



Northern Ireland
Assembly

Committee for Communities

OFFICIAL REPORT (Hansard)

Betting, Gaming, Lotteries and Amusements
(Amendment) Bill: Gaelic Athletic Association

7 December 2021

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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 Aine Murphy
Miss Aisling Reilly

Witnesses:

Mr Brian Mallon	Gaelic Athletic Association
Mr Diarmaid Marsden	Gaelic Athletic Association
Mr Brian McAvoy	Gaelic Athletic Association

The Deputy Chairperson (Ms Armstrong): We are joined by Diarmaid Marsden and Brian Mallon. Brian McAvoy will join us shortly, which is fine. Folks, you will have about 10 minutes to give us your presentation on the Bill, and we will then ask you a few questions.

Mr Diarmaid Marsden (Gaelic Athletic Association): Thank you, Chair. Our chief executive, Brian McAvoy, is having internet issues, so I will make the opening statement, and he can add to that when he comes in.

Thank you, Chairperson and members of the Committee, for providing Ulster GAA with the opportunity to present oral evidence on the Betting, Gaming, Lotteries and Amusements (Amendment) Bill. My name is Diarmaid Marsden. I am the head of the community development department in Ulster GAA. I am joined by senior staff member, Brian Mallon, who is head of finance at Ulster GAA, and Brian McAvoy, who is our chief executive and provincial secretary.

The GAA is one of the world's largest amateur sporting, community and cultural organisations. The provincial council is the governing body for the GAA in Ulster and covers two political jurisdictions, overseeing the work of nine county committees and 373 clubs as well as activity in schools and colleges etc.

We welcome the review of gaming legislation. The existing law is based on the 1985 Order, which itself is largely based on GB law that dates back to 1963. The current legislation is largely modelled on law that is almost 60 years old. No one can deny, therefore, that a review is long overdue. We

recognise the need for regulatory control and welcome the broad principle of the Bill to strengthen protections for the younger and more vulnerable members of our society. The GAA is a community-based organisation, and we take our responsibility to educate and raise awareness of gambling among our members very seriously. Our rules do not permit any betting related sponsorship of competitions, teams, playing gear or facilities. Additionally, no member of any team panel, team management or match official is permitted to bet on any aspect of a game in which they are involved. Many of our clubs have gambling policies in place to support the health and well-being of their members. That is intended, first and foremost, to protect the integrity of the games and the players but also to provide a positive example by breaking the societal link between sport and betting. The aim of the GAA's gambling awareness campaign, Reduce the Odds, is to protect the well-being of our members and the integrity of the games.

Ulster GAA works in partnership with GamCare to promote gambling awareness programmes to our clubs. We delivered that training to some of our staff in the autumn. We are also represented on the well-being in sport forum, which offers the Sporting Chance workshop. That workshop specifically deals with mental health in relation to addiction. The Sporting Chance workshop has been delivered to many of our GAA clubs and will be delivered to our staff in mid-February 2022. I mentioned the Reduce the Odds campaign. Our clubs are aware of that and can avail themselves of it. A responsible gambling policy is one of the requirements of our club accreditation scheme, Club Maith. At all levels, we are trying to address gambling, promote awareness of it and steer young people down the right path, if we can.

Our chief executive, Brian, has joined the call, so I will let him take over.

Mr Brian McAvoy (Gaelic Athletic Association): Can you hear me?

The Chairperson (Ms P Bradley): Yes.

Mr McAvoy: Apologies, Storm Barra is causing havoc this morning.

Diarmaid was covering some of our initiatives that we are doing. He talked about GamCare. We are also represented on the well-being in sport forum, which has offered the Sporting Chance workshop. That workshop deals with mental health in relation to addiction: we have delivered that to many of our clubs and will deliver it to all of our staff in February. We are also involved in the promotion of the national GAA's Reduce the Odds gambling awareness programme. There are links in members' packs from which you can access more detail about that. We are also involved in the development of a club responsible gambling policy for healthy club officers to take forward with their clubs in conjunction with their club executive committees. That is one of the requirements of our Club Maith accreditation scheme. We provide ongoing support to clubs that want their members to be more aware of problem gambling.

