



Commission on Crime &  
Gambling Related Harms



# **“Surviving, not living”: Lived experiences of crime and gambling**

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The report of the Commission on  
Crime and Gambling Related Harms

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## **Preface**

This report outlines the lived experiences of people in England and Wales who have experienced gambling harms (otherwise referred to as ‘problem gambling’) and have committed gambling-related crime. The research has provided a greater understanding of how gambling harms can be understood, the impact of gambling harms and the specific experiences of the criminal justice journey. In addition, the research has highlighted the perspectives of people who have experienced gambling harms in relation to what needs to happen to better support and prevent gambling harms in the future.

The current research was commissioned by the Commission on Crime and Gambling Related Harms. The instigation of this research was informed by the publication of a previous report into the research landscape on crime and problem gambling, authored by Sarah Ramanauskas, which highlighted a lack of research in England and Wales.

The current research focusses on people with lived experience of gambling and crime-related harms and their families. Specific thanks go to all the people who generously gave up their time to take part and so openly told their stories. People who took part were very passionate about wanting to utilise their experiences to facilitate improved support for people in the future.

The researcher also wishes to thank Anita Dockley, Catryn Yousefi and Dr Helen Churcher from the Howard League for Penal Reform for their advice and guidance throughout this research.

## Glossary of terms and acronyms

CBT	Cognitive Behavioural Therapy: a psychosocial therapy that aims to support and improve mental health through focussing on challenging and changing underlying thoughts which impact on behaviours.
CPS	Crown Prosecution Service: the principal agency that prosecutes criminal cases which have been investigated in England and Wales.
DSM-5	Diagnostic and Statistical Manual of Mental Disorders, published by the American Psychiatric Association; a handbook utilised by healthcare professionals worldwide.
FCA	Financial Conduct Authority; UK financial regulatory body.
FOBT	Fixed Odds Betting Terminals; electronic machines, sited in betting shops which contain a variety of games, such as roulette. Fruit machines and one-armed bandits are different types of gaming machines.
GA	Gamblers Anonymous; a fellowship of people who share their experiences in order to help themselves and others.
NAAFI	Navy, Army and Air Force Institutes; a company created by the British Government to run recreationally establishments for the British Armed Forces.
NICE	The National Institute for Health and Care Excellence; public body providing advice, guidance and information services for health and social care providers in England.
POCA	Proceeds of Crime Act (2002) is an act of parliament which allows for the confiscation or civil recovery of proceeds gained from crime.
PSR	Pre-sentence report: expert assessment, usually undertaken by Probation, prior to sentencing about the nature of a person's behaviour, the risks posed and a recommendation about the sentencing options.
RAR	Rehabilitation Activity Requirement: a pre-planned and structured activity to address a person's identified need to support their rehabilitation.
RUI	Release under investigation from the police station, rather than bailed to return.
VIP (scheme)	VIP schemes are offered by gambling operators to their highest value customers.

## **Executive Summary**

### **Introduction and aims**

The current research was commissioned by the Commission on Crime and Gambling Related Harms in response to a lack of existing literature about the lived experiences of gambling and crime, particularly in England and Wales. The research sought to illuminate the following:

- Early engagement in gambling and the escalation into crime;
- Experiences of the criminal justice system;
- How gambling and gambling related crime affects key relationships such as employment, social and family networks;
- Whether, and how, interventions or treatments for gambling are sought or utilised;
- The perspectives of people with lived experience of gambling and crime about what needs to happen in the future to aid prevention and better support people impacted by crime and gambling harm.

### **Research and legislative context**

Gambling is prevalent across Great Britain with 24 per cent of people reporting gambling online in the past four weeks (Gambling Commission, 2021a). A variety of gambling methods are used, with online gambling becoming particularly dominant during more recent years. Disordered gambling is classified within the DSM-5 (American Psychiatric Association, 2013) as a mental health disorder and, more specifically, as maladaptive, behavioural addiction which leads to family, social, personal or recreational pursuits being compromised, disrupted or damaged by continuing the gambling behaviour (Delfrabbro, 2013). For some people, recreational gambling escalates into problem gambling, defined as gambling behaviour that creates negative consequences for the gambler or those around them (Ferris and Wynne, 2001), or gambling addiction, defined as a progressive addiction. Gambling addiction is an impulse control disorder that has many psychological, physical and social repercussions (American Psychiatric Association, 2013). Problem gambling has been linked to health and social problems, including suicide, homelessness, and other addictions (Lorains et al., 2011; Sharman et al., 2015; Petry, 2007). Within the current research there was some stigma around the phrase ‘problem gambling’, and therefore gambling harms was suggested instead (see also Saxton and Eberhardt, 2021). Gambling harms can extend beyond the individual, affecting families and the broader community (Langham et al, 2016).

Crimes committed by people experiencing gambling harms are typically, but not always, financial crimes, driven by an instrumental need to commit crime as a result of gambling harms (Turner et al., 2009). Prevalence rates of crime committed as a result of gambling are difficult to ascertain, with an estimated prevalence of problem gambling in prisons of 12 per cent, significantly higher than in the general population (May-Chahal, 2017). The government Department of Culture Media and Sport (DCMS) is responsible for gambling policy and legislative framework. The key legislation in the UK for gambling is the Gambling Act (2005) which is currently undergoing a review. The Gambling Commission, an executive non-departmental public body, regulates all commercial gambling in the UK and seeks to prevent gambling from being a source of crime and disorder, to ensure that gambling is conducted in a fair and open way, and to protect children and vulnerable people from being harmed by gambling.

## Methodology

Twenty-two participants took part in semi-structured interviews to explore their experiences of crime and gambling. Four of the participants were family members of people who had been directly impacted by gambling harms. The interviews were conducted online, were transcribed verbatim and were analysed using the principles of Thematic Analysis (Braun and Clarke, 2006).

## Main findings

### Pathways into gambling and crime

- Pathways into gambling and crime were diverse. Adverse childhood experiences were not common amongst the people who participated in the current research. Frequently, gambling normalisation from an early (teen) age was a feature. However, transitions into college or university, significant life events, peer influences and the impact of large, early wins were also important factors. In addition, online gambling, the accessibility of fixed odds betting terminals (FOBTs), and multiple methods of gambling within gambling and non-gambling venues had also featured in the development of problem and disordered gambling.
- The role of mental health issues in relation to the development of gambling addiction was complex. There was evidence that for some, gambling provided an escape from other life stressors. Boredom and isolation also factored in the development of gambling addiction.
- Access to finances in the workplace, alongside high levels of debt, accrued over several years had been significant precipitating factors in the commission of offences for a majority of participants. Often this took place over several months or years, with the amounts taken increasing over time. Offences had also occurred against friends and family, but this was less prevalent in the current research.

## **Criminal justice experiences**

- The police, while not unsympathetic to people, had little knowledge or awareness of gambling and crime-related harms. There was no systematic screening or support offered via police custody suites which was much needed.
- Among defence solicitors and barristers, while there were isolated instances of increased understanding, there was widespread reporting of a lack of knowledge and understanding in relation to representing clients who had experienced gambling harms. This was viewed as a missed opportunity for signposting and support and for some, impacted on the mitigations identified and portrayed in court, as well as adding to an already immensely stressful situation for people directly impacted, and their families.
- Many people who had committed crime as a result of gambling had spent lengthy periods of time either on bail or released under investigation (RUI). For some, they had been able to utilise this time to work on their recovery and access the support they needed. However, even when this was the case, the liminality and lack of information and communication during this period was challenging. In addition, for a number of participants the uncertainty had a significant negative impact on their recovery and their family.
- The pre-sentence report (PSR) process provides a further opportunity for people to be offered support in relation to gambling harms. However, this requires understanding amongst probation staff about gambling addiction and the time and resources to facilitate understanding and supportive discussions, and to inform subsequent report writing. It was found that this was not always the case. The PSR process also provides an opportunity to increase understanding amongst the judiciary. Psychiatric reports provide further information upon which to base judgements. However, within the current research, it was reported that the recommendations made by PSRs were frequently disregarded by the courts in relation to cases involving gambling-related crimes.
- In many court cases experienced by the current sample, there was a lack of understanding and awareness shown amongst the judiciary. This meant that, for the most part, gambling harms were not viewed as a mitigating factor. However, where they were viewed as mitigating, and with evidence to support understanding of gambling harms, this was indicated to impact positively on sentencing outcomes.
- Prisons should provide an opportunity for support and recovery for people who have experienced gambling harms. However, this does not appear to be the current situation. A lack of screening and assessment, compounded by a lack of awareness among staff, has resulted in a vacuum for gambling-specific interventions and support. The problems relating to gambling and prisons are further exacerbated by widespread gambling within prisons, which is also facilitated by prison staff. Improved awareness, assessment and treatment in prisons are needed.

- People who had not yet experienced probation were hopeful about the support that may be offered to them. However, amongst people who had experienced probation supervision, it was reported that there had been no support and that it was not useful. This seemed to be underpinned by a lack of awareness amongst staff. There were concerns expressed in relation to the implications of this in terms of not recognising and being able to intervene when gambling was present.
- Many people who commit crime as a result of gambling addiction or harms have experienced Proceeds of Crime Act (2002; POCA) proceedings. However, given the nature of gambling addiction as a mental health disorder (American Psychiatric Association, 2013), and the lack of material benefit arising from gambling related crime, this seems paradoxical to the original purpose of POCA which is to confiscate proceeds where people have benefitted from their crimes. POCA was an additional significant stressor on people in prison and particularly for families who lived with them. Even after the sentence was completed, POCA still remained a stressor for people and hindered future progress, recovery and rehabilitation.

### **Impact of gambling and crime**

- There was evidence of feelings of guilt and shame, arising from gambling harms similar to previous research (see, for instance, Schlagintweit et al., 2017). However, this seemed to be further exacerbated by the commission of crime and the pressure of keeping up a façade. For many, the impact on mental health was so great that it had led to suicidal ideation and for some, active suicide attempts. Some people had been able to work to improve their mental health over time but there was evidence of the long-term impact on mental health, even after recovery from addiction. The impact on the mental health of family members was also highlighted.
- While less prevalent, there was evidence of a significant impact on physical health (such as reported digestive or cardiovascular problems) for people directly impacted by harms arising from gambling and crime, and this extended to family members.
- There was evidence of significant impacts on accommodation and finances as a result of gambling and the commission of crime, mostly, but not solely, linked to POCA. The long-term consequences of POCA had an impact on families and seemed disproportionate to the original sentencing.
- Many people had considered themselves very fortunate to have been able to maintain some significant relationships following their experiences of gambling and crime-related harms. However, other family and friendship relationships had broken down. Factors influencing this included erosion of trust and lack of understanding about the nature of gambling harms. Family members also experienced secondary impacts on their own relationships and community

distancing was a feature for some. There was also evidence of the impact on children such as bullying and increased anxiety for the future.

- Most participants had lost their job as a result of gambling and crime. Some had been successful in re-training and securing employment in a different role, without financial responsibility, which was often a feature of employment prior to the crime being committed. This type of role was no longer appropriate due to the nature of the crimes committed. However, others had struggled due to the complexities of disclosing offences to employers, for which there was little support. It was felt that increasing employer awareness about gambling harms could assist with this moving forward, and that gaining employment was a positive part of recovery.

### **Accessing support and treatment**

- There was a reported lack of awareness amongst GPs in relation to accessing support and treatment for gambling harms. Many people had self-referred into treatment and while this was largely effective, there were some challenges remaining around geographical coverage, ensuring appropriate locations, time-limited treatment, a lack of specific responsivity to gambling addiction, waiting times and a lack of practical aftercare support. A number of participants had benefited from a mixed method approach to treatment, accessing clinical treatment, alongside lived experience support. Self-exclusion software had been effective for a number of participants but there were limitations to this.
- The importance and benefits of lived experience in support and treatment offers was highlighted. In addition, people with lived experiences of gambling and crime could be an integral part of decision making in relation to policy and practice.
- There was very little support available to families who experience gambling and crime-related harms. While the situation seemed to be improving, there was still much more support required and a number of considerations for the operational delivery of such support. Operational considerations included a need for accessible, freely available and responsive support, which understood the specific harms relating to crime and gambling and could provide practical support in relation to the secondary impacts such as accommodation and finances. Schools also had a role to play in delivery of support to families affected by gambling harms.

### **Awareness, regulation and advertising**

- There was a need identified for improved awareness across society in relation to gambling and crime-related harms. This was needed for people to understand the complexity of gambling harms, to understand the subsequent breadth and depth of impact and to improve availability and access to treatment. Awareness could be increased through education establishments, sports venues, employers and cultural or religious venues.

- There was evidence of failures to safeguard people who had become vulnerable as a result of their gambling addiction through insufficient affordability of checks, the ease of obtaining multiple accounts, the nature of VIP schemes, the nature of 'free' spins and credits to online accounts and failures within face-to-face venues also. However, it is important to note that the Gambling Commission have provided recently updated guidance on VIP schemes which were not in place at the time many participants in the sample experienced them (Gambling Commission, 2020).
- Gambling Commission investigations may have taken place but without a transparent, collaborative and timely approach, this was not, and could not, be taken into consideration for sentencing and POCA-related decision making.
- A role for banks was highlighted within the research. While some banks had already taken a proactive approach towards the prevention of gambling harms, it was suggested this should be government mandated.
- Promotional gambling advertising was viewed as too pervasive, despite advertising regulation. Current messages in relation to safer gambling were not considered effective and needed to be reviewed. There were calls for advertising reforms akin to tobacco advertising.
- While participants did not wish to place blame on their previous employers who, for many, had been the victims of their offences, there were areas for additional support in relation to employers and employees with regard to effective HR processes, robust auditing, and support should an employer become a victim of gambling-related financial crime.

## Recommendations

### Criminal justice system

- There should be systematic screening and assessment of people entering police custody suites and prisons to ascertain whether they have experienced gambling harms and to identify where there is a need for further support. Criminal justice Liaison and Diversion teams should support this. Specific guidance to police staff about gambling harms via mechanisms such as the Authorised Professional Practice Guidelines should be made available.
- Greater awareness, screening and access to support and treatment for people who have experienced gambling harms, as well as their families, across criminal justice services is required. Support and treatment should be made available through accessible referral pathways at multiple points within the criminal justice system, including upon first contact with the police, while a person is awaiting their court hearings, during custodial sentences, during community sentences and while on probation licence post-custody.

- A greater awareness of the nature of gambling harms is needed amongst professionals working within the criminal justice system, including police officers, probation staff, the judiciary, solicitors, barristers and prison staff. This should include continued professional development programmes tailored for different groups of professionals across the criminal justice system, with specific education around legal representation of people who have experienced gambling harms.
- The pre-sentence report (PSR) process should specifically enquire about needs and circumstances relating to gambling harms, including signposting to support provisions where necessary. Information provided by the PSR pertaining to gambling harms should inform decision-making in relation to sentencing outcomes.
- The presence of gambling harms should be considered as a mitigating factor in sentencing outcomes.
- There should be greater use of community sentences, rather than custodial sentences, in order to facilitate access to treatment for gambling harms and promote long term recovery. Consideration should be given to the use of rehabilitation activity requirement (RAR) days to support access to treatment.
- A review of the use of POCA in cases where crimes have been committed as a result of gambling addiction is required.
- There needs to be a collaborative approach between the Police, the Crown Prosecution Service and the Gambling Commission to investigate the responsibilities of gambling operators in cases where crimes have been committed to fund gambling activity. Investigations should take place prior to and be considered during sentencing and also be taken into consideration in POCA hearings.

### **Impact of gambling and crime-related harms**

- Gambling harms are further exacerbated by contact with the criminal justice system. There is a need for improved awareness across the criminal justice system of the breadth and depth of harms resulting from gambling and subsequent crime across mental health, physical health, accommodation, finances, family and relationships, and employment.
- There is a need for formal recording of the prevalence of suicides arising from gambling harms. This should be accompanied by robust investigations and the implementation of subsequent safeguarding recommendations in order to work towards the prevention of future deaths by suicide as a result of gambling harms.
- There should be improved support in relation to practical issues relating to finances, accommodation and employment which have arisen as a result of gambling and crime. This should specifically include greater support for gaining suitable alternative employment and the disclosure of offences.

- There needs to be greater support for the families of people who have experienced gambling harms, including specific support for children.
- Specialist support is required for families who are affected by POCA hearings. This should include readily available free of charge legal services.
- Greater education and awareness are required across all sectors of society. Information should be made available through educational establishments, sports clubs and employers, as well as providers of criminal justice-related services. Information needs to include the nature of gambling harms, and support and referral pathways.

### **Support and treatment**

- There needs to be a greater awareness of gambling harms amongst primary healthcare providers, with a particular focus on GPs. Clear referral pathways should be available to GPs, with supporting NICE guidance. NICE guidance for gambling identification, diagnosis and management is in development (NICE, 2021) but this is not expected to be published until 2024. It is recommended that this timescale be reviewed and interim guidance be published.
- Support and treatment need to be accessible, timely, responsive to the specific needs of people experiencing gambling harms, time-limited only by the needs of the person accessing support and available in inclusive, therapeutic locations.
- Support and treatment should encompass a range of options to include counselling, support from other people with lived experiences of crime and gambling, family support, and practical aftercare.
- Self-exclusion software should not be time limited.

### **Regulation and advertising**

- Whilst there continues to be development in the regulation of gambling operators, further measures are still required, as well as an ongoing review of the effectiveness of such measures. Specific robust regulation is required around affordability checks, access to multiple gambling accounts and VIP accounts to ensure that customers are appropriately safeguarded.
- There needs to be a reform of gambling advertising. Promotional advertising needs to be much less visible, and safer gambling messages need to be reviewed to ensure they are fit for purpose. Safer gambling messages need greater reverence to the depth of gambling harms that can arise.

## **Additional considerations**

- There needs to be greater involvement of people with lived experience of gambling and crime-related harms in decision making about policy and practice. People with lived experience should be integral to decision-making processes, rather than just being asked for their views.
- Banks should be mandated to allow gambling restrictions on bank accounts and to be able to intervene in situations where there appear to be high levels of gambling activity within bank accounts.
- Employers should be supported to develop appropriate HR policies in relation to gambling, in order to protect the employer and its employees, and to ensure robust auditing of financial processes.
- A number of suggestions for future research such as a need for specific research with women and ethnic minority communities, research into domestic abuse offences resulting from gambling harms, and longitudinal research were also made within this report.

# 1. Introduction and aims

This report presents the findings of the second commissioned research project from the Commission on Crime and Gambling Related Harms. A previous literature review investigating the research landscape of crime and problem gambling (Ramanauskas, 2020) identified that there is limited existing research into the relationship between crime and gambling harm. Existing research had predominantly been undertaken in other jurisdictions, including Australia, the US and Canada. The Commission therefore sought to understand the relationship between crime and gambling harm in England and Wales.

The current research aimed to focus on, and amplify the voices of, people directly affected by gambling harms and crime, including the families of people experiencing gambling harm. Using qualitative methodology, the research sought to map the following:

- How people first engage in gambling;
- What types of gambling they partake in;
- How gambling escalates and results in the commission of crime;
- Experiences of the criminal justice system;
- How gambling and related crime affects key relationships such as employment, social and family networks;
- Whether, and how, interventions or treatments for gambling are sought or utilised;
- The perspectives of people with lived experience of gambling and crime about what needs to happen in future to aid prevention and better support people impacted by crime and gambling harm.

## **2. Research and legislative context**

### **2.1 Gambling prevalence and type**

Gambling includes any participation in an activity where something of value may be lost or gained (Ashley and Boehike, 2012). In Great Britain, the total gross gambling yield was reported at £14.2 billion between April 2020 and March 2021 (Gambling Commission, 2021b). Approximately 73 per cent of the British population gamble at least once per year and report that this is for fun or to win ‘big money’ (Wardle et al, 2011). During the year to June 2021, 42 per cent of people reported gambling activity within the past four weeks, with gambling activity increasing with increasing age up until mid-50s but being roughly the same across males and females (Gambling Commission, 2021a). Among those who reported gambling within the past four weeks, 21 per cent reported gambling at least two days a week. Unsurprisingly, given the impact of the Covid-19 pandemic, in person gambling activity had decreased from 32 per cent to 24 per cent, while online gambling activity had increased from 22 per cent to almost 25 per cent (ibid). However, this is in line with overall increasing upward trends in online gambling activity over the past five years (ibid). The most common forms of gambling activity were lottery related, followed by scratch cards, sports betting, horse racing and online slot machine games. Online specific gambling activity was also predominantly driven by lottery related activity, but sports betting also featured heavily (ibid).

