

THE SOCIETY FOR THE STUDY OF GAMBLING NEWSLETTER
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The Society for the Study of Gambling was formed in 1977 to provide a forum for those concerned with research into gambling, to promote its scientific study especially as far as the psychological, social and economic aspects are concerned, and to inform and educate the public about these matters.

The membership of the Society is drawn from a wide circle of people who have an interest in various aspects of gambling. They range from social workers and psychiatrists who deal with 'compulsive gamblers', to members of the gambling industry. It is a condition of the Society that there should be freedom of opinion and practice among its members so that the Society does not take any particular stance in relation to gambling.

The Society holds regular scientific meetings which have, so far, always taken place in London. Further information concerning the Society can be obtained from the Honorary Secretary.

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THE TAXATION OF GAMBLING

T.M. Jenkins*

Introduction

Customs and Excise are not directly concerned with the morality or social effects of gambling. The Department's main interest lies in securing the revenue and collecting it economically and fairly. What follows must therefore be largely a factual account of taxation of gambling. But this does not of course mean that social considerations have no bearing in the field of taxation. The Chancellor must take account of representations from all sources (official, trade, public) as well as C & E advice on revenue and practical considerations. The latter is in any case affected by social factors: some framework of social law is an essential basis for taxation.

There has been much gambling legislation over many centuries, largely prohibitive in character. For example, various Acts in the 18th century made certain games unlawful. In the 19th century the Gaming Act 1845 and the Gaming Houses Act 1854 conferred on the police wider powers for the suppression of gaming houses. In parallel the Betting Act 1853 and the Street Betting Act 1906 aimed at the suppression of betting except at race courses. These had limited success and 20th century legislation has aimed at control rather than prohibition. Some minor changes were introduced in certain fields (e.g. in the Race Course Betting Act 1928, Betting and Lotteries Act 1934, Pool Betting Act 1954, Small Lotteries and Gaming Act 1956) but the real change came with the Betting and Gaming Act 1960, implementing recommendations of the 1949/51 Royal Commission. Its main effects were (intentionally) to provide a legal outlet for off-course betting in licensed betting shops and (inadvertently) to allow the development of a flourishing gaming industry. The Gaming Act 1968 was designed to regulate this unexpected result of the 1960 act.

Fiscal law has broadly followed the pattern of social law. There was no taxation until the Finance Act 1926 which imposed duty on betting. This proved a disastrous failure because the limited areas of betting then legal were taxed while illegal off-course cash betting escaped. After three years the attempt was abandoned. This deterred further attempts to tax gambling for many years. Some tentative

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steps were taken in the difficult post-war economic situation (the Finance Act 1947 introduced pool betting duty on football pools and greyhound totes, and in the following year a countervailing licence duty was imposed on bookmakers competing with totes) but the main changes were delayed until the Betting and Gaming Act 1960 had transformed social law. The Finance Act 1966 introduced general betting duty (taking over from pool betting duty in respect of greyhound betting), gaming licence duty (covering both casino gaming and bingo) and gaming machine licence duty on jackpot machines. Three years later provision was made for a separate bingo duty and gaming machine licence duty was extended to amusement with prizes machines so that the broad shape of today's taxation was established.

Betting and gaming duties generally

Fiscal law now covers five taxes on gambling: general betting duty, pool betting duty, bingo duty, gaming licence duty and gaming machine licence duty. Together they produce (1982/83) about £600 million, the main contributions coming from the two betting duties (about £470 million). This compares with total receipts of about £170 million ten years earlier. Thus revenue has broadly retained its real value over the years; but rates are generally higher today (general betting duty 8% instead of 6%, pool betting duty 42.5% instead of 33.3%, bingo duty 10% instead of 2.5%) so that gambling turnover has fallen considerably over the decade.

Four of the five duties are now in ad valorem form, i.e. duty is charged as a proportion of receipts. Revenue should therefore automatically rise or fall in line with the scale of the activity. The fifth (gaming machine licence duty) is still in specific form with various fixed rates according to the type of machine. Thus in general the gambling duties are more akin to VAT than to the traditional excise duties.

This is reflected in the method of collection. Bookmakers, pools promoters, casino operators and bingo hall proprietors are required to make returns showing the level of their activities, to pay the corresponding duty and to keep records enabling their returns and payments to be checked. Machine operators pay for an appropriate licence in advance and it is necessary to check only that the number and type of machines in use accords with the licence. Neither method is foolproof, but it is much easier to detect an unlicensed machine than an understatement in a return.

Ad valorem rates vary widely, reflecting the different circumstances of each activity, but it is arguable that in each case the current rates are somewhere near (some would say beyond) the maximum taxable capacity of the particular activity.

