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MEDIA MONITORING REPORT ON GAMBLING & GAMING ACTIVITIES ON MEDIA IN KENYA

July 30 to August 20, 2021



ABBREVIATIONS AND ACRONYMS

ACMO	Association of Communication Media Operators.
BCLB	Betting Control and Licensing Board
CA	Communications Authority of Kenya
DBA	Digital Broadcasters Association
FM	Frequency Modulation
ICLG	International Comparative Legal Guide
KBC	Kenya Broadcasting Corporation
KCB	Kenya Commercial Bank
KCOMNET	Kenya Community media Network
KEG	Kenya Editors Guild
KRA	Kenya Revenue Authority
LDA	Latent Dirichlet Allocation
MCK	Media Council of Kenya
MOA	Media Owners Association
NLP	Natural Language Processing
NLU	Natural Language Understanding
RMS	Royal Media Services
SMS	Short Message Service
TEVIRA	Television Viewers and Radio Listeners Association of Kenya.
USSD	Unstructured Supplementary Service Data

FOREWORD



The Media Council of Kenya is mandated under Article 34 of the Constitution of Kenya 2010 to set media standards and regulate compliance with those standards. Section 6 (d) of the Media Council Act, 2013 mandates the Council to promote and enhance ethical and professional standards amongst journalists and media enterprises.

In view of the above, the Council is concerned about the increase in gambling across the media and the public debate it continues to elicit. Illegal gambling has penetrated most trusted channels of communication, including mainstream media which has greatly contributed to the acceptance of the vice. This has been made possible through regular unlicensed adverts and promotions, some carried by the media during watershed hours. This has led to serious complaints from the public and therefore the need to monitor and review betting and related activities in various media outlets.

As a regulator, MCK is committed to protect the consumers from harmful content and the effects of gambling as well as ensuring professionalism in the media industry.

The Council formed a taskforce to review betting and gaming activities in media houses. The report sought to look for answers on gambling activities premised on the potential public health issues on children and other vulnerable groups. Part of the findings of the taskforce indicated that only one media house in Kenya is licensed by the Betting and Licensing and Control Board.

From the report, it was indicative that gambling is rampant in most media outlets, especially radio. The activities some unlicensed, have attracted huge populations across all age groups. With emergence of new media, minors are easily involved in these activities with little regulation. From the surveys conducted, several gambling and gaming advertisements do not meet the threshold as stipulated in the law.

The effects of the pandemic and the changing business models compounded by the need to remain viable for most media houses has led to the reliance on gambling to remain afloat. This deals a big blow to professionalism in terms of content generation.

To effectively combat the gambling problem in media houses there is need to rally calls to develop necessary structures and processes that will enable organised and collaborative interventions within the sector for a far-reaching solution to a media problem driven by the media.

David Omwoyo Omwoyo

Chief Executive Officer and Secretary to the Council

ACKNOWLEDGEMENT

Research and monitoring are integral at the Media Council of Kenya in fulfilling its mandate of establishing media standards, regulating and monitoring compliance of media standards. This is the primary basis why media monitoring is undertaken at MCK, and the sole reason this survey was launched.

The Media Council wishes to appreciate everyone who took part in the process, from the monitors whose work contributed immensely to the development of this report.

We most particularly appreciate departmental staff led by Manager, Research Planning and Strategy Mutisya Leo for being instrumental in conceptualising the coding tools, for training the monitors and finally ensuring delivery of this quality product. Senior Officer, Research Planning and Strategy Jacob Nyongesa and senior media analyst, Joseph Mecha assisted in the process. While both participated in ensuring delivery of outputs by the monitors and media analysts through sustained coordination and close monitoring, Jacob provided critical input to various sections of this report. We appreciate the 54 media monitors and analysts for their hard work and diligence in supporting the research department, with their time and skills. Particularly, Eric Ndung'u, also a team leader, is appreciated for drafting the literature review.

We appreciate Mr Victor Bwire, Director, Media Training and Development for his guidance and oversight. We acknowledge the continuous inspirational leadership of the Media Council of Kenya CEO, Mr David Omwoyo. He continues to fundraise, providing invaluable support in ensuring quality research for MCK.

We acknowledge Mr David Omwoyo, Mr Victor Bwire, Mr Leo Mutisya, Mr Jacob Nyongesa, Mr Jerry Abuga, Ms Lorine Achieng, Ms Julie Otieno, Ms Devina Okoth and Mr Wilbur Alusiola for the technical editing, design and quality control support.

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CHAPTER ONE: INTRODUCTION

The field of gambling is very attractive in Kenya. Men and women sort out their bills from gambling and betting earnings. One just needs to look at the convoluted case of Sport Pesa to realise how serious an adventure gambling is especially for young people.

A 2020 GeoPoll report estimated gambling to be worth 40 million dollars (2020) and is growing rapidly despite the worldwide health crisis. Kenya is third in Sub-Saharan Africa in total market size, after South Africa and Nigeria, but has the highest number of young gamblers in the region. Young Kenyans already spend more money on gambling on average than youth in other African countries.

The influx of game and trivia shows, polls, contests and other SMS-based events on leading Kenyan TV and radio stations gives a glimpse into how gaming and gambling is an important source of income for many media houses. The issue of ethics and such operations in media houses remains a challenge for the industry. Most media houses have been accused of using their wide reach to mint profits from most of their unsuspecting audiences.

The Media Council of Kenya in July 2021 formed a taskforce that consisted of eminent media sector professionals led by veteran journalist Emmanuel Juma. The mandate of the taskforce was to review betting and related activities in media outlets. Part of the findings of the taskforce indicated that only one media house in Kenya is licensed by the Betting and Licensing and Control Board (BCLB). The Council, on the formation of the Betting Taskforce, reiterated that advertising gambling on media platforms is a potential public health issue that may have a direct and material effect on gambling participation, particularly by children.

The Betting Control and Licensing Board registers and licenses betting companies and provides for the cancellation or suspension of any such license subject to conditions laid out. It is also tasked with the duty of inquiring into complaints against licensees and permit holders. Interestingly, BCLB indicated in various meetings with Parliament that only one media house in Kenya is licensed to practise.

The impact of gambling is such that – These days the long hours of playing music and critical talk in studio have been replaced by gambling promotions and related advertisements. Sometimes as early as 6am, a presenter gets into the studio and all they are announcing are varied promotions whetting the itchy pockets of even the poorest of Kenyans. The amounts involved are on average affordable across all classes and the gaming shows run from early morning hours deep into noon and pick up later after 3pm and late into the evening.

MCK continues to observe in some radio stations a tendency where every presenter has their own gambling session, which they 'spin' until the end of their show, sometimes encouraging intimate conversations with 'lucky' winners as a way of stimulating others' interests.

To inform this discipline, where there is limited research, the Media Council of Kenya launched this survey via its Research Planning and Strategy Department.

The data collection and processing were conducted in three weeks, between July 30 and August 20, 2021. Preliminary results were presented before a taskforce on Gambling, established by MCK to probe and provide a way forward on media-related gambling. Those results formed a huge part of their final report, which was handed over to the appointing authority.

Part of the mandate of the research function is to monitor and conduct an analysis of media content across all media platforms in Kenya to aid in setting standards and enforcing those standards. This research focused on providing feedback for broadcast media specifically 47 radio stations, and 7 TV outlets.

CHAPTER TWO: REVIEW OF LITERATURE

2.1. TRACING, DEFINING AND CONTEXTUALISING GAMBLING

Gambling in its varied forms is a deeply rooted characteristic of humanity which, although a source of pleasure for many and not inherently immoral, can cause harm to individuals and society through immoderate indulgence (Mbasi, 2013). The social activity, according to (McMillen, 1996), is traced back to over 4,000 years ago in China. As with China, different gambling games spread throughout almost every corner of the Roman Empire, including in the different public baths, the circuses, the taverns and the imperial forums (Tse, Ho, Rossen, & Wen, 2010).

McMillen (1996) states that the perception and experience of gambling varies significantly – in its history, its organisation and meaning. He further noted that gambling has no intrinsic meaning, rather, its meaning always depends on the socio-historical context in which it occurs; traditionally been for socially defined ends, often organised around religious or communal activities with little direct economic significance, while in capitalist societies the activity takes place on circumstances that allow an individual, group or organisation to extract profit from the transaction.