### **2.2 Gambling harms**

While gambling is accessed by a large proportion of the British population, and is legislated as a leisure activity, gambling is increasingly perceived as a public health concern (Wardle et al., 2019). A majority of people are reported to believe that gambling is harmful (Wardle et al., 2011) and public health specific research has evidenced a need for tougher restrictions on gambling in the UK (McGee, 2020). Gambling activity can evolve into problem or disordered gambling (Wardle et al., 2012). The Diagnostic and Statistical Manual of Mental Disorders (DSM-5) categorises disordered gambling as a maladaptive, behavioural addiction which leads to family, social, personal or recreational pursuits being compromised, disrupted or damaged by continuing the gambling behaviour (Delfrabbo, 2013). For some people, recreational gambling escalates into problem gambling, defined as gambling behaviour that creates negative consequences for the gambler or those around them (Ferris and Wynne, 2001), or gambling addiction whereby gambling addiction is defined as a progressive addiction, an impulse control disorder, that has many psychological, physical and social repercussions (American Psychiatric Association, 2013). While the DSM-5 utilises the term ‘disordered’ gambling, the terminology used to describe problem gambling is variable, with ‘problem’, ‘pathological’, and ‘compulsive’ used interchangeably (Blaszczynski and Nower, 2002). Within the current research, some stigma linked to the phrase ‘problem gambling’ was reported and ‘gambling harms’ now tends to be the term used to replace this (Saxton and Eberhardt, 2021). Therefore, gambling harms will be the terminology adopted for the remainder of this report, except where previous studies have specifically adopted ‘problem gambling’ to report their findings.

International studies indicate that just over two per cent of the worldwide population experience problems with gambling (Williams et al., 2012). In Great Britain, seven per cent of adults within the general population are perceived to be at risk of experiencing gambling harms with estimations of actual gambling harms varying between 0.7 to 0.9 per cent, depending on the measure used (Wardle et al., 2011). The latest Gambling Commission statistics (2021a) reported a 0.4 per cent prevalence rate of problem gambling, and a further 0.7 per cent engaged in moderate risk gambling, as indicated by the Problem Gambling Severity Index (PGSI; a standard measure of at-risk behaviour in problem gambling) (Ferris and Wynne, 2001) in the general population. This equates to around 430,000 people engaged in problem gambling in Great Britain, with a further two million at risk of developing problems relating to gambling (Gambling Commission, 2017). Academic research has shown that the prevalence of different forms of gambling identified as problematic have changed over time; fixed odds betting terminals (FOBTs), sports betting and poker have become more common, while horse racing, dog racing and the National Lottery have become less common (Sharman et al., 2019).

Public Health England (2021) recently estimated that gambling harms cost at least £1.27 billion in 2019–2020, England alone. On an individual level, gambling harms have been linked to mental health problems (Lorains, et al., 2011), suicide (Karlsson and Hakansson, 2018), financial difficulties (Grant, et al., 2010; Cowlshaw and Kessler, 2016), homelessness (Sharman, et al., 2015), alcohol use disorders (Welte, et al., 2001; Petry, 2005) and problematic substance use (Petry, 2005; 2007). More specifically, research has indicated that people with gambling disorders have increased levels of mood and anxiety disorders (Tonneato and Pillai, 2016), increased cannabis use (Dowling et al., 2017) and increased reporting of suicidal ideation (Ronzitti et al, 2017). Gambling has been associated with trauma and life stressors in both childhood and adulthood, even after adjusting for drug and alcohol use (Roberts et al., 2017). Gambling disorders have also been linked to increased healthcare usage (Cowlshaw and Kessler, 2016). Furthermore, gambling-related harm can involve detriment to the health or wellbeing of the family unit, community or broader population and therefore extends beyond the individual (Langham et al., 2016). Therefore, gambling and the associated harms are significant factors for society to continue to try to understand and address.

## **2.3 Crime and gambling**

Previous studies have demonstrated that offences among people experiencing gambling harms are typically income-generating crimes committed in order to gamble or continue gambling (e.g., Turner et al., 2009). Example offences frequently reported are fraud, theft, breaking and entering, and selling drugs (Abbott and McKenna, 2005; Abbot et al., 2005; Turner et al., 2009). Violent crimes do occur but are less frequently reported (Abbott and Volberg, 1999).

The relationship between crime and gambling is complex and not yet fully understood. Perrone et al. (2013) theorised that the relationship between crime and gambling can be conceptualised in one of three ways:

1. Coincidental (no systematic link between gambling and offending)
2. Co-symptomatic (a common underlying factor accounts for both offending and gambling)
3. Instrumental (there is a causal connection between gambling and crime).

Historical studies investigating the functional relationship between crime and gambling have demonstrated that a need to obtain money to gamble, as well as a need to obtain money to meet shortfalls in essential financial obligations are both motivators of gambling-related offences (Blaszczynski and McConaghy, 1994; Meyer and Stadler, 1999). Such actions may represent attempts to recoup losses from persistent gambling or to avoid detection of debts by other people (Blaszczynski and McConaghy, 1994). These studies imply that the relationship is most likely to be instrumental, even if the exact causal pathways remain unknown (Adolphe et al., 2019).

Prevalence rates of crime and gambling are challenging to establish because people who have gambled may not directly link their sentence to their gambling (Perrone et al, 2013). In addition, prevalence rates are subject to different criteria used to define a crime. Many offences fail to be considered as illegal (such as unauthorised withdrawal from joint accounts), are committed against family members who refrain from reporting the offence or are relating to theft from employers who decide not to proceed with charges (Sakurai et al, 2003). Furthermore, there is no known systematic recording of incidences of gambling as a contributing factor for offences in the UK. However, up to 65 per cent of people considered severe problem gamblers reported gambling-related criminal behaviour (Turner et al., 2009). Within English prisons May-Chahal et al., (2015) found five per cent of males and three per cent of females linked their current sentence to gambling, while 13 per cent of men and seven per cent of women admitted to having committed an offence to finance gambling or repay debts. Prison populations are considered to have the highest prevalence of gambling found in any forensic population (Williams, 2005). Internationally, studies of prisoners have shown prevalence rates of problem or disordered gambling of eight per cent in some areas of Australia (Marshall et al, 1997, cited in Ramanauskas, 2020) to 40 per cent in the USA (Westphal et al., 1998) with an average estimate across 23 studies of around 33 per cent (Williams, 2005). A further study by May-Chahal et al., (2017) found that the prevalence of problem gambling in English and Scottish prisons was 12.1 per cent. It has also been suggested that gambling in prison maybe a significant part of prison sub-culture (Williams and Hinton, 2006; The Forward Trust, 2020). Moreover, gambling severity has been indicated as a significant predictor of increased recidivism risk (April and Weinstock, 2018). Despite this, the recent literature review published by the Commission on Crime and Gambling Related Harms (Ramanauskas, 2020) found that there was a lack of treatment availability for problem gambling in the criminal justice system. Given the complexity of crime and gambling, it is important that research continues to understand the prevalence and nature of the relationship in order to provide an evidence base for support and interventions across the criminal justice system and in the interests of trying to implement upstream prevention to stop people coming into contact with the justice system at all.

## 2.4 Policy and legislation

The Government Department of Culture Media and Sport (DCMS) is responsible for overall gambling policy and legislative framework. The Gambling Act (2005) was the first official legislation implemented to control the gambling industry since the first opening of facilities in the UK in the 1960s. The act aimed to regulate all forms of gambling in the UK. In line with the Act, the UK Gambling Commission regulates all commercial gambling in the UK. It is a non-departmental public body, funded by licence fees from gambling operators (Gambling Commission, 2021b). The aim of the Commission is to make gambling fairer and safer through licensing and regulating gambling operators and providing advice and guidance (Ibid.). The statutory duties of the Gambling Commission are to permit gambling, provided the following licensing objectives are adhered to:

1. Prevention of gambling from being a source of crime or disorder
2. Ensuring that gambling is conducted in a fair and open way
3. Protection of children and vulnerable people from being harmed by gambling.

Following a National Audit Office Report (2020), in which the Gambling Commission was criticised for shortcoming in their ability to protect people, the Commission's three-year strategy (2021c) outlines five strategic objectives which are:

1. Protecting children and vulnerable people from being harmed by gambling
2. A fairer market and more informed consumers
3. Keeping crime out of gambling
4. Optimise returns to good causes from The National Lottery
5. Improve gambling regulation.

Since the establishment of the Commission, there have been changes to gambling legislation including the introduction of a £2 stake limit for FOBTs at face-to-face venues (not online); new online verification rules, and mandatory membership of national exclusion scheme, GAMSTOP (Orme-Claye, 2020). However, the Gambling Act was more suited to a time prior to the emergence of online gambling and, due to technological and social developments, the Act has been under review and new changes are due to be published. The purpose of the review is to update the Gambling Act in a manner more compatible with current realities in the digital age (DCMS, 2020). The anticipated changes include online stake limits, tighter rules around VIP players (those who typically stake the highest amounts, frequently), and changes to advertising and sponsorship (Infolaw, 2021).

The current research will consider the lived experience of people who have committed crime as a result of gambling within the context described above. Findings will be further embedded into existing literature where appropriate.

## **3. Methodology**

### **3.1 Participants**

Twenty-two participants were recruited through a variety of channels. This included via social media platforms (Twitter, LinkedIn and Reddit) and via various organisations which support people in relation to gambling harm, or contact with the criminal justice system, or both.

Eighteen participants were people who had been directly impacted by crime and gambling harm. Seventeen participants identified as male, and one identified as female. The age range was 28–60 years, with an average age of 41.2 years. Sixteen participants identified as white British, one participant identified as Indian, and one participant identified as British Pakistani. Sixteen participants had committed theft/fraud offences but two had also committed drug-related offences. Eleven participants had spent time in prison for their gambling-related offences (up to a four-year sentence), one was awaiting sentencing, five had been given suspended prison sentences (suspended for between one and two years) and one person had not been convicted but had had contact with the police which was not taken further.

A further four participants were family members of people directly impacted. Of the four family members, two were married to other participants in the sample and two were the ex-wives of people who did not participate. All four family participants were female and identified as white British. The age range was 30–52 years, with an average age of 42.3 years.

Each participant was offered a £20 voucher for participation; some chose for this to be donated to charity.

### **3.2 Measures**

A semi-structured interview schedule was developed specifically for the purposes of the current research. The schedule was developed by the research in consultation with the Howard League, and following attendance at an evidence session for the Commission on Crime and Gambling Related Harms. The interview schedule included the following areas of questioning:

- Background and early gambling experiences;
- Escalation and commission of crime(s);
- Experiences of the criminal justice system;
- The impact and harm experienced as a result of crime and gambling with reference to mental and physical health, family and relationships, accommodation, finances, and employment;

- Support and/or treatment accessed;
- Perspectives on what needs to happen to better prevent and support people experiencing gambling and crime-related harm.

The interview schedule was piloted with one direct participant and one family participant. No questions were changed but the order of questioning was amended following piloting.

### **3.3 Procedure**

With the exception of one telephone interview, interviews were conducted online, using Microsoft Teams, and were recorded using the in-built recording facility. The telephone interview was recorded using a dictaphone. Interviews were subsequently transcribed verbatim. A total of 2,408 minutes of interview data was collected.

### **3.4 Analysis**

The principles of thematic analysis (Braun and Clarke, 2006) were utilised to analyse the data. The phases of analysis were data familiarisation (reading through the data several times), generation of initial codes (notes against the data about what was being shown), searching for themes arising from the codes, reviewing and refining of themes against the data, defining themes, and report write up. Analysis was aided by the use of a research diary and monthly discussions between the researcher and the Howard League.

Thematic analysis was selected for its flexibility and its ability to be applied to large data sets whilst being able to maintain and describe the data set in rich detail (Braun and Clarke, 2006). Thematic analysis was used as an essentialist method, reporting the experiences, meanings and the realities experienced by participants (ibid). A deductive approach was adopted, coding the data based on the overall research aims (ibid).

In addition to thematic analysis of the interviews, timelines were created for ten participants. One timeline is provided as an example within this report while the others are available as supplementary information. The timelines provide examples of individual narratives to further illustrate the key points arising from the data.

### **3.5 Ethical considerations**

The research was carried out in line with The British Psychological Society Code of Human Research Ethics (updated 2021) utilising the following principles: respect for autonomy, privacy and dignity of individuals, groups and communities; scientific integrity; social responsibility; and maximising benefit and minimising harm. The research was approved by the University of Lincoln Research Ethics and Governance Committee (Ethics application reference 2020–4016).

Prior to taking part in the research, each participant was provided with a detailed participant information sheet and asked to complete a consent form, indicating

informed consent. Participants were provided with the right to withdraw from the research before, during and up to two weeks following participation. Participants were fully briefed on the aims of the research and therefore deception was not present. Initially, pseudonyms were intended to be chosen by each participant. However, during the course of the interviews, some participants expressed a preference for their own name to be used, and some participants opted for the researcher to allocate a pseudonym. Within the main findings of this report, some names are given names, and some are pseudonyms. The interview recordings were stored and transferred securely and deleted following transcription. After the interview a debrief was sent to each participant. Both the information and debrief sheets contained sources of further support, including the National Problem Gambling Helpline, which provides confidential information, advice and support for anyone affected by gambling harms in England, Scotland and Wales.

Prior to interviews commencing, the questions were reviewed by two people with lived experience of the criminal justice system, one of whom also had experience of gambling addiction. This practice, in addition to the piloting of interviews, was designed to ensure that the questions being asked were appropriate, ethical and not inadvertently causing unnecessary distress to participants, whilst recognising that the questions asked were personal and related to a particularly sensitive topic.

During the interviews, where necessary, the researcher signposted participants to further support. This included the National Problem Gambling Helpline where a person wished to seek treatment, providers of support through lived experience, and through Unlock, a charity which provides advice and information for people with convictions in relation to employment and disclosures.

## 4. Main findings

Five main themes and 24 sub-themes were identified, and these are summarised in Table 1 below.

*Table 1: Summary of themes and sub-themes*

<b>Theme</b>	<b>Sub-themes</b>
1. Pathways into gambling and crime	Family background and experiences of gambling Complex link with mental health Escalation into large amounts of debt Access to finances
2. Criminal justice experiences	Police contact Legal teams Bail or release under investigation Pre-sentence reports Courts and the judiciary Prison Probation Proceeds of Crime Act
3. Impact of gambling and crime	Mental and physical health impact Impact on accommodation and finances Impact on family and relationships Impact on employment
4. Accessing support	Experiences of support The importance of lived experience Support for families
5. Awareness, regulation and advertising	Regulation of operators The role of banks Advertising Support for victims and employers

Each theme will now be discussed in more detail.

## Theme one: Pathways into gambling and crime

Each person’s experience of pathways into gambling and crime was varied. For some, gambling started in their teens, while for others, it started later in life. There were specific trigger points for some, but for others there was a gradual escalation over time. Though simplified, Figure 1 provides some example pathways which illustrate the diversity of experiences for people in relation to gambling and crime.

Figure 1: Example pathways into gambling and crime



Despite this, there were some themes in relation to family background and experiences of gambling, which included key transitions and peer influence, the influence of large wins, and the impact of online gambling. There were also themes pertaining to a complex link with mental health, the escalation into large amounts of debt, and access to money through employment. Each of these areas will be discussed in further detail.

### 1.1 Family background and experiences of gambling

There was very little evidence of adverse childhood experiences (ACEs) which contradicted previous literature (e.g., Roberts et al., 2017). There were two exceptions to this; one participant reported that his father was alcohol dependent and one participant reported that she often stole in order to help her mother buy food in childhood. The majority of participants reported a good upbringing without the presence of ACEs:

*I had a very good upbringing; really good childhood, I had lots of friends. I don't remember any real challenges with childhood or family life, or friend circles (Dan).*

*I had a very normal childhood, and a very normal family (Paul 1).*

However, more than half the sample reported the early normalisation of gambling behaviour from childhood or teens within the family unit. For example:

*... Since childhood really, I was always a casual gambler; someone who probably gambled for fun; if I went to the seaside, I would perhaps go to the arcade and have a gamble, as I gradually got older, I would occasionally put the odd accumulator on a Saturday, when the football was on, or when the Grand National was on (Steve).*

*I mean it's something that I remember from very young. My dad loved to have a bet. And he loved his horses. From a young age I remember myself, I've got a younger brother and an older brother, and pretty much spent our whole childhoods together; so, I remember instances where dad took us to Newcastle races, and also greyhound racing; and it was good fun. I'm a big football fan; so, I used to follow Newcastle (Stephen).*

A number of participants had reported lying about their age in order to access gambling venues or fruit machines when underaged:

*The first time I went gambling was probably to bingo, just to a bingo hall, I used to go with my mum and my nan. I think I was underage as well, I'm sure I had a bingo membership, I was 16 or 17; just lied about my age; so that's my first experience (Thomas).*

However, for others, gambling commenced later in life. This was often following periods of transition such as to college, to university or into new employment, and was accompanied by peer influence. For example:

*So, for the first 18 years of my life, I had no interest in gambling whatsoever. I'd been a keen sportsman, so I was a cricketer and a footballer, and very competitive since day one, but I've never been interested in gambling... Then I went to University in Leeds in October 1994. And I went and joined the football team, and there were 16 of us that were chosen for that football squad. I was going to University and the first time of independence, I had a student loan in my account for about £3,500, from memory, student grant as it was, you didn't have to pay it back... when I joined the football team, all they really spoke about at all the other lads was gambling; and this was despite gambling being difficult to do in those days; it lasted about four days, until Thursday of the next week, before I ended up being at this [operator], simply because if you didn't gamble you weren't going to be part of that football squad (Paul 1).*

Some, but not all, participants reported triggering events such as bereavement which may have had a contributing factor, but they were unable to say for definite:

*I went back to college at the age of 18, and a lot of my friends had already gone to uni at this point, and I was retaking a year, so I was sort of on my own, and then I remember September the 10th, 2010, my grandmother passed away, she was obviously in Pakistan, so my dad had to go back to Pakistan, at the same time my mum was undergoing treatment for a liver issue, I sort of had to become the man of the house. And for some reason, the very next day, I remember deciding that I was going to go into the bookies (Riaz).*

Some people were able to pinpoint an early large win as the start of gambling harms. For example, Paul described his first bet:

*... The horse I'd chosen was 33 to 1, it was a rank outsider and never finished a race, but then this horse started off at the back, did not look like it could run let alone jump a fence, and then the race developed and my horse wasn't even in the screen, but second to last my horse appeared from nowhere, it jumped over the second last really well, it seemed like it was running really well, it took the lead going over the last fence and it went and won by 12 lengths. And it's hard to explain sat here on a call like this now just the feeling that it gave me, and now I know it was a mass chemical release of dopamine, serotonin and endorphins that were going through your brain and giving you that kind of pleasure feeling and that euphoria; and at the time it just felt amazing, you've got all the teammates patting you on the back (Paul 1).*

However, this was not always the case, and for many, it was a much more gradual escalation which tended to happen through their late teens and twenties. While gambling activity may have initially continued as a way of chasing the buzz of winning, this often changed into chasing losses instead:

*Obviously at the end of the day you are always going to lose. I am good at maths, all that kind of stuff, I'm reasonably intelligent, but I felt the old gambler's fallacy – I've lost the last one, I'm going to win the next one and to start with, I was just betting small stakes, I might put a pound on or 50p on black or red; and if you get into a bad run, you can rack up the losses quite quickly; you are maybe having a bet every 20 seconds; it's instant; and I started chasing my losses (Andy).*

The range of gambling methods used was diverse. Participants accessed betting shops, casinos and bingo halls, and sports betting was particularly common. Many people utilised multiple methods of gambling, particularly further on in their experiences of addiction. However, the introduction of online gambling was a significant point in gambling changing from a social activity to an activity leading to harm for a number of participants:

*... Then I got into online games; and that really for me was the killer: playing roulette online, blackjack and stuff like that. Because it is just so quick, and you can lose a lot of money, very very quickly (Andy).*

The emergence of online gambling had made bets easier to place and provided real-time feedback on wins:

