Thursday 23rd June

9:45 Welcome

10:00 Plenary - Magnho Jose: The Illegal Market and Gaming Legalisation in Brazil

11:00 Coffee

11:15 Panel 1 - Gambling Regulations and European Contexts
- Janne Nikkinen: Gambling from the Perspective of European Welfare States
- Michael Egerer: Gambling and the Non-profit and Charity Sector in Finland
- Virve Marionneau: Online Gambling and the State in France
- Stefan Storr: Abatement of Illegal Online Gambling: Overcoming Internally Focused Online Gambling Regulation in Austria
- Ruth Cherrington: It’s only Housey-housey! The negotiation of Rules for Running Bingo Games in Working Men’s Clubs

12:45 Lunch

13:30 Panel 2 - New Perspectives on Gambling and Place
- Alexandra Flynn: Municipal Authority and Casino Decision-making in Ontario
- Toni Williams: It’s All about that Place: Commercial Bingo Regulation in Brazil
- Rebecca Cassidy: Cultivating Equality: Raffles in South East England
- Emma Casey: Domestic Spaces of Gambling

15:00 Coffee


16:00 Launch – The Bingo Project: The Final Report

18:00 Close
Friday 24th June

9:00  Panel 3 - When Games Cross Rule Borders

- Sytze F. Kingma: From Rule- to Risk-Based Regulation: The Differentiated Development of Dutch Gambling Markets as Institutionalised Risk Environments
- Oscar Alvarez: “Run in Not a Dissimilar Way to a Virtual Slot Machine”: The Nature, Risk and Regulation of Online Bingo
- Carolyn Downs: Moral Panics and the 1960 Betting and Gaming Act (UK)
- Kate Bedford: The Regulation of Bodies in Canadian Bingo
- Mauro Salvo: Gambling and Vulnerabilities to Money Laundering: the Brazilian Case

10.30  Coffee
10.45  Plenary - Fiona Nicoll: Cultural Research on Gambling Beyond the Figure of the Problem Gambler
11.30  Plenary - Gerda Reith: ‘Gambling 2’: A political economy of Mobile and Social Gambling
12.15  Lunch
13:00  Panel 4 – European Union Level Law and Policy

- Donal Casey: Risk and Welfare: The Regulation of Online Bingo in the EU
- Johanna Jarvinen-Tassapoulos and Sytze Kingma: Between Open and Closed Gambling Markets: Comparing the Netherlands and Finland with Reference to the Legalisation and Regulation of Online Gambling in the EU
- Alan Littler: The Netherlands: A Gambling Space in Transition
- Pieter Remmers: Problem Gambling and Responsible Gaming: The Right Way Forward

14.30  Coffee
14:45  Panel 5 - National Level Law and Policy

- David Miers: Lotteries in Great Britain: Definitional and Regulatory Issues in the Funding of Quasi-Public Goods
- Maria Luiza Kurban Jobim: Ready, Set and Go Back: The Role of the Judiciary in Brazil’s Bingo Ban
- Nadia Coggiola: Civil Codes Traditional Rules and New Gambling Models in Civil Law Systems. The Italian Case Study
- Kathrin Loer: The Two Faces of German Gambling Regulation
- Lynn Gidluck: A Global Comparison of how Governments Regulate, Operate and Benefit from State Lotteries

16.15  Closing Remarks
16:30  Close
Plenary Abstracts and Speaker Bios

**Professor Magnho Jose** ‘The Illegal Market and Gaming Legalisation in Brazil’

This presentation will present data, collected from the Instituto Jogo Legal (Legal Gaming Institute), outlining the size of the illegal gaming market in Brazil and the costs (in terms of revenues, jobs and development) resulting from prohibition. It examines the results of gambling legislation that fails to meet the reality of people’s demand for play. The presentation will also offer industry reflections on the recent federal debates regarding gambling regulation in Brazil.

Magnho José is a journalist specialising in lotteries, gambling, and betting. He edits BNLDATA (Lotteries Newsletter Updates). He is also a technical consultant for Magocon, president of the Instituto Jogo Legal (Legal Gaming Institute), and Professor in Enterprise Communication at the Universidade Candido Mendes (Rio de Janeiro). He is the author of a study into “Brazil and the Illegal Market”, presented at the 1st and 2nd International Seminar of Lotteries in Argentina, the Brazilian Gaming Congress in Rio de Janeiro, and the Chamber of Deputies. He has also co-authored the publications "Free Time as an Economic asset. A game between legality and illegality" (CRIE/COPPE/UFRJ) and “i-Gaming in South America” (Yogonet.com/Argentina).