According to Tse, Ho, Rossen, & Wen (2010), gambling includes a wide range of forms, such as lotteries, betting on horse and dog (greyhound) races, betting on sports (e.g., football betting), Mahjong houses and casino games. In terms of financial transactions, it is the staking of money or an item of economic value on the uncertain outcome of a future event; risk-taking activities which can be found in every aspect of social life, from personal relationships to international politics (McMillen, 1996).

Governments and philanthropists long ago discovered the potential of popular gambling to generate extra revenue for public work, which according to McMillen (1996), helped finance public projects such as bridges & roads, churches and universities; for example Harvard & Yale. In 2003, the Macao Gaming Inspection and Coordination Bureau reported that the gambling tax contributed 74% to the Macao fiscal revenue. In 2004, the percentage rose to almost 78% of the Macau's total public revenue (Tse, Ho, Rossen, & Wen, 2010).

In Kenya, The Kenya Revenue Authority sees the gambling industry as a low hanging fruit from which to expand its tax base and generate revenue to finance the ever-expanding budget...however, lack of concrete data on the industry, estimated at Sh16 billion annually, has made it difficult for KRA to know exactly how much it can raise from the industry (CitizenDigital, 2017).

2.2 RISE OF GAMBLING AND SPORTS BETTING IN KENYA

Gambling and sports betting have recently been used interchangeably on social media and mainstream media. In Kenya, the betting scene began with an audience, particularly “laying bets” on football matches and gambling with a certain amount of money, as low as KShs 20 and participants being promised to win up to. KShs 20,000,000. Websites and social media platforms advertised for people to participate in such gambling activities. In no time, TV and Radio started to run advertisements that encouraged people to bet and gamble on football matches.

Then there arose legitimate jackpot games and lotteries licensed by both the Betting Control and Licensing Board and the Communications Authority of Kenya running on TV and some radio stations in the country. However, with time, broadcasters have appeared to defect from set regulations on gambling and betting hence violating the advertising code of conduct. This has been seen in situations where betting advertisements have been aired outside watershed hours and to some extent even during children shows.

Gambling has almost replaced the professional and responsible way of income not only to the betting and gambling participants but also for many media outlets when it comes to income generation. An article by People Daily goes on to elaborate on the extent to which broadcasters have gone of coaching “winners” to testify by glorifying gambling and giving false and weird overnight success stories (Bwire, 2021). This eventually if not already, will reduce professional journalists to gambling machines and false aggressive advertisers that encourage irresponsible gambling.

Globally, while gambling has traditionally been a casino affair, slowly and gradually it proliferated into a pure sport activity, beginning with bets on football matches, horse riding competitions and boxing or wrestling matches. Media was then realised as a tool that would no longer confine gambling and betting to the traditional casinos, racecourse, or pubs. Media, both social and mainstream opened gambling to what we call the tech devices such as mobiles, laptops, computers, radios, and televisions. With that, it improved and enclosed itself into sports events and codes, which has been rightfully treated as the “gamification of sports” (Thomas, 2012).

With its intrusion in media, gambling has taken to a different turn. It has altogether brought many risks, and the most vulnerable and subjective ones are today's youth who have a tremendous exposure to gambling promotions. The youth have recorded a high number of participations in betting both locally and globally (Geopoll, 2017). If these numbers continue to rise, on a day-to-day basis, then it will distort the lifestyle, thought process, as gambling promotes an easy accessibility to earning money through gambling without understanding the true essence of money. This is also disastrous as far as the economy of our country is concerned. Money that is acquired via betting and lottery is hardly taxed and accounted for. So, while the country tries to solve its debt and taxing issues, all the betting industry does is pull the effort behind.

2.2. REGULATORY BODIES

2.2.1 Betting Control & Licensing Board (BCLB)

The aim of legalising gambling in Kenya was to control, protect the young and the vulnerable from gambling and tax people who were interested in conducting, betting, lotteries and gaming in the Country (Mbasi, 2013). The growth of gambling in Kenya has been fuelled largely by increasing societal acceptance of gambling as a form of recreation and by the promise of significant economic benefits and tax revenues for the regions in which gambling is done (Maina, 2020). Since its enactment in 1966, the Betting, Lotteries and Gaming Act, Chapter 131 Laws of Kenya, has underpinned the operations of gaming in Kenya since the first casino opened its doors to the gaming public in 1969 (Mbasi, 2013).

"Since its enactment in 1966, the Betting, Lotteries and Gaming Act, Chapter 131 Laws of Kenya (herein the Act) has provided the overall regulatory regime governing gaming activities in Kenya." (Mbasi, 2013). According to Maina (2020); Mbasi (2013), in Kenya, gaming and gambling mean the same thing; they are used interchangeably. With such a gap identified, the law should therefore step in to differentiate these critical terms, betting, gaming and gambling rather than umbrella them as just gaming.

In 2018 the Act was amended, giving way to the Betting, Lotteries and Gaming Act 2018 that provided for the establishment of the Betting Control and Licensing Board (BCLB) for control and licensing of betting and gaming premises. The 2018 ACT of Parliament defines gaming as "means the playing of a game of chance for winnings in money or money's worth" but is silent on what constitutes gambling (Betting, lotteries and Gaming Act 2018).

To balance the need for increased government revenue, the highly addictive nature of gambling and eventual severe harm to the society according to Maina (2020); Musili 2016, the BCLB as depicted under Article 4 of the Act has the powers to;

4. Powers of the Board (1) The Board shall have power— (a) to issue licences and permits in accordance with this Act and any regulations made thereunder; (b) during the subsistence of a licence or permit, to vary, or for good cause to suspend or cancel it; but the Board shall not suspend a licence or permit for more than fourteen days and shall not vary or cancel a licence or permit without giving the licensee or permit-holder opportunity to show cause against the variation or cancellation; and (c) to inquire into complaints against licensees or permit-holders.

(2) Subject to this Act and to any general or special direction by the Minister, the Board shall regulate its own procedure.(Betting, lotteries and Gaming Act 2018)

The Act further provides for the application and provision of licenses and permits, durations, offences relating to unlicensed betting premises, gaming tax and pool betting and betting with young persons as an offence. The Act is however silent on displaying publicly the number and names of bodies/grouped licensed by the Board. Displaying of licences would help differentiate legal and licensed entities from the illegal ones.

The ACT further defines a "young person" –

(2) In this section, "young person" means a person— (a) who is under the age of eighteen years and whom the person committing an offence in relation to him under this section knows, or ought to know, to be under that age; or (b) who is apparently under that age. (Betting, lotteries and Gaming Act 2018)

From the Act then it can be concluded that gambling is permitted but must be practised within the law. Any violation of what is prescribed in the law is considered illegal. In respect to the impact of problematic gambling, Maina (2020) noted that Mbalu 2015 research on social and economic effects of gambling found out that activities of gambling are regulated by the government and one key reason for its regulation is because it has been found that gambling causes problem resulting in bankruptcy, suicide and family disputes/quarrels. Mbalu further asserts that majority of gambling effects are social or monetary and this is because individuals' findings themselves with this problem seek help and, sometimes, there is the intervention of other parties such as children, police, welfare or employment.

“The Act outlaws gaming with young persons and provides for taxation of gaming activities.” (Mbasi, 2013). Furthermore, he ascertains that the Act provides for small gaming parties, gaming in clubs and entertainments not held for private gain and finally, confers the Board with powers to authorise the use of gaming machines. In the proposed amendment to the Gaming Bill 2020 efforts have been made to include having media players being required to dedicate 10 per cent of aired advertisement towards promotion of responsible gaming.

BCLB places great emphasis on gaming to be conducted responsibly. Every gaming and betting ad should carry a responsible gaming message, specify the 18 or over age limit, always display a customer care number and ensure that gambling is not at any point glamorised. Gaming and betting ads have been restricted to run between 9pm and 6am, with other slots earmarked for responsible gambling messages. No advertising is allowed from 4pm-9pm. In addition, no gaming and betting advertisements are allowed to air around children’s rated shows, religious programming or family shows.

For ads aired on the radio, a maximum of four ads per hour are permitted, and these must follow the same time slot restrictions as television. The new advertising guidelines come after Kenya passed the 2021 Finance Bill, which reintroduces a controversial betting stake tax, but at 7.5 per cent rather than the 20 per cent rate that caused leading operators Sportpesa and Betin to leave the market before it was repealed last year (Omoigui, 2021). With the taskforce having laid practical regulations for the industry, the question that begs is if the media has ensured that these regulations are observed, a research question this report seeks to investigate.

