

## LA BULLETIN SUMMER 2019

### News

#### **The effect of gambling advertising and marketing on children, young people and vulnerable adults**

GambleAware recently published an [interim report](#), produced by Ipsos MORI, that examines the frequency and format of gambling advertising and marketing, and the exposure among children, young people and vulnerable adults.

These results found that, between 2015-2018, the volume and spend on gambling marketing and advertising is on the rise across different forms of media, including TV and radio, with lotteries and bookmakers among the top spenders. Sports advertising was particularly dominant online, with exposure compounded further by sponsorship used within broadcasts of live events.

Children, young people and vulnerable individuals who took part in focus group discussions for the study highlighted the prevalence of gambling advertising on TV (including during the day), on social media, on the high street and at point of sales in shops. The emergence of new sectors such as eSports presents a new set of challenges in terms of managing exposure to gambling.

In addition to advertising and marketing, the researchers identified other factors contributing to the wide exposure of gambling within society, including the role of family and friends in introducing them to gambling. Many revealed they had experienced exposure to gambling activity from an early age in a range of settings.

The final phase of the research and subsequent findings will focus more on the impact of gambling marketing and advertising and will be published later in 2019.

#### **Update on implementing the National Strategy**

An [implementation overview](#) and a [map of actions](#) have been published to support delivery of the National Strategy to Reduce Gambling Harms, setting out key milestones and activities, emerging work and identified gaps to help further discussion and target action to reduce gambling harms in Great Britain. These documents together reflect some of the key developments since the strategy launch, and actions to be delivered working collaboratively with partners including health bodies, charities, regulators and the gambling industry.

At this stage, the information relating to Scotland, England and Wales is collated together but we expect to develop nation-specific action maps to help stakeholders understand actions and gaps, and coordinate activity for prevention and education, and treatment and support more effectively.

The next stage of this work includes coordinating this activity and working with partners to bring stakeholders together to ensure that the actions are targeted where they will have the greatest impact to reduce gambling harms. We invite all stakeholders to review them, consider any gaps or duplications, and contribute further with actions they too will be taking which seek to reduce gambling harms and get in touch [safergambling@gamblingcommission.gov.uk](mailto:safergambling@gamblingcommission.gov.uk)

## **Research into suicidal behaviour published**

Reports analysing existing data which indicate a connection between problem gambling and suicidal thoughts or attempts, have been published .

The research was based on data from the Adult Psychiatric Morbidity Survey in 2007 and found that 5% of problem gamblers had attempted suicide in the previous year. The research also found that 5% of people who had attempted suicide in the previous year were problem gamblers, with a further 5% classed as 'at risk' gamblers. This trend persisted after other factors such as mental health and substance abuse were taken into account. 19% of problem gamblers had also thought about suicide in the previous year.

[The reports](#), are part of the Commission's research programme for the [National Strategy to Reduce Gambling Harms](#) and which were commissioned by GambleAware.

## **Gambling workplace charter launched**

Unite, the UK and Ireland's largest union, has launched a [workplace gambling charter](#), which has been created to provide a framework for employers and unions to assist workers who are having gambling problems. The charter offers practical support and information on how employers and unions can promote the health and wellbeing of their workers who are experiencing gambling related harm, reduce sickness and absence, and assist those who want or need to change their relationship with gambling.

## **Citizens Advice Gambling Support Service in Wales**

Citizens Advice in partnership with GambleAware has expanded services in Wales to prevent gambling-related harm and get people the support and advice they need. The Citizens Advice Gambling Support Service in Wales will be delivered by [Citizens Advice Rhondda Cynon Taff](#) for west and south Wales with [Citizens Advice Denbighshire](#) in the north and mid-Wales region.

These regional offices will work in partnership with Addiction Recovery Agency (ARA), the National Gambling Treatment Service in Wales, to provide support to clients

A dedicated project worker based at the two local Citizens Advice will teach frontline staff to identify anyone at risk of gambling-related harm and how to help them. Routine screening will take place in both local Citizens Advice to identify clients at risk and provide advice and give valuable insight into who is more vulnerable to gambling harm and the problems it causes.

