

DÁIL ÉIREANN

AN COMHCHOISTE UM DHLÍ AGUS CEART

JOINT COMMITTEE ON JUSTICE

Dé Máirt, 22 Márta 2022

Tuesday, 22 March 2022

Tháinig an Comhchoiste le chéile ag 3 p.m.

The Joint Committee met at 3 p.m.

Comhaltaí a bhí i láthair / Members present:

Teachtaí Dála / Deputies	Seanadóirí / Senators
Pa Daly,	Michael McDowell,
Martin Kenny,	Barry Ward.
Thomas Pringle.	

Teachta / Deputy James Lawless sa Chathaoir / in the Chair.

General Scheme of the Gambling Regulation Bill: Discussion (Resumed)

Chairman: We have some people joining us online and a number of members are in the room for the hybrid format we are used to. I remind everybody to switch off their mobile telephones or switch them to airplane mode as they may interfere with the sound system.

I welcome our witnesses. The meeting today is the second part of a two-part engagement on the general scheme of the gambling regulation Bill. We have a number of witnesses to share their wisdom and expertise with us. The witnesses are appearing virtually. I welcome Mr. Barry Grant, addiction counsellor and project manager from Extern Problem Gambling; Dr. Helen McAvoy, director of policy, and Dr. Ciara Reynolds, public health development officer, at the Institute of Public Health; and Ms Pam Bergin, chief executive officer of Gambling Awareness Trust.

To deal with some housekeeping, if people are not speaking, I ask them to put their computer on mute, to turn on their microphone when they are speaking and then turn it off again when they finish. We have some observers from the Department of Justice. Ms Clare Brosnan and Ms Joanne King attend our meeting and can answer questions if those questions are more properly directed to the Department of Justice.

Members will be aware of parliamentary privilege. For the benefit of witnesses, they are reminded of the long-standing parliamentary practice that they should not criticise or make charges against any person or entity by name or in such a way as to make him, her or it identifiable or otherwise engage in speech that might be regarded as damaging to the good name of the person or entity. Witnesses attending remotely from outside Leinster House should note that, because we are still in a somewhat unusual situation, there may be some limitations on parliamentary privilege. They may not enjoy the same full degree of immunity as they would if they were present on the Leinster House campus. It is, as yet, not tested and it is hoped it is not tested before this committee, but the witnesses should be mindful of that for their own benefit. If there was ever a challenge, they may not have the full privilege they would enjoy were they physically present in the building.

The format of the meeting is that we will take each organisation in turn, and the representative of each organisation will be invited to make a brief opening statement. We have kept these at three minutes. While this is a little short, we have found in the experience of the committee that it is better to have a short opening statement and more time for discussion afterwards. This is the way we generally do it. We have four witnesses, with three organisations represented. For the benefit of witnesses who have not been here before, I will call them one at a time to deliver their opening statements, after which each member will be afforded seven minutes to ask questions and elicit responses from the witnesses. Each member has, therefore, a seven-minute question-and-answer session with witnesses. It is a good opportunity to make further points and elaborate. We will go around the table once and members will also be permitted to contribute a second time if they wish.

I call Mr. Barry Grant from Extern Problem Gambling to make his opening statement and thank him for attending.

Mr. Barry Grant: I thank the Chair and committee members. Gambling addiction and gambling-related harm are the forgotten issues of Irish society. While they receive a substantial amount of media attention, they have in essence been ignored by the State. There have been

no meaningful statutory interventions to prevent and reduce gambling harm or to provide treatment for people with addictions or supports for affected others. There has been no statutory public health campaign to warn people of the potential harms associated with gambling. Addiction task forces are limited to dealing with drugs and alcohol. While Ireland is one of the world's leaders in gambling industry innovation, we are laggards in providing safeguards to vulnerable adults and children. As such, it is imperative that the gambling regulation Bill be enacted as soon as is humanly possible.

As members will know, the 2013 gambling control Bill was never enacted. We will never know how many people have unnecessarily suffered from gambling-related harm in the intervening nine-year period. The recently published Health Research Board survey, *Gambling in the Republic of Ireland*, found that there are 137,000 people experiencing low-risk, moderate-risk or problem gambling in Ireland. International research has found that for every person with a gambling problem, an additional eight to ten people are negatively impacted. These include children, partners, parents, siblings, friends, co-workers and employers. Even at the lower end of that scale, this would mean that roughly one in four people in Ireland will be impacted by some degree of gambling harm in his or her lifetime.

The consumption of gambling is increasingly moving online. As such, it should become easier to identify problematic, harmful gambling behaviours and intervene. Most of the large online gambling operators that are licensed in Ireland are already tracking markers of harm, as required by the UK's Gambling Commission. Many of these operators have artificial intelligence systems which can flag harmful gambling behaviours and automate interventions. It is imperative that Ireland's future gambling regulatory authority have access to anonymised, randomised data sets in order to have a real-time overview of the level of problem gambling within operators' customer bases.

