



Corporate Political Activity of the Alcohol and Gambling Industries

Thematic analysis of industry responses to government consultations

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Corporate political activity of the alcohol and gambling industries

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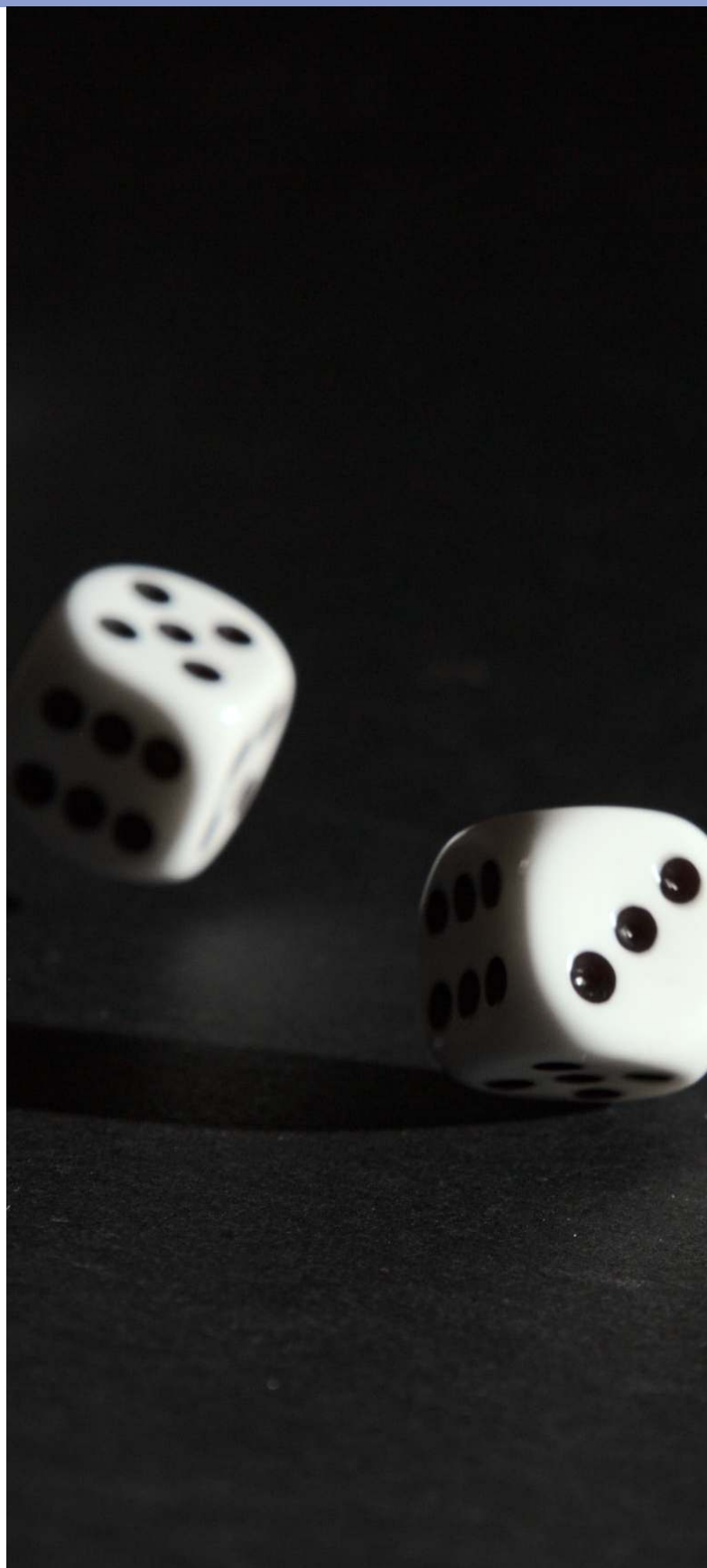
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Executive summary

Background

There is growing evidence that unhealthy commodity industries (UCIs) use the same strategies to influence policy decisions in line with their commercial interests. For example, studies regarding the tobacco and alcohol industries' corporate political activity (CPA) have shown that misrepresenting evidence of harm and emphasising 'individual responsibility' are common strategies to subvert policy. The gambling industry has received comparatively less attention, but is rapidly gaining traction as a public health concern.

Parallels have been drawn between the alcohol and gambling industries in terms of patterns of consumption, harms caused by consumption, regulatory approaches available and a generally 'liberal' set of laws governing these industries in the UK. However, there are very few studies comparing CPA across UCIs.

To address this gap, this study will look at alcohol and gambling industries responses to two UK government consultations: (1) The House of Lord (HoL) inquiry into the Alcohol 'Licensing Act 2003: post-legislative scrutiny' (carried out in 2016), and (2) the HoL inquiry into the 'Social and Economic Impact of the Gambling Industry' (carried out in 2019).¹ Both are recent inquiries, following a similar format and gathered insight into successes and shortcomings of current Alcohol and Gambling Acts in England, related regulation and other issues. This makes the two inquiries suitable for comparison.

Methods

The aim of this study was to compare and contrast strategies, arguments and framings used in alcohol and gambling industries responses to UK government consultations. Industry responses to the inquiries (taken from the UK parliament website) were identified using pre-determined inclusion/exclusion criteria, and downloaded into Nvivo 12. Responses were analysed using (a mainly inductive) thematic analysis. Themes in the frames, arguments and strategies used by the alcohol and gambling industries in CPA were compared. Themes were organised into two overarching frames: (1) how the problem is framed, and (2) how the solution is framed.

Results

19 of the 161 written responses (~12%) and 28 of the 98 written responses (~29%) submitted to the HoL inquiry into the 'Licensing Act 2003' (2016/17) and 'Social and Economic Impact of the Gambling Industry' (2019/20) respectively were identified as industry responses (excluding supplementary written responses).

Thematic analysis revealed both industries largely used the same framing of the problem of alcohol and gambling harms, and their solutions. Alcohol industry and gambling industry actors framed the problem of alcohol/gambling similarly, emphasising harms were only experienced by a minority of people while the majority drink/gamble responsibly. Deflecting the problem to other industry actors was also common in both industries, as was downplaying the issue (e.g. by claiming alcohol use disorders/problem gambling prevalence is low, or pointing out flaws in gambling research).

This included arguing that harms are only experienced by a 'minority' of people,

¹ Responses to the alcohol and gambling inquiries can be viewed <https://old.parliament.uk/licensing-act-committee/> and <https://committees.parliament.uk/committee/406/gambling-industry-committee/> respectively.

emphasising individual responsibility and shifting blame for harms to other industry actors, e.g. from on-trade alcohol retailers to off-trade and on-shore gambling operators to off-shore (online) operators. This led into promoting solutions favoured by the industry e.g. targeted or localised solutions (in place of more effective population level solutions) and emphasising harms of introducing regulation not in the industries' interest.

Conclusions

Consistent with previous literature, this study shows that UCIs use the same arguments and framings to shape the narrative around their harms, and solutions to those harms. This study also identified novel strategies: (1)

alcohol and gambling industries shifting blame of harms to other industry actors in their same industries, and other UCIs, (2) and exploitation of a supposed 'dearth' of evidence as a strategy to downplay harms or delay action in the field of gambling.

This study supports calls to move away from framing the problem of alcohol and gambling harms as one of 'individual responsibility', experienced by only a minority.

Understanding commonalities in strategies used by industries may help to inform more effective, unified public health responses across all UCIs. These findings highlight the importance of policy makers being aware of these strategies to avoid undue industry influence on policy decisions.



Key recommendations

Recommendations for policy and practice

- Due to a strong conflict of interest in industry involvement in public health policy, this study supports calls by others that UCIs must be excluded from government partnerships and decision making processes, as is the case for the tobacco industry due to restrictions under the WHO Framework Convention on Tobacco Control.
- Policy makers should develop competence to understand CPA and the different tactics used by the alcohol and gambling industries and commonalities between them, to avoid undue industry influence and conflict of interest.
- Policy makers and researchers should be careful not to take a narrow view of gambling and alcohol harm. This study supports calls for a reframing of gambling and alcohol harms which takes into account harms experienced by society, and recognises the contribution of commercial actors and policy makers to the environment in which harms happen.

Recommendations for research

- Public Health research should continue to monitor and develop counter frames and narratives to industry framing of alcohol and gambling harm, and communicate these to the public and policy makers.
- Researchers should continue to build the evidence based around gambling harms and solutions, and should shift focus away from only ‘problem’ gamblers, as this serves the gambling industry agenda.
- While this research identified what arguments, frames and strategies are used by industry, it does not show how much of an impact this has on subsequent policy decisions. Analysis of government written responses to inquiries and White Papers, along with interviews with policy makers will be necessary to understand this.
- Further research into public opinion of industry involvement in the policy making process will be useful in understanding what support there is among the public to distance decision making from industry influence.



Background

Alcohol and gambling harms

Alcohol and gambling are both common in modern society, and the majority of people will drink or gamble at some point in their lives (1). However, both can also lead to health harms and represent major public health problems (2).

Alcohol consumption is linked to over 2.8 million deaths per year globally, representing the seventh leading cause of premature death and disability worldwide (3). In the UK, it is the leading cause of death for 15-49 year olds (4). Gambling harms are also widespread; 350 million people worldwide are considered to display 'problematic gambling patterns' per year (5). In Great Britain, this amounts to between 0.4-1.1% of the population (6), though this statistic is likely an underestimate as it takes a narrow view of what constitutes a gambling harm (7). The number of people who experience harms from gambling is lower than from alcohol, however it is still considerable and similar to the number of people who experience issues with illicit drugs (1). In addition, the nature of harms from gambling has been described as comparable to those associated with alcohol use in high income countries (2).

