



Northern Ireland  
Assembly

Committee for Communities

# OFFICIAL REPORT (Hansard)

Betting, Gaming, Lotteries and Amusements  
(Amendment) Bill:  
Northern Ireland Turf Guardians' Association

25 November 2021

# NORTHERN IRELAND ASSEMBLY

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**Members present for all or part of the proceedings:**

Ms Paula Bradley (Chairperson)  
Ms Kellie Armstrong (Deputy Chairperson)  
Mr Andy Allen  
Mr Stephen Dunne  
Mr Mark Durkan  
Ms Ciara Ferguson  
Mr Paul Frew  
Ms Áine Murphy  
Miss Aisling Reilly

**Witnesses:**

Mr Michael Fee	Northern Ireland Turf Guardians' Association
Mr Vincent Paul McLean	Northern Ireland Turf Guardians' Association
Mr Gary Toal	Northern Ireland Turf Guardians' Association

**The Chairperson (Ms P Bradley):** I welcome to our meeting today Paul McLean, Gary Toal and Michael Fee *[Interruption.]* There is terrible feedback. I know that it is not from Michael, because he has headphones on. Paul and Gary will have to put themselves on mute. OK. Hold on. That is better. Sorry about that. When two people are in the one room to do a briefing, we sometimes end up with dreadful feedback.

You are welcome to the meeting today. This is our first briefing on the Bill. We are glad to have you here. If some of our questions seem a little simplistic at times, it is because you are the first witnesses up, and we need to better understand the challenges that the Bill may pose to some people in the industry. Paul, I have you down as "Vincent Paul McLean". Is it Vincent or Paul?

**Mr Vincent Paul McLean (Northern Ireland Turf Guardians' Association):** Paul.

**The Chairperson (Ms P Bradley):** Thank you, Paul. We have terrible feedback again, and I do not understand why. Do you have only one device on in that room?

**Mr McLean:** Yes.

**The Chairperson (Ms P Bradley):** That is it now *[Interruption.]* No, it is not.

**Mr McLean:** We can hear clearly. Can you hear me OK?

**The Chairperson (Ms P Bradley):** I can hear you, Paul, but I can hear myself too.

**Mr McLean:** Oh dear. Would you like me to start, or do you want me to hold on for a moment or two?

**The Chairperson (Ms P Bradley):** When you are speaking on your own, it is fine, so if you want to go ahead, that would be great.

**Mr McLean:** OK. Good afternoon, Chair and Committee members. Let me start by thanking you for this opportunity to address you and outline the position of retail bookmakers in Northern Ireland. By way of introduction, my name is Paul McLean, and I am the chairman of the Northern Ireland Turf Guardians' Association (NITGA). Joining me is our secretary Mr Gary Toal of Toals Bookmakers and fellow NITGA committee member Mr Michael Fee of Ladbrokes.

The Northern Ireland Turf Guardians' Association is the representative body for retail bookmakers in Northern Ireland. Our membership comprises large national operators, medium-sized regional chains, small independents and single-shop operators. There are approximately 285 betting shops trading in Northern Ireland, and our membership accounts for approximately 260 of those. Betting is a legitimate adult pursuit, and licensed bookmakers provide an excellent service. We also provide local employment and contribute to local communities. The industry employs approximately 1,500 people, and the economic value to the local economy is estimated to be around £29 million per annum.

Our association welcomes the Bill. While it may not go far enough for some, it must be seen as the first step on a long road to update legislation that is now almost 40 years old. We see three main issues with the 15 clauses in the Bill, the first of which is the Sunday opening of betting shops. Even though betting shops are closed, gambling takes place on a Sunday. People can bet on course, online, by telephone, through the National Lottery and scratch cards and at gaming centres, as well as illegally in pubs and clubs. In 2009, a PwC report estimated that, if betting shops were allowed to open on Sundays, 161 full-time jobs would be created and, over the first five years, £32 million would be added to the Northern Ireland economy. Those figures may be optimistic now, but there would certainly be a significant jobs and economic boost. Another significant benefit would, hopefully, be the end of illegal betting, which denies legitimate employment, denies all forms of taxation and, in certain areas, may fund paramilitaries. It is completely unregulated and takes place in premises that sell alcohol, which is a mix that has always been strenuously avoided by legislators. Workers' rights will, of course, be protected, in the same way as is already the case in other jurisdictions. Allowing bookmakers to open on Sundays provides customers with a legitimate choice in a regulated environment, addresses the anomaly for local operators, provides jobs for local people and increases taxation.

