

# #We Are the Evidence Too

The views and evidence of  
people with lived experience  
of gambling harms

A response to the DCMS Gambling Act Review

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# Introduction

The document contains the voices of lived experience from individuals and their loved ones who have been impacted by the devastating effect gambling has had on their lives. We wanted to show that there is a community of people that will unite in the hope that no one will have to endure the same experience that they have. Everyone has a unique experience only they can share, yet the hope for the Gambling Act Review is a common one, and that is to reduce the harm that gambling can cause to so many.

## Who we are

GamLEARN was formed in November 2020 and is an organisation that provides learning and accredited training for people that have experienced gambling related harm.

GamLEARN provide education, training and workshops to understand and learn more about gambling harms within legislation, regulation, research and treatment sector. GamLEARN aim to provide opportunities for our members to be part of advocacy, to learn and develop with training, assisting them to contribute however they wish to from their own lived experience and to be part of a network connected by individuals that have an experience of gambling related harm.

GamFam is a registered Charity (1191139) set up by those who have experienced first-hand the devastating effects that gambling can have on family and friends.

GamFam offer support through GRA5P - The GamFam Recovery and Support Programme which is a structured 5-stage self-help programme designed specifically to support those affected by someone else's gambling. It offers guidance on how families and friends can help themselves, which in turn will help their family member, as well as practical suggestions for coping day-by-day and moving towards a more positive future

GamFam also delivers tailored information and awareness programmes in schools to parents and families to help them recognise the early warning signs associated with both gaming and gambling disorders and suggests practical strategies to support families combat them.

## Background to the Survey

We looked at several question that we wanted to focus on from a lived experience perspective and felt that the majority are in line with the House of Lords recommendations and that of the Gambling Related Harm APPG. The survey was sent to the 107 individuals by email in which they had 5 days to complete online, we hoped that we could have given more time but to collate and prepare our report needed more time and support. That said we saw that on average from the 60 people that completed the survey fully, an average time of over 30 minutes was spent in doing so, this highlighted a will within the group to add detail, substance and time in what would have been difficult for most.

This survey also has limitations. Its sample size of 107 is relatively small. It is self-selected as a network of individuals with real life lived experience. While the answers to the quantitative

questions may not be statistically significant, they do demonstrate the near unanimous view of the group on some topics. And although the answers to the quantitative questions might be criticised as being merely anecdotal, they do offer real and rich insights into the harm that gambling can cause. The submission has strived to remain objective, as can be seen by the inclusion of a diverse range of views where these existed.

On this basis we believe that this survey and response to the DCMS Call for Evidence is entirely valid and offers a unique set of evidence for your consideration.

## How our expertise can strengthen policy reform

Policy change is often made by those who may not have first-hand experience or fully understand the issues. Therefore, it is crucial that the voices of those that have felt the devastating impact of gambling harms that have occurred within the current policy approach are heard. The insight and expertise that groups like GamLEARN and GamFam collectively hold, represent unique and important assets that can inform effective policy reforms.

To support collection of this expertise, GamLEARN and GamFam jointly sent invitations to their respective networks via emails and through social media to those who had experienced gambling related harm to gather and discuss the 2005 Gambling Act review and the subsequent 'call for evidence'. Initially, we wanted to explore how many were aware of and fully understood the importance of the review.

From our initial discussions it was evident that the gambling harms community felt very strongly about the forthcoming Gambling Act review and were very keen to have their voices heard but did require some help and support to ensure both their individual and collective voices were heard.

Collectively we had over 100 responses (74 recovering gamblers and 41 affected others) with a high proportion of those attending our first respective zoom meetings. We decided initially to facilitate separate meetings for those affected directly by gambling and for those affected by someone else's gambling with the intention of bringing everyone together prior to final submission.

Both meetings followed a very similar format with guest contributions each time from Dr James Noyes, Matt Zarb Cousin and Charles Ritchie to discuss the importance of Lived Experience in the forthcoming review. Our members were inspired and saw how their own individual experiences were relevant and jointly could be invaluable to reducing gambling related harm.

Feedback from both meetings was unanimous that the questions appeared very daunting and that the majority of our members would appreciate further help and guidance to complete their individual submissions. There was also a strong feeling that we should create a joint response to ensure that our individual unique stories were heard as a collective.

In addition to the initial meetings GamLEARN hosted additional online workshops facilitated by Tony Parente, founder of GamLEARN. Dr May van Schalkwyk, public health researcher and doctor, presented a general overview of the process of responding to consultations, with an aim of supporting our members with suggestions on how to approach both their individual and collective responses. The presentation covered examples from other public health issues and drew on the literature about framing, discourse and policy change. The other workshops

focused on the following gambling-related topics: affordability, duty of care, advertising, product and design and statutory levy. The meetings consisted of presentations, Q&A sessions and group discussions.

## Acknowledgements

This survey and report would not have been possible without significant input from a steering group. Special thanks go to Danny Cheetham, Martin Jones, Charles Ritchie and our specialist advisors on the consultation process Dr May van Schalkwyk and Dr Stephen Sharman.

This would not have been possible without the support, honesty and commitment of each and every one of the individuals who shared their lived experience.

## Limitations of the Gambling Act Review and consultation

We welcome the opportunity to respond to the call for evidence as part of the review of the Gambling Act 2005. However, we wish to emphasise that the framework provided by the Department for Digital, Culture, Media and Sport (DCMS) to guide the consultation is extremely narrow and assumes that the existing Gambling Act is satisfactory and sufficient. Nothing could be further from the truth based on our many years of experience and the harms that have occurred. Our survey responses reflect this, both in their quantity and quality. Consequently, in each "Is there any additional evidence in this area the government should consider" question we have included a substantial amount of our evidence.

We believe that the review should have been a cross-Departmental exercise involving the Department for Health and Social Care, the Department for Education and the Ministry of Justice, together with DCMS. We also believe that the review should have included independent external experts to provide advice and guidance on the many technical issues that the review needs to consider. We ask that the Department, even at this advanced stage, take actions to address these serious shortcomings in the design and conduct of the review.

The key principle behind our evidence is that the Gambling Act needs to be revised to make the **prevention** of harm the priority for both the Gambling Commission and the Operators. Only then will a true and effective Public Health approach to gambling be possible. The glib sound bite from industry and some politicians that "Gambling is safe harmless fun for the vast majority of people" is simply untenable. Firstly, because there are gambling related suicides. Secondly because even by the Gambling Commission's own data, hundreds of thousands of people are being harmed. And thirdly, the recent Oxford University - Lloyds Bank research demonstrated that 25% of account holders (some 1.6 million out of 6.5 million) are being significantly harmed, or starting to be significantly harmed, by gambling.

No other industry would be allowed to trade with levels of harm like this. Gambling is not a 'normal' product and the gambling industry does not operate like any other legitimate

business, deriving a massive proportion of its profits from a small minority of its customers and causing extensive harms to millions of people. Legislation and regulation must reflect the extraordinary nature of the industry and its products.

The following sections reflect this Public Health approach, and comment on what the Gambling Commission has failed to address within the existing legislation, and what it ought to be doing under new legislation.

# Executive Summary

This submission presents evidence from a large group of individuals who have experienced gambling related harm as gamblers, or as an affected other. In a world with myriad voices offering expert opinions, the voice of lived experienced is often overlooked and undervalued. This document provides the Gambling Act review with evidence of the direct costs and consequences of gambling as we currently know it, through a brave and honest retelling of harms directly suffered. It is critical that the evidence of the harms incurred under the current policy approaches to gambling is used to inform the review of the Gambling Act 2005 if effective change is to be achieved and harms prevented. The group were concerned that the review was restricted to regulation and that issues of treatment, education, independent funding and links to the criminal justice system needed to be addressed.

## Quantitative Survey results

### Qualitative Survey results.

- Online protection - gamblers and products.** Responses highlighted how currently, is it too easy to open new accounts, often across multiple operators, without nearly enough age or ID verification. Concerns were also raised over the current lack of affordability checks, source of funds checks, and the capacity to gamble with other people's money. Stake size and speed of play were identified most commonly as product features associated with harm. A number of suggestions are made to increase protection and reduce harm: more comprehensive affordability and source of funds check industry wide; blanket product restrictions are unworkable -- product types need to be legislated according to independently established harm potential; soft caps for maximum losses, with further checks for larger outlay. There needs to be more responsibility on the operators to protect customers, rather than relying on individual self-regulation. This can be in upfront vulnerability checks, quicker response to patterns of harmful gambling, meaningful customer interactions, and the involvement of other sectors, most notably the banking sector.
- Advertising, sponsorship and branding.** The overriding sense of our group was that gambling marketing has a negative impact. It was suggested repeatedly that gambling marketing should be legislated in the same way as tobacco, and that the use of celebrities to advertise gambling is particularly harmful. It was also clear that current safer gambling messages are ineffective, and that campaigns need to move away from the stigmatising and harmful 'responsible gambling' narrative. There shouldn't be branded safer gambling adverts as this is just another form of advertising - harms should be communicated by independent public health organisations. With regard to direct marketing, VIP schemes and free bet sign up offers were unanimously condemned, opening the floodgates to targeted marketing - which should be opt in, not an unavoidable consequence of placing a bet online. Particular concerns were raised over marketing that would be seen by and appeal to children and female gamblers, specifically relating to tone, content, and time of day.
- Gambling Commission's powers and resources.** We were struck by the over emphasis on black market in the review questions - this is a small problem, perhaps a smoke screen from industry to avoid stricter regulation on the regulated market. Issues were raised over the Gambling Commission's current capabilities, including being too slow to respond to complaints and changes in the market, and having insufficient resources to effectively

regulate a lucrative and powerful industry. It was suggested that currently, the Gambling Commission fails to meet its core objectives - it does not prevent people being harmed, and they do not prevent gambling related crime. Several suggestions are put forward to increase the Gambling Commissions effectiveness and powers, including adopting a full public health approach, greater funding, increased powers to work with banks and internet service providers to block unregulated sites, and more resources to measure and subsequently prevent gambling related harm. The Gambling Commission needs greater resources - but they also need to show greater transparency and accountability for how these resources are utilised. Research, education and treatment should be funded by a statutory levy, administered by an independent body.

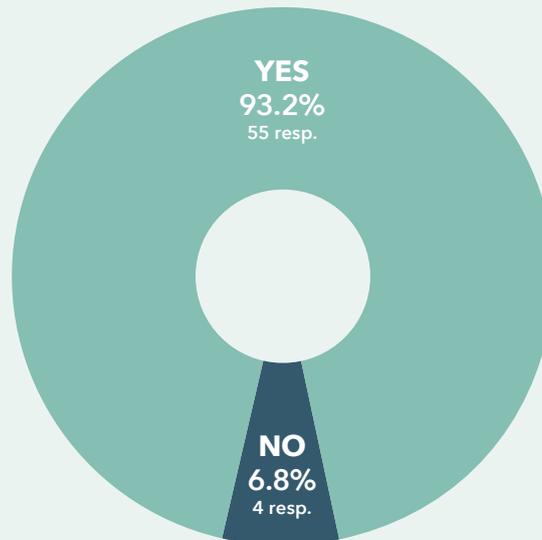
- **Consumer Redress.** Consumer redress needs to be addressed at multiple levels. At a corporate level, there needs to be a Statutory Duty of Care towards those gambling. At an individual level, there needs to be an independent Gambling Industry Ombudsman. The need for an Ombudsman was the single most cited response across all survey questions; the current systems of consumer redress are wholly inadequate and are geared against the individual. The need for an independent Ombudsman has never been greater. At the Gambling Commission, there is a need for a new statutory duty to provide relevant information to the courts in a timely manner where individuals are facing criminal charges arising from gambling activity where the operator may also be implicated.
- **Age limits and verification.** Gambling is commonly reported as more prevalent in younger age groups. Recent research has indicated the 55,000 11-16-year-olds have problems with gambling. Respondents identified how it was too easy for under 18s to open an online account, and also expressed concern that the review focussed only on product characteristics, thus neglecting the power of the positive associations of gambling, born of youth gambling on childhood holidays etc. There was also some suggestion that young adolescent's life situation and cognitive immaturity render young adults more vulnerable to gambling problems. Added protection for this age group mainly centred on added friction to both account creation, and ID / age verification.
- **Land Based Gambling.** There was concern that the focus on online gambling, particularly intensified since COVID-19 enforced lockdown, has served to draw attention away from issues relating to land-based gambling. Responses indicate is easy for an under 18 to gamble in land based venues, serving as an entry point into gambling. Land-based venues offer the opportunity for unmonitored gambling; gambler protection relies on the vigilance of individual staff members, which is not always possible. The much maligned self-exclusion schemes currently in place were also highlighted, with the lack of significant investment in updated technologies such as face recognition. Respondents also felt companies merely paid lip service to land-based gambler protection, with no real effective industry wide measures in place. Responses also advocate for greater powers for local authorities in assessing applications for gambling venue licenses, specifically considering proximity to venues such as schools, and the overall socio-economic status of the area. Attention was also drawn to the continued capacity for gambling venues to serve alcohol, despite the known links between alcohol and sub-optimal decision making.

