

# **Review of Gambling Machines and Social Responsibility Measures**

**Response from the Commercial Broadcasters Association to the DCMS**

**December 2016**



**A VOICE FOR COMMERCIAL BROADCASTERS IN THE UK**

## Introduction

1. The Commercial Broadcasters Association (COBA) is the industry body for multichannel broadcasters in the digital, cable and satellite television sector, and their on-demand services. COBA members operate a wide variety of channels, including news, factual, children's, music, arts, entertainment, sports and comedy. Their content is available on free-to-air and pay-TV platforms, as well as on-demand.
2. COBA members are critical to the global success of the UK broadcasting sector and its “mixed ecology” of public and private investors. As arguably the fastest growing part of the UK television industry, they are increasing their investment in jobs, content and infrastructure:
  - Scale: The multichannel sector makes a GVA contribution of £4.2 billion a year to the UK economy. This is based solely on investment related to channels themselves, as opposed to the other corporate activities of many COBA members, such as production and broadband.<sup>1</sup>
  - Employment: As one of the fastest growing parts of the UK television sector, multichannel broadcasters have doubled their direct employment in the UK over the last decade.<sup>2</sup>
  - UK production: The sector has increased investment in UK television content to a record £725m per annum, up nearly 50% on 2009 levels.<sup>3</sup> They have doubled their investment in commissions from independent producers over the last decade.<sup>4</sup>
  - UK broadcasting hub: Alongside this domestic investment, multichannel broadcasters are key to the UK's status as Europe's leading broadcasting hub. The UK is home to more television channels than any other European market by some distance. Of these channels, 55% are international – based in and investing in the UK, but broadcasting to overseas markets.<sup>5</sup>
3. For further information please contact [REDACTED]  
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<sup>1</sup> COBA 2012 Economic Impact Report, Oliver & Ohlbaum Associates for COBA

<sup>2</sup> Skillset, Television Sector – Labour Market Intelligence Profile

<sup>3</sup> COBA 2014 Census, Oliver & Ohlbaum Associates for COBA

<sup>4</sup> Pact Census 2016

<sup>5</sup> Ofcom

## Response to consultation

### **Q7. Is there any evidence on whether existing rules on gambling advertising are appropriate to protect children and vulnerable people from the possible harmful impact of gambling advertising?**

1. UK audiences are protected from potentially harmful gambling advertising in a number of ways. Under the Gambling Industry Code for Socially Responsible Advertising, gambling adverts are prohibited from broadcast before 9pm, with the expectations noted in the consultation paper. Gambling advertising was reviewed as recently as 2014 by Government, when it was concluded that the rules provided effective protection.
2. This is quite apart from wider undertakings by the gambling industry, such as the recent prohibition on sign up adverts before 9pm under the industry's Code for Socially Responsible Gambling.
3. The ability to show gambling advertising around sports programming before 9pm is based on the UK's long established and successful approach to restricting advertising based on the proportion of children likely to be watching a programme. This is identical to the approach in a number of potentially harmful areas of advertising, such as HFSS advertising. It is based on the principle of proportionate regulation, ensuring that programmes that target children do not carry potentially harmful advertising, while allowing advertising where a relatively small proportion of children may be watching under the supervision of adults.
4. These rules mean that television remains a highly regulated and protected medium in comparison to other forms of communications, such as online.
5. Where there may be, for example, concerns around the tone or content of advertising, these should in the first instance be addressed through the existing co and self regulatory framework, such as the Code for Socially Responsible Gambling and the well-established ASA and the Committees of Industry Practice (CAP and BCAP). The ASA, for example, has a wealth of experience in effectively addressing concerns around all types of advertising, including recent and current reviews of alcohol advertising and HFSS advertising. This co-regulatory framework is well regarded across Europe and the ASA has a high awareness amongst the public, and already covers many areas of gambling.
6. Furthermore, we would like to point out that advertising is a crucial source of revenues for the multichannel sector. This review comes at a time when the sector faces considerable uncertainty due to the UK's intention to leave the EU, which may result in channels being forced to relocate to remaining EU markets in order to secure broadcasting licences that are valid in those markets (we have provided an impact assessment separately to the DCMS on

this matter). This review adds to that uncertainty. At this crucial time, we ask that Government avoids any changes that will further weaken the UK's attractiveness as a place to invest.