



Subject: Gambling Act consultation

Dear Joanne,

I am writing in response to Durham County Council's formal consultation on the Gambling Act 2005 Statement of Principles. I would also like to increase engagement with Durham County Council in respect of taking a public health approach to gambling, to reduce the impact that it has on crime and disorder. **As commendable as this may be, it lies outside the remit of the Gambling Act 2005 in relation to the Statement of Principles.**

Firstly, I'd like to say that there is support for the licensing objectives in principle **the 3 licensing objectives are set by statute (the Gambling Act 2005)** but I also set out some recommendations for the Council to consider in its new Gambling policy:

- 1 We know that problem gambling has a link to crime and on intergenerational harm ([Crime and Problem Gambling: a Research Landscape](#)). The Council should consider **mandating** the measures currently proposed in licensing conditions to protect and safeguard vulnerable people from further harm. **Other than any mandatory conditions set in legislation, conditions must be reasonable and necessary and case specific. They cannot lawfully be used in a blanket approach.**

*"The Council may consider **(should mandate)** any of the measures detailed below as licence conditions should these not be adequately addressed by any mandatory conditions, default conditions or proposed by the applicant. Applicants should consider the following proposed measures for protecting and supporting vulnerable persons, for example:*

- *leaflets offering assistance to problem gamblers should be available on gambling premises in a location that is both prominent and*
- *training for staff members which focuses on an employee's ability to detect a person who may be vulnerable and providing support to vulnerable persons*
- *self-exclusion schemes **(and deterrence of multiple accounts)***
- *operators should demonstrate their understanding of best practice issued by organisations that represent the interests of vulnerable people*
- *posters and leaflets with the **NHS Northern Gambling Service** and GamCare Helpline and website displayed in prominent locations*
- *external advertising e.g. on windows and entrances to be positioned or designed not to entice passers-by".*

- 2 The licensing objectives could be more explicit, and I make some suggestions below: **the 3 licensing objectives are set by statute (the Gambling Act 2005)**
 - To protect those working in gambling establishments and the establishment itself from crime and disorder.
 - To prevent the use of gambling as source of legitimising income for those engaged in crime.
 - To prevent criminal acts committed as a means to support a gambling addiction.
 - To protect children and other vulnerable persons being harmed or exploited by criminal gangs or those with gambling addiction
- 3 In the decision-making processes the Local Authority should consider using the gambling harm prevalence tool provided by Gamble Aware to protect those key socio-demographic groups and locations that have been identified as being at risk. **The following link may be added to the policy <https://www.gambleaware.org/gambleaware-gb-maps-local-authorities#:~:text=Using%20data%20collected%20in%20November,treat%20and%20support%20for%20gambling> P32 and appendix 5.**
- 4 When issuing a licence either for a new premises or a fair or such like in a high risk community, stipulate some form of 'local' awareness training for the staff as a means to mitigating the risk to communities as highlighted in the statement of principles. **Added P32**
- 5 Under Enforcement, it would be useful to know how many visits have been conducted and how many test purchase operations have been conducted, not just putting a bet on but also walking in to use a slot machine (linked to county lines). It would be useful to be explicit and capture number of visits or yearly frequency. **Not appropriate for inclusion in a policy document as the quantitative information would change from year to year.**
- 6 Reviews and appeals should consider the information and intelligence that has been received either by the council or wider partners linking the establishment to the statement of principles. This is absent at page 59. **Added to 6.2, 'Reviews'.**
- 7 For areas such as online gambling, personal premises whereby the Gambling Commission is the enforcement body and not the Local Authority, the Local Authority (and other partners e.g police) should

consider a commitment to work more closely with the Gambling Commission to prevent gambling from becoming a source of crime, reduce harm and improve any investigations. [Outside the scope and remit of the Statement of Principles](#)

- 8 The policy states that *“local data is not currently available on the prevalence of gambling in County Durham”*. The Council should invest in research to understand the problem of gambling related harm to help understand the extent of harmful gambling, impacts and costs associated with it. There is a County Durham Gambling Steering Group which is undertaking a gambling needs assessment. Public and practitioner survey results should now be available and included to inform this policy.
- 9 A report by PHE titled ‘Tackling Gambling Related Harm’ was published in partnership with the Local Government Association in 2018. It sets out a whole council approach to reducing gambling related harm and I would encourage Durham County Council to adopt this approach as part of its new policy or as a separate piece of strategy work, together with partner organisations. The areas where I consider that this approach can add value include the following: [Commendable and unopposed but outside the scope and remit of the Statement of Principles](#)
 - Providing guidance to public health issues when developing the Gambling Policy: Public health has a positive contribution to make as a non- statutory consultee to influence the content of draft gambling policies in the context of protecting the health of the most vulnerable people in our communities with reference to gambling -related harm. For example, [the OHID and Public Health England Gambling-related harms evidence review](#) considered these categories of harms: financial, relationship disruption, conflict or breakdown, mental and physical health, cultural, employment and education, criminal activity. A high-quality quantitative study showed that people with gambling disorder have an increased risk of dying from any cause, in a given time period, relative to the general population. Two quantitative studies (of moderate and high quality) reported that deaths from suicide were significantly higher among adults with gambling disorder or problems compared to the general adult population. [See new appendix 5](#)
 - Signposting to relevant health data and evidence, for example in the production of local gambling harm profiles - This includes maximising available data to support the evidence base as a means to improve the health and well-being of the whole population. They are one-stop shops covering a whole range of data and analysis tools for public health which can assist with developing focused preventative work. [See appendix 5](#)
 - Ensuring that consideration and attention is given to the health and well-being of the population - Sharing a strategic perspective about the



importance of health and well-being and identify areas of consideration relevant to harmful gambling which may otherwise be overlooked or omitted due to a lack of capacity around the topic.

- Provide a one-stop shop public health reference point - Utilise the development of the Gambling Policy as a means to develop relationships on all matters relating to public health. This can include other aspects of work, such as providing evidence should a licence require a review or when a condition is considered necessary, as well as responding to guidance or consultation papers around gambling. **Outside the scop and remit of the Statement of Principles.**

I would also urge that the Local Authority considers other Gambling policies which are seen as promising practice. I provide a link to one of these: [Gambling Act Statement of Principles 2022-25 \(liverpool.gov.uk\)](https://www.liverpool.gov.uk/gambling-act-statement-of-principles-2022-25/).

I understand that some of these recommendations lie outside the remit of the licensing policy, however I am keen to progress this work and develop a local partnership strategy to reduce gambling related harm.

Yours sincerely,

Joy Allen
Durham Police and Crime Commissioner