# SURVEY RESULTS

## Quantitative Results

### Should there be effective affordability checks for anyone spending over £100 per month?

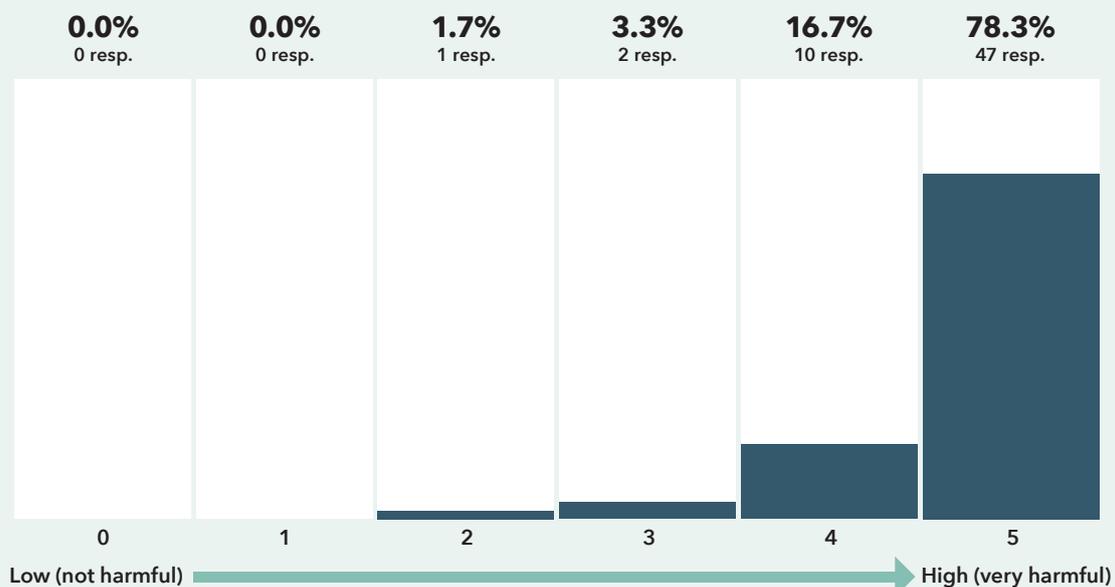
59 responses



### How harmful is it to allow gambling advertising and sponsorship in and around sports and esports?

60 responses

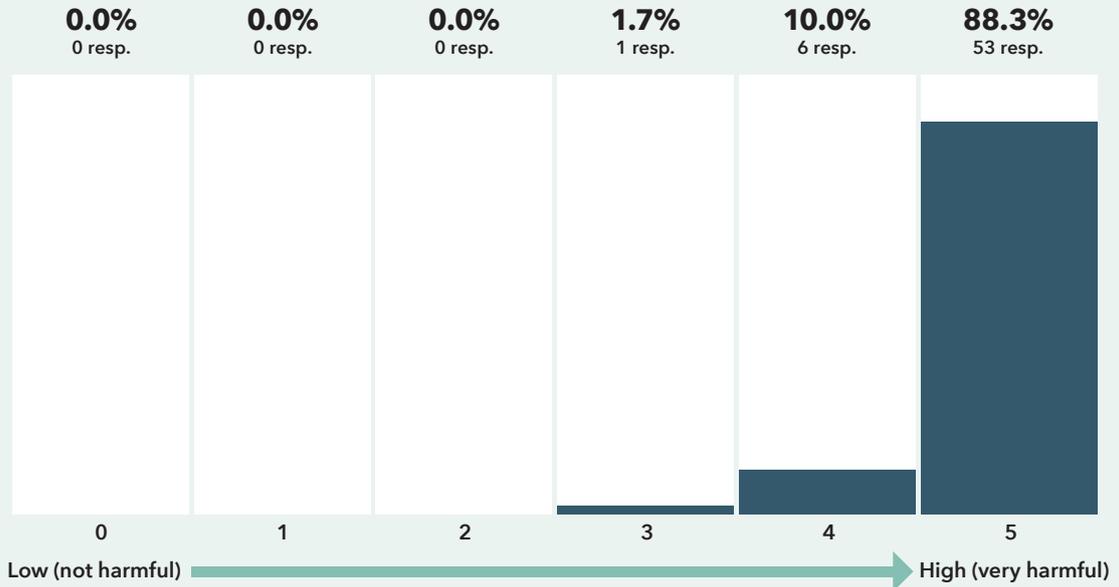
4.7 Average rating



### How harmful are free bet offers and bonuses?

60 responses

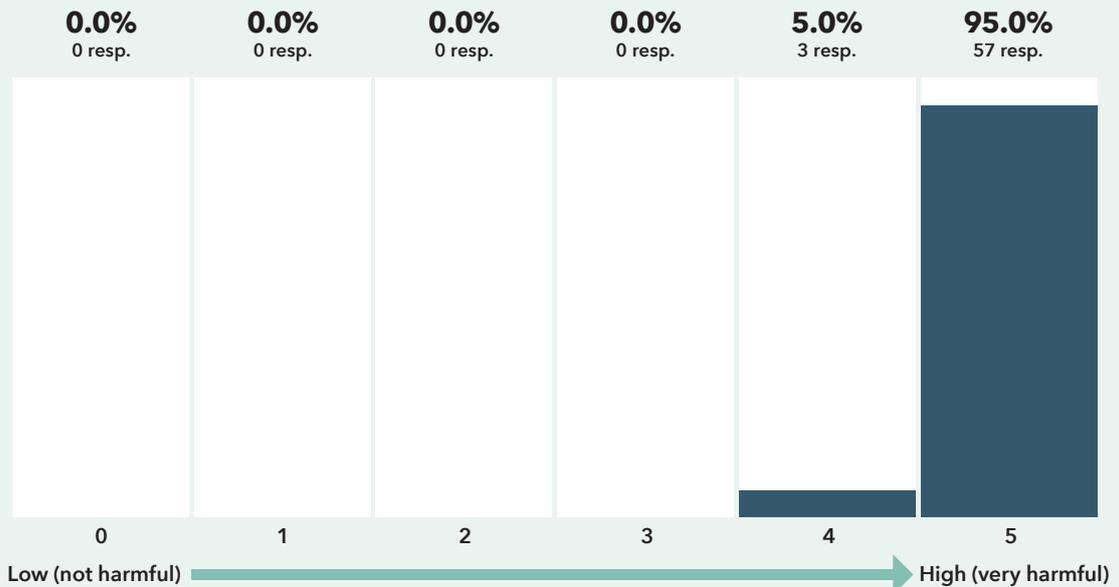
4.9 Average rating



### How harmful are VIP schemes?

60 responses

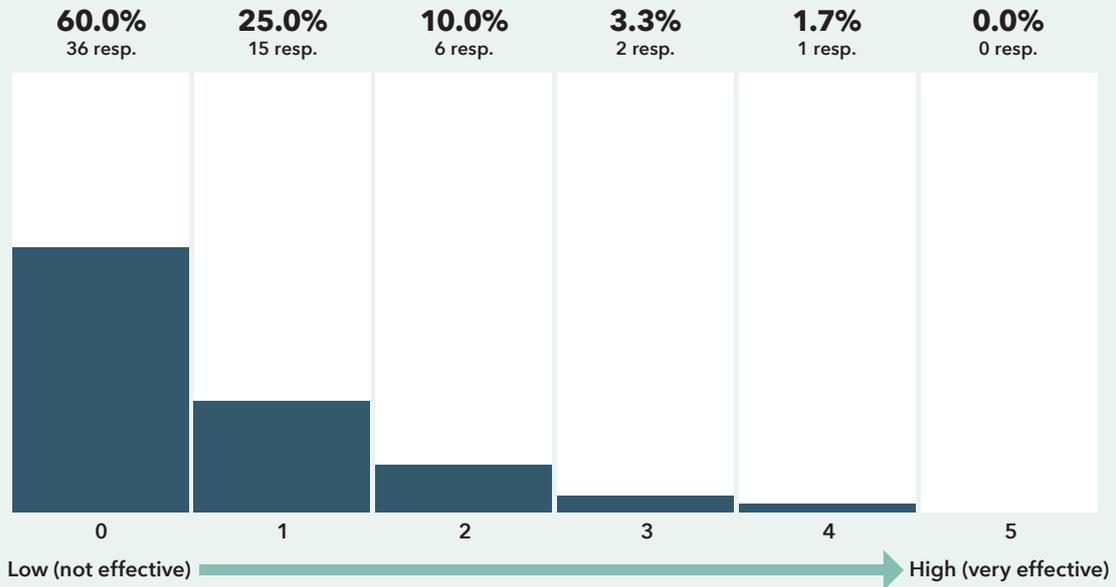
5.0 Average rating



## How effective are safer gambling messages in adverts in preventing harm?

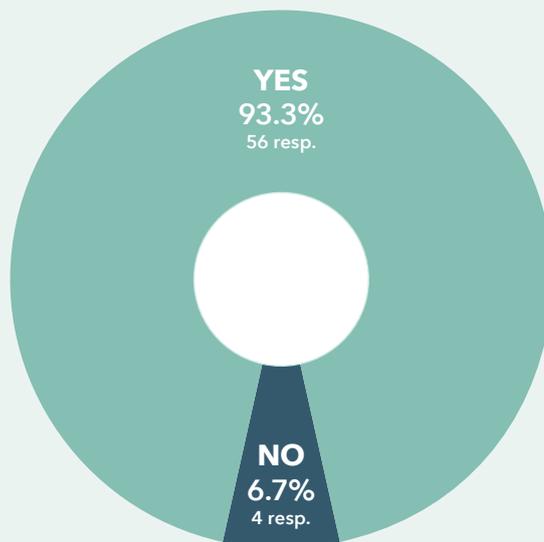
60 responses

0.6 Average rating



## Should all gambling advertising & marketing be banned the same way as tobacco?

60 responses



# Qualitative Results

## Online Protections - Gamblers And Products

### Q1 What evidence is there on the effectiveness of the existing online protections in preventing gambling harm?

The efficacy of existing online protections in preventing gambling harms was challenged. Particular concern was directed at the ease with which new, and often multiple accounts can be created, with little or no age or ID verification process. Specifically, eight respondents highlighted that existing protective measures are not effective, focusing on the verification process and the ease of being able to access online gambling immediately without backgrounds checks being done. The need for this to be stringent and consistent is vital. The ease of duplicate accounts being set up through minor changes to the verification process also highlights that the current protections do not prevent harm.

*"Once self-excluded, the prevention of setting up duplicate accounts, I was able to do this and it had a severe effect on me down the line. I ended up having 5 different William Hill accounts".*

*"A thorough ID check on individuals registering for accounts".*

*"From my personal lived experience in general the current protections for online gambling products are inadequate and no longer fit for purpose, particularly when features of online products today are considered".*

*"A rigorous identification process, with evaluation of a registered users play intentions".*

*"All checks such as AML should be done at the start before playing so that operators cannot sit on funds under the guise of checks".*

*"Operators should be taking more responsibility in intervention i.e, Full and detailed ID and proof of wealth checks should be instigated on opening of accounts".*

*"Not once did I ever have any sort of check in or intervention with my gambling".*

*"I believe mandatory limits must be brought in for new accounts when they are opened and a time limit set to ensure all existing accounts set a limit in the near future".*

## **Q2 What evidence is there for or against the imposition of greater controls on online product design? This includes (but is not limited to) stake, speed, and prize limits or pre-release testing.**

Twenty seven respondents have highlighted the need and importance of a maximum stake placed on various online products with further firm restrictions placed on high risk and more dangerous products mirroring the FOBT's. Many answers highlighted specific forms of gambling are more harmful than others, and thus should be regulated accordingly.

*"Different stakes for different games based on evidence of harms".*

*"Better regulation of the more addictive products such as online slots and casinos. Reduced stake limits in line with land-based products".*

*"I want to see online slot games banned, they are so dangerous and addictive".*

*"Recognise that particular products are more addictive and dangerous than others. I have numerous conversations with those seeking recovery that 'unravelling' gambling online especially slots and roulette. Personally, online slots led me to be suicidal".*

*"The games themselves need to be designed with less addictive features. The time between games must be increased in support of this".*

*"Some gambling products are extremely dangerous: Nearly half of people playing casino games online are addicted or at risk Speed of play - now limited to max one spin every 2.5 secs (much faster than many other countries)".*

Although specific forms of gambling were highlighted, several answers reported how different features within different forms of gambling are conducive to generating gambling harm. Speed of play and stake size were two areas consistently highlighted, with suggestions made as to how this can be altered to reduce the risk of harm:

*"From my own experiences, the speed of these games caused the most harm as it forced me to enter a zone, where I wasn't making rational decisions or really in control of my actions. A mandatory slower spin speed is essential, alongside stake limits at £2 as a very maximum".*

*"There should be stake limits. Max 2 pounds per spin. If there were limits when my husband went through this this may have made it harder for him to gamble and prevented his addiction. Games are far too quick so before you think next is starting".*

*"Research-based change to product design (e.g. play speed)".*

*"Stake limits set to low maximum".*

*"Casino and slots need to be in balance to land based products £2 max stake, longer intervals between spins at least 10 secs max time on products".*

*"Limiting the amount of options and depths of markets to inplay sports from experience would help. Almost every 20 seconds you can choose about 250+ in play options".*

*"Stake sizes and prizes - currently NO MAXIMUM stake size for online games; 63% of people receiving treatment for gambling disorder experienced an 'early big win'".*

*"I think the spin speeds need to be slower and I feel like they need to be less flashy and therefore targeting individuals feel good parts of the brain!".*

*"Even now and far more than playing poker live which is really slow..." 10 weeks after sending this he took his own life. So slower speeds, stake limits, less hypnotic sights and sounds are obvious things that need to be done".*

Further answers suggested that online games, and other new forms of gambling should be stringently tested against harm indicators with the possibility of an independent party to carry out this research so that it is deemed safe by external organisations with no links to the gambling industry:

*"The most harmful gambling products (online slots and casino games) should be tested before being put on the market. That includes testing of the structural characteristics such as speed, features and time, but also the branding, the design, the skin and the general appeal of said products".*

*"It should be a legal requirement to prove any gambling product is safe before going to market".*

*"There should be independent rigorous testing and monitoring, and each product given a health and safety certificate kite mark before release".*

*"Whether it is - not understanding product safety - or what gambling is like today, or underestimating the effects on the human psyche - has meant testing has not been rigorous enough, properly understood or those entrusted to do the job simply not well-enough informed. We are the evidence because many lives have been ruined and some like my son have paid for this failure with his life".*

*"I would like an independent party to scrutinise the design of online products rather than it be open season for operators. We know they are designed to*

*attract and keep customers playing for as long as possible and if there is not some governance with regard to design then it will continue and more will suffer as a result”.*

Firmer and enforced restrictions need to be implemented so that the addict is not left to self-regulate and the operator takes accountability to prevent the consumer from harm by enforcing mandatory limits, self-exclusion, and potential removal of account.

*“Online protections need to include tracking the behaviour of the game player and where this is indicative that the player is at risk from the gambling, intervene by stopping any further play for a minimum period of 24 hours”.*

*“Any loss of more than £100 in any session should also result in immediate stopping of play”.*

*“Provisions that where thresholds of problem gambling have been exceeded and insufficient customer wellbeing has been carried out all GGY relating to period where threshold trigger was activated should be automatically refunded - thus putting the onus for safe gambling back upon the operators”.*

*“Not once at the height of my addiction pay any attention to the ‘set your own limits’ banners. If only there had been someone to take responsibility and ask me if I was ok. That would’ve made me think twice”.*

*“Site specific self-exclusion can give a false sense of security. I would self-exclude on a Wednesday after Champs League for 48 hours and feel I’d done something good so then could go even bigger come Saturday”.*

### **Q3 What evidence is there for or against the imposition of greater controls on online gambling accounts, including but not limited to deposit, loss, and spend limits?**

The importance of noticing consumer trends and behaviours and the importance of meaningful interactions with consumers was consistently highlighted. Respondents identified this needs to be more than just a tick box exercise. There needs to be more impactful messages that reinforces the message of potential harm caused by Gambling:

*“From my own lived experience very few providers monitored my deposit levels and the frequency of them, yet a quick contrast against my historical game play showing the stakes I was playing with, the frequency of my spins/games would have highlighted a clear correlation of a problem gambler/player at risk of harm”.*

*"I feel that the legitimacy of slots and online casino products has to be questioned whilst there are no effective safeguards underpinned by a duty of care to protect consumers and in particular to identify upfront vulnerability, financial or otherwise".*

Concerns were also expressed around how information regarding fair and open play was communicated. This information needs to be more visible for consumers, giving them a clearer of picture of what these products are and what to expect from them.

*"Wagering % should be lowered and made more clear in promotions. Not just small words at the bottom of adverts".*

*"I would like there to be explicit recognition of how addictive these products are and with warnings similar to those around tobacco for the consumer before the consumer 'plays' ie visual and hard hitting".*

*"Tighter social responsibility interaction checks with clients (time & stakes, evidence of chasing)".*

There was a number of suggestions put forward as to what can be done to increase safeguarding both from the perspective of the gambler, and from the industry such as looking at changes in betting patterns and acting responsibly on those. More safer gambling options with firm agreements in place ensuring that consumers cannot easily come out of that decision in the near future.

*"Practices, i.e. aggressive and excessive marketing, psychometric profiling, and online analytics, all pose great risks to all participants and should also be included in deciding what is safe and fair. A gold standard of safety for Products and Practices in the UK should be set by a powerful regulator and met by the industry as a condition of holding a UK license".*

*"Limited play until such checks have been completed, assessment checks at regular intervals for deposits over say £100, £500 and £1,000, immediate freezing of accounts, age restrictions should be raised to 21 or better still 25. Gambling addicts have no reality of responsibility so current tools such as deposit limits, cooling-off periods and self-exclusion will have no real effect and can easily be overturned".*

*"Operators should monitor the use of these tools more closely by individuals and act accordingly and responsibly".*

*"Maximum loss per product, per day based on evidence of harms (10% of affordability?)".*

*"More evidence of pop-up messages regarding gambling harms/'taking a break' per product".*

*"Maximum amount of spins/games per product within a specified time".*

*"Stake limits on casino games 24 hour cooling of period of new accounts, 28 day minimum self-exclusion on sites, permanent option for Gamstop exclusion, 28 day new account cool off period".*

*"Stakes should be limited and games not designed so they are not addictive. a lot of the gambling harm I have suffered could have been spared if there was adequate safeguarding in place".*

*"Bookmakers must Stop Using betting terminals Full Stop. Its the same as selling drugs on the street and has far worse affects. The programmers will always find a loophole to get around any stake limits (They did last time)".*

## **Q4 What is the evidence on whether any such limits should be on a universal basis or targeted at individuals based on affordability or other considerations?**

Many responses highlighted a range of important considerations, including affordability, source of funds checks, ID checks, and concern over the ease of using someone else's money. Mandatory affordability checks through a single customer view is the general consensus of the responses. The responses also made clear a concern of being able to gamble vast amounts of money with various operators, with no checks done exposes people to gambling harm.

Over half the responses have highlighted the importance of affordability:

*"At no time was I asked for any evidence of affordability. Some days I would gamble for more than 12 hours and deposit over £50,000 without intervention other than when I had stopped".*

*"My Dad once on a one-day losing streak from betting shop (in the hundreds), to local casino (past a thousand), to online casino (to 10k total) lost half a year's worth of disposable income in one day".*

*"Third party checking of affordability and customer engagement for all customers exceeding problem level gambling thresholds, either in conjunction with automatic suspension of betting accounts across all operators upon trigger activity or through operators having to report customer base above thresholds for activity (time/frequency)/deposits (value/percentage income)".*

*"Affordability checking to assume minimum household income/disposable income unless customer lodges proof of actual income/affordability".*

*"I would like spending limits on the basis of affordability to be law".*

*"At no time was I asked for any evidence of my affordability".*

*"Affordability checks that are stringent and compulsory".*

*"Low deposit limits set unless proof of affordability has been verified".*

*"Affordability checks, source of funds checks, time played, amount of deposits made etc".*

*"Affordability (based on debt and income/expenditure)".*

*"|More stringent credit checks (how much debt? - This is difficult)".*

*"Affordability should be checked by credit rating. Those with poor credit due to existing borrowing are a high risk factor for developing disordered gambling".*

*"Stringent affordability checks would enable operators to ensure consumers are playing within their means, not putting the onus on the addict to self-regulate".*

*"When people are losing a lot of money they should definitely have a phone call to see if they are ok and can afford to lose the amount they are losing".*

*"Banks need to team up with the industry & share info to intervene with abnormal betting patterns. for me I was blowing my wages over 2 days at the end of each month. the bank can see this and do nothing".*

Online protections is underpinned by stringent affordability checks throughout a consumer's relationship with an operator, however most participants had never had to prove source of income, or prove whether what they were spending was affordable. It is unfathomable and unacceptable that individuals are able to lose vast sums of money in short periods of time without the source of those funds being subject to some level of scrutiny.

*"Urgent to have mandatory affordability tests and prevent gambling companies profiting from people suffering from gambling illnesses. Our son aged 24 was allowed to create debts of £17,000 without adequate checks. He had a gambling illness and was exploited for profit".*

*"There are no mandatory 'affordability' tests or limits - operators are meant to have sufficient information to "know your customer" and check "source of wealth". An affordability check and a credit check must be carried out to ensure the person(s) can afford and it not in severe debt, taking out loan after loan to feed ones addiction".*

*"My own experience is that the gambling operators want every last pound off you, wherever it comes from, with no regard for your well-being and safety".*

*"Source of wealth recording at registration of account".*

*"In addition to this no providers other than a simple ID verification check requested me to provide source of funds to demonstrate I was able to afford the amount of money I was gambling".*

*"Prevent unaffordable gambling through rigorous affordability and age-verification checks".*

*"Vetting potential gambling members to gambling websites is a must - not just being over the age of 18 years. How does the gambling company ensure that the applicant can afford to bet at an acceptable value and frequency. The applicant should be asked for salary, must be a home owner, agree an acceptable value of bets per month. Agree frequency of bets per month. Agree if the customer should be monitored by the gambling companies. This information should then be used to monitor and flag up to the customer once breached".*

Concern was also expressed regarding the apparent ease with which a gambler could deposit and lose money from accounts other than their own:

*"Similar to banking apps I think there should be an overview, a users report for the individual to physically see how much or little they're gambling. I think only cards registered to the user should be allowed".*

*"My son was allowed to gamble 20K without any checks all in the space of 24 hours. On another occasion gambled 8K with no checks. Both times the cards were not in his name".*

A further point raised was the potential for a 'soft cap' on gambling losses, with affordability checks in place to wager any more than this amount. Importantly, a point was also highlighted suggesting that any such cap would need to be implemented industry wide. A cap loses its worth if an individual can lose the soft amount over a large number of operators; to be successful in reducing gambling harm, a cap would need to be applied across all operators.

*"There are no current statutory limits for any form of online gambling. £100 a month rule should be imposed. A soft cap".*

*"Soft cap of a max £100 per month, stringent affordability and vulnerability assessments before an account is active".*

*"I think that there should be some way to link in all the gambling sites so that the sites are aware if someone has accounts with multiple providers. This should be on top of maximum limits for each site. If someone has multiple accounts, each with a minimum deposit, that can start to add up to £100s but the individual sites will only see the minimum deposits".*

## **Q5** Is there evidence on how the consumer data collected by operators could be better deployed and used to support the government's objectives?