From the literature available online there is no adequate research on the extent to which media stations promote gaming/gambling and the possible psychoo-socio effects towards the target audience. In support Mbasi (2013) states that while research on the gambling trends has increased globally, few studies have been conducted to determine the level of participation of communities in betting and lottery. No serious study has also been done in Kenya to assess the socio-economic consequences of gambling in media.

The lack of research however does not negate the impact of gaming and gambling activities in the country and its impact on the society. In an article on The Standard newspaper five years ago titled ‘Here are shocking effects of gambling to youths that you don’t know’, the author shares how gambling affects young people picking from global statistics. In conclusion, the article notes the need for relevant stakeholders to move fast especially in analysing and fixing the policy implications and exigencies (Japheth & Lumadede, 2017).

The digital revolution in Kenya has led to the emergence of multiple media houses consequently intensifying competition for audiences in urban and rural areas. Challenges of revenue generation in media houses, the impact of Covid-19 and the clamour to remain afloat has largely contributed to gambling and gaming in media houses. This has now become a popular income-generating method for many radio stations and their “lucky winners”.

Mostradio outlets today, national and vernacular have been observed to dish out cash to attract their listeners to put their money on the risky gaming with almost zero chances of return. Lack of clear policy and the gap in law has led to exploitation of the space and in exchange many people have become victims.

A change in policy will help reverse the trend in the change of long hours of playing music and critical talk in studio replaced by gambling promotions and related advertisements. (Mbasi, 2013) ascertains that through exposure and un-warranted stimulation can lead to harmful consequences to gamblers and the public.

Since growth of any industry has both positive and negative consequences; it is well recognised that increase in the number of gambling establishments in a jurisdiction can lead to harmful consequences to gamblers and the public. This happens through exposure and un-warranted stimulation to gambling. It is acknowledged that these activities can lead to problem gambling and addiction. (Mbasi, 2013)

According to (ICLG, 2021) there are other Acts that work in tandem to aid in delivering the mandate of the board:

The Proceeds of Crime and Anti-money Laundering Act 2009 - provides for the offence of money laundering and to introduce measures for combating the offence, to provide for the identification, tracing, freezing, seizure and confiscation of the proceeds of crime, and for connected purposes. (KenyaLaw, The proceeds of crime and anti-money laundering Bill 2009, 2009)

Data Protection Act 2019 – regulates processing of personal data and provides rights of data subjects and obligations of data controllers and processors. (KenyaLaw, Data Protection Act 2019, 2019)

The Consumer Protection Act 2012 – provides for protection of consumers and prevents unfair trade practices in consumer transactions. (KenyaLaw, The Consumer protection Act 2012, 2012)

The Competition Act 2010 – promotes and safeguards competition in the national economy and protects consumers from unfair and misleading market conducts. (KenyaLaw, Competition Act 2010, 2010)

In addition, (ICLG, 2021) reports that BCLB “has directed telecommunications companies that provide mobile

money payments platforms to gambling companies to suspend paybill numbers registered by operators on diverse dates between December 2020 to August 2021.”

2.2.2 Media Council of Kenya

Established under the Media Council Act 2013, the Act gives effect to Article 34 (5) of the Constitution; to establish the Media Council of Kenya; to establish the Complaints Commission, and for connected purposes (KenyaLaw, Media Council Act 2013, 2013). The Council is an independent national institution established for purposes of setting of media standards and ensuring compliance with those standards as set out in Article 34(5) of the Constitution and for connected purposes (Media Council of Kenya, 2022).

From the above research, it is evident there is need for enhanced regulations to make the industry more transparent and accountable, and thus reduce the adverse effects of the problematic gambling and institute checks to regulate the media industry promotion of gaming. This will however not go unchallenged, as (Orfold, 2019) notes.

‘Gambling is promoted in ways which not only use all the tricks of the advertising trade, but which also try to give a false impression of what engaging in modern forms of gambling really entails – depicting gambling as a low-risk/high-control pastime, full of fun, with a good prospect of winning money. The reality – a high likelihood of losing money and the danger of addiction – is concealed. The power of what I shall call the Gambling Establishment – the gambling industry and its allies inside and outside governments – is formidable, and it will certainly fight back.

CHAPTER THREE: THE STUDY OBJECTIVES AND METHODOLOGY

3.1 STUDY OBJECTIVES

The objective was to determine the extent of gambling promotion on broadcast media, by looking at the following key components:

1. To establish outlets engaged in the practice and the periods within which this happens.
2. The language utilised in the promotion.
3. The length of the promotion.
4. The means of payment and,
5. Whether the promotion was outrightly declared as legal or approved by the Betting Control and Licensing Board.

3.2. STUDY DESIGN

To interrogate key variables targeted by the above objectives an all-encompassing coding tool was developed. This was dubbed “gambling occurrence form”. The form was composed of both open-ended and closed-ended questions which tasked the monitors and media analysts to provide both qualitative and quantitative feedback.

The survey tool was embedded in Google Forms, employed for data capture and storage, and every monitor given access via a shared link. The 54 monitors keyed in data on the coding book religiously. They also recorded sample clips as evidence, which they shared later in other weekly qualitative reports.

The monitors were taken through a practical training of the coding book and how to use Google Forms. Close monitoring by the research team of live feedback was done to ensure quality control. Desktop review was conducted to analyse various literatures and variables related to gambling and gaming.

3.2. DATA ANALYSIS

From the Google Forms, the datasets were downloaded into an Excel format which was then transferred to Microsoft Power BI and the Python programming language where descriptive and inferential data analytics were carried out.

Further, thematic analysis utilising Natural Language Processing (NLP) was conducted to recognise and quantify the themes captured in the qualitative data on salient professional issues that the monitors noticed in the various radio and TV outlets. AI’s Natural Language Processing (NLP) and Natural Language Understanding (NLU) architectures were leveraged to perform intent recognition and modelling, and unsupervised learning Topic Modelling of the latent themes through the Latent Dirichlet Allocation (LDA) model.

CHAPTER FOUR: FINDINGS

4.2 DATA ANALYSIS AND OBSERVATIONS

Out of the above target of 47 media outlets, a total 33 were reported as having promoted a gambling session directly via the presenter. Of these were two TV stations i.e. Kass TV and TV 47. The rest were radio outlets. The diagrams and tables below summarisesthe gambling content as reported by the MCK media monitors based on various variables.

4.2.1 Time (00:00 AM/PM) (provide the exact time of the start of the advert/promotion.

Start time of the advert/promotion	count	per cent	cumulative count	cumulative per cent
08:00:00	15	3.04	15	3.04
07:45:00	14	2.83	29	5.87
08:03:00	12	2.43	41	8.30
08:57:00	9	1.82	50	10.12
06:57:00	9	1.82	59	11.94
07:30:00	7	1.42	66	13.36
08:58:00	6	1.21	72	14.57
Others	422	85.43	494	100

Table 1: Start time of the advert/promotion

During the study period, 15 (3.04 per cent) of the total participants reported that the most frequent time of the start of the advert/promotion was 08:00:00. This was closely matched by 07:45:00 at 2.83 per cent and 08:03:00 at 2.43 per cent of the time. Other time instances that were less frequent and did not get over five mentions accounted for 85.43 per cent of the total responses.

4.2.2 Name of Media Outlet (TV/Radio)

During the study period, the Media Outlets (TV/Radio) that engaged in the most gambling acts were; KBC Radio Taifa accounting for 121 (24.49 per cent) of the total responses, Radio Ramogi accounting for 98 (19.84 per cent) of the total responses, Classic 105 accounting for 72 (14.57 per cent) of the total responses, Radio Maisha accounting for 60 (12.15 per cent) of the total responses, Sauti ya Mwananchi Radio accounting for 24 (4.86 per cent) of the total responses, Kameme FM accounting for 23 (4.66 per cent) of the total responses, Radio Jambo accounting for 19 (3.85 per cent) of the total responses and Emoo FM (Radio) accounting for 17 (3.44 per cent) of the total responses. Those that fairly engaged in gambling acts individually accounting for less than 2 per cent of the total responses were Egesa FM, Kass TV, Homeboyz Radio, Nosim FM, Gukena FM, Mulembe FM, Mbaitu FM, Inooro FM, Ghetto Radio, Radio Maisha, Athiani FM, and Meru FM. Outlets that least engaged in gambling activities were: TV47, Kiss FM, KBC English Service, Hot 96 FM, Radio Citizen, Capital FM, and CORO FM. Each of these accounted for 0.2 per cent of the total responses. See Table 2.

