

GAMBLING COMMISSION

**Response (for the request, please see below)
11 December 2008**

INFO 09/26

You appealed on 20 November 2008 with regard to your request for information concerning instances of under 18s gaining entry to bingo, casino and betting premises. I am sorry that you think we have been obstructive: that was not our intention. We have sought to set out more clearly below the position in the hope that that helps you understand where we stand.

On an initial point of background, the Gambling Commission has been responsible for the regulation of the majority of the gambling industry, including all of bingo, casino and betting only since 1 September 2007. Prior to then the Commission and its predecessor, the Gaming Board for Great Britain, were responsible for the regulation of casino and bingo gaming, but not betting.

We have no record or recollection of any formal regulatory action, criminal prosecution or any other formal sanction undertaken by either regime for under-age gambling in the period you specify (from the beginning of 2005 to the end of 2007). The reply to a PQ this week records 3 cases where persons have been proceeded against in Magistrates courts in 2007 (but none in 2006 or 2005) for offences under the gambling legislation involving young persons, although these offences do range wider than just offences of gambling by those under-age. Additionally, the Commission is aware of one instance where the Police have issued a caution in relation to under-age gambling during the current year.

The Commission will have reports and correspondence regarding instances where under18s have gambled or attempted to gamble. As you say, many of these instances will have arisen as a consequence of reports by licensed operators themselves. Such reports and correspondence are filed by operator and no central records of these exist. Filing in this way ensures that the incident is recorded in such a manner that it becomes apparent if the operator comes to adverse notice subsequently, whether for similar or other reasons. The point we were seeking to make in our earlier e-mail to you was that we could only identify and isolate such reports with considerable effort which would significantly exceed the statutory limit (18 hours) which applies to the requirement to disclose. That remains our position.

As part of our revised approach under the Gambling Act 2005, the Commission now requires regulatory returns from all licensed operators. Part of this return relates to the numbers of instances of those apparently under18 who either entered gambling premises or attempted to gamble. We are just in the process of garnering and analysing the first year's returns and, once collected, the aggregated information will be published. This will not separately identify the numbers who succeeded in their attempts but this is something which we will be considering in respect of future collection exercises.

Perhaps I could also make some observations on your concerns about the effectiveness of the regulatory regime in respect of preventing under 18s from gambling. Operators are subject to both the law and to strict licensing conditions and codes of practice, each of which makes explicit provision for protecting under 18s. Responsibility for enforcing that regulatory regime is shared between the Commission and local authorities. In particular, the responsibility for licensing and ensuring compliance on particular licensed premises is primarily a matter for local authorities.

The Commission is not aware of evidence of any extensive under-age gambling occurring and as a result we do not believe test purchases in bingo, casino and betting premises as part of our wider compliance activities are justified at the present time. As we understand it, test purchase in premises licensed to sell alcohol have been conducted where there is known to be a problem. If you have evidence that there is a specific problem of under age gambling in any particular area, we would be happy to consider it.

Request

In respect of Bookmakers, Casino's, Bingo Halls, How many times between 1st January 2005 and 1st January 2008 have the commission (or board prior to that) had legal proceedings commenced (including by other bodies) in regard to offences under the gaming and or gambling act whereby a person under 18 has gained entry. What if any other sanctions have been used and details of those.

As per above, how many offences have been reported to the board, either by third parties or it's inspectorate.