The second major issue is an industry levy. The vast majority of people gamble safely, although a very small number develop problems. Bookmakers appreciate that, and we take various steps to help. Safer gambling messages are clearly displayed in bookmakers' shops on wall posters, leaflets at counters, till receipts, screens and gambling machines. Staff training enables staff to spot and assist anyone showing signs of problems. A self-exclusion policy also enables customers to exclude themselves from our premises.

For the past decade, bookmakers have contributed to a local addiction service specialising in problem gambling, namely Dunlewey Addiction Services. It is the only Province-wide service available to those with gambling issues. It provides a helpline and counselling sessions free to anyone. Northern Ireland retail bookmakers have contributed in excess of £300,000 to assist with problem gambling. To our knowledge, no other sector of the industry makes contributions. The '2016 Northern Ireland Gambling Prevalence Survey' identified that 23% of gambling is on an event or sport, including online, and that 1.6% is by people who play machines in betting shops. At its height, gambling in betting shops reflects much less than 20% of the gambling that takes in Northern Ireland, yet we contribute 100% of the funding for problem gambling. The National Lottery, National Lottery online, scratch cards, raffles, ballots, online gambling, gaming centres, machine operators and bingo clubs do not contribute at all. As demonstrated by our voluntary contributions to date, we are happy to do our bit to help with gambling issues, but any levy must be equitable and fair.

The final issue is a mandatory code of conduct. As you will see from our submission, our members already adhere to and promote safer responsible gambling. Those voluntary measures were led by the industry in the absence of statutory regulation. Age verification, safer gambling information, staff training, no credit cards to be used in betting shops, no ATMs inside betting shops, self-exclusion policies and Dunlewey contributions are amongst the measures that we have implemented. When

gaming machines and fixed-odds betting terminals (FOBTs) were introduced, we voluntarily agreed to abide by GB rules regarding numbers and technical specifications. When the stakes and prizes were reduced to £2 in 2019, again, we voluntarily followed suit. All FOBTs now have responsible gambling software installed to allow customers to set time or spend limits, along with on-screen prompts and breaks in play.

I appreciate that I have covered a lot of ground very quickly. My colleagues and I will be happy to take any questions that you may have.

**The Chairperson (Ms P Bradley):** Thank you, Paul. Will you put your microphone on mute while we ask questions? You can then take yourself off mute to answer. The feedback is horrendous, which often happens; it is not just you.

As I said, this is our first briefing. I will ask my questions together rather than having you mute and unmute yourself. As a Committee, we are very keen that the Bill strikes a balance that is appropriate to consumers and the industry. We are also mindful, as always and with any Bill, of any unintended consequences. Do you see a balance in the Bill? Is there something more that we could do to address imbalances? You mentioned the levy and how you contribute to Dunlewey Addiction Services, which is great. The contribution amount is small, because so few people contribute in the way that you contribute. Will you expand a bit more on how that could be changed?

I also want to ask about illegal betting. Sunday opening will probably be a little bit contentious, when we come to further consideration of the Bill. However, I am very aware, because it has been pointed out to me, that illegal gambling continues to take place in our pubs and clubs every Sunday. What is the scale of illegal gambling? Is it on a worrying scale?

Those are my openers. Do you mind answering those questions for me, please, and taking yourselves off mute?

**Mr Gary Toal (Northern Ireland Turf Guardians' Association):** Thanks, Chair. We have no issue whatsoever with a mandatory statutory levy. We went looking for an addiction service to help, I think, 12 years ago. We ended up with Dunlewey Addiction Services, which is based in Belfast and gives a Province-wide support network to people with a gambling problem. At the outset, every Irish betting shop, including those in the Republic, donated to Dunlewey Addiction Services. Unfortunately, that has changed in the last couple of years, because our counterparts in the Republic of Ireland have outsourced that and found what they consider to be local services. We would rather stay with Dunlewey Addiction Services. We have no issue with paying a levy. Last year, when Dunlewey Addiction Services was struggling for finances, my colleague Mr McLean and I were personally asked whether we would make voluntary contributions over and above what nearly all betting shops in Northern Ireland pay. We gladly paid extra money to get it through a difficult period.

