# Learning from A Frank Statement: The gambling industry, lessons from tobacco, and implications for health policy

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Failing to learn from the overwhelming evidence that the conduct of the gambling industry and other health harming industries consistently mirrors that of the tobacco industry is causing large scale avoidable harm.

# Key messages

- 1. Diverse analyses reveal the highly consistent use of similar practices across health harming industries, dispelling the idea that the tobacco industry's practices are exceptional.
- 2. Public health research and policymaking has more to learn from the tobacco industry's practices to promote and protect its commercial interests and the ways many of these have been successfully addressed.
- 3. Policymakers and health professionals need to engage with this evidence base to prevent the harms caused by other health harming industries, with the gambling industry representing an important and illustrative example.

# Introduction

The practices adopted by commercial actors to protect their business interests, particularly in response to evidence of harm associated with their products or services, have profound implications for public health. When an industry acts to maintain profits and ensure its survival despite evidence of associated harm, significant and avoidable public health crises unfold.<sup>1-5</sup> Tobacco smoking is a primary example of an industrial epidemic fuelled by the tobacco industry's efforts to promote smoking, cast doubt on the evidence of its harms, and to defeat, delay and weaken policies that threaten its commercial interests.<sup>4</sup> The considerable progress made in reducing tobacco use owes much to the comprehensive understanding of, and measures to address, the tobacco industry's practices, including formal measures to exclude it from policy-making.<sup>6</sup> Concerningly, these experiences are not consistently used to inform engagement with, and regulation of, other health-harming industries (HHIs) despite overwhelming evidence of their consistent use of similar practices.

The year 2024 represents an important milestone in tobacco control, marking seventy years since leading US tobacco companies released the now infamous *Frank Statement*, to dispel growing concern about the harmful effects of smoking.<sup>4</sup> It is *also* ten years since the UK gambling industry issued a strikingly similar statement, largely unnoticed by the health and research communities (Figure 1). This provides a timely opportunity to examine the radically differing responses to these HHIs. For example, while the tobacco industry is excluded from policy-making and its marketing practices are highly restricted, the gambling industry experiences limited marketing restrictions and is still largely viewed as part of the leisure sector, and a legitimate partner in health policymaking<sup>7-9</sup> despite overwhelming evidence of consistency in their practices.<sup>10,11</sup> By comparing these two industries through their respective

public statements, this analysis highlights how we must learn from past experiences with big tobacco to act more effectively to prevent gambling harms.

### The tobacco industry's Frank Statement to Cigarette Smokers

By 1953, mounting evidence of the health effects of smoking posed an existential threat to the tobacco industry.<sup>4</sup> On the advice of public relations firm Hill & Knowlton (now part of PR and advertising conglomerate WPP),<sup>12</sup> tobacco companies worked collectively to mount "a campaign of reassurance" to disseminate the message that the industry was taking action to determine the truth about smoking and health.<sup>4</sup> The strategy aimed to undermine claims that a relationship had been established between smoking and disease and to perpetuate the idea that "more research" was needed to determine *if* smoking was harmful to human health.<sup>4</sup> A key element of this strategy was the 1954 publication in over 400 US newspapers of the Frank Statement; one of the most expensive and widely publicized single-page advertisement ever placed.<sup>4,12</sup> It signalled the beginning of a decades-long, globally-coordinated "campaign of denial."<sup>4,6</sup> The Frank Statement is a quintessential example of the rhetorical practices of HHIs. It cast doubt on the science linking smoking and cancer by: drawing on alternative causation arguments; emphasising scepticism; and claiming an absence of proof that smoking was harmful, only questionable statistical associations.<sup>4,13</sup> Importantly, it also portrayed the industry as a benevolent actor who would work to protect public health, substantially fund research by establishing the Tobacco Industry Research Committee (TIRC) and be steered by science (Figure and Table 1).<sup>4</sup>

We now know the *Frank Statement* was essentially a "charade."<sup>13</sup> In the subsequent 40 years, supported by millions in tobacco industry funding, the TIRC (later the Council for Tobacco Research or CTR) largely avoided investigating the causal relationship between smoking and disease, instead flooding the evidence-base with "distraction" or "red herring" research that was less threatening to the industry.<sup>4,10,12</sup> This allowed the industry to maintain for decades their position that the question of whether smoking causes disease remains open and that it was irresponsible to act in the absence of definitive proof of a causal relationship.<sup>4</sup>

