

## Comments on the proposed amendments to the Remote Gambling Regulation

### Introduction

Playtech welcomes the opportunity to submit comments on the proposed amendments to the Regulations on Remote Gambling Regulation and on Recruitment, Advertising and Addiction Prevention of Gambling.

Founded 25 years ago, Playtech is a leading global platform, content, and services provider to the gambling industry. Playtech, has been investing in the research and development of innovative solutions applied to responsible gambling. One of the first key steps was acquiring BetBuddy in 2017, a behavioural analytics solution.

In the EU TRIS Notification database, the Dutch authorities provide three reasons for the proposed measures: the choice architecture offered to players and the scope to opt for very high playing limits; the process, information, feedback, and terminology around setting, modifying and reaching playing limits are unclear; the functioning of the playing limits as well as the lack of measures that compel moderate playing behaviour while gambling.

We support the efforts aimed at enhancing the protection of players, in particular the protection of groups of individuals with higher risk factors. It is important that the proposed measures would be effective in the long run. The Netherlands was the first jurisdiction to introduce regulatory provisions requiring operators to identify, early on, risks of gambling-related problems and to intervene with individual players accordingly. At the time this was introduced it was, in our view, an innovative duty of care approach. Other regulated jurisdictions now have similar requirements.

We would suggest that the player protection measures could be more focused on improvements to this approach, complementing some of the proposed measures.

Notwithstanding, as there are several proposed measures, we would suggest the possible impact across all types of players is taken into account, if faced with all the measures all together.

### The Importance of Understanding Player Behaviour

For effective harm prevention in gambling, the key aspect is understanding individual player behaviour. By analysing patterns of play, operators can identify potential signs of problematic gambling early on and take appropriate actions to mitigate risks. This was the determined regulatory approach by the Dutch authorities when launching their online gambling market. This allows for a more targeted intervention strategy compared to one-size-fits-all measures, such as universal deposit limits or universal pop-up messages at periodic intervals. Player-set limits, for example, can be effective but require active participation and self-awareness from the player.

Research has shown that gambling-related harm arises from a complex interplay of individual, environmental, and product-related factors (Delfabbro et al., forthcoming). While imposing limits on stakes and deposits can help reduce the financial impact of excessive gambling, it does not however address the underlying causes of a player's problematic behaviour. Moreover, such measures may restrict the freedom of those players who exhibit no signs of risk.

That is why a behaviour-based approach can provide a more accurate assessment of individual risk levels and enable targeted interventions. By continuously monitoring individual player activity, operators can identify changes in gambling patterns that may indicate a developing problem, such as increased frequency of play, higher variability in bet sizes, or unusual deposit behaviour (Dragicevic et al., 2011; Dragicevic et al., 2015). This granular understanding of player risk allows for a more flexible and personalized approach to limit setting. For those players who consistently demonstrate responsible gambling behaviour more autonomy can be given

in managing their play, while those players who exhibit signs of risk can be subject to gradually increasing restrictions and support measures. This approach strikes a balance between player freedom and protection, ensuring that interventions are proportionate to the level of risk.

### The Role of AI-Powered Responsible Gambling Tools

To effectively implement a behaviour-based approach to player protection, operators should have sophisticated tools that can analyse large volumes of player data in real-time and provide actionable insights. This is where AI-powered responsible gambling solutions can play a crucial role.

For example, BetBuddy. BetBuddy utilises advanced machine learning algorithms to continuously monitor player activity across multiple risk dimensions, including deposit patterns, time spent gambling, bet variability, and use of responsible gambling tools. By comparing individual behaviour against a benchmark of players who have self-excluded due to gambling-related harm, BetBuddy can accurately identify players who are at risk of developing problems (Percy et al., 2016).

The advantage of such AI-driven solutions is their ability to process complex data from diverse player populations and adapt to changing patterns of play. As new games and features are introduced, the underlying risk models can be updated to reflect the latest research and real-world evidence. This ensures that the system remains effective in identifying and mitigating risks over time.