Some provisions of the Bill are more relevant to us than others. Other stakeholders are much more qualified to give evidence on some aspects of the Bill, such as opening hours for bookmakers, so, with the Chair's permission, we will concentrate on the aspects of the Bill that are most relevant to us as a sporting organisation.

The key area of the Bill for us is the part that deals with societies' lotteries. Ulster GAA does not envisage any objections to reforming societies' lotteries, as they are often seen as being fundraising activities as opposed to gambling activities. Most people who purchase tickets in societies' lotteries do so primarily to support the benefactor, knowing that their chances of winning are slim. Fundraising is vital for GAA clubs, and many make use of lotteries and raffles to generate much-needed income.

The current rules for societies' lotteries limit the fundraising capacity of GAA clubs, other sporting clubs and charitable organisations. We warmly welcome the provision to remove the £1 limit on the price of a societies' lottery ticket. GAA units are best placed to set the price of a ticket on the basis of their circumstances and requirements. We appreciate that there is a requirement for upper limits and that every draw will be different, but we suggest maximum purchase prices in the ballpark of £100 to £150 and maximum prize funds in the ballpark of £400,000 to £500,000.

We are concerned that, in respect of societies' lotteries, the required changes to any cap on ticket prices or overall prize funds may not happen by secondary legislation, as envisaged, unless the primary legislation allows for inbuilt periodic reviews. We understand that the 1985 Order gives provision to the Department and the Minister to amend the lottery stakes, prizes, caps etc, but its

weakness is that it does not provide for periodic review. The fact that that Order was enacted 36 years ago and the issue is only being addressed now — there was an attempt a number of years to do it — basically means that it has not been subject to any ongoing review, which is why it is so dated. We therefore recommend that the Bill includes a clause that makes a periodic review by the Minister a statutory requirement. We suggest a period of roughly every three to five years for a review to take place, and any amendments could be enacted through secondary legislation. However, we want the primary legislation to have a built-in timescale for when it is reviewed.

We also propose that the organisers of societies' lotteries are able to sell tickets with free chances as part of their selling strategy: for example, six tickets for the price of five. There was some division about that, but, on balance, we would prefer the free chance. We accept, however, that where a club or unit is doing such a raffle, they will have to make sure that their governance controls, which should be strict anyway, are particularly strict on that.

As an all-island organisation, we are fully cognisant of the disadvantage that our units here are at when compared with their Southern counterparts when it comes to trying to organise fundraising lotteries, particularly in relation to the ticket price and the maximum prize fund. Again, our units are at a similar disadvantage when compared with their counterparts in England, Scotland and Wales. Equally, as an all-island organisation, we are disadvantaged by the current provision that restricts the sale of tickets in Northern Ireland when the draw is being organised in another political jurisdiction. That restriction needs to be removed by the Bill. It is our clear view that there should be no bar on the sale or purchase of tickets on an all-island or all-UK basis.

Ulster GAA notes that there are no provisions in the Bill to amend the rules on private lotteries and small lotteries at exempt entertainments. Many of our clubs organise what are known as "half-time draws" at games, where tickets are sold on-site amongst the attendees. In the vast majority of games, the £1,000 limit for tickets sold on the premises will not be breached, but, on occasion, it will undoubtedly be threatened. That is an area that needs to be addressed. The Bill also provides an ideal opportunity to review the £1,000 cap on private lotteries and incorporate that into primary legislation.

In relation to small lotteries at exempt entertainments, we ask that the requirement to notify police seven days in advance is removed. Many clubs, at this time of year — pre COVID anyway — run wee Christmas bazaars and have raffles for small prizes like hampers and that sort of thing. Those tickets can be sold only on the premises, but it would be beneficial to allow such small-scale tickets to be sold prior to the event. The current legislation is overly restrictive and, indeed, very much outdated in that area.

