



**Commission on Crime and Problem Gambling**  
**Oral evidence session, Robert Williams**  
**Thursday 22 July 2021**  
**Zoom session**  
**3.45pm – 5.15pm**

**Present:** Elizabeth Morony (Chair), Andrew Black, Henrietta Bowden-Jones, John Chisholm, Jon Collins, Frances Crook (for the first half of the meeting), Andrew Neilson, Neil Platt, Sarah Ramanauskas, Norma Stephenson

**Apologies:** Jamie Bennett, Matt Burton, Lord Goldsmith, Gerda Reith, Sue Wade

**In attendance:** Gemma Buckland, Helen Churcher, Anita Dockley, Catryn Yousefi

**Agenda**

**1. Chair's introduction**

The Chair welcomed Commissioners to the meeting and gave apologies for those unable to attend. The Chair noted that she would be chairing on behalf of Lord Goldsmith.

**2. Briefing session**

The Chair invited Commissioners to raise any queries about the session and the allocated questions.

Andrew Neilson provided an update on the progress of the first major publication of the Commission. The publication summarises written evidence, oral evidence, and research, and indicates policy directions. It will be published in tandem with the sentencing research in early September and the plan is to promote it using Newsnight, the Today programme and across the BBC as well as in print. Commissioners will receive a copy of the publication in the next couple of weeks.

Commissioners suggested activities that could be planned to coincide with the launch of the publication including a roundtable with key stakeholders and an editorial in the British Medical Journal. It was noted that discussions were taking place with the Ministry of Justice which would be fed in to plans for future launch events and evidence sessions.

**3. Evidence session: Robert Williams**

The Chair welcomed Robert Williams and thanked him for attending.

**Robert Williams, Professor, Faculty of Health Sciences, University of Lethbridge and Research Coordinator for the Alberta Gambling Research Institute**

Robert Williams introduced himself and provided some background to his interest and work in gambling. Robert Williams gave an overview of the three lines of research he has conducted on the issue of crime and problem gambling.

**Review of the prevalence of gambling and problem gambling within forensic populations**

This 2005 review article summarised research looking at the prevalence of gambling and problem gambling among forensic populations. The studies showed that roughly one third of people in prison met the criteria for problem or pathological gambling (the highest rate among any population examined). The review found that people in prison experiencing problem gambling self-reported that roughly 50 per cent of the crime they engaged in was to support their gambling habit. Roughly 40 per cent reported still gambling in prison.

**Assisting in the development of a prevention and treatment program for problem gambling in the Lethbridge correctional system**

This ongoing research explores the development of treatment and awareness programmes for problem gambling within correctional facilities for problem gamblers in prison. The research acknowledges that despite the prevalence of problem gambling in correctional facilities, these programmes were uncommon. A pilot programme was developed with the John Howard Society in Southern Alberta. The results and impact of this initial pilot have been unclear. Currently, Robert Williams is co-supervising a doctorate by a correctional officer at the Southern Alberta Correctional Centre; whose thesis is the revision, implementation, and evaluation of a revamped awareness/treatment programme in southern Alberta.

**Analysis of the social and economic impacts of introducing new forms of gambling into specific jurisdictions**

This research comprised a comprehensive socio-economic impact analysis of the introduction of new forms of gambling in British Columbia, Alberta, Colorado and Massachusetts. The study analysed the impact of introduction of new, legal forms of gambling in each jurisdiction, including facilities such as casinos, slot machines, and gaming venues.<sup>1</sup> It used four sources of data to evaluate the impact of the introduction of legal gambling on crime rates. The first source (self-reports of gambling-related crime among problem gamblers in population surveys) asked about the extent to which people engaged with crime to support their gambling habit (responses were surprisingly forthright). The second source (gambling-related crime in police incident reports) allowed the researchers to ascribe gambling as a motivating factor to crimes. The third source provided before/after change data in uniform crime statistics. The fourth source provided the actual number of offences recorded by the provincial/state gaming enforcement branch (e.g., cheating at play,

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<sup>1</sup>Legal gambling activities and venues can include casinos, slot parlours, gaming venues, raffles, lotteries, bingo etc. The research outlined in this presentation refers mostly to casinos. For information about the legalisation and introduction of different forms of gambling in each jurisdiction, see the [accompanying notes](#) for references.

or other unauthorised activities within them). The research was conducted in four independent jurisdictions, and at different times.

