

Online Platforms Study
Competition and Markets Authority
7th Floor, Victoria House
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By Email and Post

30th July 2019

Dear Competition and Markets Authority

We are replying to the CMA's market study into online platforms and the digital advertising market in the UK. The Remote Gambling Association is a London & Brussels-based trade association which represents the online gambling industry. Its members are all licensed for gambling purposes in Europe. The RGA encourages social responsibility and high standards of probity and integrity within the industry through the development of codes of conduct.

The online gambling industry works tirelessly to ensure that direct advertising and marketing of its products is not specifically targeted and/or received by those under 18 or those that have self-excluded. Self-exclusion is a specific scheme which allows individuals to block their access to online gambling sites across UK Gambling Commission licence holders upon request.

There are three areas which we are focused on, and which the CMA can aid in looking at:

1. The ability to age gate via major search and social media platforms and the level of confidence in age gating capabilities on the platforms. There has been some good progress in this area but more needs to be done to ensure that the age gating mechanisms are truly effective.
2. The ability to de-target existing customers; some search platforms do not allow the de-targeting of existing customers in the gambling sector. This means that those that have requested not to be exposed to gambling sites may be inadvertently targeted and it's not possible to vary messages from one size fits all. For example, specific targeting filters can be applied to those who have played at a specific casino previously and/or "likes" or "follows" gambling related products, but there is no possible way to de-target players who have since self-excluded.
3. Not reaching those who have self-excluded – it's important that where possible we can integrate to the platforms so that we don't market to self-excluded customers who have selected to block access to gambling sites. There is a need for platforms to ensure they have this capability for betting and gaming operators to use.

As part of our efforts to prevent advertising from reaching these sets of individuals, we have no choice but to rely on social media and search platforms to provide tools which would identify such individuals. These tools come direct from the platforms as they are plugged into the first party deep data sets they maintain. While some platforms provide more effective systems which can “de-target” under 18s and self-excluded individuals, others are less active in creating mechanisms by which this filtering can be initiated.

In particular, some search platforms do not provide a reasonable level of security against under-age exposure due to the fact that their age-gating mechanisms are not effective. There needs to be a strong correlation between their own identity algorithms and age filtering. This should be readily available for logged-in systems which can clearly identify the user and for paid advertising since they do provide sophisticated targeting systems for advertisers. The fundamental point remains – the data is there and can work effectively but it isn’t implemented by the platforms.

In addition to our concerns is the fact that age-gating penalises advertisers by placing them further down search listings, preventing organic reach and growth. While RGA members always request age-gating for advertising, this is not the fact for all UK-facing gambling operators who fail to adhere to the rules due to problems relating to a smaller audience reach.

As such search platforms should provide for the ability to use hashed e-mail addresses to identify and prevent gambling advertising from reaching under-age and vulnerable people. In addition the use of cookies could identify persons in those categories. The industry would be responsible for providing the data for the search platforms to appropriately match to the same user their side.

We do not believe that large search platforms use their dominance to reject such mechanisms. They clearly do this in other areas such as pharmaceuticals but we are concerned that some search and social platforms may not take on such tools for advertisers in the belief that it would undermine their business model.

Given the large public interest around gambling and ensuring that it is a product only available and advertised to those over 18 and not exhibiting problem gambling traits and/or not self-excluded, we believe it is a duty for search and social platforms to offer deeper and more precise targeting (and by default de-targeting) tools for advertisers.

Kind regards,

Wes Himes
Interim Chief Executive