Before I conclude, there are a couple of items to mention in relation to cheating. As Diarmaid outlined in our statement, the GAA prohibits anyone who is directly involved in a game from betting on any aspect of that game, so we welcome the provisions in clause 12 that make it an offence to do so, irrespective of the final result of the game. The current legislation makes it an offence only if what you bet on comes to pass.

On the issue of regulation, having spoken to colleagues and the PSNI, we propose that a gambling and lotteries regulator be appointed and that they, rather than the PSNI, have day-to-day regulatory and enforcement powers. From speaking to people in the PSNI, I know that they thought, to put it mildly, that there were better things that they could be doing. We suggest that a regulator is put in place for the day-to-day issues in relation to gambling legislation.

Finally, I reiterate our thanks to the Committee for affording us the opportunity to present evidence on what is a very important issue for our units.

The Deputy Chairperson (Ms Armstrong): Thank you very much, Brian, for your presentation. I will start off the questions on your comments about other lotteries. In my area, you can buy a lottery ticket in your local Centra store, for instance. If you are in getting your papers, you can get a ticket. As you said, it is less about the cash prize and more about putting a pound into the local club. You are talking about small lotteries at exempt entertainments, so there is an issue with half-time draws and with where those tickets can be sold. Will you tease out for us what impact the Bill would have on that?

Mr McAvoy: Under the existing legislation, there are the wee private lotteries and the small lotteries at exempt entertainments. They are slightly different things, but they are very similar. Obviously, half-time draws are on-site and have a captive audience, so you can really sell only to the people who are on the premises. However, if we have 2,000 people at a game and sell a ticket at £1 a time, we could

easily breach the £1,000 threshold. No one would know about that other than the organisers, but we would rather keep within the law than go outside it. There is now an opportunity to review that.

Similarly, with small lotteries at exempt entertainments, particularly coming up to Christmas time and maybe at certain other times of the year, a club may run an event and want to do a small raffle at it but be prohibited from selling tickets in advance of the event. Given the time of year, as we referenced in our evidence, the prizes may be Christmas hampers, so it would be nice to be able to sell those tickets in advance. People at this time of the year are busy and may not be able to attend the event, so it would be nice to be able to tell the tickets in advance. As I said, we do not think that there is a need to notify the PSNI that we are having a raffle for a Christmas hamper seven days before it takes place. That is a bit draconian and is not a good use of anybody's time, including the PSNI's time.

The Deputy Chairperson (Ms Armstrong): What are your views on the introduction of a code of practice for societies' lotteries? Should such a code include a social responsibility element to ensure that children and people who are vulnerable are protected from gambling-related harm?

Mr McAvoy: Absolutely. You will have seen from our evidence how we, as a community-based organisation, take our social responsibilities seriously. We have in place a high level of governance and take that very seriously, so we have no issue with a code of practice. Basically, it would endorse what we do already as an organisation.

Mr Dunne: Thank you, folks, for the presentation. I appreciate the efforts that you have made to support those with gambling issues. Thank you for your replies on that important matter. Is it correct that, in 2018, you, as a body, took the decision to prohibit betting sponsorship across your organisation? Did that leave significant financial gaps?

Mr McAvoy: We do not, as we said in our evidence, allow any of our competitions to be sponsored by gambling organisations. We do not allow it on our playing gear. Sometimes, a stadium will have a sponsor brand in its name, but we do not permit that. We do not allow any of our players, team officials or match officials to bet on any game. As we did with cigarettes and tobacco many years previously, we felt that that was the right thing for us, as a community-based organisation, to do. We are potentially turning down some sponsorship in that area, but there is a bigger prize at stake in relation to the message that we send out. It has impacted us financially, but it is a price that we are prepared to pay for the greater good.

Mr Dunne: Thank you, Brian; that is fair enough. Until 2018, was sponsorship by gambling companies fairly widespread across the GAA?

Mr McAvoy: Not really, no. When compared with some other sports, the amount of betting sponsorship that we had was limited. I am aware of only one club team that had such a sponsor, and I am not aware of any county teams that ever did. None of our grounds was named after betting organisations. It was not that widespread, in fairness.