Four general findings emerged:

- Gambling related crime constitutes a very small proportion of all crime. It exists but is not a major driver of crime in North America.
- Gambling related crime is largely property related (e.g., fraud, embezzlement, larceny). However, there is also a significant association with domestic violence and alcohol related crime (accidents, assaults, and driving under the influence). Alcohol-related crime can be linked to the fact that casinos also serve alcohol.
- The introduction of legal forms of gambling results in a decrease in illegal gambling offences (but doesn't eliminate them).
- Researchers observed a small overall net increase in crime rates following the introduction of legal forms of gambling in the jurisdictions studied (in relation to casinos, this may be partly accounted for due to increased visitor numbers to the area).

In tandem with the third area of research, Robert Williams conducted a comprehensive review of 492 studies which undertook socio-economic impact investigations of the introduction of legal forms of gambling to a jurisdiction. These studies included a section on the impact of the introduction of legal gambling venues (mostly in the form of casinos) on crime rates.

The introduction of legal gambling venues, in particular casinos, might influence crime rates in the following ways:

- Decrease illegal gambling offences
- Increase the number of gamblers, and by extension the number of problem gamblers, thus an increase in the minority who might engage in criminal activities to fund gambling (theoretically an increase in people committing crime to fund gambling)
- Gambling venues provide additional opportunities for illegal activities to occur e.g., money laundering, loan sharking. Crimes are facilitated by the creation of a gambling establishment. These forms of criminal activity at venues also attract clientele who may be more likely to engage in these activities.
- Casinos are alcohol serving venues, thus may contribute to an increase in alcohol related offences. They may also attract people from outside the jurisdiction and more visitors to the area.

This impact can be mediated by three factors:

- How much prior exposure a population had to gambling (research shows people become bored with gambling as time goes on, noting a decreasing prevalence of gambling in Canada, with greater awareness about gambling related harms)
- The magnitude of the increase in gambling facilitation (e.g., number of new venues)
- The existence and strength of jurisdictional policies that protect against gambling related harm

The review provided mixed results, with most studies indicating a small but significant increase in crime, yet some indicating no impact. Increases in crime were generally associated with the introduction of casinos and property related crimes, alcohol related crimes and money laundering.

#### **4. Questions from Commissioners**

The Chair thanked the witness and opened the floor for questions from Commissioners.

**The Chair asked the following question:**

*You say that gambling related crime constitutes a very small percentage of crime. Could you expand on this?*

Robert Williams explained that this conclusion can be drawn when looking at all offences in a given jurisdiction and assessing how many of them are related to gambling. In North American jurisdictions (largely where these studies have occurred) crime in any jurisdiction that can be directly or indirectly attributed to gambling and problem gambling constitutes the minority, perhaps 5-10% at the most.

**The Chair asked the following question:**

*This research has largely been based in North American jurisdictions. Based on these findings, what recommendations about crime and problem gambling would you make for international jurisdictions?*

Robert Williams noted that one of the sources of gambling related crime was crime committed by problem gamblers to finance gambling. Thus, any policy or education efforts to decrease problem gambling in a jurisdiction will have an effect in reducing gambling related crime. Robert Williams highlighted the use of gambling courts in North American jurisdictions and highlighted learning that could be drawn from this policy. Whilst there is limited research into their benefits, anecdotal evidence and related learning from drug courts suggest they could be beneficial. Literature shows that mandatory treatment is just as effective as voluntary treatment. Robert Williams also recommended the use of treatment programmes in prison.