Responses focused around the available data that operators have and how they use it currently. It is felt that operators use consumer personal data to cross sell and exploit consumers with more addictive and riskier products. This is done through free spins and deposit offers on platforms the consumer showed no interest in initially:

*"I would like cross selling and free bets and personal invitation and anything disguised as free to be against the law with appropriate mechanisms for consumer redress".*

*"Should be easy for the player to state their preference - without the risk of being promoted and spammed down the line with emails and offers, to jump over into casino games. I base this off my own personal experience as this happened to me regularly as a gambler".*

*"The regular practice of cross selling to consumers ensures they are groomed into more dangerous products".*

*"No cross selling switching sports to casino with free spins bets etc".*

*"There is good evidence that operators 'cross-sell' the far more addictive and profitable casino and slot games to people who want to engage in just sports betting".*

It was considered the if operators are able to use data to cross-sell, then they should also be able to use data to protect those showing signs of experiencing harm. The message is that this data should and can be used to identify harm and intervene and support the consumer where need be:

*"With land-based operators staff should receive more training and support to detect problem gamblers within their establishments and act accordingly and share information/photoID between operators".*

*"Like gaming licenses people should have to apply for a betting license where they are given a card they must use and log in with and present every*

*time they gamble. This way a central control hub, who have info on peoples monetary position, can control there gambling habits and not allow them to gamble if they have gambled too much per month”.*

*“They have the data on their customers. It needs to be used to protect and safe guard”.*

*“Checks when a customer shows signs of been pathological gamblers or having betting patterns associated with it”.*

*“I want the online gambling operators to act when someone is displaying disordered gambling signs”.*

*“Effective algorithms to detect and flag problem gambling”.*

*“Algorithms in online accounts to identify thresholds of problem level gambling and generate automatic temporary blocks”.*

It was also suggested that data generated should be shared outside of the gambling industry, allowing other sectors such as the banking sector to take on a more prominent, independent role:

*“I think the financial sector have an important part to play here. Banks are not in the business of making money from someone’s gambling misfortune and therefore have an important role to play in spotting the early warning markers of harm and being on the front line exposing the loop holes created by the gambling operators”.*

**Q6** How are online gambling losses split across the gambler cohort? For instance what percentage of GGY do the top and bottom 10% of spenders account for, and how does this vary by product?

**Q7** What evidence is there from behavioural science or other fields that the protections which operators must already offer, such as gambler-set spend limits, could be made more effective in preventing harm?

Responses highlighted the need for mandatory protections to be implemented and not leave the consumer to protect themselves. Operators have the power to intervene and enforce stronger actions if there is evidence of harm, something that people don’t experience currently.

*"Breaks should be after one hour playing and be mandatory as otherwise they will be ignored if someone has a problem".*

*"I would like 'time outs' imposed on 'play' with information presented for customers who are potentially experiencing harm or distress at that time with links to help".*

*"Deposit limits needs urgent attention and change, as nobody should be able to deposit large amounts of funds and lose it in a few hours! Online customer interaction and intervention is a key recommendation, and this must be a priority".*

*"With their current technology/algorithms with time spent, speed and deposits made operators can easily observe if they have a problem gambler on their sites and should intervene by immediate prevention of further play i.e, freeze account(s) for time to assess/detect harm".*

*"Quite simply there needs to be greater responsibility from the Operators when signs of problem gambling occur. Whether this is when time spent, or money spent is above the norm the Operator must step in".*

*"There are no mandatory requirements to set spending limits or time limits at start of play".*

Mandatory gambler spend limits could help prevent harm by identifying when an individuals spending increases rapidly, preventing situations such as the following:

*"After I gambled over £198k on my Lloyds debit card in ten months in 2018, I then managed to withdraw another £30-40k in cash transfers from my credit cards to my current account over the space of no more than 6 months from Oct 2018-March 2019, which eventually led to my bankruptcy, loss of career, suicidal ideation & plans, and am currently at risk of homelessness. I would like to see much more stringent checks for people who are allowed to perform Cash "balance transfers" from their credit card to their debit cards. In my case because I had a very good credit rating during the six month period, I was offered the cash transfers at 0% for 12 months, so was perfect to finance my gambling. No questions were asked by any of the Financial institutions (Lloyds, MBNA, Tesco Bank, Barclaycard) apart from an AML check from Barclaycard, and I went bankrupt with over £52k of debt in Sept 2018 - all less than 1 year since having less than £2k balance on all my credit cards. Before cash balance transfers are authorised, the financial institution should perform proper due diligence (i.e. credit check, study the credit report to see any unusual activity - cash withdrawals on other cards including how much, frequency & how many transactions per month)".*

**Q8** Is there evidence that so called 'white label' arrangements pose a particular risk to consumers in Great Britain?

**Q9** What evidence, if any, is there to suggest that new and emerging technologies, delivery and payment methods such as blockchain and crypto currencies could pose a particular risk to gambling consumers?

**Q10** Is there any additional evidence in this area the government should consider?

*"Also as a separate issue, I would like to see a proper definition of the 'vulnerable'. Who are they? The young are easy to see and readily accepted, brain injury or those with learning difficulties are also easy to include. But, if we could have addiction to gambling, gambling disorder, severe problem gambling recognised as a 'health issue' and therefore its sufferers seen as 'vulnerable' we could rightfully expect the Regulator, Gov't Departments, Ministers, Legislators, Banks and the Gambling Industry itself to do more to protect those harmed".*

*"It is time for the government to ask itself whether they are here to serve the people, and to safeguard people's health and well-being, or to serve the greed of an industry and its predatory products and practises that feast on addiction and vulnerability, financial or otherwise. The gambling industry cannot operate mind-hacking machines, slots, online casino products without exploiting people. That is the model. It has no place in an inclusive, equitable, sustainable and cohesive society".*

*"I think greater regulation and changes are required to financial institutions but also the impact of GDPR in affecting those who have a family member suffering with a recognised with a mental health disorder".*

## Advertising, sponsorship and branding

### Q11 What are the benefits or harms caused by allowing licensed gambling operators to advertise?

Although not a universal opinion, a significant proportion of respondents to this question advocated for a complete ban on gambling advertising. Several answers expressed concern over the harms associated with the very nature of gambling as a behaviour, how this is portrayed in gambling advertising and marketing, and the subsequent normalisation of gambling within society.

*"Gambling is an adult product and is harmful and addictive in nature. The tone of advertising is in your face. Bet now, bet in play. It means more when there is money on it".*

*"I would like to see a total ban of all gambling advertising, marketing, promotion, and sponsorship.*

*"Gambling is marketed and advertised as fun. Would someone play poker for matchsticks, would people still go to the races if betting wasn't allowed? This idea that gambling is part of our cultural heritage should be questioned. There are other parts of our cultural heritage that we now accept were wrong. E.g. slave trade. Gambling may be part of our cultural heritage, but is that right? Is it conducive to society cohesion?"*

*"The industry needs to be held accountable for the damage it's doing to families. Need to remove the lure of easy money, and address the problems it creates. Adverts need to reflect honestly the realities of problem gambling".*

Other answers highlighted how advertising had been instrumental in the development and maintenance of disordered gambling, and emphasised the harms that can be associated with gambling:

*"It was never fun, I lost 4 decades of my life to the fog of gambling addiction, I was never present, by the time I had woken up my daughter was in her mid twenties and I hadn't seen her for over 20 years and my son was ten and again I hadn't been present for 8 of those years. My 4 decades of misery are gone, never to be recovered, there is no recovery, that is the past. The government has a duty of care to it's electorate to prevent others from going through the same".*

*"As a society we should return to the place where Gambling is tolerated but not promoted.*

*"Gambling advertising, sponsorship and branding has completely normalised and glamourised an activity that carries an inherent risk of harm, similar to tobacco. This has created a generation of people not fully aware of the link between certain gambling products and the harmful impact on public health. Nowhere is this felt more than in sport where young fans are bombarded by gambling promotion, which is proven to cause brand recall, brand loyalty and consumer intent. From my own personal experiences of gambling harm, this form of marketing was my introduction to a twelve-year addiction".*

*"It all should be banned from advertising my daughter has ended up in prison because of her gambling problem until this I never took much notice of the gambling adverts but now nearly every advert is gambling making it look glamorous and fun".*

*"I believe it should just be stopped as any advertising, sponsorship or branding increases the visibility of a product with known levels of harm. Unless there is a ban it is unlikely that avoidable harm will be stopped".*

Several answers highlighted how the legislation regarding gambling should be the same as that for other harmful products, such as tobacco and alcohol. There is a significant body of research from academic literature highlighting overlap in the neural mechanisms underpinning behavioural and substance use disorders; it is therefore a logical implication that the advertising and marketing of similarly harmful products, follows the same path:

*"...gambling addiction is an illness like alcoholism, drugs and tobacco, none of which are allowed to be advertised. It is urgent that gambling advertising be banned and gambling illnesses recognised by the government as a public health issue urgently".*

*"There shouldn't be any advertising. It's like smoking - we know it's bad for us but we sure don't promote it, especially not to young people! It really needs to change. It's a joke".*

*"The review of cigarette advertising has proved to be extremely positive in reducing the amount of smokers and subsequently reduced smoking deaths. This is what is needed in gambling - we need stricter controls on everything related to gambling".*

*"I would simply like gambling to be viewed in the same way as tobacco and advertising, sponsorship, branding come to an end... I never paid attention to them as a gambler but then there wasn't the saturation there is now. It simply needs to be outlawed because the industry won't do it voluntarily".*

*“Advertising and sponsorship should be banned. Gambling is a harmful product that causes addiction, and the aggressive marketing that surrounds it only exacerbates this problem. We should treat gambling like cigarettes as we all know where to buy cigarettes if we want them, but they are not advertised”.*

*“Advertising, sponsorship and branding should be treated similar to cigarettes and kept to a minimum and not glamoured as from personal experience gambling ruins lives and effects others close to them”.*

*“...I wouldnt ever now see alcohol advertising aimed at women from 8am in the morning suggesting a quick glass of gin, why is it acceptable to play tombola or bingo from this hour?”*

Concerns were also raised on the breadth of the focus of the review, as harms associated with gambling advertising and marketing are not restricted solely to television advertising. Whilst the gambling industry attempts to divert attention solely to TV advertising through the much-trumpeted but ultimately flawed whistle to whistle ban, there are concerns that other, more targeted and therefore potentially more harmful forms of advertising will fly somewhat under the radar.

*“The gambling industry spends £1.5bn every year on marketing, the majority is spent on direct marketing, affiliates and social media with only 15% spent on television”.*

*“Also need to look at social media and role of broadcasters in promoting gambling firms. Targeted posts on social media and things like podcasts is where the £ spend has clearly gone too”.*

*“...The lotto ads is at every convenience/grocery shop. Betting venues are clustered in high streets in areas of deprivation and advertise at the front of shop to foot traffic. They are all over sports and YouTube ads of sport. They are on social media and video streaming. They are in affiliates. They are in newspapers and radio. They spend almost 10% of the overall budget for online advertising. So it is no surprise that I have seen over a dozen gambling ads on Facebook after starting my recovery journey on twitter”.*

Extensive exposure to gambling advertising and marketing, as is currently experienced through multiple domains, can often prove extremely challenging and harmful to those in recovery from gambling disorder. Through experience, exposure to gambling advertising can trigger a relapse, which can have severe consequences:

*“Think that before a gambling advert comes on a red screen should pop up before highlighting that the next ad is gambling related. Some of the fruit machines are a trigger for me so I switch the ad over but sometimes its too late for me”.*

*“Adverts have caused me to relapse on multiple occasions they are incessant and everywhere you look when you engage with football as a product”.*

*“I am sick of seeing casino gambling advertising in every set of adverts especially on itv and channel 4 its non stop”.*

Concerns are also expressed regarding the use of celebrities to promote gambling, an advertising tactic seen to glamourise gambling. This is concern around the harms associated with advertising gambling is particularly pertinent to the use of celebrities associated with football, faces who are recognisable to millions of children, and are promoted at all hours of the day:

*“Using celebrities to sell gambling is a disgrace - Sadly they get the most prime spots because they make the most money. Those slots should be allocated towards protection and preventative measures”.*

*“Advertising should be treated the same as tobacco: highlighting the dangers and harms that are associated with gambling. It particularly worries me that high-profile celebrities (Jose Mourinho, Ray Winstone) help glamorize gambling, and are paid handsomely to do so”.*

*“Tobacco industry removed from advertising and sport sponsorship will save lives that has proved fact, gambling industry removed from sport with celebrities endorsing gambling should not be exposed to children and would save lives, mental health illness, addiction disorder this silent addiction needs to be recognised as a consequence of outdated research and outdated gambling act 2005”.*

*“That some products should be marked with level of harms. Dangerous products if allowed need to be shown to be dangerous and their risks highlighted by a level of harm. Cigarette packs contain images of harm and written warnings, so should some of the products used currently”.*

## **Q12** What, if any, is the evidence on the effectiveness of mandatory safer gambling messages in adverts in preventing harm?

Lived experience indicates that the current safer gambling messages, and the industry supported (corrupted?) notion of ‘responsible gambling’ is not at all effective. Specific safer gambling messages were highlighted for being ineffective including ‘When the fun stops, stop’, and the consistently reinforced notion of ‘responsible gambling’:

***“Messages are never effective to a gambling addict as by then it is no longer FUN! - its almost comical to read, gambling is never fun when losses are being chased”.***

Research shows that safer gambling messaging (eg. When the FUN stops, stop) are ineffective and misleading

***“...the current message is misleading (when the fun stops, stop) and is actually hardly worth putting on given the screen time the message receives. So the key changes I would like to see are: Adverts When the fun stops, Stop = Misleading”.***

***“When the Fun Stops Stop’ is an insult to anyone who has experienced gambling harm as is the concept of ‘responsible gambling’. What we should have is a responsible gambling industry, if we’ve got to have it at all”.***

***“Advertising...I don’t like how, at this present time, there are advertisements on TV saying “Gamble Responsibly”, they are still saying Gamble and they are glossary advertisements that are basically advertising the site. There motive & statement should be more hard hitting”.***

***“To change the narrative away from ‘responsible gambling’. Gambling responsibly is still gambling and is almost a lazy approach to the issue, merely replicating what the drink industry does”.***

***“The messaging in and around gambling needs complete overhaul and the responsible gambling narrative must end”.***

Furthermore, our evidence demonstrates that there are concerns about the content of responsible gambling adverts and messages, with the tone and pitch often not easily distinguished from an actual gambling advert. Concerns were also raised regarding the frequency and timing of adverts and the disproportionately small amount of time given to safer gambling messages. Attention was also drawn to the fact that many safer gambling messages are still delivered with a particularly branding scheme, therefore rendering the point of the message obsolete as the messages are really just a different way of advertising.

***“I don’t believe the gambling industry can effectively advertise their products with a tone that doesn’t promote harm”.***

***“If you watch an hour long programme any evening of the week, you can have upwards of 8 to 10 adverts for gambling sites, bingo sites and sports betting sites. More on digital channels. They make it seem fun, harmless. Rarely does it come with any warnings, a short flash of gamble aware logo at the end or a rushed voice over at the end as terms and conditions are read. Almost as an***

*after thought. It's very difficult to escape it. It's rubbing people's noses in it. We need to start to regulate the number of adverts on TV for these sites, and ensure the hard realities of addiction are put out there too".*

*"Any advertising around these products is dangerous. The only advertising around them should be around how dangerous they are.*

*"I would change the narrative that gambling is normal for children and young adults. In my opinion it is the content, language, and imagery that needs to change. There is no highlighting of gambling harm in any advertising".*

*"A complete ban on advertising. Or a balance of adverts with greater impact on the harm of gambling without industry attached to them and all should be shown later than 10pm".*

There was also concern that the main message within safer gambling messages is lost amongst the noise of the rest of the advert; it is clear that the safer gambling messages are designed by those within the industry, and not public health, EBE, or clinical experts and as such, the potential harms associated with gambling are at best obfuscated, and at worse deliberately underplayed.

*"The £1.5bn advertising and marketing budget of the gambling industry swamps all other safety messages. This should be stopped. Safer gambling messages should not be left to operators to dress up their own brand marketing messages as a phoney safety message. They should be managed on a true public health basis by independent public health organisations".*

*"The current practice does nothing to highlight any risk as it plays on the ignorance and lack of awareness of gambling disorder at present because people are still only joining the dots. It feeds to the vulnerable as they are not aware of their issues until the disorder is deeply manifested and much of the wider harms has happened".*

*"More awareness on harm. More awareness on dangers and more awareness on impacts".*

Overall, it is clear from the responses collected and the lived experience of this group, that the current mandatory safer gambling messages are ineffective at preventing harm. It is clear that the gambling industry should not be able to decide, or have input what constitutes a safer gambling message, as to protect gamblers in the appropriate and necessary way would significantly impact on profits. The harms associated with gambling should be made clear in a separate way from actual gambling adverts, and presented in a clear and non-branded way.

## **Q13** What evidence is there on the harms or benefits of licensed operators being able to make promotional offers, such as free spins, bonuses and hospitality, either within or separately to VIP schemes?

Promotions and offers such as free bets / spins, bonuses etc were unanimously highlighted as being dangerous. Free bets and VIP schemes were highlighted as being especially pernicious, often preying on those already experiencing difficulties through direct marketing. It is important to communicate how difficult it is to resist something that is disingenuously portrayed as free when in reality all the 'free' bet and apparently preferential treatment is designed to do, is reactivate or revitalise an individual account:

*"In my sons experience the more he spent on gambling the more he was targeted by betting companies. They enticed him with bonus payments and made him feel special. He only now realises the harm this has caused both to him and his family. In my experience my sons gambling addiction took away precious years of his and our lives that cannot be recovered. Gambling addiction has caused us extreme heartache, distrust and almost the loss of our sons life. I would not want any other person to experience what he/we have been through".*

*"All the product encouraged me to gamble more".*

*"From my own experience, adverts for incentives are easy to fall for, and led me to opening multiple accounts across a number of firms - all of which became more complicated for me to close down when I eventually self-excluded".*

*"...the adverts were appealing and fuelled my obsession and the bonuses on offer made me feel special".*

*"My husband found so many gambling sites through adverts and invitations. Now we are alone with debts as his habit finally cracked his mental health".*

*"The age limit of 18 years is acceptable, and the majority of people may be seen to gamble responsibly. What I am concerned about is what the gambling companies do for those people who become addicted. Signs of addiction is related to frequency and value of bets over time. what is not acceptable is that once a person becomes addicted they gamble more frequently and with values that exceed their available monies. The gambling companies respond by allowing the individual to become a VIP, what this means that the individual designed to feel a valued customer, in turn they are allows certain benefits which are actually designed to allow them to gamble more frequently and possibly with even more money they haven't got. What should really happen is that if customers are monitored to such an extent that they become*

*VIPs then they gambling companies must be able to monitor over expenditure to increased frequencies. This should be a flag to them to make contact to discuss, and provide help”.*

*“The worst of my gambling addiction took place between 2005-2012 and it was the perfect storm of new easily accessible platforms online, easily available credit (particularly credit cards and loans with generous limits), incentives from bookmakers including ‘free’ bets, and 24-hour availability to a wide range of sports. It impacted seriously on my relationship, home life, finances, and mental health. I have not gambled since 2012 and consider myself currently free of addiction, but using my experience I am now more acutely aware of some of the tactics that were used to draw me in and keep me addicted. I think, personally, that it has worsened further since I was addicted, particularly with the advent of smart phones and the ease in which people are able to bet anywhere, any time”.*

A particularly interesting point was raised regarding the capacity of the gambling companies to communicate on a personal level with the individual, once an online account has been created. With severe limitations on land-based gambling restricting gambling access during lockdown, many gamblers will have been encouraged to move their activity online. This was highlighted in spectacular fashion through the running of the virtual grand national - which of course, could only be bet on, online. As this individual highlights, once a person has signed up for an account, the floodgates to incessant and targeted marketing are opened.

