

Advice NI Response to the Consultation Paper on the Future Regulation of Gambling in NI

31st May 2011

General

Advice NI welcomes the review of Gambling Regulation in NI, particularly given the increased accessibility to such activity as a result of technological advancements. We also welcome recognition of the importance of 'striking a balance between developing gambling as a legitimate leisure pursuit and minimising its potential negative consequences.' Advice NI acknowledges the significant benefits of the gambling industry to the economy through tourism, investment and so on but equally if not more important is the need to protect young people and other vulnerable who are at risk of turning to gambling as a means of thrill-seeking, of trying to deal with their debts or as an alternative to managing their debt effectively and save for the future.

Advice NI Debt Action project (www.debtaction-ni.net) has since November 2009 advised over 2,500 individuals on dealing with £46 million worth of debt. As the economic climate begins to 'hit hard' and the cost of living, fuel and energy goes up whilst employment and welfare goes down more and more people are being affected by money worries and debt.

Gambling and the Economy

Gambling for some may be seen as a 'quick fix' but the upshot can be very serious long term consequences such as loss of the family home, relationship breakdown, addictions, crime and mental health issues or even suicide. All of these potential knock on effects not only have a detrimental effect on the 'gambler' and those around them but on society at large and at a significant cost to the economy.

That said, we recognise the legislation is complex and fraught with similar complexities as other jurisdictions such as the regulation of internet gambling and the need therefore to modernise.

Advice NI supports responsible regulation. There are already 4 times as many adults in NI with a gambling problem compared to the rest of the UK. We believe any relaxation in the regulations could increase the problem and therefore strongly suggest due consideration be given to providing additional support to advice and gambling support organisations that seek to prevent and address money/debt and addiction related problems.

Also, the consultation document indicates that 'there is no empirical evidence about the value of the gambling industry to the NI economy or how much money people spend on gambling.' Whilst the Gambling Prevalence Survey of the adult population provides some interesting information as to the type of gambling people in NI participate in, it does not go so far as to indicate the extent of the problem in monetary terms nor does it go into the impact of the problem on individuals and those around them.

Advice NI believes it would be extremely useful to conduct research on this so as to inform any changes to the current legislation. Research in this area could also set a benchmark from which to measure the effect and impact of legislative changes in the future.

Industry in Other Jurisdictions

Advice NI values the emphasis other jurisdictions place on strict enforcement, social responsibility and protection particularly for vulnerable people.

Advice NI believes the Department should keep a close watching brief on the EU Working Party under the Competiveness Council which is considering gambling problems and seeking a common solution.

The consultation document highlights that 'no provision for casinos was included in the 1985 Order as there was no evidence of any real demand for them in NI.' It is not clear from the consultation document that the evidence for **High stakes 'casino' type gambling** has increased in NI. We also believe the evidence of the benefits that casinos would bring to NI in terms of jobs, tourist revenue and regeneration is vague. It would be useful to indicate how the benefits/value as well as the negative impact of casinos in NI would be measured and for comparisons to be made with GB. We support the Ministers view not to change the law unless there is evidence of a major shift in public opinion but are unsure as to how public opinion will be assessed. Should any change occur we would seek assurance that appropriate, effective and transparent supervision structures and regulation are in place.

With regards to **poker and other gaming in pubs and clubs** we believe that any easing of the current restrictions should be exercised with caution and should be subject to limits on the stakes and prizes so as to reduce any further risk of gambling-related harm.

Online gambling seems to be a growing concern particularly in relation to regulation and to the grooming of young people for such activity through non-cash based gambling online through sites such as facebook. There is also a link between some of the financial product provider sites and online gambling which could lead to further debt and socio- health issues such as unemployment/unemployability, crime, domestic violence etc. Advice NI considers it to be very important that government use this consultation as an opportunity to begin to review online gambling rules and regulations and in doing so reviews any relevant international research and practices.

Advice NI recognises that some premises can **open on Sundays** for example race tracks and can understand the view of bookmakers and bingo halls that they have not had a level playing field. Opening on Sundays could minimise any illegal gambling activity in pubs and clubs and offer more protection to those who choose to gamble.

In relation to **bingo** we believe that the perception that bingo is a 'soft' form of gambling underestimates the sophistication of bingo clubs, for example the running of multiple games and remote games. There are also particular risks with bingo for more vulnerable members of society as they have increasing access to home-based bingo and the extent of the gambling becomes less visible.