Specialist treatment services will also be provided by ARA for Rhondda Cynon Taff and Denbighshire residents as part of the expansion of treatment services in Wales.

## **How gambling fits into people's lives**

We have commissioned in-depth qualitative research into how gambling fits into people's lives including considering general lifestyles, hobbies, aspirations and routines. The research used a variety of techniques including digital diaries, immersive in-depth interviews and focus groups – in all engaging with over 100 participants

The [key themes emerging](#) from the research include how:

- Most people perceive their own gambling behaviour as 'normal' and see others as at risk of problems
- Gambling attitudes shift slowly but behaviour shows greater variation over time. This is a result of shifting from a cold state of consideration into a hot state of play. Most people aim to gamble responsibly, but can still be vulnerable to occasional hot state episodes of play

- Responsibility for safer gambling is felt to sit across consumers, gambling companies and Government alike
- Safer gambling strategies need to consider the nature of hot state play

### **William Hill betting shops to close**

William Hill recently [announced](#) that it has started consultation with affected staff in the @700 betting shops that it intends to close.

### **Ladbrokes Coral Group penalised**

An [investigation](#) by the Commission found between November 2014 and October 2017 Ladbrokes and Coral failed to put in place effective safeguards to prevent consumers suffering gambling harm and against money laundering, with this failing continuing after their merger as the Ladbrokes Coral Group. These systemic failings has led to a penalty package including a series of improvement measures that must be implemented by new owner GVC and a £5.9m payment, while further investigations into the actions of Personal Management Licence holders continue.

### **2018/19 Enforcement report**

We have published our [Raising Standards for Consumers Enforcement Report](#) provides an overview of the enforcement work we have undertaken over the past year and sets out future lessons for operators. More than 160 investigations were carried out and enforcement action has resulted in a variety of sanctions against operators and their senior management. Operators have also paid £19.6m in penalty packages because they failed to follow Commission rules aimed at making gambling fairer, safer and free from crime.

### **Annual report & accounts published**

We have recently published our [annual report and accounts](#) which contain details of the work we've done during the past financial year, including our financial statement, accounts and progress updates.

## **Consultations and call for evidence**

### **House of Lords Select Committee on gambling**

The Social and Economic Impact of the Gambling Industry Committee was appointed June and is focusing its inquiry on issues including:

- the current state of the industry
- the lack of accurate estimates of the extent of the problem
- developments in gambling habits, in particular online gambling
- the 'gamblification' of sport
- the industry's contribution towards research, education and treatment of problem gamblers
- whether those who need help have access to it; advertising; and lotteries.

The Committee's [call for evidence](#) is open until 6 September 2019.

### **DCMS consultation on the minimum age for playing National Lottery games**

The Department is [consulting](#) on whether the availability of all National Lottery games to those under 18 remains appropriate and is seeking views on three options:

- Option 1 - Do nothing, retain the minimum age of 16 for all National Lottery games
- Option 2 - Raise the minimum age to 18 for National Lottery instant win games (i.e. scratchcards and online instant win games)
- Option 3 - Raise the minimum age to 18 for all National Lottery games

The consultation closes on 8 October 2019.

### **Policing priorities in Scotland**

In July the Scottish Government launched [a consultation](#) on new national priorities for policing in Scotland. The priorities set the long-term framework for Police Scotland and the Scottish Police Authority including :

- crime and security – respond to current and emerging threats, maintain public order and prioritises prevention, investigation, equality and human rights
- confidence – continue to inspire public trust by being ethical, open and transparent
- partnerships – work with partners to maintain safe communities and support improved outcomes, increase resilience and address vulnerability
- sustainability – plan for current and future social and economic circumstances and considers the environmental impact of policing and its operations
- people – value and empower a diverse workforce to lead and deliver high quality services
- evidence – use evidence to develop services and ensure that the right capacity and skills are in place to deliver high performing and innovative services

The closing date for responses is 4 October.

## **Case Studies**

### **On course bookies face licence reviews**

Last month licensing officers from the Royal Borough of Windsor and Maidenhead, supported by the Commission and trading standards, conducted age verification test purchasing at Royal Ascot.

