

Written evidence submitted by the Northern Ireland All-Party Group on Reducing Harm Related to Gambling

Response to House of Commons DCMS Committee inquiry on UK Government's approach to the regulation of gambling

1. What is the scale of gambling-related harm in the UK?

Gambling regulation is a devolved matter in Northern Ireland (Northern Ireland), where it falls under [The Betting, Gaming, Lotteries and Amusements \(Northern Ireland\) Order 1985](#) and [The Betting, Gaming, Lotteries and Amusements \(Amendment\) Act 2022](#). Unlike Great Britain (GB), Northern Ireland does not have an independent gambling regulator. The government in Northern Ireland does not regularly collect or publish data on the scale of gambling-related harm. This is a major issue which the APG has raised in both of its inquiries.

The last Gambling Prevalence Survey undertaken between the Northern Ireland Statistics and Research Agency (NISRA) and the Department for Communities was done in 2016, and identified 2.3 per cent of the population as having a gambling problem.¹ Though this likely underestimates the number of problem gamblers here,ⁱ it is still more than four times higher than that recorded in Britain and almost three times higher than in the Republic of Ireland. A 2017 study from the University of Manchester showed that 4 per cent of suicides among 20-24-year-olds in the UK are gambling-related. This equates to 250 gambling-related suicides per year in the UK.² In 2018, a Swedish study found the suicide rate of people with gambling disorder is 15 times that of the general population. This would be the equivalent of 550 gambling related suicides per year in the UK.³

ⁱ This 2.3 per cent refers only to those classified as problem gamblers within a single year and ignores the reality that gamblers move in and out of gambling harm, meaning the longitudinal incidence of gambling harm is of course higher. A more accurate model would count the number of people who experience gambling harm at some time in their lifetime.

The APG has called on the Department for Communities and other relevant bodies to provide regular updates on gambling and gambling-related harms, in order to ascertain the scale and nature of the issue in Northern Ireland.

2. What should the key priorities be in the gambling White Paper?

The gambling White Paper will not cover regulation in Northern Ireland (apart from the issue of advertising and promotion of gambling, which is a reserved matter). Nevertheless, GB reforms are likely to impact on the next phase of gambling regulation here. This phase will involve a more comprehensive overhaul of Northern Ireland's gambling laws, including a complete new regulatory framework that will, for the first time, encompass online gambling. It is anticipated that it will take the whole of the current Assembly mandate to bring forward and enact the necessary legislation.

With this in mind, the APG would suggest the following issues be included as priorities:

1. Gambling as a public health issue

There are increasing calls for gambling-related harms to be considered a public health issue across the UK.⁴ Problem gambling has been traditionally viewed with a focus on the attitudes and behaviours of the individual, though research suggests that this fails to recognise the wider impact on public health.⁵ Indeed, it has been estimated that a typical problem gambler can affect around six other people.⁶ A public health approach moves the focus from the individual problem gambler, to a much broader consideration of the causes of gambling-related harm that can then be located within a wider framework of public health policies.⁷ This is now a well-recognised and understood approach for obesity, smoking, and alcohol consumption, but is lacking in regards to gambling, which is no less addictive or harmful.

2. Online gambling

As discussed below, this must be robustly regulated under the logical premise that gambling occurs where the customer (and the harm) is, not where the operator is based.

3. Protecting children from gambling advertising

Advertising is a reserved matter, but nevertheless impacts on citizens in Northern Ireland. In particular, children are vulnerable to the proliferation of gambling advertising through the likes of Premiership football. Westminster has a duty of care to young people in Northern Ireland in this regard, and the White Paper should specifically address the issue of gambling advertising and promotion to citizens in Northern Ireland.

4. Data protection

As with advertising, data protection is a reserved matter. Recent evidence submitted by Clean Up Gambling to the Information Commissioner's Office (ICO) detailed widespread illegality in how data is obtained and used for profiling by online gambling operators. This also affects citizens in Northern Ireland, and the APG is calling on the UK Government to fulfil its obligations to citizens here as regards data protection.

5. The characteristics of gambling products themselves

Previous research on gambling-related harm tended to focus on individual behaviours. This framing has focused the discussion on the idea of the “individualized flawed consumer”⁸ and the promotion of “responsible gambling” and self-control as a means of resolving gambling harm at the societal level. However, what this focus omits is the addictiveness of the products themselves

3. How broadly should the term, ‘gambling’, be drawn?

The 2005 Gambling Act refers to gambling as “gaming, betting and participating in a lottery.”⁹ Similarly, the Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985 and the Amendment Act addresses all land-based activities within those three categories. All forms that fall within this definition should be considered and addressed within the White Paper.