Alcohol 'misuse', defined by the NHS as 'drinking in a way that's harmful, or being dependent on alcohol' (8), is causally linked to a huge variety of health problems, such as injury, cardiovascular disease, cancers and mental health (9). 'Problem' gambling is defined by the Gambling Commission as 'gambling with negative consequences and a possible loss of control' (10). Gambling is also linked to a variety of health issues, notably debt, domestic violence, homelessness, anxiety, depression and in the worst cases, suicide (11). Despite discourse centring around acute harms for 'problem' gamblers and those who 'misuse' alcohol, harms from alcohol and gambling can be long lasting and extend far beyond the individual. Both have wider impacts on families, communities and

society. Both can lead to crime, violence, family and social relationship breakdown and financial impacts on dependents (12, 13). For example, for every person with a gambling addiction, six other people are negatively affected (14). Similarly, one in five people in England were harmed by others' drinking over the past year (12).

There is also good evidence to suggest that alcohol and gambling problems co-occur and can affect each other, for example some studies have shown that alcohol consumption can increase the chance of problem gambling developing (15). Gamblers often drink while gambling; alcohol may increase the amount spent in one session, increase impulsivity and reduce self-control to stop (16). Alcohol and gambling are also similar in that harms occur on a continuum, i.e. there is no safe, or completely risk free, level of consumption (3, 17).

Harms from alcohol and gambling are difficult problems to solve as they are embedded social norms, glamourised in the media, pervasively marketed (1) and can be addictive. However, there is good evidence to suggest that regulating availability and marketing of products are effective solutions to reducing harms (7, 18). Despite this, in practice, these solutions are difficult to implement, for the reasons above. In addition, industry involvement in policy decisions has impeded realisation of effective solutions (2). Together, these can be referred to as the commercial determinants of health, discussed in further detail below.

Public health researchers have called for a move towards a broader view of alcohol and gambling to incorporate wider harms and determinants of harms, and away from a narrow view which concentrates on individuals, and favours UCI's interests (7). This has the potential to lay the groundwork for a shift towards a public health approach to alcohol and gambling regulation (7).

Commercial determinants of health

The commercial determinants of health (CDoH) is a relatively new, and growing, concept in public health research. It centres around the idea that UCIs shape the environment in which people live and make decisions to be more favourable for the consumption of their unhealthy products (19). A recent review suggests that the CDoH covers three areas:

1. The consumption of the unhealthy commodities themselves lead to poor health.
2. The corporate and political practices which contribute to poor health and promote unhealthy commodity consumption.
3. Global drivers of poor health, such as market-driven economies, neoliberal policies and regressive trade agreements.

The second area, specifically the way in which corporations seek to secure a policy environment conducive to consumption of their products, is the subject of this study. The way in which corporations use their power to influence policy decisions is known as corporate political activity (CPA) (19).

Corporate political activity

UCIs are increasingly involved in public health policy decision making. The rationale for this comes from the idea that those affected by policies should be included in their development. However, limited companies are required, by law, to maximise profits for their shareholders. Strikingly, in the UK, 60% of gambling industry profits come from the 5% who are already, or at risk of becoming problem gamblers (20). Individuals drinking above the low risk alcohol guidelines accounted for 68% of alcohol industry sales revenue in 2013-14 (21). This represents a considerable conflict of interest between public health and commercial interests (2). Many public health researchers have therefore questioned the legitimacy of UCI involvement in policy making (2).

Following the release of internal tobacco industry documents in the early 2000s, there has been considerable research into the CPA of the tobacco industry. Since then, attention has turned to other UCIs too, such as the alcohol and ultra-processed food industries (22), and more recently, the gambling industry (23). UCIs use their political influence to prevent, delay or weaken policies which are in the public's health interest, undermine research and capture the public debate in line with their commercial interests (19).

In policy making, CPA can be used as a means to 'frame' harms from UCIs in industries' favour (24). Framing can be considered as a way to promote certain views and perspectives around harms and their solutions as the dominant discourse. In this way, UCIs can influence the policy decisions (24).

Evidence from the tobacco and alcohol industries suggest that UCIs use common strategies (and sometimes collaborate with each other) (25) to subvert effective policies. Research into the tobacco industry is relatively well established compared to the alcohol industry and especially the gambling industry, but growing. Common strategies used by UCIs include:

- Distorting or misusing evidence, or selectively citing evidence to frame harms as only experienced by a minority of people, and most people consume 'safely' (22–24, 26–28).
- Policy substitution: promoting non-regulatory activities such as self-regulation, education programmes and local solutions, in place of more effective population level policy (2, 22, 24, 26, 27). Often also involves distortion/misuse of evidence (24) or promoting preferred solutions without evidence (28).
- Making claims (often unsubstantiated) about the unintended consequences and harms of introducing industry non-preferred regulation (26–28).

- Emphasising corporate social responsibility (CSR), to frame formal regulation as redundant and frame themselves as responsible and part of the solution (23, 26, 27).
- Misuse of scientific concepts, such as complexity, to shift blame for harms away from industry and frame population level regulation as 'too simple' (28, 29).

Maani et al. (2020) suggests that understanding the CPA of UCIs is limited by the fact that most research is commodity specific. There has been a call for more cross-sector or comparative research to understand the common strategies used by UCIs to help policy makers develop effective counter-strategies to them (30).

Industry input into UK Government policy making

This study will compare alcohol industry and gambling industry responses to two House of Lords (HoL) inquiries: (1) The HoL inquiry into the Alcohol 'Licensing Act 2003: post-legislative scrutiny' (carried out in 2016), and (2) the HoL inquiry into the 'Social and Economic Impact of the Gambling Industry' (carried out in 2019). Briefly, HoL select committees examine government departments and their work. Committees may decide to hold an inquiry on a topic of interest to them. Inquiries hold a 'call for evidence', to which anyone can respond with written evidence. Some people/organisations may also give evidence in person. The HoL committee then writes a report based on the evidence gathered, to which the government must respond (31).

The HoL inquiry into the Alcohol 'Licensing Act 2003' reviewed the success of the law in practice, in order to see whether changes were required. In the UK, you need a licence to sell alcohol in both the on- and off-trade, and decision to grant/revoke/modify a licence lies with the local authority. Similarly, the HoL inquiry into the 'Social and Economic Impact of the Gambling Industry' reviewed the 'Gambling Act 2005'. In the UK, you need a licence to be a gambling operator (both on- and off-shore, i.e. online/remote or land based) from the gambling commission, and

if you're an on-shore operator, you also need a premise licence granted by the local authority. In addition, this inquiry also looked at the positive and negative impacts of gambling and gambling advertising, among other topics. The questions asked in the [alcohol](#) and [gambling](#) inquiries can be found on the UK parliament website.

Both Acts represent a liberalisation of the rules regulating the alcohol and gambling industries (1). The Gambling Act 2005 allowed gambling operators to advertise on TV and radio for the first time. Both acts removed local 'need'/'demand' for a pub/club or gambling/betting shop as a criteria for granting a licence by local authorities (1). As such, these inquiries are important to analyse from a CPA perspective.

Given the similarities in alcohol and gambling harms, and evidence that UCIs use the same strategies to subvert effective regulation (but relatively few comparative studies), there is good rationale to compare the CPA of the alcohol and gambling industries. Particularly because of the potential to apply learnings from CPA deployed by the alcohol and tobacco industries to the gambling industry, and the need for a consistent approach across UCIs to tackle harms (2). This study will also help to address the need for more research into the gambling industry.

Research aim

To compare and contrast strategies used in alcohol and gambling industry responses to UK government consultations

1. To identify arguments and frames in responses from alcohol industry actors to the House of Lords inquiry into the 'Licensing Act 2003' carried out in 2016/17
2. To identify arguments and frames in responses from gambling industry actors to the House of Lords inquiry into the 'Social and Economic Impact of the Gambling Industry' carried out in 2019/20
3. To compare the alcohol and gambling industry framing of responses and identify converging and diverging tactics

Methods

This study involves a comparative thematic analysis of responses submitted by industry actors to two HoL inquiries: ‘Licensing Act 2003’ (2016/17) and ‘Social and Economic Impact of the Gambling Industry’ (2019/20) to identify common and diverging arguments and frames used by industries in corporate political activity. These are both recent inquiries, which follow a similar format and gather insight into successes and shortcomings of current Alcohol and Gambling Acts in England, related regulation and issues. This makes the two inquiries suitable for comparison.

Data collection

All submissions to the inquiries were available on the UK Parliament website. Submissions from the alcohol or gambling industries were identified based on the inclusion/exclusion criteria in Tables 1 and 2 respectively, and downloaded as PDFs into NVivo12 (32). Inclusion/exclusion criteria are based on the alcohol and gambling industries definitions in Appendix 1. To the knowledge of the author, a definition of the gambling industry does not currently exist, therefore one was devised for the purposes of this study. A leading gambling industry researcher was consulted via email to check robustness of the definition. Industry definitions were decided before undertaking data collection to avoid any bias in selecting which submissions to analyse.

