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| <b>Report on</b>         | Consultation on the Regulation of Gambling in Northern Ireland |
| <b>Date of Meeting</b>   | 11 <sup>th</sup> February 2020                                 |
| <b>Reporting Officer</b> | Fiona McClements   |

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| <b>Is this report restricted for confidential business?</b><br><br>If 'Yes', confirm below the exempt information category relied upon | Yes |   |
|  | No  | X |

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| <b>1.0</b> | <b>Purpose of Report</b>  |
| 1.1        | To inform Members about the Department for Communities' Consultation on 'the Regulation of Gambling in Northern Ireland' and agree a Mid Ulster District Council response to same.  |
| <b>2.0</b> | <b>Background</b>   |
| 2.1        | <p><u>The law in Northern Ireland</u></p> <p>Northern Ireland law in respect of gambling is currently contained in '<i>The Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985</i>' (the 1985 Order). The 1985 Order is broadly modelled on much older law from Great Britain (<i>the Betting, Gaming and Lotteries Act 1963, the Gaming Act 1968 and the Lotteries and Amusements Act 1976</i>).</p> <p>The 1985 Order regulates:</p> <ul style="list-style-type: none"> <li>• Betting in bookmaking offices and on tracks;</li> <li>• The use, supply and maintenance of gaming machines;</li> <li>• gaming in bingo clubs;</li> <li>• small scale amusements with prizes; and</li> <li>• Local lotteries.</li> </ul> <p>The 1985 Order sets out the procedures for the licensing of gambling activities and the offences and penalties for breaches of associated licensing conditions.</p> <p>The courts and district councils license gambling activities; the Department is responsible for issuing track-betting licences; and responsibility for enforcement of gambling law lies with the Police Service of Northern Ireland (PSNI).</p> |
| 2.2        | <p><u>Structure of the industry</u></p> <p>The table below shows the number of different types of premises that are currently licensed for betting in both Northern Ireland and within the Mid Ulster District Council area:</p>  |

| Premises Type                             | Number in Northern Ireland | Number in Mid Ulster District |
|---|----------------------------|-------------------------------|
| Licensed bookmakers                       | 300                        | 27                            |
| Horse racing tracks                       | 2                          | 0                             |
| Dog racing tracks                         | 2                          | 0                             |
| Commercial Bingo Halls                    | 40                         | 2                             |
| Amusement Permits (e.g. amusement arcade) | 140                        | 8                             |

2.3 Gaming machines may also be operated (without a separate permit) in bookmaking offices, bingo halls and the bar areas of pubs, hotels and registered clubs.

In May 2017 the Department for Communities released the findings of the “2016 Northern Ireland Gambling Prevalence Survey”.

The objectives of the 2016 survey were to:

- Monitor how gambling prevalence has changed since the previous study in 2010;
- Monitor changes in public attitudes to gambling;
- Monitor the overall rate of at-risk and problem gambling; and
- Assess the progression of gambling methods since the last study was undertaken.

Although the complete report is available for review in appendix one, a condensed version of the main findings of the survey are detailed below:

#### 2.4 Gambling Participation

- The number of people who had participated in gambling in the last 12 months had fallen since 2010 (from 79.8% to 67.2%).
- Northern Ireland has a comparable gambling participation rate to Scotland, but higher than England and Wales.
- The most common forms of gambling that people who were surveyed participated in were:

| <b>GAMBLING TYPE</b>                  | <b>PARTICIPATION</b> |
|---------------------------------------|----------------------|
| National Lottery                      | 46.8%                |
| Scratch cards or instant wins         | 23.7%                |
| Betting event or sport                | 22.8%                |
| Other lottery, raffle or ballot       | 20.6%                |
| Fruit / slot machines                 | 6.6%                 |
| Bingo cards or tickets                | 4.6%                 |
| Football Pools                        | 2.7%                 |
| Private Betting                       | 2.4%                 |
| Table games (roulette, cards, poker)  | 1.9%                 |
| Virtual gaming machines in bookmakers | 1.6%                 |

- 2.3% of respondents identified as problem gamblers, with males being more likely to be a moderate risk or problem gambler.
- Problem gambling in Northern Ireland is high relative to other countries who have performed comparable surveys.

2.5

#### Attitudes to Gambling

- The majority of respondents had an overall unfavourable attitude towards gambling (59.6%), with 33.3% in favour.
- Males had more favourable attitudes to gambling compared to female respondents.
- Favourable attitudes to gambling have increased since 2010 (26.7% in 2010 to 33.3% in 2016)
- Although 74.9% agreed that gambling was dangerous for family life and 70.1% agreed there were too many opportunities to gamble these days, just over 76% agreed that people should have the right to gamble whenever they wanted.
- Less than half of respondents (47.8%) agreed that gambling should be discouraged and only 21.5% agreed that gambling should be banned altogether.

2.6

#### Method of Gambling

- 95.2% of gamblers had gambled in person in the last year.
- The proportion of people who had gambled online in the last year increased between 2010 and 2016, from 6.7% to 15.8% of respondents.