Name of Media Outlet (TV/Radio)	Count	Per cent	Cumulative count	Cumulative per cent
KBC Radio Taifa	121	24.49	121	24.49
Radio Ramogi	98	19.84	219	44.33
Classic 105	72	14.57	291	58.91
Radio Maisha	60	12.15	351	71.05
Sauti ya Mwananchi Radio	24	4.86	375	75.91
Kameme FM	23	4.66	398	80.57
Radio Jambo	19	3.85	417	84.41
Emoo fm (Radio)	17	3.44	434	87.85
Egesa FM	7	1.42	441	89.27
Kass TV	6	1.21	447	90.49
Homeboyz Radio	6	1.21	453	91.70
Nosim FM	5	1.01	458	92.71
Gukena FM	5	1.01	463	93.72
Mulembe FM	4	0.81	467	94.53
Mbaitu FM	4	0.81	471	95.34
Inooro FM	4	0.81	475	96.15
Ghetto Radio	4	0.81	479	96.96
Radio Maisha	3	0.61	482	97.57
Athiani Fm	3	0.61	485	98.18
Meru FM	2	0.40	487	98.58
TV47	1	0.20	488	98.79
Kiss FM	1	0.20	489	98.99
KBC English Service	1	0.20	490	99.19
Hot 96 FM	1	0.20	491	99.39
Radio Citizen	1	0.20	492	99.60
Capital FM	1	0.20	493	99.80
CORO FM	1	0.20	494	100.00

Table 2:
Media Outlet
(TV/Radio)

4.2.3 Language Used by the Outlet (TV/Radio)

During the study period, the most common languages used by the outlets to engage in gambling activities were Kiswahili which accounted for 171 (34.62 per cent) of the total responses, Dholuo which accounted for 98 (19.84 per cent) of the total responses, English which accounted for 73 (14.78 per cent) of the total responses, and a combination of English and Kiswahili which accounted for 69 (13.97 per cent) of the total responses. The least used languages were Sheng, Luhya, Kimeru and a combination of English, Kiswahili and Kikamba. Each of these languages individually represented less than 1 per cent of the total responses. See Table 3.

Language Used	count	per cent	cumulative count	cumulative per cent
Kiswahili	171	34.62	171	34.62
Dholuo	98	19.84	269	54.45
English	73	14.78	342	69.23
English, Kiswahili	69	13.97	411	83.20
Kikuyu	32	6.48	443	89.68
Kalenjin	17	3.44	460	93.12
Kisii	7	1.42	467	94.53
Kikamba	7	1.42	474	95.95
Maasai	5	1.01	479	96.96
Kiswahili, Kalenjin	5	1.01	484	97.98
Sheng	4	0.81	488	98.79
Luhya	3	0.61	491	99.39
Kimeru	2	0.40	493	99.80
English, Kiswahili, Kikamba	1	0.20	494	100.00

Table 3: Language Used by the Outlet

4.2.4 At what section of programming did the advert/promotion occur?

Programming section where advert/promotion occurred	count	per cent	cumulative count	cumulative per cent
It was a whole session dedicated to the promotion	143	28.95	143	28.95
In between a Talk Show/Interview	99	20.04	242	48.99
During News (Sports/Entertainment/Lifestyle)	76	15.38	318	64.37
During a classifieds' session	31	6.28	349	70.65
Before the 7am news bulletin	11	2.23	360	72.87
After the 7am news bulletin	8	1.62	368	74.49
During News (Local)	7	1.42	375	75.91
Others	119	24.09	494	100.00

Table 4: Programming section where advert/promotion occurred

As indicated in Table 4, in this study the categories; "a whole session dedicated to the promotion", "In between a Talk Show/Interview", "During News (Sports/Entertainment/Lifestyle)", "During a classifieds' session", "Before the 7am news bulletin", "After the 7am news bulletin", and "During News (Local)" collectively accounted for more than 75 per cent of the total responses with "a whole session dedicated to the promotion", being the most frequent option in the programming schedule which the media outlets preferred in advertising/promoting gambling activities. This category accounted for 143(28.95 per cent) of the total responses.

4.2.5 How long did the promotion last?

Duration of the promotion	count	per cent	cumulative count	cumulative per cent
Between 2 and 5 minutes	205	41.50	205	41.50
Less than a minute	196	39.68	401	81.17
Between 5 and 10 minutes	50	10.12	451	91.30
10 minutes plus	17	3.44	468	94.74
others	26	5.26	494	100.00

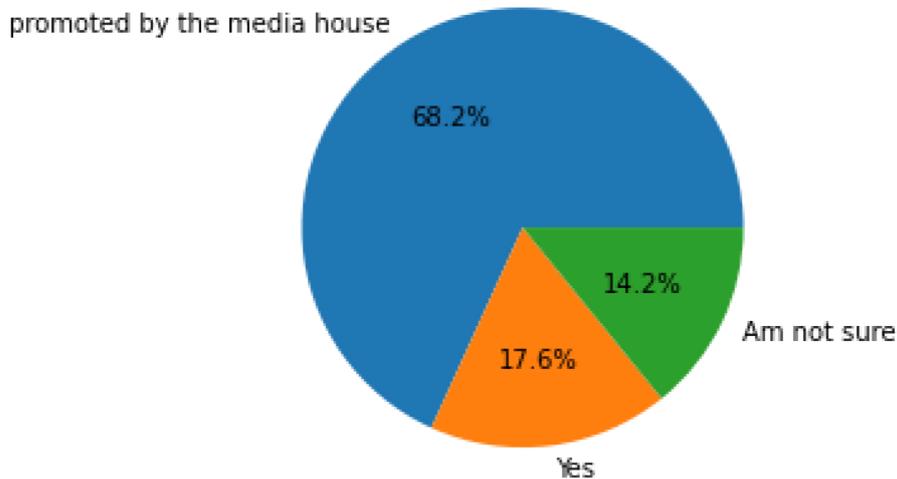
Table 5: Promotion/Advert Duration

As shown in Table 5, over 90 per cent of the participants indicated that adverts/promotions lasted for 10 minutes or less. Specifically; 205 (41.50%) of the responses showed that adverts/promotions lasted between 2 and 5 minutes, 196 (39.68 per cent) of the responses showed that adverts/promotions lasted less than a minute, 50 (10.12 per cent) of the responses showed that adverts/promotions lasted between 5 and 10 minutes, 17 (3.44 per cent) of the responses showed that adverts/promotions lasted for more than 10 minutes, while 26 (5.26 per cent) of the responses showed that adverts/promotions last for other time periods.

4.2.6 Was the advert sponsored?

As shown in Pie Chart 1, in this study, 337 (68.2 per cent) of the total responses indicated that the advert/promotion was promoted by the media house as opposed to a paid advert, 87 (17.6 per cent) of the total responses indicated that the advert/promotion was indeed sponsored, while 70 (14.17 per cent) of the total media monitors indicated that they were not sure if the advert/promotion was sponsored.

Pie Chart: Sponsorship Status

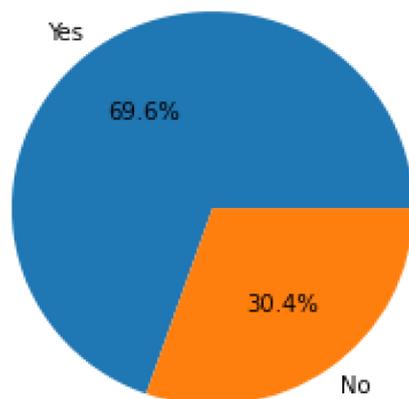


Pie Chart 1: Sponsorship status of the advert

As indicated above, most of the adverts were sponsored by the specific media organisation at 68 per cent. The monitors were not sure at 14.2 per cent on whether the content was sponsored or not. This was due to mixed information (cross-posting) from the presenters.