The problem with the Bill, as it stands, is that we believe that less than 20% of gambling in Northern Ireland happens in betting shops; 48% is the National Lottery, 23% is scratch cards, and 21% is raffles by societies, which might be the local football club or the local church. You could mandate that betting shops must pay x per year per betting shop, but nobody is talking to the National Lottery. We have concern about that. If we had a level playing field, we would be happier, but we have no issue whatsoever with a statutory levy.

You asked three or four questions. I will ask Paul to talk about illegal gambling on Sundays.

**Mr McLean:** I do not know whether you are aware, but, on a Sunday, you can bet almost anywhere in Northern Ireland now, apart from in a betting shop, which is the place that is licensed to take bets. If you want, you can bet on your phone in church on a Sunday morning. It seems ridiculous that the only place that is licensed to accept bets is the only place that is closed by law on a Sunday.

You will be aware that sport is changing all the time. So many major events take place on a Sunday. The finals of the World Cup, the European Championship and Wimbledon all take place on a Sunday. The British Open, which, thankfully, the Executive are bringing back to Portrush, finishes on a Sunday. Those betting opportunities are not available to retail bookmakers in Northern Ireland, but people still bet on those events. They bet online and by telephone. They bet in pubs and clubs, and it is completely unregulated. They are forced to go there because our legislation keeps the shops closed. In some border areas, cars go across the border to place cash bets at the weekend. It seems ridiculous that the places that are licensed to accept bets are the one place that cannot take a bet.

The PwC report estimated the value of Sunday betting to be £2.4 million, although I am not sure how that figure was arrived at. The problem is that illegal betting starts on a Sunday when, because the betting shops are closed, somebody pretending to be a bookmaker sits in a corner and accepts bets from people, but that then graduates to Saturday or other days when there is TV racing. Illegal betting has become a big issue for bookmakers in Northern Ireland. We have tried to do something about it. We have objected to public house licences. We have contacted the PSNI, which feels that it does not have the resources or manpower to do anything about it. I am sure that some Committee members are aware of the boy who sits in the corner and takes bets on a Saturday and Sunday. That is money that could be used for employment. We could employ people on a Sunday, and their workers' rights would be looked after, as they are in other jurisdictions where shops are open. It seems like an anomaly that you can do so much betting on a Sunday but you cannot do it in a betting shop.

**Mr Toal:** Chair, you asked whether we are concerned about illegal gambling activity. Paul has articulated that we are very concerned about illegal gambling activity. When we talk about gambling, everybody just thinks about bookmakers and betting shops. They do not think about the National Lottery, which you can bet on on a Sunday, or of scratch cards or of local football clubs. That may fund a good cause — their society, their club or whatever — and I am not knocking that.

Nobody ever seems to talk about illegal casinos, which are rife in Northern Ireland. Nobody is policing or addressing those. As Paul McLean articulated, the police are just not policing them. Illegal casinos seem to be a forgotten, hidden, dirty problem that nobody is addressing. There are also legitimate bingo clubs and illegitimate bingo clubs. There are a lot of adult gaming centres that are legitimate. We are legitimate. We pay our taxes; for us, that is gross profit tax. We also pay machine games duties, as adult gaming centres and some bingo halls do. There are many illegal casinos out there that are just ignored. Several are going through the courts at the moment, and hopefully something will happen, but they were there for 20 years before that happened. Apparently two of those may end up in court next year. If that does not go well, we may as well close. People can bet 24/7. You can go into many illegal casinos at 4.00 am having had a load of alcohol and do whatever you want, and you can possibly get alcohol in those places. We need the police, but nobody is policing those. We self-regulate, and nobody else does.

**The Chairperson (Ms P Bradley):** Can I just ask [*Inaudible owing to poor sound quality.*] There is an echo again. Can you quickly put yourself on mute?