The restrictions in the 1985 Order regarding **advertising** are more prohibitive than those applied in GB. However, to allow more freedom to broadcasters to advertise gambling in NI could have a detrimental effect on poverty levels in NI. It is a well known fact that there is a higher level of benefit dependency in NI than the rest of the UK e.g. 4.8% of the working age population in NI are on JSA compared to 3.6% in GB (May 2010). In January 2011 25.0% of JSA claimants in NI had been long term unemployed and claiming the benefit for more than 12 months compared to 15.2% in GB. Less stringent laws could leave this vulnerable group open to more targeted and aggressive advertising which could contribute to the socio-health issues mentioned earlier.

Advice NI supports the alignment of the legislation in NI with that of GB in relation to prize competitions and free draws.

Sector Specific Issues

Advice NI welcomes the Ministers view not to permit **Fixed Odds Betting Terminals** gaming machines with high stakes and prizes as there appears to be anecdotal evidence from GB treatment providers that they increase propensity to harm.

We also welcome the intention to restrict prize **gaming in bingo clubs** to equal chance games as well as the increase of prize gaming limits in line with GB. The membership requirement for participation in a licensed bingo club may be outdated but there is still a need to check age and identification of players.

Regarding **gaming machines** we are unsure as to the effectiveness of the enforcement of the law, for example that gaming machines are not permitted in cafes, fast food outlets and taxi depots. There also seems to be a lack of clarity as to whether or not certain 'skill' machines such as the 'crane grabber' or 'coin pusher' fall within the 1985 Order. We believe it is important that the review of the legislation results in more clarity as to what is covered by the law and that there are effective structures in place to ensure regulation and enforceability.

Advice NI welcomes the review of existing **lotteries law**, given that this is one of the most common methods of fundraising for the voluntary and community sector. The removal of the maximum £1 stake and the doubling of the value of ticket sales to £160,000 is also welcomed as it removes the restrictions placed on the VCS in fundraising. We are keen though to understand why consideration has not been given to aligning the ticket sales value with GB (£4m). Advice NI believes any changes to lotteries legislation should not restrict charities fundraising but rather facilitate and support it.

Measures to Promote Licensing Objectives

Advice NI strongly supports the underpinning of gambling law in NI by formal objectives and values those that are central to GB gambling law -

- Protecting children and other vulnerable people from being harmed or exploited by gambling;

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime and
- Ensuring that gambling is conducted in a fair and open way

Advice NI suggests that the Department consider licensing, regulation and enforcement controls in GB and internationally to ensure an informed decision on structures and controls that are fit for purpose in NI.

We strongly support the introduction in NI of statutory codes of social responsibility for the gambling industry linked to the core objectives. We also believe these should have a firm statutory basis with appropriate sanctions for non-compliance. In addition to this, Advice NI believe more support and resources should be provided to organisations that support problem gamblers and their families. Training should be provided to the industry and health care professionals on understanding debt, identifying vulnerable people and on support services available. Stronger links should be encouraged between the industry and the Public Health Authority with the advice sector, in particular Debt Action NI.

Advice NI would welcome the introduction of a standardised 'screening tool' to measure problem gambling as well as the establishment of a Board in NI similar to the Responsible Gambling Strategy Board, or at least NI representation on the Board.

A lot of the evidence related to gambling is anecdotal and whilst RGSB has commissioned research, prevention and treatment services for problem gamblers in GB the problem in NI has not been sufficiently identified. NI would benefit from the support and delivery of research and joined up local services perhaps to include addiction, health and advice services. Our understanding is that there is currently no specific statutory service provided by the health service to gamblers. A levy on the industry received by a statutory body and dispersed to voluntary and community based support services would assist with prevention and treatment of gamblers and their families. This is ever more important with the increasing levels of debt and the potential increase in gambling amongst young people and more vulnerable people.

Regulation & Enforcement

On the issue of regulation and enforcement Advice NI believes the independence of the regulator is crucial if a fair and balanced approach is to be applied. We favour a unitary regulatory body in principle though believe that prevention and support services should be given as much value as regulation and enforcement. Regulation and enforcement should therefore be cost effective and part of a wider resourced framework.

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