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Sent on: den 10 augusti 2026 09:33:03
To: Registrator <Registrator@spelinspektionen.se>
CC: Paula Murphy <paula@mindway.ai>
Subject: Response to proposed changes to regulation: 21Si540
Attachments: Consultation Response_21Si540.docx (143.61 KB)

Dear Swedish Gambling Authority,

Thank you for the invitation to provide comments on the proposal for new regulations on responsible gambling (SIFS 20XX:X). Please find our attached submission, which contains Mindway AI's formal consultation response regarding Reference No. 21Si54.

As an organization specializing in AI-driven player protection and monitoring systems, we welcome the opportunity to contribute to this important initiative. In our attached document, we outline areas where we strongly align with Spelinspektionen's proposed measures, as well as constructive feedback regarding the draft guidelines - specifically concerning the reliance on static thresholds versus holistic, dynamic risk-assessment models.

We appreciate the opportunity to share our insights and remain at your disposal should you wish to discuss any of our recommendations or technical insights further.

Best regards,

Carl Ørnstrup Etzerodt
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We work flexibly at Mindway AI. Please do not feel free to reply to this e-mail, if you received it outside of your working hours.

Consultation Response: The Swedish Gambling Authority's Proposed Regulations on Responsible Gambling (SIFS 20XX:X)

To: The Swedish Gambling Authority (*Spelinspektionen*)

From: Mindway AI

Subject: Formal Response to Proposed Regulations on Responsible Gambling and Duty of Care (*Omsorgsplikt*)

1. Executive Summary & General Position

Mindway AI welcomes *Spelinspektionen*'s initiative to strengthen responsible gambling frameworks, clarify duty of care (*omsorgsplikt*), and establish clearer operational guidelines for operators. We fully support the core objective of the proposed regulations: protecting players from gambling-related harm through proactive monitoring, early detection, structured action plans, and timely interventions. This is our core business.

However, based on our extensive experience developing AI-driven player detection and profiling systems globally, we urge *Spelinspektionen* to reconsider the reliance on **static, rigid thresholds** - specifically regarding monetary limits (e.g., the 10,000 SEK deposit limit trigger) and fixed time/session parameters (e.g., nighttime gambling between 00:00 and 06:00).

Rule-based, static thresholds fail to capture the complex, individual nature of problem gambling, resulting in high rates of false positives (flagging healthy players) and false negatives (missing vulnerable players). We recommend replacing or qualifying static rules with holistic, dynamic risk-assessment systems that evaluate multi-factor behavioral changes relative to individual baselines.

2. Areas of Agreement

We strongly align with several key aspects of the proposed regulations:

- **Ongoing Monitoring & Case Management (Chapter 2, Section 1; Chapter 3, Section 1):** We support the requirement for continuous monitoring and structured case management systems that mandate operator investigation, intervention, and documentation.
- **Qualitative Cues and Behavioral Communication (Chapter 2, Section 2, items 10–13):** Recognizing direct customer communication indicators - such as expressing a need to chase losses, displaying agitation/aggression, stating limited financial leeway, or expressing mental distress - is essential when creating a robust RG framework.
- **Financial Net Position Assessment (Chapter 2, Section 3):** Factoring in net loss (the difference between deposits and withdrawals, and stakes versus winnings) provides a far more accurate financial picture than looking at total deposits or stakes in isolation.
- **Staff Training & Tailored Duty of Care (Chapter 4):** Standardized, regular training for operational staff on problem gambling indicators and action plans is vital for ensuring meaningful interventions.
- **Irreversible Withdrawal Requests (Chapter 11, Section 2):** Preventing players from canceling pending withdrawals is a proven, high-impact harm-minimization measure.

3. Concerns

A. Reliance on Static Monetary & Time-Based Thresholds (Chapter 2, Section 2)

Spelinspektionen proposes that operators give particular consideration to specific static triggers, such as setting a deposit limit higher than 10,000 SEK per month (item 5) or gambling at night between 00:00 and 06:00 (item 3).

Why we have concerns:

1. High Rate of False Positives:

- **10,000 SEK Threshold:** Financial capacity varies widely across individuals. For a player with high disposable income, a 10,000 SEK monthly deposit limit represents completely sustainable, low-risk entertainment. Treating this amount as an inherent red flag creates unnecessary friction, increases operator overhead, irritates healthy customers, and risks driving high-value, sustainable players toward the unregulated market.
- **Nighttime Gambling (00:00–06:00):** Fixed time windows do not account for individual lifestyles. Shift workers, night-shift healthcare staff, or night owls may gamble exclusively during nighttime hours without demonstrating any loss of control or harm.

2. High Rate of False Negatives:

- Conversely, a lower-income player or student could experience severe financial distress with a monthly deposit limit far below 10,000 SEK (e.g., 2,000 SEK). A static threshold system risks ignoring these vulnerable players simply because their spending does not breach the predefined, arbitrary limit.
- Similarly, a player engaged in rapid, short, high-intensity sessions during daytime hours would be completely overlooked by nighttime or session-length rules, despite showing clear signs of problematic behavior.

B. Single-Indicator Assessment vs. Holistic Profiling (Chapter 2, Section 2)

Evaluating circumstances in isolation (e.g., increasing a deposit limit or session length) encourages "checkbox compliance" rather than true risk assessment.

Why we are concerned: Problem gambling is a multi-faceted behavior. A single metric - whether it is night play, a deposit increase, or session duration - rarely tells the full story. Effective harm detection requires analyzing how multiple behavioral markers interact over time (e.g., for instance combining deposit frequency, loss-chasing, cancelled withdrawals, and fluctuating wagers).

C. Rigid Escalation and Automatic Access Restrictions (Chapter 2, Section 7)

Chapter 2, Section 7 mandates an immediate access restriction (suspension) if an operator cannot verify that a player received feedback or if the player fails to provide requested financial/personal information.

Why we are concerned: While player engagement is important, immediate blanket suspensions for communication gaps can inadvertently alienate players and push them to unlicensed sites where zero duty of care exists. Interventions should be tiered and proportionate to the assessed risk category (Low, Medium, High) rather than triggered by administrative non-response.

4. Mindway AI's Recommendations for the Final Regulation

1. **Shift from Static Rules to Dynamic Risk Profiling:** Replace rigid triggers in Chapter 2, Section 2 with a requirement for operators to implement multi-factor profiling systems that categorize players into clear risk levels (**Low, Medium, High Risk**).
2. **Focus on Behavioral Change & Multi-Marker Analysis:** Instead of setting arbitrary SEK amounts or clock hours, mandate the monitoring of Markers of Harm evaluated in combination, including:
 - Fluctuating wagers and sudden acceleration in deposit frequency
 - Repeated loss of winnings and cancelled withdrawals
 - Changes from the player's personal historical baseline (rather than population-wide averages)
3. **Encourage Human Expert-Trained AI Systems:** Regulations should recognize and encourage advanced AI systems trained on human expert assessments (psychologists and lived-experience experts). Expert-trained AI emulates clinical judgment, offering explainable indicators that help operational staff understand *why* a player is at risk and deliver targeted, personalized interventions.

Conclusion

Mindway AI supports *Spelinspektionen's* ambition to lead in responsible gambling standards. However, forcing operators toward rigid threshold-based monitoring will result in missed harms for lower-income players and unnecessary friction for high-income, sustainable players. We recommend framing Chapter 2 around holistic, dynamic, and expert-validated detection systems to ensure true, individualized player protection.

Please feel free to reach out if you have any questions or want elaboration on the above.

Best Regards

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