Mr Dunne: Online gambling has been on the increase greatly and is more accessible than ever. Betting goes way beyond the doors of a bookmaker for a lot of people these days, particularly for young people and those of a playing age of any sporting organisation. Have you noticed an increase in that among players, and do you think that the Bill could go further to tackle online gambling and so on?

Mr McAvoy: Yes. Diarmaid might want to come in because that is an area that his department looks at. Most people now do their betting now on mobile phones. We recognise that, which is why we have the initiative that we have in place. We recognise that many of our young people are being sucked into that world, which is why we do an education programme. The Gaelic Players Association (GPA) offers a very good service on the issue to inter-county players. It is a concern, which is why we are trying to raise as much awareness as possible. That was one of the reasons why we took the decision to ensure that we do not do anything to promote gambling through our policy on branding.

Diarmaid, is there anything that you want to add on that initiative?

Mr Marsden: Anecdotally, you hear of young people, even those of school age, accessing online betting on mobile devices. We have no real evidence on whether that is directly impacting our clubs, development squads or county squads, but the chances are that it is. All that we can really do is

promote awareness of the dangers of gambling and addiction. I have attended some of the workshops delivered by some of our ex-county players who are high-profile and are known to have had gambling problems. I have seen at first hand how that can be taken in by the young people and make a significant impact. The more of that that we can do, the better. I do not know whether there can be any restriction on online gambling, such as having to be a certain age or whatever, because I do not gamble online, but anything that could help to reduce those impacts and take young people away from those distractions would be very welcome.

Ms A Murphy: Thank you for your presentation. I declare an interest as a member of Lisnaskea Emmetts GAC. Brian, a lot of GAA clubs in the South have raffles for huge prizes such as houses and that type of thing. It has been a real issue and has caused problems for clubs in the North. Will you elaborate on the real-life effects and impacts that that has on the fundraising that clubs in the North can do compared with that of their counterparts in the South?

Mr McAvoy: Thanks, Aine, for your question. Yes, it is an issue. Members may be aware that we ran into a problem a number of years ago with one of our clubs in County Down. It had tried to do a house raffle, but, following a complaint to the PSNI, it had to be investigated, and the club stopped the raffle. That case probably raised the most issues because, at the same time, other units of the association a few miles down the road across the border were doing a similar thing with no restrictions.

The difficulty is that the legislation is very different, North and South. In the South, there are caps on ticket prices and on funds. There are inbuilt exemptions, however, for charities and philanthropic organisations, which sporting clubs and community groups are seen to be, so they are exempt. If you purchase a ticket for a draw that has no limit on the price or the fund, you become *[Inaudible owing to poor sound quality.]* Take, for example, a club such as County Cavan, which did a house draw recently: you become a "friend" of Cavan by buying that ticket. Essentially, you become a member of the group that is organising the draw, and, because it is a sporting club, you have that exemption. That is how they are able to do the draws, but, in the North, we are not: exemptions are given to charities and philanthropic organisations, which include sporting and community groups. That is the big difference between the North and the South: there are inbuilt exemptions for good causes, shall we say, of which sporting clubs are seen as one.

Ms A Murphy: That is brilliant, Brian. Thank you very much.

Mr Frew: Your presentation was very interesting, particularly the aspect of removing the £1 limit. I get that. You go as far as to suggest an upper limit, and you cite a ballpark figure of £100 to £150 with a maximum prize fund in the ballpark of £400,000 to £500,000. What do you base those figures on? Is it just your understanding or opinion of what they should be, or is there evidence to suggest that they are right? I am not saying that they are wrong or right; rather, I am trying to explore how you have come to those figures.