In the recent past, many household name online gambling companies have received substantial fines from the UK's Gambling Commission for using this type of data to incentivise people with gambling problems to gamble more, rather than intervening to encourage the person to stop and seek help. In the ongoing absence of gambling regulation in Ireland, how many people have been on the receiving end of these tactics here with no oversight? How many vulnerable people with gambling problems and their loved ones have suffered as a result? On behalf of the people who use our service, we urge the committee to ensure this Bill does not receive the same fate as the 2013 gambling control Bill. I thank the Chair and members. I will be happy to answer their questions.

Chairman: We will now move on to Dr. McAvoy's opening statement.

Dr. Helen McAvoy: The Institute of Public Health is an all-island organisation which is jointly funded by the Departments of Health in Ireland and Northern Ireland. As individuals, and on behalf of the institute, we declare no conflict of interest in respect of the gambling industry. I have a quick note on our view on the purpose of the Bill. As Mr. Grant highlighted, there is no Government strategy to reduce gambling-related harms. There is neither a roadmap for action across Government Departments nor any specified goals or targets. This makes this Bill therefore a critical tool for change.

The programme for Government committed to bring forward legislation that protects public safety and well-being. The measures in the Bill, in our view, must reduce the exposure of the overall population to gambling-related harms, reduce the incidence of problem gambling among children and adults and protect vulnerable people, most notably children, people with

mental ill-health and those with problem gambling or who are experiencing multiple addictions.

We know that around one in four 15- and 16-year-olds in Ireland have gambled for money in the past 12 months. This is therefore not a minority activity among children and young people. Of those, approximately 5.7% are experiencing problem gambling. It is our view that regulation in Ireland must focus on making gambling much less appealing and far less accessible for children, as well as less harmful for those who gamble.

In terms of adults, we know that for every person who is experiencing problem gambling, another six people are adversely affected. There is a spectrum of gambling disorders that goes well beyond problem gambling. We also know that problem gambling and mental ill-health are strongly related, albeit in complex ways. For this reason, we would see regulation that reduces gambling-related harms through appropriate regulation having a protective role in relation to mental health, health inequalities and the reduction of poverty.

Our core recommendations are around pace and priority. Reform of gambling regulation is certainly overdue. It is important to public health, health inequalities and mental health. Pace and priority are now vital.

In terms of heads 10 and 17, we recommend that provision be made to include public health expert representation on the membership of the authority and advisory committee. In order to maintain public trust and adherence to the goals of public safety and well-being, conflict of interest will have to be very carefully managed.

We recommend some amendments to heads 49, 86 and 92 to better protect vulnerable groups. These refer to limits applied to all gambling products, stakes, prizes and deposits, including those online, as well as to a scheme of escalating fines and a threshold that, if exceeded, triggers the revocation of a licence. Breach of self-exclusion measures should incur an automatic loss of licence.

In relation to the protection of children, we have a particular concern around the role that advertising, marketing and sponsorship are playing in enhancing the appeal of gambling to children and young people and setting them on a path to progressing to at-risk gambling and into problem gambling. We recommend that extensive regulation of marketing be included in the Bill.

Chairman: I thank Dr. McAvoy. I invite Ms Pam Bergin of the Gambling Awareness Trust to make her opening statement.

Ms Pam Bergin: The Gambling Awareness Trust strongly supports the introduction of regulation for the industry in Ireland. It is very encouraged by the work of the committee to date in bringing this legislation forward. Robust, effective regulation and enforcement are paramount to ensuring the highest standards are implemented across all operators in the Irish market and the protection of consumers, particularly those most vulnerable to engaging in harmful gambling activity.

The Gambling Awareness Trust is an independent charity that was established in 2019. It is overseen by a voluntary board of directors to fund research, education and awareness, treatment and rehabilitation and supports to minimise gambling harm across Ireland. We are funded by donations to a social responsibility fund via the Irish Bookmakers Association, IBA, its members and other online betting and casino operators. However, not all sectors of the Irish gambling industry are contributing. We request that a regulator ensure that non-contribution is

no longer an option.

Since 2019, we have received over €2.5 million in funding, €2 million of which has been allocated to services which we carefully select, vet, monitor and supervise to ensure those who are seeking and receiving support are provided with the highest standards of care. Over 1,000 individuals have been supported through this funding. We commissioned Maynooth University to undertake research which resulted in the publication of the 2021 report, *Gambling, Harms, Trends and Responses: Ireland in an International Context*. The findings of this report inform our current strategic plan.