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| <p>2.7</p> <p>2.8</p> <p>2.9</p> | <p><u>How much people spend (e.g. money risked)</u></p> <ul style="list-style-type: none"> <li>• In the last 7 days almost half of respondents had spent nothing on gambling. One in ten had spent between £5 and £10; two in ten had spent £5 or less and two in ten had spent over £10.</li> <li>• The average spend in the last 7 days was found to be £5.08 for a non-problem gambler, whilst moderate risk and problem gamblers had spent an average of £47.33.</li> </ul> <p><u>Sunday Gambling</u></p> <ul style="list-style-type: none"> <li>• The majority of all respondents never bet on a Sunday and half of respondents think bookmakers should not open on a Sunday.</li> <li>• More females than males disagree or strongly disagree that bookmakers should open on a Sunday.</li> </ul> <p><u>Gambling Advertisements</u></p> <p>The top three most common gambling advertisements seen by respondents in the past month were:</p> <ul style="list-style-type: none"> <li>• TV Adverts (80%)</li> <li>• Online adverts (47.3%); and</li> <li>• Sponsorship (36.7%)</li> </ul> <p>Around 160 organisations have registered with district councils as societies' lotteries, in which tickets for prizes are sold to the public for good causes.</p> |
| <p><b>3.0</b></p>                | <p><b>Main Report</b></p>   |
| <p>3.1</p> <p>3.2</p> <p>3.3</p> | <p>The Social Policy Unit within the Department for Communities (the Department) is currently undertaking a consultation exercise on 'the Regulation of Gambling in Northern Ireland'. The purpose of the consultation is to seek views on the appropriateness of the current legislation and to identify areas of gambling activity which should be included in any future legislation on gambling in Northern Ireland. The consultation which commenced on 16 December 2019 is open until 21 February 2020.</p> <p>The Council, at its meeting in January 2020 agreed that a response to the above consultation be prepared and considered by the Environment Committee. The Council also delegated authority to the environment committee to finalise the response as the date for submissions is before the next meeting of full Council.</p> <p>The consultation document (appendix 2) encompasses a number of detailed questions on issues across the gambling sector and its associated licensing and regulatory arrangements, as summarised below:</p>  |

3.4 Gambling in Northern

- How do our laws compare with Great Britain and the Republic of Ireland; should they be aligned?

3.5 The Future of Gambling in Northern Ireland

- Should casinos be permitted to operate in Northern Ireland?
- Is current legislation that prevents premises licensed to sell alcohol from offering poker, bingo and other equal chance gaming still appropriate?
- Should remote gambling operators be subject to Northern Ireland specific regulatory and licensing measures?
- Are current NI protection measures regarding on online gambling sufficient?
- Are the current opening times for bookmaking offices and bingo clubs still appropriate?
- Should bookmakers and bingo clubs be allowed to open on Sundays, Good Friday and Christmas day?
- Is the current 'demand test' for new bookmaking offices still necessary?
- Are the current age restrictions (i.e. over 21) in respect of the grant of bookmakers' licence, bingo licence, gaming machine certificate or permit or lottery certificate still appropriate? (In GB, it is over 18 years of age)
- Is current law in respect of advertising of gambling in Northern Ireland still appropriate?
- Should other specific measures be introduced to help protect children from gambling? Should there be specific offences in relation to permitting an under-18 to use certain gaming machines?
- Should a statutory levy be imposed on the NI gambling industry and should industry help fund research etc. into treatment of problem gamblers?

3.6 Sector Specific Issues

- Should the current law be amended that those who cheat at gambling are committing an offence, regardless of whether they are successful?
- Should the monetary controls on bingo club games, prizes and rollovers be amended?
- Should the definition of gaming machines be amended to reflect the variety of machines which now exist?

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| <p>3.7</p> <p>3.8</p> | <ul style="list-style-type: none"> <li>• Should gaming machine stakes and prize limits be amended in line with GB?</li> <li>• Should gaming machines be able to accept stakes and payout prizes in forms other than coins (e.g. notes, debit / credit cards etc.)?</li> <li>• Should higher stakes and prizes be permitted in bookmaking offices, bingo clubs and amusement arcades where entry is restricted under those over 18 years?</li> <li>• With respect to societies' lotteries, should the law be amended to remove the £1 stake limit and to reflect the limits on proceeds, expenses and prizes in GB?</li> <li>• Should the sale of lottery tickets be permitted on the internet?</li> </ul> <p><u>Licensing, Enforcement and Regulation</u></p> <ul style="list-style-type: none"> <li>• Is the current licence duration for amusement permits appropriate?</li> <li>• Is the PSNI the most appropriate enforcement agency?</li> <li>• Is there a need for a regulatory body for gambling in Northern Ireland?</li> </ul> <p><u>Consultation Response</u></p> <p>A draft Mid Ulster District Council response to the consultation was compiled by Council Officers for the committee's consideration (appendix 3). The draft response is limited to comments on the issues relevant to Council's role in the regulation of gambling and to those areas where there is likely to be consensus of opinion as it is recognised that Members will have their individual opinions.</p> |
| <p><b>4.0</b></p>     | <p><b>Other Considerations</b></p>  |
| <p><b>4.1</b></p>     | <p><b>Financial, Human Resources &amp; Risk Implications</b></p> <p>Financial: N/a</p> <p>Human: N/a</p> <p>Risk Management: N/A</p>  |
| <p><b>4.2</b></p>     | <p><b>Screening &amp; Impact Assessments</b></p> <p>Equality &amp; Good Relations Implications: N/a</p> <p>Rural Needs Implications: N/a</p>  |

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| <b>5.0</b> | <b>Recommendation(s)</b>   |
| 5.1        | It is recommended that Members agree the draft Mid Ulster District Council response to the Department for Communities' consultation on the 'Regulation of Gambling in Northern Ireland' and that the response be submitted with the Department under delegated authority from the Council. |
| <b>6.0</b> | <b>Documents Attached &amp; References</b>   |
| 6.1        | Appendix 1 – <i>2016 Northern Ireland Gambling Prevalence Survey – Main Release</i> (May 2017) – Department for Communities & Northern Ireland Statistics and Research Agency  |
| 6.2        | Appendix 2 – <i>The Regulation of Gambling in Northern Ireland – Consultation Document</i> (December 2019) - Department for Communities  |
| 6.3        | Appendix 3 – Draft Mid Ulster District Council response to the Department for Communities on the Regulation of Gambling in Northern Ireland.   |