4.2.7 Was the promotion flagged as a betting venture at the end?

Pie Chart: Betting Status of Advert



Pie Chart 2: Betting Status of Advert

Here the study sought to establish whether the advert/ promotion is flagged as a betting venture at the end. As shown in Pie Chart 2, 344 (69.63 per cent) of the total responses indicated that the advert/ promotion was flagged as a betting venture at the end while 150 (30.36 per cent) of the total responses indicated that the advert/ promotion was not flagged as a betting venture at the end.

4.2.8 What company(ies) or firm/s was mentioned as having promoted or sponsored the advert?

Advert Sponsors	Count	Per cent	Cumulative count	Cumulative per cent
Not mentioned	174	35.22	174	35.22
Tafaum Communications	115	23.28	289	58.50
Piga Kazi Limited	45	9.11	334	67.61
Bailey's	14	2.83	348	70.45
Kenya Charity Sweepstake	13	2.63	361	73.08
Jumia	11	2.23	372	75.30
Classic 105	11	2.23	383	77.53
BCLB	11	2.23	394	79.76
Lotto Kenya	10	2.02	404	81.78
Isuzu Kenya	10	2.02	414	83.81
AMREF Flying Doctors	6	1.21	420	85.02
Sky. Garden	5	1.01	425	86.03
Royal Media	5	1.01	430	87.04
Piga Kazi Limited and Techno Mobile	5	1.01	435	88.06
KBC	5	1.01	440	89.07
How Low	5	1.01	445	90.08
Fanta	5	1.01	450	91.09
Total Kenya	4	0.81	454	91.90
Quickbid.co.ke, a product of Rhemat Auctioneers	3	0.61	457	92.51
Tatua tatu	3	0.61	460	93.12
Kameme FM	3	0.61	463	93.72
Ghetto Radio	3	0.61	466	94.33
Com 21 limited	3	0.61	469	94.94
Alexer money	3	0.61	472	95.55
Others	22	4.45	494	100.00

Table 6: Companies/Firms the promoted/sponsored adverts

The study sought to establish which companies or firms were mentioned as having promoted or sponsored the advert. The results are presented in Table 6.

During the study period, it was established that 174 (35.22 per cent) of the total 494 respondents indicated that the Media outlets (TV/Radio) that engaged in gambling acts did not mention the firm/company that promoted or sponsored the advert, 115 (23.28 per cent) of the total respondents indicated that Tafaum Communications promoted or sponsored the advert and 45 (9.11 per cent) of the total respondents indicated that Piga Kazi Limited promoted or sponsored the advert. In addition, 14 (2.83 per cent) of the total respondents indicated that Bailey's promoted or sponsored the advert, 13 (2.63 per cent) of the total respondents indicated that Kenya Charity Sweepstake promoted or sponsored the advert, 11 (2.23 per cent) of the total respondents indicated that Jumia Kenya promoted or sponsored the advert, and 11 (2.23 per cent) of the total respondents indicated that Classic 105 itself promoted or sponsored the advert.

Another 11 (2.23 per cent) of the total respondents indicated that the Betting Control and Licensing Board (BCLB) promoted or sponsored the advert, 10 (2.02 per cent) of the total respondents indicated that Lotto Kenya promoted or sponsored the advert, likewise 10 (2.02 per cent) of the total respondents indicated that Isuzu Kenya promoted or sponsored the advert, 6 (1.21 per cent) of the total respondents indicated that Amref flying Doctors promoted or sponsored the advert and 5 (1.01 per cent) of the total respondents indicated that Sky. Garden promoted or sponsored the advert, 5 (1.01 per cent) of the total respondents indicated that Royal Media House promoted or sponsored the advert, 5 (1.01 per cent) of the total respondents indicated that Piga Kazi Limited and Tecno Mobile promoted or sponsored the advert, 5 (1.01 per cent) of the total respondents indicated that Kenya Broadcasting Corporation (KBC) promoted or sponsored the advert and 5 (1.01 per cent) of the total respondents indicated that How Low promoted or sponsored the advert.

4 (0.81 per cent) of the total respondents indicated that Fanta promoted or sponsored the advert, 4 (0.81 per cent) of the total respondents indicated that Total Kenya promoted or sponsored the advert, while 3 (0.61 per cent) of the total respondents indicated that; Quickbid.co.ke, Tatua Tatu, Kameme FM, Ghetto Radio, Com 21 Limited, and Alexer Money promoted or sponsored the advert in each case. Other advert sponsors/promoters that received only one or two mentions accounted for 22(4.45 per cent) of the total respondents.

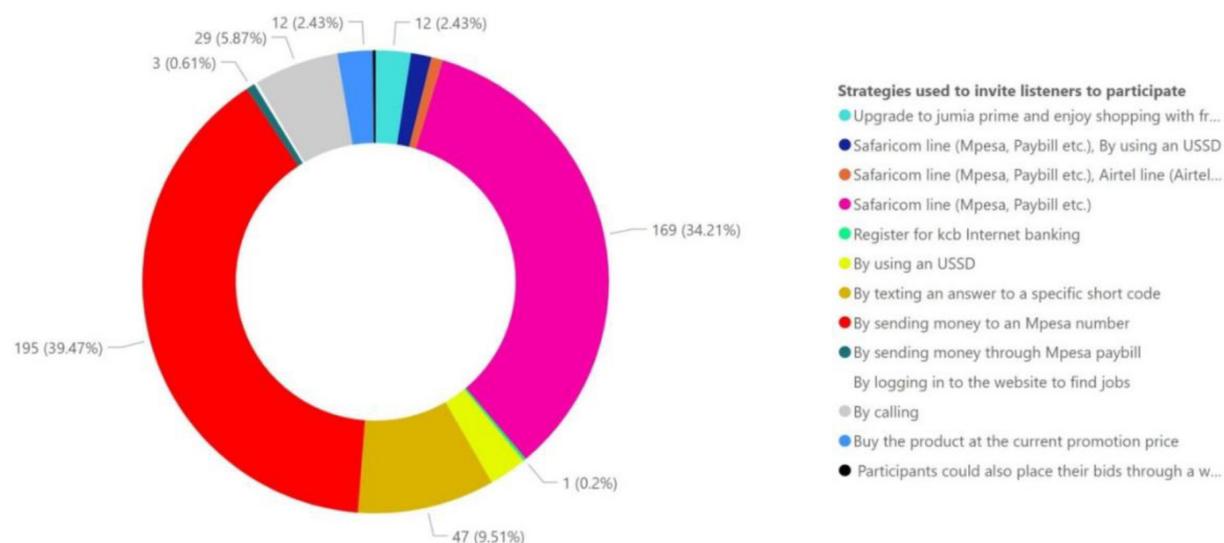
The frequency distribution of the Advert sponsors/promoters over the Media Outlets (TV/Radio) that engaged in gambling acts is presented in Table 7 below.

Advert Sponsors	Media Outlet	Count	Per cent	Cumulative count	Cumulative per cent
Tafaum Communications	KBC Radio Taifa	115	23.28	115	23.28
Not mentioned	Radio Ramogi FM	98	19.84	213	43.12
Piga Kazi Limited	Radio Maisha	45	9.11	258	52.23
Not mentioned	Sauti ya Mwananchi Radio	24	4.86	282	57.09
Not mentioned	Radio Jambo	15	3.04	297	60.12
Bailey's	Classic 105	14	2.83	311	62.96
Kenya Charity Sweepstake	Radio Maisha	13	2.63	324	65.59
Jumia	Classic 105	11	2.23	335	67.81
Classic 105	Classic 105	11	2.23	346	70.04
Not mentioned	Kameme FM	10	2.02	356	72.06
Isuzu Kenya	Classic 105	10	2.02	366	74.09