**Professor Julia Hörnle** ‘A Sieve That Does Hold A Little Water- Gambling Advertising and the Protection of the Vulnerable in Great Britain’

This presentation analyses the regulation of gambling advertising in Great Britain, highlighting some of the limits of self-regulation. It analyses the law against the third statutory objective of the Gambling Act 2005 (on the protection of children and vulnerable persons), considering the existing literature on the impact of advertising on problem gambling, pointing to gaps in the protection of children and vulnerable persons and making some recommendations as to how the law should be made more effective. The presentation argues that there is a fundamental conflict between the objective of liberalising gambling advertising and the protection of children and other vulnerable persons and that more should be done to ensure the protection of the most vulnerable to prevent the hollowing out of this statutory objective.

Julia Hörnle is a Professor in Internet Law at Queen Mary, University of London, where she has been teaching and researching Internet Law since 2001 and is the Director of Taught Programmes at the Centre for Commercial Law Studies. Julia qualified as a solicitor in 1999, practicing with the law firm Eversheds up until joining Queen Mary University. She is an expert in internet law, focusing on regulatory issues, the regulation of online gambling, and online consumer protection. Julia has taught Internet law internationally, for the prestigious British Council funded European Young Lawyers Scheme at the College of Law, at Beijing University of Post and Telecommunications, East China University of Political Science and Law in Shanghai, the University of Vienna, the National University of Singapore and Singapore Management University. Julia is the Managing Editor of *IJLIT* (Oxford University Press), the leading UK journal in the computer & communications law field. She has published three books and over 60 Articles in the field of Internet Law, including *Cross-border Internet Dispute Resolution* (Cambridge University Press 2009) and *Cross-border Online Gambling Law and Policy* (Edward Elgar October 2010).
Research on gambling has been dominated by the psy-sciences since 1980 when ‘pathological gambling’ was first included in the third edition of the American Psychiatric Association’s Diagnostic and Statistical Manual (DSM-III). In more recent years, neuroscientific research on addiction and its treatment has contributed to understanding problems related to gambling. At the same time, scholars in sociology and anthropology have provided valuable insights about the role of gambling in shaping institutions, subcultures and media technologies, both past and present. My presentation focuses on the unique contribution of cultural studies to gambling research. An examination of cultural spaces of gambling will ground my argument that our interdisciplinary method and unique attention to everyday life, popular culture and the embodied performance of social identities (both online and offline) unsettles the distinction between ‘pathological’ or ‘problem’ and ‘recreational’ or ‘responsible’ gamblers which both organises gambling studies research and shapes regulations to protect ‘vulnerable individuals’. Drawing on the literature on biopower and governmentality, I develop an expanded concept of ‘enjoyment’ as an alternative lens for understanding subjective experiences and inter-subjective exchanges at proliferating intersections between gambling, work, finance and play that I call ‘finopower’. This move not only generates new ways of thinking about the ideological functions of the figure of the ‘problem gambler’ in a cultural landscape dominated by gambling industries’ political and economic power. It also opens the research horizon to investigate new spaces, moments and products of gambling and attend to the urgent policy challenges they raise.

Dr Fiona Nicoll is a senior lecturer in Cultural Studies at the University of Queensland. Author of From Diggers to Drag Queens: Configurations of Australian National Identity (2001) and co-editor of Transnational Whiteness Matters (2008) and Courting Blakness: Recalibrating Knowledge in the Sandstone University (2015), Fiona is also curator of the online archive www.courtingblakness.com. She has contributed articles and book chapters to scholarship in the areas of critical race and whiteness studies, queer theory, Indigenous sovereignty, law, feminist studies, reconciliation, cultural economy and critical cultural studies. Her current research monograph, Gambling in Everyday Life: Governing Spaces, Moments and Products of Enjoyment, is due for publication with Routledge in 2017.
This presentation draws on Castells’ (1996) notion of techno-economic systems to explore the ways that intersections between technology, capital and states have created environments of increasingly intensified consumption. It argues that gambling – and particularly new forms of mobile and social gambling (MSG) – can be seen as a paradigmatic example of this. The technological and commercial drivers of MSG, such as the deployment of geolocational and data tracking technologies, the increasing personalisation and targeting of advertising, as well as strategies that work to harness the power of online social networks, bring what I describe as ‘turbo charged’ features to experiences of gambling. They also enact a form of ‘algorithmic control’ through the continuous monitoring and surveillance of online behaviour, in a feedback loop which both produces, and is produced by, the intensification of gambling as within techno economic systems.