Of the 17 operators tested seven allowed a 16-year-old to place a £5 bet and are now having their licence to offer gambling reviewed by the Commission.

Richard Watson, Commission Executive Director, said: “These licence reviews show how strongly we feel about underage gambling.

“Every single gambling business must protect children from gambling but the on course bookmakers results have remained unacceptable.”

Mr Watson said the on-course sector had a history of failing age verification exercises. He said: “Despite various educational attempts to raise standards, by ourselves and the trade bodies, the on-course sector has historically performed poorly in both underage gambling test purchase exercises and Think 21 testing.

“Pass rates have failed to meet the standards expected and the sector has consistently performed to levels below those we see in other gambling and age restricted products. By way of example, over the past four years, the on-course sector has a pass rate of around 35% for Think 21 testing.”

“We recognise on course bookmakers are small businesses but we cannot allow them to disregard their responsibility to protect children.”

Mr Watson added: “We welcome the positive initiative by the local authority and the racecourse to raise standards in the gambling industry.”

Cllr David Cannon, Lead Member for Public Protection at the Royal Borough of Windsor and Maidenhead, said: "I am delighted that our officers led and organised this test purchasing. It is important that our residents as well as visitors to the borough, are kept safe. It is not acceptable to take bets from young people and I am pleased that strong action is taking place.

"Our hard working team of officers will often carry out test purchasing across the borough to ensure our residents are kept safe and that traders are abiding by the rules.

"I am pleased that this hard work is paying off and the Gambling Commission are taking action against those bookmakers."

### **National Licensing Week in Scotland**

As part of the Institute of Licensing's National Licensing Week (NLW) activities, compliance managers from the Commission were joined by colleagues from Police Scotland in conducting awareness raising and educational visits to ten betting offices in and around Edinburgh city centre.

There was generally a high level of compliance identified on the day in relation to the outlets visited with some, largely minor, points requiring action to address them moving forward. There were a number of local regulatory issues highlighted in terms of poor siting of premises licence summaries, lack of detail on layout plans for premises, lack of Responsible Gambling materials, and issues with the detail of local risk assessments and them being out of date in a number of locations.

This was the fourth consecutive year that visits have been conducted by Commission staff during NLW in collaboration with Police Scotland officers.

## **Feature article**

### **Gambling Related Harm – Wigan Council's Journey**

*By Russ Gaskell, Wigan Council's Transformation Project Officer*

It was the work of Wigan Council's Welfare Reform group that highlighted the negative impacts that harmful gambling was having on individuals and families and suggested that the provision of more help and support was needed, to tackle the issue in Wigan.

Consequently, the Council formed a partnership with [Beacon Counselling Trust](#) who provides free support services for individuals and families affected by problem gambling across the North West of England.

Beacon Counselling Trust was initially invited to outline the context and impact of harmful gambling to Wigan Council's senior management team. From hearing about the scale of this often-hidden issue and the impact harmful gambling has within communities, there was universal commitment that action was needed to support Wigan residents.

Within weeks, the Wigan Borough Problem Gambling Working Group would be formed, to begin to develop a whole-borough, system wide approach, to tackle the negative impacts that problem gambling brings. This Problem Gambling Working Group is a multiagency group, which includes representatives from colleagues working across the Council (e.g. welfare, licensing, homes, children's services and public health) as well as colleagues from our local partner organisations (e.g. health, DWP, voluntary and third sector). Having diverse service representation within the Group has allowed the group to draw on the array

of skills, knowledge and assets that colleagues bring, which was recognised as being pivotal to shape a truly whole system approach to tackling harmful gambling.

An action plan was subsequently developed with the following objectives: -

- Raise awareness amongst the workforce about the risks of harmful gambling, providing them with the necessary tools to be able to have a conversation about gambling and provide them with the knowledge and information on the assets available to refer or signpost residents towards.
- Across the life course raise awareness amongst residents about harmful gambling and promote the support that is available to help individuals and families who are affected by harmful gambling.
- To embed the gambling harm screening tool into targeted Council and partner organisation triage/assessment processes where problem gamblers may present themselves, to help identify and provide support, earlier.
- To develop indicators for monitoring the implementation of the programme to measure and demonstrate impact.