I am not familiar with the illegal casinos in any way, shape or form. Some of us around the room have been looking blankly at each other. Can you explain a wee bit further? What is an illegal casino? Are they on our high streets? Without naming names, where are they? How do people access them and just how popular are they? I do not know a great deal about them, and I do not think that any members around the table know a great deal about them. I would be interested to get a wee bit more detail, please.

**Mr McLean:** OK. It is very hard to explain illegal casinos to you. They are basically clubs; they could be bingo clubs or gaming centres. During the day, they do what they are supposed to do, but then, late at night, they will perhaps close their doors and have a restricted membership. Machines that, during the day, take 20p or 50p can be adjusted so that they will take any stake. There are a number of large poker-table-type machines in those illegal casinos. They are taking over so much of the business in Northern Ireland. A number of years ago, we objected to one in Belfast, and it was closed down. However, as Gary said, the police do not feel that they have the resources and manpower to do anything about them.

**Mr Toal:** The classic casino game in most of Europe, if not most of the world, is roulette. Some of them have physical machines in which you actually see the ball going around. We do not have legislation for a legal casino facility in Northern Ireland. You get it in Britain and, to some degree, in the Republic now. You will actually see the live roulette table, where games are played, and you can stake as much as you want. You can put £500 on black or red, or you can put £500 on your lucky number, which might be 2, and you get 35/1. That happens until 4.00 am.

Not all bingo clubs and gaming centres are bad, but some masquerade under that guise and are open 24/7. Come maybe 10.00 pm, you have to be a registered member to get in. You will need to be recognised and buzzed in. There is CCTV and all the rest of it. They are totally illegal and not regulated, and you can win whatever. During the day, they will have machines that are akin to fixed-odds betting terminals. Those machines are in betting shops in Northern Ireland, but we self-regulate them and reduce stakes and prizes to match those in mainland Great Britain. However, there are an

awful lot of machines out there on the market where, at the flick of a switch, you can change the stake: you can make it 30p per play during the day and then press a button on a computer console and put it up to £100 per spin on a casino game; or £500; or £5,000.

**The Chairperson (Ms P Bradley):** My goodness, that is shocking. I consider that akin to a bar having a lock-in. Similarly, this has a locked door, guests who are known, word of mouth and that sort of thing. That is how it is happening. Those are scary amounts of money. Thank you for that.

**Mr Durkan:** Thanks, gentlemen, for the presentation. I declare an interest of sorts. It is not really one, but it should be out there anyway. I recently met Mr McLean at an event in Derry — the 'Derry Journal' People of the Year Awards — but I assure the Committee that there was no discussion about legislation or anything remotely like it. I just want to put that out there in case any photos start appearing and any shadow is cast on either of us.

I have raised previously — even during the Second Stage debate in the Chamber — my concerns that some aspects of the Bill seem to single out established bookmakers and those that have shops here. Because they are here, because they are established and because they have an address, it seems to be, "Let's hit these guys with the levy". You outlined that a bit. They do pay money currently. I would be interested to hear from the Dunlewey centre at some stage, not to verify what the gents have told us but to hear about what it could do with more money and what it does with the money that it does receive to help people with problem gambling. I would, in no way, say that betting shops do not have a responsibility, or, indeed, do not play a role in problem gambling.

Given the prevalence of online betting — I cannot remember the statistics that were quoted — people can bet and bet and bet. You can use credit cards and keep going. There is a voluntary code of conduct that you adhere to in your betting shops here. Would your staff ever say to someone, like a barman would, "No, sorry. You've had enough"? Are your staff instructed to tell people, "No, sorry. You've lost enough today"? Is it naive of me to think that that could or might happen?

**Mr Toal:** Mr Durkan, I send a lot of my senior staff on training courses. Some of those are organised by Dunlewey Addiction Services, and some are through our counterparts in the Republic, namely the Irish Bookmakers Association, the chairperson of which is particularly good and organises at least one course a year. I regularly send groups of staff — obviously, I cannot send them all on the one day or I would have to close the shops — to Dunlewey addiction training days and training days in the Republic. My staff are trained to notice what becomes different. I cannot deny that some people develop serious problems with gambling. We consult with Dunlewey Addiction Services at least once a year in the normal course of events. We missed one last year.