Gerda Reith is Professor of Social Science in the School of Social and Political Science, at the University of Glasgow, UK. Her research focuses on the role of social, cultural and environmental factors in the development of different types of gambling behaviour, and on their implications for public health and policy. She has carried out a number of studies of these issues, most recently a five year longitudinal qualitative study of ‘gambling careers’ and trajectories. Other projects include explorations of the role of crime, debt, social exclusion and resilience on the development of gambling problems and recovery, as well as other risky behaviours over time, and their impacts on individuals as well as their wider social networks. She has written extensively on the empirical and theoretical issues around these topics, and her book, The Age of Chance: Gambling in Western Culture, won the Philip Abrams Prize for the best book in sociology for 2000. She sits on the editorial boards of a number of Journals (including International Gambling studies, Journal of Youth Studies and Risk Management), was a member of the Responsible Gambling Strategy Board 2008-2014, and has advised both state and regulatory bodies on issues related to gambling and public health.
Panels: Paper Abstracts

Panel 1: Gambling regulations and European contexts

Janne Nikkinen ‘Gambling from the Perspective of European Welfare States’
This presentation will discuss gambling from the perspective of European welfare states, giving a broad overview of a project currently carried out at the University of Helsinki’s Centre for Research on Addiction, Control, and Governance CEACG on how gambling is used to finance European welfare regimes.

Michael Egerer ‘Gambling and the Non-profit and Charity Sector in Finland’
In the first case study, Michael Egerer will present how the Finnish non-profit and charity sector is funded by gambling, and discuss the kind of vested interests and dependencies this mode of financing can cause. The presentation is based on key informant interviews conducted amongst non-profit sector recipients.

Virve Marionneau ‘Online Gambling and the State in France.’
In the second case study, Virve Marionneau will discuss how France has brought online gambling under state control. The French online gambling market was opened to regulated competition in 2010, which has dramatically reduced the proportion of illegal online gambling and, according to the state authority, increased consumer protection in the online gambling market. The presentation will consider the validity of this argument based on empirical data collected on online gambling sites licensed in France.

Stefan Storr ‘Abatement of Illegal Online Gambling: Overcoming Internally Focused Online Gambling Regulation in Austria’
The Austrian Gambling Act 1989 is characterized by a very rigid issuing of concessions for online gambling, the prohibition for consumers to play with not concessioned companies and fines and administrative penalties in case of violating these rules. But illegal online gambling is difficult to prosecute because of the specificities of the internet and its international dimension. Besides this gambling law is not harmonized in the EU and authorities cannot supervise illegal online gambling efficiently. It is easy for consumers to gamble illegally. The paper will propose a comprehensive strategy to combine a number of measures to combat illegal online gambling. First, the online gambling shall be liberalized to make domestic gambling regulation more attractive for online gambling companies and consumers. The government should offer gambling companies legality by making it easy for them to get a license. Vice versa the government should demand a better player protection, faithful tax payment and moderate advertising. The idea behind this proposition is that the objectives of gambling regulation may be reached easier if online gambling providers cooperate. The “cooperative government” looks for appreciation in order to achieve its goals optimally. A comprehensive strategy should combine preventive measures (fighting advertising in illegal online gambling; information campaigns through the government), repressive measures (fines/administrative penalties, blocking websites, payment blocking) and private law concepts (invalidity of gambling contracts; options of unravelling the contract).
Ruth Cherrington ‘It’s only Housey-housey! The negotiation of Rules for Running Bingo Games in Working Men’s Clubs’