The Group now meets monthly to drive progress towards meeting these objectives. The action plan is continually evolving as the group collectively learn, gathers further intelligence from the data and evidence available; and not forgetting the invaluable wealth of knowledge and expertise shared to the group from professionals working within the field of gambling-related harm.

### **Spotlight on some local areas of development:**

#### **1) Frontline staff (and wider partners) briefing**

It was important to ensure that frontline staff had the necessary understanding and awareness about problem gambling, the ability and confidence to engage with residents and to help identify those who may be at risk of gambling-related harm plus the knowledge to refer to appropriate support if required.

The staff briefing, branded as “embedding the offer”, outlined the reasons for doing this and how to do it, by adopting the keyworker approach and having true, asset-based conversations with residents. Staff were provided with the right tools to assess harm by utilising the GAST-G screening tool, allowing staff to consider whether the resident would benefit from extra support from the local gambling counselling provider, Beacon Counselling Trust, who now has delivery hubs based within Council and community venues across the borough.

All leads from the Problem Gambling Working Group were instrumental with cascading this information to their respective teams, with the GAST-G screening questions being embedded into key triage/assessment processes.

#### **2) Internal staff (and wider partners) - communications and training**

As well as the commitment to protecting residents from the risks of harmful gambling, Wigan Council pledged to care for the wellbeing of its primary asset – its workforce. Therefore, another key delivery strand was to ensure staff were also made aware of the dangers of harmful gambling and the rich resources available, should they need them. This was achieved through the delivery of an internal communication plan, which included

- Staff intranet and weekly round-up articles, promotional intranet banners, screensavers about harmful gambling and the support available were produced.

These messages were amplified further, via posts to the Council's internal BeWigan staff Facebook group.

- Problem gambling awareness article with call to action was included within the corporate Team Time briefing, which is distributed to all managers, who cascade information to all members of their team.
- Embedding the harmful gambling support offer into the existing mental health wellbeing offer for staff. Further to this, both the Council's staff Mental Health Wellbeing Champions and the Health and Wellbeing Champions were briefed to highlight all the support available, so they can provide the support and guidance to colleagues in their supportive roles.
- As part of a Men's Health Week staff wellbeing event, a former harmful gambler shared his personal story directly with staff, so staff could learn first-hand, the negative, life changing, impact that harmful gambling can cause.
- [YGAM](#) facilitated a workshop to increase the knowledge and understanding of gaming and gambling-related harm in the UK, for staff and partners working with children and young people.
- Awareness sessions delivered by Beacon Counselling Trust were provided to Wigan Council and wider partners across Wigan, upskilling over 400 staff.
- Harmful gambling sessions are continuing to be rolled out to frontline staff (plus local businesses and community groups) by public health workforce.

### **3) Improved web presence**

It is apparent that gambling attracts considerable public stigma and is a significant reason for problem gamblers not seeking help, especially in person. Therefore, it was important that [Wigan's problem gambling webpage](#) was easy to navigate and equipped with the resources to improve the user journey and help residents find the information and support they require, including:-

- Self-help material
- GAST-G screening tool
- Tips on how to spot the signs of problem gambling
- Do's and Don'ts when gambling
- Details of local and national advice and support services who provide bespoke offers, tailored to the individual.

Furthermore, Wigan's website promotes support available, via the [Community Book](#), which is a free online directory, allowing residents to connect with local services, support, activities and events in their community. Problem gambling counselling services are accessible through this, as well as many other services related to the comorbidities of harmful gambling.

### **4) Gaining local insight**

The public health team has commenced engagement with local colleges to undertake gambling surveys with students to gain greater intelligence into gambling amongst young people. This has started to provide valuable insight into gambling related behaviours amongst students. This work is being upscaled further in the new academic year to expand the reach.

### **5) Gambling premises/licensing**

Wigan's regulatory services have carried out inspections to gambling premises, licensed under the Gambling Act 2005, to ensure they are compliant with the legislation, whilst also introducing the GAST-G screening tool, which has been well received. The work fed into Wigan's [Gambling Policy Statement](#), which has been refreshed in June 2019. The policy aims to ensure that gambling in Wigan is conducted in a fair and open way, preventing crime and protecting children and other vulnerable people.