BCLB	Kameme FM	9	1.82	375	75.91
Not mentioned	Emoo FM	7	1.42	382	77.33
Not mentioned	Egesa Fm	7	1.42	389	78.74
Lotto Kenya	Kass tv	6	1.21	395	79.96
Amref flying doctors	Classic 105	6	1.21	401	81.17
Sky. Garden	Classic 105	5	1.01	406	82.19
Piga Kazi Limited and Techno Mobile	Radio Maisha	5	1.01	411	83.20
How Low	Emoo FM	5	1.01	416	84.21
Fanta	Homebozy Radio	5	1.01	421	85.22
Total Kenya	Classic 105	4	0.81	425	86.03
Royal Media	Mulembe FM	4	0.81	429	86.84
KBC	KBC Radio Taifa	4	0.81	433	87.65
Tatua Tatu	Emoo FM	3	0.61	436	88.26
Not mentioned	Nosim 90.5 FM	3	0.61	439	88.87
Not mentioned	Athiani FM	3	0.61	442	89.47
Kameme FM	Kameme FM	3	0.61	445	90.08
Ghetto Radio	Ghetto Radio	3	0.61	448	90.69
Com 21 Limited	Radio Jambo	3	0.61	451	91.30
Alexer Money	Mbaitu FM	3	0.61	454	91.90
Quickbid.co.ke	Nosim 90.5 FM	2	0.40	456	92.31
UAP Old Mutual & Faulu	Classic 105	2	0.40	458	92.71
UAP Old Mutual	Classic 105	2	0.40	460	93.12
Lotto Kenya	Gukena FM	2	0.40	462	93.52
Inooro FM	Inooro FM	2	0.40	464	93.93
BCLB	Gukena FM	2	0.40	466	94.33
Aga Khan University Hospital	Classic 105	2	0.40	468	94.74
Quickbid.co.ke	KBC Radio Taifa	1	0.20	469	94.94
Others	Others	25	5.06	494	100.00

Table 7: Advert sponsors/promoters and corresponding Media outlets

4.2.9 Analysis of the strategies that were used to invite listeners to participate:



Pie Chart 3: Strategies used to invite listeners to participate

As indicated in Pie Chart 1, most of the total participants 195 (39.47 per cent) indicated that media outlets presenters invited listeners to participate by urging them to send money to a specified M-Pesa number. 169 (34.21 per cent) of the total participants indicated that media outlets presenters invited listeners to participate by urging them to use Safaricom line services such as M-Pesa, Paybill, Till number etc. while 47 (9.51 per cent) of the total participants indicated that media outlets presenters invited listeners to participate by urging them to text an answer to a specific short code. 29 (5.87 per cent) of the total participants indicated that media outlets presenters invited listeners to participate by calling while 13 (2.63 per cent) of the total participants indicated that media outlets presenters invited listeners to participate by using an USSD.

12 (2.43 per cent) of the total participants indicated that media outlets presenters invited listeners to participate by urging them to buy a product at the current promotion price while another 12 (2.43 per cent) of the total participants indicated that media outlets presenters invited listeners to participate by urging them to upgrade to Jumia prime and enjoy shopping with free delivery. 7 (1.42 per cent) of the total participants indicated that media outlets presenters invited listeners to participate by using Safaricom line services (M-Pesa, Paybill etc.) and also by using an USSD. 4 (0.81 per cent) of the total participants indicated that media outlets presenters invited listeners to participate by using Safaricom line services (M-Pesa, Paybill etc.) and also Airtel line services (Airtel Money, Paybill etc.) while 4 (0.81 per cent) of the total participants indicated that media outlets presenters invited listeners to participate by urging listeners to send money through M-Pesa paybill only. 1 (0.2 per cent) participant indicated that media outlets presenters invited listeners to participate by urging listeners to log in to a website to find jobs, 1 (0.2 per cent) participants indicated that media outlets presenters invited listeners to participate by urging listeners to register for KCB Internet Banking and 1 (0.2 per cent) participants indicated that media outlets presenters invited listeners to participate by urging listeners place their bids through a website, and specifically Quickbid.co.ke.

4.3 THEMATIC ANALYSIS

For the qualitative data on gambling practices, Thematic Analysis was conducted to recognise the themes captured in the open-ended responses. We leverage AI's Natural Language Processing (NLP) and Natural Language Understanding (NLU) methodologies to perform intent modelling and unsupervised learning Topic Modelling of the latent themes through the Latent Dirichlet Allocation (LDA) model.

We set the adjust relevance metric (lambda) at 0.65. Adjusting lambda to values close to zero highlights potentially rare but more exclusive terms for the selected topic. Larger lambda values (closer to 1) highlight more frequently occurring terms in the document that might not be exclusive to the topic. Sievert & Shirley (2015) the authors of LDA DataViz found in a user study that a lamda λ , value close to 0.6 was optimal for interpreting topics/themes. The visualisation by default shows the 30 most salient terms.

Specifically, participants were asked to include as much information in narrative form about what they think is important regarding adverts and gambling on the media outlet. For instance,

- Did they feel the presenters are overdoing it?
- What other strategies are the media outlets using to invite participation?
- Were there any complaints by the callers/partakers?

The following 5 Themes were identified:

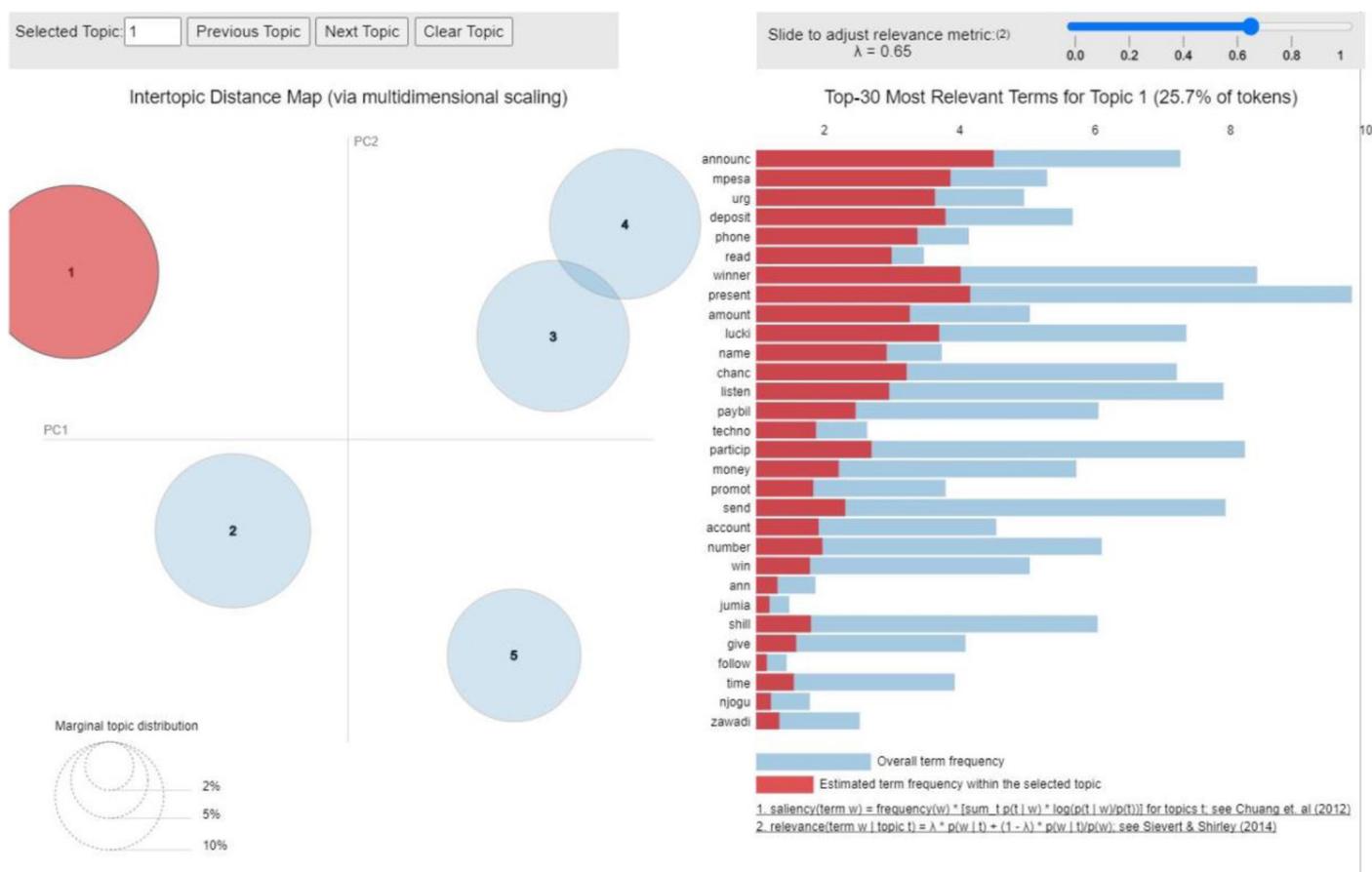


Figure 1: Theme 1 (Announcements of lucky winners and how to participate)

As indicated in Figure 1, 25.7 per cent of the total responses indicated that media outlets paid more attention on the actual announcement of the lucky winners and detailing how listeners should participate in the gambling activities/promotions.