Playing bingo used to be viewed as a ‘bit of fun’ in working men’s clubs across the UK. Bingo was also a good way for clubs, as not-for-profit organisations, to earn some revenue to help fund their many social activities. In post-war Britain, clubs increasingly ran bingo sessions for entertainment and revenue but in doing so ventured into relatively uncharted territory in terms of regulation. Some clubs were threatened with prosecution as the legalities were evolving and not always clear. The Club and Institute Union had to negotiate how their member clubs should run bingo games especially in terms of pay-outs to the lucky winners, without running foul of the law. These negotiations laid part of the foundations for larger and more commercial bingo enterprises, the bingo halls, from the 1960s onwards. This paper provides an illustrative example of how bingo regulation in the UK was worked out for the non-commercial working men’s clubs. A brief history of clubs will set the context for how and why bingo became their fund-raising game of choice across the country. There will be insights provided by specific case studies from the club movement. Relevant personal experience and research by the author will show how ‘housey housey’ was a very popular, communal club activity from the early 1950s to more recent times.
Panel 2: New Perspectives on Gambling and Place

Alexandra Flynn ‘Municipal Authority and Casino Decision-making in Ontario’

In 2012, the Ontario Lottery and Gaming Corporation, a provincial corporation regulated by the Province of Ontario, announced its desire to expand gaming sites in the province, with Toronto’s downtown serving as the ideal location. Under provincial law, the placement of a casino on municipal land requires the consent of local government. The city’s governance distinguishes between ‘city-wide’ and ‘local’ matters, and a potential casino was deemed to be a ‘city-wide’ issue, with staff focusing their analysis on matters such as provincial hosting fees and property taxes. Downtown councillors rejected the ‘city-wide’ perspective as the sole vantage of review, asserting that casinos have ‘local’ implications on community well-being and local planning. These councillors used a little-known, contentious provision of Toronto’s procedural bylaw to house this ‘local’ debate at the community council level, highlighting the complexity of the ‘local’ voice in city decision-making.

I expand on a burgeoning Canadian legal scholarship relating to municipal authority, an area that I suggest is of pivotal importance to casino decision-making in the Ontario context. Drawing on the work of scholars Nicholas Blomley, Davina Cooper, and Boaventura de Sousa Santos, I query how socio-legal notions of ‘local’ challenge single jurisdictional boundaries in addressing legal challenges. I draw from reports, social media and interviews to conclude that Toronto’s community councils served a pivotal role in the 2012-13 casino decision by augmenting issues of ‘local’ concern.

Toni Williams ‘It’s All about that Place: Commercial Bingo Regulation in Brazil’

Bingo is a form of gaming that is often associated with good works, social services, low stakes entertainment and working class sociality. In many parts of the world bingo halls are the province of charities, veterans’ clubs, older women and families: But not in Brazil. Commercial bingo grew rapidly in Brazil during a decade of legality that ended in 2004. Legal bingo halls employed tens of thousands of people and the game was widely played by middle-class and well-educated Brazilians as well as the stock demographic seen elsewhere of older working-class women. However, the game, or more precisely the “bingo houses” in which it was played, came to be regarded as akin to Jerome Skolnick’s casino, “a most accessible and enjoyable laundry for the vast quantities of dirty money that accumulate annually … through skimming, bribery, corruption and crime”. According to a 2006 survey, for example, half of the Brazilian population associated bingo halls with criminal practices such as money laundering, tax evasion and violence; more than 40 percent believed that bingo halls had no positive features. Using contextualised socio-legal analysis this paper explores why Brazilian law and regulation failed to institutionalise the commercial bingo hall as a site of clean, safe ‘fun’ or to control the regulatory risks of commercial bingo and ensure its continuity as a legal leisure practice.
Rebecca Cassidy  ‘Cultivating Equality: Raffles in South East England’

Raffles are not usually considered in discussions of gambling in the UK, and the Gambling Commission doesn’t gather information about them. However, based on my experiences in London and the south east, these multitudinous exchanges of small sums of money are ubiquitous and form a significant part of the gambling culture of the country. They give meaning to more squarely commercial forms of gambling, sometimes as a counterpoint and sometimes as part of a single continuum. They are an interesting place to start to think about the meanings of risky, profitable exchanges and how these change over time. This paper is based on ethnographic work with raffle organizers, ticket buyers, refuseniks and others.