The next steps for Regulatory Services will be to write to all of Wigan's licensed operators to promote the screening tool further and obtain feedback on the steps they are taking to promote safer gambling, with a view of encouraging operators obtaining [GamCare's Safer Gambling Standard](#).

### Next Steps for Wigan

Although monumental progress has been made to raise awareness of gambling-related harm and develop system wide change, it is recognised that this is only the start of the journey and there is plenty of scope to enhance the activity in Wigan further. We are already building on the existing marketing and awareness collateral developed, and plans are already underway in producing a public facing harmful gambling awareness campaign with the aim to encourage even more residents to connect into the help and support that is available. Watch this space!

## Gambling Commission advice and guidance

### Premises annual fee refunds and partial payments

Following a number of queries in relation to premises licence annual fees, the Commission's view is that no regulations providing for refunds have been made under section 184(4) of the Gambling Act, and so LAs do not have the discretion to refund annual fees for premises licences where the operator ceases to trade during the year.

Our view is that the power to authorise refunds is specifically reserved for the Secretary of State by virtue of section 184(4). Similarly, there is no scope within The Gambling (Premises Licence Fees) (England and Wales) Regulations 2007 /The Gambling (Premises Licence Fees) (Scotland) Regulations 2007 for pro-rata payment of annual fees where the premises intends to close within a few months of the fee being paid.

The Commission's view is that a local authority doing either of these would be acting ultra vires; however, this is not legal advice and only the courts can make a final decision.

### Update on Small Society Lottery consultation

Last month DCMS announced the outcome of their 2018 consultation on society lottery regulatory reform. The [responses document](#) sets out government's commitment to

- an initial uplift of the annual aggregate limit on large society lottery proceeds from £10m to £50m
- consult on a higher tier £100m proceeds aggregate limit, with tighter conditions
- an uplift to the individual draw limit from £4m to £5m, which also provides an increase in the maximum individual prize that can be offered from £400,000 to £500,000 (dependent on sales as they've retained the 10% rule)
- the Commission looking at LCCP requirements on transparency issues and
- monitor the impact of the changes.
- consider how to increase transparency in relation to executive pay and will seek advice from the Commission on that.

LAs are advised that the proposals to increase the thresholds for small society lotteries has not been upheld, with the limits retained at £20,000 proceeds per lottery (with a maximum prize value of £25,000) and £250,000 aggregate proceeds per annum.

Changes for large society lottery proceeds are to be set before Parliament in the autumn.

## **Reminder about running a lottery including tombolas, sweepstakes and raffles**

We recently reminded consumers about keeping the requirements for lawfully raising money for their nominated good cause:

- Anyone running lottery that permits the sale of tickets before an event, or away from the place where the event is held, is going to need either a licence from the Commission or registration with their local authority
- There are limits in place for how much you can spend on ticket sales for a single prize (but no limits on donated prizes)
- All tickets must cost the same (unless they are run at a specific event – these are called incidental lotteries) and a ticket must be provided for each entry
- If you are a business running a lottery for your customers, you cannot run them for profit or for good causes – all the money from ticket sales must be spent on prizes or expenses
- You cannot roll over unallocated or unclaimed prizes to another lottery unless you are running your lotteries under a Gambling Commission licence or local authority registration

Further information is available in our [quick guide on running a lottery](#).

## **Reference materials**

### **LLEP assessment templates**

To help you meet LA regulatory obligations under the Gambling Act 2005 we worked with Leicester, Leicestershire and Rutland Licensing Forum and LLEP to produce a [range of resources](#) including a suite of assessment templates, information for premises and assessment outcome letters. Please share the findings of your visits with your compliance manager so that we can continue to build a broad picture of premises' compliance.

Before undertaking inspections, officers should check if there are any age verification Primary Authority agreements in place in order to get the most of out the visit. Details of the gambling age verification Primary Authority agreements signed to date are on [our website](#).