Mr McAvoy: We take a number of things into account. For example, some clubs like to do something like £10 a month, and they get the money in like that. Most ticket draws in the South or in England and Wales are in that ballpark; they do not go much beyond £100, although I have seen a few that do. Of course, the legislation in England allows prize funds of up to £4 million, if you can sell enough tickets. Essentially, half a million pounds is probably our limit, because we do not want clubs and units that are organising draws to lose the run of themselves and think, "Christ, if we have something worth a million or two million, we will get many more sales", and put themselves at risk. We see that as the upper limit. It is a reasonable amount based on, for example, a £100 ticket. They will have done their research on the number of tickets that they can sell. The limit of half a million pounds is realistic and based on the number of tickets that they would have to sell rather than to have a much bigger prize fund.

Mr Frew: Just to be clear, are you suggesting that there should be a maximum purchase price limit, or are you saying that, if there is one, this is what it should be?

Mr McAvoy: I think that there should be a maximum purchase for regulation purposes and for clubs. Our recommendation is that the maximum should be in that £100 to £150 ballpark figure. The vast majority of draws will not be that. They will be £10 or £20. Aine touched on house raffles. If a house is being raffled, people would expect to pay slightly more than a fiver or a tenner for a ticket. Those are the exceptions rather than the norm.

Mr Frew: I understand. Do you think that there should be an upper limit, or do you think that there should be a sequencing of amounts? So, a £100 ticket should have a maximum prize of £400,000, and a £50 ticket should have a maximum prize of £200,000. Do you think that there should be a sequencing and a pro rata approach, or should there just be a ceiling?

Mr McAvoy: I think that there should be a ceiling. I think that it would get messy and would overly complicate things. Good luck to a sporting club or whoever they are if they sell their tickets for £20 and they sell so many tickets that they exceed that ceiling. For example, if a ticket costs £20, and you have a ceiling prize of £200,000, but, suddenly, a club finds itself with £300,000 of tickets sold. What does it do? That could happen as a result of people's enthusiasm and a good sales pitch. So, no, I think that there should be a reasonable upper limit.

The reason that we put that in is to stop units losing the run of themselves and thinking that, they have such great prizes, they could sell x amount, and, suddenly, they fall short on their ticket sales. It is also in that respect that we put a safe limit.

Mr Frew: I have read the old 1985 Order, and I must say that costs sound like a minefield for someone organising a raffle. It states that no prize in the lottery should "exceed", and no expenditure in the lottery should "exceed". I have read it a couple of times, and, if I were to run something like that, I cannot work out how I would stay within the law. I know that it is being repealed, and the Department seems to be trying to simplify it by having a limit of 20% of the whole proceeds of the lottery. As far as I know, those are the expenses of the lottery. Will you explain to me how it works at present, and what it will mean?

Mr McAvoy: You are not alone, Mr Frew, in knowing the complexities of the current law. Basically, under my reading of the 1985 Order, you can spend only a maximum of 10% of your intake. That is all that can be spent on the organisation's administrative costs. That is difficult. I know that the proposal is to increase that to 20%, which is probably more realistic. That is difficult because all you can do is to project the number of tickets that, you think, you can sell, unless you put a limit on the number of tickets that you sell at the outset.

It is complex, cumbersome and unnecessarily bureaucratic for draw organisers. We think that the 20% should encompass all the expenses. We would welcome that provision to increase it from 10% to 20%. We do not think that that will be exceeded.

Mr Frew: Do you think that there is a better way of doing it other than using a percentage?

Mr McAvoy: Well, potentially, you would not put any percentage on it at all. You would just say that whatever your expense are, your expenses are, but the issue with that is that you place a lot of trust in the draw organisers for self-regulation, and it is much more difficult for an auditor to monitor and oversee.

You are putting a lot of trust in organisers having good governance procedures in place. You could get away with a percentage, but I think that 20% would cover it, as long as you sold a reasonable number of tickets, of course. Most draws would fall within that 20% bracket. Ten per cent could be exceeded, and it probably is, to be honest.

The Deputy Chairperson (Ms Armstrong): No other members have indicated that they wish to speak. That is what you get for sending us such a good submission. Thank you for your presentation. I thank Brian McAvoy, Brian Mallon and Diarmaid Marsden very much for coming along to present to us this morning.