Emma Casey  ‘Domestic Spaces of Gambling’

Contemporary neoliberal constructions of selfhood have tended to be centred around the ability or not to be active consumer citizens. As Mary Evans argues, in late modern societies, only neoliberal and consuming citizens are deemed ‘worthy’ citizens. Pitched against a backdrop of increased insecurities, uncertainties and austerity, gambling behaviour can be seen as a consumer response to harsh economic times. In recent years, gambling research has seen a number of key substantive and methodological shifts away from positivist and pathologising accounts of the gambler towards alternative accounts of the qualitative accounts of gambling. In particular, researchers have examined the role of interpersonal lives and social ‘networks’ of gamblers (Reith, 2011), the impact of familial ties on pathways in and out of gambling (Valentine, 2010). However, to date there is very little research which has explored the prevalence of gambling at home, nor the particular ways in which gambling complements familial rituals and routines. The paper will draw on ESRC funded qualitative Archive data in order to firstly, make the case for Archive material as innovative methodological approach for gambling studies and secondly, to explore constructions of selfhood within qualitative gambling narratives. The paper will discuss family resource allocation and spending on gambling by focusing on ‘at home’, familial gambling sites. I conclude by arguing in favour of research that examines the ways in which subjective practices and biographical reflections on past experience can help to develop current understandings of gambling.

Amy Chazkel  ‘Clandestine Games of Chance across the Americas: A Transnational History of the Regulation of Urban Daily Life’

This proposed paper comes out of years of historical research into urban public life and illicit petty gambling in Brazil, which resulted in my monograph Laws of Chance: Brazil’s Clandestine Lottery and the Making of Urban Public (Duke University Press, 2011; Portuguese language edition published in 2014 by Editora da Unicamp). This conference will give me the opportunity to explore the themes that I examined in my book in a transnational, hemispheric context. How and why, this paper asks, did small-time gambling practices emerge and experience similar forms of repression in cities across the Americas with such startling simultaneity? My proposed paper will explore connections between, for example, the “numbers” game in the United States, the jogo do bicho in Brazil, La Bolita in the Caribbean, and “chance” in Panama, connections that, I hypothesize, extend beyond their simultaneity and their origins in the same structural forces. Dealers in the jogo do bicho from Brazil appeared in 1920s Harlem, for example. The rise and regulation of urban gambling in disparate places, I argue, presents a new way of examining the transnational flows of people and ideas that marks the late nineteenth and twentieth centuries as a matter of both cultural history on the one hand and urban legal and political history on the other.
This paper examines the historical development and legalization of Dutch gambling markets in the post WWII period, from 1945 to approximately 1990. Commercial gambling emerged in this period as an ‘institutionalised risk-environment’ (Giddens, 1990) in Dutch society. The legalization of gambling markets was characterized by rules based modes of regulation aiming at restricted or monopoly markets. However, under the increasing pressure of expanding gambling markets, this rules-based mode of regulation was undermined and gradually replaced by a risk-based mode of gambling regulation, which emerged as an alternative mode of gambling regulation in the course of the 1990s. This paper offers a comparative analysis of the institutionalisation of the risk-model of gambling regulation on three related but distinct gambling markets; on the markets of bingo, casinos and slot machines respectively. Although the process and logic of development of these markets has largely been similar, there have also been significant differences in the dynamics of development as well as the institutional outcomes of these markets. Particularly the dynamics of commercialization, criminalization and addiction have to varying degrees been relevant. All in all this paper offers a grounded account of the incomplete and contradictory nature of gambling regulation and the risks of gambling in the Netherlands.

Oscar Alvarez: ‘Run in Not a Dissimilar Way to a Virtual Slot Machine”: The Nature, Risk and Regulation of Online Bingo’

Technological innovation and marketing strategies challenge policymakers and gambling authorities in regulating new forms of gambling. (Orford, 2005; Jimenez-Murcia et al., 2014; Miers, 2015, and Gainsbury et al., 2016). Taking traditional land-based bingo as the starting point, the paper discusses if the manner in which bingo has been transplanted into the online environment has changed the nature of the game and the risks associated with it. Within the European Union, online-bingo may be lawfully offered within Member States. In many of these Member States, online-bingo is regulated as a game of chance despite the fact that both skill and chance are components of traditional land-based bingo. The use of auto-daubing, best card sorting and auto-play in online-bingo challenge the roles that participation and skill play in the bingo game. These seemingly subtle differences not only change the nature of the game when played in the online environment, but also the risks that arise from the game and consequent regulatory prescriptions. Based on primary and secondary data, this paper examines the nature and definition of online bingo, its risks and the experiences of European gambling regulators of dealing with these issues.

