



Health Above Profits – We Need a New Gambling Act

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In Great Britain, we know that people who gamble and those close to them are being harmed. Current regulation fails to protect people from harmful products and practices of the gambling industry. This makes the Westminster Government's review of the Gambling Act 2005 an exceptionally important exercise, and a concern for everyone, as clearly the situation is unacceptable. So much of this harm is preventable. This is why we previously said that the review of the Gambling Act was a test of the Government's [commitment to public health](#) and that [we need a paradigm shift in how we regulate gambling](#).

The content of the much-awaited publication of the UK Government's White Paper drew immediate reaction. While much has been said about the individual proposals, we pose two broader questions: 'Can the changes proposed be described as reform?' and 'Are claims to have been led by the evidence justified?'

As researchers who have dedicated time to understanding gambling policy, and given the scale of gambling harm, we see a concerning lack of progress in the pages of the White Paper. We need to ask whose evidence was used, why and how?

Can the changes proposed be described as reform?

Reform suggests making ["an improvement, especially by changing a person's behaviour or the structure of something"](#). Despite government claims that an aim of gambling regulation is to prevent harm, the White Paper leaves intact the principles which have allowed harmful products and practices to flourish. In particular, the White Paper continues to frame the industry as part of the leisure sector, meeting the needs and desires of millions of people who gamble safely, while it is "the vulnerable" who need to be protected.

The apparent benefits of the industry (employment, tax revenue and the funding of good causes) are weighed up against the industry's dependence on those experiencing harm, quite against the principles of public health, and as though these two elements should be placed on a single scale. We would not create legislation favourable to the tobacco industry simply because they create a lot of jobs, sponsor



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football teams, and contribute to the Treasury: the aim of legislation is to prevent people smoking and dying from preventable cancers, and to protect people, including children, from second-hand smoke.

The White Paper rests on an edict that we may not question the underlying logic, aims and objectives of the Gambling Act 2005. Why not? These principles were not discovered etched onto tablets of stone in the Las Vegas desert. They are [choices made by policy makers in the 1990s](#). Now that we know they don't work, we should be free to change our minds and our legislation.

Why must we continue to find a way to make this broken and harmful system work – [fining companies](#) who cynically exploit people who are unwell – while desperately trying to support and treat people already impacted by harmful products?

Are claims to have been led by the evidence justified?

The White Paper's ministerial foreword states that the review aimed to ["take an objective, comprehensive look at the evidence"](#). However, when presented with evidence from Local Authorities, for example, that the "aim to permit" is hampering their ability to keep their residents safe, the evidence is dismissed, because this principle is not up for discussion:

["Some submissions from licensing authorities suggested the 'aim to permit' provision should be removed altogether from the Act. However, this change would challenge a principle at the core of the Gambling Act..."](#)

Consistent evidence from Local Authorities that the Act does not equip them with the tools they need to protect residents from harmful products including Fixed Odds Betting Terminals, and licences for gambling outlets, has been ignored in this and previous consultations.

The White Paper continually refers to the need to protect "the vulnerable". However, evidence shows unequivocally that [everyone](#) is at risk of being harmed by the gambling industry, both online and in land-based venues. The business model is to exploit universal biases and normal cognitive functions in order to extract as much money as possible, using products and practices designed for this purpose.

Asking for more research without acknowledging why we are working in the dark is unfair and the public has a right to know why this is the case. That there is [limited high-quality evidence](#) is a result of the current regulatory system that sees the industry as a legitimate stakeholder and a source of funding for research, education and treatment, and the absence of regulatory structures that can safely acquire and use industry-derived data.

The industry will always put commercial objectives first, this is what it is obliged and designed to do. The White Paper neglects decades of evidence on how commercial actors protect their interests, often at the cost of the public's health, including by [distorting the evidence-base and exploiting the consultation process](#). How would gambling industry submissions be handled if reform was directed at preventing the harm associated with their pursuit of profits? More pressingly, how will these conflicts of interest be taken into account in the coming consultations? These are key questions if reform is to be based on evidence – including the evidence (not referred to in this White Paper) on how corporate actors act to protect their interests at the expense of public health. That's a reform process fit for the current age.

We need a new Gambling Act

We would like to see a much broader debate in the UK than is taking place in the White Paper. Do we want to be the largest regulated gambling market in the world? Can we prevent harms to those who gamble and those close to them with legislation that is designed to support a flourishing gambling industry? Why not reframe legislation to focus on the problems that occur when commercial actors seek to profit from gambling?

The Gambling Act 2005, the ideas and assumptions that it rests on, can and should be questioned and changed. Reframing gambling as a leisure activity and regulating it as such has not worked. To prevent harm and stop the exploitation of vulnerabilities that we all share, we need a new Gambling Act that prioritises public health and not the profits of the gambling industry.

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