We funded the design and development of two level 8 continuing professional development, CPD, specialist training courses for practitioners in the field. We have funded online, television and radio awareness campaigns and we have developed dedicated websites and social media channels. We provided funding for the first gambling addiction-specific residential programme at Cuan Mhuire, which opened in 2020. We have developed the national problem gambling support service in collaboration with the National Forum of Family Resource Centres, which will be launched in the coming weeks. We also fund the operation of the national helpline. Regulation of the industry in Ireland is broadly welcomed by all sectors of society as it will ensure all operators are obliged to meet and implement the highest standards of practice, which will minimise gambling harm and protect the most vulnerable consumers. The introduction of a statutory levy across all operators will secure significant funding for treatment and support services across the country, as well as the promotion of awareness and prevention measures and the production of much needed contemporary national research in the field. Strict measures concerning sanctions and fines for breaches of practice will help ensure consistency in player protection. Any funding accrued should be directed into national treatment and support services.

The operational structure of the Gambling Awareness Trust mirrors the proposed social impact fund set out in the Bill. We strongly support this measure and, having developed a cost-effective, proactive strategy for managing funding and responding to need within a relatively short timeframe, we would be very happy to provide any information or support to the regulatory authority on the matter.

Chairman: I thank Ms Bergin very much for that statement. I will open the floor and go to members but before I do, I will throw the ball in myself. Mr. Grant made a comment at the end of his presentation that he hopes “this Bill does not receive the same fate as the 2013 gambling control Bill.” I am afraid that is to an extent a new one on me. I was not around for that Bill; it was before my time. I understand that Bill started but stopped and did not progress. What were Mr. Grant’s views on that? Out of interest, is that something he would have welcomed in terms of learning from it? Did he support that Bill? In his opinion, was it going along similar lines?

Mr. Barry Grant: Certainly, it was very progressive. Obviously, the online gambling landscape moves quite rapidly but certainly, the snapshot that was taken at that time was a very progressive piece of legislation, the enactment of which we supported and would have encouraged. I think it set the record for the longest-running piece of legislation in the history of the State and still managed not to become enacted. For the sake of the people in Ireland who are affected by gambling, I really hope this Bill does not go the same way.

Chairman: That is interesting. As I said, it was not a Bill with which I was familiar. It was before my time in these Houses. I did not realise it had such a long life and yet never got over the line. I know the Minister of State, Deputy Browne, in particular, is committed to this Bill

so let us hope it will not have a similar fate. I do not think it will. As far as the committee is concerned, we will certainly try to make sure it progresses.

I will open the floor to the members. Deputy Martin Kenny has indicated and Senator McDowell and Deputy Pringle also have their hands raised. Deputy Kenny has seven minutes for questions and answers.

Deputy Martin Kenny: I thank the witnesses for their contributions. The essence of all this is how fast the issues and whole range of problems are changing and how online gambling has become the big problem we want to try to tackle. Is it going to be possible, even in the context of all this, to address that problem directly the way we need to address it?

The fact is that it is global, international and cross-border. We can have legislation here but very often, people who go online could be gambling with a particular entity that is not based here and not covered by our rules and regulations and all of that. What are the witnesses' views in respect of that? What can be done to ensure we do not find that we are just "Mickey Mousing" around the edges and not getting to the core of the problem? Would anyone like to respond to that? I see Mr. Grant nodding his head.

Mr. Barry Grant: I thank the Deputy. This is an issue with online gambling globally and it is a nut that many regulators, jurisdictions and governments are trying to crack. I understand technologies are becoming available whereby databases of licensed operators within a certain jurisdiction can be set up and then any operators that are not licensed within that jurisdiction can be geoblocked at a country level. It would require help from the Internet service providers but my understanding is that it is already being done in some countries - possibly some of the Scandinavian countries - and that the technology does exist to make that possible.

Deputy Martin Kenny: Does that mean we would require some kind of international co-operation across the EU and maybe further afield to be able to make that happen in a way that would be effective?

Mr. Barry Grant: Not that I am aware of. I think that can be done internally but it would require support from the Internet service providers. It would be domain name system, DNS, blocking of gambling operators that are not licensed within the State. I think it can be done.

Deputy Martin Kenny: Our experience of Internet providers doing the right thing has not been very good in many places. I wonder how it would work in this situation or scenario. Apart from that, that is really what needs to happen. Mr. Grant is saying the Internet providers need to play a role in that.

In addition to the difficulty we have online, we also have a similar problem with people who get into huge debt. I recently spoke to someone who works with one of the Money Advice & Budgeting Service, MABS, organisations who told me that when MABS asks people in debt to bring in their bank statements and stuff, it finds there are lists of various gambling houses. People are, in a sense, chasing their debt and trying to pull it back and the fast way out is to gamble their way out of it, which, of course, all ends in tears. In that regard, what more needs to be done to ensure people cannot get into that kind of debt, particularly in respect of credit card providers and other agencies? What element of co-operation is needed from them in regard to all that?