Table 1 Inclusion and exclusion criteria for alcohol industry submissions

Inclusion:	Exclusion
<i>Types of responses</i>	<i>Types of responses</i>
Written responses to the inquiry (first submission only)	Supplementary evidence only
	Oral evidence
<i>Responses from:</i>	<i>Responses from:</i>
Manufacturers of alcohol	NGOs
Wholesale distributors of alcohol	Individuals (with no tie to the industry)
Retailers on-trade (e.g. pubs and clubs)	Local/governmental authorities
Retailers off-trade (e.g. newsagents and supermarkets)	Regulators
Importers of alcohol	Academics
Social aspects and public relations organisations (SAPROs) (e.g. charities funded by the industry)	Licensing firms/consultants ²
Trade associations	Any other entities falling outside the alcohol industry definition given in the methods

Table 2 Inclusion and exclusion criteria for gambling industry submissions

Inclusion:	Exclusion
Types of responses	Types of responses
Written responses to the inquiry (first submission only)	Supplementary evidence only
	Oral evidence
Responses from:	Responses from:
On-shore operators of gambling (e.g. betting shops, casinos, amusement parks)	NGOs
Off-shore operators of gambling (e.g. online gambling e.g. sports betting, casino, bingo)	Individuals (with no tie to the industry)
Manufactures and distributors of gambling machines (e.g. fruit machines, gaming etc.)	Local/governmental authorities
Game designers (online and physical)	Regulators
Lottery operators	Academics
Social aspects and public relations organisations (SAPROs) (e.g. charities funded by the industry)	Licensing firms/consultants ²
Trade associations	Any other entities falling outside the gambling industry definition given in the methods

Data analysis

All industry responses were imported into NVivo12 (32). To compare responses from the alcohol and gambling industries, all responses were analysed using (a mainly inductive) thematic analysis (33). Themes in the responses were organised into two overarching frames: (1) how the problem is framed, and (2) how the solution is framed. SBh led the analysis. SBo and KS familiarised themselves with the primary data and checked the coding for plausibility, validating the first author's (SBh) interpretation through an iterative process.

Ethics

This report was originally written as part of a Public Health MSc project at The London School of Hygiene and Tropical Medicine (LSHTM). The LSHTM MSc Ethics Committee confirmed that ethics approval was not required for this project, since this project only uses data from secondary sources which are fully in the public domain.

² As often, in addition to representing industry, these firms will also represent local authorities and the police, therefore it is very difficult to tease out to what extent they are representing industry interests in their responses.

Results

A total of 161 written responses were submitted to the HoL inquiry into the ‘Licensing Act 2003’ (2016/17) and 98 written responses were submitted to the HoL inquiry into the ‘Social and Economic Impact of the Gambling Industry’ (2019/20), excluding supplementary written responses. Of these, 19 of the 161 responses (~12%) were identified as alcohol industry responses (making up the second largest proportion of all responses) and 28 of the 98 responses (~29%) were identified as gambling industry responses (making up the largest proportion of all responses).

Tables 3 and 4 give an overview of the organisations that responded to each consultation. Tables 5 and 6 give a breakdown of industry responses by category. Gambling industry responses were difficult to categorise as many operators were also gambling machine/game manufacturers and many operated both on- and off-shore. A list of each industry respondent to the alcohol and gambling inquiry and a more detailed category breakdown is given in Appendix 2 and 3 respectively.

Some industry responses covered every question asked in their inquiry, some only answered those that they deemed relevant, and some wrote responses based on their own interest. Many responses referenced other responses also submitted to the same inquiry where their interests aligned, and often had sections that were very similar or word-for-word the same. The British Beer and Pub Association and The Association of Convenience Stores responded to both inquiries.

Themes in arguments/strategies identified in the responses were organised into two overarching frames: how the problem is framed and how the solution is framed. Many themes were identified, but here we will concentrate on the most salient and reoccurring themes, of which there were eight. Relatively little was drawn out from lottery operator responses to the gambling inquiry.

However, this may reflect that there were two very specific lottery questions in the gambling inquiry; lottery operators exclusively answered these questions while other gambling industry actors tended to omit them in their submissions. A collection of selected quotes to illustrate each theme is given in Appendix 4. Though themes in the arguments/strategies used by industry are presented here separately, it is important to remember that they are linked and often used in tandem.

Table 3 Overview of submissions to the House of Lords inquiry into the ‘Licensing Act 2003’ (2016/17)

Type of organisation	Number of respondents
Local Authority/ Government/Public health partnerships	59
Alcohol industry	19
Individual	20
NGO	16
Residents Associations/ Community organisation	13
Police	12
Licensing Lawyers/ consultants	11
Academic	4
Other	7
Total	161

Table 4 Overview of submissions to the House of Lords inquiry into the ‘Social and Economic Impact of the Gambling Industry’ (2019/20)

Type of organisation	Number of respondents
Gambling Industry	28
Academic	21
Individual	13
Government/Local Government	10
NGO	9
Regulating bodies	3
Prevention/Treatment providers	5
Licensing Lawyers/consultants	2
Research Consultancy/market research	3
Other	4
Total	98

Table 5 Alcohol industry submissions to the House of Lords inquiry into the ‘Licensing Act 2003’ (2016/17) by industry category

Industry Category	Number of Respondents
Retailers (On-Trade)	6
Pub Operator	3
Nightclub Operator	3
Retailers (Off-Trade)	1
Trade Associations	11
Off-Trade Retailers	4
On-Trade Retailers/hospitality	3
Manufacturers of Alcohol	3
Wholesale distributors	1
SAPROs ³	1
Total	19

Table 6 Gambling industry submissions to the House of Lords inquiry into the ‘Social and Economic Impact of the Gambling Industry’ (2019/20) by industry category

Industry Category	Number of respondents
On-Shore Operators	4
Casinos/Bingo / Amusement Parks	4
Off-Shore Operators	3
Sports Betting	3
On & Off-Shore Operators	6
Sports Betting	1
Several types of Gambling	2
Lottery Operators	3
Trade Associations	7
Casinos/Bingo/ Amusement Parks	3
Sports betting	3
Several types of Gambling	1
SAPROs	3
Other	5
Total	28

3 Social aspects and public relations organisations (SAPROs) e.g. charities funded by the industry e.g. Drinkaware or BeGambleaware.

The Problem

Both the alcohol industry and gambling industry actors framed the problem of alcohol/gambling similarly, emphasising harms were only experienced by a minority of people while the majority drink/gamble responsibly. Deflecting the problem to other industry actors was also common in both industries, as was downplaying the issue (e.g. by claiming alcohol ‘misuse’/ problem gambling prevalence is low, or pointing out flaws in gambling research).

Most people drink/gamble responsibly

Responses emphasised that for the majority of people, drinking/gambling is enjoyed ‘responsibly’, though responsible behaviour was undefined. One submission to the gambling inquiry stated *“millions of people go out in the UK and across London every week without incident and enjoy themselves, form new friendships, relax, get inspired and go home”* (Night Time industries Association, Alcohol Industry Trade Association – On-Trade Retailers).

While the majority of alcohol and gambling industries responses acknowledged some of the harms that can be caused by alcohol and gambling, this was largely limited to a minority of problem drinkers/gamblers who consume in ‘excess’. Harms to the wider population or harms of ‘low level’ drinking/gambling were generally not stated, except occasionally in reference to crime by people who get too drunk, crime by people who need money to gamble, or money laundering in betting shops. For example, *“unfortunately, for a small percentage of people, gambling ceases to be entertainment and can cause personal, social, financial and health problems”* (GVC Holdings, On & Off-Shore Gambling Operator). This reasoning was also extended to operators, with responses stressing that only a small minority operate irresponsibly.

Some responses also stressed individual responsibility, arguing that the industry cannot be penalised for the actions of the minority of people/operators who act irresponsibly. For example, *“More can be done to ensure that a distinction between personal responsibility*



and a businesses' responsibility is made... We can point to examples where action appears to be taken against us as premises licence holders, where in fact our publicans are just as much victims of criminal action as anyone else" (Punch Taverns, On-Trade Alcohol Retailer - Pub operator).

Framing of the problem as only affecting a minority of individuals/operators often made up part of a bigger strategy to argue against population level regulation (see framing of the solution section).

The evidence of harms is overstated

Most responses spoke about the potential harms of alcohol/gambling, and the gambling inquiry specifically asked about the social and economic costs of gambling. This took the form of quoting evidence or claiming that the overall trends in alcohol consumption have fallen, the prevalence of problem gambling is low, underage drinking/gambling is low, and alcohol/gambling related crime is low. Some gambling industry responses also claimed Great Britain performs well by international standards. For example *"data shows that total alcohol consumption per head of the UK population fell by 18.4% between 2004 and 2014"* (Wine and Spirit Trade Association, Alcohol Industry Trade Association) and *"Great Britain has (so far as we can tell) low levels of illegal gambling [and] relatively low levels of problem gambling by international standards"* (Betting and Gaming Council, Gambling Industry Trade Association). This fed into the previous theme that only a minority of people are problem drinkers/gamblers.

In addition, gambling industry submissions commonly pointed out potential flaws in gambling research in order to cast doubt on the science and scientists. This included highlighting that *"The absence of a systematic framework to measure costs or harms has resulted in a dearth of reliable data and the generation of some questionable research studies"* (Hippodrome Casino Limited, On-shore Gambling Operator). Submissions also claimed statistics on problem gambling are out of date or extrapolated from

small samples, and that there are only relatively few gambling researchers. A couple of responses went as far as to imply researchers are biased. For example, *"It is our perception that research is dominated by middle class academic thinking and it does not accommodate sufficiently a wide range of potentially difficult views from others"* (Bacta, Gambling Trade Association – Amusements Operators/Machine Manufacturers).

Other actors are to blame

When assigning causation to the problem of drinking/gambling, both the alcohol and gambling industries sought to shift blame to (i) other UCIs and (ii) other parts of their industries.

Where harms caused by other UCIs were discussed, sometimes these were only tangentially related: *"There are no such rules and regulations stopping consumers from taking high interest credit facilities to buy luxury items or luxury consumer goods beyond the consumers' affordability, likewise no obligations or systems enforced on retailers to ensure customers are aware of how much alcohol or tobacco is being purchased and consumed"* (Bet Victor Limited, Off-Shore Gambling Operator).

