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Gambling in Britain: Analogue Legislation in a Digital Age

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The All Party Parliamentary Group (APPG) for Gambling Related Harm's Final Report into the Online Gambling Sector, which was published earlier this month, presents a roadmap for government, the Gambling Commission and industry to develop a safer and fairer gambling environment, and limit gambling-related harm in Great Britain. Writing in 2014, I noted how the rise in online gambling had made gambling opportunities more readily available to large swathes of the population, whilst simultaneously undermining many of the restrictions, player protection measures and responsible gambling strategies typically found in land based establishments. Over the last decade, online gambling has been a key propellant of citizens' gambling expenditure, industry profits and state taxation revenues, with citizens losing £5.3 billion gambling remotely in 2019 alone.

It is unsurprising, then, that online gambling has also been a significant driver of gambling-related harm over this period. The most recent figures released by the Gambling Commission suggest that there are in the region of 395,000 problem gamblers in Britain and a further 1.8 million gamblers 'at risk' of developing a problem. Yet the number of people experiencing harm is likely to be far higher, as the socially and politically constructed nature of 'problem gambling' posits blame for excessive consumption with faulty individuals, obfuscating harm as a wider public health issue. As SHU's 2018 report illustrates, gambling-related harm extends far beyond the individual gambler impacting families, friends and communities. Disconcertingly, the Gambling Commission have also reported that the period of isolation – and absence of sport – as a consequence of the COVID-19 pandemic has seen gamblers turn to more harmful products such as online casinos and slots.

The APPG report provides further evidence of the harmful effects gambling can have on people, families and wider society and makes a number of pertinent recommendations relating to the online environment and gambling more broadly. This includes prohibiting advertising, VIP schemes and inducements, reviewing stake, prize and deposit limits, and introducing a Gambling Ombudsmen for consumer redress. Notably, the report reinforces calls for a mandatory levy to replace the current voluntary system of funding treatment, prevention and research in Britain. This is a much-needed mechanism if (perceptions of) industry influence is to be addressed.

Most significantly, the report envisages a 'complete overhaul of gambling regulation in the UK'. This is both timely and necessary. The liberalising influence of the Gambling Act 2005 on the industry, coupled with the its narrow licensing objectives, has led to the entrenchment of a leisure culture that perpetuates an array of economic, physical, and emotional and psychological harms that often remain hidden from general view. The Gambling Review Body which reported in 2001 – and whose many recommendations are incorporated in the act – did not foresee the technological innovations that have increased the potency of gambling by accelerating the rate of gambling and its reach across space and time. Indeed, as the lead author of the report, noted economist Sir Alan Budd, stated when giving evidence to the Social and Economic Impact of the Gambling Industry Committee in September 2019: "The iPhone was not introduced until 2010, for example, so the facility to engage in online gambling was very much reduced. It was new and an activity that we did not know very much about." Budd's statement gives credence to the fact that this analogue legislation is no longer fit for the digital age.

The recommendations detailed in the APPG's report provide an action plan for the reform of gambling in Britain in order to better protect citizens from harm. Whether a UK government who derives significant tax revenues from gambling has the appetite for a radical overall of the existing outdated legislation is unclear, but the need for a gambling environment that places public health ahead of profit maximisation has never been more pressing.