*“In my experience my right to avoid advertising and marketing was effectively given up at the point of giving an email address on signing up. This opened the door to the company being able to target me directly and aggressively, at their own will and with nothing other than further profit in mind”.*

*“Free bets and VIP schemes were highlighted as being particularly dangerous for gamblers, being likened to grooming schemes. It was also highlighted that the Gambling Commission is aware of the harmful nature of VIP schemes, but as yet has not done enough to address this”.*

*“The Gambling Commission highlight that problems associated with VIP schemes made up a substantial proportion of their compliance work”.*

*“Worse still, predatory practices like VIP schemes and cross-selling from sports betting to online slots & casinos escalated and exacerbated my gambling disorder”.*

*“VIP schemes must be banned. It is vital these are not allowed to continue under Managed Account or Relationship management accounts. These are massively harmful and am surprised the industry has been able to get away with this grooming and inducement-based approach to encourage the*

*vulnerable to lose more. Dual accountability is key. No one is a prohibitionist. We just want a safer and fairer approach to the future of a more sustainable and ethical gambling sector that is not driven by self-regulation and greed”.*

*“Free bets and VIP schemes are grooming techniques by the operators to exploit and build business. These never benefit the consumer and I can personally confirm this with my own personal experience”.*

*“Free bets and vip schemes often enticed me back to gambling even when I was trying to stop”.*

*“Free bets advertised in, for eg, betting shop windows are similarly toxic, as is any similar online or social media content. As an affected other these elements of the industry enrage and sadden me and affect me detrimentally every time I see them”.*

*“Free bets and other promotional offers often disguise how much of their own money a customer has to bet before they are able to withdraw any winnings form the free bet”.*

*“Newspaper ‘offers’ to draw people in should be banned, free bets etc”.*

*“The harms of licensed operators offering promotional schemes either as a standalone offer or as part of a VIP scheme can be devastating. As this account demonstrates, the ‘nitty gritty’ of what is required to utilise and then withdraw anything from a promotional offer is not well explained, the individual is treated like royalty, all with the aim of extracting as much money as possible, regardless of long-term consequence”.*

*“Free bets and other promotional offers often disguise how much of their own money a customer has to bet before they are able to withdraw any winnings form the free bet. A Gambler or not, it is in the human make-up/nature to accept or be challenged to participate in any kind of play if there is a chance of winning a freebie. Promotional offers of buy-on-get-one-free/deposit £10 and get £30 free/free spins bonuses and VIP treats are all part of the entrapment and once hooked it is hard to stop! From my personal experience I was made to feel so important being made a VIP very quickly after joining (not realising it was because of the amount of money I was losing to them!), and being showered with gifts, weekend/theatre treats and bonuses as a reward for spending time with them. They groomed me to feel they were my only friend in the world who made me feel I meant something to someone! My spending therefore escalated to a point where I was chasing my losses to the extent that there was never a chance of recouping even a small percentage back! I lost everything I owned to just one company and one particular game. I was so loyal to them! I lost everything I owned, I averaged deposits of £200,000 a month! £1.4m was gambled in 1 year, £2.2m deposited and lost*

*over 5 and I was made bankrupt. Attempted suicide followed and now I live a life of poverty, 63 years old, isolated and alone! And I have been told by the company in question that I have not been harmed and that they had no duty of care towards me knowing full well that I was a lone middle-aged woman grieving for lost family members. I was an ideal candidate to be groomed in such a manner! The Gambling Commission highlight that problems associated with VIP schemes made up a substantial proportion of their compliance work however I do not believe they have gone far enough to reduce the level of harm”.*

## **Q14** What is the positive or negative impact of gambling sponsorship arrangements across sports, esports and other areas?

There was an overwhelming consensus that gambling arrangements across sports, specifically football, was associated with only negative impacts. The issue of the proliferation of gambling as shirt sponsors within football was viewed as being particularly problematic, with a range of negative impacts, not least the normalisation of gambling within sport. There was particular disregard for the whistle to whistle advertising ban; whilst the TV programmes themselves may contain less adverts, shirt sponsorship ensured that gambling marketing was almost constantly in view, regardless of the time of day the match was played.

*“Shirts sponsorship and all sport related gambling advertising banned. Its not necessary. It seeks to normalise gambling as almost part of the game, which it is certainly not. Its so much more prevalent in football than any other which makes it more sinister”.*

*“No gambling ads pre watershed. No shirt sponsorship in Premier League (Prem only) football”.*

*“No sponsorship of gambling firms not based or tax paying in the UK”.*

*“The advertising is awful it’s constant and affects so many people. Sponsorship on footballers shirts needs to be addressed. Why does some of them have to promote betting”.*

*“Also I dont think that the football players should be wearing shirts advertising betting. Cant get my head around it especially for people with GRH”.*

*“Ban on shirt sponsorship and football needs to find alternative sponsorship partners. plenty of large companies would love to i am sure”.*

*"More than half of all football clubs in the Premier League and Championship have shirt front gambling sponsors, many of these are for companies which do not even operate in the UK. Research has shown that gambling advertising was visible in televised football matches for 71-89% of the time".*

*"I dont want to see any advertising during football games or on shirts, football doesnt seem to be about the game anymore its more focused on what people should bet. During any football game on tv around 80% of it you can see some sort of gambling advertising, this is making children think gambling is normal and fun".*

*"Even though gambling advertising is 'allegedly' banned from the kick off to the end of the game you can still see 22 players advertising gambling, with some players actually under 18 wearing a shirt with a gambling sponsor acting as a gambling billboard coupled with the pitch side advertising means that the so called whistle to whistle ban is a complete farce".*

However, it is not just shirt sponsorship that is normalising gambling within sport, or the sole contributor to the relentless barrage of gambling marketing. Respondents identified a range of other channels through which gambling advertising and marketing was having a negative impact:

*"Whilst I do not believe there should a total blanket ban on gambling advertising and marketing I do believe it needs to be better regulated. For example as a football season pass holder I am amazed at the level of gambling that now surrounds a game which now not only includes digital advertising boards, but now official club betting partners, shirt sponsorship (over 80% of the English Premier League clubs and Championship teams are sponsored by gambling companies) but now extending to social media promotions. This is in effect normalising the relationship between gambling and sport, particularly football and threatens to put many young persons (minors) at risk".*

*"The removal of gambling logos from football team shirts. The removal of entire pitchside advertising that loops round every 30 seconds in new cycles using flashing colours".*

*"Even though gambling advertising is 'allegedly' banned from the kick off to the end of the game you can still see 22 players advertising gambling, with some players actually under 18 wearing a shirt with a gambling sponsor acting as a gambling billboard coupled with the pitch side advertising means that the so called whistle to whistle ban is a complete farce".*

*"Ban tv and social media adverts. Remove sponsorship from all sports".*

*"Ban gambling Advertising around all grounds, shirts, naming stadia across all sports".*

Football is not the only sport where the near constant exposure to gambling advertising and marketing has served to disrupt the relationship between fans and the sport. This is particularly pertinent for those with problems with gambling, as the excessive gambling advertising make watching any sport difficult. The advertising can act as a cue for potential relapse, highlighting a very serious impact of gambling advertising.

*"If it matters more when there is money on it - does that mean sport doesn't matter if you don't have a bet on? Sport will live on at all levels with gambling money or advertising. Formula One has flourished without gambling advertising. There will be a queue of companies ready to take their place".*

*"I would like to see sports not advertising so much gambling companies and not promoting gambling on social media. As someone who loves football so much and also an ex gambler, it jeopardises the connection between me and my love for the sport".*

*"No Gambling adverts during live matches (across all sports)".*

*"I am a compulsive gambler and love watching all sports, every sport I use to watch (darts, football, cricket) the betting advertisement was relentless, it was constantly in my face, I could not focus on anything else, I am in recovery now and have been for a number of years but I still will not watch certain sports where I know gambling advertisement will be at the forefront. It has taken the enjoyment out of watching a sporting event and puts me at risk of losing everything".*

*"I would like to see no advertising of any kind allowed around sport including football, and particularly on sportswear eg football shirts, snooker players shirts. Flashing images on digital boards around football pitches are very problematic and rather like a 90 minute advert. The equivalent, for a person who is experiencing gambling harm or in recovery, is for an invitation to flash on a screen inviting a consumer to order their fix of, say, cocaine or alcohol by pressing a few buttons on a phone and having it appear at their door immediately - and that would be unlawful. Yet gambling is as addictive as these other products and as dangerous for anyone addicted to them - that has been proven".*

*"Advertising and sponsorship has gotten way beyond saturation point and gambling has been completely normalised across sport. We are bringing up a generation who will associate sport with betting. It's grooming on a national scale".*

## **Q15** Is there any additional evidence in this area the government should consider, including in relation to particularly vulnerable groups?

The most commonly identified vulnerable group to be considered when examining gambling and advertising is children and young people. Amongst respondents, there was a real concern that the normalisation of gambling is creating the next generation of disordered gamblers, and perhaps even more concern that this appears to be a deliberate ploy on behalf of the gambling industry:

*"There should be no gambling sponsorship in sport. Especially as it encourages young children to think all gambling is acceptable & safe seeing the clubs & players they admire advertising it with no idea of the harm it causes".*

*"Not make it consumer friendly, it is a debilitating condition for those who gain an addiction. Sponsorship should not be provided at all. It means the companies agree with the problems caused. Branding then targets the younger audience who then believe it is normal and it is not normal if you become addicted and your life is ruined".*

*"At the moment you cannot watch anything without adverts being present, in football the stands are often covered in gambling advertisements, snooker and other sports as well. Children are seeing this and adults who may already be struggling with gambling disorder may be triggered to continue. This is not normal and shouldnt be normalised either. My daughter sits and watched films with me and you are hard pushed to watch anything without gambling adverts".*

*"There needs to be a blanket ban on all gambling advertising. Whilst it may not be purposely aimed at children they are sadly being exposed to it and by its nature becomes normalised so that they grow up thinking gambling is just part of enjoying and watching sport".*

*"As an affected other, also a stay at home parent with young children it is triggering to see adverts televised at all times".*

*"Any advertising aimed at children is morally reprehensible".*

*"Advertising should be greatly reduced, minors should not be exposed to the current levels of advertising".*

*"Gambling marketing and advertising has been become normalized and accessible in society. Everyone is exposed to gambling as if it is like any other retail product, of which it is not. Children associate their role models in sport with gambling companies, giving the element of trust and respect from the start".*

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*“Research shows that advertising does work, in terms of there is very high gambling brand awareness amongst children and young people, people more exposed to gambling advertising are more likely to gamble, it persuades vulnerable people to gamble when they hadn't intended to, children and young people have a sense that everyone gambles and that it is risk free”.*

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*“The normalisation of gambling, both blatantly (e.g. football sponsorships) and insidiously (e.g. Kelloggs Krave Choco Roulette) is exposing children to harmful messages around gambling. It creates a connection with brands, icons, heroes they know, love and trust and gambling as a requirement or normal to watch or participate in the game”.*

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*“No adverts on TV, around sports venue and no adverts where children can see them”.*

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*“I do not believe a blanket ban is the answer but the saturation levels need to be addressed. All advertising should ensure that it is extremely difficult to be seen by children”.*

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*“There needs to be a blanket ban on all gambling advertising. Whilst it may not be purposely aimed at children they are sadly being exposed to it and by its nature becomes normalised so that they grow up thinking gambling is just part of enjoying and watching sport”.*

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*“All forms of gambling adverts across all media should be banned. It's harmful, in fact more harmful than illegal drugs! Young children are being sucked into the addictive life style”.*

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*“A ban on all forms of advertisement as this normalises it for children and future generations”.*

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*“Ban on directed advertising to individuals under the age of 18 - data analytics are used to profile internet users and in effect groom younger players to engage in gaming and pathway gambling activities likely to lead to future participation in gambling”.*

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*“A report me / exclude me/under button should be included in all online advertising to allow underage users to self-identify and prevent future gambling related advertising being targeted to them and to report advertising that breaches this code. 2% of 11-16 yr boys are identified as being involved in problem level gambling, over twice the prevalence among adults, and is indicative of future increase in gambling harms due to industry trying to ensure growth through locking in of young people to culture of normalised gambling behaviour”.*

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*"Advertising gambling in such a way that it exposes it to minors allows them to become embroiled in exploring what gambling is by no fault of the minor. They and their responsible adult (parent, relative or friend) cannot avoid gambling adverts at sports events, they are visible from every view in the arenas. Once exposed, it is a natural event to explore - this in turn exposes underage people to the product through no fault of their own. Nor can the responsible adult prevent this".*

*"The amount of gambling adverts is ridiculous, it should be after watershed and a warning should be displayed before an advert so people can choose to switch over or leave the room etc, any advertising that can potentially be seen by children must be stopped as it is normalising a product that is causing misery".*

*"I would like to see stricter controls re advertising, sponsorship and branding. The government need tighter controls that will take into account those people now affected by a gambling disorder. The situation is out of control with more and more youngsters being exposed. Vulnerable people are also being targeted without any control measures in place. The government need to know what is going on and be accountable".*

There was also concern about the time of day that gambling adverts are prominent, both on the TV and the radio. Many adverts appear to target specific groups such as females, whilst almost all adverts, which appear with no warning, can be triggering for people in recovery.

*"I am also worried at the way advertising is aimed at vulnerable groups: particularly the ads for online bingo and online casino and gaming".*

*"I would also like to see no television advertising of any kind eg I would like to not be encouraged to explore 'Jackpot Joy' when watching 'Loose Women' over lunch, or indeed any programme I am watching to be 'assaulted' - and that's what it feels like - by these images and the knowledge of the harm that these products can do to people".*

*"Adverts have become more provocative and graphics enhanced to entice. Many are directed at women encouraging them to join a different type of social network in which they will meet/make new friends. This type of encouragement leads to frequent and longer time spent online and higher deposits as they become more competitive with their new found friends!".*

*"If it can't be banned it should be heavily restricted included no daytime TV advertisements".*

*"Far too many adverts. Why am I seeing them at 8:45am on tv? Facebook goes through stages of bombarding me with gambling adverts with no way of stopping it even if reported. Happy to provide evidence as I have*

*screen shot them all. E.g. 25 in one hour. 3 gambling adverts in one break. Radio adverts. Not great for someone in recovery. Recognise that gambling industry is probably the only industry with money these days but you have a responsibility to protect people from excessive promotion”.*

*“There should be no advertising on adverts on television its extremely harmful to vulnerable people- lock down has made the situation much worse as people watching much more tv & inundated with gambling ads all day long”.*

*“Advertising/sponsorship should be removed, if someone wants to gamble they know where to go and what to do. There is a chance that youngsters could be attracted to gambling eg whilst watching a football match which may harm their lives significantly in the future. Gambling addiction is a medical condition that needs supporting not fuelling”.*

*“Based on personal experience & being in recovery as a disordered gambler, It “troubles” & infuriates me when I constantly see gambling emails and adverts on my email server, even when I specifically state they are offensive & that I am in recovery. This is exactly the same when a You-Tube video is interrupted every 7 minutes and 25% are gambling adverts, which I have no choice but to view - This is why I specifically state there should be a choice to remove gambling adverts in entirety from email & social media servers as it can be a trigger to those in recovery and/or abstention”.*

In summary, it is clear from the vast experience of our group with significant lived experience, that the impacts of gambling advertising are only negative. The excessive gambling advertising that people of all ages, including children, are subject too serves to normalise gambling within sport, grooming the next generation. Gambling advertising reduces enjoyment of sport, and can act as a trigger to relapse for those experiencing problems with gambling, the very people the industry claim to want to protect. Gambling advertising and marketing, particularly within football has reached a saturation point where fans will start to disengage with the sport entirely. Something has to be done, and simply banning shirt sponsorship is not enough. A holistic view must be adopted to ensure the safety of all sports fan, male and female, old and young.

## **Gambling Commission’s Powers and Resources**

The framework provided to consult on this topic area is extremely narrow, and assumes that the existing Gambling Act is satisfactory and sufficient. Nothing could be further from the truth in our opinion. Our survey responses reflect this, both in their quantity and quality. Consequently Question 24 “Is there any additional evidence in this area the government should consider” contains a substantial amount of our evidence.

The key principle behind our evidence is that the Gambling Act needs to be revised to make the prevention of harm the first priority for both the Gambling Commission and the Operators. Only then will a true Public Health approach to gambling be possible. The glib sound bite from industry and some politicians that “Gambling is safe harmless fun for the vast majority

of people” is simply untenable. Firstly, because there are gambling related suicides. Secondly because even by the Gambling Commission’s own data, hundreds of thousands of people are being harmed. And thirdly, the recent Oxford University – Lloyds Bank research demonstrated that 25% of account holders (some 1.6 million out of 6.5 million) are being significantly harmed, or starting to be significantly harmed, by gambling.

No other industry would be allowed to trade with levels of harm like this.

The following sections reflect this Public Health approach, and comment on what the Gambling Commission has failed to address within the existing legislation, and what it ought to be doing under new legislation.

## **Q16** What, if any, evidence is there to suggest that there is currently a significant black market for gambling in Great Britain, or that there is a risk of one emerging?