General betting duty

This duty applies to all bets with a bookmaker except pool betting or coupon betting, and also to bets with a tote on a licensed track. It covers any event (e.g. Miss World, General Election) but the bulk of the duty comes from bets on horseracing and to a much lesser extent dog-racing. On-course betting accounts for less than 10% of the total duty, the balance being taken in betting shops.

General betting duty was introduced in 1966 at 2.5% of stakes, increased to 5% in 1968, to 6% in 1970, to 7.5% in 1974 and to 8% in 1981. These rates apply to off-course betting. On-course betting was spared the 1970 increase and in 1972 was reduced to its current rate of 4%. This recognises the importance of the on-course market, as does the special provision for on-course hedging.

Revenue from the duty has increased from about £87 million in 1972/73 to about £272 million in 1982/83. This represents a fall in real terms but, bearing in mind the changes in rates, there has been a sharper fall in betting turnover (which has risen from about £1.5 billion to only about £3.66 billion). The fall has been particularly marked in the case of on-course betting including totes, and greyhound racing is in a parlous condition.

The structure of the industry is changing with the big four (Ladbroke's, William Hill, Corals and Mecca) gaining ground at the expense of small bookmakers. In 1982 the Big Four owned about 30% of all betting shops (3,356 out of 11,774) and they contribute over 50% of the duty. There are still however about 6,000 off-course and 2,000 on-course bookmakers paying by weekly returns, and the off-course weekly bookmakers actually pay in advance by the purchase of betting sheets (a cumbersome procedure which we are about to phase out).

Responsibility for payment of duty is placed on bookmakers who must also pay to the Levy Board a contribution based on horse race betting turnover. Annual schemes, to be agreed between the Levy Board and the Bookmakers' Committee, but sometimes needing arbitration by the Home Secretary, fix a sliding scale of contributions. For most bookmakers duty liability is 8% and levy contribution rather less than 1%. How (and indeed whether) these are recovered from punters is left to the bookmakers, but usually they require an additional 10% to be paid when making bets ("tax on") or 10% to be deducted from returns on winning bets ("tax off"). Stake is defined as the total payment made by the punter so that bookmakers complain that duty on "tax on" bets is really 8.64% of the true stake. The legal position however is not in doubt and the argument was dismissed by the last Royal Commission.

Bookmakers claim there has been an upsurge in illegal betting caused by the 1981 duty increase. They estimate the current level at 20% of legal betting but this is purely speculative. Other factors (the recession and a fall in consumer expenditure on gambling) may well account for falling turnover. There are today many more reports of illegal betting but these probably reflect the heightened sensitivity of bookmakers to this danger. All reported cases are followed up as far as evidence and resources permit but it is very difficult to obtain adequate evidence in this field. It is very doubtful whether any reduction in duty rate, short of abolition, would substantially reduce illegal betting. A change in the general environment of betting offices could help, and this is under consideration.

Pool betting duty

Pool betting is defined to cover all bets except those at fixed odds, but the scope of the pool betting duty does not coincide with pool betting. Tote bets at a licenced track, although clearly pool betting, are subject to general and not pool betting duty. On the other hand some activities which do not appear to be pool betting are so treated, e.g. fixed odds betting by way of coupons is subject to pool betting duty.

Despite these uncertainties pool betting duty, as one might expect, is overwhelmingly derived from football pools. Football pool betting was comparatively modest until 1934 but expanded rapidly so that there were about 250 firms operating after the war. This number contracted rapidly following the introduction of duty until today there are only three companies of any significance which together contribute virtually all the £200 million p.a. revenue from this source.

The original rate of 10% of stakes introduced in January 1948 had increased to 30% by April 1949. Over the next 25 years there was some fluctuation between 25% and 33.3%. In April 1974 the rate was raised to 40% and in April 1982 to 42.5%. This current rate, with the cost of collection and administration, means that the return to the punter is now only about 25% of total stakes.

Duty receipts over the past ten years have risen from about £70 million to about £200 million but, taking account of rate changes, this implies a smaller increase in stakes, from just over £200 million to just under £475 million. Since the RPI has almost quadrupled over this period, this represents a substantial fall in real terms (to about 62% of the 1972/3 level).

Until 1979 simple competitions, involving assignment of numbers in fixture lists, were promoted by commercial firms on behalf of various sports clubs and charities, and paid pool betting duty. These were ruled to be illegal lotteries by the Courts and the beneficiaries were faced with an immediate loss of income. To provide time for adjustment, temporary legal cover was given by the Pools Competitions Act 1971, which has subsequently been extended annually to the present day. Its scope is now reduced to half a dozen pools, which still pay at 33.3%.

Spot-the-Ball competitions are run by the Pool Promoters Association (and form the main source of their donations to football and ground improvement) and by some newspapers. They were originally thought liable to pool betting duty but this claim was waived following a legal decision.