By providing explainable risk assessments, AI driven tools empower operators to take informed actions based on a clear understanding of the specific behavioural factors contributing to a player's risk profile. This transparency is essential for ensuring that interventions are appropriate.

### The Case for Personalised Preventive Measures

#### Article 15. Information through the player interface

- *how much time has elapsed since the start of the first game following login, each time 30 minutes elapses until the time he or she logs out*
- *reaching or exceeding 50% of a limit as referred to in Article 4.14(2)(a) or (b) of the Remote Gambling Decree at the time of this.*

A main benefit of behaviour-based risk assessment is the ability to deliver personalised responsible gambling messages and interventions that are tailored to each player's individual circumstances. Research has shown that targeted, real-time messaging can be an effective way to encourage safer gambling behaviour (Monaghan & Blaszczyński, 2009; Auer & Griffiths, 2015).

For example, players who are identified as being at high risk of harm can be sent pop-up alerts in real time during play. This provides a reality check on a player's current session, such as the amount of time and/or money spent. Regulations can require that these messages include direct links to responsible gambling tools that should include for example, deposit limits and self-exclusion, in a manner that makes it easy for players to take action in the moment.

Personalised feedback can also be provided to players after a gambling session, highlighting any changes in their behaviour compared to their usual patterns of play. This self-appraisal information can help players reflect on their gambling and make informed decisions about their future behaviour.

The key advantage of personalised interventions is that they can be delivered at the right time and in the right context to maximise their impact. By leveraging behavioural insights and real-time data, operators can ensure that their responsible gambling efforts are as effective as possible in preventing harm.

We suggest that dynamic messages should be used to communicate with players who show signs of risk. A message sent every 30 minutes may decrease the impact of messages to players. Varying and personalised messages, in terms of type and message content, based on detailed understanding of individual players' risk, may help in improving the customer experience as well as reducing harm.

### A Collaborative Approach to Harm Prevention

Additionally, while behaviour-based player protection has significant potential to enhance responsible gambling efforts, it needs to be part of a broader, collaborative approach that involves all stakeholders in the gambling ecosystem. Regulatory authorities play a critical role in setting standards for responsible gambling and ensuring that operators are held accountable for protecting players from harm. By providing clear guidelines on the use of behavioural data and AI-powered tools, regulators can create a level playing field and encourage best practices across the industry.

At the same time, it is essential that operators have flexibility to innovate and develop new approaches to harm prevention based on latest research and technological advances. A prescriptive, approach risks limiting the effectiveness of responsible gambling efforts.

We believe that regulatory authorities can foster an open dialogue with operators, researchers, and other stakeholders to share knowledge and best practices. By facilitating the exchange of data and insights across the industry, regulators can help accelerate the development of evidence-based solutions and ensure that all players benefit from the latest advances in harm prevention.

### Conclusion

In its report issued last September 2023, the KSA reported about changed interpretation of duty of care by a number of operators and that it was difficult to compare the (10) operators it analysed.

While no single tool can prevent all instances of problem gambling, we believe behavioural analytics is a more effective approach to identifying and assisting at-risk players. A behaviour-based approach to player protection, supported by AI-powered tools like BetBuddy, can provide a valuable complement to the proposed amendments.

A more personalised and targeted approach to harm prevention can help operators identify and support at-risk players more effectively. However, it is essential regulators and operators work together to develop a collaborative, evidence-based framework for responsible gambling that leverages the latest research and technological advances.

Operators can be required to, more actively, measure the effectiveness of responsible gambling messaging and player awareness of responsible gambling and sharing results with the regulator.

There could be shared research repositories and standardised data formats that enable operators to pool their data and collaborate on the development of more effective risk models and interventions. This collaborative approach can help overcome the limitations of individual operator data sets and provide a more comprehensive view of player behaviour across the industry.

Finally, we strongly suggest that KSA could set up and lead an Expert Working Group, that would also include data scientists, researchers, and public health officials, to further assess a most effective and evidence-based approach to player protection, building on the existing targeted approach.