The fact that three out of nine questions in this section relate to “black market” gambling sites might at first glance suggest that this is a serious problem. In fact 97% of the harm experienced in the UK derives from regulated sites. Before believing the industry cries for lighter touch regulation in order to avoid an unintended consequence it should be remembered that:

The Gambling Commission’s evidence to the Public Accounts Committee included a comprehensive summary of the actual level of activity in a letter dated 15/5/20:

*“The scale of illegal gambling, how many operations have been detected and prosecuted, and how many operations the Commission decided it would not be in the public interest to prosecute. In terms of scale, there is little evidence of a substantive online gambling provision that is unlicensed and overtly targeting UK consumers. There is a large online market outside our regulatory framework that UK based individuals could try or inadvertently interact with, and if the operator did provide facilities for gambling would then be in breach of the legislation. Where the Commission has concerns offences are being committed under the Gambling Act (whether providing illegal gambling facilities or advertising illegal gambling sites) to GB residents/consumers we take an incremental enforcement approach to deliver our statutory objective to keep crime out of gambling. Where we suspect individuals or companies are illegally interacting with UK consumers, we will initially issue cease and desist notices. 143 notices have been issued in the past three years. If these notices are not complied with and the majority are, we will escalate the case which can include the opening of a formal criminal investigation which allows us to utilise a range of investigatory powers with a view to bringing prosecution action. Over the past 3 years we have steadily increased the number of investigations opened with one successful prosecution occurring in 2016/17 against Fut Galaxy (further details can be read here). Prosecutions brought against individuals in the UK are relatively straightforward and the Commission has long established processes for this. However, many of our investigations reveal that key culprits are often not domiciled in Great*

*Britain, and may be resident in countries with whom we don't have mutual legal assistance/bilateral agreements. As a rule, the Commission prioritises consumer protection above entering into protracted prosecution which may or may not be fruitful and so in the public interest those cases may not be brought forward to full prosecution. There have been 13 instances in the period 2018 to present where we have taken the decision not to proceed in the public interest. In those instances, the Commission has utilised its enforcement toolkit to seek to employ other disruption tactics including with internet hosting providers or payment merchants or requesting the owner to geo block themselves to GB customers. The Commission invites the Committee to note that some providers will not engage with us short of a court order or formal proceedings which is why the Commission is building evidence to consider whether provision of additional powers to us, such as the blocking of identified websites, would better enable us to target such operations. We continue to monitor the impact of our ongoing actions in relation to illegal gambling to ensure consumers are protected. In relation to the scale of illegal gambling, in the period October 2019- March 2020, the Commission received 93 reports of illegal sites, predominantly through our intelligence reporting and public contact centre routes. The Commission have also been tracking other illegal gambling activity including that provided by way of social media. In the period October 2019 to 31 March 2020 the Commission received 284 reports of illegal social media gambling activity and the action we took included engagement with the social media platform to seek closure of those accounts, dissemination to other law enforcement agencies and issuing Cease and Desist notices where it was appropriate to do so".*

93 reports of illegal sites over a 6-month period does not indicate a problem serious enough to dilute the urgently needed reform of the regulated industry.

The industry public relations body, the Betting and Gaming Council (BGC), has suggested that the black market is a very serious problem. So much so that the Gambling Commission saw fit to write publicly saying that they should not exaggerate the problem. The BGC relied for its statements on a report commissioned by them from PwC, but which they were very reluctant to put in the public domain. When the report was published, it came as no surprise that:

- Samples sizes were small
- It contained no less than 22 qualifications as to its reliability including:

**Given the nature of the work, no data source is able to give a complete and reliable representation of the market situation.**

**Due to the difficulties outlined in this chapter, we have not calculated a precise view on the value of the unlicensed market.**

**The sample size is more limited (than 2363) for individual gambling product verticals, due to the low proportion of gamblers using unlicensed operator**

**Given the nature of gambling, it can be difficult to elicit truthful responses from survey respondents**

**Hence result may not be perfectly comparable**

Examples of some of the comments received from those with Lived Experience of Gambling harm include:

*"The GC say that they have no evidence of a significant 'black market' in the UK, nor that regulation drives people to unlicensed sites".*

*"They have warned the UK gambling industry against overstating the threat of the black market".*

*"They have indicated that (with sufficient resources) they would be able to combat the black market through a combination of intelligence, technological and collaborative work with the financial sector".*

Given the two conflicting views from the Gambling Commission and the commercially conflicted BGC, we suggest that the BGC's exaggerated claims about the severity of the black-market risk should be discounted. It is worth noting that many of the reasons for customers to choose a black-market site are within the scope of gambling operators to control. Such reasons include: having an account closed by an operator for commercial reasons; brand and reputation; odds/return to gambler; ease/speed of withdrawal; and the wide range of games and/or bets available. The Gambling commission currently manages to control the black market using a combination of intelligence, technology, and collaborative work with the financial sector. It should be noted that the BGC members have a workforce of around 100,000 who have a commercial interest in looking out for illegal sites day in and day out.

In conclusion, the black-market risk is clearly overstated and should not be used as a means to deflect attention from the serious reforms that are required in the regulated sector. Some changes should be considered to strengthen the Gambling Commission's powers by:

- Putting the relationship between the Gambling Commission and the banks and the finance industry on a formal footing to ensure illegal operators could have their bank facilities blocked as of right, not as a request
- Putting similar measures in place between the Gambling Commission and with Internet Service Providers so that illegal sites can be taken down as of right not as a request.

## **Q17** What evidence, if any, is there on the ease with which consumers can access black market gambling websites in Great Britain?

No comments, apart from those noted in Question 16.

## **Q18** How easy is it for consumers to tell that they are using an unlicensed illegal operator?

No comments, apart from those noted in Question 16.

## **Q19** Is there evidence on whether the Gambling Commission has sufficient investigation, enforcement and sanctioning powers to effect change in operator behaviour and raise standards?

The Gambling Commission's powers impinge on the way it carries out its day-to-day regulatory functions. There are obvious flaws in the way it currently operates, both in terms of what it does and in terms of what it ought to be doing. These flaws include:

Inability to act in a timely manner. Currently there is of the order of a two-year lag between starting to investigate an issue and implementing any corrective action. In part this may reflect inadequate funding and resources, but there are likely to be areas where consultation requirements can and should be streamlined. This frustration is highlighted in the following response:

*"They need to see the destruction and devastation it can cause and be able to have full powers to change in just a short while a law or enact a new law to reflect those changes, especially with technology moving faster than ever and the rules not changing with them".*

*"It is proving impossible to 'keep up' with the industry and the games and all the advancements in technologies. Regulation cannot keep up and the Industry is always ahead. One solution is Prescriptive Regulation whereby UK regulation sets the rules, parameters and the standards expected of UK Operators as a condition of them holding a license in the UK. It would slow down innovation but, should not stifle innovation. The GC would need to review these rules, parameters and standards on a regular basis".*

*"The regulation needs to keep up to date with modern technology and also overseas companies trying to cash in on Britain's people. Legislation allowing sufferers families to be able to stop accounts which are not the sufferers if they have due cause and make stricter the rules on all overseas companies,*

***perhaps taxing them so they are not viable to trade in this country. Perhaps legislation allowing families to bypass data protection and actually use their family skills to protect the sufferer from further devastation”.***

Apparent fear of taking any action which could be considered controversial. The gambling industry is huge, and operates with budgets which are a factor of 70 times more than the Gambling Commission’s. Clearly making decisions with the constant fear of having to defend them at a Judicial Review will lead to a slow and conservative approach to change. To offset this fear, the Gambling Commission should have sufficient powers to deflect the potential for Judicial Review being called by a well-funded gambling industry.

***“The Gambling Commission has insufficient power, resource and will to fix issues that it sees daily, and even when there are strong legal argument to act it doesn’t do so”.***

***“The powers they have are quite far reaching but there is a reluctance to use them with any great effect. Suspend a licence rather than continue with fines, which are not a deterrent to the money rich Operator. Use their Data better to name and shame those who fail, bring out a league table to show best and worst. Also, they need to investigate breaches far better than they do now”.***

The Gambling Commission has a predilection for making multiple incremental changes to regulations under the guise of making gambling “safer”. But safer is not safe. The classic example would be the recent change of maximum spin speed to 2.5 seconds. When commenting on this the Gambling Commission stated that it could not confirm whether such a speed would be safe or unsafe! It is simply unacceptable that after all this time, regulations are being made which do not of necessity result in a safe outcome. The Commission’s continued failure to make gambling safe is was highlighted in multiple responses:

***“The aim of the regulatory board should be a public health approach not to encourage gambling”.***

***“They should have increased funding in order to undertake more rigorous monitoring of compliance with any licences issued to gambling operators. With the increase in online gambling, there needs to be greater focus on the addictive nature of products and they need to have the power to set thresholds for acceptable gaming products based on independent advice from behaviour scientists”.***

Failure to thoroughly investigate the incidence of a gambling related suicide. Despite one of it’s three statutory objectives being “protecting children and other vulnerable persons from being harmed or exploited by gambling”, the Gambling Commission takes little or no interest in gambling related suicide. (With the possible exception of its investigation into the circumstances of the suicide of Chris Bruney). Each and every one of these suicides is a tragedy for the friends and family of the victim, and one which the Gambling Commission should be

treating in exactly the same way as a death in the workplace. They should have the statutory duty and powers to undertake a forensic investigation into the circumstances of the suicide; to review medical records, banking records, gambling operator "subject access request records", and speak to family and friends, to understand what went wrong and what lessons should be learned. As not all gambling related suicides will become public knowledge, as a fall back they should routinely use the ONS Suicide Data Set (as provided to the National Confidential Enquiry into Suicide and Mental Health (NCISH)) and compare it with:

- Banking records to establish whether there is evidence of significant gambling (say those with >10% of income spent on gambling)
- NHS and Third Sector gambling addiction treatment records to establish whether there is evidence of prior attempts at treatment
- Operator's account records to check for the extent of compliance with LCCP conditions and intervention opportunities taken and missed.

There are probably between 250 and 650 opportunities to learn lessons and improve regulation which are not being followed up at present. This would be unheard of in Health and Safety legislation. Remember, when the Health and Safety at Work act was passed in 1974 there were 651 deaths in the workplace. There could be a similar number happening as a result of gambling addiction, and not only are we doing nothing about it, we are not even counting the bodies.

Failure to support customers with complaints against operators. Currently the Gambling Commission has no statutory duty to do this, which is a serious omission in its powers. This should be corrected, in conjunction with the introduction of a Gambling Ombudsman and the introduction of a Statutory Duty of Care.

Failure to complete investigations in a timely manner and to advise the Courts of their findings in cases where individuals suffering from disordered gambling have committed a crime. This is essential information which the judge will need to determine an appropriate sentence. Recent examples have come to light where the victim had been reimbursed by the operator, but this fact was not available to the courts pre-sentencing. In many cases the operator has failed his LCCP obligations to conduct appropriate anti-money laundering checks and source of funds checks. Some might regard the operator as equally culpable. The Gambling Commission should have a statutory duty to provide relevant information to the courts in a timely manner. Lived Experience can demonstrate the difficulties caused by this:

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***"GC should be more open in communicating with customers of operators. I informed GC of illegal receipt of unlawful funds by one operator and was stonewalled with 'we do not normally divulge details of any investigations' nonsense. GC only acknowledged my case being part of regulatory action taken against another operator after the fact. This information formed part of an appeal against criminal conviction/sentence and in part led to reduction in sentence but resulted in my having spent over 8 months longer than necessary in prison due to GC choosing not to notify individuals with cases being investigated of findings of LCCP and AML breaches in advance of final settlement. GC should have duty to notify Crown of ongoing investigations where criminal activity is involved".***

*“GC should have remit to ensure that no operator is allowed to retain funds received either from known unlawful sources or from customers where breaches of LCCP or AML regulations are found to have occurred even when full regulatory action is considered unnecessary. In my case one operator agreed to divest themselves of £500k to known victim of crime yet was allowed to retain additional £269k of unlawful funds from same victim and constituting part of same criminal enterprise. GC ignored all approaches regarding £63k of unlawful funds acquired by different operator. Issue appears to be related to GC operating policy whereby investigation is only triggered by self-reporting of contact with police by operator and not as a result of third-party contact with GC”.*

*“GC has power under English and Welsh law to prosecute operators for breaches of both Gambling Act 2005 and Money Laundering 2007 regulations but chooses to proceed via regulatory settlement rather than criminal prosecution. This absolves operators of corporate responsibility and liability for criminal actions. AML breaches should be prosecuted as criminal offences, perhaps under watch of FCA. This would allow the paper walls currently separating criminal prosecutions against individuals with problem gambling related offences to be considered alongside civil actions taken against complicit operators and pave the way for judicial recognition of joint responsibility and liability. Current system means that even when operators are shown to have knowingly allowed criminal funding to occur no criminal responsibility is placed on them even though they could have acted to prevent continued criminal activity and mitigate losses to victims”.*

In exercising its statutory duty to prevent harm to children and the vulnerable, the Gambling Commission should have statutory duty to measure harm. At present it abrogates this responsibility to a mish-mash of “others”. Not surprisingly there is a lack of good data in this area. So much so that a recent research paper had to rely on a 2007 survey to gather basic information. What other multi-million pound industry would be basing decisions on 13-year-old data? The Gambling Commission should have the power, funding and resources to gather the basic measurements of harm set out in Wardle et al., and the Advisory Board for Safer Gambling Strategy document.

## **Q20** **If existing powers are considered to be sufficient, is there scope for them to be used differently or more effectively?**

Most of our evidence has been directed to Question 19. In relation to this Question, the Gambling Commission is not fit for purpose. This has been eloquently set out by the All Party Parliamentary Group on Gambling Related Harm, the House of Lords Committee on the Gambling Industry, and the Reports by the National Audit Office and the Public Accounts Committee. The issues raised in these reports could be addressed to some degree by existing

legislation, but there would need to be a step change in thinking, funding, resource provision, and most importantly the will to do it. With the current arrangements in place none of these seems likely to change.

Our survey identified the following specific areas which could be improved:

***“The Gambling Commission should have a robust system in place which is transparent and works so that for all operators there is no “cherry picking” of whether a fine or a ban will be applied”.***

***“Enforcement should be mandatory and not “by request”.***

***“They need to be more aware of the harm that is caused by gambling”.***

The Gambling Commission should address these shortcomings:

- They do not help the customer
- They do not prevent people being harmed
- They do not prevent crime
- They do not have the confidence of the customers

The LCCP interventions need to be improved such that:

- Each level has a clear objective, clear measures of success, a set of key performance indicators, and a defined set of steps to escalate or de-escalate depending on outcomes.
- The sequence of escalation, up to and including account closure needs to be transparent to customers and operators
- Routing monthly reporting of actions taken at each level, together with their outcomes, should be carried out
- Summaries by operator, and by the Gambling Commission as a whole, should be published.

Suggestions for how the current powers held by the Gambling Commission could be used differently, or more effectively from our Lived Experience group include:

***“The gambling commission should have a more robust system that works for all operators so that no cherry picking of whether it will enforce a fine or ban is used. It should be the same whether a business has 10 staff or 1000”.***

***“It is not enough to ask operators to do x and y. It should all be mandatory, there should be no loopholes, legal or otherwise”.***

***“Gambling Commission need to do what it is set up to do. Regular failings to the general public in supporting their complaints. Impacts on justice service decisions”.***

*“Firmer regulation with hard consequences. Lead the way in how operators should run, regulate and protect consumers”.*

*“Gambling commission is not fit for purpose SIMPLE. They do not help the consumer, they do not prevent people being harmed, they do not prevent crime and they do not have the confidence needed from the consumer to be able to be aware of what is really going on with the industry they regulate. They have allowed the industry to lead and not be led on regulation”.*

## **Q21** What evidence is there on the potential benefits of changing the fee system to give the Gambling Commission more flexibility to adjust its fees, or potentially create financial incentives to compliance for operators?

In the context of a gambling industry with a gross gambling yield of £14.4bn, paying £3bn in tax, and spending £1.5bn on marketing and advertising, it seems totally ridiculous to throttle the Gambling Commission with a budget of £19m. Surely a case of being “penny wise, pound foolish”?

The way forward will be to allow the Gambling Commission to review its forward workload, set its own budget, and apply a standard formula to enable it to recover the money from operators. Or, if the administration of that recovery process is unduly cumbersome, simply fund the Gambling Commission from the overall tax take. Either way, micro-managing the budget at the expense of doing what should be done is counterproductive. Were the Commission to develop a league table of operator’s key performance indicators, it might certainly be possible to apply a financial incentive mechanism. Ofwat have used this approach with Water and Sewer Companies.

Examples of some of the comments received are:

*“They should have increased funding in order to undertake more rigorous monitoring of compliance with any licences issued to gambling operators”.*

*“With the increase in online gambling, there needs to be greater focus on the addictive nature of products and they need to have the power to set thresholds for acceptable gaming products based on independent advice from behaviour scientists”.*

## **Q22** What are the barriers to high quality research to inform regulation or policy making, and how can these be overcome? What evidence is there that a different model to the current system might improve outcomes?

The best exposition of the need for a statutory levy to fund research, education and treatment has been set out by the Advisory Board for Safer Gambling (ABSG) in their Advice to the Gambling Commission dated 1 September 2020. They recommended:

- I. Establish a statutory levy on all gambling operators
- II. Set the levy at 1%, with a review after two years
- III. Establish an independent Safer gambling Levy Board to oversee the distribution of funds.

They identified the weaknesses in the current voluntary system as:

- i. A lack of transparency
- ii. A lack of equity across operators
- iii. A record of insufficient funding
- iv. Voluntary funding that is unpredictable and creates barriers to distributing funds to where they can have most impact – such as the NHS

They point out that their recommendations would allow a greater pace of progress to reducing gambling harms, and would create a fairer and more efficient approach that would significantly benefit those affected by harms.

Such an approach has the support of the various parliamentary committees that have looked into the gambling industry. And to delay the inevitable, the BGC and its members have mounted a rear-guard action to delay and defer its introduction. Firstly, by committing to support an initiative by Lord Chadlington, and then walking away from it. And secondly by announcing a commitment to donate “£100m by 2023”, and then falling woefully short of their initial promises.