In the alcohol inquiry, there was a specific question regarding off-trade alcohol consumption, where on-trade retailers took the opportunity to highlight that more alcohol is sold by the off-trade. They argued this facilitates binge drinking/pre-loading (i.e. drinking alcohol, sometimes in large quantities, before going out). They also argue on-trade venues are safer to drink in as they are supervised. Examples include: *"individual licensees should not be held responsible for 'population level' events, i.e. impacts on the health and wellbeing of a population, particularly when people are increasingly consuming alcohol at home rather than in licensed premises"* (Society of Independent Brewers, Trade association - Manufacturers of Alcohol) and *"We also believe that the vast majority of alcohol related problems are created away from the on-trade where there is a trained Designated Premises Supervisor to supervise responsible drinking..."*

There are no such controls in the off-trade once alcohol has left the premises” (Admiral Taverns, On-trade Alcohol Retailers - Pub Operator).

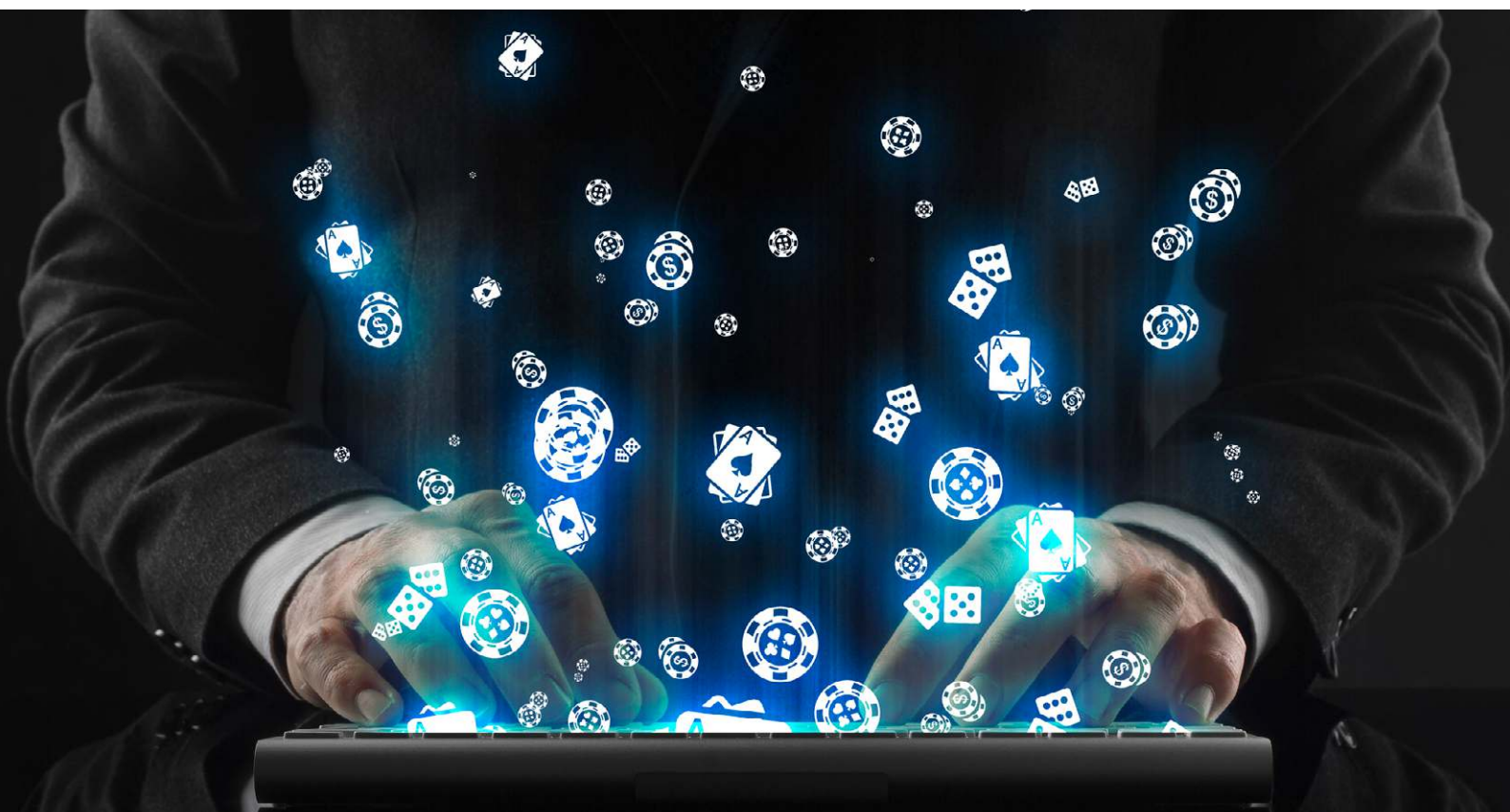
Similarly, on-shore gambling operators appeared to seek to shift blame for gambling harms to off-shore (online) gambling operators, where there are fewer safeguards and controls for vulnerable customers and gambling is ‘unsupervised’. Though, one off-shore operator argued *“In many ways online gaming/gambling regulations and their enforcement are more sophisticated than those applicable to retail operators due to the multiple additional levels of control”* (European Lotto Betting Association, Gambling Trade Association).

This ‘shifting blame’ argument was generally used to oppose further regulation on the on-trade/shore, as restrictions on the on-trade/shore were considered to be disproportionate compared to the off-trade/shore.

Generally, responses from the off-trade/shore did not deflect the problem back to the on-trade/shore, through some responses from off-trade actors in the alcohol industry appeared

to anticipate this argument, and pre-emptively defended themselves. For example *“Attempts to link alcohol related harm in the night time economy to the off-trade are unfounded. ‘Pre-loading’ is not as common as it is perceived, with only one third of UK adults having pre-loaded in the past year”* (Association of Convenience Stores, Alcohol Industry Trade Association - Off-Trade).

In addition, some industry responses suggested that dislike for the gambling industry stems from excessive sports betting advertising, for example *“we believe that the primary reason for the prevalence of anti-gambling industry related sentiment in the UK is both the volume and the tone of gambling advertising in and around televised sports events”* (Rank Group, On-Shore Operator - Bingo & Casinos) and that *“A significant number of operators would not object to a reduction or elimination of TV advertising”* (National Casino Forum, Gambling Industry Trade association - Casinos/Bingo).



The Solution

The framing of the solution to ‘problem’ alcohol use/gambling by industry actors can be split into two categories: (1) solutions favoured by the industry, and (2) solutions opposed by the industry. The way the problem is framed (i.e. only affecting a minority of irresponsible or ‘at risk’ consumers), appeared to affect the solutions that are promoted (local and targeted) and discouraged (population level regulation) by the industry.

Industry favoured solutions

The industry is part of the solution

In the majority of responses, both the alcohol and gambling industries present themselves as part of the solution, emphasising the importance and advantages of working with industry stakeholders. Arguments used include: industry has access to data and consumers (for research), industry can provide expertise, and partnership approaches between industry and local communities/government will be most effective and most fair. Some industry actors made reference to the negative connotations and possible conflict of interest associated with working with industry, but argued that when done ‘appropriately’, operator input into solutions is beneficial. For example *“Further, we acknowledge and agree that independence is important. However if done appropriately, we believe that operators can have an important role to play given our expertise, access to data, and our understanding of that data and its context”* (Sky Betting and Gaming, Off-shore Gambling operator).

The industry is socially responsible

As part of presenting themselves as part of the solution, industry actors also portrayed themselves as ‘socially responsible’. Being socially responsible was generally used as an argument to oppose any further regulation of industry. For example, *“Important restrictions on advertising have been implemented in recent years through self-regulation and the actions of regulatory bodies without the need for*

legislation. We believe that this approach offers the greatest opportunity for agile responses to concerns while allowing benefits to be retained for recreational gamblers” (Betting and Gaming council, Gambling Industry Trade Association). This was despite no specific question in either the gambling or alcohol inquiry asking what industry are currently doing to reduce alcohol/gambling harms.

Some responses laboured this point, providing more than one page of examples of current industry led initiatives. Examples of initiatives given by the alcohol industry include: Community Alcohol Partnerships, ‘Challenge 25’ schemes, ‘Pub Watch’, ‘Best Bar None’, and partnerships with the police. Examples of initiatives given by the gambling industry include: funding treatment organisations, undertaking their own research, responsible gambling messaging such as the ‘BetRegret’ TV campaign and the ‘whistle-to-whistle’ pre-watershed TV advertising ban, to name just a few. Highlighting industry contributions to a safer gambling/drinking environment generally served to promote voluntary/self-regulation of industry, since industry argued that they have already proven their commitment to social responsibility.

The gambling inquiry included a specific question about moving from a voluntary to mandatory levy, and sometimes gambling industry’s commitment to funding research and treatment etc. was used as an argument against this. For example, *“It seems plausible that... a voluntary system could meet funding requirements. The recent commitment of five operators to increase RET [research, education and treatment] funding to £60m per annum by 2023 strongly suggests that it should be possible to achieve even the [Responsible Gambling Strategy Board’s] implied upper estimate of required funding (of £76m per annum)”* (Hippodrome Casino Limited, On-Shore Gambling Operator).

A targeted and/or localised solution is required

The majority of alcohol and gambling industry responses framed alcohol and gambling harm as a problem for only a minority of ‘irresponsible’ or ‘at-risk’ consumers, and therefore implied that solutions should be targeted at such individuals. For example, *“We recognise that according to the National Health Survey 430,000 people in the UK are classified as problem gamblers, we are focussed on four crucial areas through which we can tackle problem gambling and protect those who are at risk of harm from gambling”* (William Hill Plc, On and Off shore Gambling Operator).

In both the alcohol and gambling inquiries, industry responses suggest targeted/localised solutions will help those who need it most, without compromising the enjoyment of responsible consumers and penalising operators. For example, *“A higher Minimum Unit Price would push up the prices in shops for around half of all alcohol for consumers in England and Wales and impact on those on the lowest incomes. It is not a targeted measure, hitting all drinkers regardless of how responsibly they consume alcohol and is unlikely to impact the heaviest drinkers that are least responsive to price changes”* (Wine and Spirit Trade Association, Alcohol Trade Association - Manufacturers).