Carolyn Downs ‘Moral Panics and the 1960 Betting and Gaming Act (UK)’

The Betting and Gaming Act (1960) was a response to the need to ‘do something’ to control street betting and its associated corruption of the police. Accordingly, Standing Committee B of the House of Commons spent over 80 hours perusing and refining the legislation, and the Rt. Hon Dennis Vosper (under-Secretary of State at the Home Office) spent many hours drafting responses to the committee member’s questions about those parts of the bill designed to regulate betting. Running out of time to push the bill through parliament the committee spent a mere three hours on the
portion of the bill that would control gaming. There was no public perception of gaming as a problem; the main aim of regulation was to ensure that gaming took place in members clubs, with committee members clearly envisaging a situation not dissimilar to the men-only clubs they were familiar with. It was therefore a huge shock when the legislation paved the way for the very rapid birth and massive growth of the British gaming industry, making the country the gaming capital of the world. This paper will explore the role of moral panics around gambling in driving legislation and regulation and the means used by the leisure industry to frustrate the earnest intention of parliament that demand for gambling should not be stimulated.

Kate Bedford ‘The Regulation of Bodies in Canadian Bingo’

This paper is part of an international research project using bingo - a lottery-style game popular with older working class women - to take forward feminist political economy debates about everyday risk, consumption, play, and regulation. Aiming to contribute to long-standing literatures on gambling within critical International Political Economy, the project contests the assumption that bingo has little inherent value as a topic of study, asserting that it can teach us as much about political economy as casinos and stock markets. Rather than seeing gambling primarily as a paradigm of vernacular risk-taking, however, bingo is also a pathway into exploring other, more self-effacing political economies - of entertainment, fundraising, sharing, and ‘having a laugh.’ Here, I discuss how the bodies of players, paid workers, and volunteers are regulated in different sorts of land-based bingo. Using over 5 years of fieldwork and interviews on bingo in Canada, the paper charts multiple levels and types of bodily regulation, including around smoking, flirting, touching cash and other people, displaying sex toys as prizes, telling dirty jokes, and dressing. All of these are impacted by plural private and public regulatory orders (including, importantly, the non-profit), and sometimes conflicts emerge between rules at different scales or stemming from different meanings of bingo as political economic practice. In this way, I suggest, bodies become key sites of regulatory contestation and non-compliance.

Mauro Salvo ‘Gambling and Vulnerabilities to Money Laundering: the Brazilian Cas’

This paper means to analyze the possible vulnerabilities that legalizing gambling would bring to the Brazilian economy, including the risk of infecting other industries with respect to money laundering issues. The problem lies in the economic activity of running betting operations and their modus operandi, which brings risks to society and the economic system that hosts them. The decision to allow or prohibit gambling lacks an analysis of the costs and benefits of managing the risks inherent to their operation. The main argument contrary to legalizing gambling is that it is frequently used by criminal organizations as a way of laundering money. A gambling house can easily be used to give a semblance of legitimacy to funds obtained from illegal activities. The more channels available to launder money, the greater the incentive to crime, considering it is by laundering money that criminals get to enjoy such funds and lower the odds of being found out and punished for their actions. Based on the foregoing, we are going to use the information failure and adverse selection approach.
Donal Casey ‘Risk and Welfare: The Regulation of Online Bingo in the EU’

In contrast with other forms of gambling, bingo has traditionally been punctuated by the social nature of the game. Furthermore, although risk and private profit are present, welfare and community play a significant role in the contemporary bingo landscape. This paper seeks to examine how the sometimes-competing concerns of private profit, risk, welfare and community are reflected in online bingo, and how the regulation of online bingo within the European Union (EU) deals these concerns. Based upon an analysis of EU case-law, political debates and policy documents, I tease out the image of online gambling at the EU level, and in particular, the prioritisation of risk reduction and the side lining of welfare and community. I argue that discussions at the EU level have focused on casino, sports betting, poker and lotteries, and thus neglected bingo. Moreover, this paper draws upon interviews with key stakeholders to understand the extent to which the concerns of private profit, risk, welfare and community are reflected in the regulation of online bingo in Member States, and the experiences of stakeholders working in the online bingo sector in the EU.

