

23 January 2018

Dear Sirs

I respond in relation to the above consultation and only intend to respond to the first question

Q1. Do you agree that the maximum stake of £100 on B2 machines (FOBTs) should be reduced? If yes, what alternative maximum stake for B2 machines (FOBTs) do you support?

We agree that the maximum stake on machines in betting shops should be reduced. We believe that the only reasonable maximum stake for B2 machines is £2 for the following reasons:

1. The Gambling Act 2005 is structured to provide that the three licensing objectives underpin the framework of the Act. The Licensing objectives include protection of the vulnerable. It is therefore the duty of the regulator and the Secretary of State to ensure that policies take such action as is required to protect the vulnerable. It is to be noted that this duty is not qualified by reference to providing the majority of players with freedom to make decisions regarding the manner in which they gamble. To allow such qualification would be fundamentally contrary to the intention of Parliament. It is clear from the RGSB analysis that a £2 stake is the most likely stake which will protect the vulnerable and therefore for the Government to recommend any other stake would be manifestly unreasonable and render such decision subject to judicial review.
1. The Gambling Commission Statement of Principles has consistently referred to exercise of the precautionary principle in favour of protection of the vulnerable and placing the onus on the provider of a product which has the potential for harm, to provide evidence that such harmful product can be safely provided i.e. provided in a way which is consistent with the licensing objectives. The RGSB has noted that there is now sufficient evidence to exercise precautionary principle and it would be manifesting unreasonable therefore not to exercise the precautionary principle and reduce the stake to a level which can safely be made available to the vulnerable.
1. The stake which is available in other high street premises is £2. It would be inconsistent to permit bookmakers to offer a higher stake than that which is offered in other high street premises, would not be consistent with the principles of better regulation in relation to consistency of policy and would render a decision to permit bookmakers to offer stakes above £2 subject to judicial review on the basis that such inconsistency would be manifestly unreasonable.
1. There is now a large body of evidence that high stake gaming machines are being located in areas of social vulnerability. The ability to lose large sums of money which are significant to family incomes and cannibalized non-discretionary expenditure, encourages the chasing of losses by the most vulnerable. The suggestion that

algorithm or self-monitoring can be an appropriate response when the vulnerable have already lost relatively significant sums is irresponsible, contrary to the principles of the protection of the vulnerable and manifestly unreasonable. We urge the Government to act in accordance with the principles set out in the Gambling Act 2005 and reduce the stake of B2 machines to £2.

Yours faithfully

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