*I remember being out once, and there was a match on, and we were watching it in the pub, one of the lads said as it was approaching half time – there's going to be a goal, they're going to score soon. And he just checked his phone and said that it was 10/1 for a goal before half time; and I put it on and literally as I clicked 'Yes' to confirm the bet, I looked up at the game and there was a goal. And it was just like something completely different that I've experienced before: it was an instant win; other times you got to wait for the finish, you put a bet on the horse in the morning, you might not even see the race; but this is like I put it bet on, looked and it had won (Stephen).*

Online gambling had made addiction easier to hide, while being accessible constantly:

*But online is so easy, literally I could be doing it now whilst I was here talking to you, I could do with her [wife] sitting opposite me on the sofa, when she's putting my daughter to bed and she's falling asleep; it was just so accessible, so easy, is like an illusion the number in the top corner, your balance and when you're depositing money it's like it's not real, and it was worse than ever online; it was just so easy to do, and you can do it 24 hours a day seven days a week, that was the beauty of it I suppose (Tony).*

Multiple types of gambling in one venue had meant that for some they had initially been able to attend the venue, such as a bingo hall, without too much of an issue but then they had engaged in a secondary type of gambling, and this had caused problems. For example, the presence of fruit machines and one-armed bandits in other gambling venues had also been a turning point for some people. Lara used to attend bingo socially. However, there were one-armed bandits in the bingo hall which drew her in:

*The bandits never used to bother me, but then when you start, you get hooked on them. They were all over the bingo hall and there were always people on them, winning. Probably about 10 years ago I could walk past them, and they don't bother me, but now, I went to bingo once with my friend, and I had £500 on me, I play bingo, and I went on the bandits and got involved. Every penny I had went in the bandit; I even borrowed £20 off her till I got back (Lara).*

Jordan provided a similar example. He used to visit the casinos to play poker but had difficulties leaving because he would have to walk past the casino tables on the way out of the building:

*There was the walk of death after you played in the card room, where you can cash in by the downstairs desk, but you can't cash out, you have to go upstairs, walk past all the other roulette tables on blackjack tables, cash out, and then to get to the car park you have to walk back through all the roulette tables and blackjack tables, and it's a good minute or two minute walk through 10 or 15 tables, so I really struggled with that, I just couldn't walk past them (Jordan).*

The constant availability of fixed odds betting terminals (FOBTs) was also a feature for the development of gambling addiction for some participants:

*... It did go out of control. One of the main reasons for that was those fixed odds terminals in the betting shops, because it didn't matter what time of day it was on the weekend, or after work, there wasn't as many things to bet on back then, but those machines were always switched on, and you probably read about the amount of money you can lose in any one go; they definitely weren't helpful at the time (John).*

For others, the availability of gambling in other types of venues (where the primary function was not as a gambling operator) started or exacerbated the problems. For example:

*I was working away... we stayed in the hotel and I needed some change for the vending machine for a drink for the hotel room, and the guy behind the bar couldn't open the till before somebody had been served, so I ended up putting £5 into the fruit machine in the pub with no*

*intention of playing, I just wanted the change out of the machine, and before I knew it, I was there for the rest of the night (Dan).*

In summary, early experiences of gambling were diverse. Adverse childhood experiences were not common amongst the people who participated in the current research. Frequently, gambling normalisation from an early age was a feature. However, transitions, significant life events, peer influences and the impact of large, early wins were also important factors. In addition, online gambling, the accessibility of FOBTs, and multiple methods of gambling within gambling and non-gambling venues had also featured in the development of gambling addiction.

## **1.2 Complex link with mental health**

While gambling can have a significant detrimental impact on mental health, as will be discussed later in this report, existing mental health concerns, for some participants, had been a factor in the engagement with gambling activity and the development of a gambling addiction:

*I started to really notice my mental health started to deteriorate. . . I noticed a few things at work weren't quite right, and then I decided to move to what was my last employer; and quite quickly I noticed my mental health then, the role is now finance director, and the stresses and pressures were even more. I tried to deal with it, but in the end, my way of self-medicating my stress was to turn to gambling. I just thought it was a way of escaping what was going on in my life. I didn't really think I was doing anything wrong. It didn't start out how it ended, it started out that I was just going to have a little bit of a game, a bit of fun, it turned out anything apart from that (Steve).*

Steve had gone on to try to ask for some support in relation to mental health from his employer, but this was met with a lack of understanding and no offer of support. Mental health was also a factor for Nick:

*I had a really bad experience in the military and got myself out within two years. During those two years though, my gambling exacerbated, I look back now, gambling has been like escapism, gambling has definitely been escapism from real life for me. I didn't deal with the trauma that came with the military; I buried my head in the sand (Nick).*

For Nick, accessing support for trauma was subsequently a key part of his recovery. For some participants, drug and alcohol use featured alongside gambling addiction. For some, this was recreational, but for others there was evidence of alcohol or drug dependency. However, it is important to note that the presence of dual addictions was not the case for the majority of participants.

Boredom and isolation had also been critical factors in the development of gambling addiction for some people. The relationship between isolation and gambling was complex in that gambling addiction led to isolating behaviours, but isolation further increased gambling:

*I was becoming more isolated I would actually do less betting with my friend, that liked to bet as well; so, by the age of 17 or 18 I was very gripped with it. So, there was a big shift in going from that enjoyment side of things every Saturday with friends, to isolating myself and having a big routine in my life every day (Dan).*

*It was purely down to boredom I think (John).*

The role of mental health in relation to the development of gambling addiction was complex. There was evidence that for some, gambling provided an escape from other life stressors. Boredom and isolation also factored in the development of gambling addiction.

### **1.3 Escalation into large amounts of debt**

Prior to the commission of an offence, most participants had amassed large amounts of debt as a result of gambling. It was these debts that seemed to be a significant driver of the commission of a financial offence of theft or fraud within the workplace for a majority of the sample:

*So, it's probably two to three years where I was just using credit or loans, it's difficult, you always say you were going to try and win the money to pay off all your debts, but even when I won, I didn't pay the debts off, I gambled it. I was in such dire straits financially, my job meant that I had access to funds, and one day I substituted my bank details for works details and stole money for the first time (Stephen).*

*I did have 16 credit cards and loans, with £180,000 credit limit. And I kept filling them up and paying it off, until eventually it got to a day in 2006 where I had no money left, and no credit left; and it was at that point that I realised that I've been given every security access going by [employer] and I transferred £3000 from [employer]'s holding account into my account (Paul 1).*

This is indicative of the link between the commission of crime and gambling being instrumental for the specific purpose of paying debts and/or funding further gambling. For some people the commission of an offence, at the time, seemed like a better alternative to their family finding out about debt and gambling addiction:

*I just kept needing money to gamble. Me and my wife had some savings, and I can remember thinking I can't use my savings because my wife will find out, and that means I'll have to stop gambling. So, I've never been in trouble before in my life, even at school I was relatively well behaved, never in detention or anything, just enjoy playing sports, and that was it, never been in trouble with the police, and yet here I was stealing money from my employer (Steve).*

For two participants, this debt had led to borrowing from illegal lenders ('loan sharks'). The threat of needing to pay the lenders back in order to avoid violence or to stop others from finding out had led to the commission of offence(s):

*I needed to get £5,400 to these guys, by the end of the day. Or else they threatened me – We know where you live, we will beat you up. I knew they engage in quite a few illegal activities,*

*it wasn't just loan sharks, like drugs and whatever else they were involved in. But they wanted their money back. I knew I couldn't afford to mess around with those guys, so I stole £5,400 to repay this (Riaz).*

#### **1.4 Access to finances**

Some participants reported that they had stolen from friends or family members in order to fund their gambling addiction. However, the majority had stolen from their employers. They had worked in positions of responsibility, such as accountancy, rental accommodation management, financial advice services, and sales. Their roles had meant they had access to funds. Typically, money had been stolen on multiple occasions over a long period of time. For example:

*Then after two years, when I stole the first sum of money, and then I did that for a period of four years (Stephen).*

*So, May 2015 up until November 2018, it's about three and a half years (Thomas).*

*So that was in 2014, when I first did it, and basically from 2014 to when I ultimately got caught in January 2018, so three and a half years, it wasn't every week, or daily or anything like that, it would be every few months, then there would be periods where I would take money every week, then leave it (Paul 2).*

Most people who had stolen from or defrauded their employers had done so with increasing amounts over time, with amounts increasing when they did not get caught:

*I started off stealing £700, and then gradually that value started increasing every time; and I think the average I stole what we worked out, £25,000 was the average, and in the end, I ended up stealing what was the total of £1.1 million over three years (Steve).*

They then often reported having no definitive knowledge about how much they had taken in total:

*A long time and a lot of money, I did £499,700; and I had no idea it was that much, the accounts were a mess. I remember being at the police station, and they said do you know how much it is, I genuinely had no idea. I was shocked when they said that much (Andy).*

*When I came to my rock bottom, I thought I had about £80,000 from [employer] accounts, and it was £434,000; one of those was £104,000. I had no recollection of transferring that money across from their account to my account...you talk about losing the value of money and you talk about losing the sense of reality, what better example (Paul 1).*

Access to finances in the workplace, alongside high levels of debt had been significant precipitating factors in the commission of offences for a majority of participants. Often this took place over several months or years, with the amounts taken increasing over time.

## Theme two: Criminal justice experiences

Each participant described their journey through the criminal justice system. Their experiences will be discussed with reference to each specific stage of the criminal justice system, starting with police contact, through bail or investigation, experiences with legal teams, the judiciary, pre-sentence reports, prison and probation. As part of the criminal justice journey, Proceeds of Crime Act (POCA) outcomes will also be discussed. Participants expressed a general feeling was that every stage of the justice system required improvement in relation to support for people experiencing gambling harms. As expressed by one participant:

*It's not just me, it's a lot of people, we believe that the whole system is broken from the very start at point of arrest right through to release from prison; and everywhere in between. I think there's so much work to be done on it (Paul 1).*

### 2.1 Police contact

For some participants, their first contact with the police was due to significant safeguarding concerns relating to suicide attempts:

*Unbeknown to me, two big detectives came blue lighting through Preston, screeched up outside the branch and came running up the stairs, broke into my office even though it wasn't locked, and one of them just sat with me, other one just said don't worry we've got him. He's safe. They obviously thought I was going to do something to myself again, like I had on the day before, but sure enough I did get arrested (Paul 1).*

*The police were out and there were helicopters looking for me; just for my own safety the police took me to the mental health hospital for assessment (Nick).*

However, for a majority of participants, the first contact was at the point of arrest. For many, this was after they had handed themselves in at the police station. For example, a number of participants had attended voluntarily, because they could not continue living with the uncertainty of wondering if the police were going to come to their house and arrest them.

*He handed himself over to the police because he just couldn't live with the – what if? (Emma).*

Many participants either owned up to their employer about what they had done or handed themselves in to the police, or both, because they felt things were so out of control. They felt unable to continue with the pressure of their current situation. For some, this resulted from having spoken to others, but this was not always the case, and engagement with the police was often the first time they had spoken about the extent of gambling harms and their offences, as John described:

*I didn't speak to him [employer and friend], because my thought process was that if I spoke to him, we'd find a way to sort it, and it would just continue on. It may not be there and then, it may not be a year's time, I felt I'd go back to it, so I needed that wakeup call personally. I hadn't spoken to anyone like family or friends, just went and handed myself in (John).*

Upon arriving at the station to hand themselves in, some participants reported a feeling that the police did not really know what to do and did not understand the gravity of the situation. As a result, they sometimes tried to send the person away again, as Stephen described:

*I just plonked myself in reception and said – I need to report a crime. It's my own crime. And at the start they didn't really know what to do, but eventually I said that I wasn't leaving because reception said – Are you sure about this? Do you want to take time and come back? I just said – No (Stephen).*

For some participants, the lack of understanding had also led to some instances of poor attitudes displayed and / or inappropriate suggestions made by police:

*When I went in, it was like he's nicked half a million from [bank], it was almost a bit of a – 'Well done mate, how did you manage to do that?' Kind of attitude (Paul 1).*

*They said – Why don't you get some work bookkeeping? After everything I've just explained to you, I don't think going back into the industry... I don't think that's going to help with what I need to do. I need to focus on me and my recovery (Steve).*

Despite this, getting caught by the police or handing themselves in provided a sense of relief for most participants and was viewed as a positive factor in their recovery:

*When I got caught it was kind of a massive relief. I got to the point where I was gambling for the sake of it ... it became a chore; it wasn't a thrill. It was like – thank God, it was a relief (Andy).*

*One of the overbearing emotions I had was relief. Because it was like I didn't have to carry it around with me anymore, it's not weighing down every aspect of my life (Paul 2).*

A majority of participants reported that they had been completely open during their police interviews. The experience of telling the police what had happened in relation to their offences provided a further sense of relief and was even described as cathartic:

*Really weird thing for me was that I found it so cathartic to actually have that interview because for the first time in 10 years, you are getting rid of this dirty little secret, you are getting rid of keeping everything bottled up (Paul 1).*

Participants reported that, on the whole, the police were not unsympathetic to their experiences and some officers expressed that they could see that what had happened had been the result of a gambling addiction and that this was a mental health issue that required support. For some, this understanding led to specific decisions being made which supported the person's recovery. For example, Tony was able to attend his rehab placement prior to attending the police station. The officers allocated to Riaz's case made the decision not to tell his current employers (who were not the victim of the offence) about his arrest because they considered that he was not a current risk, having moved towards his recovery prior to their involvement. This allowed him to continue addressing

outstanding debts and improving his mental health prior to his court hearing. However, these appeared to be specific isolated instances. Only one participant reported that they had been provided with a mental health assessment during their time in the police station. Overall, there was a reported lack of practical support and signposting for people in relation to gambling harms and it was felt that this was really needed:

*There was no help. Gambling never got spoken about really, apart from to say where the money went, addiction was never talked about (Jordan).*

*The police should have gone from the start – this guy is a real disordered gambler, and we need to get him the correct kind of support before he spills his story (Stephen).*

More specifically, there was no screening for gambling addiction at the police station. This was contrasted to screening for drug and alcohol addiction in police stations. Participants highlighted the significance of the police often being the first contact with services and therefore being in a position to identify needs and refer people into support:

*He wasn't screened when he went to the police for his interview. They screened him for drugs and alcohol and asked him if he had a drug and alcohol addiction, he said 'no'; he said, 'but I do have a gambling addiction', and he said that the police officer just made a note of it, didn't know what to do with it; whereas if he said that he had a drugs problem, they would put him in touch with someone who made sure, and made sure he was of the right state to give an interview; but none of that happened within the gambling; so that's probably another area that needs for that level of support from an early intervention because the majority of people that have committed a crime... that's going to be their first port of call really isn't it; the first port of call that they confess into; they are seeing the sheer extent of it all, they could have given him guidance but didn't (Emma).*

The discussion above highlights the vulnerability of many who have experienced gambling harms upon their first contact with the police. Opening up to the police about the offences may be the first time an individual had ever done so. The police, while not unsympathetic, often lacked understanding and there was no systematic screening or support offer which was much needed. The College of Policing *Authorised Professional Practice Guidelines* (2013) state that when charges are considered for drug and alcohol offences, there are options for rehabilitative approaches to be taken. They further state that the police can liaise with local health and social care services to divert a person detained who has alcohol or drug dependency needs into treatment, or to offer support, taking into consideration their psychological or psychiatric needs. However, there is no mention of gambling addiction. There are also specific *Authorised Professional Practice Guidelines* relating to mental health (College of Policing, 2016) which state that officers should receive training in recognising mental health issues and should consult with local health services to ensure coordinated action. Furthermore, the guidelines state that police forces should identify multi-agency services to facilitate appropriate signposting and referrals. A pilot between GamCare, Beacon Counselling Trust, Mitie Care in Custody and Cheshire Constabulary found that 13 per cent of all arrestees were at some risk of problem gambling (Platt et al, n.d.). The pilot further highlighted a lack of awareness

and screening relating to gambling harms across the criminal justice system which subsequently impacted on the ability to offer appropriately tailored gambling treatment services within criminal justice contexts. The practice of screening people for gambling harms is also supported by the recommendations from the Bradley report (2009) which recommended better support to people experiencing mental health issues during their contact with the criminal justice system. However, this does not seem to have been the experience of participants within the current research. Since 2014, NHS England have introduced Criminal Justice Liaison and Diversion (L&D) services into custody suites. L&D services identify people who have mental health, substance misuse or other vulnerabilities when they first come into the criminal justice system (NHS England, n.d.). While some areas were without L&D services until 2020, many areas, including some of the areas in which participants were interviewed have had services available for several years. Despite this availability, participants did not appear to have had contact with them. Not every person entering a custody suite will be seen by L&D practitioners and this requires identification of vulnerability by either the police or the L&D team. Such services would provide an opportunity for signposting and access to support if utilised, in situations where gambling harms are present.

## **2.2 Legal teams**

Overall, participants in the current research reported a lack of specific understanding in relation to gambling harms amongst solicitors and barristers:

*I don't feel the lawyers had any clue what gambling disorder is; they didn't understand it and they couldn't grasp it really. They were gobsmacked by the amounts of involved – How have you managed to do this? (Dan).*

*There was a number of questions as to where has all the money gone, and not understanding it (John).*

Very few participants reported that they had been able to find solicitors with any specialist knowledge of gambling addiction. This was with the exception of one participant who was recommended a solicitor with knowledge of gambling harms (experienced by a close family member of the solicitor). While some solicitors had advised their clients to be honest and open during police interview, many participants had been advised to reply 'no comment' throughout. However, this created an uncomfortable dissonance with the fact that many people were relieved or had handed themselves in and therefore wanted to tell the police everything. For example:

*She [solicitor] said 'I don't know what information they've got so I would advise you answer the minimal, don't be ignorant or anything, don't say anything too much'. It was very difficult, because I knew all the answers to the questions, but obviously I couldn't say anything. There were parts where I wanted to answer, started to answer, but then I had to jump back into my shell, so I felt like a bit of an idiot at that point (Rob).*

*I went no comment, no comment. And I felt terrible doing that. I felt absolutely that I'd let this copper down (Tony).*

There was a very real risk that this approach could be detrimental to a person's mental health and recovery, as described by Steve and Paul (1):

*I had spoken to a solicitor at that time who advised me against speaking... But for me, as part of my recovery, I just wanted to tell the truth, I was fed up of all the lies and all the deceit, and I just wanted to say what had actually happened (Steve).*

*He just said – Don't say anything, just say no comment. And I said what is the point of saying no comment. He said – That's what we do, we just say no comment. And I thought – No, what's the point? I've handed myself in, I might as well just be open and honest from the start (Paul 1).*

Alongside this, participants reported not being signposted to support by solicitors and it was felt that this was needed:

*The duty solicitor that I had around the time, again nothing around support, it was more around minimising risk; – So how can we reduce the potential sentence? (Steve).*

*Solicitors should be saying are you part of any support groups, do you need referring somewhere? (Tony).*

In addition, a number of participants reported a lack of support in gaining information and evidence pertaining to mitigating circumstances for court. This was instead driven by the person who had experienced the gambling harms and / or their family members. In some circumstances, such mitigation was also not portrayed in court. For example,

*I felt like I gave them a lot of evidence that I had done to turn my life around, because I had done loads of stuff but I feel that none of that was really put across properly in mitigation... it just seems like I provided all the evidence, I did all the legwork, and I probably could have stood up and put across my mitigation better than what they did on the day (Thomas).*

This was further echoed by Emma who described the added stress that this caused:

*I feel like he was let down on the day by his legal team because of their lack of understanding; and when the judge said he thinks it was for personal gain, he [barrister] wasn't very strong in fighting for him, you know, he's been clinically diagnosed as having a severe gambling disorder, this wasn't for personal gain... It's a lot of stress when you were already going through a lot of stress to have that extra burden because of the lack of knowledge from the legal team (Emma).*

A further example of the lack of understanding and support by legal teams was highlighted by Rob. He described how his solicitor told him that the police were looking at an amount of £550,000 but he knew this was inaccurate and the amount was much less. He worked with a family friend to go through his bank accounts to ascertain that the amount was around £220,000 instead, which would have significant implications for sentencing and this was accepted in court. However, all of this was done by Rob without the specific support of his legal team.

While there were isolated instances of increased understanding, there was widespread reporting of a lack of knowledge and understanding in relation to representing clients who have experienced gambling harms. This was viewed as a missed opportunity for signposting and support and for some, impacted on the mitigations identified and portrayed in court, as well as adding to an already immensely stressful situation for people directly impacted, and their families.