Johanna Jarvinen-Tassapoulos and Sytze Kingma ‘Between Open and Closed Gambling Markets: Comparing the Netherlands and Finland with Reference to the Legalisation and Regulation of Online Gambling in the EU’

The legalisation and regulation of online gambling in member states is strongly influenced by the EU context. In this paper the authors analyse the differences and similarities in gambling regulations between two small member states, the Netherlands and Finland, with reference to the legalisation and regulation of online gambling. Theoretically it is argued that the Netherlands and Finland followed different trajectories with contrasting outcomes. Whereas in the Netherlands the political and policy discourse was directed towards the opening of online gambling markets (although controversial and not yet realised by 2016) to multiple foreign operators, the Finnish discourse was directed towards the closing of online gambling markets from foreign providers by opting for a monopoly of a single local provider for the domestic market (although controversial and probably taking effect in 2017). It is argued that in both cases the policy discourses and initiatives were strongly influenced by the EU. This concerns many aspects, including licencing, advertising, regulatory agencies, illegal gambling, the types of gambling, the gambling taxes, the allocation of revenues, the assessment of problem gambling, and responsible gambling measures. Although online gambling is in both cases culturally largely perceived as a legitimate entertainment market, online gambling is in both cases also a matter of expanding the national gambling market (i.e. new services, games, and customers). However, which market choices governments actually make are not self-evident and may in fact be contrasting. This paper highlights the ambiguous nature of online gambling regulations in the EU context.
Alan Littler ‘The Netherlands: A Gambling Space in Transition’

The regulation of gambling in the Netherlands is undergoing a very lengthy transitional process in light of challenges to long-standing policy and regulatory practices arising from two distinct sources; (i) cross-border flows of remote gambling services, and (ii) the requirements of EU law. Plans to reform different aspects of the overall national regulatory architecture are proving extremely sluggish, even where it is clear that prevailing regulatory practices result in regulatory failure or are in breach of EU law.

This paper will address the interaction between (EU) law and political discourse, so as to consider how remote technologies and EU law both disrupt and frame national discourses surrounding the regulation of gambling, in particular regarding:

(i) How the emergence of remote gambling services and developments in EU law have been drivers for regulatory reform in the Netherlands, and;
(ii) How remote gambling and EU law, as distinct sources of input, have been and are taken into consideration by different stakeholders (including the national gambling regulator, government, politicians, licence holders, new market entrants and beneficiaries of gambling revenues) through reference to evolving discourse.

Whilst the current government foresees three fronts on which the national gambling regulatory landscape is to be reformed, this paper will be restricted the discourse surrounding two fronts in which developments are most advanced, namely (i) the introduction of licensing regime for remote gambling, and (ii) the reform of the lottery licensing system.

Pieter Remmers ‘Problem Gambling and Responsible Gaming: The Right Way Forward’

Gambling has always been there. Problem gambling as well. The presentation will focus especially on recent trends. How far should we go in protecting players? Points of view of the regulators, industry, researchers and treatment specialists and the different actions that can be taken; what is available at the Responsible Gaming market today; what works, and what not (if we know at all).
David Miers ‘Lotteries in Great Britain: Definitional and Regulatory Issues in the Funding of Quasi-Public Goods’

National and smaller-scale lotteries have been used for centuries in Great Britain for the purpose of funding quasi-public goods. These are goods that do not fully display the two defining characteristics of public goods: non-excludability (the benefits derived from pure public goods cannot be confined solely to those who have paid for them), and non-rival consumption (consumption by one consumer does not restrict consumption by others). This paper discusses three definitional and regulatory issues to which these lotteries give rise:

The impact for regulatory control of the porous natural and legal boundaries between smaller-scale lotteries and other potentially gambling media, in particular prize competitions.

The structural tensions within and between the national and smaller-scale lotteries’ statutory contributions to their good causes and between the smaller-scale lotteries’ statutorily limited role in funding quasi-public goods and the regulated but permissive environment within which commercial gambling now operates in Great Britain.

The persistence of long-running reservations about the social and distributional impact of ‘good cause’ lottery proceeds: implicit taxation, additionality / substitution effects, the beneficiaries’ demographics, the normalization of gambling’s contested values and the extension of the social responsibility agenda demanded of commercial gambling to the lotteries market.