A lot of it is cross-addiction. People may start with a betting shop and then go online because we are not open at 11.00 pm on a Saturday after they have had a few drinks. We are licensed for a reason. We are licensed to limit the numbers so that we do not have clusters of betting shops on the high street and everybody can walk into a betting shop. We are licensed to restrict the numbers, and possibly to restrict the hours. Alcohol should definitely be kept away from gambling because it is not a good mix. I have no issue whatsoever with alcohol, but, if people have too much alcohol, they might have a bet that they should not have or an extra 10 bets that they should not have. If you can go online with a credit card, that is particularly bad. I was very pleased when Great Britain banned credit cards for use in betting shops and online if you have a Gambling Commission licence.

To go back to your question, my staff are trained to notice differences. We are sort of a social hub. It is a bit like a pub, where you might get a lock-in: you will only be locked in if you are well known. My staff will know, "Well, that's John. He comes in three times a week and has a £5 bet on a Tuesday, Wednesday and Saturday on a soccer accumulator because he really likes football". If, all of a sudden, he changes his habits, my staff are told, "Go and talk to John, and say, 'John, what are you doing here? What's changed? Do you have a problem?'". We miss some of them. It can be very difficult when somebody walks in off the high street in a busy town. It is very easy in a small town because you get to know 95% of the customers. It is a bit difficult in Belfast when you can go five or six streets away and not know who John is. However, we do get to know them. If habits change specifically or if people have unusual amounts of money and are not dressed accordingly, my staff will ask, "Are you OK to do this?". That is more prevalent with gaming machines than in Paul's and my background, which is traditional over-the-counter — OTC, as we call it — betting on the horses or football. It is easier to hide playing a gaming machine, but we do not have the big issues with FOBTs, which definitely were prevalent in south-east England. We self-regulated for that restriction, which was

from a £100 maximum stake on a FOBT down to a £2 stake. Arguably, we did not need to do it, but we thought that it was the socially responsible thing to do. Therefore, we copied them.

**Mr McLean:** I will add to what Gary said. The staff go to Dunlewey. It explains how to spot anything that is different. It is sometimes very difficult to approach customers. Sometimes, people take it very badly, so there is a knack in saying to someone that that is not their usual type of bet or to ask them what is going on. A lot of people take offence when you try to restrict or to ask them what they are doing, but that is all part of the training that is supplied by Dunlewey. As Gary said, we all send our staff there. The people there know what they are doing regarding problem gambling. We meet them regularly and ask them how we can help with spreading the message and if there is anything extra that they need us to do.

We have no influence, however. It has been mooted sometimes that bookmakers have a big influence on how addiction services are meted out or who decides who qualifies for it. We meet regularly. We only go to help and to ask what sort of assistance it requires and how the service is going, but we have absolutely no input or say in how it provides its services.

As Gary said at the start, we contribute to a levy. We are happy to continue to do so, but all that we are asking for is an equitable and fair playing field. So many sectors of the gambling industry pay nothing and do not want to pay. The Executive's prevalence study stated that almost 50% of regular gamblers cited the National Lottery as being their form of gambling. The next one down was 24% who used scratch cards. Those are National Lottery products. The National Lottery is also online. It makes absolutely no contribution to addressing gambling in Northern Ireland.

The other big issue is online gambling. It makes no contribution. I know that you have been made aware of that, but we are just concerned that, if a levy is introduced, it will be introduced just to hit the bricks and mortar operators because you cannot legislate for those outside NI, and we feel that that would be vastly unfair.

**Mr Durkan:** I think that I made that point previously about the inequity. Your response states that you would welcome a mandatory code of conduct, and there is reference to your current voluntary code of conduct. What would that mandatory code of conduct look like? You are here telling us about the good things that you guys are doing and the responsible things, but are you speaking for all betting offices? Who falls under your membership? I welcome the stuff that you seem to have done around the FOBTs and reducing the stakes there, but is everyone doing that?

I know about the prevalence of machines in betting offices. They are in lots of other places as well. You referenced the legal casinos, as well as bingo halls and the likes of betting machines in bars. At least, only over-18s go into bars, but I know that takeaways that I have been in occasionally also have betting machines. What is the story with those?