Fixed odds football coupons were brought within pool betting duty in 1964 following complaints from football pool promoters. Betting by coupons declined rapidly and would have disappeared altogether but for an obiter dictum in the Scottish Court of Session suggesting that coupons offering individual odds would be liable to general and not pool betting duty. Coupons have continued in this form but on a limited scale.

Bingo duty

Bingo was originally subject to gaming licence duty based on the rateable value of premises but in 1969 a separate duty was introduced at 2.5% of stakes plus one-thirty-ninth of additional prize money. These rates have since been increased to 5% plus one-nineteenth in 1975, 7.5% plus three-thirty-sevenths in 1980 and 10% plus one-ninth in 1981.

The industry now faces difficulties. About 1,700 clubs ten years ago have been reduced to less than 1,500 and there has been a corresponding fall in the number of players and daily attendances. Duty receipts (now about £48 million compared with under £5 million ten years ago) have more than doubled in real terms but this of course reflects rate increases. Stakes, although more than doubled in money terms, have fallen by a third in real terms. However, this cannot be attributed wholly or indeed mainly to duty increases. All stakes less tax must be returned as prizes so that duty increases only affect (marginally) the value of prizes and should not deter the social player.

Bingo (like gaming machines) has a significant non-commercial aspect. Bingo is played in many members' clubs under Section 40 or 41 of the Gaming Act 1968. The former (bingo as club activity) imposes no limit on scale but clubs may retain only a modest entrance fee. The latter

(bingo at an entertainment) permits fund-raising other than for private gain but imposes limits on payments and prizes. Until 1982 the duty exemptions followed closely the social law conditions so that bingo played in members' clubs was generally exempt.

Complaints from commercial bingo clubs of unfair competition from members' clubs led to a review which suggested that many of the latter were providing bingo on a scale not contemplated when the original exemptions were set. Accordingly the social law conditions were dropped from fiscal law and instead exemption was based on the actual scale of bingo, liability being incurred (for minimum periods of 3 months) if prize values exceeded £300 in any day or £1,000 in any week. In 1983 these limits were redefined in terms of stakes as well as prizes because of the risk that clubs would artificially depress prizes by diverting stake money. It is too early to predict the outcome, but it seems likely that a few clubs will continue on a large scale; paying duty, while others will reduce their scale to ensure they keep within the exemption limits.

Newspaper bingo is not covered by present fiscal law. If brought within the scope of bingo duty, revenue would be comparatively insignificant even on the present scale of competitions, which would probably shrink after imposition of duty.

Gaming licence duty

Introduced in 1966 as an annual charge based on rateable value of premises, this duty was converted in 1970 to a half-yearly licence duty related to the number of tables as well as rateable value. This led to anomalies - highly profitable casinos with a limited number of tables and small premises often paid less than larger but less fashionable operations - and severely restricted the scope for increasing rates: some could afford to pay much more but this would have ruined the less profitable casinos. The Royal Commission recognised the limitations of existing taxation and felt that much greater revenue should be drawn from casino gamblers. Their proposals however - casinos to levy a charge on chips and pay 8 times their existing licence duty - did nothing to remove the anomalies. With some hesitation it was decided to restructure the duty and base it on gross gaming yield i.e. broadly stakes less winnings. Accordingly in 1980 a sliding scale was introduced, casinos paying for each 6 month licence period 2.5% on the first £0.25 million gross gaming yield, 5% on the next £0.5 million, 10% on the next £1.75 million and 20% on the remainder. These rates were increased in 1982 by abolishing the 2.5% band and raising the rate for the two upper bands to 12.5% and 25% respectively.

It was originally thought that the restructuring would increase revenue roughly threefold, although this position would not be reached until the third year because of transitional arrangements designed to ensure that there was no gap in receipts during the change from payment in advance to payment in arrears. This expectation has been broadly achieved. Revenue had been running at a little under £6 million a year. In 1980/81 duty receipts were £5.4 million, in 1981/82 £11.5 million and in 1982/83 (when the higher rates also took effect) £25.2 million.

There are about 120 casinos but about 85% of the duty is paid by 12 London casinos which alone are affected by the 25% rate. Of the remainder, only 21 are affected by the 12.5% rate. All the rest have gross gaming yields of less than £0.5 million in a licence period and therefore pay duty only at the lowest rate. Even so the returns from these smallest casinos suggest that some of them may be operating at a loss and this may even be true of one or two of the larger casinos.

Gaming machine licence duty

This duty is complicated by the number of rates and the way they are described (premises with or without local authority approval) but the essential factors are the nature of the machine and its cost per play. There are two types of machine: "jackpot" with unlimited payout and "amusement with prize" with limited payout (currently £1 in cash or £2 in tokens). The former are found in clubs, the latter in pubs and arcades. The duty on AWP machines has always been less than that on jackpot machines which have much higher average takings, and for both types of machines there have been two or more rates depending on the cost per play.