Gambling industry responses mainly promoted investment in treatment services, interventions which identify and target ‘problem’ gamblers (e.g. technology to aid self-exclusion from gambling sites or affordability checks), or youth education campaigns about ‘safe’ and ‘responsible’ gambling etc. Alcohol industry responses similarly supported local solutions via community alcohol partnerships. The only population level interventions supported were a voluntary gambling ‘whistle-to-whistle’ pre-watershed TV advertising ban, increasing the minimum age for playing gambling products/lotteries to 18, and ‘responsible’ drinking/gambling campaigns.

Industry opposed solutions

Most alcohol industry and gambling industry responses were mainly opposed to population level measures (apart from the above). For example, many of the alcohol industry responses were opposed to minimum unit pricing, late night levies (fees for premises serving alcohol after a certain time), bans on super strength alcohol, stricter licensing rules etc. Many gambling industry responses were opposed to the introduction of a statutory levy, further restrictions on advertising, restrictions on the number of gambling machines allowed in a venue and a ban on the use of debit cards on gambling machines.

However, not all responses were in harmony and there were a few exceptions to this. Typically, where implementation of the population level measure wouldn’t affect the respondent’s particular aspect of the industry. For example, one on-trade alcohol retailer was pro minimum unit pricing, *“The only real control that could be effective in the off-trade is price control or minimum pricing as that is the only way to stop cheap alcohol being consumed in un-controlled environments. However, we do not believe there is any appetite to achieve this”* (Admiral Taverns, Off-trade Alcohol Retailer – Pub Operator). Similarly, a few non-sports betting gambling operators were pro a ban or harsher restrictions on sports betting advertising (see ‘Other actors in the industry are to blame’ section for an example).

The problem is too complex to be solved by population level measures

A common strategy used in alcohol and gambling industries responses to oppose population level measures was to claim that it is difficult to assign causation of ‘problem drinking/gambling’ to the industry, since there are many complex reasons why someone may drink/gamble in excess. This argument was more common in gambling industry responses, though this could reflect the more broad nature of the gambling inquiry compared to the alcohol inquiry. For example, *“The socio-economic costs of gambling are difficult to determine*

in isolation due to the close association of problem gambling with a range of other issues including poor mental health and substance abuse amongst others. Attempting to attribute the costs associated with such problematic behaviours to a single industry/set of products is unhelpful and even counterproductive as it often conceals issues of larger scale” (European Lotto Betting Association, Gambling Industry Trade Association). Therefore, population level measures against the industry, it was argued, would not be effective in reducing the harms of alcohol or gambling.

By presenting the problem as ‘complex’, industry actors frame population level solutions as ‘too simplistic’ to be able to tackle issues as ‘complex’ as problem drinking/gambling. This argument was more common in alcohol industry responses. For example, in reference to minimum unit pricing, one alcohol industry actor stated *“It is often portrayed as a ‘silver bullet’ in tackling alcohol-related harm. Tackling alcohol-related harm is a complex issue and complex issues are not typically addressed by simple solutions”* (Scotch Whiskey Association, Alcohol Trade Association – Manufacturers). Population level measures are framed as too simple, while

targeted/local solutions (i.e. industry preferred solutions) were framed as the more effective or ‘preferred’ solution. For example, *“Blanket approaches to control so called ‘super-strength’ products are ineffective in tackling complex alcohol-related issues and are in stark contrast to the collaborative and locally targeted initiatives that are broadly considered by the majority of stakeholders as the preferred approach”* (British Beer and Pub Association, Alcohol Trade Association – Manufacturers/Pub operators).

A population level response would be harmful

Alcohol industry and gambling industry actors also commonly listed the potential harms of implementing population level measures. A variety of different potential harms were given, sometimes backed up with evidence and sometimes not. Harms suggested by the industry can be split into three categories (1) harms to the **consumer** (2) harms to a **responsible industry** and (3) harms to the **wider economy**. Both industries also highlighted how regulation ignores the benefits of their industries; for



example, the cultural contribution of pubs/bars, social aspects and enjoyment.

Some of the most frequently stated harms to **consumers** were:

- Introducing e.g. minimum unit pricing, bans on super strength alcohol or restricting the number of gambling machines in a venue reduces consumer choice and is unfair to responsible consumers
- Introducing population level measures will push consumers into engaging in riskier behaviours (argument used by the gambling industry)
- Introducing population level measures will push consumers away from the on-shore/on-trade, where drinking/gambling is supervised
- Forcing the gambling industry to participate in a mandatory levy will reduce their incentive to fund research, education and treatment (argument used by the gambling industry)
- Introducing minimum unit pricing will have a disproportionate impact on people with a low income (argument used by the alcohol industry)

Examples include, *“The beer and pub sector is committed to reducing the harmful use of alcohol. However, pricing and taxation are blunt instruments to achieve this, penalising those on low incomes and responsible drinkers”* (British Beer & Pub Association, Alcohol Trade Association -Manufacturers/Pub operators) and in reference to machine restrictions in casinos *“It is also possible that the current, aforementioned restrictions have a number of negative unintended consequences: 1. Encouraging persistent play (through a fear of losing one’s place at a machine); 2. Increasing staking levels (through absence of choice of lower stakes games)”* (Rank Group, On-shore Gambling Operator – Casinos/Bingo). Further quotes can be found in Appendix 4.

Among harms to a responsible industry, negative impact on businesses/jobs and in the case of the alcohol industry, impact on the on-trade,

were frequently used as arguments against population level measures. For example, *“We can go about do-good projects to protect a tiny, but vocal element, of problem gamblers and the cottage industry that has grown up to support the same. However, in doing so we wreck our economy, put thousands out of work, decimate our High Streets and industries such as Racing who depend upon gambling to survive”* (Geoff Banks Sports Advisors, Off-Shore Gambling - Sports Betting).

Finally, a small number of alcohol industry and gambling industry responses also commented on the impact of population level regulation on the wider economy. This included commenting on the impact of restrictions on other industries dependent on the alcohol or gambling industry, losses to the government in tax etc. For example, *“Of course the Government itself has in effect shot itself in the foot. The country needs business to fund taxation. The removal of the betting shops has left a giant fiscal gap”* (Geoff Banks Sports Advisors, Off-Shore Gambling Operator - Sports Betting).

By highlighting harms, industry actors cast doubt on the success and public support (in the case of the consumer choice argument) of their non-preferred solutions (i.e. population level regulation), and emphasise unintended consequences.

Discussion

Thematic analysis of industry responses to HoL inquiries found the alcohol and gambling industries largely use the same framing of the problem and solution to alcohol and gambling harms. Arguments used by both industries were mutually reinforcing; framing the problem as one that only affects a small minority of people, emphasising individual responsibility, and shifting blame to other industry actors implicitly frames population level regulation as redundant and favours industry preferred targeted/local solutions.

Interestingly, a large proportion of responses to both inquiries came from industry actors, which may potentially be an example of industry actors seeking to overwhelm the discourse (2). Many industry responses referenced other responses submitted to the same inquiry, and/or contained passages which were either word for word the same or very similar. This may imply industry actors with similar interests are working together or have the same agency writing their responses, and may serve to give the illusion that industry favoured viewpoints are those with the most support (2). Striking similarities in the framing and arguments used by both alcohol industry and gambling industry actors supports the belief that UCIs use the same corporate political strategies to shape the narrative in favour of their commercial interests (2, 22, 29).

Framing of the problem

This study demonstrates that both the alcohol and gambling industries take a very narrow view of the potential harms of alcohol and gambling, framing the problem as only affecting a small minority of people, while the majority of people enjoy recreational drinking or gambling ‘responsibly’. This adds to a growing body of literature which shows that emphasising ‘individual responsibility’ is a widely used tactic by the alcohol industry (22, 24, 27, 28, 34) and tobacco industry (26). The gambling industry is still an emerging field of

research, however Hancock et al. (2018) found making unsubstantiated claims that most people bet safely was common in an analysis of submissions to an Australian consultation about sports betting advertising (23). A narrow view of harms is also reflected in gambling research, a large proportion of which is industry funded and concentrates on problem individuals (7). Public health researchers have called for a reframing of the problem to include wider harms and contribution of industry to these harms (35).

Savell et al. (2016) suggest that ‘individual responsibility’ framing also seeks to distance industry actors from problems caused by consumption, putting the onus on individuals to act ‘responsibly’, and shift blame of alcohol and gambling harm to those who (mis)use these products (22). This is consistent with findings from this study; industry actors used this argument to assert that they cannot be held responsible for the actions of ‘irresponsible’ individuals, implicitly suggesting that population level regulation is unfair. This is despite strong evidence that upstream determinants of health which are beyond the control of individuals, such as the density of alcohol retailers¹ (36), contribute to consumption and prevalence of harm. This narrative clearly ignores the addictive nature of UCI’s ‘unhealthy’ products and norms perpetuated by pervasive alcohol and gambling presence in media and persistent marketing (37–39).

Analysis found that neither the alcohol or gambling industries submissions actually explain the meaning of ‘responsible’ drinking or gambling, or quantify a level of safe consumption. This is consistent with findings from Maani and Petticrew (2018) who argue that this ambiguity is strategic, and is another tactic used by industry to promote unspecified ‘responsible’ consumption in place of more effective regulation (40). In addition, we see in this study, by dichotomising ‘responsible’ and

‘problem’ drinking and gambling and a lack of discussion around the more chronic harms from alcohol, industry implicitly suggests ‘responsible’ drinking/gambling is essentially risk free, despite the most recent Global Burden of Disease systematic review concluding that ‘there is no safe level of alcohol consumption’ (3) and evidence suggesting the same for gambling (17).