Chairman: Does Dr. Reynolds wish to answer?

Dr. Ciara Reynolds: I thank the Deputy for that question. In terms of the protections that can be created for both offline and online gambling, a number of different approaches can be taken to prevent things like chasing losses. Limits can be set to stakes and prices, particularly in respect of electronic gaming machines. There are a whole host of protection measures that have not been explored, such as affordability checks. The use of financial data and industry data, if that is available, can also be very useful in order to highlight those who may be at risk of gambling-related harms as well as the development of algorithms to identify these people earlier.

Deputy Martin Kenny: Will the regulator be able to have control over that? Will it need to be able to ensure that level of oversight and intervention is happening? Will it have access to that information?

Dr. Ciara Reynolds: That is something that will have to be provided to the regulator. It will have to have sufficient powers to enact and regulate these kinds of protection measures and have access to those kinds of data. We recommended in our written submission that there should be a data sharing agreement between the industry and the gambling regulator in order to obtain randomised, anonymised data sets from the industry to keep this tightly regulated and have almost an indicator set of whether this is being closely monitored and targets are being achieved.

Deputy Martin Kenny: Does Dr. Reynolds think the proposals at the moment go far enough to do that?

Dr. Ciara Reynolds: They could potentially go further. Whether it is written into the legislation or it will come in a mandatory code, the key is that if it is in a code, it is mandatory and monitored closely. There are amendments that could be made and more that could be added to this Bill going forward. On the other hand, though, we need to ensure it does not delay this Bill going forward.

Mr. Barry Grant: Briefly on financial restrictions, we already have a precedent in the Irish State on financial spending limits for gambling with the national lottery's online system. We would strongly suggest that financial limits be imposed. One of the issues with financial limits is where the national lottery essentially operates as a monopoly. It has a global 360 degree view of all the spending on its product. With dozens or possibly hundreds of licensed online gambling operators coming into the Irish market, each operator only has its view of its slice of the pie. A person could, therefore, be hitting limits with one and then going to the next. The UK is now looking at a single customer view where people would make all their gambling transactions through a third party and affordability checks could be done through that third party. That third-party organisation would have the 360 degree view of that person's spending across all gambling platforms. Again, just as the gambling industry is constantly moving and innovating, some of the structures that would help prevent harm are also innovating.

Senator Michael McDowell: I welcome the witnesses and thank them for their contributions and submissions. On the dangers of gambling, gambling addiction and the damage it does, does anyone have a problem with the general thrust of the Bill, which seems to regard gambling as something that can be controlled but, in general, should not be discouraged? In that context, I will raise a number of points. First, in respect of amusement arcades or, as they are colloquially known, casinos, under the present law, one cannot operate a casino legally and it is a crime to do so in any area where the local authority has not adopted a resolution under Part III of the 1956 Act. That is being flagrantly breached day in and day out in Dublin. The

Revenue Commissioners seem to be complicit in this criminal activity in that they are issuing licences to people to operate in places for which there is no local authority resolution. I do not know what is happening with the Revenue Commissioners that they consider themselves to be entitled to license individual machines for operation in a manner that is criminal. That is, however, what is happening. I ask for feedback on that point.

I am also conscious of fixed-odds betting terminals, FOBTs. The Bill seems to envisage that they will be licensable right across the country. I do not see any planning control over where they will be made available or by whom they will be operated. I do not see any policy in this legislation to stop this practice. Fixed-odds betting terminals are a form of taxation on the gullible, to put it in the most benign way.

The third point I raise is on gambling generally. I note an article in today's *The Currency*, the online business magazine, by Fintan Drury, who was formerly in Paddy Power. In it, he calls on Irish legislators to look at the problem of gambling, not simply to facilitate it with this legislation. I can see Mr. Grant nodding. Calling for this legislation to be enacted is to call for the widespread diversification of gambling unless we have countermeasures in place to keep gambling under control. There is nothing in this proposed Bill about the number of licences that can be granted and nothing which discourages gambling arcades, or whatever, anywhere in the country. I fully support the general drift of what the witnesses are saying, namely, that there are problems with gambling and there must be controls, but this proposed legislation does not do any of that. It is silent on it and seems to be enabling gambling. The very phrase "the gambling industry" prompts me to ask is this an industry that we want to encourage? I am against it. I am a liberal but I am against it because I see the damage it is doing to many people, including good friends of mine who have been destroyed by gambling addiction. I am not a gambler myself, just in case anybody thinks I am a zealot.

