

## Gambling Reform APPG Session

### Gambling Harm and Crime

**Date:** 11<sup>th</sup> February 2025

**Time:** 10:00am-11:00am

**Location:** Room S, Portcullis House

**Chair:** Sir Iain Duncan Smith MP

**Minutes:** Max Strangleman-Sykes, DGA Group

#### **Members Present:**

- Sir Iain Duncan Smith MP (Chair)
- Alex Ballinger MP
- Beccy Cooper MP
- Polly Billington MP
- Siân Berry MP

#### **External Guests:**

- Tony Parente, GAMLEARN
- Tracy O'Shaughnessy, GAMLEARN
- Claire Wyllie, Tackling Gambling Stigma
- Louise Lowe, Affected Other
- Joy Allen, Durham Police and Crime Commissioner
- Andrew Neilson, The Howard League
- James Atton, Mackrell Solicitors
- Henrietta Bowden Jones, National Advisor on Gambling Harms
- Katherine Morgan, DGA Group
- Allaster Gair, DGA Group
- Ffion Price, DGA Group
- Lewis Klein, DGA Group

#### **Gambling Reform APPG Minutes:**

Sir Iain Duncan Smith: Welcomed all the attendees, and introduced the speakers present at the session.

Tony Parente: Outlined GAMLEARNs work, where the charity has helped thousands of people struggling with gambling harm since its inception. GAMLEARN was formed three and a half years ago by those with lived experience, including his own, and submitted evidence for the Gambling Act Review. Specifically on the sessions topic, GAMLEARN has helped 55 people that have been associated with crime as a result of their gambling. He explained that GAMLEARN help people that are facing custodial sentences, as well as those that have already been in prison for their crime.

Claire Wyllie: Outlined Tackling Gambling Stigma's work, and outlined her work showing how gambling related harm and crime are intertwined, with unaffordable losses leading to crime. She further highlighted the corresponding effect on families, with families that had nothing to do with the crime then suffering because of their connection with someone who suffers from a gambling disorder.

She added that the Gambling Commission does not investigate individual cases, and gambling operators often keep funds from crime. Victims of crime do not get the reparations from crime. She urged for guidelines that stop this unjust situation at present. She proposed that the Ministry of Justice should mandate mechanisms for gambling companies to forfeit the proceeds of crime. This should be a basic condition of upholding a gambling license. It was also argued that the Home

Office and Ministry of Justice needs reform to recognise the role of gambling harm and its corresponding effect on crime and should scrutinise gambling legislation accordingly. She raised concerns with the Gambling Commission being 'overly narrow' in their approach to crime.

Louise Lowe: Louise introduced her background, where a year ago her ordinary life was upturned by her husband's gambling addiction- where he was considering suicide. Her husband had kept his addiction hidden throughout the duration of their relationship. She said she had been financially, legally and emotionally punished for her husband's addiction, where the Proceeds of Crime Act (POCA) (2002) does not distinguish between affected others and those complicit in the crime. She detailed that her bank account was closed because of her association with her husband, her house was raided by 15 police officers and concerns were dismissed.

Not once were her concerns, or wellbeing considered. A POCA restriction order was placed on her home in July 2024, but her husband has still not been arrested. She outlined the lack of support for affected others, and how POCA is failing innocent individuals, and ruining lives of those who had not taken part in harm.

Tracy O'Shaughnessy: Outlined how she had been affected by her partners 36-year gambling addiction. Throughout this time, she had tried to help him tackle the addiction but had not received any help herself. She was treated as if she was complicit to her partners crime, and this is a common occurrence, where affected others are punished by association.

The system has a lack of awareness when it comes to gambling addiction. Tracy outlined that many affected others are suffering from domestic abuse and highlighted the impact this has on families and wider communities. When gambling addicts go to prison, they do not receive help from the judicial system like they would with alcohol and drugs. Currently, a third of affected others that she has supported had considered taking their own life.

Joy Allen: Introduced her background and when she first considered the correlation of crime and gambling harm, over a decade ago. She outlined the benefit of early recognition programs, which can help to prevent future crime. She was the first police commissioner to raise awareness for gambling related harm, with the first point of call to be to train officers in identifying signs. She shared experiences of her encounters with lived experience, and the need to get money back from the proceeds of crime.