The duty was introduced in 1966 for jackpot machines only but was extended to AWP machines in 1969. At that stage a club with two jackpot machines (the maximum permitted) paid £400 if they cost more than 3d per play and otherwise £200. A pub paid rather less than half these amounts for two AWP machines. An arcade with 40 AWP machines paid something between £3,000 and £6,000, depending upon the mix of cost per play. In 1975 the rates were reduced to take account of the application of VAT to gaming machine takings. In 1980, however, and again in 1981 and 1982, rates were substantially increased. The current rates for jackpot machines are £750 a year if the cost per play exceeds 5p, and otherwise £300 a year. The rates for AWP machines are 40% of those sums (i.e. £300 and £120) which roughly reflects the difference in average takings. All machines costing not more than 2p per play are exempted. Half-year and quarter-year licences are available at a premium.

As a concession to seaside arcades a holiday season licence was available, for penny machines only, for the period March-October at a very low rate. This was abolished when penny machines became exempt in 1980 but any AWP machines covered by a normal half-year licence for the period April-September can now be operated without further charge in March and October.

Revenue has increased substantially over the years, primarily because of the duty increases but also because of increasing numbers of machines. There are now about 120,000 AWP machines and about 40,000 jackpot machines. In 1982/83 duty receipts amounted to some £57 million compared with about £7.5 million ten years previously.

The three main groups with machines (clubs, pubs and arcades) all believe they deserve special treatment. Clubs argue that they are non-commercial and their machine takings are members' own money used for good causes. Pubs complain that their trade is already undermined by clubs who are allowed more attractive jackpot machines. Arcades argue that they alone rely entirely on machine takings and small family businesses cannot afford heavy licence fees. Users in all categories with less than average takings complain that the duty rates are oppressive. All these complaints were strongly voiced when the 1981 duty increases were debated, and a full review of machine taxation was then promised. The outcome was a proposal to introduce an ad valorem form of duty, but this was almost universally rejected by trade. As an alternative the 1982 Budget retained fixed duty rates but adjusted them to reflect the average takings revealed in review.

The possibility of bringing video machines within the scope of the duty was considered in the 1981 review but dismissed. Evidence suggested that these were not very profitable, that their licensing would have been difficult to control (with no social law registration) and that definition problems would arise in any such excursion outside the gambling field.

The future

The Chancellor's future decisions in this field cannot of course be predicted. But, given that there is limited scope for increasing most if not all the present duties, a natural disinclination to abandon existing sources of revenue and no obvious candidates for extension of the range of duty, a major change in the existing pattern seems unlikely in the foreseeable future.

GAMBLING AND OFFENDING

Sue Levey*

This is an interim report of a research project instigated by a hostel for homeless ex-offenders with a gambling problem, and funded by the Rowntree Trust for a period of two years. We are still very much in the initial stages of the research and have only done some very preliminary data analysis. There have been three main aspects to the project so far: a survey of probation officers in South East London; a survey of members of Gamblers Anonymous (GA), and a survey of probation officers in the West Midlands.

I don't really want to get into the area of defining 'compulsive' gambling. It seems to me that until we have rather more data available the terms commonly in use - 'problematic', 'excessive', 'compulsive' - must by necessity be almost interchangeable. Semantics have a way of taking over so we use a working definition of the person we are concerned with as: 'Someone whose repetitive gambling is causing physical, psychological or social harm to himself or others, whether family or society at large'. We thus focus on behaviour - from units as small as the placing of a bet to the larger ones of role performance of father, husband and so on and the way in which they are disrupted. This focus on behaviour means that the problem can be adequately defined and the discernible patterns in the problem gambling process identified.

whether a person gambles or not is probably explicable in terms of a number of sociological variables such as socio-economic status; peer group behaviour; parental influence; exposure to opportunity, and so on. However, to explain why someone then goes on to the essentially atypical behaviour of excessive gambling we need both sociological and psychological theories. We are likely to find that there are different kinds of excessive gambling, arrived at by different processes and requiring different explanations. Within a multi-disciplinary approach we therefore need to look at socialisation processes; imitative learning; personality variables; whether gambling was learnt as a response to stress and so on.

Little is known about excessive gambling as a contributory factor in the initiation or maintenance of

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criminal behaviour - particularly individual criminal acts rather than organised crime or illegal betting. Gambling is commonly assumed to be a cause of criminal involvement because of the individual's attempts to get money to gamble with, to get money to pay the debts incurred by previous gambling or to maintain appearances in order to conceal gambling behaviour and its consequences from family and employer. Thus it is assumed that criminal behaviour begins at a comparatively late stage in the development of the pattern of excessive gambling. Given the assumed cause of criminal involvement we would expect criminal activity to involve attempts to obtain money or its fruits.