### **2.3 Experiences of bail or release under investigation**

Experiences between initial contact with the police and attending court, whether on bail or released under investigation (RUI), were mixed. The time spent on bail or RUI was usually lengthy, from approximately six months to three years. During this time, some people were able to work towards recovery, accessing support for gambling harms. For example:

*In hindsight, it was really helpful because it allowed me to deal with my gambling, allowed me to get appropriate support from organisations such as the NHS and Break Even and really deal with the problem and the issue before I went into custody. I didn't know at the time, and that's why I say in hindsight, I didn't know when I got into custody how little there would be in terms of support, so I'm grateful that I had that year (Steve).*

*It sort of went quiet for a long time, and I started to go into recovery, and at this point I was going into GA, I was getting therapy, psychodynamic therapy for a 12-week period, then I had some CBT; then I had some additional treatment, some group work, so I was really at a point now where I just didn't want to gamble anymore (Dan).*

Despite this, for some, as Dan went on to describe, the lack of information during that time meant exacerbated feelings of liminality:

*It was a long drawn-out process... there was never that feeling of being informed and told what was going on. I never had a phone call, not that I'm saying I should have done, I never had a phone call saying that they appreciated it was difficult, but I'm not going to be able to get this sorted for another couple of months, and then another couple of months. I haven't managed to do this it will be another few months. I was just left hanging by a thread really (Dan).*

For some participants, the time between initial contact and court hearing was even more difficult because of the liminality compounded by the challenges of moving towards recovery:

*I had six months on bail which was just horrendous... The hardest thing of all that on bail... was trying to get over the gambling addiction. I remember the court appearances and everything else, but I was trying to learn now hard to live again. I was now trying to learn how to communicate again, how to communicate with your kids and wife; see you are trying to learn how to think properly again after having such a mental health disorder for best part of a decade (Paul 1).*

In addition, many participants felt they could not progress as quickly in their recovery due to the uncertainty around sentencing and the fact that prison was within the sentencing guidelines for their offences. This also impacted family members:

*I was fearful, I built my relationship back up with my wife, my kids, I have been in recovery and was doing voluntary work, I was trying to look for a job, I was waiting for my sentence before I committed to anything... just trying to keep myself busy, and life was beginning to reshape again, and then I was faced with this sentencing (Tony).*

*We started to build a new routine again obviously, I started to go to work, baby had been born and all that sort of stuff. So, we were under this horrible cloud, but we had to keep moving basically (Rob).*

Raul described how this impacted his mental health further and became a barrier for accessing treatment for gambling harms:

*Mentally, I feel drained about all this, I don't think I have the mental energy to build a new life elsewhere. So, it is very much a state a punishment from the get-go... so every phone call, if somebody calls me on my phone and it's a withheld number, I will answer it, because I'm scared of it being the police or somebody I don't want to talk to. Every knock at the door – Is that them? So it's been horrible, but I live with it because I see that as part of the punishment... that's a kind of ironic thing, it's very much that my life is at a crossroads depending on how this thing goes, kind of dictates, what way my life goes; which is quite scary... I believe one of the latest things is a NHS gambling clinic, and I've heard of this Gordon Moody place; so there are things that can provide help, and it's something that I would like to do, but it's just getting over this hurdle of what happens with this (Raul).*

Finally, Jordan's experience highlighted specific challenges between being charged and attending court. Initially, between first contact with the police and being charged, he was able to make progress in his recovery. He initially declined new relationships, but after a period of time did enter a new relationship and his gambling was much lower than it had been prior to contact with the police. However, having spent a year RUI, he received a letter stating he would be charged which had a significant negative impact:

*It was a shock, even though I was expecting it, maybe I wasn't at that point... it was a year and a half, and I hadn't heard anything, and I was thinking maybe they have forgotten about me here, but when I got it was a shock, my heart sank, I just became a complete mess; I went into a massive spiral of gambling for what was a year or so (Jordan).*

All participants had spent lengthy periods of time either on bail, or RUI. For some, they had been able to utilise this time to work on their recovery and access the support they needed. However, even when this was the case, the liminality and lack of information and communication during the period was challenging. In addition, for a number of participants the uncertainty had a significant negative impact on their recovery and their family.

## **2.4 Pre-sentence reports**

A pre-sentence report (PSR) is an expert assessment, usually undertaken by the probation service of the nature and causes of a person’s offending behaviour, the risks they pose and to whom, and an independent recommendation about the sentencing options available to the court (Ministry of Justice, 2021). PSRs should provide the court with a greater understanding of the background and context of offending behaviour (ibid). As part of the report writing process, the probation officer conducts an interview with the person. For participants, experiences of the PSR process were mixed but on the whole experiences had been negative. For example, it was noted that there often appeared to be little understanding about gambling addiction and little focus within PSRs about gambling harms. Linked to this, there was no available literature about gambling addiction within probation venues:

*So, when I went to my pre-sentence report, that was the first time I notice the notice board in the waiting area, and there was flyers and awareness galore, drugs and alcohol, domestic violence, everything except gambling. There was nothing at all on the notice board. I went for my assessment, and again I was honest... but it was quite a sterile environment, and it was very much – you talk, and I’ll write... It’s about understanding the individual, and what does an individual who is suffering from gambling, what emotions are they going through but there was none of that really (Steve).*

*It would be wrong for me to say there was no discussion of gambling, I don’t remember if it was specifically mentioned, but it certainly wasn’t a focus point of the pre-sentence report at all (Jordan).*

Pre-sentence report interviews can provide an additional opportunity for people to be offered support. However, this was not reported to be the case for the majority of participants. They reflected that this could be linked to the lack of time available to facilitate an understanding and offer signposting and support:

*The probation officer that I saw ... she was aware of it, but she didn’t really talk to me about it, no. They haven’t got the time really, you go in and you have a meeting, they do the business that they need to do, and somebody else is waiting to go in... she talked about a little bit like we’ve done how it all started, talked me through what are my home life and family life, employment and all that kind of stuff, but there was no – We need to get you some help for gambling situation, no none at all (Andy).*

It is important to highlight that this was not always the case. Some participants felt that the understanding and communication from probation was a crucial part of supporting the judiciary to understand gambling addiction:

*I think until people really understand what is going on behind the scenes with gambling, and I think probation have a big part in that because I think ... certainly in the Crown Court, the judges generally take the probation report as a big factor in sentencing, because they’re the ones that have got to know the individual; and I think that’s really important for probation to understand gambling addiction in all its forms really; and I feel my probation officer did that (Dan).*

In addition, understanding about gambling harms within the broader context for each individual was viewed as important. Where this was displayed by probation staff completing PSRs, it was viewed positively by the person but also seemed to impact on the outcomes and recommendations within the PSR. For example:

*When I had my pre-sentence report call, the lady on the phone was amazing, she completely understood the fact that gambling was forbidden in Islam, she understood that in a family dynamic. My barrister said on the day that it was one of the most positive pre-sentence reports that he'd ever read (Riaz).*

However, there were examples of the recommendations from PSRs in relation to both sentencing and treatment being disregarded. For example, one participant reported that probation had liaised with a therapist who offered a 12-week programme to support the person to work towards their recovery. The therapist reported that he would accept the person onto the programme. As a result, the probation officer recommended a non-custodial sentence and detailed that there was a treatment provider waiting. However, the judge passed a custodial sentence which provided no opportunities for gambling-specific support and treatment:

*Obviously, I'm biased because I didn't want to go to prison but it felt more rehabilitative. . . I think I'm bitter about being left to rot for 10 months when I could have been having therapy, me giving back community service whether it was 200 hours or 300 hours, and me actively doing something to help my recovery (Paul 2).*

Some participants had additional forensic psychiatric reports done, alongside their PSRs. The reports were often obtained and paid for by the individual and could be costly. It did not appear to be standard practice for solicitors, probation officers or judges to request or recommend a psychiatric report. When they were done, they were largely reported to have been a positive factor, impacting on sentence nature and length:

*He did a four hour [assessment] from birth to the current point psychiatry analysis . . . It's a pretty in-depth report and I'm sure I've got it somewhere. But it really broke down about why I had gambled, when I became pathological, this is a mental health disorder, don't send him to prison, it's going to harm him. If you don't send him to prison, we can get him on a rehabilitation thing. It was quite a long report. It was probably the best thing that I did because that went to the pre-sentence report in the first place, and then that got sent through to the judge. . . it probably reduced my sentence by a third . . . it was probably the best thing I did. It also helped me understand it a bit more as well. It wasn't just a court thing (Paul 1).*

However, it was further highlighted that the psychiatric report writers needed to have some expertise in gambling harms:

*He [solicitor] said that he got me a psychiatrist, and I said, 'Is he a specialist in gambling, cognitive behaviour and gambling disorder?' and he said 'No, specialist with murderers and rapists.' I said, 'I need a specialist in gambling.' And I remember the words the solicitor said – He'll be a specialist when he's spoken to you. And honestly, I could have punched the fella. My life is in a mess here, I said I would pay for it myself. My parents will pay for it. . . eventually they*

*got somebody at the Priory Clinic (Matt).*

The PSR process can provide a further opportunity for people to be offered support in relation to gambling harms. However, this requires understanding amongst probation staff about gambling addiction and the time and resources to facilitate understanding and supportive discussions, and to inform subsequent report writing. The PSR process also provides an opportunity to increase understanding amongst the judiciary. Psychiatric reports provide further information upon which to base judgements.

## **2.5 Courts and the judiciary**

Most of the people who took part in the current research had been sentenced at Crown Court due to the severity of the offences; for most this was linked to the amount of money taken. Overall, participants reported a lack of understanding and empathy amongst Crown Court judges. For example, there was a perceived lack of understanding about gambling addiction as a mental health issue and the severity of this:

*In the summing up ... he described me as having mild mental health problems ... just because I managed to hold down a job, and the family and stuff, and looked relatively presentable, doesn't mean that I wasn't suffering from something more than mild mental health. I ended up stealing a large amount of money having never committed a crime in my life, so there is obviously something more to it (Paul 2).*

*I openly said to the judge, my solicitor, that – I didn't wake up wanting to be a gambler. I didn't wake up wanting to cause this harm and pain to myself and other people; but something was bigger than me and took control of me, and I just couldn't get out. ... That's my feeling, they won't look at the actions or the person behind the actions, they will just look at the sheet. Whereas drugs and alcohol has been so prominent in crime, there is a lot more sort of understanding behind that, from the criminal justice system (Dan).*

On occasion, this was also coupled with a lack of representation from barristers about the broader context and the nature of gambling harms:

*I met my barrister ten minutes before, he didn't ask me for any back story, he already spoken to the judge about sentencing, he didn't say to me is there anything you want me to tell the judge to take into account (Andy).*

There were reported discrepancies between sentencing which may also be linked to a decreased awareness and understanding by some judges. For example:

*... In comparison [husband's] sentence was quite harsh for what other historical cases have had. A recent case, he took £100,000 less, and he got 27 months. So, for an extra £100,000 [husband] got a year longer than what he did, and yet the person that [husband] was in the cell with took a £100,000 less, and then it got a month less than what this person got. There's not a lot of consistency within the criminal justice system as to how they sentence. ... I think it almost needs its own little area of law, where crime and gambling are recognised, rather than just fraud, because it's – you're a fraudster and that's it. Not – you've committed fraud because you have a mental health illness (Emma).*

In many of the cases of the people who participated in the current research there was no indication of gambling harms as a mitigating factor in sentencing, but it was very much felt that it should be seen as a mitigating factor:

*I would strongly argue with the person on the other side of the argument and ask them why gambling addiction should not be a mitigating circumstance, because it should be. Because with addiction, you have no control. The addiction controls you; you don't control it. As I said before, good people make bad decisions to fund the gambling, and it should be mitigating circumstances. And for people who are not thinking like that, they need to educate themselves; they need to learn and understand (Nick).*

However, where gambling harms were viewed as a mitigating factor, evidence to support the mitigation and to support understanding was particularly important. For example:

*The judge was very understanding. He said he had read the notes last night, and 'I was sure this is going to be a custodial sentence, but I've read your reference letters, and letters from others; I had got a reference from my new employer, my managers who had employed me at two of my previous jobs, a reference from two of the organisations that I have worked with, I got a letter from my GP, my physio, the national problem gambling clinic, my other councillor from the NHS. All of this information, he just said that he now understands the extent of the gambling addiction (Riaz).*

Riaz did not receive a custodial sentence. This was not the only example in which a judge's increased understanding of gambling harms had resulted in a non-custodial sentence. For example, the judge in Tony's case described gambling harms as "an insidious illness" before handing down a non-custodial sentence, despite there being large amounts of money involved.

In many cases involving the people who participated in the current research, there was a lack of understanding and awareness shown amongst the judiciary. This meant that, for the most part, gambling harms were not viewed as a mitigating factor. However, where they were viewed as mitigating, and with evidence to support understanding, this was indicated to impact positively on sentencing outcomes.

## **2.6 Prison**

Bierie and Mann (2017) described prisons as 'The quintessential government institution, with almost complete control over the lives of people compelled to spend time in them.' (p 478). They argue that, depending on how they are run, and what opportunities they provide, prisons have huge potential to change the life course of large numbers of people, either for better or for worse. Furthermore, Baybutt, et al., (2014) argue that prison is sometimes the only opportunity for an ordered approach to assessing and addressing the health needs of prisoners. Following this, it is therefore deduced that prisons provide opportunities for people to be assessed and supported in relation to gambling harms.

However, there was pervasive feedback from participants that this was not the case. From the outset there was no systematic assessment or screening of people during their early days in custody for gambling harms:

*When you first get there, your initial, all the paperwork and assessments and things and the medical stuff, I was asked if I do drugs or if I had an alcohol problem. I answered no to both; and that was it. There was absolutely nothing for gambling. So, for the 12 weeks that I was in Leeds, I never mentioned gambling once to anybody, other than fellow inmates when they talked about what are you in for and stuff; so not once with a member of staff did I talk about gambling (Stephen).*

This continued into a person's sentence planning:

*... They had a whole tick list of reasons for offence, threats; and on the reasons for offence, it was all sorts from mental health to drugs, to alcohol; to a whole list of them, but gambling wasn't even one of the tick boxes on that; he had to write it as 'other' underneath (Paul 1).*

Following on from this, none of the participants reported specific support for gambling harms in prison. Even when they asked staff about the availability of support, they were told that gambling was not an issue and there was nothing available to them:

*I said, 'do you do anything gambling related?' 'No, we don't touch on that.' 'Why not?' 'Errr.' That was it, there is no awareness and no support (Steve).*

This meant they were limited in their opportunities for rehabilitation:

*If you're going to receive a full custodial sentence, then you've got to get the best chance for rehabilitation. So, if you're going to be sentenced for this, then you should expect the same help as anybody else – Why did you commit a crime? What was it for? We've got to help you, so you don't get into that position. It's just non-existent (Stephen).*

The underlying reason for this was thought to be driven by a lack of awareness about the scale of gambling addiction amongst people in prison:

*People maybe just don't see it as a real addiction compared to drugs and alcohol. They definitely don't realise how many people are in for gambling. There might be people in for theft or fraud, but it's not reported as 'theft because of gambling' or 'fraud because of gambling', it's just a theft conviction; so just understanding it (Thomas).*

In addition, staff did not have the knowledge about where to signpost people to access support, even when they had wanted to help and had asked for advice from other people in prison:

*She [staff member] said they had a couple of individuals that have come into the prison, but they've still got an issue [with gambling], and 'who did you speak to?' And she was asking me the questions. so, I was then telling them about BreakEven, GamCare (Steve).*

As a result of the lack of gambling-specific support, some participants ended up attending drug and alcohol programmes or support instead. However, this was problematic, as Thomas described:

*I ended up going to AA meetings, just to have some sort of support group; but that feels a bit weird because everybody is talking about their alcohol problems, and drugs as well ... and then I was the one talking to them about gambling; and it feels like weird because it feels like they're sitting there thinking it's not a real problem, you are kind of there thinking that they don't really care what you are saying, they don't really relate to it (Thomas).*

The lack of support appeared to be further exacerbated by the fact that typically people in prison for gambling-related offences, stayed out of trouble and were perceived to be low risk:

*... The way I understood it, I wasn't a problem whilst I was in there, in terms of I wasn't disruptive or anything, so we won't apply our time or resources into him (John).*

Some participants had tried to work with staff to set up some support groups while they were in custody. For example, Paul (1) worked in the library and whilst he was there, many prisoners spoke to him about their own addictions. As a result, he asked the Governor if he could set up a group. The Governor had been resistant to this, saying no one would come because there was no gambling problem in the prison. The group was initially not well attended, and it was discovered that this was due to prisoners being fearful of being transferred to another [prison] if they admitted to gambling in prison. Once the Governor had issued a statement to say they could attend without negative consequences, 93 people attended over a four-month period.

Gambling for financial gain is prohibited in prisons in England and Wales, according to *Prison Service Instruction 01/2012 'Manage Prisoners Finance'* (HMPPS, 2020). The *Instruction* states that prisoners are not permitted to take part in gambling, sweepstakes and other games of chance played for potential financial gain, and they cannot utilise prisoner finance accounts to make gambling-related payments (HMPPS, 2020). There is no known restriction on gambling for other (non-financial) gain, although individual prisons may operate local restrictions. Despite the existence of the *Prison Service Instruction*, in addition to the lack of awareness, assessment, support and treatment availability in prisons, there was pervasive evidence of gambling as a significant part of prison sub-culture. This included a range of activities such as bingo, betting on the Grand National, FIFA and betting on menial acts. In many circumstances, staff were aware of the activities, and in some circumstances, facilitated the behaviour. The range of quotes below exemplify the depth and scale of gambling within prisons and how it perpetuates existing addiction:

*I can remember it being Grand National weekend, and one of the senior members of staff was going around the wings doing a sweep stake for the Grand National. (Steve).*

*... Gambling was absolutely rife from pool tables cards to FIFA; all the different things that you can gamble on... I worked on the gardens, for a bit, and almost everybody that worked*

*on those gardens had a gambling problem, there was about ten lads who were on it, and they're all just saying – It's terrible this. They were gambling on which cow, there was a farm, they were betting on which cow was going to sit down next; literally betting part of their weekly shopping budget on which cow would sit down next (Paul 1).*

*We used to have a game of bingo on a Saturday and a Sunday in prison, it was something to look forward to, I used to love it... it didn't cost you nothing, they funded it, but I used to look forward to it. Get my little fix in prison! (Lara).*

*Our wing had an organised gambling committee. Every Saturday, this one guy produced a football accumulator... it was about 15 of the guys on the wing used to put a pound in... the officers knew about it, the officers even photocopied the paperwork every week (Rob).*

To add to this, when people opted out of engaging in gambling activities, this was frowned upon and on occasion, met with aggressive behaviour:

*... They are going around doing a sweepstake giving everybody two horses out of a hat and charging £2.00, and I said I didn't wanna do it, but that was messing up the numbers because it would mean that two horses were left in the hat; so, there were a couple of people that reacted quite aggressively; almost threatening (Thomas).*

Gambling sub-culture also contributed to debts which could subsequently increase violence and bullying further. This was perceived to be further exacerbated by bullying and debt investigations that did not uncover the underlying issues which may include gambling:

*Gambling creates its own problems in that if you don't pay your debts: if you lose and you don't pay, you're in big trouble (Stephen).*

*People were getting in debt because of their gambling, but the actual cause of the person getting into debt and then locking themselves potentially behind a door, and not coming out for a week, the actual cause of that, there is no awareness or discovery around that, why he's got himself into that, well let's actually step back and look at this, why is that person got yourself into debt? What is the reason for it? Is it drugs, is it alcohol, is it gambling? So, what can we put in place to help that individual to deal with that? There is just none of it (Steve).*

When the issues around gambling in prisons were raised with staff, it was met with dismissal:

*I said a lot of the individuals can gamble responsibly and safely, but you're in prison, gambling shouldn't be happening, you don't allow certain people to have a drink, and you definitely don't allow people to take drugs, so why are you advocating gambling? I tried to speak to a few people, but it just gets brushed off (Steve).*

Gambling as a part of prison sub-culture has been acknowledged in existing literature. For example, in a study conducted by The Forward Trust (2020), 22 per cent of prisoners reported gambling in prison. Williams et al (2005) reported that around 40 per cent of

people in forensic populations had engaged in gambling within correctional facilities. Qualitative research by Beaugard and Brochu (2013) also reported widespread gambling.