Whereas this Bill brings in possibilities of control, the general scheme seems to be that gambling is fine. I notice that head 69 proposes that anybody providing any goods or services can operate a lottery to encourage its purchase, with a limit of €5,000 in prizes. In other words, if you are selling widgets, biscuits or anything like that, you can, without a licence so long as the prizes remain under €5,000, offer lottery-type inducements to purchase your goods. Has any person queried whether this is a good or bad idea? I do not see anybody doing this and I have to say that Fintan Drury's article today very much caught my attention in that he says that Irish legislators are sleepwalking effectively into a disaster which has already happened in England. I would be interested to hear any of our guests' views on these points.

Mr. Barry Grant: There was a great deal in the Senator's contribution and I thank him for his thoughts and questions. The Senator asked if gambling should be discouraged. While people may perceive that the project on which we work is anti-gambling, that is not the case. We have never called for a prohibition on gambling and we understand many people enjoy it as a pastime with low to moderate levels of harm and, in some cases, no harm at all. We are not trying to stop or prohibit gambling.

Harmful gambling should definitely be identified so that people know what it is. That has not happened in the history of this State at a statutory level. Harmful gambling, in my view as an addiction counsellor, should be discouraged by the State and providers of gambling products.

I am not going to have a pop at the Revenue Commissioners regarding the machines in Dublin. I do not know how to answer that question.

Senator Michael McDowell: I am not afraid to do so. I have privilege and perhaps that is the situation but they are collaborating in a criminal activity by providing licences for these machines.

Mr. Barry Grant: I will take the read of a former Minister for Justice on that question and I will move on to the next question.

I have grave concerns about the FOBTs. We hear from our clients that there are bars in Ireland with FOBTs in them. There are no bookmakers' shops because there is an unwritten gentleman's agreement in place. There are pubs in Ireland which are doubly breaking the law because they are not supposed to have any gambling in them at all. That concerns me along. In our submission we propose that there would be no casino products in betting shops and sports betting licences would be kept completely separate from casino gaming licences. We propose that the two products could not be in the same premises.

If there are no limits in the number of licences or potential machines in respect of FOBTs, that could potentially create a situation that is worse than the one that occurred in the UK which had massive issues with FOBTs because the UK at least had a rule limiting to four the number of FOBT machines per betting shop. Then, of course, many of the gambling operators had multiple shops on the same high streets so they could put more machines in those high streets. As per our submission, I would like to see a complete ban on FOBTs and a clampdown on illegal gambling in public houses.

On diversification, I am not entirely clear what the Senator was referring to there. However, not to have a limit on the potential number of licences in the jurisdiction could be a problem, especially when we have a history of ignoring illegal gambling in places like Dublin city on a grand scale.

I missed the €5,000 lottery provision when we were going through the legislation. That would concern me because some of our clients have certainly come across these technically illicit lotteries on social media platforms where one can pay €20 and perhaps win a car or something like that. This provision would expand and perhaps legitimise that practice even further. I share the Senator's concerns on that point.

Chairman: A number of other witnesses are indicating but as the time is up, I will move on to the next speaker. They may wish to make points that are pertinent to more than one contribution when they respond in a few minutes.

Deputy Thomas Pringle: I thank our guests for their contributions so far. I agree with Senator McDowell's remarks from earlier. It seems to be just encouraging gambling. Going from having no regulation to having some might be seen as an improvement, but if it does not restrict or put in place methods of restriction of gambling, then it will be problematic. It will be donkey's years before we get to the point of debating it again and having legislation.

When I was a young fellow, which is years ago now, we used hang around the pubs when there was no work and we would be playing a game of cards, drinking minerals or whatever. However, nowadays at home the bookies is the spot. There is tea and coffee in there, you can sit at tables and there is everything like that. The gambling is non-stop. There is nobody in the pubs during the day now but the bookies is jam-packed. That is a real problem because gambling addictions and gambling problems are far worse than alcohol or drugs at this stage. A person can gamble €10,000 in one afternoon in a bookies. That could destroy that person's life,

that of his or her family, and that person could lose his or her house and everything like that, whereas with drink and drugs that takes much longer and there will be many more signs of a problem before that happens. It is a real problem. If this legislation does not address it, then it is something we will have to try to make right and address in some way.

There has been comment on the heads and so on but we have not seen the proposed legislation yet. Do our guests think the legislation as proposed can go far enough? Would they be willing or able to put forward possible suggestions for what needs to take place when the legislation is published so we can put them forward? It is going to be very important. Mr. Grant mentioned DNS blocking and so on. That is something that needs to be in this legislation as well because there is going to have to be a legislative background to it for it to be used. The Government will oppose it tooth and nail and it will never happen, but if it must be put forward, I will be quite happy to do that. Will our guests give us suggested amendments and similar that might be strong enough to make this legislation work?