The Royal Commission considered that gambling was of little or no importance as a direct cause of either petty or serious crime. The connection between gambling and dishonesty in persons of dissolute character was not in question. Cornish (1978) echoes this in noting that gambling and criminal involvement may just reflect a 'disorganised and feckless lifestyle'. Or gambling may appear to function as a cause of crime because crime may be used to solve pre-existing financial problems. They note for instance that whilst embezzlement may sometimes be a direct cause of gambling, it may also be due to the individual's desire to live beyond his means (of which gambling forms only a part), or indeed the offence may have precipitated the gambling by the need to replace the embezzled funds. They are wary of assuming a causal link between gambling and crime noting that even if a causal link exists what evidence there is shows that it does not account for very much crime.

What research there is has mainly been carried out in prisons and shows that gamblers account for a fairly small proportion of the overall inmate population.

The major objective of our research therefore is to determine whether a causal link does exist between compulsive gambling and crime and to explore its nature. In the broader context we are also concerned to gather data about the process of excessive gambling, gambling behaviour and the gamblers themselves. We are also concerned with the utilisation and availability of resources and with the helping agencies' awareness and perception of gambling as a social problem since this will affect help-seeking behaviour by the gambler or his family.

Due to the project's exploratory and descriptive nature we do not have an over-riding hypothesis. Implicit in our research design however are a number of hypotheses about gambling. For instance:

that people learn to gamble;

that excessive gambling might be partially explicable in terms of personality variables;

that significant life events might affect gambling behaviour.

The probation service is a good source of data about the offender population and is considerably easier to gain access to than the prison department. Another of its advantages is that the population includes people who have not previously been to prison as well as those who have, so we reach people one wouldn't in a prison study.

We were lucky in having a liaison probation officer at the hostel who was able to negotiate and implement the survey.

We sent out a two-part questionnaire to probation officers in South East London. We had 41 officers returning the forms - approximately a 60% response rate.

We wanted to determine the incidence of offenders with a gambling problem amongst the probation caseload; how probation officers perceive their gambling offenders; the information they try to elicit from clients about gambling; the sorts of help they have available and use; and their views on the relationship between gambling and offending.

As far as the individual offender was concerned we wanted general demographic data on age, sex, occupation and so on; details about offending, and information about any help that had been received for the gambling problem.

In order to put this material into a meaningful context we collected the same data on alcohol abuse, drug abuse and glue sniffing. Officers were asked to complete an 'Individual Profile' for each client felt to be involved with any or all of the addictive type problems.

Probation officers were therefore making their own definitions about problematic gambling, alcohol use and so on. This of course means that there is no standard definition used. A guideline existed in that the questions were phrased in terms of 'people with problematic involvement with...' where space allowed and 'addict' where it didn't. Given that we were essentially interested in the individual officer's existing perception of the problems concerned and caseload management this seemed an appropriate technique. If a probation officer had not already defined someone as a compulsive gambler and our provided definition caused him to do so we would be getting an unbalanced picture of the current state of awareness.

Findings

Incidence of addiction

Two hundred and thirty individual profiles were completed - representing 14% of the known case load. Gambling was not found to be a very big problem, it accounted for 13% of the returns. This compares with the 37% who were alcohol abusers; 23% drug users; and 9% glue sniffers. The remaining 17% we called poly-addicts as they had more than one addictive problem. Over three quarters of these were involved with both alcohol and drug abuse.

In terms of the known caseload, gamblers accounted for 2%. (This compares to two separate studies in the mid 1970's that found incidences of just over 18.) This sounds very small but extrapolating to England and Wales for the 1981 probation caseload this gives nearly 3250 cases.

Distribution through the region

There was nothing really notable about the spread of addictive type clients between probation offices or officers, except that one office had considerably fewer returns than would have been expected from its caseload size. Also the liaison office for the hostel accounted for 43% of all gamblers!

Probation officers had an average caseload of 40 and an average of 6 returns, which means that on average just under a fifth of the caseload had addictive type problems.

It is interesting to note that the great majority (well over 75%) had an alcohol or drug abuser on the caseload, whereas less than half had a gambler and even fewer had a glue sniffer.

Asking about addiction

Probation officers were asked whether they ask their clients about their possible involvement in addictions. The vast majority (98%) ask about alcohol use or drug use (91%), indeed 71% ask about both alcohol and drugs. In comparison somewhat over a half ask about possible gambling and just under two-thirds ask about glue sniffing. Looking at the pattern across offices it seems that in all 11 offices involved at least some of the officers ask about alcohol and drugs, whereas only 6 offices have people who ask about gambling.