**Sarah Ramanauskas asked the following question:**

*What have you learnt from your research about the social and economic impacts of gambling related to crime at i) a societal level and ii) an individual/family level?*

Robert Williams noted that the impact is significant. Gambling related crime is usually committed against business and families, thus having a societal impact in terms of individual networks and the wider community. Another societal impact is that financial crime such as money laundering in casinos can lead to a loss of confidence in governments who ignore the problem (e.g., in Canada). The public need to see that governmental oversight of gambling is transparent and fair. The impact on individuals and familial/social networks is clear. Research shows that the majority of problem gamblers are married, and that around half have children, thus doubling tripling the amount of harm generated.

**Neil Platt asked the following question:**

*You recently conducted research on problem gambling amongst indigenous and non-indigenous populations in Canada. Although not linked to crime, is there any learning from that research which might be useful for us to know to inform our research on race, problem gambling and crime? And is there any learning from your research on whether there are gender differences in gambling-related offending?*

Robert Williams explained that the majority of crime and gambling related crime is committed by men (although there are several instances of women stealing from their employers). Ethnicity is a more complicated issue and would be specific to the jurisdiction. Research has looked at the rate of gambling related crime as a function of race and ethnicity in Canada, but it has not been published as the numbers are too small and thus unreliable. Robert Williams noted a tendency for higher rates of gambling related harm among indigenous populations. The study divided the population by ethnicity but beyond the higher rates identified among indigenous populations, no trend amongst other ethnicities was identified.

**John Chisholm asked the following question:**

*Is there any learning from the SEIGMA study or your previous research about how i) gambling operators and ii) gamblers themselves, can best seek to prevent crime related to problem gambling?*

Robert Williams explained that the impact study in Massachusetts was ongoing and was the longest socio-economic impact study undertaken (having begun in 2013). It explores short- and long-term impacts. Massachusetts experienced significant change in gambling availability/landscape, with the development of three large casinos. Detailed analysis of gambling related crime in Massachusetts showed that the aggregate impact has been very small (with some minor increases in road traffic accident, DUI, fraud charges). Thus, there is not much focus in the jurisdiction to mitigate gambling related crime. Operators have their own security procedures to identify people committing crimes in their venues. Because gambling related crime appears to be a minor issue, there has not been effort on the part of legislators to develop unique ways of mitigating gambling related crime in problem gamblers.

**Sarah Ramanauskas asked the following question:**

*In terms of data collection, would crimes occurring outside of the casino (such as theft from an employer or friend) be recorded as embezzlement or theft be linked to gambling? Analysis of the impact of casinos may not account for this type of gambling related crime.*

Robert Williams explained that crimes were triangulated from a number of different sources to mitigate for this. These sources included crimes committed at casinos, police incidents, local crime statistics, and population surveys. Population surveys asked about crime related to any form of gambling and found that it exists but is not that common.

**John Chisholm asked the following question:**

*In light of research findings about the high prevalence of problem gambling among people in prison, how can we reconcile this with the finding that there is not much gambling related crime?*

Robert Williams explained that although problem gambling and gambling related crime have a high prevalence among people in prison, these people constitute a very small percentage of the overall population.

**Henrietta Bowden-Jones asked the following question:**

*Are you aware of any examples of good practice in addressing problem gambling related crime from i) Canada and ii) internationally which the UK could usefully learn from in terms of the nature of treatment and how criminal justice agencies should best respond?*

Robert Williams gave the New York gambling courts as an example of good practice. Robert Williams noted that he was aware of best practise regarding problem gambling, rather than gambling related crime specifically. Jurisdictions have different approaches (e.g., a more controlled approach in Norway, versus a more laissez faire approach in the US).

**Henrietta Bowden-Jones asked the following question:**

*Is there a strong evidence base for the implementation of gambling courts?*

Robert Williams explained that he had seen anecdotal rather than empirical evidence of their effectiveness. There is good evidence about the efficacy of drug courts so in theory gambling courts should work.

