JERSEY GAMBLING COMMISSION
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Deputy Inna Gardiner
Chair
Public Accounts Committee
c/o Scrutiny Office
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BY EMAIL

14th October 2025

Dear Deputy Gardiner,

Arms Length Bodies, Grants and Subsidies Review

Thank you for your letter in respect of the above review, together with your follow up of today's date.

In respect of your questions, the Commission publishes its accounts yearly and thus much of the information that you request is already publicly available, however, to assist I note the following:

(7) Total income of the Commission:

2024 £859,116

2023 £790,854

2022 £640,410

2021 £701,439

2020 £634,251

No income is received from government. All revenue is derived from licence fees generated by the Commission.

(8) Article 3 of the Gambling Commission (Jersey) Law (2010) ('the Law') states that

(1) The functions of the Commission are –

(a) the general supervision of gambling, including in particular –

(i) supervision of providers of gambling services, and

(ii) investigation of whether any person is complying with, contravening, or committing an offence under an enactment relating to gambling; and

(b) any other function conferred on or transferred to the Commission under this Law or any other enactment

(9) The Commission does not have any Key Performance Indicators (KPIs) set by government.

The Commission monitors the financial performance of its licensees as well as their performance in terms of Social Responsibility. It bases all of its supervision and regulatory work on Article 4 of the Law vis:

> The Commission must, in the performance of all of its functions, have regard to the principles that any gambling services provided –
>
> (a) should be conducted responsibly and with safeguards necessary to protect children and vulnerable people;
>
> (b) should be regulated in accordance with generally accepted international standards to prevent fraud and money laundering, and should not be permitted to be a source of crime; and
>
> (c) should be verifiably fair to consumers of those services.

In considering our performance (as well as that of the entities we regulate) we consider

Compliance rates: we track our level of monitoring and intervention of applicable regulatory requirements of licensees.

Audit findings: we consider the number and severity of issues identified during audits by our Comptroller and Auditor-General appointed external auditors and the time it takes to remediate them. To date these have been minor and implemented immediately on completion of the audit.

Incident reporting: we monitor the number and nature of incidents self-reported by licensees or discovered through investigation and the effectiveness of the resolution process.

Stakeholder satisfaction: we regularly ask for feedback to gauge satisfaction levels amongst those affected by the regulations. To date there have been no complaints in respect of the Commission. Satisfaction feedback is sporadic at best and is an area where we seek to improve.

Transparency and fairness: we review our compliance with our published Decision-making process to assess the fairness of our enforcement actions, and the efficiency of our registration systems.

Policy Goals and Public Interest: we meet regularly with the Minister for Sustainable Economic Development and his policy advisors to receive feedback and provide information in terms of whether the Commission is meeting its public policy objectives.

Our KPIs have not changed since the Law came into force.

There are no KPIs in terms of funding as organisations and individuals cannot be forced to undertake operations requiring licensing. Hence budgeting is operationally driven and the Commission has chosen to keep the equivalent of at least six months operating revenue as a reserve.

(10) Any discretionary payments made to staff are determined by the Board of Commissioners as part of their performance assessment of the executive. No severance or redundancy payments have ever been made. Due to the small size of the organisation the Commission has chosen not to identify salary costs or other payments in the annual accounts. This decision was communicated to the Comptroller and Auditor-General after balancing the public interest against an individual's right to

privacy. Given that the Commission receives no public funding, the Board does not believe that the public interest test is met.

(11) Governance arrangements are statutory and noted in the Law. The Commission is independent of the Minister and of the States. The Commission must provide the Minister with an Annual Report and Audited Accounts each year and the Minister must present these to the Assembly by July. The Commission has a Memorandum of Understanding with the Minister for Sustainable Economic Development that outlines how the Commission provides information and assessments to the Minister and likewise describes how the Minister will utilise his legal powers of guidance and direction. The Commission is led by a Chair, appointed by the Minister and Commissioners appointed by the Minister on advice from the Chair. Appointments as Commissioner follow a public process overseen by the Jersey Appointments Commission. Internally the Commission has a Chief Executive who reports to the Board of Commissioners at beach of its quarterly meetings in respect of the work of the Commission executive.