Participants in the current study had a number of suggestions about what needed to happen to improve awareness and support for people in prison who have experienced gambling harms. This included specific health focussed treatment and programmes:

*I think the first thing they need to do is get some sort of access to healthcare, a mental health team with gambling, whether is counselling or CBT... And then if there are any courses available, just to run something gambling specific would be a start (Thomas).*

*They do drug programmes in prisons, why not gambling programmes? It might not be physically destructive to people, but it's mentally destructive, and it's financially destructive to the people that they are stealing the money from. So why just ignore it? (Andy).*

Furthermore, treatment and support in prisons needed to constitute more than workbooks:

*... In the last year it seems to have reverted back to sending in workbooks and things like that. It doesn't work... they get turned into cigarette roaches within seconds. People just won't read them; you need to have the hard-hitting story awareness and so on (Paul 1).*

Experiences and suggestions for treatment and support will be discussed further in theme four. To summarise, prisons should provide an opportunity for support and recovery for people who have experienced gambling harms. However, this does not appear to be the current situation. A lack of screening and assessment, compounded by a lack of awareness among staff, has resulted in a vacuum for gambling-specific interventions and support. The problems relating to gambling and prisons are further exacerbated by widespread gambling within prisons, which is also facilitated by prison staff. Improved awareness, assessment and treatment in prisons is needed.

## **2.7 Probation**

Many of the people in the current research had spent time on probation, either on a community sentence, or under supervision following release from prison, and some were still on probation licences. Whilst the probation service has changed structurally several times over recent years, the core purpose of probation has remained. In relation to case management, probation services should provide high quality assessment, robust management of contact and behaviour, and well-targeted interventions (House of Commons Justice Committee, 2011). Overall, the findings of this research suggested that this was not being delivered for people who were on probation for gambling-related offences.

It is important to highlight that amongst participants who were yet to experience probation (because they had not been sentenced, or because they were awaiting their first appointment) there was hope and a positive anticipation in relation to the support probation might be able to offer them:

*I'm very much hoping and hoping that as part of my punishment, I'm assigned to work with probation for a period of time, because I feel I will definitely benefit, and it will be another link in my armour to beating this thing (Raul).*

*I'm kind of looking forward to it, I really want to use the experience I'm going to get from there as well, mould as part of my journey into my new role, being able to express to somebody face to face, I've not really been able to do that other than last week when I was sat in a courtroom, actually having this chance to talk to someone, understand and show my remorse (Riaz).*

However, people who had experienced probation had a more critical perspective. Participants felt they had not gained anything from working with probation, particularly post-custody. For example:

*Probation to me, again I've got no bad feelings up about them, but it was another pointless exercise for me. The only real thing I needed from probation was to change the tag times. One was for GA meetings. One was because I got a job... Other than that, they had nothing really to offer me (Stephen).*

Participants noted a lack of knowledge about gambling harms among probation staff and a lack of recognition of the issue on existing frameworks and assessments:

*She said we don't do anything with gambling here, we probably have one or two staff who might know a bit about it, but the reality is that we don't know nothing; it's an area where we have had no training, and we can't signpost you for anything. So, the potential support you need, we can't offer you... She also sent me a self-assessment questionnaire, in there was a section on drugs, section on alcohol, nothing for gambling, loads of other tick boxes, so you have to tick 'other' and then write gambling. (Steve).*

Assessment of low risk and high licence compliance may also have contributed to this. However, it also meant that there was little support for the broader harms resulting from previous gambling addiction. For example:

*Probation, again it was like... this guy is not going to be a problem, he'll turn up to all his meetings... I'm not going to find out he's been in trouble. He's got somewhere to live; he's got a job and he's not going to cause any grief. I very quickly went on to telephone appointments... I would basically moan about not being able to see my children, and she would say – I'm really sorry to hear that, I hope that resolves itself, anything else you want to talk about? No, okay date for the next one. So, probation, nothing; didn't talk about gambling (Andy).*

These issues were present despite probation staff expressing to participants that they were seeing an increase in the numbers of people who had experienced gambling harms. Participants were also concerned that for people who were still engaged in gambling behaviour, probation may not be aware, and that the lack of awareness and support had implications for risk of reoffending:

*... Because they didn't really know what it was all about, I just went in and said everything was alright, I'm fine, I still go to GA; but I could have been gambling every single day, and they wouldn't have known any different (Stephen).*

*I worry that people might not get that help and it would be easy to reoffend if they don't address gambling (Tony).*

This was further evidenced in Jordan's situation. He continued to gamble whilst on a community order, supervised by probation:

*I had one probation session. I went in and did all the whatever it is, and they told me that they would put me on a scheme where I would be called every month, which I was called every month for about 10 minutes, and it was just a check in more than anything else. I think they put me as a low risk... The problem was over that period, I started to gamble more and more money (Jordan).*

For Lara, nobody at any point across the criminal justice system, including on probation following release from custody, had ever uncovered the fact that gambling addiction had been a driver in a number of her offences. She was continuing to gamble at the time of the current research:

*... Nobody asked me if I had any problems for anything. The only time I mentioned it was to my probation, because I think they're going to have somebody in to talk to us about gambling, and I told him I was on the slots gambling; but no, I never mentioned it, nobody asked me anything like that (Lara).*

There were also some challenges in relation to probation highlighted by family members. This was specifically in relation to release preparation. One family member's relationship had broken down with her husband, as a result of gambling harms and the subsequent lack of trust, and she therefore did not want him to return to the home. He was told that he would be given a tent. She felt she could not allow the father of her children to sleep in a tent and therefore she allowed him to return to the family home while he found alternative accommodation. Emma further highlighted how she felt the onus was on her and her family to manage the risk of gambling harms following her husband's release from prison:

*Recently I had the telephone call from probation, because [husband] is home soon. I was asked what are we going to put in place in order to make sure that this doesn't happen again; so, for me I was a bit like – You are probation and you put the onus on me to keep him in recovery; that's not what my understanding of probation should be: they should be offering the help in order to help him rehabilitate him into a normal life again. The onus was all on me and us (Emma).*

People who had not yet experienced probation were hopeful about the support that may be offered to them. However, amongst people who had experienced probation supervision, either post-custody or on a community order, it was reported that there had been no support and that it was not useful. This seemed to be underpinned by a lack of

awareness amongst staff. There were concerns expressed in relation to the implications of this in terms of not recognising and being able to intervene when gambling was present. This was further evidenced by two specific cases.

## **2.8 Proceeds of Crime Act**

Proceeds of crime describes the money or assets gained through criminal activity. The Proceeds of Crime Act (POCA) (Proceeds of Crime Act, 2002) legislates for the recovery and confiscation of proceeds. When making a confiscation order, the court must determine, on the balance of probabilities, whether the defendant has a ‘criminal lifestyle’ and, if so, whether they benefitted from ‘general criminal conduct’ (Home Office, 2014, p 1).

A number of participants in the current research were subject to POCA orders. These tended to be for large amounts of money and had additional interest added on to confiscation amounts:

*... Although the amount was £374,000, they've added interest to and rounded it up to £400,000; so that is this confiscation amount should you come into any money in the future (Emma).*

The key component of the POCA guidance is that for POCA proceedings to be brought against someone, there should be evidence that the person has benefited from their crime. However, participants consistently reported that they had not benefited from their crimes because all the money they had stolen had been gambled:

*It never gave me any joy. I wasn't stealing it to better myself. I wasn't using the money to go... [on] holiday or buy cars. I would have felt too guilty as mad as that sounds... It wasn't a sophisticated crime, it wasn't something borne out of some genius plan to finance another life, I was living in a council flat at the time, I was driving a fourth-hand car, I wasn't wearing flashy clothes; to look at me you wouldn't think I've been dealing with money of that magnitude whilst earning a decent wage (Paul 2).*

*I didn't get any benefit, I don't have a fancy yacht anywhere, a second home on the Costa del Sol or anything (Andy).*

Aligned to this, participants confirmed that they had no proceeds or assets as a result of their offences:

*I didn't have any proceeds. [Gambling operators] had the proceeds (Matt).*

*They listed assets they allegedly had... on the POCA, but I had absolutely nothing at that point, not a penny to my name (John).*

As a result, it was felt by participants that this was an inappropriate utilisation of POCA:

*What was POCA created for? Was it for this, I'm not sure it was? POCA is there for people who have benefited from crime, I didn't benefit in any way from this (Stephen).*

Rather than being taken for any financial or lifestyle-related gain, the money was solely taken to fund gambling addiction which should have been viewed as a mental health issue and therefore not within the remit of POCA:

*POCA is just literally a joke as far as gamblers are concerned; because there's no benefit, no matter what people say, there's no benefit of having a mental health condition... If there's evidence that this was all a completely clinically diagnosed gambling addiction, and every penny has gone on gambling, then that shouldn't be treated the same as drug dealing or drug supply; it's completely different (Paul 1).*

POCA had, in some cases, hindered progression through the prison system. For example:

*I had a POCA whilst I was still in custody, and I had to have sorted my POCA before I could move to open conditions (Steve).*

Where this was not the case, and people had been able to progress to an open prison, there were instances of them being transferred back to closed conditions to a prison closer to the location of the court hearing.

In addition, since POCA proceedings were usually commenced while the person was in custody, and given the restrictions on communications from prison, even with legal visits, liaising with legal teams for support around POCA was particularly challenging:

*... It was really difficult. And I couldn't contact people in prison, it was expensive on the phone, and all that sort of stuff. Again, I was in work in prison and during the day, every time I had lunch or was back on the wing, the solicitors are on their lunch, and by the time I got on the wings again at 5:00 o'clock, the solicitors had gone home (Rob).*

As a result, POCA processes often seemed to impact on families the hardest. This was exacerbated even further when people's relationships had broken down. Claire discussed how her ex-husband was able to access legal representation because he was in prison, but she was unable to access any support because she would have to pay for it but could not afford to. She was repeatedly told by his barrister and the Crown Prosecution Service that she needed representation and that she was going to lose her home. In the end she was able to keep her home, but this was after the added stress of conducting extensive research into POCA and representing herself:

*I had a thing for the POCA, they wanted to take everything basically. They wanted the house, the savings, my car was in his name, so they wanted that, so I had a POCA come through for about £280,000 is what they assessed our assets to be. So, then it took a year and lots of hearings, to try and sort that, so this is where it is a nightmare. Because he was in prison, he got legal aid, so the victim was represented by the CPS, and me I was entitled to nothing. So I had to go and represent myself basically, because I didn't have any money to spend... eventually we went through the POCA, and thank goodness for the internet and Google, and I know all the laws about POCA... He [husband's barrister] was just saying, he represented my ex-husband, and all he kept saying was, 'you need to accept that you're going to lose your house, there is no way that you are going to get to keep your house', and I just didn't listen to*

*him in the end. He was just horrible, he was probably right I did need legal representation, but I couldn't afford it... If he can get legal aid, why can't I? There is nothing. I contacted the Pro Bono Bar, but they wouldn't help me either... I did do a lot of research, that was definitely my focus, I would spend hours on my iPad looking into the law... I knew it wasn't ideal that I represented myself... it's all their jargon and waffle, a lot of it went over my head. My ex's barrister stood up and said that she is very disappointed that [Claire] doesn't have legal representation... and I said I would like to have legal representation here today, but my ex has legal aid, the victim is represented by the CPS, and I'm not entitled to anything, so I'm sorry and I've got two children at home, I'm working full time, this is the best I can do. It's just me I'm afraid. That was hard (Claire).*

A number of participants described that POCA was worse than the prison sentence, particularly because, if not paid off, it can remain a feature in a person's life indefinitely, with an ongoing threat of assets being confiscated should the person ever have money or own substantial assets in the future. This made it even more challenging for people who had experienced gambling harms to progress towards their future:

*... We had POCA over our heads, which was actually a lot worse than the prison stuff itself (Rob).*

*It's just stopping people move on with their lives (Paul 1).*

*I think with the POCA, they're not allowing people to get on with their lives, so if [husband] is a totally reformed man, and he wants to buy a house and move on with his life, he can't because that house is going to be an asset. So, what they'll do is every now and again, they will take your bank account and see what assets you got, and if you got anything substantial, they would just take it away (Mary).*

Given the nature of POCA, there are also significant short- and long-term implications for accommodation and finances. The practical impact of POCA will be further discussed in theme three exploring the impact of gambling and crime.

Many people who commit crime as a result of gambling addiction have experienced POCA proceedings. However, given the nature of gambling addiction as a mental health disorder and the lack of material benefit arising from gambling related crime, this seems paradoxical to the original purpose of POCA. POCA was an additional significant stressor on people in prison and particularly for families who lived with them. Even after the sentence was completed, POCA still remained a stressor for people and hindered future progress, recovery and rehabilitation.

## Theme three: Impact of gambling and crime

As discussed in the introduction to this report, there is widespread evidence about the significant impact of gambling harms on all areas of a person's life. This section of the report will outline the impact of gambling and crime, highlighting that there is evidence of a double burden resulting from gambling harms, as well as contact with the criminal justice system and subsequent POCA processes. The impact will be discussed in relation to mental and physical health, accommodation, finances, family and relationships, and employment.

### 3.1 Mental and physical health impact

The mental health impact of gambling was interlinked with the impact on other areas of an individual's life, and on their family members, in complex ways:

*Some of the stuff that goes on in your mind, it's still so difficult to explain. But it just became all consuming. So, everything suffers when you're gambling. My work suffered, my relationship with friends, my daughters, everybody suffered. My health suffered. I was stressed out massively (Stephen).*

There is evidence in existing literature about higher levels of guilt and shame amongst people experiencing gambling harms (e.g., Schlagintweit et al., 2017). Guilt and shame were also prevalent in the current sample. Not only did participants experience guilt and shame as a result of the addiction, but also guilt and shame about the crimes they had committed. For example:

*So, I come from a decent, hardworking family; nobody's been in trouble, I've got a big family: I've got seven brothers and sisters; and we have a close family, so it just added to the guilt of it all (Stephen).*

*Somebody I used to work with texted me, it hurts to even say now – You f\*\*\*\*\* dirty thief! And I was like my God, that is exactly what I am, I am a thief. I was so ashamed (Tony).*

This seemed to be further exacerbated by the feeling of leading a double life and putting on a façade so that others would not know the extent of what was happening. This also led to feelings of exhaustion:

*No one really had a clue; no one knew, people perceive me as running a business... he looks well, he seems well, he doesn't look unhealthy and he's always smiling, he's happy, he's carrying on running this business; it was just a big façade. Inside I was dying (Tony).*

*I got good at hiding stuff, good at lying, but it is exhausting; absolutely exhausting (Andy).*

It was also exacerbated by a lack of understanding from the community:

*That is part of the guilt and the shame; especially living in a small town, there are still people who look at me like a piece of s\*\*\*, but I accept that, people cannot be accepting or*

*understanding of what addiction is, but it was a very difficult and dark period (Nick).*

The stigma and shame around gambling was also more pronounced in ethnic minority and religious communities:

*... Quite a big thing in our community unfortunately, the shame and stigma related to gambling. It's horrible, the shame and stigma related to addiction is even worse, shame related to crime because of addiction, is just off the chart (Riaz).*

As a result of the mental health impact of gambling and crime, over half of the people who took part in the current research had experienced suicidal ideation and several had attempted suicide, sometimes on more than one occasion:

*It wasn't planned, I hadn't written a note, I went from there to there, an unused storeroom in that building, I took my tie off, I stood on a chair, hung it on a wooden beam, in the joists of the roof, something had taken over me, it's hard to explain, I'd gone up there to climb out the window and jump off. That's what was in my mind as I went into that room; but I couldn't reach the window it was up in the ceiling, so I took my tie off and stood up on a chair, I put it round my neck, and I took the chair away. That's how close I was to not being here to talk to you about this (Paul 1).*

*I got to the point where I had enough, my brain couldn't take any more... I drove to a wooded area. I had written suicide notes to my mother, to my kids and to my ex... My phone was off because I didn't want to be found... I climbed the tree with this tow rope and tied it round (Nick).*

While there is no official recording of suicides caused by gambling in England, the prevalence of suicidal ideation and intent alongside gambling harms is aligned with previous research, including a recent Public Health England report which estimated that problem gambling was associated with 409 suicides in England in 2019 and 2020 (Public Health England, 2021). For some people, they had made the choice between suicide and going to the police and to prison:

*I was in this place of – How do I stop this? How do I get out of all of this? Then suicide became something you think about a bit more; so, I was in a place I was actually thinking and deciding how I was going to do it. So, these are things that build up and get you to the point where I had to do myself in because I'm not gonna kill myself (Stephen).*

*I had a decision to make, it was either going to be suicide or it was going to be recovery in prison (Steve).*

Some participants also described a longer-term impact on their mental health. For example:

*I think mentally, I am damaged goods still. There are so many aspects of things where it's messed with me. If something goes wrong, I probably think it's my fault (Stephen).*

Riaz had been given a suspended sentence and had expected to feel relief and start to feel his mental health improving, but this had not been the case:

*I thought I'd be on this incredible high, completely amazing with a brand-new motivation for life, and actually in all honesty I'm just knackered. I'm just tired. . . I came home and I just got into bed and crawled into a ball, and just slept. And that's one of the effects because I've been so low, in these last six months, probably longer, ten years maybe, is being such a battle in my head, gambling has affected my life since the age of 17. . . I was just waiting for things to come back to normal levels immediately, but it hasn't and I'm just like I realise now on a scale of one to ten, I was hoping to go from minus eight to zero, but I'm only at minus seven right now, it's going to take time, and I'm struggling to come to terms with that in all honesty (Riaz).*

This is also indicative of an ongoing need for support, after attendance at court. Some participants also felt regret about the time they had lost to gambling (and crime). This was also exacerbated by a fear of returning to gambling addiction:

*The biggest loss you will have with a gambling addiction is your health and your time; time lost to things you should be doing, a dad with kids, being a partner or a friend. I missed out a lot of stuff, all my twenties and thirties. . . people will say to me – Can you remember doing this? I can't recall lots of it. I have blackouts and stuff like that, maybe from the trauma of the gambling, I don't really know. . . I genuinely think that if I had another gambling relapse, I think it would now kill me. I think I mentally couldn't cope with it. Because I have come so far, the guilt and the shame of going back to that (Nick).*

Some people had been able to work towards acceptance as part of their recovery. Mindfulness and meditation practice had particularly assisted with this in some circumstances:

*The guilt and shame have come down a lot, I have accepted what I have done, I can't control other people's feelings around what I have done. I can just try and make amends. If they still feel that my actions are, which they were, they were harmful, I can't do anything about that now, I can only try and make amends, and I am at peace with myself now (Dan).*

*My emotional wellbeing has started to improve, but again it was still things that I had to learn myself, such as breathing techniques and meditation, mindfulness (Steve).*

In addition to the mental health impact on people who had directly experienced gambling harms, there was evidence of a significant health impact on family members. Sometimes this was a direct impact and was also linked to isolation and shame:

*It has been hell. It has been really hard. I kind of feel I should have moved on by now, but I haven't, I kind of feel stuck; like we're kind of surviving rather than living still. I'm just knackered. Before I was very laid back and I'm very anxious now particularly checking emails. . . I think before you don't really think things like that would happen, and now I just think that anything could happen. I worry a lot more now, I think. . . I just felt down and alone, I didn't really want to go out, even though I haven't done anything wrong, I felt so embarrassed and humiliated by what he had done, I just couldn't face people. It was really hard (Claire).*

For others, this was a result of seeing the mental health impact on a loved one:

*He was so broken, and in a way it kind of felt like I had become his carer. He was having all these panic attacks... He didn't want to do anything. He didn't want to see anyone. He wouldn't answer the front door. He was just absolutely broken (Mary).*

There was evidence of feelings of guilt and shame, similar to previous research. However, this seemed to be further exacerbated by the commission of crime and the pressure of keeping up a façade. For many, the impact on mental health was so great that it had led to suicidal ideation and for some, active suicide attempts. Some people had been able to work to improve their mental health over time, but there was evidence of the long-term impact on mental health, even after recovery from addiction. The impact on the mental health of family members was also highlighted.

