

EDITORIAL

The current state of gambling advertising in Spain and its potential risks

El estado actual de la publicidad de los juegos de azar en España y sus riesgos potenciales

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In April 2024, Spain's Supreme Court partially annulled the Royal Decree on gambling advertising (RD 958/2020) which had come fully into force in August 2021 and significantly restricted gambling advertising in Spain. The measures included in the Royal Decree sought to reduce and prevent harm from gambling. In particular, regulations of this kind aim to protect vulnerable populations, whether due to age, having developed a gambling addiction (i.e., gambling disorder), or other problems derived from gambling or any other cause of psychological, economic, or social risk. Among the most significant measures of this Royal Decree are banning sports sponsorship and print media advertising, restricting radio and television advertising to specific time slots (e.g., 1 am to 5 am for games of chance other than lotteries or bingo) and all online advertising, including welcome bonuses. It was only possible to access online gambling advertising on the express wish of the individual, for example, by opening an account with a gaming operator or by explicit acceptance via an external link, and after age-

based filtering. The Supreme Court's ruling, while focusing on formal legal aspects rather than specific content, has fundamentally impacted this online advertising channel. It is thus currently allowed by law for anyone of legal age to be exposed to gambling advertising at any time and place, via any device connected to the internet, even if they do not wish to be.

Analyzing the impact of the Royal Decree's implementation and then its partial repeal is a complex task, as environmental prevention measures of this nature can operate at very different levels, and capturing their effect can take a long time (McGrane et al., 2023). Thus, the aim of this editorial is twofold: first, to summarise the scientific evidence supporting the argument that greater advertising restrictions are beneficial both for society as a whole and for the most vulnerable individuals, as they can contribute to reducing the harm caused by gambling; second, to remind everyone of the importance of strengthening other prevention measures, both at community and individual levels, at a time when Spain's regulatory framework is not

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clearly aligned with a prevention approach based on a public health model. From such a perspective, prevention should not be limited exclusively to reducing the harm suffered by individuals who develop an addiction, but should also address the harm experienced by all individuals who gamble (e.g., mild to moderate financial or emotional harm), third parties indirectly affected by the gambling of their loved ones, and the community at large (Browne et al., 2016). This reminder is also important because, away from the media spotlight, currently more focused on technology-based issues arising from mobile phones or video games, the concern of society and regulators with regard to gambling seems to have partially dissipated.

In contrast to the classic view of addiction that emphasizes individual factors, there is growing interest in the scientific literature and support for models of gambling disorder that focus on the interaction of individual and social vulnerability factors with the structural characteristics of the way games of chance are designed and marketed (Goudriaan, 2020; Navas et al., 2019; Yücel et al., 2018). These characteristics refer to elements of both the advertising and the intrinsic mechanisms of gambling, as well as the devices, platforms, and venues where bets are placed, and which influence behavioural parameters such as the intensity, frequency, density, or quantity of bets (Parke et al., 2016). Impulsivity, emotional regulation issues, or a socioeconomic context which limits access to resources for well-being and personal and professional growth are some examples of vulnerability understood from a biopsychosocial model applicable to gambling problems (Sharman et al., 2019).

In studies focused on the descriptive analysis of the structural characteristics of high-risk gambling, those gambling contexts stand out which feature a continuous, rapid experience in terms of the immediacy of the outcome, and which allow for a high frequency of betting opportunities (Parke et al., 2016). Gambling advertising, especially online advertising, can reinforce this type of gambling experience (Hing et al., 2022).

For a brief analysis of this issue, sports betting can be taken as an example. Furthermore, understanding this specific type of gambling is of interest to the scientific community in Spain in light of data from the latest national prevalence surveys. In 2023, the Dirección General de Ordenación del Juego (Directorate General for the Regulation of Gambling) reported that 12.45% of people aged between 18 and 25 years who used sports betting presented at least one symptom of addiction (DGOJ, 2023), often interpreted as a risky gambling pattern. Meanwhile, in its 2024 behavioural addiction report, the Plan Nacional Sobre Drogas (PNSD, National Plan on Drugs) also shows that some games of chance, including sports betting (i.e., as well as card games, slot machines, and roulette), are associated with an up to five times greater likelihood of

developing addiction symptoms compared to lotteries and football pools.