On the figures, the document states the prevalence of problem gambling in Ireland is 0.3% of the population, or 12,000 adults. I think that has been way underestimated. There is a need to stop online gambling, and I am aware with banks and others, you are transferred to a betting app and it is not presented as being a transfer to a betting app but a transfer to an anonymous company or something like that. That is going to be a problem as well. I am wondering how much we can actually protect against any of this with legislation and what needs to be done to make this legislation workable as well.

Chairman: I am not sure which of the witnesses wishes to answer that. Does Dr. McAvoy want to come in?

Dr. Helen McAvoy: Yes. We have proposed some amendments to heads 49, 86 and 92 that ask for limits to be applied to all gambling products, stakes, prizes and deposits, including those online. We also have recommended a scheme of escalating fines and a threshold that, if exceeded, would trigger a revocation of a licence. At the moment, there are a number of fines and penalties but we feel the industry can well afford to pay some of these fines and continue with business as usual, so we need to up the level of deterrent to some of these potentially harmful interactions with problem gamblers where breach of self-exclusion incurs an automatic loss of licence. They are some of the tougher measures we are proposing should be in legislation, especially with regard to protecting vulnerable groups.

The Bill could be more specific on regulation of advertising, especially in sport. For us, sport plays a very important role in public health. It promotes physical activity, child development and weight management, and for mental health it is fantastic. We do not see the gambling industry having a role in the sponsorship of sport or the marketing and advertising of it. That is a key point for us here.

I will pass over to my colleague Dr Reynolds on the matter of fixed odds betting terminals, FOBTs, as she is a little more experienced in this area than I am. Very briefly on the issue of licensing, I agree the granting of a licence where it is against the spirit, if not the letter, of the law is problematic. Also, where we see multiple licences for land-based betting in disadvantaged communities, it contributes to driving the problem into those low-income communities, driving urban decay and driving addiction problems in those communities. There needs to be a very measured, appropriate approach to asking whether this licensing is in the public interest, if it is what the community wants and what the outcome of this will be for health and well-being in that community, so I agree with that. I am not familiar enough with the intricacies around

planning and local authority powers on the granting of licences, but that is the principle we would follow.

If the Chairman allows, I will pass over to Dr. Reynolds to deal with FOBTs.

Chairman: Yes. Dr. Reynolds has about 30 seconds.

Dr. Ciara Reynolds: I will try to be as quick as possible. We share the concerns not only about FOBTs but about all electronic gaming machines. If this Bill does not address these concerns, then it is a real opportunity missed. They are designed to maximise spending and time on device per user. They appeal psychologically. They draw on the addictive nature of gambling.

There are several ways we can intervene with these electronic gaming machines and FOBTs to minimise the harms. The first is FOBTs should not be permitted in Ireland; they should be abolished completely. We should look at the characteristics of electronic gaming machines and intervene with things such as near misses or losses disguised as wins. There is much that can be done to limit stake sizes, deposit sizes, prizes and even speed cycles. These are all ways in which we can intervene. There is much that can be done with respect to protection measures and through limiting the exposure in areas of higher deprivation, where they are disproportionately placed in other countries.

Chairman: I thank Dr. Reynolds. Deputy Pringle made a suggestion that our guests may wish to send in suggestions for amendments, etc. If anybody wishes to, they are welcome to do so but please send them through the Chairman and they can then be distributed to members. Indeed, if guests have any particular suggestions on any other point that strike them after the meeting, they are welcome to correspond through the clerk to the committee, who will collate the submissions.

Deputy Pa Daly: Gabhaim buíochas le gach duine as ucht teacht isteach. Tá cúpla ceist agam. I read what Mr. Grant said about one in four people being affected. When he talks about regulation, are there any specific practices he thinks should be banned, aside from the ones he has mentioned already? Are there ones he sees as especially harmful or does the gambling regulator need to build some sort of an evidence base about that?

Turning to Dr. McAvoy and Dr. Reynolds, Dr. McAvoy mentioned sponsorship of sport. Is there anything else to be done to protect young people? Has the institute done any research into the impact of gambling ads on social media that can be seen by young people? The social media companies' communication and their getting back to people about complaints leave much to be desired. They seem to have a policy not to target young people but at the same time they cannot guarantee young people will not see the ads on their personal accounts.

Can Ms Bergin tell us whether Gambling Awareness Trust has been given a commitment that its funding will be continued by the gambling industry after the social fund? Are there services for which the trust wants funding to continue?

Mr. Barry Grant: Regarding what practices we want to see banned, certainly we mentioned the FOBTs to the committee earlier. Gambling advertising is at absolutely saturation point. Anybody who turns on the radio, looks at social media, opens a newspaper or watches television, especially if one has a passing interest in sport or even daytime soap operas will be inundated with relentless gambling advertising.