Our view is that the ABSG recommendations should be adopted in full and without delay. The industry has prevaricated for far too long and must now accept this first modest step towards a rational approach to research, education and treatment. Our recommendations are made on the basis of the responses received from those with lived experience of gambling harm:

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***“Greater transparency on the RET programmes - how they are being conducted, their reach and pressures for a proportionate statutory levy on the industry”.***

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***“At present, gambling industry contributes 0.1% of its gross gambling yield as a voluntary amount for education, research and treatment. This £14 million is inadequate to even fund treatment (at present only 2% of sufferers receive treatment, compared to 15-20% for drugs and alcohol illnesses). It is crucial to have a statutory levy on the gambling industry...a need called for by the All Party Parliamentary Group, House of Lords and Advisory Board for Safer Gambling”.***

*"I would like to see a levy introduced so that education, prevention and treatment can be funded independently from the industry".*

*"Currently, the industry contributes around 0.1% of its Gross Gambling Yield (GGY - essentially the total which customers lose) to pay for research, education and treatment (RET). The amount is voluntary with the majority given to GambleAware (a charity which then commissions RET). They also give money direct to GamCare and YGAM to deliver a range of education initiatives. This arrangement does not provide any certainty or security for RET organisations. It also gives the industry enormous potential control over how money is spent".*

*"Many researchers refuse to take money from either direct from the industry or from GambleAware because of the need to have independent research. (This is similar to funding by the tobacco industry)".*

*"The 0.1% (around £14m per year) is totally inadequate to fund even the treatment which is required - currently around 2% of people needing treatment receive it (compared to 15-20% from drugs and alcohol)".*

*"Under pressure to avoid a statutory levy, a year ago the 'big 5' gambling companies volunteered to contribute an additional £100m over the next 4 years. However, recent figures show that there will be NO increase this year - they have contributed only £2.2m of the £5m which they contributed last year. And there is a '£25m hole' in the profile that they have promised over the next 3 years".*

*"Most campaigners are calling for a statutory levy of at least 1% of GGY which would be administered entirely independently from the industry. This would be around £140m per year".*

## **Q23** Is there evidence from other jurisdictions or regulators on the most effective system for recouping the regulatory and societal costs of gambling from operators, for instance through taxes, licence fees or statutory levies?

The recent Social Market Foundation (SMF) Report "Double or Nothing? Assessing the economic impact of gambling" identified the combined value of tax revenues from betting and gaming industries to be £4.3bn. This figure includes estimates of: betting and gaming duties; employee-related taxes; corporation tax; and taxes on intermediate products and production. When considered against this backdrop, the source of research, education and treatment funding of the order of £140m per year is not necessarily material nor "of the essence". Other jurisdictions may well prefer the simplicity of taking such costs out of the main betting and gaming levy.

However, there is some merit in the “polluter pays” principle, and some benefit in the transparency offered by having an independent levy to fund research, education and treatment. This is especially the case when the true cost to society of gambling is so poorly identified. The Institute of Public Policy Research (IPPR) has produced an estimate of between £260m and £1.2bn. Another report, The Great British Gambling Crisis, has produced an estimate based on the cost of years of life lost of between £20bn and £30.5bn. Hopefully the long awaited report by Public Health England on Gambling Harm will shed more light on the social cost of gambling.

In any event, having a separate statutory levy to fund research, education and treatment will permit more rapid adjustment to changes in the need and demand for such services.

***“Research, education and treatment must be completely independent of the gambling industry, funded by a mandatory levy of 1% on operators. RET should be independently commissioned by an external body”.***

***“There should be a statutory 1% levy on industry from which government can divest funds to independent research, education and treatment. Education and treatment at present function in part to reinforce industry narratives about individuals being the ‘problem’. Regulation needs to consider the complete landscape. It needs to be dynamic and evolving proactively to challenge new dangers, and the new Act needs to be strong enough to have significantly reined in the possibility of such dangers arising”.***

***“More funding is required to support targeted rehabilitation, my son was fortunate to go through the Gordon moody association, but I believe this is the only one available in this country. GMA saved his life and gave him an opportunity to start living again, some addicts do not have this opportunity and find the only way out is to take their own life”.***

***“It worries me that the industry is so powerful that it sees itself above the law, and that the laws - as they stand - are currently not going to change their approach. A levy is a great idea to siphon off the money needed to establish clinics and support services for problem gamblers, to improve education, to establish peer support networks and mentors, and to invest in meaningful prevention measures in our communities”.***

***“The gambling industry pays just one thousandth of its gross gambling yield towards research education and treatment. The ABSG has made a compelling case for there to be a statutory levy set initially at 1%. DCMS already has the powers to implement this without any delay. It should be done, together with the establishment of a truly independent organisation to distribute the funds”.***

***“There is a need for a greater investment in independent research on the harm of gambling. The scope also needs to be expanded to review the impact on affected others. As an affected other, I believe there is a clear lack of understanding on what the impact of gambling means to those who have to***

*live with the ongoing worry and financial consequences of a family member who has become a compulsive gambler through the use of addictive gambling products. I know that when I shared my story of being an affected other with a range of friends and work colleagues, they were absolutely stunned from learning about the harm and ongoing consequences”.*

## **Q24** Is there any additional evidence in this area the government should consider?

The existing Gambling Act is neither satisfactory nor sufficient to regulate the gambling industry. New legislation is required to: (with supporting statements from our evidence)

- Make the prevention of harm the first priority of both the Gambling Commission and the gambling industry

*“They need to see the destruction and devastation it can cause and be able to have full powers to change in just a short while a law or enact a new law to reflect those changes, especially with technology moving faster than ever and the rules not changing with them”.*

*“The gambling commission need to have a responsibility for the health of the public and what is happening as a result of gambling. These products cause severe harm and they need to be accountable”.*

- Make the Gambling Commission part of a fully integrated approach across all government departments to address regulation, research, education, treatment, justice, advertising, social media, digital technology, measurement of harm, integration of gambling regulation with financial services and all aspects of public health. Reforming the role of the Gambling Commission in isolation from these other areas makes no sense.

*“The Department for Culture, Media and Sport (DCMS) is the government department which is responsible for gambling. However, they limit themselves to issues of regulation, so do not cover health/treatment, education or crime related to gambling”.*

- Adopt a multi-regulator approach where appropriate to provide focussed regulation (such as in the water industry where there are separate regulators for economic regulation, the environment, drinking water quality, competition and health and safety)
- Introduce a statutory duty to measure harm

*“There is a need for a greater investment in independent research on the harm of gambling. The scope also needs to be expanded to review the impact on affected others. As an affected other, I believe there is a clear lack of*

*understanding on what the impact of gambling means to those who have to live with the ongoing worry and financial consequences of a family member who has become a compulsive gambler through the use of addictive gambling products. I know that when I shared my story of being an affected other with a range of friends and work colleagues, they were absolutely stunned from learning about the harm and ongoing consequences”.*

*“The Gambling Commission have as one of their licencing objectives the duty to prevent harm to children and the vulnerable. They take a very narrow view of this, and don’t even measure harm in any meaningful way. The new Gambling Act should fix them with the duty to prevent harm by gambling to ANYONE. And a duty to measure harm and to report on levels and trends monthly”.*

- Introduce a statutory duty on the Gambling Commission and the finance industry to require them to cooperate to provide anonymised data on the numbers of accounts using gambling merchant codes, and the range of percentages of discretionary income spent on gambling merchant codes.

*“I think the financial sector have an important part to play here. Banks are not in the business of making money from someone’s gambling misfortune and therefore have an important role to play in spotting the early warning markers of harm and being on the front line exposing the loop holes created by the gambling operators”.*

*“They should also have powers to use regarding how banks deal with misuse of cards and/or the use of cards by the addicted. My sufferer caused heartache and devastation to everyone in his family”.*

- Introduce a statutory duty on the Gambling Commission and NHS and Third Sector treatment providers to require them to cooperate to analyse how many of their former patients suffering from gambling disorder went on to commit suicide.

*“The Gambling Commission should have a new duty to investigate suicides by cross checking the ONS suicide data set with operator and bank records to determine which suicides had gambling as a contributory factor. Lessons could then be learnt from the interaction failures by operators”.*

- Introduce a statutory duty on the Gambling Commission and the gambling industry to require them to cooperate: to analyse how many people who have taken their own life had significant gambling activity; to analyse whether a substantial percentage of their discretionary income had been spent on gambling; to analyse what interventions were taken or should have been taken to prevent harm; and to learn the lessons from the suicide.

***“When a death occurs in the workplace, there will be an enquiry to establish the facts, lessons will be learned, and failures will be prosecuted. When a gambling suicide occurs, nothing happens. No enquiry to establish the facts; no lessons learned; nor prosecutions for failures”.***

Some of these only arise because of the narrow interpretation of existing legislation taken currently. But the explicit inclusion of these duties will add clarity to the role of the Gambling Commission.

Furthermore, some concern was expressed regarding the mechanisms of funding and transparency of process regarding how the Gambling Commission allocates funds it receives through fines and regulatory settlements, specifically with regard to money going to companies who also receive funding directly from the gambling industry:

***“The way the Gambling Commission pass on part of fines and divestments to certain firms needs to stop”.***

***“There should be a public health approach to all of this and it shouldn’t be a case that certain service providers always receive funding. There is a very clear lack of transparency and for the amount of money these firms have been given, what is there to show for it?”.***

***“We need to look at research education and support services as I do not feel these should be influenced at all by the industry itself”.***

***“I do not want to see businesses such as Ygam and Epic anywhere near my child’s school. This should be delivered, if at all, via PHSE NOT businesses rocking up talking about their experiences and normalising gambling as it is not a normal past time. It used to be something most children only came across on holidays. Now machines are everywhere, bowling alleys, restaurants, soft play, it’s not acceptable”.***

There is also strong support for the introduction of a Gambling Ombudsman, and for the introduction of a Statutory Duty of Care. Details of these topics are included in the next section on “Consumer Redress”, but will obviously require changes to the Gambling Act, and to the Gambling Commission’s powers and resources.

## **Consumer Redress**

Social media contains an endless stream of stories concerning disputes between customers and operators. The fact that the Gambling Commission has no interest in investigating or supporting issues raised by individuals only adds to the frustration of the customers.

The survey identified three specific areas where reform was needed:

- At a corporate level, there is a need for a Statutory Duty of Care

- At an individual level, there is a need for a Gambling Industry Ombudsman
- At the Gambling Commission, there is a need for a new statutory duty to provide relevant information to the courts in a timely manner where individuals are facing criminal charges arising from gambling activity where the operator may also be implicated

## **Q25** Is there evidence of a need to change redress arrangements in the gambling sector?

At the corporate level, a Gambling Act should include specific provisions for a Statutory Duty of Care to be placed on both the Gambling Commission and the Operators to prevent harm as a primary obligation. This should also require a named Director to be responsible for ensuring the duty of care was observed. Failure to comply with the duty of care should be able to be prosecuted by both individuals and an enforcement authority.

***“Let us not forget disordered gamblers do not think logically nor rationally, and as vulnerable individuals need the protection they deserve. Compensation (back to the harmed individual) for gambling losses has to be considered where there has been a blatant breach and lack of duty of care”.***

***There is a need for a Statutory Duty of Care to be applied to both gambling operators and the Gambling Commission. The most obvious comparator would be that of the Health and Safety at Work Act. This places an obligation on every employer to “do everything reasonably practicable to prevent harm to anyone in the workplace”. As a consequence workplace deaths have reduced from 651 in 1974 to less than 150 today. The reason is that the obligation is enforced by the Health and Safety Executive who prosecute failures. A similar body (Gambling Safety Executive?) should exist for gambling. In addition, a consumer ombudsman is needed to resolve routine disputes between customers and operators.***

This single measure could transform the way in which the gambling industry pursues the prevention of harm. The first time a Director had to attend an interview under caution, the whole company would get the message instantly. The first time there was a prosecution, the whole industry would get the message. If in doubt, just look at the way the Health and Safety at Work Act transformed safety in the work place in 1974.

***“As a gambling addict and an individual whom has lived experience of the product, I continue to be shocked at the lack of redress consumers have to the operators”.***

At the individual level, the call for an independent Ombudsman was the single most requested change in our survey. This comes as no surprise as the existing arrangements are so

unsatisfactory and heavily loaded in favour of the operators. This would then also be able to form the basis of a "customer service" performance indicator, with number of complaints being able to be published on a routine basis.

*"Currently the Gambling Commission are not responsible for investigating the complaints of individual customers: there is no ombudsman. This should change. Currently the customer must complain direct to the individual gambling company, who set specific and mostly inapproachable stages (biased) in which to participate therefore operators/companies must allow customers to refer their complaints to an (industry funded) Alternate Dispute Resolution provider".*

*"There needs to be an independent ombudsman to review and impose accountability in each case brought to their attention. Had operators shown any inclination towards adequate self-regulation, on any matter, then the necessity for this may not have been so strong but now to continue with the current model simply would not see any honest customer redress".*

*"An Independent ombudsman is a must as there is no real complaints process at the moment. Failings should be investigated far more rigorously and those found to have been harmed should receive some sort of redress".*

*"There has to be an independent Ombudsman introduced that actually investigates and reports back to the person complaining. Trying to deal directly with the gambling company is often tedious and I guess a purposely long drawn out process".*

*"Where operators have clearly failed customers, an independent ombudsman should be able to claim redress. If customers show clear markers of harm or indicators of gambling disorder and operators have exploited, incentivised or failed to intervene, customer redress should be given".*

*"There should be an Independent Ombudsman for disputes (funded via a fee the gambling company would be required to pay if a client took them to the Ombudsman ( much like the FOS)".*

*"During my entire 35 years of being a disordered gambler, there was absolutely no recourse for the customer. There was no independent Ombudsman (Like the Financial Ombudsman Service) and thus any disputes were not fairly judged by an independent source. I had many disputes, mainly with land-based bookmakers however the complaints process was generally not fit for purpose, because the gambling organisation could just annul a bet a refund you the stake, even if you won. I even took a complaint to the CEO of Ladbrokes (around 2011) because they refused to settle a £200 winning bet (profit £700) and eventually just gave me a £200 free bet (even though the bet was placed "before the off"). The customer would at least have recourse with*

*an independent Ombudsman which would be self funding from the fees that a gambling firm would have to pay if a customer went through the complaints process and then escalated to the Ombudsman (much like the FOS)”.*

*“The immediate implementation of an ombudsman for customers who think they have been harmed by gambling. End the present situation of the customer complaining to the individual gambling company”.*

*“There should be the establishment of a Gambling Ombudsman in order to provide a fair and independent redress system. This system should also allow affected others to be able to pursue a case of redress”.*

*“An independent ombudsman to deal with all consumer address. If there has been a failure on the operators side then they should be giving redress to that individual”.*

*“An ombudsman that is independent to the industry must be set up. Legacy cases must be picked up as it is this decade of harm that is driving the review. This is a vital part of any change that those directly targeted and harmed can seek independent arbitration and redress. The current model is awful as no actual ADR procedure is in place for social responsibility disputes”.*

*“The single most important proposal must be an independent regulator and ombudsman. Self-regulation has not worked because it simply is not logical to ask businesses who operate for profit with no statutory duty of care for customers to make decisions objectively”.*

*“Ombudsman to receive and investigate customer reported breaches rather than automatic signposting to operators with investigation only then occurring when operator self-reports”.*

*“Public register of complaints/breaches by individual operators to ensure public scrutiny and increase confidence in operators commitment to responsible gambling”.*

*“There should be an independent ombudsman. All customer data should be fed into a central place which in agreement with GDPR would allow that data to be used as a force for good and not used, as it is just now, as a force for greed”.*

The inability of individuals to get the Gambling Commission to engage with them and their legal representatives in a timely manner when subject to criminal prosecution has resulted in unfair outcomes for those individuals. Judges have passed sentences which are disproportionately high simply because they were unaware that victims had been reimbursed by operators. This is clearly a miscarriage of justice, and a new statutory duty to engage in a timely manner should be placed on the Gambling Commission.

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*“I have dealt with companies who clearly caused harm. These companies do not engage sometimes, can leave a person out of pocket and indeed cause financial and emotional harm long after stopping”.*

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## **Q26** If so, are there redress arrangements in other sectors or internationally which could provide a suitable model for the gambling sector?

The Statutory Duty of Care works very effectively in the Health and Safety at Work legislation. The duty to “do everything reasonably practicable to prevent harm” is an innocent form of words. But it does translate into managers taking safety with the utmost seriousness when completing a risk assessment with mitigating actions in it. “Could I defend this approach in court when being cross examined by an aggressive barrister?” always has a sobering effect on safety decisions.

Examples of some of the comments received are:

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*“There is a need for a Statutory Duty of Care to be applied to both gambling operators and the Gambling Commission. The most obvious comparator would be that of the Health and Safety at Work Act. This places an obligation on every employer to “do everything reasonably practicable to prevent harm to anyone in the workplace”. As a consequence workplace deaths have reduced from 651 in 1974 to less than 150 today. The reason is that the obligation is enforced by the Health and Safety Executive who prosecute failures. A similar body (Gambling Safety Executive?) should exist for gambling. In addition, a consumer ombudsman is needed to resolve routine disputes between customers and operators”.*

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## **Q27** Individual redress is often equated with financial compensation for gambling losses. However, there may be risks associated with providing financial lump sums to problem and recovering gamblers, or risks of creating a sense that gambling can be ‘risk free’. Are there other such considerations the government should weigh in considering possible changes to redress arrangements?

Equal consideration should be given to the family of the customer who suffer significant harm as “affected others”. Concern for avoiding temptation for a disordered gambler should not come at the expense of hardship for their family.

There is also a view that unless and until the gambling operators are at risk of losing from their failed attempts to prevent harm, they will continue to merely pay lip service to harm prevention. At present it seems that all they have to do is to make reparations of the sums they have taken

to their pet charity. There is no downside for them. Perhaps the standard approach should be to adopt a two stage correction: refund the disordered gambler; and make an identical payment to a nominated charity.

Examples of some of the comments received are:

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***“I understand the concern for return of funds to gamblers or former gamblers. But what about funds to families and loved ones who sadly lose someone who gambled. I lost my Dad before I properly met him. I was on my Mum’s side. Only a year before he passed, I started to properly see his addiction, to understand, and to feel sorry. When he passed, I didn’t know what to or how to feel because death was mercy. Mercy to my Dad. My Mum’s still burdened with his debt and is just getting around to dealing with the mortgage 8 years later. The same mortgage she signed up to in June 1997. Almost 24 years ago. Something that she should have had paid off 20 years ago. She worked 7 days a week, 5 days as a factory worker, and 2 days as a cleaner. And mothered 2 sons and also provided for her husband. She’s suffered more than anyone can possibly imagine because of gambling-harm for 20+ years. And she’s still having to put up with it while the operator William Hill (primarily) have long got their money and my Dad’s life as well”.***

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## **Q28** Is there any additional evidence in this area the government should consider?

The Gambling Act 2005 includes a statutory duty to prevent harm to children and the vulnerable. Those who gamble excessive amounts of their income are acting irrationally. By definition they are therefore vulnerable. To avoid any ambiguity the new Gambling Act should include a statutory duty to prevent harm to anyone.

The Oxford University -Lloyds report identified that 25% of account holders were suffering significant harm or starting to suffer significant harm. This has highlighted the true scale of harm being experienced in the UK. The new act should contain provisions to prevent this.