(12) The Commission is independent of the States and the Public Finances Manual is not a relevant document.

(13) The Commission provides information on request to Statistics Jersey which may inform the Island outcome indicators. The Commission has also always co-operated in work that clearly aligns with our statutory duties, for example the recent MoneyVal inspection. However, we understand that the indicators are measurements of government action and priorities and hence the Commission does not make any assessment.

(14) The last three strategic decisions taken by the Board were:

> To agree in principle with the Minister for Sustainable Economic Development that the Commission would become the licencing body for alcohol in Jersey if agreed by the Assembly under Article 3(1)(b) of the Law.
>
> To agree that the Decision-making process for licensing would need to be delegated from the Board to the Executive in order to generate the efficiencies anticipated by the Ministerial policy.
>
> To empower the Chief Executive to make said decisions, while expressly reserving certain powers and responsibilities to the Board and to clarify the reporting of these decisions.

The Board's agenda is set by the Chief Executive after discussion with the Chair. Government has no involvement.

The Board does have an assurance framework, albeit it is not referred to using that term. The Board has an annual Review of its Risk Register and determines if the executive is accurately and responsibly assessing and managing its risks as well as providing the Board with accurate and timely information. The Board has engaged an external firm of accountants, AllSorted, who provide a qualified accountant to act as an independent Finance Director to provide objective and independent advice at its quarterly Board meetings which the Board can then use to assess the information provided by the executive. The Board itself undertakes a strategic review of its own performance once in every appointment cycle, which is approximately every three years.

(15) The Commission meets regularly with its licensees to discuss, inter alia, the cost of regulation. In doing so it must take account of Article 3(5) of the Law:

> The Commission must ensure that it carries out its functions in a way that does not give rise to, or maintain, unnecessary burdens.

The Commission is also bound to undertake formal consultation with its licensees should it decide to increase fees. The last specific increase was in respect of remote gambling licences and the proposal was accepted by the entities affected. The Commission also communicated a desire across all sectors (with the limited exception of certain charitable fees) to henceforth apply RPI to its published fees. Again, this was accepted by all respondents.

You have further asked about the Commission's social responsibilities. Article 9 of Part 4 of the Law refers:

> **Social responsibility function**
>
> (1) The Commission must take the action it considers appropriate to –
>
> (a) protect children and other vulnerable persons from addiction to gambling and from other forms of harm associated with gambling;
>
> (b) make assistance available to persons who are or may be affected by problems related to excessive gambling; and
>
> (c) otherwise avoid and reduce problems related to gambling.
>
> (2) Without prejudice to the generality of paragraph (1), the action that may be taken –
>
> (a) includes funding, coordinating and otherwise promoting action by others; and
>
> (b) may be by way of research, education, information, prevention, treatment, counselling or other measures.

You also ask for examples of how monies raised through licensees is used and I interpret this as being in respect of the Social Responsibility function. Funds are used to directly assist local residents with travel to and accommodation in the United Kingdom to undergo residential counselling. Money is donated to Gordon Moody, which is a UK based provider of counselling and support for clients and their families. Funds are also used periodically for the provision of information pamphlets on how to get information and assistance in respect of problem gambling. These are distributed within licensed premises and also shared with the town library, Parish Halls and other public venues. Funding has also been provided for cognitive behavioural therapy training to government employees and for an awareness day fronted by Paul Merson who gave a personal insight into his journey with addiction.

The Fund currently stands at £150,351 as of today. Article 10(4) notes that

> The Commission must not make any payment out of the fund for any purpose other than to perform its social responsibility function.

To that end the Board has for many years sought to work with the Department of Health and external providers to develop a programme that would deliver Island-based support and for various reasons, this has yet to materialise. The Board will, however, continue in its endeavours.

I trust that this information will be of assistance to your review.

Yours sincerely,

Dr J Lane
Chief Executive and Commissioner