There was less evidence of the physical health impact of gambling and crime in the current research, when compared to the impact on mental health, but nevertheless there was evidence of a range of health problems. For some, this was linked to self-neglect such as not eating properly:

*Physical health was affected when I was gambling, because I'm one of those people that when I am stressed or worried, I turn to food, and when I am happy and celebrating, I turn to food; so, if I won a lot of money, it would be let's have a takeaway, let's go out; and then if I lost money, it would be let's buy £20 worth of chocolate (Thomas).*

*I just wanted to eat crap food, that was my coping mechanism, eating rubbish food, and just hiding away; so that was the flipside of me, the outgoing, generous, joyous person, became the overeater hiding away from the world (Raul).*

There was also evidence of digestive issues, hair loss and heart problems:

*I really don't know how I lived day to day. I felt terrible, I've got headaches, cold sweats... I've since been diagnosed with a minor heart condition, an enlarged heart muscle. So, putting the pressure that I did on myself, when I was gambling, I really don't know how I have survived; and I really don't mean that as a sensational way, it must have been horrendous, my blood pressure, my heart rate must have been literally horrendous at those times (Matt).*

*I do blame this period of time, nobody in my family is bald, I am bald as a coot, and I had a full head of hair going into that; so about from 2014, 2015 full head of hair, maybe slightly receding, and that just went completely and stopped growing; I also certainly have IBS... Serious IBS (Jordan).*

In addition, there was evidence of the physical health impact on family members:

*I lost a lot of weight, I think I lost about two stone in weight, I just couldn't eat... I think for the first few months I just felt physically sick all the time. I couldn't sleep (Claire).*

The physical impact was also linked to other areas such as finances:

*Health was a big issue because to buy food. I remember feeding my girls one day, old bread rolls with corned beef, because that's all I had in the cupboard. I remember burning a Yellow Pages on the coal fire because it was so cold. I couldn't afford heating. I was in heating poverty. It was absolutely horrendous. So, none of us ate properly (Sarah).*

While less prevalent, there was evidence of a significant impact on health for people directly impacted by gambling and crime-related harms, and this extended to family members.

### **3.2 Impact on accommodation and finances**

A number of people in the current research had experienced accommodation issues; this was usually linked to POCA. For some, they, or their families had re-mortgaged their home to try to pay off the POCA order:

*We basically had to come up with the £25,000 to pay the court, which obviously we didn't have, we'd have to sell a house and obviously start again, my wife really didn't want to do that. And again, if I was out [of prison], I would have probably said let's just do it and start again, but we didn't she wanted to keep the house, and it went to the wire really. In the end her mum and dad had to help, they re-mortgaged and got the money (Rob).*

Many had lost their homes as a result of the POCA proceedings brought against them. For example:

*We had equity in the house; my equity, so my wife had to sell the house to get my equity out to pay my part of the POCA (Steve).*

This often meant that families had to downsize into accommodation that was sometimes not suitable:

*We were on the homeless register, because we had to sell our house, and we had nowhere else to go, I wasn't getting any money from the property. What money I did get, I had to pay over to the courts otherwise they would have kept [husband] imprisoned for another year. So we are now in the homeless register, and we've gone from a five- bed house that we bought with good money, and we are now living in a two-bed house, I've got 15-year-old daughter an eleven year old son... they shouldn't be sharing at this age. With being on the emergency homeless register, they could put us into emergency housing when something came up, but we could have been 100 miles away, whereas we've lived in this area for ten years, my mum lives here, I work here, they go to school here, they need to be here; so, I just got the first house it would accept me, because everybody was declining me (Mary).*

*From what we had left, which was nothing special, but it was beautiful to me, and it was clean and tidy, to a house where there were slugs on the floor, an old 1960's brick fireplace, it was just awful (Sarah).*

A poor credit rating along with a previous conviction was also an exacerbating challenge in trying to find accommodation:

*Renting somewhere is really, really difficult with criminal convictions and bankruptcy (Dan).*

As a result, many people had had to rely on friends and family to assist. In a number of cases, living with family helped in resolving broader financial stresses and strains:

*My dad had moved up here and he said – move in with me, sort out your finances, I've got two spare bedrooms so you and [husband] and the baby, can go in one, and our other child can go in the other; so that is what we did... I just tried to use the time as best I could; that was a massive help and allowed me to sort out my own debt: I managed to get out of my overdraft and get a little bit of savings together. [Husband] then managed to get well because he had that stress of finances being taken off him (Emma).*

However, there was also evidence of the long-term impact on housing or ability to access in some cases. For example:

*I'm just saving up for a deposit on a house. And it will have to be a hefty deposit because I don't think the lenders will find me very attractive! (John).*

*It means I can't get a mortgage because most lenders do ask if you have a criminal record, and even if some lenders do let you get away with a criminal record, they certainly won't let you get away with a criminal record for money related offences (Riaz).*

*I am still in social housing today and will never again own my own home (Sarah).*

For Sarah, this was not due to POCA but was instead due to previous bankruptcy, a lack of child maintenance payments from her ex-husband, and the fact they lost their home because he had gambled the equity. This long-term impact continued despite the fact that Sarah was now divorced, and had a full-time, professional role.

In addition, the long-term presence of POCA (unless paid off) for many meant that many could never own their own homes, and this led to fears for the future. For example, Emma had managed to get a new mortgage in her own name, but adaptations had been made for the future:

*If I was to go out tomorrow and die, because I'm married to [husband], he would then inherit the house; and then the CPS would then take the house away from him; which would then mean [husband] and my children are homeless... it's all been changed so he doesn't inherit; but he has the right to live here, but it goes into a trust for the girls until they are a certain age where they can then sell (Emma).*

The long-term impact of POCA also had broader financial implications:

*What I now have is a situation where if I go out and get a job, and I go totally legitimate from now, and I decide to put money into savings, or maybe buy a house or a car, or put money into a pension, I can't do any of that, because if I buy house, they could come in 20 years' time and say – you still owe this amount of money so you have to sell the house or you going to go back to prison for the same crime that you committed 20 years ago. It doesn't make sense to me how that is fair (Thomas).*

Overall, POCA was reported to continue the impact of gambling and crime-related harms due to the ongoing financial concerns for individuals and their families arising as a result, and it was felt that this was disproportionate in light of the original sentences passed down by the court:

*I think financially it's a nightmare. I've lost so much. Where would I be on a mortgage these days, not far from it being finished. I would have savings. I would have a pension. Currently, I'm looking at working till God knows when, just having a state pension. Financially, it's a nightmare that's never going to end (Stephen).*

*Gambling harm doesn't stop when you stop gambling. POCA is another continuation of that gambling harm; and it's going to be something that will be with me till I pop my clogs! Or I pay it all back (Steve).*

*It seems like I can't leave any money to my kids. I can't have a pension, or a mortgage, all that sort of stuff, it's like a life sentence for me, I can't do anything, I can't have any money, or do anything in my own name, for the rest of my life, it just seems disproportionate to what is a three year sentence, 25 years' time I can still go back to prison for up to five years for that money; it's just frustrating that that's acceptable (Thomas).*

In addition, there were long term financial consequences on other areas such as the cost of car insurance, opening bank accounts and obtaining credit:

*The financial situation is a big impact because I am bankrupt until 2025; not that I want to obtain any credit, but I wouldn't be able to do that at all; even getting car insurance with criminal convictions is difficult; the price is very high so even though it's not just about obtaining credit, the credit that you do get comes a price (Dan).*

*I couldn't get a bank account... I probably had 40 or 50,000 pounds of credit at the time, so I could no longer pay, so I had to get ready for it to pay that off so that is going to sit on my credit file now for another six years; there's a long-term impact there (Thomas).*

Financial stresses were further hindered by a lack of awareness and understanding about gambling addiction amongst financial organisations and utility companies:

*It's so difficult because especially when you are on the phone to companies or services, like electricity companies, or when it first happened, DWP and things like that, when I had nothing, I had no food in the cupboard, you're having to fight your way for stuff, and having to actually say that this is my position, this is what happened, this is why we are like we are, and having to fight all the time, and explain that, explain your situation and why you have nothing, can be really difficult (Sarah).*

There was evidence of significant impacts on accommodation and finances as a result of gambling and crime-related harms, mostly, but not solely, linked to POCA. The long-term consequences had an impact on families and seemed disproportionate to the original sentencing.

### **3.3 Impact on family and relationships**

This report has already highlighted some of the impact in relation to gambling and crime-related harm on families. However, there were also specific impacts highlighted in relation to changes in family and social relationships, and specific impacts on children.

A number of people who participated in the current research had been well supported by their family and friends, and this had helped in the person’s recovery. However, there was evidence of marriages and other family relationships becoming unstable and breaking down:

*We have split up many times, we got back together many times. So, stability of relationships is negatively affected (Ryan).*

*I got divorced, so you can put that down as a consequence of the gambling (Matt).*

*I only told them a couple of weeks ago; and everything went completely downhill for me and my family, our relationship was completely broken down (Riaz).*

For some family members, finding out about the addiction had been a relief because they had known something was wrong but had not known exactly what. However, even when relationships had been sustained, family relationships had often been impacted by the secrecy of gambling addiction and the subsequent erosion of trust:

*I was lucky, because with gambling, it’s hidden, so she literally had no idea that I had been doing all this, it wasn’t like she knew I was gambling, she had no idea so obviously it was a massive shock to her. She supported me and she stuck with me, so we got there in the end (Thomas).*

*He was literally doing it all the time, then right under my nose as well. I just thought it was emails and work, and he’s p\*\*\*\*d off, he’s stressed... it was just horrible. You put up with it because you think it’s work. I think at first it was relief. And then being able to know that we could hopefully do something about this to make it right. I was very sad, very angry, because I’ve been lied to. I don’t like liars (Mary).*

With time and understanding of gambling addiction, relationships could be repaired:

*My dad wasn’t understanding at all; that’s still taking some time to repair and recover. I think overall, in the long run, it’s been okay; people are starting to understand what happened and why it happened, and that gambling is a problem (Thomas).*

Friendships had also deteriorated, and some participants thought this was influenced by a lack of awareness about gambling addiction. For example:

*On reflection, as friends, does it show a lack of awareness around gambling and what can happen, they weren’t supportive enough to say – ‘this is our friend, we know he’s a good guy, he’s gone through this, what he’s done is wrong, but let’s support him through it and let’s*

*help him! I didn't have that, but it might say something about my group of friends more than anything. So, in terms of friendships, I've got very few close friends at the moment (Steve).*

Loss of friendships was also experienced by other family members and again, this was thought to be underpinned by a lack of awareness and understanding about the nature of gambling harms:

*... To begin with people just wanted the gossip I think, then after about three months everyone just disappeared, I don't get invited anywhere, nobody wants to know, same with the kids. If it happened to somebody else, I would have liked to think that I would have stood by them, if it happened to one of my friends, but they don't see the gambling as an illness (Claire).*

*... A lot of the stigma that I've experienced was – How could you not know that he was stealing money? How did you not know that it was £374,000? That's the sort of thing I get (Emma).*

There was also evidence of a broader community disconnection which added to feelings of isolation and shame, particularly within ethnic minority communities:

*I felt disconnected from my community. For many months, I was too embarrassed to even go past a certain road, or even walk on a certain street, there are people talking about me, looking at me or pointing at me. And that was a killer for me in that sense, it really hurt me (Andy).*

In addition to direct impacts on relationships, children of people who had directly experienced gambling harms had been impacted. For example, some children experienced bullying:

*There was a lot of bullying on the bus. My son was told that he couldn't be trusted because of what his dad did (Claire).*

Others experienced anxiety that the gambling and related issues might happen again:

*[Son] is always a bit anxious that his dad might do it again (Mary).*

There was also reported issues around separation from family members, firstly as a result of addiction, but also as a result of prison sentences:

*Some of the stuff is hard to really quantify, such as the damage it's potentially had on the children. It's difficult because I've got a daughter and a son, particularly with male bonding, my son has not had a male figure in his life for a few years... I'm very mindful of that, and we try and do what we can to support (Steve).*

While a majority of people had been able to maintain or re-build relationships with their children, there were instances where the relationships had completely broken down, and this was continuing to have a significant detrimental impact. For example:

*I haven't seen my children for three years... My son was eleven a couple weeks ago. I sent him a card. I asked what to buy him and didn't get any kind of a reply. I don't know him anymore; he was eight last time I saw him... I think about that all the time now. If I could see my children, I'd have a nice life right now... That's certainly the biggest lasting impact, and who knows how, if or when that will resolve itself, I don't know... it's the first thing I think about when I wake up, and I think about it often when I wake up in the middle of the night (Andy).*

The breakdown in relationships between a child and a parent was also indicated to have a potential lasting impact. For example:

*It's impacted on them [daughters] big time, in lots of ways, they never had their dad there, and even that impacts on their ability to get into their own healthy relationships (Sarah).*

Many people had considered themselves very fortunate to have been able to maintain some significant relationships. However, other relationships had broken down. Factors influencing this included erosion of trust and lack of understanding about the nature of gambling harms. Family members also experienced secondary impacts on their own relationships and community distancing was a feature for some. There was also evidence of the impact on children.

### **3.4 Impact on employment**

For most of the people who had participated in the current research, they had taken money from their employers and had therefore lost their jobs. The nature of their offences often meant that they would also not be able to return to similar roles within the finance sector. This meant they had to retrain to do something different:

*I was quite successful in my career, or I did alright in it, and I've had really good jobs in my time, I was pretty confident at work; it was just all kicked out of me, completely. So having to learn, it terrified me sometimes (Stephen).*

Some people had managed to gain alternative employment as a result of qualifications gained while in prison. However, many employers will not recruit people with convictions, even if there is no link to the original offence. For example:

*There is a job for the warehouse down the road and it's like you can tell by the amount of adverts on there, and how quickly they were calling back, they were desperate for people to work... as soon as I press send on the application, within a minute my phone was ringing, I answered the phone and you could tell they were desperate for people, but as soon as I mentioned I had a conviction, it was like – Oh, we can't help you then (Thomas).*

This was also further complicated by the need to discuss gaps within a CV due to prison and a legal requirement to disclose offences under the Rehabilitation of Offenders Act (1974, amended 2013) for a certain period of time, as dictated by the length and type of sentence. Participants reported anxieties about this and lack of support about disclosure of offences:

*The first six months that I came out and I couldn't get a job, I couldn't even get an interview, there was a huge gap in my CV, and when I finally got an interview, I was so hung up on how I was going to talk about my conviction, that you kind of forget the basics of a job interview, well you have to sell yourself on the job. The feedback I got from it was that the conviction was no problem, you present yourself well and we thought a lot of you as a person, but unfortunately didn't really answer the questions very well (Paul 2).*

*You got to try and explain gaps, how can I go back into accountancy and finance and say – By the way, I've got a fraud conviction because I nicked a load of money? But there's a reason why I nicked it! It's all sorts of things, there's a real lack of support. When you come out of this system, how do I explain this, how do I explain this to people? How do I get my confidence back? Which sorts of jobs should I go for? (Stephen).*

It was felt that a greater understanding of the nature of gambling harms amongst prospective employers would also assist the situation:

*Most gamblers once they have taken responsibility for their actions, they do want to go out and work, they don't want to just bum around, they want to turn their life around. I think sometimes that lots of employers will look negatively on criminal convictions, bankruptcies, I'm not criticising that because they are protecting their business, but again can they look beyond that and look at the actual person and give that person the chance and understand the addiction (Dan).*

Where people had been able to secure employment, this was viewed as a positive element of their recovery:

*I'm working in a job now that is at a taxi office call centre, there's no monetary responsibility, so that is kind of been a deliberate act, I don't want any position where I'm going to come into contact with money. I like the job and I get on with everybody there, so I'm kind of in a good place with that (Raul).*

*I am very lucky to be in the situation I'm in, because others have not been as lucky as I have in terms of having a job lined up, going to court and having a job already lined up; made a massive difference to me. My new employers were there at the court. They were there willing to show their support, that is not lost on me, how lucky I am (Riaz).*

Most participants had lost their job as a result of gambling and crime. Some had been successful in re-training and securing employment in a different role without financial responsibility. However, others had struggled due to the complexities of disclosing offences to employers, for which there was little support. It was felt that increasing employer awareness about gambling harms could assist with this moving forward, and that gaining employment was a positive part of recovery.

## **Theme four: Accessing support**

### **4.1 Experiences of support**

Most of the support and treatment provided to people who have experienced gambling harms is provided under the umbrella of the National Gambling Treatment Service which is jointly commissioned by GambleAware and NHS England. GambleAware has a framework agreement with the Gambling Commission to deliver the National Strategy to Reduce Gambling Harms, funded by voluntary donations for gambling industry (GambleAware, 2021). Under the National Gambling Treatment Service umbrella, the following services exist:

- The National Problem Gambling Clinic
- NHS Northern Gambling Service
- The Gordon Moody Foundation
- GamCare, who also oversee a network of partners delivering services.

Access to treatment via these services is usually via self-referral using the National Gambling Helpline. The services are free at the point of delivery and provide telephone, online and face-to face treatment. Most providers adopt a Cognitive Behaviour Therapy (CBT) based approach to identify triggers, challenge irrational thinking and find ways to better cope with feelings, thoughts and urges that may ordinarily precede gambling activity (Central and North West London NHS Foundation Trust, 2021).

In addition, Gamblers Anonymous (GA) is available across the UK. Gamblers Anonymous run local support groups where men and women support each other using a 12-step approach to recovery from addiction. Steps include an admission that lives had become unmanageable as a result of being powerless over gambling, listing all people harmed as a result of gambling, and making amends to people who have been harmed as a result of gambling.

Whilst the participants reported a lack of support and treatment available from and within the criminal justice system, most had accessed some form of treatment, usually while awaiting sentencing. However, this tended to be driven intrinsically – they found out what was available, and they took steps to access support. Many participants had accessed their GP as a first point of contact for guidance and support in relation to gambling. However, they reported a lack of understanding and awareness amongst GPs. For example:

*I went to my GP, and they said they couldn't do anything for me, and I said – Well I've just tried to commit suicide, I have committed crimes. And he said – Are you telling me you've got a gambling problem have you got mental health problems? And I said they're both the same thing. He said that they can refer me for mental health problems, but they don't do anything for gambling addiction; and I don't believe it's changed that much these days, that's the really*

worrying thing, if people are presenting themselves to GPs, it's really important that they're sign posted to the right places (Paul 1).