**Mr McLean:** To go back to your first question regarding the mandatory code: as we said in our submission, we are happy for there to be a mandatory code. We represent probably 80% or 85% of the betting shops that are trading in Northern Ireland. They apply the regulations and the things that we have pointed out in our submission. We would be happy for the code to be mandatory. Our licences are renewed every year. If you break the law or do something wrong, anyone can come along and object to your licence. The police or the Department can object to your licence, and you will lose it. That is the ultimate deterrent. Bringing in a mandatory code is quite a good fix, because it will allow the legitimate operators, whom we represent, to be on a level playing field with those who are not playing the game and are having more machines or higher stakes or taking credit cards. The mandatory code of conduct, as far as legitimate operators are concerned, would probably be a boon to us. We would be very pleased to have that introduced.

You mentioned machines and FOBTs. There are a couple of things that I would like to clarify about those FOBTs. In the past, it was a £100 play, but that has now been reduced. We voluntarily brought it down to £2. When it was a £100 play, it was a myth that you could lose £18,000 in an hour on a FOBT. For two reasons, that was not possible. First, it was physically impossible to put that sum of money into a machine. It was calculated at £100 a spin, three spins a minute and 60 minutes an hour. That equates to £18,000. However, you could not put the money into a machine that quickly. Secondly, the odds of having 180 unsuccessful spins are higher than those of winning the National Lottery. Therefore, it is a myth that has been bandied about in the press that you could lose £18,000. At the £100 level, you could never have lost £18,000 in an hour. That is done away with now. As Gary

said, we voluntarily reduced it to £2. The issue regarding FOBTs has virtually gone away, we feel, because of the great reduction in the stakes and prizes.

The other point that you made was about machines in other places. They are in pubs and clubs, and I have even seen them in taxi ranks and fish and chip shops. We feel that they are completely unregulated in such places. I do not know what size of stakes and prizes they are using. I do not know whether the Bill, if there were a mandatory code of conduct, would have anything to do with that. Perhaps, if it applied to machine suppliers, it would not allow them to supply taxi ranks, chip shops, and pubs and clubs with machines that they should not have. That is the equity point. If we are going to have a mandatory code of conduct, it has to apply to all sectors of the industry. It has to apply to gaming centres, machine suppliers and bingo clubs. We will welcome a mandatory code of conduct and will do whatever is said in it, but we ask the Department and the Committee to make sure that it is fair and equitable across the industry.

**Mr Durkan:** I want to ask about Sunday opening. The Chair said that it could be contentious, and she is definitely right about that. You outlined the rationale behind that, which I accept, but I appreciate that others might not. I see something in here about protection for employees who could not or would not be able to work on a Sunday due to religious grounds. I am thinking about how it might be made more palatable to those who would be opposed to what they see as a relaxation of gambling laws by shops being allowed to be open for longer. Would you be open to some sort of restriction on hours per week, where you can choose to use a Sunday in place of another day, or a half-day on a Sunday in place of a half-day on some other day?

**Mr Toal:** We would be happy with a restriction in hours on a Sunday. We have no issue with that. We definitely do not want to be open from 8.00 am. Most betting shops in Northern Ireland do not open until 10.00 am. You might see shops in London or Dublin open at 8.00 am or 8.30 am, but it is not viable here. It is maybe a societal thing. Anybody who has tried it says that it does not work. I do not want to be open, for the sake of my staff and their sanity. I am happy that they can withdraw from working on a Sunday. I have had shops in Scotland where, for religious reasons, staff did not work on a Sunday. That suits me. If I employ somebody for 40 hours a week, I do not need them to work for 48 or 56 hours. I am happy to employ more staff. The more staff that Toals has working in its shops, the better it is for the economy, and it provides more flexibility for days off being covered, and all the rest of it.

I have discussed it with Paul, many times. We would be delighted with 11.30 am to 6.00 pm, because, as Paul mentioned, most major sporting events, by and large, with the exception of American golf, take place on a Sunday, and it is all between 11.45 am and 5.45 pm. That is when Premiership football kicks off, and the darts final, the snooker final and the big rugby matches take place. That is what our customers are looking for. Currently, they have a dilemma with regard to having a bet during those hours. I know of towns on the border — I am not talking about your town, Mr Durkan —.