The paper commences with a short introduction to the role of the state lotteries in Britain as a source of public finance, the gradual legal recognition of small scale ‘good cause’ lotteries, and the introduction of the National Lottery in 1994. The discussion comments on the role of the Gambling Commission, the regulator of the commercial gambling market, now responsible for the regulation of the Lottery.

Maria Luiza Kurban Jobim ‘Ready, Set and Go Back: The Role of the Judiciary in Brazil’s Bingo Ban’

Brazil, the host of the 2014 World Cup and the 2016 Olympics, is known for strong competitive traditions in sports and games. It is also one of only three G-20 countries (together with Saudi Arabia and Indonesia) that currently bans non-state provision of gambling products. Bingo was a notable exception to this prohibition, after enabling legislation was enacted in 1993, with the intention that proceeds would help fund national sports development. The game quickly became very popular but there were persistent questions about, and contestations over, the capacity of the regulatory framework to control the dual risks of exploitation of bingo consumers, and corruption of politicians and public officials by bingo entrepreneurs. By the mid-2000s the enabling framework had been abandoned and the game returned to the domain of illegality.

Brazilian judges played an active and prominent role in the regulation of bingo during the shifts from prohibition to legalisation and back to prohibition. This paper critically and contextually analyses the complexities of judicial engagement with bingo regulation, focusing in particular on the ways that Brazilian judges have deployed social, economic, and political considerations to justify both permission and prohibition of commercial bingo houses. Recognising that contradictory and incoherent judicial decision-making is not unique to bingo law, this paper seeks to understand how the judiciary contributes to the governance of gambling in a setting where corruption is constructed as endemic.
Nadia Coggiola ‘Civil Codes Traditional Rules and New Gambling Models in Civil Law Systems. The Italian Case Study’

Civil law countries are often very fond of the traditional rules contained in their Civil Codes, although this attachment is sometimes more related to the devotion to established paths of thinking than the consequence of their actual effectiveness.

One of such cases is probably that of the rules devoted to the regulation of gaming and betting provided by the Italian Civil Code. These rules were in fact written to regulate mainly games and betting taking place among two or anyway few, generally nonprofessional, players, and totally ignore the problems arising out of modern days gambling contracts, which are instead usually undertaken among a multitude of players and a single, professional gambling provider. The aim of my paper is therefore to investigate if, when and how Italian Civil Code articles on gambling are applied by courts and which contract rules are provided by professional gambling providers. My final goal is to assess the effectiveness of Italian Civil Code rules in the existing gambling panorama, and to ascertain the limits of traditional civil law systems in front of new models of gaming and betting.

To that purpose, I shall first investigate the Italian case law on gambling and verify which contract rules are actually applied by authorized gambling providers in Italy. Then I shall critically examine the results of my investigation, to verify the limits of traditional civil law rules implementation in the changing economic, social and legal environment of gambling contracts.

Kathrin Loer: ‘The Two Faces of German Gambling Regulation’

The paper will explore gambling regulation in Germany. The German gambling regulation is very much determined by public actors (casinos etc.). Studying the German case we will see a high degree of institutional and regulatory continuity. Nevertheless technological change and political factors (primarily EU-integration, Single European Market) are challenging the traditional way of a public monopoly in gambling services. The paper therefore asks how and why regulatory change takes place or fails although there are specific requirements of European Union law and strong interests of private actors. The analysis includes the question how public authorities in Germany deal with the conflicting aims of on the one hand protecting people’s health (pathological gambling) and on the other hand prevailing as the main provider of gambling.

Lynn Gidluck ‘A Global Comparison of how Governments Regulate, Operate and Benefit from State Lotteries’

When governments make the decision to increase revenue from gambling they mediate between a range of options for operating, regulating and controlling an industry still viewed by many people to produce more public harm than benefit. Lotteries account for more than one third of the revenue from the global gaming market. The majority of jurisdiction-wide lotteries are run by governments, operating within a monopoly market or by private sector interests authorized by governments in highly regulated environments. Cross-national comparative research of the sixty-four percent of countries in the world (n = 126) that operate state lotteries provides insight into the how governments benefit from this form of gambling and how they have justified their involvement in this industry to their citizenry.