Already having a client on the caseload who is a gambler increases the likelihood that the officer will ask about gambling. 70% of those with and only 43% of those without a gambler asked about gambling. In contrast all the officers without an alcoholic client recorded that they do ask about

alcohol use.

These are very interesting findings. Do estimates of incidence reflect the agencies' state of awareness as much as they do the true incidence of the problem? Alcohol and drug use are definitely more accepted as problems and much more is known about them. In the Midlands recently I discovered that at least one section of the Probation Service have questions about alcohol and drug use on its initial client contact form. A greater awareness of gambling as a social problem is very likely to lead to an increased measured incidence.

An important point in relation to gambling of course is its 'hidden' nature. More than any other addictive type behaviour it needs to be directly asked about - unlike the others its presence cannot be assumed from obvious symptoms such as alcohol on the breath or sores around the nose.

Facilities available

In this area perhaps more than any other the effect of the hostel is felt. Only 6% of officers said they had no facilities available for their gambler clients - about the same as for alcoholics. More than half this many had no facilities for drug addicts and a staggering 95% had no facilities for glue sniffers. Of the facilities available to gamblers 45% of officers cited hostels; 42% GA and 7% therapy. There was therefore considerably more hostel provision for gamblers than for alcoholics or drug addicts and considerably less provision for therapy.

Over all the group, 50% of clients had received help at some time for their addictive problem. Alcoholics and glue sniffers were less in receipt of help than the drug addicts and gamblers of whom 70% had received help.

The discrepancy between the facilities available to the officer and the help received by the clients is considerable. 30% of the gamblers had used a hostel and only 20% had used GA at some time. 14% of the gamblers had received psychiatric help at some time and 29% were getting 'help and support' on the probation order.

Influence of addiction

The vast majority of probation officers thought their clients' offending was influenced by their addiction. When all the addictions are grouped together the two most frequently cited forms of influence are 'committing the offence under the influence' and 'money shortage' - both of which apply to a quarter of the group. However, all of the gamblers whose offending was said to be influenced by their gambling and for whom a specific influence was given were said to have been influenced by money shortage (i.e. 80% of

gamblers).

Individual profiles

1. Sex: 89% of the 230 were male. There were no female gamblers.
2. Age: A fifth of the group were aged under 19; a third were aged between 20 and 29, and the remainder were over 30. This does not compare very well with the national figures which might reflect the fact that it is an addictive subsample of the probation caseload. The age distributions of alcoholics, gamblers and poly addicts are extremely similar. Drug abusers, however, are predominantly aged between 20 and 29 and glue sniffers are almost exclusively under 19.
3. Marital: Just over half the group were single.
4. Occupation: Two-thirds of the sample were unemployed. Of those in employment nearly half were in skilled manual work.
5. Number of offences: Alcoholics and poly-addicts were on the whole convicted of more offences than the other groups, the majority of whom had committed between 1 and 9 offences.
6. Current order: Nearly half the sample were on probation orders, the others were on supervision orders, licence etc.
7. Convictions: Two sets of convictions were looked at: (a) the current conviction and (b) all previous convictions. Sixty per cent of all current and previous convictions were for theft offences. Whilst we would therefore expect to find theft offences predominating when we look within addictive categories, gamblers and glue sniffers are notable in having no less than 90% of their current convictions for theft. The remaining 10% of gamblers' offences were the company offences of fraud and embezzlement. This is the pattern that one would expect given general assumptions about and the officers' assessments of the influence of gambling on offending.

Although this pattern is reflected in the distribution of all convictions, it is notable that 12% of all previous convictions of gamblers were for offences of violence, violence against the person (including rape) and public order offences.

Across all addictions it seems that although there are some offences more linked to some addictions than others (for example, glue sniffing and public order, gambling and theft) there is an unexpected generality of offence

patterns.

8. Summary: People with a gambling problem constitute 2% of the overall probation caseload and 13% of those with an addictive problem. Nearly half the officers had at least one gambler on the caseload, and just over half ask their clients about gambling. The great majority of officers claimed to have facilities for gamblers - particularly hostels, GA and therapy. The majority of officers with a gambler on the caseload felt that offending had been influenced by the client's gambling, primarily because of money shortage. All the gamblers were men, and were more likely to be aged between 20 and 29 or over 40. A third were married and nearly half were unemployed. The majority of offences were for theft or company offences. Most of the gamblers had received some form of help for their gambling.

At the end of the survey we were left with as many questions as we had got answers:

1. Did the presence of the hostel or liaison office bias the data in relation to gamblers? Would we find the same degree of awareness (limited as it was in comparison with other addictions) in other areas?
2. Were those who did not receive help offered it; were they referred to facilities which rejected them or vice versa; did they feel they had a problem and wanted help with it?
3. There could be a world of difference in the way in which people ask about addiction. What cues do probation officers use, what sort of information do they try to elicit and why?