In particular, the below four broad areas were identified:

- The presenters would announce the lucky winners and the amount won. Often the presenters indicated that the lucky winners had won to the tune of hundred times the amount they placed as a bet. In one case, the presenter indicates that the day being a Friday, the participants would win 200 times the amounts they sent to an M-Pesa Paybill. In addition to amounts won, in selected cases presenters announced lucky winners by reading their names, numbers and parts of Kenya where the winners come from to show diversity in the participation.
- Suspected stage-managed calls by presenters to purported winners. There was a common feeling among respondents that the lucky winners would sound unrealistic and excited stating that they are ready to receive the monies won, and use it in plans such as paying fees for their children who were recently admitted to a secondary school or university.
- On how to participate and stand a chance to win a given amount of money, bidding through some specified websites and/or sending some specified amount of money to M-Pesa paybill number were common with the latter being the most cited mode of payment in the participation. In this case the account number being a

code given by the presenters. In addition, listeners were also asked to send money to M-Pesa paybill number to stand a chance to win money and/or a phone and in particular Tecno F1 mobile phone was the most quoted by the presenters in these kinds of gambling activities.

iv) Notably, there are many claims of approval and fair play in these adverts. Respondents reported that adverts on TV showed winners receiving a dummy cheque after participating in a gambling activity and the winners encouraging other viewers to play too to win as well. As a mode of payment, M-Pesa paybill was often shown in the advert and the advert further stated that the message had been approved by BCLB.

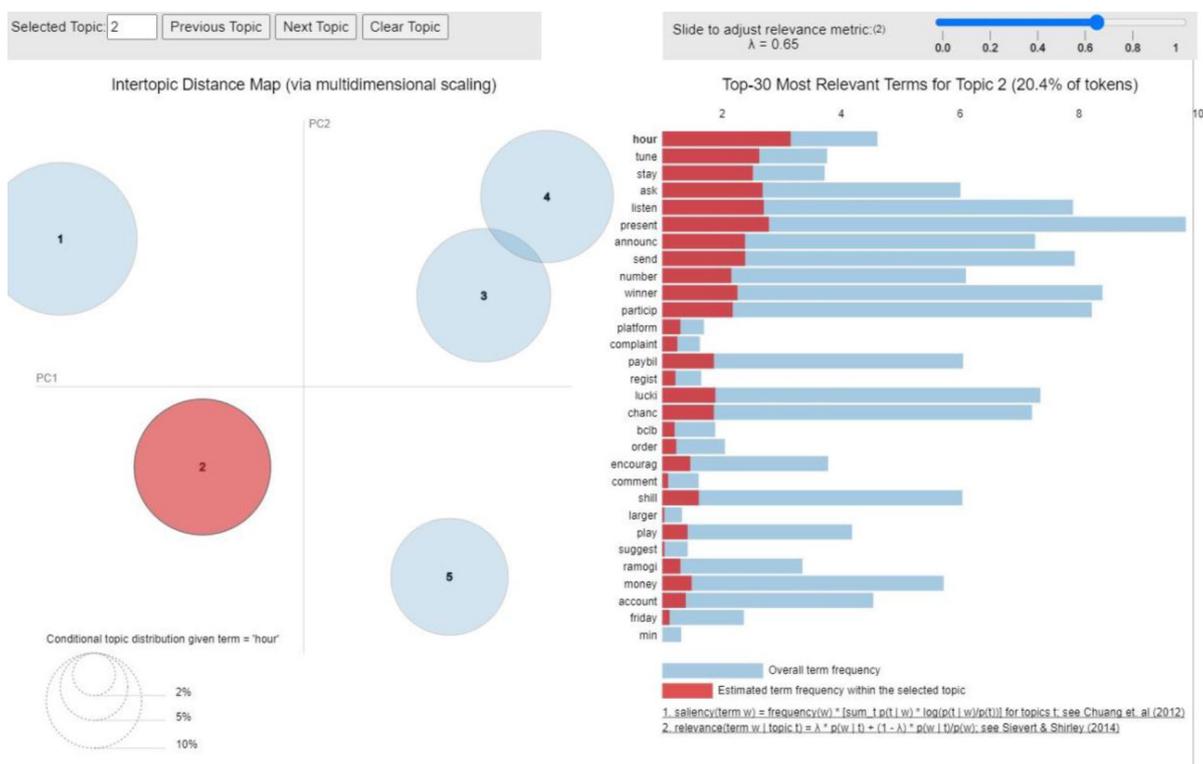


Figure 2: Theme 2 (Advertisement timings and frequency)

On the timing of the announcements, 20.4 per cent of the total responses indicated that there was an effortless way to identify pattern when it came to when and for how long the adverts ran (See Figure 2). Notably;

- i) Presenters would often ask listeners to stay tuned for the announcement of lucky winners within an hour or at the top of the hour/after news.
- ii) Presenters would also remind listeners to keep participating as they had a limited amount of time to say, play the game and win. The quoted timelines ranged from 1 hour to 4 hours after which a winner would be declared.
- iii) Participants further noted that the advertisements for participation were promoted several times for instance twice or sometimes thrice every hour. This would encourage listeners to participate.

As indicated in Figure 3, 19.6 per cent of the responses indicated that advertisements and gambling games were branded as promotions that would benefit the listener and/or the society at large. Furthermore, the names of some of the gambling games are coined to insinuate a promotion and presenters encourage listeners to participate in them with assurance. For instance, in radio shows some of the most common gambling games were dubbed; Inuka Chap Chap, Piga Kazi Limited, Zoa Zawadi Jackpot, and Zoa Zoa Chapaa. Participants noted that these gambling games/adverts also came with catchy lines that purported to be promoting a personal or societal cause such as;

- i) Maybe you have not fully paid your children’s fees or your business fell. Inuka Chap Chap is giving you a chance to win money that will help you.
- ii) Send 90 shillings to M-Pesa paybill number and stand a chance to win one hundred thousand shillings. The proceeds of the promotion go to helping schools in recovering from COVID-19.
- iii) A radio station ran a promo for Kenya Charity Sweepstake at 0730hrs. KCS were thanking all their participants

for contributing towards the successful Tokyo 2020 Olympics; they congratulated all the medallists

iv) Moreover, the presenters in some cases ran several similar promotions dubbed games or adverts throughout their programmes where they would ask simple questions and tell listeners to send their answers to a specific SMS code citing that the service is free. In this case participants noted that what the presenters were not disclosing to listeners is that they are subscribing to (some) sites which would cost them in the end.

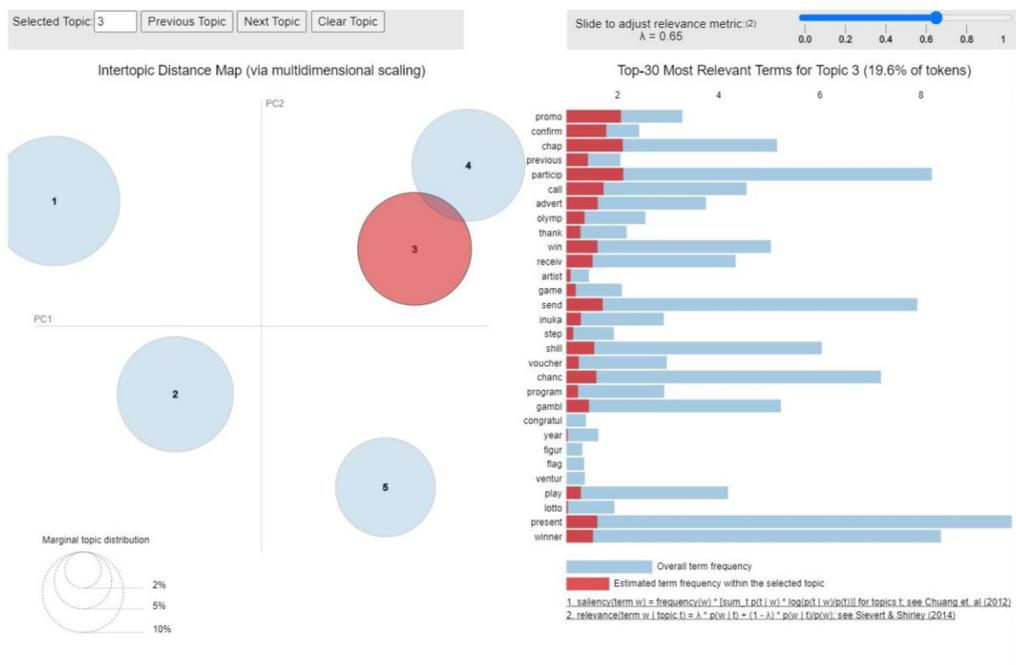


Figure 3: Theme 3 (Branding Ads and Games as Promotions)

Participants also noted that some adverts from companies (for instance from Jumia or those aiming at popularising ABSA Bank) were too common during every show and were promoted after almost every break. In addition, most of the adverts/ promotions on the radio came from the mother companies such as the Royal Media Services and Radio Africa. In this case, the frequency of these adverts/ promotions and the reputation of their source would give listeners some assurance for participating in them.