Andrew Neilson: Highlighted The Howard League's research regarding gambling and crime which involved a literature review, a range of oral evidence and primary research involving various groups. The final report was published two years ago but maintains its relevance. He outlined the still-limited understanding of gambling amongst criminal justice institutions, as well as counterproductive criminal justice responses to gambling related crime, such as POCA and wider prison culture. He also outlined the disproportionate impact of gambling related crime on women and BAME communities.

James Atton: Highlighted that in his experience, it takes a lot of tenacity to get money back from operators and it is a rare occurrence. He went onto explain the point of view of a solicitor in this space, and how solicitors are often unwilling to take on such cases owed to the sheer length of time and effort often involved, including ideas on how this could be changed for the benefit of affected others.

***At this stage, those present engaged in a wider discussion concerning gambling related harm and crime. The following suggested starter questions were proposed to invite discussion:***

- Should there be a mandatory requirement for gambling harm screening at different stages of the justice process (e.g., arrest, sentencing, probation)?

- Should sentencing practices be adjusted to better reflect the role of gambling addiction in criminal behaviour?
- How can the statutory gambling levy be effectively used to provide treatment pathways for those in custody?

Henrietta Bowden Jones: Referenced the need for levy funds to address issues raised in the session. She outlined a research paper she had written on gambling harms- involving research on 1200 people and the crimes committed, where over 95% committed the crimes as a result of her gambling disorder. She continued that gambling disorders pushes people to crime.

Alex Ballinger MP: Asked the group to explain why gambling companies are not required to pay back the proceeds of crime.

Andrew Neilson: Explained that the Gambling Commission may take action when they are aware of operators breaching safeguards, but this regulatory operation works on a much longer time scale that it is not considered by courts in the immediate term. Affected others, whilst this is going on, suffer the immediate brunt of the law.

Claire Wyllie: Agreed with Andrew that there is a time disparity present, but further to this point added that the Gambling Commissions investigations do not become public at any point, or available to the courts when the gambling operators being involved in crime. There is a fundamental problem with the way the gambling regulation works at present to return money to victims. The money is directed to good causes, and not affected others, or victims.

Joy Allen: Mentioned the public health debate often leaves behind gambling, and referenced that gambling is rife within prisons. She said that prison is the worst possible place you can send a gambling addict without any support, owed to this.

Beccy Cooper MP: Asked for further discussion on gambling addiction services in prison, and if there are any examples of best practice.

Tracy O'Shaughnessy: The difference between support for substance abuse and gambling is significant across prisons in the UK. Many prison officers have never considered gambling, citing a recent meeting with a prison official in Scotland where a new prison treatment centre had opened, but gambling had not been considered. She gave further examples of the lack of recognition for gambling addiction within the judicial system. Gambling is even encouraged as a past time in some prisons.

Sir Iain Duncan Smith MP: Added to other contributions on the major problem of gambling in prisons across the UK and gave wider context on this drawn from his own experiences with prisons. The attitude generally suggests gambling is not a problem.

Henrietta Bowden Jones and Andrew Neilson: Highlighted instances of prisons engaging with gambling related harm treatment and said they would follow up after the session as to positive examples of work being done in this area. There was also the point raised that prisons presently are at great strain capacity wise and suggested a roadmap for gambling harms prevention rather than more immediate asks.

***The Group moved onto considering key asks that the APPG could consider:***

Tony Parente, Claire Wyllie, Andrew Neilson and Sir Iain Duncan Smith MP: POCA attention was considered as something the APPG should investigate further in workstreams moving forward. Gambling should be in the Equal Treatment Bench Book, alongside the role of operators preventing harm and more effective regulation by the Gambling Commission.



Louise Lowe and Claire Wyllie: Further mentioned that mandating welfare checks for those issued a POCA would be a significant help. A safeguarding check would help a lot on this issue to make sure that people are safe. It was added that gambling operators' money from crime needs to also be forfeited far more often than it is now, and this should be targeted to help affected others and victims.

Sir Iain Duncan Smith MP: Thanked all attendees for their contributions and stated that the APPG will look to follow up with government to ensure that these points are considered in future gambling policy and legislation.

#### ***SESSION CONCLUDES***