatory Approaches and the Impact of Advertising on Propensity for Problem. Report prepared for the Responsible Gambling Fund, London October 2011.**

**Executive Summary: Comparative Effectiveness of Regulatory Approaches**

This evidence assessment established that there is no published empirical evidence currently available which directly addresses the comparative effectiveness of regulatory approaches to gambling. There is an extreme paucity of empirical evidence: apart from one interdisciplinary and cross-jurisdictional pan-European project which is under way, only a few empirical studies were identified that indirectly related to the topic. Due to the apparent lack of empirical evidence, concept papers were also discussed. These highlighted that most researchers argue that gambling should be framed as a public health issue – but disagree on the intensity of restrictions to gambling services. We noted that the realities of gambling regulators are less black and white: regulators need to take into account various perspectives (e.g., crime prevention and economic considerations). Moreover, consideration of gambling as a leisure activity does not exclude policy makers and regulators incorporating elements of paternalistic regulatory intervention, in particular regarding the protection of vulnerable people like adolescents.

In the concept papers, some researchers argued that it is possible to develop a responsible gambling policy which also respects the right of the individual to choose to gamble. However, others argued for more restrictive state intervention to protect individuals from the risk of harm. Whether the regulatory approaches should be more or less restrictive, correlates with the authors’ view on gambling more generally, Adam and his colleagues for instance see gambling as inherently dangerous, as an ‘addictive consumption industry’ and accordingly demand restrictive or prohibitive regulatory approaches. In contrast, Blaszczynski and his colleagues note that most people do not encounter gambling-related harm. Instead of prohibitive approaches, they underline primary intervention efforts, in particular public education and prevention strategies. In relation to remote gambling more particularly, Sparrow and other authors find prohibitive approaches likely to be ineffective and argue that gambling-related problems can be better addressed by responsibly regulating rather than prohibiting. Finally, social adaptation processes were identified: people seem to adapt to the exposure to games of chance. Currently, there are no indications that adaptation processes only occur in relation to a specific regulatory model (e.g. monopoly) but not in relation to other models (e.g. restrictive or liberal licensing systems).

The report also showed a gulf between the ‘regulatory’ discussion among researchers from social sciences on the one hand and politicians, regulators and lawyers on the other. The former saturates around (diverging) understandings of a ‘public health’ approach. The latter, however, debate over the effectiveness of concrete regulatory choices such as prohibitions versus monopolistic models or licensing systems. A closer interaction between (normative) regulators and (empirical) researchers is therefore necessary as well as a collaboration of researchers from social sciences and the legal discipline.

Full report available at: <http://www.planzer-law.com/images/downloads/pdf/report-rgf-regulation-advertising.pdf>

**Simon Planzer / Heather Wardle:**

**The Comparative Effectiveness of Regulatory Approaches and the Impact of Advertising on Propensity for Problem. Report prepared for the Responsible Gambling Fund, London October 2011.**

**Executive Summary: Impact of Advertising on Propensity for Problem Gambling**

This report noted from the outset that measuring the impact of advertising upon the propensity of a population to experience problem gambling, or indeed, upon gambling behaviour more generally is complex. The fact that advertising operates at both conscious and sub-conscious levels is one of many complicating factors. Binde argued that the overall impact of advertising on the general population is likely to be smaller rather than larger as prevalence rates of pathological gambling do not seem to suddenly increase upon a liberalisation of gambling advertising. Moreover, he argued that in mature markets, advertising is more likely to lead to shifts in market shares rather than an increase of the overall participation rate.

However, some empirical evidence showed that advertising can influence perceptions of gambling and the messages in gambling advertising should therefore be closely assessed. In particular, the potential impact upon vulnerable groups like adolescents or problem gamblers must be considered when regulating gambling advertising. Several studies showed that adolescents are particularly receptive to (positive and negative) messages and images transported in advertising and counter-advertising. These authors argued that this can lead to unbalanced views between the positive aspects and the risks of gambling as well as reinforcement of erroneous perceptions of gambling (e.g., the more I gamble the better my chances). Similarly, studies show that some pathological gamblers experience gambling advertising as an external impulse that triggers them to re-engage in gambling. Finally, it was also noted that in addition to advertising, the broader field of marketing efforts such as free give-aways or free to play games should also be considered.

To our knowledge, no research has been conducted in Great Britain examining these issues. This represents a serious gap in knowledge, particularly as changes in the rules surrounding advertising was a key aspect of the Gambling Act, 2005.

Full report available at:

<http://www.planzer-law.com/images/downloads/pdf/report-rgf-regulation-advertising.pdf>