In their reply to the House of Lords report, DCMS noted: “ it is necessary to maintain the right balance between the freedom to enjoy gambling as a leisure activity and the need to protect vulnerable people”. But there can be no trade off between the prevention of harm and profits. No other industry is permitted to cause harm to hundreds of thousands, and this must now be corrected.

## Age Limits and Verification

### **Q29** What evidence is there on the effectiveness of current measures to prevent illegal underage gambling in land based venues and online?

Recent findings have indicated that a large number of young people are gambling – 2.1% of all 25–34 year old men were classified as “problem gamblers” in 2016, with a further 12.3% “at risk”, and 0.9% of all 16–24 year old men were classified as “problem gamblers” in 2016, with a further 10.5% “at risk”. The highest “problem gambling” rates are found amongst younger males, and recent findings (CRGwL) indicate that over 55,000 11–16 year olds are addicted to gambling. Respondents with Lived Experience were able to start gambling whilst underage:

*“Their are currently over 55,000 youngsters addicted to gambling. It is therefore evident that age limits and verification is not being sought. My son started gambling at 13 and was too far into it before realising he had a problem”.*

*“I started gambling at around the age of 8, my childhood and three decades of adult life stolen by gambling operators. I didn’t have time to develop my brain, to discover my interests, my occupation, my purpose in life”.*

*“The bookies are where things need to change. Right now, it is too easy to walk in and not be challenged/checked. How on earth the UK legalises slot machines in arcades for kids is beyond me. This is the UK for crying out loud. What message does that send to our youngsters? Sort it out”.*

Further responses highlight how it’s too easy to both place a bet, and open an account, particularly online indicating that the current mechanisms in place to ensure there is no underage gambling are limited in their success:

*“The checks need to be more stringent. I’ve opened several accounts with companies and have been allowed to deposit and gamble before I’ve been verified – ironically it was only when I came to withdraw some money that I was told I couldn’t as my details were still being verified”.*

*“No bet should be placed without verification, I was never asked until I wanted to withdraw”.*

*“I wouldn’t say change the age but I would definitely change the access of verification and make it so much harder. On many online betting sites, I personally was able to deposit and play without having to even verify or whilst I was waiting for verification”.*

**Q30** Is there evidence of best practice, for instance from other jurisdictions, in how to prevent illegal underage gambling?

**Q31** What, if any, evidence is there on the number of 16 and 17 year olds participating in society lotteries?

**Q32** What, if any, evidence is there to show an association between legal youth engagement in society lotteries and problem gambling (as children or adults)?

**Q33** Is there comparative evidence to support society lotteries and the National Lottery having different minimum ages to play?

**Q34** What are the advantages and disadvantages of category D slot machine style gaming machines being legally accessible to children?

**Q35** Is there evidence on how the characteristics of category D slot machine style gaming machines (for instance whether they pay out in cash or tickets) factor into their association with harm in childhood or later life?

Some response to this question highlight how having such a narrow scope to a question can restrict reporting of the impact of a specific experience. To focus solely on the characteristics of category D slot machines neglects the overall environment and experience in which the behaviour is performed, commonly as a child. All too often, gamblers with lived experience will recall an early experience, perhaps on a family holiday, of gambling on category D machines in a seaside arcade; whilst the characteristics of the machine itself cannot be ignored, what is ignored in this question is the positivity of the overall memory associated with the experience, which is extremely important in the formulation of future behaviour:

*"I believe my sons addiction started at a very early age on holiday in the arcades. Whilst a little fun for youngsters is ok there are too many machines, games etc in these holiday locations that encourage youngsters to spend more and more eg at butlins you have to run the gauntlet of the arcade to get to the fair, reason being to maximise spend in the arcades to improve profit.*

*Consideration of what is allowed needs to be made for all venues where gambling occurs to try to prevent severe harm in future years - there is no age verification in these premises".*

*"The industry has recently voluntarily raised the age for playing Category D machines (the 'cash fruit machines' found in seaside arcades and family entertainment centres) from 16 to 18 years".*

*"It is the responsibility of individual operators to establish a player's age".*

### **Q36** What, if any, is the evidence that extra protections are needed for the youngest adults (for instance those aged between 18 and 25)?

Many respondents here highlighted the well established fact the brain is still developing in young adults, therefore extra care should be taken when allowing engagement with potential harmful products:

*"My late son became addicted at age 17 and remained addicted despite our best efforts at arranging treatment until his gambling suicide at age 23. This followed an early big win, followed by addiction reinforcement in subsequent weeks. The young mind is still developing up until around 25 and there is a case for the more addictive products to have a higher age limit such as 25".*

*"Young people's brains are 'more plastic' and more likely to be affected by gambling; as you get older your brain becomes 'less plastic', generally reaching 'maturity' at around 25 years old".*

*"Gambling is addictive & destructive. Brain develops to 25. Gambling addiction is 50% genetic and most common among under 25s".*

Further responses highlighted how adolescents and young adults may find themselves in a live situation that creates greater harm potential. Of particular concern were students, who may be living away from home for the first time, and find themselves with a large injection of funds (i.e. student loan), and are then encouraged to gamble:

*"I would like to see the age of gambling raised to 25. I appreciate that this will not happen but would see 21 as a more realistic age as this will ensure University students are not at risk of gambling their first term student loans and grants".*

*"I think the casino games age limit should be raised to 21 online. Young people who are just starting out in life are vulnerable. Whether you are a student away from home with a big loan; or someone getting into work/building a*

*career, gambling can ruin lives. The betting companies market to younger people and target accordingly, pushing addictive and dangerous products. Many gamblers start young, including myself. There is little education and awareness on how addictive these products are”.*

*“I now have a 16-year-old son, and it worries me that he might be vulnerable in the same way I was. There is a generation of younger people who will already have addictive tendencies due to gaming (FIFA, Fortnite etc) and unless the right approach is in place then they will become fodder for the industry as they graduate to sports betting, online poker/casino etc. There should be a strict age limit of 18 for all gambling including lotteries and it should come with clear signposting and messaging around the dangers and pitfalls that can come with gambling. Verification should be on the same level as opening a bank account and spending limits and affordability checks should be applied to younger gamblers”.*

*“Minimum age limits need to be more rigorously verified and as products are harmful, I would like to see the minimum age changed to 21. The reason for the increase in age request is that the addictive nature of products together with 18-21 years olds tending to have more disposable income due to not having the normal living costs of an older person at this age, means that they are at greater risk of acquiring an addiction which they will not be able to finance in later life”.*

A further feature of the responses from those with lived experience highlight how it is too easy to gamble, and that the onus should be on the industry to make this more difficult. Currently, very little documentation, in the shape of ID verification and source of funds / affordability checks are required to open an account, creating the risk of underage gambling:

*“I was able to open up a Paddy Power account at 17 and gamble, the check only came when I wanted to take out money. Now I’m not sure what it is like today but if it still similar, more thorough checks need to be carried out in terms of verifying your age. Meaning at least 3 different documents of verification. To say an age limit needs to be increased is wrong but I still believe 18 may be too young to actually gamble. What can be introduced like think 25? Maybe a limit on all money spent on accounts of people under 21-25”.*

*“Also, being 18 years old is the only requirement to register onto a gambling website, I think that further required are needed such as being a homeowner, requiring to submit household bills with your name on them. Like applying to banks for loans etc”.*

*“It is far too easy to open a betting account and gamble. You can do this and lose money within minutes. However, when looking to withdraw any funds*

*(winnings), the betting companies make this process lengthy for the consumer, and then demand Identification and an ID check. This should be the other way around. It's a cash grab, especially when couple with free bet incentives - that often require a huge amount of wagering before becoming "real money". During this time, the gambler can become hooked and gamble much more than they intended or want too. It's grooming and bad practise from the betting companies".*

### **Q37** What evidence is there on the type of protections which might be most effective for this age group?

A number of suggestions are put forward to increase protection for this age group - these almost all focussed on adding friction to the process of opening accounts, verifying age and income, and placing bets. Many responses focussed on providing documented evidence of ID and income, whilst others suggested more comprehensive measures such as fingerprint verification:

*"From my own lived personal experience the current verification process must be enhanced, in particular with regards to affordability. In all my historic instances of opening online accounts I was able to immediately deposit monies with no requirement to provide proof of source of funds or affordability. As a problem gambler I would frequently deposit several times within 24 hour periods, even several times per hour on certain occasions, with no questions asked by the provider. The earliest intervention I ever had requesting proof of my source of income was 10 days following my account opening, by which time I had deposited (and lost) over £3000 with the company. In the future I would like to see changes introduced whereby any new user is initially permitted a single transaction e.g. £50-100 until they complete verification. This should include disclosure of information that demonstrates their financial status, which combined with an affordability credit check by the provider would then permit the user to apply for an increase in their deposit limit".*

*"Age limits verification is a must. I believe young people are engaged in underage gambling and many using parents debit cards to gamble. This practice should never happen, so a robust age verification check needs to be implemented, particularly for ALL online gambling. Forms of ID could be a recommendation before being allowed to open an account, much like opening a bank account".*

*"This is quite difficult, especially for land based bookmakers, which is why I have suggested finger Print recognition, as if this can be available for mobile phones, I would suspect the technology would be there within a bookmakers".*

*"Fingerprint technology would be a Win-Win as not only would it ensure age verification, but critically it would also identify individuals who have either self-excluded or banned, and be far more effective than the current unfit for purpose system in place".*

*"Fingerprint technology would also benefit age verification online, although I am unsure as to how this could be introduced".*

*"Stricter checks should be carried out not just rely on electronic information through credit reference agencies. In my case they verified my account within seconds".*

*"Development of better software systems. Suggest camera capture of passport or driving licence like that used by online banks".*

*"There needs to be an approach whereby access is denied altogether until age is verified appropriately. Currently it appears too easy to set up accounts and gamble and questions are only asked when funds are withdrawn, i.e action to the detriment of the operator. This again demonstrates a greedy and biased industry with no intention of acting with any moral compass, as well as a regulator which does not impose adequate conditions or penalties".*

*"Strict stringent codes with a code being sent to the telephone number attached to the bank account. No number, no code or allowing the bet to be made".*

*"...the card should deregister every time a bet is made. Then, at least the sufferer has a chance to think before they bet. As an addict, they live in the moment and cannot stop the euphoria rising. It would give them a breathing space to perhaps step back from the instantaneous gratification".*

## **Q38** Is there any additional evidence in this area the government should consider?

### **Land Based Gambling**

#### **Summary**

There was concern that the focus of the Review is too closely on the changes required to make online gambling safer. The group fully understands that online gambling has been allowed to develop in a substantially uncontrolled and unregulated manner and that major changes are

needed to bring it under control and limit the harms that it causes. However, we are keen to highlight that land-based gambling remains highly dangerous, is very intrusive in the lives of many local communities and also serves to normalise gambling.

It appears to have become a largely ignored area of activity by both the regulator and industry itself. Covid restrictions over the past year have meant that land-based betting and gambling has been substantially affected. While the industry has been able to recoup revenue shortfall by an increasing focus on online – a trend which has been happening for several years anyway – land based venues have not received the investment they need to keep them as safe and respectable places to gamble. There is a very serious danger that they will become even seedier, depressing and unsafe places used only by people who have developed serious gambling disorder.

There are many areas where bookies and other land-based venues are highly clustered. These tend to be in poorer areas but many towns and cities also have clusters of shops in or near their centres. Research undertaken by YouGov in 2018 found that bookies are by far the most unpopular shop to have on the high street (<https://yougov.co.uk/topics/consumer/articles-reports/2018/06/29/heres-what-britains-ideal-high-street-looks>).

There is also a strong feeling that land-based venues have fallen behind in terms of using technology to make gambling safer because of a real lack of investment by companies and failures in regulation to ensure that changes are introduced. For instance, the current self-exclusion scheme does not employ modern technology but still relies too heavily on paper-based systems and the vigilance to hard-pressed poorly paid staff to spot customers who had self excluded.

Finally, as we move towards a time when there will be proper and rigorous affordability measures enforced, it is recognised that land-based gambling remains a largely unmonitored area of activity. This gap means that potentially land-based gambling will become a major source of people with gambling disorder avoiding the various affordability measures and interventions which should make online gambling safer. There was a strong feeling that land-based gambling cannot remain 'invisible and unmonitored'. There was substantial support for measures to reduce or restrict cash gambling, which would also assist with Anti Money Laundering measures, but also for the introduction of some form of gambling ID or licence. This could be used to fit with developing the Single Customer View which will be necessary for the range of online controls and measure which need to be introduced.

The following sections summarise the main conclusions agreed by the group in relation to specific questions in the review. In each case a brief summary of the concern and possible remedies is given, together with a number of quotes as supporting evidence.

### **Q39** What, if any, changes in the rules on land-based gambling would support the government's objectives as set out in the document? Please provide evidence to support this position, for instance how changes have worked in other countries.

Much stricter age and ID checking ... and raising the legal gambling age for some products

There was considerable concern that land-based gambling remains an easy entry point for young people to start gambling. Most people in the group had begun gambling as children or underage – either being able to place a bet or just gambling on machines. Their experience was that it was relatively easy to gamble illegally, with age and ID verification in many venues being very lax and relying on the diligence of hard-pressed staff to take the issue seriously.

Local authorities do not do enough to check whether underage gambling is taking place. They should have a duty to undertake random unannounced inspections or test marketing in venues.

Bookies were not seen as fit or healthy places for young people to frequent. There was strong support for bookies and venue owners to impose a much more rigorous approach to assessing age, similar to the “think 21 or 25” schemes which are used in shops to assess purchasing of alcohol or tobacco. There was also strong support to reconsider the age at which gambling should be legal.

*“Change the law to 25 from entering”.*

*“Gaming machines in alcohol licensed premises should be sectioned off into a separate area and entry age restriction of 21/25 imposed. It is the responsibility of individual operators to establish a player’s age”.*

*“Bookies shops maybe need security to check youngsters ID as the clerks don’t seem so interested at times”.*

*“Age limit increased to 21 with again an ID card before bets can be placed”.*

*“Age restriction increased”.*

*“Category D machines age limit raised to 18 years”.*

*“Age verification similar to challenge-21 scheme run by alcohol retailers”.*

*“Checks done on youngsters going into bookmakers, casinos etc. to make sure they say who they are and are not lying about their age etc”.*

*“Arcades. Why is gambling for kids legalised. Scratch cards as well. Loot boxes. Why aren’t there ID cards (like sign ups for casinos) in bookies”.*

*“I would like to see Cat D machines removed from pubs and other public places. They are often the start of a slippery slope, and children are often drawn to them or in the immediate vicinity. I have seen an increase in them in recent years - many of which have casino style games installed”.*

## **A ‘fit for purpose’ Self Exclusion Scheme**

Self-exclusion remains a fundamental element of reducing gambling related harms: if a person has made the substantial decision to exclude themselves (either online or from land-based venues) it must be an absolute duty of the operator to ensure that the customer’s wish is

respected and implemented. If venues are unable to apply self-exclusion, then they should face the severest of penalties - including losing their licence. The group believe that it is only the threat of this scale of punishment that the industry will take the responsibility seriously.

There was considerable concern that the current self-exclusion scheme was cumbersome - still relying on paper-based systems - and insecure. Fundamentally it relies on the diligence of hard-pressed poorly paid staff to spot and act on self-exclusion notices. In many shops and venues this was felt to be a totally unfeasible option. There were many examples of people being able to breach self-exclusion restrictions.

There was wide agreement that the system needed to be brought up to date, with online applications. Many people felt that bookies needed to make significant investment in face recognition technology. The threat of licence removal for failing to implement self-exclusion was felt to be the strongest driver for ensuring a rigorous and secure system.

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***“A fit for purpose self-exclusion system for both casinos and bookmakers that is easily completed online without the need to visit the casino or bookmaker and doesn’t require printing, signing and posting documents”.***

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***“The system for self-exclusion in betting shops is not fit for purpose as it can’t be implemented efficiently. Photo ID and/or cards should be mandatory for all ‘play’ in these with efficient digital based links to all customers details including photos of those who have self-banned. ... I have gone into betting shops and discussed these issues with the staff and they have admitted they cannot possibly recognise every customer who has self-banned. I have had similar conversations with casino door staff and find ‘open door policies’ ridiculous. ... It simply should not be allowed that members of the public can enter these venues without these safeguards in place, and the onus is completely on them without real attention re duty of care and protecting vulnerable people from the venues. We are all, on some level, essentially, vulnerable when it comes to addictive products and checks and limits and safeguards should reflect this”.***

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***“The MOSES scheme is ineffective and worthless and relies too much on the competence of individual shop workers in many areas. I would like to see a biometric finger print or ID card introduced into all land based venues that can store data to say if a person has been self-excluded”.***

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***“Better application of the self exclusion scheme in shops”.***

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***“Simplified Gamstop type self-exclusion system. The current systems (Moses etc) are OK, but far less efficient and nimble than Gamstop”.***

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***“Proper training and resourcing to help staff identify ‘problem gambling’ and intervene... making land based venues safer places with duty of care”.***

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There was a great deal of scepticism within the group about the genuine commitment of land-based venues to really look after their customers. Too often they are seen purely as sources of profit and any interventions with them are aimed at prolonging and increasing betting activity. This was largely attributed to a lack of investment in both the number of staff who are available and training for them to spot people having problems and intervening appropriately.

Land-based venues could be much safer places to gamble. Customers can be seen by staff, their behaviours and betting patterns monitored and timely appropriate – but there is no real commitment. The payment and bonus structures in venues do not reward safeguarding and owners are not prepared to make the necessary investment to employ or train more staff.

It was felt that venues should have a formal duty of care for their customers, with severe sanctions – including licence revocation – for any breaches.