The study in Birmingham is therefore a replication to test out the representativeness of the London survey but should also take us a lot further, and enable us to tackle some of the issues raised by the first survey. We have also been able to expand the range of probation facilities surveyed; we are including community service; the homeless offenders unit; and hostels as well as fieldworkers.

The Birmingham survey is looking at the probation caseload on a given date, and retrospectively at the people who have been through the high turnover units (e.g. hostels) over the past year.

The aim of the study with Gamblers Anonymous is to look at the origins of gambling behaviour, the nature of the gambling experience, the seeking and availability of help, and, of course, the timing and character of offending. We hope to present our findings on this in a future issue of the Newsletter.

THE NATIONAL CONCIL ON GAMBLING

Eric Rent*

Until 1978 the Churches' Council on Gambling had provided a body which publicly concerned itself with the impact of gambling on the community and the family. It was realised that the disbandment in 1978 of the Churches' Council would leave a need for a successor organisation which would take a public stance on gambling that would be inappropriate for a body such as the Society for the Study of Gambling. In the circumstances the National Council for Voluntary Organisations invited a number of people interested in various aspects of gambling to form a National Council on Gambling. These individuals were drawn from several walks of life, including medicine and other caring professions, the consumer movement, the social services, the police, the gambling industry and the probation service, but they joined the National Council on a personal basis and not as a representative of an organisation. An inaugural meeting was convened at the end of 1980 and grants to launch the organisation were obtained from the Joseph Rowntree Charitable Trust and the City Parochial Foundation.

A Declaration of Trust was subsequently executed whereby the members of the National Council on Gambling became the trustees of a charitable trust with the object of educating the public about gambling, furthering research into gambling and helping those whose participation in society was impaired by gambling. The National Council on Gambling (NCG) has now become a registered charity under the Charities Act 1960. The Council's Chairman is Dr. E. Moran, MA, FRCP, FRCPsych, DPM.

The NCG is not against gambling in principle, but it thinks that society at large, including those who gamble as well as the gambling industry, would benefit if an independent body kept under review the promotion of gambling. The Home Secretary (Mr William Whitelaw as he then was) was furnished in 1982 with details of the Council and its aims, and he wished the Council well in its activities in what he described as an important area to which he felt the Council could make a positive contribution.

Among the matters which have engaged the Council's attention since its foundation three years ago have been the

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use of gambling money for the support of other activities (e.g. competitions run under the Pool Competition Act 1971, public lotteries and the horserace betting levy), the statutory provisions governing the conduct of licensed betting offices, and children and fruit machines.

The NCG thinks there is a need to look critically at any proposals to develop further the support by gambling of other activities and it has expressed its misgivings to the Home Office. More recently the Council has been concerned about provisions in the Betting, Gaming and Lotteries (Amendment) Bill, a private member's bill in particular the Council fears that the provision which would permit sixteen and seventeen year olds to be employed in licensed betting offices would lead to an increase in teenage betting. The Council is currently considering the matter of those gaming machines to which children have access. It sees amusement-with-prizes machines as being more harmful now than when the current gaming legislation was enacted, but it is not convinced that a solution is to be found solely in the regulation of amusement arcades.

The Council recognises that for most people in our Society who gamble, no serious harm results. But considerable disturbance is caused to some gamblers and their families as a result of excess. The NCG thinks it important when considering the factors leading to excess, to explore both the total amount of gambling occurring in the community as well as the personality of the individual gamblers. For gamblers generally, the Council will have the important function of trying to ensure that they get a fair deal.

Trustees

Dr Emanuel Moran, Chairman

Consultant Psychiatrist, Enfield District Hospital
Jeremy Mitchell, Vice Chairman Director, National Consumer Council

Thomas Breen, Hon. Treasurer

Director of Social Services, London Borough of Bromley
Member, Gamblers Anonymous General Services Board
Eric Kent, Hon Secretary

Retired Civil Servant, Home Office

James Chappell

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Chief Superintendent John Keyte, OBE

Secretary, Police Superintendents' Association of

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Rev. Gordon Moody, MBE Gordon House Association Retired
Secretary, Churches' Council on Gambling
Kenneth Overton

President, Racecourse and Starting Price Bookmakers'
Association

Dr Howard Rankin

Principal Clinical Psychologist, St Andrews
Hospital. Northampton

Dr David Robinson

Director, Institute for Health Studies, University
of Hull

Adrian Speller

Secretary; Methodist Church Division of Social
Responsibility

Group Captain Richard Stephens

Secretary, British Casino Association
James Stevenson

Daily Mirror Punters Club
Mrs Jean White

Senior Probation Officer, Manchester

LITERARY GAMBLERS: (2) Gwendolen Harleth

The sylph was a winner; and as her taper fingers, delicately gloved in pale-grey, were adjusting the coins which had been pushed towards her in order to pass them back again to the winning point, she looked round her with a survey too markedly cold and neutral not to have in it a little of that nature which we call art concealing an inward exultation.

