

Request one

Communications held by the Gambling Commission on information regarding the decision to adopt the motto of "keeping gambling fair and safe for all"

Response one

The strap line was discussed at a management away day in 2008. The relevant extract from the note of this meeting is attached.

The extra wording "for all" was added following discussion with the then Chairman but we do not hold a record of this.

Extract from management away day meeting 22 April 2008
The Management Group was set a task of discussing and agreeing what their team purpose was and the output is recorded below.

- Regulate commercial gambling in the GB
- Licensing
- Enforcement
- Compliance
- Combating illegal gambling
- Protect the public interest
- Facilitate the market
- Public confidence
- Education e.g. Secretary of State

After discussion the MG concluded on the following. The Purpose of the Gambling Commission is:

Keeping gambling fair and safe

Under-pinning this purpose are several statements of intent or practices:

- To protect the public
- Set standards
- License commercial gambling in GB
- Ensure compliance
- Advise
- Combat illegal gambling

Request two

Machines research

You have requested the following:

- information regarding the inclusion of text in a letter from Philip Graf to Sajid Javid on 30th March mentioning "interventions focussing on stake size exclusively are unlikely to be effective"
- information regarding the inclusion of text in point 4.3 in Gaming Machines Research March 2015: "cutting stakes is not likely to have much - if any - impact on problem gamblers"

Response two

I can confirm that information is held in relation to this request.

The Commission's advice and the letter to Sajid Javid draw largely on the RGSB advice as stated in the background section of the Research into gaming machines advice note. The RGSB advice in turn is largely drawn from the gaming machine research projects which are detailed in the appended RGSB advice note.

The research on which the advice is based is published and publically available. Discussions around the drafting took place and we are of the view that a safe space should be maintained to allow officials to discuss the finer details of such publications without external interference. The Gambling Commission's Qualified Person is of the opinion that disclosing this information would be likely to prejudice the provision of advice or the exchange of views. This information is therefore exempt from disclosure under section 36 of the Freedom of Information Act 2000. This is explained in the attached document.

Explanation of exemption - 36(2)(b)(i) and (ii)

The Commission is under a statutory duty to advise government. In order to do this, Commission officials need to be able to express themselves honestly and openly in order to provide full advice on a wide range of options to enable the correct decision to be made. RGSB officials similarly require this capacity to advise the Commission who, in turn, advise DCMS.

The Commission is the public authority with the most knowledge and experience of the gambling sector. In order for government policy to be well informed, Commission and RGSB officials require the ability to provide sufficiently detailed advice and outline all options without the fear that the information would be unduly disclosed. Officials from the Commission and RGSB need to be able to discuss matters of common interest in a free and frank manner to ensure well informed decisions are made based on a consideration of all available options.

Disclosing such information is likely to prejudice the quality of future decision making as it would prevent officials from having free and frank discussions, as well as impacting on the quality of advice that would not normally be written with a view to direct public disclosure.

The public interest test

In considering the public interest test, we have identified the following points:

In favour of disclosure:

- Disclosure of information held by public authorities on request is in itself of value and in the public interest so as to promote transparency and accountability in relation to the activities of public authorities.
- The quality of advice and the content of deliberations by officials may improve if there was an expectation of the information being made publically available.
- Releasing discussions around the drafting of advice would help the public understand this process.

In favour of maintaining the exemption:

- There is a public interest in the Commission and RGSB having the opportunity to robustly explore options in relation to the development of policy in the knowledge that

undeveloped proposals will not be disclosed. Without the ability to freely deliberate, the quality of decision making would be greatly impaired as not all options would be fully considered.

- There is a public interest in the RGSB and the Commission both being able to discuss issues freely and frankly to advise DCMS and ensure the best decisions and outcome in regard to the formulation of policy. With an expectation that all such advice would be publically disclosed, officials would necessarily be more reserved in their willingness to fully engage in important matters resulting in less informed advice and an impact on subsequent decisions.
- The debate around B2 gaming machines is very much a live issue which makes the need for a safe space to formulate advice more relevant.
- The finalised advice is publically available, as is the supporting RGSB advice and RGT research.

The main drivers in relation to disclosing the information requested rest around the transparency of government in decision making. This has to be weighed against the impact that disclosure would have upon the quality of the decision making process and the ability of officials to have free and frank exchanges and provide comprehensive advice to government.

On balance, the greater public interest is, in our view, held in preserving the ability of officials to provide definitive advice and fully discuss matters so that well informed policy decisions are taken. Given the detailed advice and research already published, the public interest in transparency is satisfied.

Review of the decision

If you are unhappy with the service you have received in relation to your Freedom of Information request and wish to make a complaint or request a review of our decision, you should write to FOI Team, Gambling Commission, 4th floor, Victoria Square House, Victoria Square, Birmingham, B2 4BP.

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner (ICO) for a decision. Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by the Gambling Commission. The ICO can be contacted at: The Information Commissioners' Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.