*“Interventions by casino/bookmaker staff when gamblers showing problems”.*

*“Mandatory training from non-industry based trainers for all staff on the harm that gambling can do so that they know how important it is to enforce these things”.*

*“The venues to have customer service skills in recognising when someone is losing and finding money to recoup. Counsellors should be in house, just as you would have a first-aider. Stopping bets when you recognise the above. You would not continue to serve a drunk when he is in a pub?”*

*“I would like to see Casinos employing a designated Safe-guarding team – to interact and talk with customers. The culture needs to be changed. Gambling shouldn’t be pushed on players or encouraged by staff”.*

*“They should be more challenges to customers showing pathological gambling sequences”.*

*“I lost £1,800 in the same two bookmakers in Glasgow two days running on FOBT’s in 2018, the first day in just 43 minutes, no social interventions at all”.*

*“Valuable customer interaction with operator enforced exclusion if necessary as a duty of care. (Not just a tick box exercise). This was never evident in my experience and in fact was treated as royalty in betting shops as I was a high roller gambler”.*

*“Responsibility of the individual business to identify and support potential addicts”.*

*“Engagement with FOBT customers to advocate time-outs from gambling sprees – perhaps through offering coffee/tea at soft seating area away from machines rather than taking refreshments to FOBT terminals which encourages continuance of betting spree, thus creating space for mental relaxation and reflection”.*

*"I never entered a betting shop, however, I know that in my son's case when he was seen to be placing bets frequently in one particular shop, that he was offered a free lunch which then allowed him to stay longer and therefore bet more. Only later as a recovering addict did he realise that this was the case".*

*"Again if someone is losing a lot of money in book makers or casino that someone steps in and asks if they are ok as you have lost a lot of money today. Do you need to speak to someone as we have noticed that you are losing a lot of money recently?"*

*"When I won a huge amount of money the casino did everything that they possibly could to get me back to gamble offering free bets free food free drink and made me a VIP".*

*"The staff in shops being trained in sign posting the person if they need help. Perhaps having posters up with helpline numbers on them".*

*"Once again if a customer is showing any signs of problem gambling, they should engage and ask for supporting information to verify source of funds".*

*"More interaction with customers, should understand what harm this causes rather than targets of getting customers to sign up to more harm full products".*

### Complete ban on FOBTs

Despite the imposition of the maximum £2 stake on FOBTs, high speed electronic games are still seen as highly dangerous and addictive products. There is strong support for them being removed entirely from land-based venues.

*"FOBTS need to be removed from Betting Shops. I was a gambler who only bet on sports. It was the Fixed Odd Betting Terminals that led to an addiction. It's not enough to reduce these to a £2 maximum stake (although this is welcome). They have no place in our communities".*

*"Consider moving electronic gambling machines from high street. Return to opaque windows for bookmakers".*

*"FOBTS need to be removed from Betting Shops. I was a gambler who only bet on sports. It was the Fixed Odd Betting Terminals that led to an addiction. It's not enough to reduce these to a £2 maximum stake (although this is welcome). They have no place in our communities".*

*"Removal of FOBT's within all land based bookmakers as you can still lose a lot of money on them, and are still highly addictive. They have created a rise*

*in ASB and violence toward shops, staff & other members of the public (from personal experience there are lots of “hangers on” in bookies around the FOBT’s)”.*

*“I lost £1,800 in the same two bookmakers in Glasgow two days running on FOBT’s in 2018, the first day in just 43 minutes, no social interventions at all. These same bookmakers (William Hill & Ladbrokes) would not accept a £200 bet on a horse or dog race (by cash or debit card), but I could lose £200 every few minutes on a FOBT with the same payment methods! That’s why the FOBT’s have to go because they are still highly addictive even with the lower stake”.*

*“The removal of Fixed Odds Betting Terminals and some sort of ID card. It’s clear that the FOBTs are the real danger in the high street. I also think casinos are a playground for criminal activity. Plenty of cases of money-laundering around the world where criminals have ‘cleaned’ money through machines and tables”.*

*“Ban of all slots. No legitimacy in a model that only exists because of vulnerable people feeding every last penny into the machines”.*

## **Q40** What evidence is there on potential benefits or harms of permitting cashless payment for land-based gambling?

### **Enforcing affordability, betting/spending limits - possibly requiring cashless spending and/or use of ID/gambling card**

There was a strong theme of concern that gambling in land-based venues was not monitored at all, so that people are allowed to bet and lose considerable amounts of money and this is not picked up in any way. Any oversight and actions require the vigilance and commitment of individual bookmakers, who still do not have a view of a gambler’s overall spending or whether they can afford it.

This total lack of oversight and integration with online gambling monitoring and measures presents a major risk for land-based venues to become a serious loophole for allowing people with gambling disorder to gamble. Therefore, there was widespread support for a range of safeguards which included allowing only cashless betting and/or the introduction of some form of gambling ID card to allow a whole range of affordability checks and monitoring of visits and spend.

It was felt that these sort of measures would allow a properly integrated approach to developing a Single Customer View that would allow appropriate monitoring and protection. It was also recognised that these measures would also help with Anti Money Laundering.

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*"They should be monitored the same as online in terms of products as they can be harmful, ID should be checked on arrival, perhaps an ID card could be used".*

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*"Photo ID and/or cards should be mandatory for all 'play' in these with efficient digital based links to all customers details including photos of those who have self banned. Tighten it all up including on limits, affordability, stakes, checks and customer safeguarding. It simply should not be allowed that members of the public can enter these venues without these safeguards in place, and the onus is completely on them without real attention re duty of care and protecting vulnerable people from the venues. We are all, on some level, essentially, vulnerable when it comes to addictive products and checks and limits and safeguards should reflect this".*

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*"In my view the harms are immense - if an individual has a strong desire to gamble they would find a way to get cash (local bank/cash machine). To allow cashless systems, payment cards should be limited to credits/ratio of affordability".*

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*"Specifically for land based venues there should be a stricter entrance policy which reviews data such as frequency of visits, amounts spent, time of day visit occur and all available data which can indicate patterns of gambling harm. Cards for access which must be 'swiped' or placed into machines are already a recognised way of collecting this information in other areas, and could be utilised should the industry be willing to show serious intent of tackling gambling harm".*

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*"All casinos should have a system in place where no cash can be bet. Perhaps an in house currency or sorts, to further document and keep tabs on spending behaviours. They need to be safer places to gamble, which will require a sensitive balance. The casinos are there to make money after all and don't want to deter gambling, however, they also have a duty of care to their customers".*

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*"Land based gambling and online based gambling need to have a common data link to enable operators to assess affordability and gambling spend effectively. Some means of ID check to link bets to the data base is essential".*

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*"Stringent ID checks, cashless payments & strict limits".*

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*"Member cards should be used to track bets and have similar limits to online".*

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*"Evidence suggests land based venues are extremely dangerous. There are no agreed rules or monitoring of play. This allows people to be uncontrolled in their behaviours in relation to betting".*

*"They need to have time limits and financial expenditure caps applied to anyone who attends".*

*"No cash payments anymore. A single card used for all operators in line with on line. Age limit increased to 21 with again an ID card before bets can be placed".*

*"Fingerprint recognition to place a bet (?) (would apply to any / all bookmakers)*

*"I also think casinos are a playground for criminal activity. Plenty of cases of money-laundering around the world where criminals have 'cleaned' money through machines and tables".*

**Q41** Is there evidence that changes to machine allocations and/ or machine to table ratios in casinos to allow them to have more machines would support the government's objectives?

**Q42** What is the evidence that the new types of casino created by the 2005 Act meet (or could meet) their objectives for the sector; supporting economic regeneration, tourism and growth while reducing risks of harm?

**Q43** Is there evidence on whether licensing and local authorities have enough powers to fulfil their responsibilities in respect of premises licenses?

#### **Reducing the number and clustering of bookies - particularly in poorer areas**

There was strong agreement that local authorities should have much greater powers to reject applications for licences of gambling venues. Many people were aware of campaigns to prevent new premises opening where the local authority appeared to be powerless to turn down the application.

Research (YouGov, 2008) showed that bookies and other gambling venues are regarded as the least popular shop to have on the high street by a substantial margin. There was strong agreement on this within the group. They were seen as rather seedy and unpleasant places which did not attract the majority of people, did not draw shoppers to an area, and acted to normalise gambling for children as a 'high street activity'. Clustering of bookies, particularly in poorer or more run down areas of town, was seen as a major problem. Virtually everyone was able to point to areas within their own town or city where several bookies were clustered with no regard to the locality or presence of children.

People strongly believed that local authorities should have much greater powers to reject licence applications on factors such as:

- Proximity to children's or youth facilities
- Clustering/density of gambling venues
- Social deprivation measures
- Lack of demand
- Community opposition
- Surrounding facilities
- Public safety

*"Targeting of poorer communities need to be stopped. However, I believe with Covid taking place we may be seeing quite a few of these establishments heavily affected and close down anyway. There needs to be a restriction of the amount allowed in a certain area or mile radius. This could change an impact a lot. We SHOULDN'T be seeing betting shops outnumber supermarkets in areas, that's unacceptable".*

*"Not so prominent in town centres, and far too many in one area".*

*"I think we need to see a lot less high-street gambling stores. They prey on those that can't afford it and have taken over streets in rundown areas and towns. They are not fun and happy places, as portrayed in the adverts, but rather depressing dens of iniquity and desperation".*

*"No more than one betting shop in a certain distance of each other. Betting shops are more prominent in deprived areas. This is where you also find atm machines charge a fee for money. It just adds to deprivation".*

*"Too many shops in the same area, some are next to pawnbrokers; it was not the first time I lost that I went next door to a pawnbrokers to get money to gamble".*

*"Too many of them, especially in poor deprived areas, why is that because they want to prey on the vulnerable".*

*"Betting shops crammed in areas of ethnic minorities and deprivation. Living near 2 betting shops is a big deal and it's weird as hell. It feels grimey and dodgy. The customers can spend all day in the shop and it just looks miserable for the area and inside the shop".*

*"Restricted number of Bookmakers within a demographic area (review of council planning authorisations)".*

*"My own experience, especially of large towns & Cities (Glasgow, Stratford East London, Ilford Essex, Newcastle, Sheffield, I could name many more) is that High Street bookmakers are 'clustered' & purposely situated next door or within 150 metres of a cash machine".*

*"Glasgow Central Station has at least 12 bookmakers around the 4 exits of the station, and every exit has a bookmakers, many with multiple shops (Ladbrokes, Betfred), of which I have no doubt this was a deliberate ploy to attain as many FOBT's as possible (as each shop was capped at 4 FOBT's), especially as each FOBT is estimated to bring in over £52k profit per annum, so for Ladbrokes at Glasgow Central that would be at least £1m as they had five shops surrounding the station".*

*"Outside Ilford station and all the other cities & towns I have mentioned it is little different. Even my long experience working in the City of London was no different, with Bookmakers used to open at 10am, then 9am, 8am, and eventually by 2014/15 they opened at 6.30am to get early morning bank workers but it should be noted Glasgow Central moved to the same opening hours (prior to stake reduction) to catch commuters".*

*"Less gambling venues opened in poor areas. My hometown is a poor working class area yet we have so many bookies in one area".*

*"Reduction in number of land based venues, 3 betting shops one 1 street is not needed. A reduction in opening times, 7 days a week open till 10pm is not needed to allow for normal gambling".*

**Q44** Is there evidence that we should moderately increase the threshold at which local authorities need to individually authorise the number of category D and C gaming machines in alcohol licensed premises?

**Q45** Is there any additional evidence in this area the government should consider?

### Alcohol and betting

There were a number of concerns expressed about other aspects of land-based gambling. The first related to whether there should be regulation about the availability of alcohol in betting venues. It was felt that the availability of alcohol 'after the pubs' shut was a major inducement, for young people in particular, to become engaged in gambling. This is particularly

problematic since people will arrive at the venue having already been drinking. Gambling venues need to be responsible for assessing whether people are in a fit state of sobriety to be allowed in a venue to gamble.

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***“In my case, it is the casinos where the young hang out late at night because it is an all-night venue and even if they went in with the intention of only having a drink, they find themselves at the table, losing mainly and then scurrying to recoup. And, if they have a big win, they are in there night after night to try again!”***

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***“Gaming machines in alcohol licensed premises should be sectioned off into a separate area and entry age restriction of 21/25 imposed. It is the responsibility of individual operators to establish a player’s age”.***

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### **Making bookies “more like they once were”**

Many people felt that in the past, bookmakers’ shops had a slightly seedy image which meant that many people, particularly young people, would not go into them. Bookies are now seen as brash garish venues plastered with advertisements for very misleading offers and ‘free bets’. There was common agreement that we should return to the position where bookies are tolerated but have a far more subdued and ‘forbidding’ appearance: they should be regarded as ‘adults only’ venues.

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***“Also, I think that windows to the betting shops were historically darkened where now they are completely clear which allows minors to see inside even though they are not allowed in until 18 years of age. This in turn will allow minors to become inquisitive, luring them in without fully understanding the possible consequences in later life”.***

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***“Return to opaque windows for bookmakers”.***

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***“Less advertising in shop windows”.***

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## Conclusions

This joint submission represents the views of the group of people who have all had real life lived experience of gambling harm. Together their experience represents a total of well over 1000 years of gambling harm. You cannot learn or teach lived experience. The preparation, completion and analysis of this survey have been undertaken by members of the group who all have many other commitments. In all, several weeks work have gone into its preparation. Of necessity the final version does show the hand of several authors, and for this we make no apology. We don't have access to professional script writers and document managers.

Unlike some other surveys of which we are aware, where no control exists and a full spectrum of lived experience views and gambling industry employee views are co-mingled, this report is compiled exclusively from those who know only too well the harm that gambling can cause. That is not to say we are prohibitionists, far from it. If you read the detail of the answers, that will become clear. What we are in favour of is the prevention of gambling harm. This review presents a unique opportunity to re-set the scheme of regulation to do just that. We hope that you will not waste the opportunity to enshrine the prevention of harm for all as the number one priority in a new gambling act.

We are happy to provide clarification on any matters which may be unclear. We look forward to engaging with you at the next stage of the review.

There are a wide range of stakeholders who have an interest in the Gambling Act Review, including various government departments, regulators, charities and the gambling industry trade body and operators. With such a crowded consultation space it would be easy for the voices of Lived Experience to be drowned out. Our unique insights into gambling harm cannot be learned or taught. These groups have come together, overcoming the clouds of guilt, shame and stigma that gambling related harm creates and are ready to stand up and be counted, prepared to share their experience, expecting to be heard in order to be part of the change needed to ensure that the harm they've endured doesn't happen to others. We believe that it is important that those with Lived Experience do have the opportunity to contribute to the fullest extent possible in all future phases of this consultation. Not least to provide some balance to the views of those who have a clear commercial vested interest. To this end we stand ready to respond to any further requests for clarification or additional comments, and to attend any meetings that DCMS may call.

## Supported by:

First Name	Surname	
David	Arenstein	Affected other
Bray	Ash	Recovering gambler
N	Ashworth	Formerly addicted to online slots
Adrian	Bailey	Affected other. Independent researcher
Owen	Baily	A person on a journey of discovery after a long history of disordered gambling and other adverse life experiences
Chrstopher	Beck	Affected other
Colin	Bland	Recovering gambler
Christine	Boyce	Recovering gambler/disordered gambler
Charlotte	Bradley	Affected other
Daniel	Chandler	Recovering gambler
Danny	Cheetham	Recovering gambling addict
Mark	Conway	Recovering disordered gambler
Paul	Cooper	Recovering gambling addict
Drew	Crainie	Recovering gambler
Darren	Crocker	Former disordered gambler
Leanne	Deighton	Affected other
Sally	Dewhirst	Affected other
Eileen	Driver	Affected other
Simon	Dunk	Recovering gambler 2 months out of rehab (Gordon Moody)
Roddy	Dyer	Recovering gambler
Marie	Evans	Affected other
Matthew	Evans	Recovering disordered gambler
Kelly	Field	Recovering gambling addict
Tom	Flemming	Compulsive gambler
Pauline	Foster	Affected other
Wayne	Foster	Disordered gambler
Tony	Franklin	Survivor of 4 decades of gambling industry abuse
Chris	Gilham	Recovering gambling addict
John	Gilham	Affected other
Shirley	Gosden	Affected other
Andy	Gray	Recovering compulsive gambler
James	Grimes	Recovering gambling addict
Janice	Grimes	Affected other
Will	H	Recovering disordered gambler
Bruce	Holland	Affected other
Susan	Holland	Affected other
Josephine	Holloway	An 'affected other'
Adrian	Howard	Disordered gambler
Christopher	Hulse	Former disordered gambler
Paul	Isherwood	Recovering child gambler
C	James	Gambling addict 2 years in recovery
Martin	Jones	Affected other
Rebecca	Jones	Affected other
Mef	Joseph	Parent of gambler
Tony	Kelly	Recovering gambler
D	Lane	Recovering gambler
Chris	Lee	Recovering gambler
Alex	Lewis	Former disordered gambler
Kevan	Mailey	Compulsive gambler

Julie	Martin	Affected other
J	M	Affected other
JP	M	Affected other
Zackary	McEniry	Recovering gambler
Karl Anthony	McMichael	Recovering gambler
Ben	Melvin	Recovering gambling addict
Karen	Melvin	Affected other
Paul	Melvin	Affected other
John	Myers	Affected other
Suzanne	N	Affected other
Andrew	Neill	Recovering gambling addict
Cat	Neill	Loved one of a recovering gambling addict
Susan	Neill	Family member of a gambler
Thomas	Neill	Family member of a recovering gambling addict
Ken	Nicholls	Affected other
Kerri	Nicholls	Recovering gambler
Wendy	Nicholls	Affected other
Wendy	Nicholls	Affected other
Simon	O'Toole	Recovering gambler
Joshua	Palmer	Joshuasopinion
Tracie	Panesar-Dower	Affected other
Daniela	Parente	Affected other
Louise	Parente	Affected other
Rita	Parente	Affected other
Tony	Parente	Recovering gambling addict
Kishan	Patel	Medic & son of a deceased compulsive gambler
Martin	Patterson	Former disordered gambler
Richie	Paxton	Recovering gambler
Nick	Phillips	Recovered gambler
Ryan	Pitcher	Gambling addict in recovery
Steve	Ramsey	Recovering gambler
Rikki	Reeve	Recovering gambler with lived experience
Charles	Ritchie	Affected other
Liz	Ritchie	Affected other
Laura	Roberts	Affected other
Rebecca	S	Affected other
Dhruv	Singh Tomar	Recovering gambler
Michelle Lynn	Singlehurst	Recovered disordered gambler
Andy	Stiles	Affected other
Richard	Thorpe	Recovering gambler
Joanna	Tomar	Affected other
Adam	Vallis	Affected other
Jade	Vallis	Recovering disordered gambler
Lisa	Walker	A recovering compulsive gambler
Rob	Ward	Compulsive gambler in recovery
Rob	Ware	Recovering compulsive gambler
Beth	Watts	Affected other
Kay	Watts	Affected other
Steve	Watts	Affected other
Anna	Wilson	Affected other
Andy	Young	Recovering gambler
Matt	Zarb-Cousin	Recovering gambler, affected other



**GamLEARN**

Lived Experience And Recovery Network

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