The tobacco industry's efforts to undermine science, and its misleading contributions to public (including youth) education and health policymaking, among other harmful practices, cost millions of lives.<sup>4,13,14</sup> To make progress in addressing the tobacco epidemic, the industry needed to be recognised as the "vector" driving the epidemic and actions taken accordingly to prevent its "spread" of disease.<sup>14</sup> As Proctor explains, "this recognition that we can no longer understand disease in the human body without understanding the extent to which some corporate agent, by its decisions or negligence, may have caused that disease" represented a key breakthrough.<sup>4</sup>

This reframing of the industry informed the development of the WHO Framework Convention on Tobacco Control (FCTC), adopted by the World Health Assembly in 2003, and specifically Article 5.3 which seeks to protect tobacco control policy development and implementation "from commercial and other vested interests of the tobacco industry".<sup>6,15</sup> Additionally, in the wake of legal proceedings taken against the US tobacco industry, the TIRC/CTR were forcibly disbanded and the tobacco industry was banned from reforming such third party entities in recognition of their critical role in enabling the industry's fraudulent and egregious efforts to distort science and mislead the American public.<sup>16</sup> However, there has been a damaging failure to extend these approaches to other HHIs, such as the gambling industry, despite the now overwhelming evidence of a shared industry playbook, including evidence that other industries engage in the very same political and scientific practices to protect their business interests.<sup>10,11,17</sup>

### Unleashing the gambling industry: the 2005 Gambling Act

Around the same time as the development of the FCTC which was ratified by the UK in 2004, the then Labour Government reformed the legal framework governing the provision and licensing of gambling in Great Britain.<sup>7</sup> The Gambling Act 2005 signalled a paradigm shift in UK gambling policy discourse towards framing the gambling industry as a legitimate part of the leisure sector that should be stimulated to thrive by removing restrictions on the provision and advertising of gambling products and services.<sup>7</sup> This reframing rested on promoting the idea of "balance", purporting that the interests of the gambling industry could be "balanced" with the need for public protection, which was to be achieved through the adoption of so-called "counterbalances". These entailed the provision of education for the public on how to "gamble responsibly", treatment for so-called "problem gamblers" and ensuring that the industry acted in a "socially responsible" way, including serving as the main funder of research, education and treatment, despite the clear conflicts of interest inherent in such a system.<sup>7,9</sup> A new regulator, the Gambling Commission, while being fully funded by the gambling industry, would be tasked with ensuring its compliance with its social responsibility requirements as set out in the Licence conditions and codes of practice (LCCP) or "rulebook". Industry-created codes of practice constituted the foundation for its social responsibility codes,<sup>18</sup> and the Gambling Commission was given a legal obligation to aim to permit gambling and consult the industry in changes to the regulatory rulebook.<sup>19</sup> The gambling industry was thus framed as a legitimate policy partner and one that could help write the rules that govern its practices.<sup>7,9</sup>

The Act's implementation and underpinning deregulatory agenda led to the establishment of a policy, research, and regulatory environment highly favourable to industry interests.<sup>7,9</sup> The UK gambling industry is now a multi-billion pound sector made up of major transnational gambling operators.<sup>7,8</sup> The evolution in gambling product design and marketing strategies, associated with these types of firms,<sup>20</sup> has enabled the industry's accumulation of considerable profits and sufficient power to influence research, politics, and policymaking to protect their interests in ways that undermine public health and the prevention of gambling harm.<sup>8,21,22</sup> These developments, mirrored in many other countries, have rendered the gambling industry an important, but often under-recognised, commercial determinant of health globally.<sup>7,8,22-24</sup>

