

Review Article

Fantasy Sports: Current Status, Implications and Way Forward

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A B S T R A C T

There has been an increase in interest in fantasy sports in India in recent years. Mental health remains an important, although often ignored, dimension of fantasy sports. Fantasy sports intersect with the constructs of gaming and gambling. The current article presents an overview of the current status of fantasy sports and its implications in the context of addictive behaviours in diagnostic systems. It also offers recommendations on fantasy sports from the public health and clinical perspective in the Indian context.

Keywords: Fantasy Sports, Gaming, Gambling, ICD-11

Introduction

There has been an increasing interest in fantasy sports in India in recent years. The online fantasy sports user population in India rose from about 2 million users in June 2016 to about 90 million in December 2019.¹ With approximately 130 million players, India has the largest user base for a country among fantasy sports markets, and it is predicted to increase at a CAGR (Compound Annual Growth Rate) of 32% over the next several years.²

While the introduction of internet-based platforms brought in a paradigm shift, fantasy sports date back to the pre-internet era (to mid 19th century). In India, fantasy sports have gained a wider interest and popularity in the past few years.

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What are Fantasy Sports?

The online Cambridge dictionary defines fantasy sports as 'games in which you choose a team of real sports players from different teams and win points according to how well the players play each week'.³ Burton R et al. have defined it as 'playing a game in which linked participants take on the roles of team "managers" or "general managers" and manipulate an aggregated "team" of players whose real-world performances generate point values that determine the outcome of head-to-head matchups'.⁴ Broadly, the participant or user in fantasy sports puts together a squad made up of real players from a professional league while

assuming the role of team owner/ manager. This “owner/ manager” then engages in a fantasy league competition with other “owners/ managers”. They are somewhat different from the e-sports (electronic sports) category, which comprises any digital game played by the participant via a human-computer interface (e.g. laptop, gaming console, etc.) to engage either in a one-on-one, one against many, or a team versus another team (s) competition. Also, some people argue that e-sports differ from fantasy sports in the outcome of the game being either completely or to a large extent dependent on the individual skill of the participant or gamer, unlike that in fantasy sports (which involves a significant element of chance or unpredictability). However, both these categories of digital games may or may not involve real-money gaming.

Fantasy Sports and Gambling

Gambling has been defined differently. One of the definitions of gambling is ‘staking money or something of material value on an event having an uncertain outcome in the hope of winning additional money and/or item of material value’.⁵ Sport gamblification remains a concern globally.⁶ Moreover, it has been argued that fantasy sports share various elements with gambling. These include the pooling of money from players, calculation and distribution of rewards based on amounts proposed and received, and the outcome of winning and losing. However, the key role of ‘skill’ is often cited as a feature that demarcates fantasy sports from gambling. Arguments in favour of fantasy sports being gambling cite that the performance of those who participate in such sports (owners/ managers) depends directly on the performance of the players in the on-field games, which in turn, depends on a host of other factors. Thus, the owners/ managers of fantasy sports are not able to predict the role of these factors and the outcome of the on-field games based on their own individual skill. The quantification of the level of skill as compared to luck/ chance and identification of characteristics showing a variation in the levels of skill among the various participants in these games has not been systematically studied.⁷ An online fantasy sport where managers choose players from the English football (soccer) a recent study among the ‘managers’ in a fantasy sport concluded that such sports require skill as well as luck. The authors further added that this was similar to what happens in the physical equivalent of fantasy sports.⁷

It has been argued that fantasy sports are akin to gambling for one more reason. The payouts in fantasy sports are based on pools of individuals who participate in these sports (owners/ managers). This is done to ensure that the people who choose to bet on popular players win less than those who gamble on not-so-popular players.⁸ This brings fantasy sports closer to gambling.

Research on Fantasy Sports in Context of Gambling

There has been limited research on fantasy sports globally. Previous research has used the description ‘fantasy sports gambling’ while exploring the engagement behaviour of college students in gambling activities.⁹ Those who participate in Pay-to-Play (P2P) fantasy sports have also reported higher levels of online gambling and sports betting.¹⁰ A study among Daily Fantasy Sports (DFS) players from the USA reported that DFS players showed high problem severity, gambling frequency, and comorbid problems (including suicidal ideation).¹¹ Another study among US college students found that males who participated in fantasy sports because of money as well as females who participated in such sports (because of any reason) had more chances of facing problems related to gambling.¹²

All the various types gambling related to sports were important predictors of at-risk gambling in a study among American adolescents.¹³ The engagement behaviour of the typical and heavily involved players in DFS has been found to mirror the one observed in internet sports gambling research.¹⁴ The DFS participants have been found to behave in a manner similar to that of the participants involved in other forms of gambling activities.¹⁵ The existence and role of the ‘big win’ effects, proposed traditionally as one of the hypotheses for gambling behaviour, has also been reported in fantasy sports.¹⁶ Perceived knowledge of the participants, often described as an important attribute while participating in fantasy sports, was found to be a mediator between the loss of control and intentions to participate among males.¹⁷

However, there is also some research that has concluded that fantasy sports involve skill rather than only chance.⁷ A report on a case study from the Indian Institute of Management-Bangalore among the participants of a fantasy sport demonstrated evidence of learning effects (scores of users improve as they play a greater number of games), consistency (performance of users was consistently either good or bad), and strategy-based usage (e.g. top players choose captain and vice-captain of their teams in a non-random manner) supporting the inference of it being a skill dominant activity.¹⁸

An online report (non-peer reviewed) based on the analysis of data about the performance of users from two online fantasy sports platforms compared it to that of skillful managers of a mutual fund from the stock market and concluded that in both fantasy sports and mutual funds, the skill of the individual participant had a significant effect on the outcome. Further, it reported that users making teams in these sports demonstrated a higher degree of skill than that required by fund managers involved in the

management of mutual fund stock portfolios. Two of the authors of this work declared that they were technical advisors to one of the fantasy sports platforms that were studied in this research.¹⁹