In addition to industry shifting blame for harm to ‘irresponsible’ individuals, findings from this study suggest that both industries also seek to shift blame to other actors in the same industry. Most commonly this is from on-trade to off-trade alcohol retailers or on-shore to off-shore gambling operators. This strategy is comparatively less well explored in the literature, though is consistent with a study regarding minimum unit pricing of alcohol in the UK (41). However, to the knowledge of the author, this strategy has not previously been identified in gambling industry research. This is a noteworthy finding as Public Health literature tends to refer to industry views and framing as unanimous, however, arguments used by subsectors are sometimes divergent, dependent on whether proposed regulation will affect them. For example, the general dislike of excessive sports betting advertising by other gambling industry actors identified in this study warrants further research; a fragmented industry could provide a potential avenue for public health policy makers to make a case for regulation in the public’s health interest (41).

Selective citation of industry favourable research to argue harms of alcohol and gambling are overstated is also a strongly supported theme in the literature (22, 23, 28). For example, in this study selective citation of references to suggest alcohol consumption is on a downward trend nationally, seeks to downplay the problem of alcohol ‘misuse’ (28). This obviously ignores that alcohol is still the leading cause of death among 15-49 year olds in the UK (4), and the alcohol-harm paradox, which suggests that those with a lower socioeconomic status (SES) drink the same amount (on average) as those with a

higher SES, but suffer greater harm (42). Hancock et al. (2018) argue selective citation is a tactic to shape and potentially distort the evidence base in favour of their commercial interests (23), i.e. to avoid regulation.

Similarly, several gambling industry responses analysed in this study frame prevalence of problem gambling as low. Though, for example, Public Health England’s estimate, based on data from 2018, found that 0.5% of adults in England were experiencing ‘problem’ gambling – this amounts to approximately 245,600 adults (43). In addition, 3.8% (approximately 1.8 million people) were considered ‘at-risk’ (43). Further, it is estimated 7% of adults and children in Great Britain are affected by someone else’s gambling (43).

Finally, what was especially striking, and does not seem to have been shown by other UCI research, was the doubt cast on gambling research and researchers by gambling industry responses. The gambling industry exploited a ‘dearth’ of statistics, lack of current research (the last British Gambling prevalence survey was undertaken in 2010 (44)) and industry perceived bias of researchers in their responses. Though this specific argument has not been seen previously in gambling industry research, it is reminiscent of general UCI tactics which seek to point out flaws or cast doubt on research as a strategy to downplay their harms, or as an excuse not to act until more research can be carried out (45). The alcohol industry did not use this argument as heavily, but this may reflect that research into the alcohol industry is relatively well established, while research into the gambling industry is still emerging.

Framing of the solution

The alcohol and gambling industries responses analysed in this study both strongly positioned themselves as being a part of the solution, portraying themselves as socially responsible and already engaged in corporate social responsibility (CSR) initiatives. This involved arguing that the industry can help with interventions and should be consulted. This is

a strategy used to form partnerships - e.g. with a government to increase opportunities for 'cooperation' ahead of introducing regulation (22). McCambridge, in a debate around DrinkAware (a SAPRO, i.e. a neutral appearing charity funded by the alcohol industry), argues that partnerships between government and industry are a hidden means to prevent regulation not in the industry's favour (46).

Portrayal of the industry as socially responsible and engaged in CSR is a common tactic identified in both alcohol (22, 24) and gambling industry research (23). CSR acts as a pre-emptive measure to promote voluntary regulation in place of mandatory regulation, which is framed as redundant, and also aims to improve public image. Many of the industry responses referred to voluntary restrictions on their advertising, or responsible drinking/gambling adverts or messaging, for example some gambling industry responses refer to their 'BetRegret' campaign. However, self-regulation of alcohol (47) and gambling (48) marketing has been shown to be ineffective. Analysis of responsible drinking adverts and campaigns show that industry vested interests lead to adverts which are purposefully vague, do little except create the illusion that industry is socially responsible (49), and may even be harmful by acting as pictorial cues to drink (50). Similarly, gambling industry responses also spoke about their involvement in, and funding of, research as an argument to avoid a mandatory levy. However, public health researchers suggest that at best industry funded research adds very little to science, and at worst leads to industry favourable results and a narrow view of alcohol harm and 'problem' gambling (45, 51).

Industry proposed interventions included self-regulatory initiatives (described above) and education programmes. However these are not considered to be effective replacements for population level regulation, such as regulation of the availability of alcohol or promotions (52). While targeting people who are already at risk/suffering harm is important, it should not be a replacement for population level

prevention activities (53). Alcohol industry responses repeatedly referred to local initiatives such as 'Community Alcohol Partnerships' as an effective solution, however evaluation of such partnerships demonstrates there is no convincing evidence that they reduce alcohol harm, and again, mainly work to restore industry image (54). There is also evidence from one study of slot machine operators in Germany, that the effectiveness of targeting of 'problem' gamblers initiated by industry is impeded by vested interests (55).

Localised/targeted responses proposed by the industry were sometimes presented as alternatives to population level approaches. This was done by framing population level approaches as 'too simple' to solve such 'complex' problems. Complexity arguments manipulate public health concepts in order to undermine scientific consensus over population level measures (29), in this case minimum unit pricing, banning of super strength alcohol, restrictions on advertising etc., which are regarded as effective (18). In addition, complexity arguments aim to distance industry as major contributors to gambling/alcohol harms (29). Through this, industry either promotes targeted solutions instead (as discussed above) despite obvious hypocrisy (as targeted solutions can also be considered simple), or to delay action until an unspecified amount of research can be done (29).

Finally, both the alcohol and gambling industries responses made a variety of (often unsubstantiated) claims regarding the unintended harms of introducing population level measures. This is also a common strategy in the wider UCI literature. While understanding harms and assessing unintended consequences is important, industry uses this argument to distort evidence of effectiveness of population level measures and ignore that health benefits may outweigh the costs (22, 28). Claiming regulation will result in illicit trade is a common argument used by the tobacco industry (26), however was not seen in either gambling or alcohol industry responses in this study (though

this might reflect the overarching subject matter (licensing) of the alcohol inquiry). But, both on-trade/shore industry actors did claim that regulation on them will not solve the problem, and lead to less safe consumption via the off-trade/shore. This is similar to the tobacco industry argument, as both imply that regulation on them will simply shift harms elsewhere without solving the problem.

Strengths and limitations

Strengths

This study is a comparative analysis of two UCIs. This is a strength because, by comparing the framings and arguments used by the alcohol and gambling industries, this study demonstrates evidence that UCIs largely use the same strategies to promote their interests, and identifies a few subtle differences in their approach. The sample size (n= 47 total industry responses) was also relatively large, providing weight to these findings. In addition, there are relatively few studies analysing the actions of the gambling industry, thus this study adds to the evidence base of an emerging and rapidly growing field of research.

Use of inductive thematic analysis was a useful method because it allowed themes which are less well explored in the literature to be identified, for example shifting blame for harm to other industry actors, and the gambling industry exploiting a 'dearth' of gambling research to serve commercial interests.

The two HoL inquiries were also conducted in a close time period (carried out in 2016 and 2019), had a similar subject matter and followed a similar format, making them suitable for comparison.

In addition, definitions of the alcohol and gambling industries were decided a priori to beginning research. This included devising a gambling industry definition as, to the knowledge of the author, one did not previously exist. This meant that later decisions on which submissions to analyse were robust and not affected by any researcher biases.

Limitations

This study was exclusively qualitative, however further studies may benefit from a mixed methods approach. Quantifying the similarities between the alcohol and gambling industries responses in some respect will add weight to findings from this qualitative study (56).

In addition, as Rinaldi et al. (2021) point out, motivations for the framings and arguments used by industry actors cannot be known, and neither can the outcome of this framing on subsequent policy decisions (24). Future studies comparing industry responses with public health, NGO and/or academic stakeholder responses to the inquiries would be useful in giving authority to conclusions that industries undertake such framing to serve commercial interests. Interviews with policy makers and analysis of government responses to the inquiries would be necessary to explore the implications of industry framing tactics on policy.

Finally, though the two inquiries analysed were similar in format and subject, they were not exactly the same in the questions asked. There was a concern prior to undertaking research that any differences in themes/arguments identified in the alcohol and gambling industries responses found may simply reflect differences in the questions asked. However, given the huge similarities identified in the alcohol and gambling industries submissions, this seems unlikely to have had a major effect on findings.

Conclusions

Investigating and comparing frames, arguments and strategies used by the alcohol and gambling industries is an essential precursor to a successful public health response to the harms caused by these industries. Comprehensive thematic analysis of the alcohol and gambling industries responses to two HoL inquiries has shown that these industries largely use the same framing, arguments and strategies to shape the discourse around harms and solutions in their commercial interest. This finding adds weight to previous research regarding UCI tactics to subvert public health policy. In addition, this study also identified that both alcohol and gambling industries sought to shift blame for harms to other actors in their industries. Gambling industry responses also exploited a ‘dearth’ of gambling research as a strategy to downplay harms or delay action.

As the gambling industry uses the same tactics as the alcohol industry and other UCIs, these results support calls by researchers to take a unified approach to research and action across UCIs (2). We can learn from past successes and failures of public health responses to the alcohol industry, as well as the tobacco industry, to inform more effective and cohesive responses to both the alcohol and gambling industries, and other UCIs.

In light of these findings, the following recommendations are made:

Key Recommendations

Recommendations for policy and practice

- Due to a strong conflict of interest in industry involvement in public health policy, this study supports calls by others that UCIs must be excluded from government partnerships and decision making processes, as is the case for the tobacco industry due to restrictions under the WHO Framework Convention on Tobacco Control.