**Mr Durkan:** It is a city. *[Laughter.]*

**Mr Toal:** Sorry. It is nothing to do with you. Buses in certain towns will go from one side of the border to the other to bring customers to betting shops and pubs, because the betting shops in the North are closed. Hopefully, I have answered your question, Mr Durkan.

**Mr McLean:** I will come in there. Mr Durkan, you asked about swapping days. I do not see that as being viable. First, if we are trying to restrict illegal betting, that is going to close a shop on another day, so that brings back the illegal betting issue. Secondly, on the logistics, if you close a shop on a Tuesday or Wednesday to allow it to open on a Sunday, the customers will get out of the way of coming to the shop. They will think, "Why is it closed today?". Messing about with the hours would be the death knell for certain shops. Customers expect the shops to be open, and, if they are not open on a particular day, they think that there is something wrong. We have closed some shops at night. If you close at night, it definitely affects the day business. To close a shop on a Tuesday to allow it to open on a Sunday would not work. Yes, we are happy with restricted hours, as Gary said. However, a slight issue with having set restricted hours is that, in winter, racing starts about 11.00 am or 11.30 am and finishes by about 3.00 pm or 4.00 pm, obviously, because of the light, and, in summer, it does not start until, perhaps, 2.00 pm and will go on to 5.30 pm. Therefore, having set restricted hours in our industry would be difficult, because the winter hours would have to be different from the summer hours.

**Mr Durkan:** OK. Thank you.

Finally, for clarity, I have questions on clause 12 and clause 13. Clause 12 relates to cheating. What form does the cheating take? How prevalent is it? How much of a problem is it? I watched the recent documentary on Barney Curley. I do not know whether that sort of stuff goes on with great regularity or frequency. Clause 13 is on the enforceability of gambling contracts. Have you or your members been in a situation in which bets have not been paid out to punters? Why would such a thing happen?

**Mr McLean:** To start with your second question on the enforcement of bets: we have to pay out on bets. If we do not, word goes round very quickly, "There's no point in betting with them, cos you can't get paid out when you get a winner". I do not know why that anomaly was in the legislation; it was changed in GB and the Republic of Ireland. The enforcement of bets will not be an issue as far as bookmakers are concerned. That is why I did not speak about it in the introduction.

There is very little, if any, credit betting any more. Perhaps, in days gone by, people were allowed credit, and there might have been an issue with the enforcement of bets for the customer. With the way that technology has gone, credit betting and the enforcement of it is a thing of the past and will not raise its head.

On the issue of cheating, you mentioned the TV programme on Barney Curley. I do not see it as being something to do with that. If you were to take it to the nth degree, owners run horses down the field once or twice to get their handicap better or perhaps to get a better price the next time, but you could not claim that that was cheating. I do not know what the cheating would involve. Maybe it would affect machines that are not properly regulated and are set to not pay out, not that I have ever come across any. We have yearly renewals of shops, so as far as cheating is concerned, I do not know that there ever have been any instances of bookmakers either not paying out or cheating. It will be very difficult to prove that customers or punters have cheated.

**Mr Durkan:** On the enforceability of gambling contracts, you spoke earlier about illegal bookies. I do not know how prevalent illegal bookies are, but I know that there are some in operation. There will be no enforceability on anyone who is unregulated, and it would be unsafe for a punter to pursue that in some circumstances. Thank you, gents, for those answers.

**The Chairperson (Ms P Bradley):** Members, we literally have 10 minutes left for this briefing session. Paul, you indicated, so can you get straight to the point? Gary and Paul, can you respond in a more succinct manner as we are at the end?

**Mr Frew:** I had enough time there, Mark, to run a book on how long you would take.

On the issue of Sunday observance and opening, I get your argument that you can do anything on a Sunday with your phone. That is a valid argument. However, it is not just religious-minded people whom you need to protect regarding Sunday opening; it is also people — husbands and wives who are off work on a Sunday and their children who are off school on a Sunday — who want common time with their family. You said that clause 3 offers sufficient protection for those who work on a Sunday in the industry or those who choose to not work on a Sunday. However, all that clause 3 does is to extend the protections for those who work at tracks and other places to the licensed bookmaker's shop. Does the 1985 Order, which is quite old, afford enough protection for people, religious or otherwise, from having to work or being pressurised to work on a Sunday?

