

Communities Committee – Call for Evidence for the Gambling Bill

Briefing paper

Gambling with Lives is concerned that extending opening hours for any gambling establishments in Northern Ireland will lead to an increase gambling-related harm. As outlined in our responses to questions 6, 7 and 9, the recent Public Health England report “Gambling-related harms: evidence review” found that increasing the availability of gambling was a key factor in increasing not only gambling activity but also gambling harm.

As far as we are aware, there is no public outcry for greater availability of gambling in Northern Ireland, so we find this proposal both concerning and unnecessary. Whilst we are aware of the threat posed by the 24/7 availability of online gambling, land-based gambling venues provide those suffering with gambling disorder with the means to bypass any online or bank blocking tools that could significantly aid their recovery. On this point, it is our conclusion that extending opening hours will inevitably lead to increased gambling harm.

We fully believe that all gambling products, especially high-speed electronic gaming machines, also known as FOBTs, should be strictly for adults only. The latest UK-wide research indicates that:

- The addiction and at-risk rate of FOBTs is over 50%
- Over of all gambling addiction in the UK is associated with gambling on these types of machines

We strongly support the need for much stronger sanctions on operators and establishments that encourage under-18s to use addictive gambling products, including custodial sentences. We note that due to the financial profitability of the gambling industry, financial fines are insufficient and often passed off as operational costs.

Gambling with Lives is fully in favour of a statutory levy on gambling operators to cover the costs of gambling addiction treatment, independent education, and independent research. It is vital that these services are independent of the gambling industry and do not receive voluntary funding. The levy should also cover online gambling and should be calculated to cover the costs of the above independent services, where there is currently a significant shortfall of funding. We note that a figure of 1% of the gross gambling yield (GGY) has been proposed in the UK. However, given the substantially higher rate of ‘problem gambling’ in Northern Ireland, any NI-specific levy would need to be substantially higher.

We believe the Department should issue, and rigorously enforce, an operators’ code of practice that ensures all operators have a mandatory, legally enforceable duty of care to protect their customers from harm. Specific requirements for this code of practice should include:

- All operators to be a part of the multi-operator self-exclusion scheme, allowing an individual to self-exclude easily and centrally from all land-based operators
- The operation of self-exclusion must be rigorously implemented with substantial fines for any operator breaching the measure
- The implementation of strict affordability criteria

- Age and ID verification should be stringent, requiring a delay of at least 72 hours before a new account can be verified
- There should be a complete ban on all 'free' bets, VIP schemes or any inducements to gamble
- No form of gambling on credit
- All gambling products should carry clear warning signs about their addictiveness and danger
- All customers should be required to specify deposit and time limits at the start of any gambling session
- Gambling operators should be required to train their staff to recognise signs of gambling addiction and to take action to intervene and prevent any customer identified as being 'at risk' from gambling
- Operators should be required to report annually to the Department on incidents of gambling harms and how they are delivering effectively on their responsibility to protect their customers.

However, we are concerned that without effective enforcement, any Code of Practice will simply be ignored. This is evident in the field of gaming machines, where a lack of effective enforcement combined with hugely outdated legislation has led to gambling operators in Northern Ireland simply choosing to follow the law in Great Britain, rather than that of Northern Ireland.

Therefore, we strongly support the creation of a Northern Ireland equivalent of the UK Gambling Commission, resourced to proactively oversee and rigorously enforce regulation of the gambling industry. To this point, we also support the establishment of an independent ombudsman with responsibility for protecting the individual consumer and wider public.

Finally, we would like to see online gambling specifically addressed in the second stage of reforms. Whilst we greatly appreciate the need to update existing land-based legislation, the digital landscape has evolved beyond all recognition since the turn of the century and new legislation is required to tackle the huge growth in online harm. As well as an the independent ombudsman and Northern Ireland equivalent of the Gambling Commission previously outlined, the second stage of reforms should include:

- Treating gambling harm as a public health issue and implementing measures to protect the entire population from harm
- The use of affordability checks – recent research by the Social Market Foundation and the Centre for Social Justice suggested an 'affordability trigger' of around £100 per month
- Consumer redress – legislation needs to recognise that harms spread way beyond the gambler. All these groups need protection and should have a right to challenge the actions of individual operators and effectively seek redress
- Clearly labelling dangerous products with public health warnings about the risks associated
- Availability – robust source-of-wealth checks, no gambling on credit and a scheme that allows customers to self-exclude from land-based and online
- Age appropriate and awareness training – independent gambling education to be incorporated into the national curriculum and made available to young people and their parents