- Policy makers should develop competence to understand CPA and the different tactics used by the alcohol and gambling industries and commonalities between them, to avoid undue industry influence and conflict of interest.
- Policy makers and researchers should be careful not to take a narrow view of gambling and alcohol harm (57). This study supports calls for a reframing of gambling and alcohol harms which takes into account harms experienced by society, and recognises contribution of commercial actors and policy makers to the environment in which harms happen (35).

Recommendations for research

- Public Health research should continue to monitor and develop counter frames and narratives to industry framing of alcohol and gambling harm, and communicate these to the public and policy makers.
- Researchers should continue to build the evidence based around gambling harms and solutions, and should shift focus away from only ‘problem’ gamblers, as this serves the gambling industry agenda.
- While this research identified what arguments, frames and strategies are used by industry, it does not show how much of an impact this has on subsequent policy decisions. Analysis of government written responses to inquiries and White Papers, along with interviews with policy makers will be necessary to understand this.
- Further research into public opinion of industry involvement in government consultations will be useful in understanding what support there is among the public to distance decision making from industry influence.

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Appendix 1

Definitions of the Alcohol and Gambling industries Alcohol industry:

In this study, we will use the World Health Organization (WHO) definition of the alcohol industry, which has been adopted by Public Health England (PHE) (58) and explained in detail by the Institute of Alcohol Studies (IAS) (59).

The alcohol industry includes “manufacturers of alcoholic beverages, wholesale distributors, major retailers and importers that deal solely and exclusively in alcohol beverages, or whose primary income comes from trade in alcohol beverages.

In addition, ‘alcohol industry’ includes business associations or other non-State actors representing, or funded largely by, any of the aforementioned entities, as well as alcohol industry lobbyists and commercial interests in alcohol beverage trade other than above when the interaction ... can be linked to their interests in alcohol beverage trade”.

Gambling industry:

Despite an increase in gambling industry research, it was hard to find a formally agreed definition. This may, in part, be due to the structure of the gambling industry changing rapidly in recent times.

Therefore, the above definition has been adapted and applied to the gambling industry:

The gambling industry includes operators of gambling (both on-shore e.g. physical shops/casinos/amusement parks and off-shore e.g. online versions of the latter, and parent companies), operators of lotteries and physical and digital gambling infrastructure (i.e. designers/providers of online games and manufactures and distributors of gambling machines).

In addition, ‘gambling industry’ includes business associations or other non-State actors representing, or funded largely by, any of the aforementioned entities⁴, as well as gambling industry lobbyists and commercial interests in gambling other than above when the interaction can be linked to their interests in the gambling industry.

⁴ ‘Business associations or other non-State actors representing, or funded largely by, any of the aforementioned entities’ will include collective bodies such as trade associations and social aspects and public relations organisations (SAPROs) e.g. charities funded by the industry e.g. Drinkaware or BeGambleaware. These bodies tend to act on industry’s behalf in matters such as tax, marketing and regulation, research etc. (60)

Appendix 2

List of all alcohol industry responses to the HoL inquiry into the ‘Licensing Act 2003’ (2016/17)

Responder	Type of industry stakeholder
Admiral Taverns	On-Trade Retailer (Pub operator)
Association of Convenience Stores	Trade association (Off-Trade Retailer)
Association of Licensed Multiple Retailers	Trade association (Off-Trade Retailer)
Beds & Bars	On-Trade Retailer (Pub operator)
British Beer & Pub Association	Trade association (Manufacturers of Alcohol & Pub operator)
British Hospitality Association	Trade association (On-Trade Retailer)
British Retail Consortium	Trade association (On-Trade Retailer)
Campaign for Real Ale	SAPRO
Deltic Group	On-Trade Retailer (Nightclub operator)
Fabric Life Limited	On-Trade Retailer (Nightclub & Pub operator)
Federation of Wholesale Distributors	Trade association (Wholesale Alcohol distributors)
National Federation of Retail Newsagents	Trade association (Off-Trade Retailer)
Night Time Industries Association	Trade association (On-Trade Retailer)
Punch Taverns	On-Trade Retailer (Pub operator)
Sainsbury’s	Off-Trade Retailer (Supermarket)
Scotch Whisky Association	Trade association (Manufacturers of Alcohol)
Society of Independent Brewers	Trade association (Manufacturers of Alcohol)
Wine and Spirit Trade Association	Trade association (Manufacturers of Alcohol)
Working Men’s Club and Institute Union Limited	On-Trade Retailer (Nightclub operator)

Appendix 3

List of all gambling industry responses to the HoL inquiry into the ‘Social and Economic Impact of the Gambling Industry’ (2019/20)

Responder	Type of industry stakeholder
Association of Convenience Stores	Trade association (Lottery Retailer)
Bacta	Trade association (Amusements and high street gaming Operators and Machine Manufacturers)
Betting and Gaming Council	Trade association (All types of Gambling)
BetVictor Limited	Off-Shore Operator (Sports Betting)
British Beer and Pub Association	On-Shore Operator/Trade association (Alcohol)
British Horseracing Authority	Trade association (Sports Betting)
Camelot UK Lotteries Ltd	Lottery operator
English Football League ⁵	Other
European Lotto Betting Association	Trade association (Other)
Federation of Racecourse Bookmakers	Trade Association (Sports Betting)
Flutter Entertainment Plc	On & Off-Shore Operator (All Types of Gambling)
BeGambleAware	SAPRO
GamCare	SAPRO
Gauselmann Group	On-Shore Operator (Casinos and other gaming venues) & Machine Manufacturer & Game designers (Online & Physical)
Geoff Banks Sports Advisors	Off-Shore Operator (Sports Betting)
GVC Holdings Plc	On & Off-Shore Operator (All Types of Gambling)
Hippodrome casino	On-Shore Operator (Casino)
National Casino Forum	Trade association (Casinos/Bingo/Amusement Parks)
National Lottery Distributors	Other
Novomatic UK Ltd	On-Shore Operator (Casinos, Sports Betting) & Gaming Machine Manufacturer
People’s Postcode Lottery	Lottery operator
Rank Group	On-Shore Operator (Bingo & Casino)
Responsible Affiliates in Gambling (RAiG)	SAPRO
Sky	Other
Sky Betting and gaming	Off-Shore Operator (Sports Betting)
The Bingo Association	Trade association (Bingo)
The Lotteries Council	Lottery operator
William Hill Plc	On & Off-Shore Operator (Sports Betting)

5 Included as some of their cups are sponsored/funded by Sky Bet (gambling operator)

Appendix 4

Selected quotes to illustrate themes identified in responses

Overarching Frames	Arguments/strategies	Selected quotes
Framing of the Problem	Most people drink/gamble responsibly	
	And only a minority are problem drinkers/gamblers	<p>“It ignores the fact that again, millions of people go out in the UK and across London every week without incident and enjoy themselves, form new friendships, relax, get inspired and go home” (Night Time industries Association, Alcohol Industry Trade Association)</p> <p>“unfortunately, for a small percentage of people, gambling ceases to be entertainment and can cause personal, social, financial and health problems” (GVC Holdings, On & Off-Shore Gambling Operator)</p> <p>“I respectfully point out that for many millions of people gambling is a highly enjoyable pastime and gives meaning and purpose to many sporting events for the same. Yes, there are those who ‘tip over the edge’ – who go too far. But this is a tiny minority of those who gamble” (Geoff Banks Sports Advisors, online gambling operator (sports betting))</p>
	Most pubs/betting shops/casinos etc. operate responsibly (and only a minority operate irresponsibly)	<p>“Our view is that there are sufficient provisions for dealing with “problem premises” without the need to burden licence holders with a blanket approach” (Deltic group, Nightclub operator)</p> <p>“As in other areas of regulation, it would be wrong to judge a whole sector on the actions of some outliers who maliciously or inadvertently are in breach of the rules” (Responsible Affiliates in Gambling, SAPRO)</p>
Industry cannot be held responsible for the minority who do not drink/gamble responsibly	<p>“More can be done to ensure that a distinction between personal responsibility and a businesses responsibility is made in both the Guidance and local licensing policies. At the moment, premises operators face enforcement action, when matters should correctly be ascribed to the actions of an individual or individuals. We can point to examples where action appears to be taken against us as premises licence holders, where in fact our publicans are just as much victims of criminal action as anyone else” (Punch Taverns, Pub operator)</p> <p>“Gambling consumers also need to accept a level of responsibility for their own actions and behaviours” (Hippodrome Casino Limited, Land based gambling operator)</p>	

Overarching Frames	Arguments/strategies	Selected quotes
Framing of the Problem	The evidence of harms is overstated	
	Alcohol consumption/problem gambling has fallen/is low	<p>“Alcohol consumption and alcohol related harm is in long term decline. The proportion of people who drank in the last week fell from 64% in 2005 to 58% in 2013 and the proportion of young people that had binge in the last week has fallen from 29% in 2005 to 18% in 2013” (Federation of Wholesale Distributors, Trade Association)</p> <p>“data shows that total alcohol consumption per head of the UK population fell by 18.4% between 2004 and 2014” (Wine and Spirit Trade Association, Alcohol Industry Trade Association)</p> <p>“Reported rates of gambling by children have declined significantly in recent years. Between 2011 and 2017, past-week gambling by 11-to15-year-olds fell from 23% to 12%. Gambling by children on age restricted products appears to be relatively low – much lower for example than for consuming alcohol...” (Betting and Gaming Council, Gambling Trade Association)</p> <p>“Great Britain has (so far as we can tell) low levels of illegal gambling; relatively low levels of problem gambling by international standards” (Betting and Gaming Council, Gambling Trade Association)</p>
	Gambling research is flawed	<p>“While we are sure that the seemingly small pool of researchers active in this field are well qualified, it is important for any research bank that the research is conducted by a neutral and diverse body of researchers, holding a range of backgrounds, qualifications, specialisms and interests. To date that does not appear to be the case” (Novomatic UK Ltd, Land based gambling operator)</p> <p>“It is our perception that research is dominated by middle class academic thinking and it does not accommodate sufficiently a wide range of potentially difficult views from others” (Bacta, Gambling Trade Association – Amusements Operators/Machine Manufacturers).</p> <p>“The absence of a systematic framework to measure costs or harms has resulted in a dearth of reliable data and the generation of some questionable research studies” (Hippodrome Casino Limited, Land based gambling operator)</p>