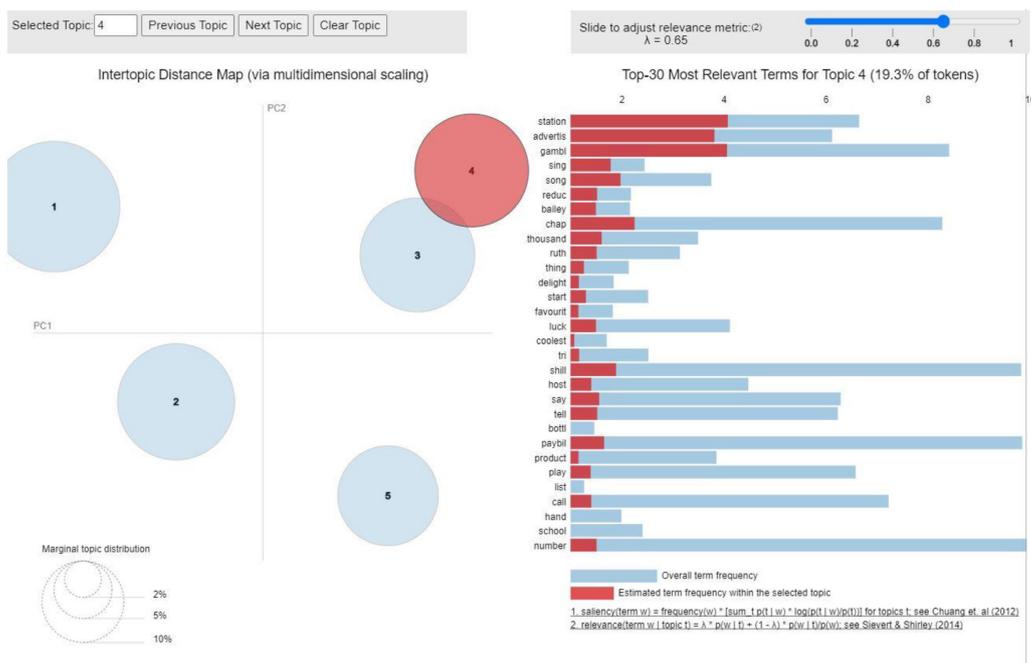


Figure 4: Theme 4(Quantity of gambling activities/Adverts across stations)

As shown in Figure 4, 19.3 per cent of the total responses indicated that media outlets differed significantly on the quantity of gambling activities/ advertisements that they engage(d) in. Some media outlets had programmes that had several gambling advertisements while other stations had reduced gambling advertisements over time. For the stations with increased gambling/advertisements activities, some participants felt the hosts would encourage listeners to enjoy the product/service that they were selling across as it would transform their lives. The presenters would often make it look like the product can cause natural happiness to the listener as it did to them personally, should the listeners partake of the product/service. This further convinced the listeners to participate.

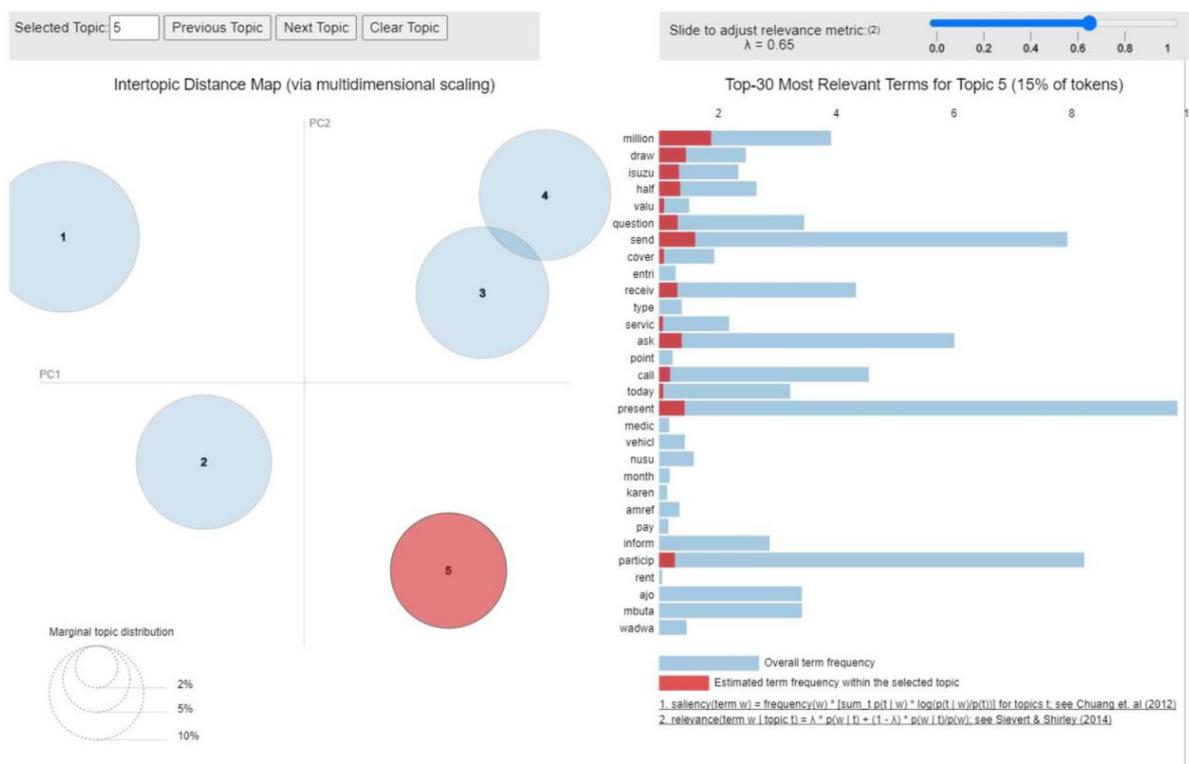


Figure 5: Theme 5 (Persuasive and Targeted Gambling games/Adverts)

As shown in Figure 5, 15 per cent of the responses indicated the amount of money involved in the adverts or that to be won in the gambling games is often stated in a persuasive language. Frequently the amounts are stated in millions which serves to further convince listeners to participate in these activities. Interestingly, it is common for five-hundred thousand Kenyan Shillings to be quoted as half a million Kenyan shillings by the presenters. Moreover, participants felt that as much as most adverts and gambling promotions target the masses, some adverts seemed to target a smaller group of people in the society. For instance, for businesspeople, a station ran an advert for Isuzu vehicles service and spare parts in which the radio host encourages Isuzu owners to take their vehicles for service and gives them KShs 5,000 to supposedly facilitate this exercise.

CHAPTER FIVE: CONCLUSION

A. With the understanding that media plays a crucial role in informing, entertaining and educating the public and should accept accountability when it negates its primal duty, there is need to rally calls in finding it necessary to develop structures and processes that will enable organised and collaborative interventions within the sector in finding a solution to a media problem driven by the media.

B. This is a challenge for not just the sector and government but also for readers to establish underlying factors that sustain this practice in media. There is fear that without gambling and related promotions, which are done by journalists themselves (ordinarily this would be done via artists/advertisers), some radio stations will close shop. Yet, the bigger question should lie in the impact this has in the society and whether there is a better way to do it. Certainly, the survival of the media enterprise cannot be ignored but it reeks of lack of creativity on part of the management or greed on the journalists who have become advertisers instead of content creators.

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