### The gambling industry is no exception to the rule

Analyses of the gambling industry's practices reveal marked consistencies with other HHIs, including the tobacco, alcohol, opioid and unhealthy food and beverage industries.<sup>10,11,23,25</sup> A striking example of cross-industry use of commercial strategies can be seen in the two joint

letters (Figure and Table 1). In response to mounting public concerns about gambling, four leading UK gambling companies pledged, among other actions, to voluntarily ban advertising sign-up offers before 9pm, to "commit 20% of shop window advertising to responsible gambling messaging", to "fund a major new advertising campaign to educate people on responsible gambling" and form a new body, the Senet Group, which would be tasked with holding the industry to account and oversee the delivery of the campaign (and later dissolved in 2019 with the formation of the industry-wide trade body, the *Betting and Gaming Council*).<sup>26</sup> The industry would also continue to provide funding for GambleAware (formerly the Responsible Gambling Trust) and other organisations for the purposes of research, education and treatment.<sup>27,28</sup> These practices, endorsed by Government and the regulator, maintained a system that, reminiscent of the TIRC/CTR and other tobacco industry-funded initiatives, served to reproduce an industry-favourable policy environment while failing to produce a robust evidence base about gambling harm and how to prevent it.<sup>7,8</sup>

Despite the industry's oft-stated commitment to educating the public and protecting "the vulnerable, especially young people", independent analyses of gambling industry-funded organisations and their self-proclaimed prevention or "responsible gambling" initiatives show that they have functioned to serve the interests of the gambling industry, and conflict with established public health evidence and practice.<sup>9,26,27,29</sup> In ways reminiscent of tobacco and alcohol industry-funded public education bodies and awareness campaigns, the Senet Group adopted and reproduced industry favourable framings that shifted responsibility and blame to individuals and their so-called "problem gambling", deflecting from the role of gambling industry practices and products and weak policies as drivers of harm.<sup>26</sup> The group made unfounded claims about the evidence-base and impact of its "major" public education campaign which centred around the tagline, *When the Fun Stops, Stop,* including in responses to Government consultations and through the media.<sup>26</sup>

The public, including children, remain exposed to multiple forms of gambling advertising including through social media. Meanwhile, gambling-industry funded charities use practices adopted by other HHIs to present their education programmes as effective means of keeping children safe from gambling harm, creating ignorance about the lack of evidence to support such claims.<sup>27</sup> Unsurprisingly, there are very few independent and robust studies of effective population-level public health interventions to prevent gambling harm, reflecting a context in which the gambling industry has been the dominant funder of gambling research for over forty years,<sup>7,19,21,23,30</sup> again mirroring the function and outputs of the TIRC/CTR.<sup>4</sup> Finally, echoing their 2014 public statement, the industry continues to claim to be a source of fun and enjoyment for millions, to be raising standards and promoting responsible or safer gambling, despite consistent examples of regulatory breaches in the sector, including anti-money laundering and social responsibility failures (see Table 1).<sup>31</sup>

The similar statements show that harmful industries learn from each other, and from past experiences. If they are to fulfil their obligations to the public, policymakers and health professionals must learn to do the same by using the CDOH evidence base to design and implement the types of policies required to curb the ability of HHIs to influence science, policymaking and public knowledge and behaviours in ways that are harmful to health. This

clearly applies across gambling and other HHIs, for example the ultra-processed food, alcohol and fossil fuel industries, the latter having issued similar full-page statements to the public which helped to fuel decades of climate denialism.<sup>32</sup>

## Pressing need to learn from history to save lives

The striking similarities between the statements issued by the tobacco industry in 1954 and the gambling industry sixty years later, and the trajectories followed by the two industries since, reflect a missed opportunity to prevent harm. UK gambling policy repeatedly ignores and fails to recognise and address evidence on the gambling industry and its actions as the single most important determinant of harm. While the review of UK gambling laws initiated in 2020 and reporting in 2023 provided an opportunity for desperately needed change, it failed to deliver the transformational legislative and policy reforms needed to prevent the harms driven by the gambling industry.<sup>19</sup> Indeed, the regulator has since strengthened its working relationship with the gambling industry by forming an Industry forum that "will share industry views on areas a such as account management, consultations and the Commission's data programme".<sup>33</sup> Concerningly, the newly elected Labour Government in their 2024 election manifesto expressed a commitment to "continue to work with the industry on how to ensure responsible gambling,"<sup>34</sup> a commitment that was predictably welcomed by the industry,<sup>35</sup> and which closely resembles the closing words of the industry's 2014 joint letter. Until the gambling industry is reframed as a corporate vector of harm and effective measures taken to restrict the industry's influence on policy and science and its marketing and communications with the public, prevention of gambling harm will be unachievable.