Gambling is an over-18s product for very obvious and proper reasons. It is also a product

that will become addictive to a certain percentage of the people who use it. We do not allow the advertising of cigarettes any more, which is an over-18s addictive product, and we have greatly curtailed the advertising of alcohol, which is an over-18s addictive product. If I were to ban one thing it would be to put a pre-watershed ban on all forms of gambling advertising. I say that because we also know, and the Deputy mentioned research into young people, through the European School Survey Project for 2019, that Irish males aged 15 to 16 had a problem gambling prevalence rate of 1.7%, which is over five times the current or the believed problem gambling prevalence rate in the adult population. We cannot keep normalising gambling as a healthy, happy and grown-up product that has no harms and expect young people not to become addicted to it or develop unhealthy relationships with it. I apologise if I have taken too much time but it is so important that we pull back and put gambling on a par with alcohol, tobacco and other addictive products in terms of advertising.

Deputy Pa Daly: Can Ms Bergin tell us whether the gambling industry has given a commitment to fund the trust?

I have questions for Dr. McAvoy and Dr. Reynolds. We have heard what Mr. Grant said. Whenever I watch more than 45 minutes of a premier league game the amount of gambling advertisements is staggering and every single ad at half-time seems to be gambling related. Beyond ending the sponsorship in sport what else can be done? Has the Institute of Public Health in Ireland done research into the impact that gambling ads on social media has on young people who are under-18 years?

Ms Pam Bergin: We do not have a commitment from the gambling industry beyond the appointment of a regulator and the reimposition of the mandatory levy. We have not really discussed the shape of things after that. We have a commitment, for the foreseeable future, to continue funding the services that we fund. The Deputy asked if we would like our services to be funded into the future and the answer is yes, we would. That would be very important. The residential treatment unit in Cuan Mhuire is a huge addition to the supports that are available. The unit opened in 2020 at the start of Covid. Ninety-two people went through it in the first year and 92 people went through the unit last year. Cuan Mhuire would be more than happy to extend its programme into other campuses around the country, and we would love to see that happen.

We fund other services. For example, Helplink in Galway provides a service for young people. Helplink counsellors are trained adequately to deal with young people in terms of gambling. Obviously we talk about the issue with young males and we would like to see these services continue. There is not one service that we would not like to see continued to be funded. It is very important that services are available and that people know there is help available.

Deputy Pa Daly: Was it a cynical move by the industry to develop its social fund and start funding services that could now lose out when it knew that regulation was coming down the tracks?

Ms Pam Bergin: I would not use the word cynical. It depends on the levy that will be imposed and we do know what the levy will be. At the moment the contribution is 0.2% of gross gaming profits, which are contributed by the voluntary contributors, members of the IBA and others. They could very well be happy to continue contributing that amount.

Deputy Pa Daly: Was Ms Bergin referring to Cuan Mhuire in Kildare?

Ms Pam Bergin: That is the Kildare campus, yes.

Chairman: I thank Ms Bergin and I am familiar with Cuan Mhuire myself. We will move on to the second round of questions; Deputy Kenny had his hand up again.

Deputy Martin Kenny: I did not quite get finished the last time and I have a number of questions to ask.

Chairman: Yes.

Deputy Martin Kenny: We had representatives of the gambling industry in here two weeks ago. They pointed out that a very small number of people who gamble go on to become problem gamblers and pointed out that it is a very tiny minority. I made the point that I very infrequently gamble. I buy the odd lottery ticket and I do not think that I have ever bet on a horse. There are hundreds of thousands of people who infrequently bet. Maybe they will place a bet at Cheltenham time or gamble once a month if one added it up over years. Out of those many thousands of people there is a tiny minority who become problem gamblers but there is a smaller sector of people who watch the form of horses and frequently gamble every week. If we considered the proportion of the latter who become problem gamblers the figure would be quite high.

Aside from creating serious harm, gambling also creates serious profits for the people and companies that engage in it. Obviously the reason that they do it and push it to such an extent is that they make a huge amount of money. Indeed, that does not just involve the people who engage in gambling. There are industries that depend on it such as the horse racing industry. I was a member of the agriculture committee for many years and crossed swords with Horse Racing Ireland about all of the State money that it took; most of it was given as prize money to very wealthy owners of racehorses yet I have seen people in the community lose everything when they bet on that industry.