Legal Status of Fantasy Sports in India

India's legal framework for gambling and betting covers these activities under entries 34 and 62 of the State List in the Seventh Schedule of the Constitution. This implies that each state is free to enact its own rules governing betting, gaming, and taxes. Some jurisdictions in India, like Telangana, Odisha, Assam, Sikkim, Karnataka, Andhra Pradesh, and Nagaland have banned one or more such fantasy sports either currently or in the past. However, the Supreme Court of India has upheld one online fantasy sports format as a 'game of skill' in its order in 2021.²⁰

Legal definitions of gambling differ across jurisdictions, but they are typically based on three fundamental ideas: a stake up front ("consideration"), an event which has an outcome that is uncertain ("chance"), and a potential reward (or "prize").⁵ All three requirements must be completed for a behaviour to be classified as gambling. However, there are differing interpretations of each of these three criteria. In India, the concept of preponderance of 'skill' versus 'chance' has remained the key while deciding whether an activity amounts to gambling (and betting). It has been argued that this consideration needs to be revisited especially in the context of the advent of internet based platforms.²¹

Interestingly, the Ministry of Information and Broadcasting, in 2020, has stated that fantasy sports advertisements must be accompanied by a disclaimer mentioning that the game involves financial risk and may be addictive. Hence it is essential that the player plays responsibly and at his/ her own risk.²²

Does Fantasy Sport Come Under the Purview of 'Gaming' as described by the Diagnostic Systems?

While the debate over the gambling potential of fantasy sports continues, there is another important question that remains unanswered. This question is whether these sports are 'games' or not. The answer to this question has important public health and clinical implications. First, what should be the clinical approach in case a participant of fantasy sports engages in it in an excessive and problematic way. Should such a person be evaluated for the presence of 'gaming disorder' or 'gambling disorder' or both? Second, should the research studies on 'gaming disorder' include those who participate in fantasy sports or not?

The most recent version of the International Classification of Diseases (ICD-11) has included a new diagnostic category of 'disorders due to addictive behaviours'.²³ This category lists gaming disorders and gambling disorders as diagnosable

medical conditions. However, there is limited information on what constitutes gaming and gambling. A gaming disorder is characterised by the 'pattern of persistent or recurrent gaming behaviour ('digital gaming' or 'video-gaming'). Gaming behaviour as per ICD-11 incorporates digital as well as video gaming (online and/ or offline). ICD-11 states that unlike Gaming Disorder, Gambling Disorder necessitates the betting of money or any other item of value with a desire of gaining an item of higher value. If gaming behaviour is based on wagers, gambling disorder may be a better diagnosis. Similarly, the Diagnostic and Statistical Manual of Mental Disorders, 5th Edition (DSM-5) explicitly states that only non-gambling internet games are included under the purview of internet gaming disorders.

Given this, it is likely that the clinicians shall take a call to choose between gaming and gambling in the context of fantasy sports based on the legal status of fantasy sports in a particular jurisdiction. This shall potentially lead to a situation where fantasy sports would be approached differently in healthcare settings and health research across the countries and even within the same country across different jurisdictions.

Conclusions and Recommendations

A few conclusions can be drawn from the aforementioned discussion. These include the following:

- There is no unanimity on the 'gaming' as well as 'gambling' status of fantasy sports
- There is limited research that can help answer this conclusively. The existing research is not only limited in volume but is also largely restricted to western countries
- The diagnostic systems also do not offer a clear description of 'gaming behaviour'
- The financial risk involved and the addictive potential of fantasy sports have been acknowledged by the government of India

The following recommendations are proposed on this issue in the Indian context:

- Given the extensive growth of fantasy sports market in the country in the recent past and in coming years, it is important to have a clear policy on this issue. The policy should include public health as well as mental health aspects besides the economic and regulatory aspects. The draft paper by Niti Aayog on Guiding Principles for the Uniform National-level Regulation of Online Fantasy Sports Platforms in India does not include these themes²⁴
- There is a need to invest in research on the health-related implications of fantasy sports. These should include the study of the behaviour of participants of fantasy sports in the context of gambling as well

as gaming, and the mental health consequences of participation in these sports

- Since fantasy sports platforms have access to the data on the monetary engagement of the participants, they should be required to publish anonymised details of the participants who make financial losses as well as the extent of such losses on their landing webpage as well as on their mobile applications. Currently, they promote information about only those participants who have won the most prize money on their websites
- Fantasy sports advertisements must also include information on the proportion of participants who have incurred financial losses. This shall make the currently recommended disclaimer on the financial risk involved more informative
- Since the financial risk involved in fantasy sports has been acknowledged, it is important to establish mechanisms that can save the participants from incurring such losses, or to limit such losses at the very least
- Since the addictive potential of these sports has also been acknowledged, it is of utmost importance to set up screening, early detection, and intervention services for those who develop problematic patterns of usage (addiction). Currently, such services are available at only a few health facilities in the country²⁵
- There is a need to have clarity on what constitutes 'gaming' and 'gambling' behaviour. As seen in reports from media across the country that had attributed the deaths due to suicide to 'gaming', gambling and/ or betting was mentioned as the most common reason for financial loss.²⁶ From the legal and public health aspect, the issue is especially important in places where gambling is prohibited but fantasy sports are permitted. Removal of the word 'gaming' from the Public Gambling Act, 1867, of India can help to remove its association with gambling. Such clarity is needed in the diagnostic systems as well. This shall help plan future epidemiological, clinical, and operational research better

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