In addition, there was a need identified for GPs to make referrals, rather than the onus being on the individual to self-refer. To support this, there needs to be published NICE guidelines relating to gambling support pathways:

*They had weekly phone calls for his counselling, but again he had to seek that out himself. I found there isn't a NICE guideline, no NICE pathways for gambling addiction; there are the NHS gambling clinics; so, I think there needs to be referral pathways for this. And so much the onus was put on him as a gambling addict to sort himself out... normally with NICE guidelines you pick them up and you know what to do, and there wasn't a referral pathway for her [GP] to follow; and it should have been a referral straight to the NHS's gambling clinic (Emma).*

However, it was also highlighted that some people would not feel comfortable to talk to their GP about gambling harms; therefore, there needed to be multiple options for referral:

*I don't think going to the GP, wasn't for me straight forward, I didn't feel like the doctor would be able to help me... The issue for me was that my GP was Asian; and he knew my grandparents, I know the confidentiality is there, but I just never felt confident to talk about it (Adam).*

In order to support treatment seeking behaviour, there needed to be more publicity:

*Doctors in GP's need to have more in their surgeries about gambling signposting help. (Tony).*

It was highlighted that there needs to be consideration about the language used in order to reduce the stigma and shame around gambling harms:

*I really focus on the stigma and the shame and the guilt, and I think to really, truly get people to seek help and support, the terminology is really important; because we talk about with addiction, gambling disorder, it's medicalised in the DSM; so again it's what works for one person, there's still too much stigma attached to addiction, I think it discourages people to come forward, we talk about a lot of organisations using the words 'problem gambler', a lot of the companies talk about responsible gambling, but what does that really mean? To somebody that's going through gambling addiction, and they hear these terminologies come out what does that really mean to them? When they see the word problem gambler, somebody says well I have a problem don't I? So, it's not going to increase their thinking of seeking help – who can I reach out to if I'm just seen as a problem? Responsible gambling, well who's responsible for the gambling? This is a very niche kind of market where too much responsibility is pushed on the individual – It's your responsibility, you are in control. And with addiction, you are not in control (Nick).*

In addition, it was reported that there need to be targeted supportive approaches to reducing the stigma and increasing treatment-seeking in ethnic minority communities:

*I think that there needs to be more of a targeted approach towards the ethnic minorities, understanding how these communities actually work; because it's not simple as me going to my parents and saying I've got a gambling addiction, chances are somebody in my position will get kicked out of the house... people are scared to reach out to GP's, and NHS... that fear of speaking out stems from speaking out to parents or community leaders; that fear then transitions into other aspects of your life, scared to speak out and seek that help. I was scared to seek that out (Riaz).*

In addition, once people had taken initial steps to access support, there were further challenges that could contribute to disengagement. Firstly, geographical coverage of services was an issue. While it was recognised that geographical coverage was improving and the Covid-19 pandemic has facilitated the use of online technologies for treatment sessions, there were instances of people not accessing support because their provider was too far away, or of needing to pay out substantial amounts of money for transportation to providers:

*I know my ex-husband did ask for help six or seven years ago, so then he's living in Lincoln, and they basically gave him an initial assessment over the phone, and he was really fired up to get the support, and they said there is nobody in your area and you will have to travel to Nottingham for an appointment. So, they were going to offer him counselling, but he had to go to Nottingham, and because he had just been found out for gambling again, he had nobody. And he had lost his job. So, he couldn't get to Nottingham. And it had to be face to face with this allocated counsellor. So, he dropped out (Sarah).*

*I was very lucky with the national problem gambling clinic being quite close. It shouldn't be that just because you live in London you can have that one, but if you live in Birmingham, you're going to struggle to find that exact same service, because they helped massively when it came to it. So, within the NHS, have it more readily available (Riaz).*

Allied to this, the physical characteristics of treatment venues was highlighted as being of importance in treatment-seeking. This was particularly important from a cultural perspective as outlined by Adam who is Muslim:

*I think going to GA, I was going to go early on, and I Googled that, but it was in a church building, and I think that could change. If you go to for example a therapy room, you imagine it to be nice and comfortable, I think that does make a difference, doesn't it? Where support is and where it's located (Adam).*

A further challenge was that treatment was often time limited:

*I had one-to-one gambling counselling. I wanted to carry on, but she didn't work privately, and they only offer the six sessions (Paul 2).*

Where participants had the means to continue accessing support (usually privately), this had been beneficial:

*I see her now, I still see her every month; not because I think I'm going to relapse, but I'm a big believer that if you broke your back as badly as your brain, then I think you would have carried on having physio for the rest of your life; for me, it's that safe place, going talk about anything I want to talk about (Paul 1).*

This was also reflected in a need for aftercare services once initial counselling to work towards recovery from addiction had finished. Steve, for example, explained that counselling was pivotal in working towards recovery but once that ended, he was still left with numerous practical problems to address including his forthcoming court case, the possibility of a prison sentence, the practical challenges of losing his home, and a need to re-build relationships:

*... It was just surprising really how little in terms of aftercare support there actually is... I had this really good treatment to help me get my gambling under control, that's great, that's now stopped; but now I am left with a whole load of issues that I now need to face, and I've got no support to do that (Steve).*

There were also some issues reported in relation to waiting times for treatment, with waiting times reported to be anything from four weeks to 18 months. Participants felt that once someone had made the decision to access treatment, this response needed to be timely. The support also needed to be responsive to the specific needs arising from gambling addiction. Without responsiveness, there was also an increased risk of disengagement:

*From the doctor's surgery, I don't know if he was a nurse or a counsellor, but it didn't really help to be honest because I found him a bit irritating – 'You're not hearing any voices, are you?' And he was following like a template of questions that he had to ask, but I felt like saying 'I'm not bloody bipolar or schizophrenic, why you are asking me that?' ... I just found it a bit irritating, and I dreaded his calls, thinking for god's sake I don't want to speak to him again; and the answer was medication, and he prescribed some antidepressants, I can't remember the name of it, but I never took it in to collect the prescription (Raul).*

Once in receipt of treatment and support, people often found it most effective to take a multi-faceted approach, accessing treatment via more than one method at once. For example, there were narratives of undertaking specific gambling counselling for understanding addiction from a clinical perspective or accessing specialist clinical support for an underlying health condition such as anxiety, depression or PTSD, whilst also accessing GA in order to seek support from others with lived experience of gambling harms. There were also mixed perceptions of GA, with some describing it as very helpful and, specifically, describing it as a 'sanctuary', while others did not find GA helpful. More negative views of GA tended to be centred around the religious approach taken which people who 'did not have a religious bone in their body' felt less comfortable with. Some participants preferred a one-to-one rather than a group approach.

Additional considerations for support and treatment centred around self-exclusion software whereby people can put restrictions on their phones and computers so they cannot access gambling-related websites or apps. The fact that self-exclusion software

was a missed opportunity for support and signposting to treatment was highlighted by participants, an issue which some operators appeared to be addressing:

*All that happens is that you self-exclude, and they say thank you – bye; so, I said to them that when they self-exclude, that's when you should be sign posting them to places where they can get help because that's probably the only time that I may have gone there is if [operator] or someone would have said – here are some resources. And I think they have implemented that now (Thomas).*

Self-exclusion software was also time limited. For example, GAMSTOP is for a maximum period for five years (GAMSTOP, 2022), but it was felt this needed to continue indefinitely in order to stop people from returning to gambling when the bans needed renewing. Furthermore, software is only available via UK licensed operators and, therefore, people experiencing gambling addiction could work around this by signing up to unlicensed providers which are based outside of the UK (yet still accessible online from within the UK).

Finally, some participants were supportive of mandated treatment following convictions for gambling-related crime:

*I think it should almost be a mandatory thing, if you get convicted of a gambling related offence, you should have to see somebody about it (Andy).*

One way to do this could be through Rehabilitation Activity Requirements (RAR) days. These are pre-planned, structured and meaningful interventions designed to meet a need identified to facilitate an individual's rehabilitation (Ministry of Justice, 2019). However, this would only support people on community or suspended sentences. Additional consideration, such as incorporation into licence conditions, would be required for similar support to people on probation supervision following release from custody.

There was a reported lack of awareness amongst GPs in relation to accessing support and treatment for gambling harms. Many people had self-referred into treatment and while this was regarded as largely effective, there were some challenges remaining around geographical coverage, ensuring appropriate locations, time limited treatment, a lack of specific responsivity to gambling addiction, waiting times and a lack of practical aftercare support. A number of participants had benefited from a mixed method approach to treatment, accessing clinical treatment alongside lived experience support. Self-exclusion software had been effective for a number of participants but there were limitations to this.

## **4.2 The importance of lived experience**

Many of the participants in the current research were very keen to use their lived experiences of gambling harms to support others. A number of people had set up their own Community Interest Companies (CICs) to meet this need. The organisations included the delivery of education and awareness sessions across a number of sectors, including education establishments and within the criminal justice systems, the provision of tailored training to support people with lived experience to help others, and

aftercare provision. There was also specific discussion around the need to include lived experience in the delivery of services within prisons, and other establishments, in order to provide authenticity and credibility:

*Don't underestimate the authenticity of lived experience in this process. If you are genuinely going to have an impact on in a prison environment, in a custodial environment, you need to have that authenticity of people that have been there. When we went to [private prison], the prison officers said that they couldn't believe how they were interacting with us, 'We can't believe that they are sat there for 90 minutes on tenterhooks doing everything; we can't get them to sit down for 10 minutes if they even go at all' (Paul 1).*

*I think the big thing with education and awareness is getting lived experienced voices into communities and schools, into universities, connecting with the people, in a way that they can listen to somebody and talk to somebody that has really been there and on that path; even if that does happen, this is the support that is there for you, don't think that if you do have a gambling problem going forward that you can't reach out get support (Dan).*

In addition to this, there was pervasive feedback about the need for people with lived experience of gambling harms to be integral to decision making and policy making. There was frustration expressed that this was not always the case:

*If government are involved, they've got to listen to the professionals, I consider myself an expert on addictive gambling, I don't have letters after my name, but I consider myself an expert... Just the fact that somebody that has gone through it has got to be on these committees, got to be involved in the regulation, you can't just have politicians regulate, that don't know about it, there has to be some involvement (Matt).*

*If the right people aren't sitting at the right table, the wrong decisions ultimately get made. So, if you are not utilising people with that experience who are prepared to share their stories... when you come to make these changes, the potential to get it wrong is quite high... Never dismiss somebody's lived experience, what they can bring to the table, our knowledge of gambling is far greater than anything you will ever have (Nick).*

### **4.3 Support for families**

Alongside changes to support for people directly impacted, there was also pervasive reporting about the lack of support available to families. While this does seem to have improved in recent years, with some GamCare partners specifically offering tailored support to family members, and GA offering support via GamAnon for families, support for families was not readily or systematically available:

*I went with him to the GP appointments and things, and nothing was offered to me. I had a new-born baby... For me there hasn't been anything so that's why I've set up a support group; I've got nearly 400 members; so, if you think that's 400 people that have been affected by gambling addiction; and that is just family members and friends, and that's just those that I can reach on social media (Emma).*

However, it was highlighted that in addition to support from others with lived experience, clinical support needed to be available for families where they wished to access it:

*I think it would be really good to have that kind of psychological aspect there, and just being able to talk about it to someone who's been there and seen it and understood it, would be just wonderful. Even today, I don't know anyone who has experienced the same. I know they're out there. But it's so difficult because no one talks about it, so many people are ashamed by it (Sarah).*

Mirroring the findings in relation to support and treatment for people directly impacted by gambling harms, families felt it was important that such support was available anytime and was easy to access. It was also highlighted that support providers also needed to specifically understand the nature of gambling addiction and the broader impact, be able to offer practical advice on issues such as visiting prison and managing finances and be able to speak to people like a 'normal person'.

In order to further support this, schools needed to be aware of the complexity of gambling harms and services available to support children. Where this had been the case, it had been very beneficial for families. For example:

*... At the schools, they were lovely, my daughter had one counselling session and then decided she didn't want any more, I think she's probably a bit like me and focused on her studies and at homework; whereas my son really struggled, there wasn't much the school could do, but they found a charity called Children Heard and Seen, who have been brilliant. He had a mentor who used to come and visit at the weekend for the first year... they've been a great help to him (Claire).*

There was very little support available to families who participated in the current research. While the situation seemed to be improving, more support required and a number of considerations for the operational delivery of such support were highlighted. Schools also had a role to play in the delivery of support to families affected by gambling harms.

## Theme five: Awareness, regulation and advertising

Participants were asked what else needed to happen to better support people who have experienced gambling and crime-related harms. Their answers centred around improved awareness across all elements of society, in order for people to understand the complexities of gambling and crime-related harms, the nature of gambling addiction, and the need for improved treatment and support across the criminal justice system, and more broadly, as outlined throughout this report. It was suggested that awareness could be increased through education establishments, sports venues, employers and cultural or religious venues. They made additional suggestions in relation to the following: regulation of operators, the role of banks, advertising, and support for victims / employers.

### 5.1 Regulation of operators

Most participants felt very strongly about a need for tighter regulation in the gambling industry. Participants provided several examples of times when operators appeared to have failed to safeguard their customers. For example, whilst there was an indication of things improving, thorough and consistent affordability checks were not completed soon enough and people reported that had they have been done earlier, this may have been an opportunity to prevent escalation of gambling addiction and crime. In addition, it may highlight potential stolen money. Participants felt that more robust affordability checks were required to encourage safer gambling:

*I got £110,000 losses, before they contacted me to say – Can you provide proof of funds? They've only done that when I've got £110,000. If that had been in place, then that would have stopped me a lot earlier, I wouldn't be able to do it because I haven't got an account, I couldn't provide documents to justify £110,000 expenditure, so that obviously led to the account being suspended, and therefore closed. Imagine if they come to me at 10k, what a different place I would be in (Raul).*

*They didn't do a proof of funds check on me until I spent about £2 million, and even then I was that desperate to gamble, that I sent them my bank statements which were overdrawn massively, and I sent in the PayPal account I was using to steal money from, and they looked at my bank account so that I had payday loans, and ask me the question – Are your payday loans anything to do with gambling? And I said no, because I wanted to gamble – Ok, that's fine, off you go (Thomas).*

*If I walk into a pub and I've drunk 15 pints of beer, and I'm falling across the floor and I try and order another beer, they're not going to serve me. One, they are probably breaking the law and two, they know it's going to be harming me further. That doesn't happen with gambling at all. So, when I am depositing thousands day after day, my opinion is that those discussions should be had. When this operator did say we need to see your funds, the relief connected to that was – Oh my god, someone else has actually noticed what I'm doing, and noticed that it's not right, and noticed that I've got a problem. I think if all the operators would've done that, it would have led me to actually think... Do you know what, it's not normal this isn't right, and just maybe go in search for that support myself before getting to the stage that I did (Dan).*

There also needed to be a systematic approach to monitoring the number of accounts people were able to open. Many people who took part in the research had numerous accounts and therefore if one account was blocked, they would just move on to another one and they reported that this was easy to do:

*I transacted 1,750 bets online alone, plus I was in the bookies between 5:00 and 6:00 [pm] everyday with £500 in cash, I transacted £4.8 million just online alone, and I had 93 separate betting accounts across 18 different operators (Paul 1).*

There was also a widespread lack of safeguarding in relation to VIP schemes:

*I was a member of 14 VIP clubs; so I've been taken all around the world by gambling operators. I was taken to Vegas three times. I was taken to Monaco on a yacht. I was a really good customer, because I was a really bad gambler I guess; but throughout that decade, not once did any of the operators say – Paul, it looks like you've really got a problem here, is there any way we can get you some support? What they did do is take me all around the world, send me £70,000 of hampers in 2009 on Christmas Eve. All that kind of thing. It's not me blaming anyone, I take full responsibility, but there was a lot that could have been done to prevent what was happening to me (Paul 1).*

VIP schemes added further detriment to financial losses.

*[Husband] was a VIP customer as well, so he had over £35,000 bonus money given to him. If he had a huge loss, they would deposit £800 into his account, that's something there for him to be able to gamble with; and he would turn that £800 potentially into like a £14,000 loss for him; so that's a huge interest but he's turned £800 free money into £13,600 profit for them (Emma).*

It is important to note that the Gambling Commission have provided recently updated guidance on VIP schemes which were not in place at the time that many participants in the sample experienced them (Gambling Commission, 2020a). Further review is required to establish the impact of these changes.

The prevalence of deposits and free spins on online accounts perpetuated ongoing engagement in gambling behaviour. For example, Lara described how she and her daughter had been drawn into free spins online and then had tried to withdraw their winnings but had to leave a proportion of this in their account which meant they just went back again shortly after and lost anything they had won:

*I said to her – Have a little 20 each. She said – Mum, I can't afford it. Just a little 20. She said – alright then. If she put 20, I think you've got £100 free spin, and if you put 40, I think you had £200. I said – Oh, yes, do that one. She did it and she didn't get a lot, and I'm on her shoulder watching it, you got so many free spins, you got four or five leprechauns come up; so, I was playing it, and then these little leprechauns; and then started giving me this money; it was like £1400. And I said to A – I think I have won. And she said – Collect it! You've won £1400! She rang them up and said that she had won. But they said we had to leave the £200 to collect £1200 (Lara).*

Finally, there was also evidence of a lack of safeguarding with onsite venues. For example, despite the fact that Jordan had spent five continuous days in the casino, nobody intervened and, worse still, they encouraged him to stay longer:

*I gambled for about five days in a row without leaving the casino; so that is five days and five nights without sleeping, I did eat, but I just gambled for five days straight. I think at that point when somebody can gamble for five days without sleeping, just sitting in a chair, I think you can safely say that that person has a gambling problem. There was an approach after two days... The floor manager came over to me and said – ‘You’ve been in here for two days mate, are you alright?’ I said, ‘Yeah, fine.’ He asked me if I needed a coffee or anything, I said I would have a coffee please mate. And he went and got me a coffee and that was it. So, I spoke to a lot of the dealers, and they would make jokes like – I’ve had two days off and you’re still here. And became a bit of a – This must be a record, this has got to be a record, you can’t go home yet, you’ve got to make it another few hours! (Jordan).*

Although participants accepted responsibility for their offences, they strongly felt that the operators had failed to undertake a required level of safeguarding. In addition, given the offences, participants perceived that operators could have been responsible for handling stolen money. Many participants were aware of investigations undertaken by the Gambling Commission into operators they had gambled with. These investigations resulted in large fines due to failures of anti-money laundering and other breaches of the Gambling Act (2005) relating to protecting vulnerable people from being harmed or exploited by gambling. However, due to a lack of transparency around investigations, there was no way of knowing whether the investigation considered their individual case. It was felt that there needed to be a more transparent approach to this and that gambling operators should be made to pay back money that had been stolen:

*If I stole your car, and sold it to somebody, and the police caught up with it all, they would get the car back and give it back to you, because it’s your car. I shouldn’t have sold it and I was never entitled to your car, the guy can’t buy it from me because I have not got title; so it’s the stolen car and they recovered the stolen goods and give them back to you; so why don’t the CPS or the police, or whoever’s job it is, go to [operator] and say – Actually you’ve got half a million of stolen money there, you need to get that back to the company it was taken from (Andy).*

Numerous suggestions were made for the police, the Gambling Commission and the CPS to take a collaborative approach to investigating any failures by operators in cases where gambling-related crime had occurred so that the stolen money could be returned to the victim. It was felt that this should be done prior to any sentencing or POCA and be taken into consideration in judicial decision making. If the outcome of the investigation was that the operator was even partially at fault, then this may be a mitigation for sentencing. If the outcome was that the operator had been in receipt of the proceeds of the crimes, rather than the individual, then the POCA amounts should be reduced to account for this. There were instances where the victims had received the money back from the operators and/or their insurers. However, this was not taken into consideration prior to sentencing. A more joined up approach, therefore, has potential to impact on sentencing outcomes and POCA proceedings. When considering the ongoing harms

arising from POCA (as previously discussed), this has the potential to impact positively on recovery and rehabilitation:

*I think the police need to work closely with the operators and hold them to account. If a drug dealer takes proceeds of crime, they have to give it back. Why should an operator be in receipt of proceeds of crime and not give it back? And that will potentially help somebody with their sentencing, it will help someone not reoffend, because people could be hit with POCA, and have to pay that money back, even when they come out of jail? What is the point in that? That's not going to help people with their mental wellbeing, they may just think – F\*\*\* it (Tony).*

There was evidence of failures to safeguard people who had become vulnerable as a result of their gambling addiction through insufficient affordability checks, the ease of obtaining multiple accounts, the nature of VIP schemes, the nature of ‘free’ spins and credits to online accounts and failures within face-to-face venues also. Investigations by the Gambling Commission may have taken place, but without a transparent, collaborative and timely approach, this was not, and could not be, taken into consideration for sentencing and POCA-related decision making.

## **5.2 The role of banks**

The potential role of banks in highlighting and intervening reducing gambling harms was suggested:

*There's a thing about banks as well because [husband] obviously maxed out all his overdrafts, his credit cards, and he was always being accepted for credit and things, and they would see that one day his account got his pay paid into it, and two hours later he's got no money in it and he's back into his overdraft; now for me they've got the ability to pick up fraudulent activity, why can't they pick up suspicious gambling activity; the amount of payday loans and things when his outgoings... It's not like you needed the payday loans to pay for his rent and things, they were more than his outgoings should have been; that was because he was gambling; it's going into his accounts and things. They would almost be the first port of call for raising alarms, and they could have contacted them to ask him if he has a problem with because we've noticed gambling transactions, a lot of them, so maybe that's something that needs a little bit of looking into (Emma).*

Currently, there is no legislative framework for banks, specifically in relation to gambling activity. However, new Financial Conduct Authority (FCA) guidance has provided a view of what regulated firms should do in order to comply with their obligations to safeguard customers who are vulnerable, and the expectations could be applied to gambling harms (Collard and Cross, 2021).

A number of banks had introduced an option for people to ban gambling transactions on their accounts and this had been helpful:

*Also, I've got a bank account with [bank], and they have an option where you can ban gambling transactions; obviously that can be reversed but it takes 48 hours, but usually by 48*

*hours you have had a chance to think... It's good that banks are being proactive well perhaps operators and the government should be a little bit more (Paul 2).*

However, this was not mandated by the Government, despite previous calls for it to be (e.g., the Guardian, 2021). In addition, within banks there was evidence of a lack of awareness about what could be done:

*I said I wanted a gambling block on it, that is something I would like to be put on, and she didn't really know if my account had it (Adam).*

There was most certainly a role for banks highlighted within this research. While some banks had already taken a proactive approach towards the prevention of gambling harms, it was suggested this should be government mandated.