The [assessment templates](#) have also been updated to reflect the abovementioned LCCP changes, and the statement on entry advice has been [updated on the website](#) to make it clearer for LAs to follow. There is now an explanation of how the information sheets can help them comply with The Gambling Act 2005 (Inspection) (Provision of Information) Regulations 2007. It also emphasises the fact that if LAs use the [premises information templates](#), they will have to amend it to show their own contact details before issuing to operators.

### **E-Learning modules**

The Institute of Licensing and the Commission have worked together to produce some gambling e-learning modules:

- Gaming machines - three separate modules which cover the various types of gaming machines, the physical components and signage requirements and how to deal with non-compliant machines
- Inspection powers and inspection preparation – designed to help co-regulators familiarise themselves with their powers to enter and inspect gambling premises and the preparation to undertake before conducting an inspection of any gambling premises.
- Introduction to inspecting a betting premises – aimed at helping co-regulators improve their understanding of what to check when conducting an inspection of a betting premises - both inside and outside the premises.

These modules can be accessed by anybody via the [IOL website](#), and all are CPD accredited. Once on the website simply click on the 'e-learning' tab on the top right, then log in if you have an existing account, or request a log in via [membership@instituteoflicensing.org](mailto:membership@instituteoflicensing.org) to get started.

We also have several refresher modules for licensing officers which compliance managers can deliver at licensing meetings. Topics include machines, permits, money laundering, poker. If you are interested in receiving such training, please contact your compliance manager.

### **Quick guides and template letters**

Some quick guides are designed to give to operators when undertaking visits, others provide an accessible 'how to' for licensing staff:

- [Public Health and Gambling](#)
- [Sharing information and intelligence](#)
- [Statement of Principles \(for councillors\)](#)
- [Money laundering](#)
- [Gaming machines in pubs](#)
- [Race night, casino night or poker night](#)
- [Members' club or commercial club](#)
- [Poker in clubs](#)
- [Poker in pubs](#)
- [Facilitating betting in pubs and clubs is illegal](#)
- [Skills with prizes](#)
- [Illegal gaming machines](#)
- [Comparing lottery ticket dispensers and B3A machines](#)
- [Illegal siting of gaming machines](#)
- [Fairs and fairgrounds](#)
- [Running a lottery](#)
- [Running prize competitions and free draws](#)
- [Multi activity sites](#)
- [Police statutory powers under the Gambling Act](#)
- [LA statutory powers of inspection under the Gambling Act](#)
- [Examples of non-complex category D gaming machines](#)
- [Templates for notification of automatic entitlement and application for licensed premises gaming machine permit](#)

### **Gambling Act statutory notices and forms**

It is a statutory requirement that applicants use the correct forms to give proper notice of applications, variations etc to all responsible authorities, including the Gambling Commission.

We host all the [statutory notices and application forms](#) as they are no longer available on the DCMS website.

### **Find operating licence holders**

We [publish](#) the names of all companies and individuals who hold, or have applied for, operating licences in Great Britain along with the names of companies or individuals whose licences have lapsed, been revoked, forfeited, expired, suspended or surrendered in the last 6 months.

LAs must check the operator licence quoted on premises applications with the register before granting a premises licence. An application for premises licence may only be made

by persons who have an operating licence which allows them to carry out the proposed activity for example a bingo operating licence for a bingo premises or have applied for an operating licence (although the premises licence cannot be determined until an operating licence has been issued).

### **Premises licence register**

The information on our publicly available [premises register](#) is based on the statutory notifications received from LAs regarding grants, variations, revocations, lapses etc, and is updated monthly. LAs are encouraged to send **all** necessary correspondence to [info@gamblingcommission.gov.uk](mailto:info@gamblingcommission.gov.uk). Where email notification has been made it is not necessary to follow up by post.

In relation to gaming machines, we only require notification of grant/rejection of Club Machines Permits and Gaming Machine Permits. There is no requirement to advise us when an alcohol licence holder submits their notification for an automatic entitlement to two gaming machines. However, LAs must keep a record of how many automatic entitlement notifications it receives each year, as that information is requested in the [annual LA returns](#).