Overarching Frames	Arguments/strategies	Selected quotes
Framing of the Problem	Other actors are to blame	
	Deflect to other UCIs	“There are no such rules and regulations stopping consumers from taking high interest credit facilities to buy luxury items or luxury consumer goods beyond the consumers’ affordability, likewise no obligations or systems enforced on retailers to ensure customers are aware of how much alcohol or tobacco is being purchased and consumed” (Bet Victor Limited, Off-Shore Gambling Operator)
	On-trade alcohol retailers deflect the problem to off-trade alcohol retailers	<p>“We also believe that the vast majority of alcohol related problems are created away from the on-trade where there is a trained Designated Premises Supervisor to supervise responsible drinking and the age of the individuals consuming alcohol again supported by the excellent Challenge 21 schemes prevalent in the on-trade. There are no such controls in the off-trade once alcohol has left the premises” (Admiral Taverns, Pub Operator)</p> <p>“The incentive to ‘pre-load’ increases as the price difference widens between alcohol bought from retail distributors to those in licensed establishments, which in turn encourages drinking prior to going out. The British Hospitality Association would like authorities to make full use of powers they already have at their disposal to control the off-trade, before consideration of the granting of new powers or adding further regulation”(British Hospitality Association, Alcohol Trade association - On-Trade Retailers)</p>
	On-shore gambling operators deflect the problem to off-shore gambling operators/sports betting	<p>“There are well established safeguards and controls in the nonremote sector that the Commission have put in place to protect the vulnerable from harm... These measures however have not been put in place for the remote sector which meant that online and mobile operators can develop games without controls that would help to protect the vulnerable and ensure that those games are fair and safe” (Gauselmann Group, Land-based gambling operator and machines manufacturer/supplier)</p> <p>Gambling industry deflect to sports betting:</p> <p>“We believe one of (if not THE) primary reason for the prevalence of antigambling industry related sentiment in the UK is both the volume and the tone of gambling advertising in and around televised sports events” (National Casino Forum, Gambling Trade Association)</p> <p>On-shore/on-course betting deflect off-shore betting:</p> <p>“Finally, our business model is not based on incentivisation for increased betting activity. Unlike the off-course and on-line industry, we do not offer bonuses or gimmicks to staff who encourage punters to continuously bet, nor do we advertise” (Federation of Racecourse Bookmakers, Gambling Trade Association – Sports betting)</p>

Overarching Frames	Arguments/strategies	Selected quotes
Framing of the solution	The industry is part of the solution	
	In terms of research	<p>“Further, we acknowledge and agree that independence is important. However, if done appropriately, we believe that operators can have an important role to play given our expertise, access to data, and our understanding of that data and its context” (Sky Betting and Gaming, Off-shore Gambling operator)</p> <p>“We are aware of criticism of industry participation in research but contend that the involvement of licensees involves a number of benefits (including better access to consumers and consumer data and greater engagement in harm reduction)” (Hippodrome Casino Limited, Land based gambling operator)</p>
	The industry is socially responsible	
	And therefore there is no need for further regulation	<p>“The off-trade has led the way in the introduction of age verification schemes such as ‘Challenge 25’ and partnership schemes including Community Alcohol Partnerships. This has helped to significantly reduce the number of underage people purchasing alcohol” (Association of Convenience Stores, Alcohol Trade association - On-Trade Retailers)</p> <p>In reference to a mandatory levy on the gambling industry:</p> <p>“The effectiveness of the voluntary system has increased over recent years. Voluntary commitments by the largest operators to increase funding suggests that the voluntary scheme can be relied upon to achieve not simply current funding requirements but also a substantial and sustained increase in funding requirements” (Betting and Gaming Council, Gambling Trade Association)</p>
	In terms of partnerships	<p>“The WSTA believes that the most effective approach to tackling problems that are faced in local communities is to develop a partnership that treats retailers as part of the solution rather than just as part of the problem. This has occurred through Community Alcohol Partnerships in Great Yarmouth and Hastings which have look to tackled street drinking as part of its activities. This has been achieved without the need for further regulation” (Wine and Spirit Trade Association, Alcohol Trade Association)</p>
	Targeted and/or localised solutions are needed	
	So we don't penalise those who drink/gamble responsibly	<p>“A higher Minimum Unit Price would push up the prices in shops for around half of all alcohol for consumers in England and Wales and impact on those on the lowest incomes. It is not a targeted measure, hitting all drinkers regardless of how responsible they consume alcohol and is unlikely to impact those the heaviest drinkers that are least responsive to price changes” (Wine and Spirit Trade Association, Alcohol Trade Association)</p>

Overarching Frames	Arguments/strategies	Selected quotes
Framing of the solution	The problem is too complex to be solved by population measures	
	Difficult to assign causation to the industry	<p>“The socio-economic costs of gambling are difficult to determine in isolation due to the close association of problem gambling with a range of other issues including poor mental health and substance abuse amongst others. Attempting to attribute the costs associated with such problematic behaviours to a single industry/set of products is unhelpful and even counterproductive as it often conceals issues of larger scale” (European Lotto Betting Association, Gambling Trade Association)</p>
	And cannot be solved by simple blanket approaches	<p>“Blanket approaches to control so called ‘super-strength’ products are ineffective in tackling complex alcohol-related issues and are in stark contrast to the collaborative and locally targeted initiatives that are broadly considered by the majority of stakeholders as the preferred approach” (British Beer and Pub Association, Alcohol Trade Association)</p> <p>“Taxation serves to generate revenue for government. It is often portrayed as a ‘silver bullet’ in tackling alcohol-related harm. Tackling alcohol-related harm is a complex issue and complex issues are not typically addressed by simple solutions. We know from experience of other countries, for example in Scandinavia, that having high levels of taxation do not necessarily lead to lower levels of heavy episodic drinking” (Scotch Whiskey Association, Alcohol Trade Association)</p>

Overarching Frames	Arguments/strategies	Selected quotes
Framing of the solution	A population level response would be harmful	
	Harms to consumers:	
	Erode consumer choice	In reference to a ban on high strength beers: “As the strength of beers has increased over time, bans that limit beers with as low ABV as 5-6% can severely impact on consumer choice” (Campaign for Real Ale, SAPRO)
	Consumers will engage in riskier behaviours	In reference to current restrictions to the number of machines allowed in casinos: “It is also possible that the current, aforementioned restrictions have a number of negative unintended consequences: 1. Encouraging persistent play (through a fear of losing one’s place at a machine); 2. Increasing staking levels (through absence of choice of lower stakes games)” (Rank Group, Land based gambling operator (Bingo and Casino)) In reference to whether gambling operators should have a legal duty of care to customers: “Introducing a legal standard may also create a ‘risk free’ betting environment where more customers who wouldn’t otherwise trying gambling, do so on the illusion that no matter what happens, the operator has a legal duty to protect the customer come what may” (BetVictor Limited, off shore gambling operator)
	Impact on people with a low income	In reference to minimum unit pricing of alcohol: “The beer and pub sector is committed to reducing the harmful use of alcohol. However, pricing and taxation are blunt instruments to achieve this, penalising those on low incomes and responsible drinkers” (British Beer & Pub Association, Alcohol Trade Association)
	Pubs/gambling venues are supervised	“Further restrictions on the on-trade could irreversibly damage the sector and further tip the balance to the off trade – where consumption is unregulated and therefore health risks to the consumer are greater” (Campaign for Real Ale, SAPRO)
	Industry have less incentive to invest in research/ treatment etc.	In reference to a mandatory levy on the gambling industry: “the shift from a voluntary scheme to a mandatory one may result in a diminution of engagement and interest between the industry and organisations carrying out work in research, education and treatment (which we observe anecdotally appears to have happened in certain jurisdictions where statutory schemes are in place). In short, there may be advantages to a system built on intrinsic motivation rather than coercion” (Hippodrome Casino Limited, Land based gambling operator)

Overarching Frames	Arguments/strategies	Selected quotes
Framing of the solution	A population level response would be harmful	
	Harms to industry	
	Impact on businesses (e.g. closures, job losses etc.)	“We can go about do-good projects to protect a tiny, but vocal element, of problem gamblers and the cottage industry that has grown up to support the same. However, in doing so we wreck our economy, put thousands out of work, decimate our High Streets and industries such as Racing who depend upon gambling to survive” (Geoff Banks Sports Advisors, Online gambling operator (sports betting))
	Harms to the wider economy	
	Impact on tax revenue	<p>“Of course the Government itself has in effect shot itself in the foot. The country needs business to fund taxation. The removal of the betting shops has left a giant fiscal gap” (Geoff Banks Sports Advisors, Off-Shore Gambling operator -Sports Betting)</p> <p>“It is important to note that the Government’s Economic Impact Assessment highlighted that an MUP of 45p would cost the Treasury £200m in lost revenue and also cost consumers an additional £1bn and, at a time of significant uncertainty for business and the Government, this could have a significant impact” (Wine and Trade Spirit Association, Alcohol Trade Association – manufacturers)</p>
	Impact on Highstreet	“Limiting the number of off-licences in an area also acts as a disincentive for new store openings and will mean more empty units on the high street and more under invested stores. Currently vacancy rates on UK high streets remain high at 12.4%” (Association of Convenience Stores, Alcohol Trade association - Off-Trade Retailer)

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