### **5.3 Advertising**

In September 2021, the Gambling Commission updated the guidance for the advertising of gambling with specific reference to advertising not being made appealing to young people, and the need for consent in relation to direct communications containing gambling advertisements (Gambling Commission, 2021d). In addition, gambling advertisements during some sporting events have been reduced or removed. For example, betting ads on ITV were cut by 47 per cent during Euro 2020 compared to the 2018 World Cup (ITV data cited by iGB, 2021).

However, during the current research, there were widespread concerns about the pervasive nature of advertising in sport, including sponsorship, on television and on social media:

*It's not just your TV and radio, its social media, everything, email, spam; it's absolutely relentless. On my social media, you get promotion tweets. I still get gambling ones put up. You can say you don't like it and don't want to see this, but I am of the opinion that if you do that, two more pop up. It's like a wild west. They definitely should tighten up regulations, if I want to watch a football match, literally just before the game, they will cut off for a five second advert. First thing at half time, gambling advert. At the end. Even a lot of like previews of a match, the actual tv channel will give you the odds of the game, and it's just become part of the sport. It's just too much (Paul 2).*

The concerns about this were in relation to encouraging gambling, particularly amongst young people, and also the adverts being triggering for people working towards recovery. The endorsement of celebrities in gambling adverts was seen as particularly problematic:

*... It's harmful for gamblers in recovery as well, gambling recovery is however long, and they're constantly seeing advertising and marketing (Dan).*

*I think it would be prudent to err on the side of caution, and not take the risk of exposing young people to gambling addiction... It's not worth taking the risk. People are influenced*

*by celebrities... I think we've got to think safety first, what is the point of taking a chance? Because it's an addiction that can ruin lives (Raul).*

Raul went on to provide the example of a well-known England international and premiership football player who is an ambassador for an operator.

As well as the pervasive nature of gambling advertising, there were also concerns raised about the ineffectiveness of current safe gambling adverts:

*When the fun stops, stop. That's just nonsense that. Nobody takes any notice of that when they're an addict (Matt).*

*When the fun stops, stop. What does that mean? It's just words, it's so easy to say that, but when you are caught up in it – No. It doesn't happen. Take time out – No, because I'm so in the moment with it, I'm not going to take time out, what good is that going to do me? I'm going to think about how much money I'm down and how to get it back in the next half hour? (Andy).*

The effectiveness of safer gambling adverts was also raised in relation to the needs of some religious communities. For example, Adam highlighted that because gambling is completely prohibited in Muslim communities anyway, the message to 'gamble responsibly' is pointless and inappropriate because there is no such thing as responsible gambling.

There were calls for gambling adverts to be reformed in the same way that tobacco advertising had been over the last two decades. Participants believed that adverts pertaining to gambling promotion should stop and be replaced by adverts that provide explicit warnings about the potential consequences of gambling:

*... the real message about how harmful and how dangerous it is, it should come with a warning just like smoking and drinking, and driving a car without a seat belt, and speeding; these things come with real stark warnings, it doesn't stop people from doing it, but it sends a clear message of what can happen if you don't... It can take a life, it can lead to crime (Tony).*

*You need to stop the lottery tickets being on display when you get to the tills; first thing you see is a lottery machine with the rolls of scratch cards. They need to be put away, hidden away. Gambling will survive without advertising. The bookies are on the high street and the casinos are still there, people will gamble if they want to gamble; but the advertising in this industry is at horrific levels, it is way past saturation point, and that is one of the biggest things that we have to tackle. I think it's really important (Nick).*

Gambling advertising was viewed as being too pervasive, despite advertising regulation. Current messages in relation to safer gambling were not considered effective and needed to be reviewed. There were calls for advertising reforms akin to tobacco advertising.

## 5.4 Support for victims / employers

Whilst the people interviewed in the current research took responsibility for their crimes and were keen to ensure victims (often their employers) were not blamed, some did want to highlight that there may have been missed opportunities for employers to recognise and intervene at earlier timepoints. For example, Paul (2) had admitted to a gambling addiction, although had not committed a crime at that point, and upon his return from sick leave, he was given a different role with greater access to money which in hindsight was not the most suitable option:

*In hindsight, having somebody that has admitted blowing large sums of money with a gambling problem and has literally just come back from the period off because of the things that happened, giving me almost the keys, if you were drunk you wouldn't give somebody the keys to the car... If somebody worked in a supermarket, and they were an alcoholic, and they came to the boss and said they were an alcoholic. That guy has time away, comes back, two weeks after his return to work, they put him on the drink's aisle, it wouldn't happen (Paul 2).*

More stringent auditing and accounts processes would also pick up on issues sooner and this was even raised in one person's court hearing:

*One of the things that my judge did say at sentencing was – Who the hell was auditing these accounts and didn't pick up on that? (Andy).*

*Obviously whatever checks they had weren't particularly great either. I wasn't doing anything particularly sophisticated; I was taking money for God's sake. I was just thinking if I got caught straight away, things may have been different (Paul 2).*

There was also the suggestion that employers could be supported to embed gambling issues within their HR policies in a similar way to drug and alcohol in order to safeguard employees and the organisation:

*I think much more can be done to support the victim, I don't know who from, but in terms of where gambling has been involved; so, it might even be help and support with HR policies... HR policy talks about anti-drugs, alcohol or smoking, no mention at all about gambling (Steve).*

There was also discussion about a need for greater support for employers to manage the fallout from gambling-related crime within their organisation, including claiming the money from insurers where appropriate, informing the Gambling Commission so that they can decide whether to instigate an investigation, and managing any PR-related challenges.

While participants did not wish to place blame on their previous employers who, for many, had been the victims of their offences, there were areas for additional support in relation to employers and employees with regard to effective HR processes, robust auditing and support, should an employer become a victim of gambling-related financial crime.

## 5. Example timeline

A series of timelines were created to further illustrate the themes outlined in the previous section. One timeline is provided here, while the remainder are available as supplementary information and can be viewed [here](#).

Steve’s story illustrates a number of factors including the complex link between gambling and mental health. Steve gambled to self-medicate and try to escape from the mental health issues he was experiencing, having previously reached out for support from his employer. His gambling escalated through VIP packages and when he stole money from his employer, his reasoning at the time was that he did not want his wife to find out. The timeline is also an example of the high levels of money staked through gambling. Throughout contact with the criminal justice system, Steve reported no support and an obvious lack of understanding, such as when he was referred to as ‘Mr Accountant’ and advised to go and get a job in book-keeping, after he had admitted his offences. In prison, Steve’s story exemplifies gambling as a part of prison sub-culture which staff were part of. Steve was, however, able to attend counselling with his wife to start his recovery while he was awaiting his court hearing. POCA resulted in Steve’s family almost becoming homeless and they now live in an overcrowded property. Steve now offers practical support to people affected by gambling, including families, via his CIC.



# TIMELINE

## Steve's Story



### BACKGROUND

Casual gambler - seaside arcades, grand national, occasional accumulators.  
Completed AAT qualifications and progressed in finance career to senior management.

#### 2011 (Late 20s):

Mental health deterioration - GP - medication.  
Spoke to boss, was told to "grow some balls".  
Moved job - further deterioration - gambling to self-medicate.



### TREATMENT AND SUPPORT

**Dec 2017:** stopped gambling, and installed gambling blocking software on phone.  
Referred self to GamCare who referred on to BreakEven – 12 sessions counselling with wife.  
Mental health issues still a problem - six sessions of CBT through NHS.  
All above helpful but no support around ongoing practical issues e.g. POCA, prison, relationships, employment.  
No support in prison - was asked about drug and alcohol addiction but not gambling; told "We don't do anything for gambling"; officers encouraging to join sweepstakes on the wing.  
No support for gambling via probation either.



### CRIMINAL JUSTICE JOURNEY PART 2

**Jan 2019:** Crown Court - four year custodial sentence. Media published statement from judge about having money that did not exist - came to the attention of other prisoners.  
Moved to three different prisons during sentence.  
**POCA:** wife sold house and car and handed over savings to pay for POCA; on homeless register and living in overcrowded house.  
**Dec 2020:** Prison release onto probation licence.

2011

2014

2017

2018

2019

2021

### GLOSSARY

AAT: Association of Accounting Technicians  
POCA: Proceeds of Crime Act  
CBT: Cognitive Behavioural Therapy  
CJS: criminal justice system  
CIC: Community Interest Company

### ESCALATION INTO CRIME

**2014:** Casual bet - and operator offered free spins.  
Start of addiction: online casinos on phone, some sports betting, VIP packages.  
Had savings but didn't want to use them as wife would find out.  
Stole £700 from employer; not caught but started circle of anxiety, gambling and stealing more.  
Stole £1.1 million over three years including depositing annual salary in 24 hours.

**Oct 2017:** resigned from job and employer found discrepancies.

### CRIMINAL JUSTICE JOURNEY PART 1

**Dec 2017:** Employer phoned wife who questioned Steve - he admitted everything. Highlighted all transactions on bank statements and handed to employer.  
**Feb 2018:** Arrested, home searched for cash. Lack of awareness by police and solicitor who called him "Mr accountant", suggested he went into book keeping, suggested that the amount he had won (at a 93% return) should have left him with plenty of money (without understanding that winnings went towards further gambling rather than profitable gain).  
Thoughts of suicide and scared to leave house.  
**Oct 2018:** Charged  
**Nov 2018:** Magistrates court and pre-sentence report submitted by probation.

### CURRENT CIRCUMSTANCES

Because of lack of support in the criminal justice system, was glad to have started his recovery from addiction before sentencing. Returned to family home but overcrowded. Has set up CIC to offer practical/aftercare support to people affected by gambling, including families.

## 6. Discussion and recommendations

### 6.1 Introduction

The research was undertaken with the aim of exploring and portraying the lived experiences of people who had experienced gambling and crime-related harms. The findings have provided a basis for the ongoing review of policy and practice in relation to crime and gambling. Participants helped to highlight the diversity of pathways into gambling and the subsequent commission of crime; the compelling need for criminal justice reforms, specifically in relation to people affected by gambling harms; the breadth and depth of gambling and crime-related harms; specific considerations for treatment which would reduce the likelihood of an escalation into crime and support recovery, and additional considerations for regulation and advertising.

### 6.2 Recommendations

#### **Criminal justice system**

- There should be systematic screening and assessment of people entering police custody suites and prisons to ascertain whether they have experienced gambling harms and to identify where there is a need for further support. Criminal Justice Liaison and Diversion teams should support this. Specific guidance to police staff about gambling harms via mechanisms such as the *Authorised Professional Practice Guidelines* (College of Policing, 2013 and 2016) should be made available.
- Greater awareness, screening and access to support and treatment for people who have experienced gambling harms, as well as their families, across criminal justice services is required. Support and treatment should be made available through accessible referral pathways at multiple points within the criminal justice system, including upon first contact with the police, while a person is awaiting their court hearings, during custodial sentence, during community sentences and while on probation licence post-custody.
- A greater awareness of the nature of gambling harms is needed amongst professionals working within the criminal justice system, including police officers, probation staff, the judiciary, solicitors, barristers and prison staff. This should include continued professional development programmes tailored for different groups of professionals across the criminal justice system, with specific education around legal representation of people who have experienced gambling harms.
- The pre-sentence report (PSR) process should specifically enquire about needs and circumstances relating to gambling harms, including signposting to support provisions where necessary. Information provided by the PSR pertaining to gambling harms should inform decision-making in relation to sentencing outcomes.

- The presence of gambling harms should be considered as a mitigating factor in sentencing outcomes.
- There should be greater use of community sentences, rather than custodial sentences in order to facilitate access to treatment for gambling harms and promote long term recovery. Consideration should be given to the use of rehabilitation activity requirement days to support access to treatment.
- A review of the use of POCA in cases where crimes have been committed as a result of gambling addiction is required.
- There needs to be a collaborative approach between the Police, the Crown Prosecution Service and the Gambling Commission to investigate the responsibilities of gambling operators in cases where crimes have been committed to fund gambling activity. Investigations should take place prior to and be considered during sentencing, and also be taken into consideration in POCA hearings.

### **Impact of gambling and crime-related harms**

- Gambling harms are further exacerbated by contact with the criminal justice system. There is a need for improved awareness across the criminal justice system of the breadth and depth of harms resulting from gambling and subsequent crime across mental health, physical health, accommodation, finances, family and relationships, and employment.
- There is a need for formal recording of the prevalence of suicides arising from gambling harms. This should be accompanied by robust investigations and the implementation of subsequent safeguarding recommendations in order to work towards the prevention of future deaths by suicide as a result of gambling harms.
- There should be improved support in relation to practical issues relating to finances, accommodation and employment which have arisen as a result of gambling and crime. This should specifically include greater support for gaining suitable alternative employment and the disclosure of offences.
- There needs to be greater support for the families of people who have experienced gambling harms, including specific support for children.
- Specialist support is required for families who are affected by POCA hearings. This should include readily available legal services which are free of charge.
- Greater education and awareness are required across all sectors of society. Information should be made available through educational establishments, sports clubs and employers, as well as providers of criminal justice related services. Information needs to include the nature of gambling harms, support and referral pathways.

## **Support and treatment**

- There needs to be a greater awareness of gambling harms amongst primary healthcare providers, with a particular focus on GPs. Clear referral pathways should be available to GPs, with supporting NICE guidance. NICE guidance for gambling identification, diagnosis and management is in development (NICE, 2021), but this is not expected to be published until 2024. It is recommended that this timescale be reviewed and interim guidance be published.
- Support and treatment should be accessible, timely, responsive to the specific needs of people experiencing gambling harms, time-limited only by the needs of the person accessing support, and available in inclusive, therapeutic locations.
- Support and treatment should encompass a range of options to include counselling, support from other people with lived experience of crime and gambling, family support, and practical aftercare.
- Self-exclusion software should not be time limited.

## **Regulation and advertising**

- Whilst there continues to be development in the regulation of gambling operators, this still requires further measures and ongoing review of the effectiveness of such measures. Specific robust regulation is required around affordability checks, access to multiple gambling accounts and VIP accounts to ensure that customers are appropriately safeguarded.
- There needs to be a reform of gambling advertising. Promotional advertising needs to be much less visible and safer gambling messages need to be reviewed to ensure they are fit for purpose. Safer gambling messages need greater reverence to the depth of gambling harms that can arise.

## **Additional considerations**

- There needs to be greater involvement of people with lived experience of gambling and crime-related harms in decision making about policy and practice. People with lived experience should be integral to decision-making processes, rather than just being asked for their views.
- Banks should be required to allow gambling restrictions on bank accounts and to be able to intervene in situations where there appears to be high levels of gambling activity within bank accounts.
- Employers should be supported to develop appropriate HR policies in relation to gambling, in order to protect the employer and its employees, and to ensure robust auditing of financial processes.

### 6.3 Limitations and future directions

Whilst this report has provided rich data about the lived experiences of people who have experienced gambling and crime-related harm and provided an evidence base for recommendations for policy and practice, it is not without limitations. The limitations relate to the diversity of the sample but do provide avenues for future research, as follows:

- Despite recruiting participants via a number of channels, representation from women was very limited. Previous literature has illustrated the prevalence of gambling amongst women entering the criminal justice system. For example, Perrone et al. (2013) found that 47.6 per cent of women arrested reached the threshold for problem gambling indicated by the Problem Gambling Severity Index (PGSI) compared to 31.6 per cent of male arrestees. Gender differences relating to gambling harms have also been indicated. For example, research suggests that women tend to start gambling later in life, as was also the case in the current research, and to progress more quickly than men from recreational to problem gambling (Grant and Kim, 2002). In addition, it is widely reported that women experience the criminal justice system disproportionately more harshly when compared to men (e.g., Corston, 2007). It is therefore imperative that future research seeks to understand the lived experiences of women in relation to gambling and crime.
- Similarly, representation from ethnic minority communities was limited in the current sample. Evidence has suggested that the prevalence of gambling amongst ethnic minority communities is higher than among white adults; with 20 per cent versus 12 per cent respectively, reaching the threshold for low, moderate or problem gambling on the PGSI (Gunstone and Gosschalk, 2020). More specifically, seven per cent of participants from an ethnic minority background met the threshold for 'problem gambling' versus two per cent of white participants. Within the current study, high levels of shame linked to religious and cultural factors were indicated. However, a mistrust of disclosing to people outside of the communities was also reported and, therefore, future research which is required to address the research gap relating to the lived experiences of people from ethnic minority groups should be undertaken by people from the respective communities, where possible.
- A majority of the participants within the current research had committed financial crimes. There were no disclosures of domestic abuse offences. However, existing literature has indicated co-morbidity between gambling and domestic abuse (Roberts et al., 2016). The recent report on sentencers in relation to gambling, also published by the Commission on Crime and Gambling Related Harms, highlighted the prevalence of domestic abuse offences linked to gambling within criminal court settings (Page, 2021). Future research should therefore aim to examine the experiences where domestic abuse has been a feature.

- All participants within the current research had started gambling prior to prison and did not report that they engaged in gambling while in prison. However, there is existing evidence to suggest a high prevalence of gambling in prison (over a fifth of respondents in a recent study by the Forward Trust, 2020) and that some people start gambling whilst in custody (Smith et al., in submission), and this was echoed in the current research. It would therefore be pertinent to explore the lived experience of people who engage in and/or commence gambling whilst in prison custody. In addition, the participants in the current study had mostly committed crimes as a result of gambling. However, there are people who engage in gambling as part of a criminal lifestyle (Pastwa-Wojciechowska, 2011), for example people involved in drug distribution offences who gamble, people who operate illegal gambling services, and people who operate as illegal lenders or enforcers. Future research should also try to consider the lived experiences within this group of people.
- The current research invited people to retrospectively report their experiences. However, future longitudinal research would allow for exploration of the long-term impact of gambling and crime-related harm on individuals and their families; to explore longer term support and treatment outcomes; to explore changes in friendships and social networks over time; to evaluate changes in awareness over time; to evaluate the impact of changes in policy, regulation and advertising; and to evaluate the impact of any future criminal justice changes in relation to problem gambling, including the effectiveness of referral and support.

The current research explored and amplified the experiences of people who have committed gambling-related crime. The findings provide a basis for policy and practice recommendations across criminal justice, the provision of support and regulation within the gambling industry. Not without limitations, the research has provided further avenues for future research.

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## Legislation

Gambling Act 2005, c.19, available at: <https://www.legislation.gov.uk/ukpga/2005/19/contents>

Proceeds of Crime Act 2002, c.29, available at: <https://www.legislation.gov.uk/ukpga/2002/29/contents>

Rehabilitation of Offenders Act 1974, c.53, available at: <https://www.legislation.gov.uk/ukpga/1974/53>

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## **About the Howard League for Penal Reform**

The Howard League for Penal Reform is a national charity working for less crime, safer communities and fewer people in prison. We campaign and research on a wide range of issues including short term prison sentences, real work in prison, community sentences and youth justice. We work with parliament and the media, with criminal justice professionals, students and members of the public, influencing debate and forcing through meaningful change to create safer communities. Our legal team provides free, independent and confidential advice, assistance and representation on a wide range of issues to young people under 21 who are in prisons or secure children’s homes and centres. By becoming a member, you will give us a bigger voice and give vital financial support to our work. We cannot achieve real and lasting change without your help. Please visit [www.howardleague.org](http://www.howardleague.org) and join today.

## About the Commission on Crime and Gambling Related Harms

The Commission on Crime and Gambling Related Harms was launched by the Howard League for Penal Reform in 2019 and is scheduled to run until the end of 2022. The Chair of the Commission is Lord Peter Goldsmith QC. He leads a team of 12 Commissioners, comprising of academics and professionals with expertise in the criminal justice system and public health, as well as experts with knowledge of the gambling industry and with lived experience of addiction. The Commission seeks to answer three questions:

- What are the links between crime and gambling harms?
- What impact do these links have on communities and society?
- What should be done?

## About the author

Lauren Smith is a Lecturer in Psychology at the University of Lincoln. Up until April 2020, Lauren was a Senior Manager within a voluntary sector organisation working to support people in contact with the criminal justice system and their families. She has over ten years' experience as a Practitioner working across court, prison, probation and supported housing settings. Lauren utilises a mix of qualitative and quantitative methodologies to research resettlement and reintegration of people in contact with the criminal justice system. Recent work has included several reviews of services provided to support people in relation to homelessness, alcohol addiction and persistent offending behaviour, with lived experiences an integral part of the research.

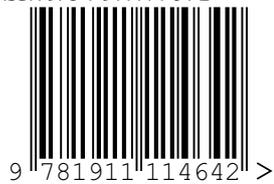
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