But in the course of that survey her eyes met Deronda's, and instead of averting them as she would have desired to do, she was unpleasantly conscious that they were arrested - how long? ... Deronda's gaze seemed to have acted as an evil eye. Her stake was gone. No matter; she had been winning ever since she took to roulette with a few napoleons at command, and had a considerable reserve. She had begun to believe in her luck, others had begun to believe in it: she had visions of being followed by a cortege who would worship her as a goddess of luck and watch her play as a directing augury. Such things had been known of male gamblers; why should not a woman have a like supremacy? Her friend and chaperon who had not wished her to play at first was beginning to approve, only administering the prudent advice to stop at the right moment and carry money back to England - advice to which Gwendolen had replied that she cared for the excitement of play, not the winnings. On that supposition the present moment ought to have made the flood-tide in her eager experience of gambling. Yet when her next stake was swept away, she felt the orbits of her eyes getting hot, and the certainty she had (without looking) of that man still watching her was something like a pressure which begins to be torturing. The more reason to her why she should not flinch, but go on playing as if she were indifferent to loss or gain. Her friend touched her elbow and proposed that they should quit the table. For reply Gwendolen put ten louis on the same spot: she was in that mood of defiance in which the mind loses sight of any end beyond the satisfaction of enraged resistance; and with the puerile stupidity of a dominant impulse includes luck among its objects of defiance. Since she was not winning strikingly, the next best thing was to lose strikingly. She controlled her muscles, and showed no tremor of mouth or hands. Each time her stake was swept off she doubled it. Many were now watching her, but the sole observation she was conscious of was Deronda's, who, though she never looked towards him, she was sure had not moved away. Such a drama takes no long while to play out; development and catastrophe can often be measured by nothing clumsier than the moment-hand. 'Faites votre jeu, mesdames et messieurs', said the automatic voice of destiny from between the mustache and imperial of the croupier; and Gwendolen's arm was stretched to deposit her last poor heap of napoleons.

George Eliot, Daniel Deronda, Penguin, 1967, pp38-9.

UPDATE

Whetzel, R.W. (1983)

'New Jersey's Casino Control Act and a casino patron's right of reasonable access prevent casinos from excluding card counters'

Villanova Law Review, 28(2) 435-69, 1983.

An analysis of the New Jersey Supreme Court decision upholding leading blackjack "card-counter" Ken Uston's action against Resorts International for excluding him from their casino. The court held that the state's Casino Control Act abrogated the common law right of an amusement owner to exclude for any reason. It added that a prior N.J. decision (Schmid) had held that an owner's right to exclude was to be balanced against the individual's right to 'expression and association' and whether (absent an Act) exclusion would be reasonable would be a function of the nature of the property's normal use and the extent of the public invitation to enter it. The court held that the state's Casino Control Commission had the sole right to determine how games were to be played and, since Uston played within the rules as promulgated by the C.C.C., Resorts had no authority to exclude him on the basis of his play strategy. The court reserved decision on whether the Commission had authority to promulgate a regulation excluding card counters within its duty to 'assure the vitality of casino operations and fair odds to and maximum participation by casino patrons'. However, later in response to the Uston decision, the C.C.C. did make substantial changes to the rules of blackjack, to decrease the card-counter's advantage. The new rules permit re-shuffling of the deck at any time the dealer desires and limit the maximum amount a player can bet on one hand in certain situations. Since the card-counter adjusts his betting according to the relative number of high and low cards remaining in the deck, the new rules mean that situations in which the statistical advantage is in favour of the (card-counting) player are either eliminated (by re-shuffling) or not fully exploitable (because of bet limitation). So, a pyrrhic victory for Uston - unless it is later held that using the new rules to engage in 'arbitrary or discriminatory' treatment of card-counting players is illegal.

Sutherland, Steven

'Patron's right of access to premises generally open to the public'

University of Illinois Law Review, (1983) no 2, 533-52.

Another survey of the developing 'right of reasonable access' which seems to be (in the U.S.) breaking down the traditional common law property right of exclusion and ejection without restriction. Many of the cases before Uston concern race courses (e.g. the English case of Wood v Leadbitter, 1845) and other gambling facilities.

NOTICE

A full version of the paper by Iain Brown and George Anderson 'Arousal in real and laboratory gambling' (Newsletter No 3) is now available from the Secretary, Dr Miers. He will bring a few copies to the May meeting. A reduced version of the paper has now been accepted for publication in the British Journal of Psychology.