For example, live sports betting combines the previously mentioned characteristics of continuity, immediacy, and high frequency by including the possibility of betting in real time on a large number of situations within a single sporting event (e.g., the outcome of a serve in tennis). In a descriptive analysis of gambling advertising, Torrance et al. (2021) highlight the over-promotion of specific information on sporting event odds alongside various types of financial incentive. The use of messages promoting access to and ease of gambling opportunities through various types of bonuses, real-time withdrawal options, and 'flash' offers can be particularly pernicious in generating gambling harm (Luquiens et al., 2022; Torrance et al., 2023). Moreover, their impact may be greater on adolescents and young adults (Torrance et al., 2021).

Gambling advertising in general has thus been associated with increases in gambling frequency and intensity among both novice and experienced gamblers (Lopez-Gonzalez et al., 2020; see McGrane et al., 2023 for a meta-review of articles from different countries around the world). When this advertising is delivered online, we must also consider the effects arising from the use of this channel. Firstly, high accessibility, affordability, and anonymity (Triple A Model; Cooper et al., 1999) favour greater contact with online gambling, as is the case with other potentially problematic technologies (Flayelle et al., 2023). Secondly, we must remember that accessibility is bidirectional. Not only do users have access to information and betting opportunities, but the operator also has the opportunity to interact with users. In this way, the information asymmetry between the provider and the bettor allows for the distribution of targeted advertising (based on the user's profile and behavioural history when betting, shared data, or data obtained from third parties) without the user necessarily being aware of the strategic use of their data (Davies, 2022). When this occurs with particularly vulnerable individuals, it increases the likelihood of impulsive gambling (McGrane et al., 2023) and, with it, the potential harm these individuals are exposed to, including a higher risk of developing an addictive disorder.

As an example of the effect of advertising on vulnerable populations, López-González et al. (2020) found, in a sample of people with gambling disorder under treatment, that the influence of emotional regulation difficulties and impulsivity on the severity of gambling-based problems is mediated by exposure to gambling advertising. Their data thus support the above-mentioned idea that advertising exacerbates and, therefore, exploits individual vulnerability, thereby increasing the risk of triggering problematic patterns of gambling use. Similar results can also be found in populations of young people and adolescents, a population at risk due to neurodevelopmental factors (Chambers et

al., 2003), and on whom gambling advertising can have a notable impact in terms of their attitudes towards gambling, risk perception, and even on the development of distorted ways of understanding how games of chance work (Deans et al., 2017; Pitt et al., 2017).

Clearly, the accumulation of scientific evidence regarding gambling advertising points to a harmful effect that should guide a regulatory policy based on caution (Miller et al., 2016). The starting point for evidence-based regulation should be to prioritise the protection of users in general, and the most vulnerable users in particular, in order to reduce the negative impact of this activity on society as a whole (Kesaite et al., 2024). In the absence of a legislative framework of this nature, the importance of increasing both specialized treatment services and preventive actions in community settings cannot be overstated, whether in the form of information campaigns or group or individual interventions. Political will is therefore needed to allocate resources to public agencies and non-governmental organizations to develop treatment and preventive interventions that also rely on empirical evidence.

With specific regard to prevention, the school context is where the greatest amount of research has been conducted on how to intervene effectively (Grande-Gosende et al., 2020). To the best of our knowledge, there are at least three evidence-based programs in Spain focussed on reducing gambling problems or modifying some of the cognitive and affective variables that influence the initiation of this activity. It is no coincidence that *Ludens* (Chóliz et al., 2021), *¿Qué te juegas?* (Lloret-Irles & Cabrera-Perona, 2019) and the *La Contrapartida* school intervention of Madrid Salud (Navas et al., 2023) include content to show participants just how gambling advertising influences gambling, for example, by contributing to an overestimation of the real chances of winning. Understanding how difficult it is to profit from gambling and making users aware of the influence strategies used to persuade them to gamble can be key to preventing the onset of gambling use and potential escalation in severity.

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