**Norma Stephenson asked the following question:**

*In the UK, the Proceeds of Crime Act treats problem gamblers, who typically exhaust all the resources they have acquired through crime on their gambling, and those who make large criminal financial gains through drug crime or people trafficking, for example, in the same way. This can result in individuals and/or their families having to find money which does not exist to repay the estimated gains, over long periods of time. What is the situation in Canada regarding recouping criminal assets related to problem gambling?*

Robert Williams noted that in all the cases he had been involved in, restitution had been required in embezzlement cases, but not for the full amount partly due to the negative impact on families. In some cases, restitution was not in monetary form but took the form of community service. Robert Williams was not aware of Canadian legislation regarding financial proceeds of crime in Canada. He noted that in the Canadian system, there was enough leeway for the judge to set alternative and more appropriate means of restitution. Robert Williams argued that there should be more leeway and take into account people's situations; financial penalties may be appropriate if an individual had financial resources but could have a negative effect on individuals who did not.

**Andrew Black asked the following question:**

*Do you have any observations about gaps in research on gambling-related crime internationally?*

Robert Williams identified three gaps in research: crime and online gambling; the efficacy of gambling courts; and the efficacy of treatment programmes for problem

gambling in forensic populations (there has been no evaluation of programmes that exist).

**Andrew Black asked the following question:**

*Have you conducted research into other forms of gambling in the same way e.g., racecourses, online gambling?*

Robert Williams noted that the research base was limited for other forms of gambling- 80% of studies focussed on casinos. Among the research that does look at other forms, the evidence was not as strong but shows a similar effect (however not to the same degree as casinos).

**Jon Collins asked the following question:**

*The UK government is currently reviewing the primary piece of gambling regulation legislation. What regulatory structure would you propose to reduce problem gambling-related crime? How, if at all, should regulatory measures differ with respect to online gambling and that which takes place in licensed premises?*

Robert Williams noted that pre-commitment had a lot of potential, with particular utility in online formats. Pre-commitment is when people have to set a spend/time limit prior to engaging in online gambling. A challenge is that in the vast majority of jurisdictions this is voluntary and revokable, negating the efficacy. Mandatory pre commitments that are irrevocable have much more promise and impact. There are however related concerns about civil liberties- there needs to be a balance. Casino/venue self-exclusion also works. Lawsuits are ongoing about the legal requirements of a venue to enforce exclusion. Casino self-exclusion was easier to enforce when casinos were smaller.

**Andrew Neilson asked the following question:**

*What do you consider should be the implications of the link between gambling disorders and crime at different stages in the criminal justice process (i.e. police, diversion, prosecution, defence, courts and sentencing, probation, prisons)?*

Robert Williams explained that problem gambling needs to be seen as a mitigating factor (it is not considered a mitigating factor in most jurisdictions). Punishment for an addiction is not an effective way of changing behaviour. Acting to address root cause and behaviour will have much greater and longer-term benefits. There needs to be some form of diversion at all stages that takes addiction related crime into account. Criminal justice sanctions provide an incentive for people to address their addiction. Problem gambling needs to be taken into account at all stages of the criminal justice system. There also needs to be a system in place to incentivise treatment.

## **5. Closing remarks and thanks**

The Chair thanked the witness for giving evidence.

Robert Williams had provided written notes of his evidence. It was agreed that Catryn Yousefi would send notes to Commissioners alongside the minutes.

## **6. Debrief**

The Chair noted that issues surrounding casinos were not in the remit of this Commission. Commissioners agreed and suggested that the context of the research funding (funded by the state of Massachusetts) might influence the findings.

Casinos do not contribute significantly to crime, but there should not be too many of them. The majority of significant crime associated with casinos in Canada is high level financial crime in the full knowledge of the state and the police.

Neil Platt noted that there was not a standardised screening protocol for criminal justice services to identify gambling related harm in Canada. This is something that was also needed in the UK.

## **7. Any other business**

Neil Platt informed Commissioners that he would be working with Matt Burton in planning for a public health conference on 29 September. It was suggested that this could provide another promotional platform for the briefing paper and research report. The conference would aim to synthesise the good public health and criminal justice work tackling gambling harm in the criminal justice system which was happening across the UK.

### **Next meeting:**

- Evidence session- Australian/New Zealand academic- Tuesday 21 September 2021, time TBC

HC 27/7/2021