However, as demonstrated clearly in both the APG’s inquiry reports,¹⁰ different forms of gambling carry different risks to users. For example, the below table is drawn from the GB Gambling Commission’s 2016 Gambling Behaviour report¹¹ examining the “problem gambling” and “at risk” rates of several gambling products:

	“Problem gambling” %	“at risk” %	Total Rate %
Any gambling (excl National Lottery draws only)	1.6	8.5	11.1
Horse racing (not online)	3.3	14.1	17.4
Bingo (not online)	3.9	10.4	14.3
Machines in bookmakers (FOBTs)	13.7	39.2	52.9
Online gambling on slots, casino or bingo games	9.2	35.6	44.8

Table 1: Rates of gambling harm by gambling product (GB Gambling Commission, 2016)

As the APG has previously argued, it is logical to assume that the regulation of more addictive gambling products should differ from less addictive ones.

4. Is it possible for a regulator to stay abreast of innovation in the online sphere?

As mentioned, online gambling is currently unregulated in Northern Ireland. Online gambling has grown sharply in recent years, making it easier to access than ever before. The aforementioned 2016 survey found that 15.8 per cent of those in Northern Ireland that gambled in the last year did so online, compared with 6.7 per cent in 2010.¹²

The rapid growth of online gambling presents a challenge, however policymakers should nevertheless endeavour to stay abreast of innovation in the online sphere, in order to prevent gambling-related harm. As the APG recommended in its 2021 report: so far as possible, parity is required between the regulation of remote and non-remote gambling where current measures, such as stake-limits and speed of play, often vary greatly. Policy which aims to prevent and reduce harm must recognise that online sites allow consumers to bet at a faster speed for an indefinite amount of time and regulate accordingly. Any measure to limit stake limits, speed of play etc. on land-based products is an admission that such products or features are potentially harmful. Hence the same measures should be applied to the equivalent features and products online.

5. What additional problems arise when online gambling companies are based outside of UK jurisdiction?

Regulation on the advertising and promotion of gambling can present issues when two jurisdictions have different gambling laws. To take Northern Ireland as an illustrative example: it is often proffered that online gambling here is regulated by the GB Gambling Commission, given that the UK's Gambling (Licensing and Advertising) Act 2014 states that it is an offence to *advertise* remote gambling in Northern Ireland unless the operator holds a remote operating licence from the GB Gambling Commission. However, this does not mean that consumers here fall under the remit or protection of the GB Commission which does not cover Northern Ireland, where gambling is a devolved issue.

The collection of data is also an issue between jurisdictions. The Gambling Commission provides detailed data on gross gambling yield (GGY) for GB but it does not do so for Northern Ireland. Instead, it provides combined figures for GB and other 'non-GB' jurisdictions. The presentation of the data in this format dilutes its utility to Northern Ireland policymakers when regulating for gambling related matters. Lack of clear data between jurisdictions (both within and without the UK) means that policymakers lack the proper evidence base to understand the scale of gambling-related harm and to consider options for the future regulation of gambling.

References

¹ [Northern Ireland Gambling Prevalence Survey](#), 2016.

² [Suicide by children and young people. National Confidential Inquiry into Suicide and Homicide by People with Mental Illness](#), (NCISH). Manchester: University of Manchester 2017, Page 17.

³ Karlsson, A., & Hakansson, A. (2018). [Gambling Disorder, increased mortality, suicidality and associated comorbidity: A longitudinal nationwide register study](#). *Journal of Behavioural Addiction* 7(4), 1091-1099.

⁴ Public Health England: [Gambling-related harms evidence review](#) (2021).

⁵ Rogers, R., Wardle, H., Sharp, C., Dymond, S., Davies, T., Hughes, K. and Astbury, G., 2019. [Framing a public health approach to gambling harms in Wales: Challenges and opportunities](#). Bangor University.

⁶ Goodwin, B.C., Browne, M., Rockloff, M. and Rose, J., 2017. [A typical problem gambler affects six others](#). *International Gambling Studies*, 17(2), pp.276-289.

⁷ Scottish Public Health Network: [Gambling Update](#) (2018).

⁸ Livingstone, C. and Woolley, R., 2007. Risky business: A few provocations on the regulation of electronic gaming machines. *International gambling studies*, 7(3), p. 361

⁹ [Gambling Act 2005](#), Part 1, section 3.

¹⁰ APG on Reducing Harm Related to Gambling: [The Future Regulation of Gambling in Northern Ireland](#) (2021) and [Gaming Machines in Northern Ireland](#) (2022).

¹¹ Gambling Commission: [Gambling behaviour in Great Britain in 2016](#)

¹² See 1