**Mr Toal:** I would welcome a copy and paste from the British Act that provides rights for workers to not work on a Sunday. If somebody is on a full-time contract of 37.5 hours a week not including Sunday, I will want to employ extra people and provide more employment. I cannot and will not force someone to work on a day that they do not want to work on. I welcome protection for workers who do not want to work on a Sunday, for whatever reasons, be they religious or family reasons. I have no issue with that. It is an extra 14% of hours that my shops will be open. I employ 250 people. If I had 14% more staff, that could be an extra 40 jobs; is that not a good thing?

**Mr McLean:** I will interject with two other things. As Gary said, we are happy if the legislators want to toughen up legislation or to come in with something else to ensure that staff do not have to work if they do not want to or if they have religious reasons for not doing so. Another very obvious reason why you do not want such staff working is that, if somebody does not want to work that day, the service that they will provide to your customer will do nothing but lose you custom. Forcing people to work when they do not want to is in no one's interest, but, certainly, as far as what you are saying is concerned, if legislators want to toughen up the Bill, we would be happy with that.

**Mr Frew:** OK, thank you. Do you accept credit card payments?

**Mr McLean:** No. We do not accept credit card payments in any shops.

**Mr Toal:** That is voluntarily. We follow the British legislation. As I said earlier, I always disagree with people betting with money that they do not have. By definition, money from credit cards is money that they physically do not have and possibly do not have in their bank account. We agreed and concurred that, as an industry and an association, we should say, "We are stopping all this". We did not have to, but we stopped it. I own a software company that supplies electronic point of sale (EPOS) systems to call centres. It is coded into the software that it cannot take credit cards.

**Mr Frew:** Would you support an amendment to make sure that that does not come into play in the future?

**Mr Toal:** We are more than happy to not take credit cards. We do not want credit cards.

**Mr Frew:** Do you take debit cards?

**Mr McLean:** I will speak for my company. We did not take debit cards until the lockdown. We only introduced that because of the pandemic, given that you can tap debit cards and touch things less. We have restrictions on how many times you can use your debit card and how much you can spend on it. We do not want people to lose all the money in their account. Originally, the advantage to the betting shop was that you were limited by what you had on you. No bookmaker wants people to empty out their accounts by either credit or debit card. Yes, we take debit cards now, because everybody uses a debit card and wants to use a debit card instead of cash, but there are restrictions in place as to how many times you can use your debit card and how much you can bet.

**Mr Toal:** I agree with Paul. Very few shops had virtual terminal machines, if that is what they are called, prior to the pandemic. After the first lockdown, one of my staff was comfortable coming back to work but very uncomfortable using cash. You probably saw that in shops or wherever you may have visited. It gave my customers and staff some sort of confidence that they were not dealing with someone else's possibly virus-covered cash.

**Mr Frew:** I understand. I have one more question. If there was a cap on debit card spending, what amount would be reasonable?

**Mr McLean:** Are you talking about a cap for spend per day or per week or per use?

**Mr Frew:** I am open to any suggestion.

**Mr McLean:** We have a current cap of £200. That is the maximum amount that you can use your debit card for.

**Mr Frew:** Per day?

**Mr McLean:** Yes.

**Mr Frew:** OK, thank you very much.

**The Chairperson (Ms P Bradley):** Thank you. We are really tight for time, so I am unable to bring in any other members. Kellie would probably have liked to ask a few questions.

**Ms Armstrong:** No, I am OK.

**The Chairperson (Ms P Bradley):** You are all right.

I really appreciate you coming in today. Certainly, I have learnt plenty from listening to you, and it was good to have you come here first. If we need further information from you and require some more explanation as we go through the Bill, I hope that you are open to getting back to us, even if it is in writing. Although we prefer to hear from you in person, we understand that trying to work that into

diaries is not always possible. I thank you for kicking off our evidence on the new Bill in front of us. It has been very interesting indeed.

**Mr Toal:** Thank you very much.