What this Bill, and what all legislation tries to do, is strike a balance. Our problem is that we must strike a balance. As Senator McDowell has suggested, for the people who have a great problem then all of us would say that the way to solve the issue is to have no gambling at all. However, the other night two men came to my door to sell a ticket for a local GAA club and that is gambling. Many small organisations around the country engage in various lotteries and things to keep community projects and other things going but these activities involve an element of gambling. We must strike a balance and this legislation must look at this area. I accept that many people - I have met some - are addicted to lottery scratch cards. We must target this legislation at the people who gamble a lot long term and for whom gambling has a negative impact on their lives. We must find a way to accommodate them without punishing the other side of gambling, which is where people buy the odd lotto ticket or buys tickets from local clubs whether it is GAA, rugby or whatever. That is where we must strike a balance and I am interested in hearing the attitude of the witnesses to that. We often talk about what happens in a drugs scenario. I mean people may start smoking cannabis but after a while it becomes a gateway drug and they get into the heavier stuff. Is it a similar situation with gambling where people begin casually gambling but later it takes them down the path to addiction? For a minority at least, that can be a very dangerous path. How can we ensure there is a fork in the road that brings them back to the right path?

Dr. Helen McAvoy: On the framing of the scale of the problem, there is certainly a proportion of people who experience problem gambling, but there are also moderate-risk and lower

risk gamblers, so the numbers are higher than might be expected. There are also all the people around the problem gambler who experience harms from that gambling. Sometimes we focus on just a small number of people and pretend, in a way, that this is a small, rare problem that happens to a restricted group of people, but that is not the case.

I do not know whether the people who have contributed to this debate previously have presented to the committee the figures on gambling among teenagers, which Mr. Grant raised. I did not see it raised in the evidence provided by the commercial operators. The reason we are emphasising this relates to the fact we foresee many problems coming down the line. If that is the level of problem gambling we are seeing in 15- to 16-year-olds, particularly males, we will be in for a much greater problem. That generation will have fallen severely foul of this gap in regulation and the explosion in online media advertising opportunities and the digital world in which they have grown up, compared with the guys who would have grown up going down to their local betting shop. It is important to frame the problem in that way.

On the point about advertising, the UK Gambling Commission's Young People and Gambling study demonstrated a relationship between exposure to gambling advertising and gambling intentions in children aged between 11 and 16. We may not have evidence of that from Ireland but I am satisfied the evidence from the UK demonstrates that relationship exists.

Dr. Ciara Reynolds: On the numbers question, I wholly agree with Dr. McAvoy. Among those who gamble more regularly, including those who have gambled in the past year, the rates of problem gambling, low-risk and moderate-risk gambling double. A number of groups are disproportionately affected, which carries through into the childhood data.

The ESPAD data are quite worrying. Only four countries have had a higher rate of sport or animal betting gambling prevalence than Ireland of the 33 countries that took part in the ESPAD, and only two countries had a higher or similar use of slot machines. All these data are very concerning and show the direction we are going in adulthood, as Dr. McAvoy said. Moreover, they indicate the types of gambling that children and young people have a tendency towards, and they help to inform where the protection measures can be placed.

Advertising and sponsorship most greatly affect those who have experienced problem gambling and children, who have not only a higher recall of gambling advertising but also a higher intention to bet after seeing advertising. These vulnerable groups are affected disproportionately by advertising.

Mr. Barry Grant: The target should be everybody. I appreciate the Deputy was saying there is a tiny minority of people who become severely addicted to gambling and, obviously, we have to make a lot of interventions towards those people. Nevertheless, as Desmond Tutu said, instead of pulling people out of the river, we need to go upstream and figure out why they are falling into the river in the first instance. According to the Health Research Board's recent data, 90,000 people are at low risk, 35,000 are at moderate risk and 12,000 are in the problem gambling or addiction category. Those at low risk have a one-in-three chance of ending up in the moderate-risk group, while those in that group have a one-in-three chance of ending up in the problem gambling group. The larger the funnel is at one end among all the people who gamble, the more people will filter into the low-risk, moderate-risk and problem gambling categories. We have to go all the way upstream and do prevention work, and we need to let people know gambling comes with harms. It is not a harmless activity and it can be addictive. We need to have interventions and safeguards all along the way.

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Chairman: That concludes our engagement with our guests. This has been a very useful session. I thank them all for attending and giving of their views. If there is anything they have neglected to mention, they are welcome to convey it to the clerk to the committee and it can be included along with their written submissions. We will produce a report on the draft Bill in due course that will take account of this session and the previous one. We will take a view on the base items that arose and produce a report that will be available to view, along with the Bill, on the Department's website for consideration as the Bill progresses. We will publish our guests' opening statements on the committee website after the meeting. I thank them also for their work in the area, which was very evident from their detailed knowledge before the committee.

The joint committee went into private session at 4.07 p.m. and adjourned at 4.18 p.m. until 3 p.m. on Tuesday, 29 March 2022.