**Figure 1:** The Tobacco Industry's 1954 *Frank Statement to Cigarette Smokers* (left image, source: https://www.industrydocuments.ucsf.edu/docs/gxmj0191) and the Gambling Industry's 2014 letter to the public (right image, source: the Senet Group. Note the Senet Group no longer exists, and their website is defunct. For access to archived webpages announcing the publication of the gambling industry's joint letter to the public see here:

https://web.archive.org/web/20160514194931/http://senetgroup.org.uk/launchadvertisement/ and

https://web.archive.org/web/20141002085959/http://senetgroup.org.uk/gambling-industryresponds-to-public-concerns/. For a copy of the letter please contact the corresponding author).

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# A Frank Statement to Cigarette Smokers

RECENT REPORTS on experiments with mice have given wide publicity to a theory that cigarette smoking is in some way linked with lung cancer in human beings.

Although conducted by doctors of professional standing, these experiments are not regarded as conclusive in the field of cancer research. However, we do not believe that any serious medical research, even though its results are inconclusive should be disregarded or lightly dismissed.

At the same time, we feel it is in the public interest to call. attention to the fact that eminent doctors and research scientists have publicly questioned the claimed significance of these experiments.

Distinguished authorities point out:

1. That medical research of recent years indicates many possible causes of imp cancer.

2. That there is no agreement among the authorities regarding what the cause is.

3. That there is no proof that cigarette smoking is one of the causes.

4. That statistics purporting to link cigarette smoking with the disease could apply with equal force to any one of many other aspects of modern life. Indeed the validity of the statistics themselves is questioned by numerous scientists.

We accept an interest in people's health as a basic responsibility, paramount to every other consideration in our business. We believe the products we make are not injurious to

### bealth.

We always have and always will cooperate closely with those whose task it is to safeguard the public health.

For more than 300 years tobacco has given solace, relaxation, and enjoyment to mankind. At one time or another during those years critics have held it responsible for practically every disease of the human body. One by one these charges have been abandoned for lack of evidence.

Regardless of the record of the past, the fact that cigarette smoking today should even be suspected as a cause of a serious disease is a matter of deep concern to us.

Many people have asked us what we are doing to meet the public's concern aroused by the recent reports. Here is the answer:

- 1 We are pledging aid and assistance to the research effort into all phases of tobacco use and health. This joint financial aid will of course be in addition to what is already being contributed by individual companies.
- 2. For this purpose we are establishing a joint industry group consisting initially of the undersigned. This group will be known as TOBACCO INDUSTRY RESEARCH COMMITTEE.
- 3. In charge of the research activities of the Committee will be a scientist of unimpeachable integrity and national repute. In addition there will be an Advisory Board of scientists disinterested in the cigarette industry. A group of distinguished men from medicine, science, and education will be invited to serve on this Board. These scientists will advise the Committee on its research activities.

This statement is being issued because we believe the people are entitled to know where we stand on this matter and what we intend to do about it.

### TOBACCO INDUSTRY RESEARCH COMMITTEE

### 5400 EMPIRE STATE BUILDING, NEW YORK I, N. Y.

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# **Gambling industry** responds to public concerns

Advertisemen

#### Every day, millions of us place a bet - a freedom that should be enjoyed safely and responsibly.

As leading gambling companies, we have a responsibility to the communities where we operate – offering fun and entertainment for the majority while protecting the vulnerable, especially young people.

Recently concerns about gambling have grown - particularly because of the tone of some of the advertising of betting on TV at times when children may be watching. We are therefore announcing some important changes.

From 1 October

- · We will introduce a voluntary TV advertising ban on sign-up offers (free bets and free money) before 9pm
- We will withdraw all advertising of gaming machines from betting shop windows
- · We will commit 20% of shop window advertising to responsible gambling messages

#### From the start of next year:

- · We will fund a major new advertising campaign to educate people on responsible gambling
- · All TV advertising will carry more prominent responsible gambling messages
- · To increase public confidence, a new body, the Senet Group, chaired by an independent Standards Commissioner, will hold us to account

These undertakings come today from the four of us, but we know that across the industry many others have high standards in their commitment to responsible gambling, and we invite them to join us.

We are listening to what you say and will continue to work constructively with the Government and the Regulator to improve standards of player protection





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