

21st October 2024

REFERENCE: FOI24\115

Dear Sir,

Thank you for your request for information dated 24th September 2024, as detailed below.

*'We write to request information under the Freedom of Information Act 2000.
Please provide the following details:*

- 1. The total number of prosecutions initiated under Article 132 of the Betting, Gaming, Lotteries and Amusements (NI) Order 1985 since the legislation's introduction in the mid-1980s.*
- 2. Any internal policy, communications, or guidance relating to the application of this legislation specifically in regard to political or community groups such as GAA clubs and Orange Halls.*
- 3. Statistical data on the outcome of these prosecutions.*
- 4. Any recorded discussions or considerations made regarding the proportionality or fairness of prosecuting.'*

You also wrote to NICTS requesting the following information:

- 1. The number of cases heard by Northern Ireland Courts involving prosecutions under the Article 132 of the Betting, Gaming, Lotteries and Amusements (NI) Order 1985 since its inception in the mid-1980s.*

2. *A breakdown of the results of these cases (e.g., convictions, acquittals, dismissals) by year.*
3. *Any available records indicating the community or political affiliations of the individuals involved, if recorded.*
4. *Details of any instructions or guidance provided to the judiciary concerning the application of this legislation in relation to groups such as GAA clubs or Orange Halls. ‘*

Responses to the questions you have posed have been provided alongside the relevant question:

1. *The total number of prosecutions initiated under Article 132 of the Betting, Gaming, Lotteries and Amusements (NI) Order 1985 since the legislation’s introduction in the mid-1980s.*
1. *The number of cases heard by Northern Ireland Courts involving prosecutions under the Article 132 of the Betting, Gaming, Lotteries and Amusements (NI) Order 1985 since its inception in the mid-1980s.*

During the period 1993 to end August 2024, there were 20 prosecutions completed at courts for offences prosecuted under Article 132 of the Betting, Gaming, Lotteries and Amusements (NI) Order 1985. In addition to these, there are a further 4 cases still active in the NI Courts system with offences prosecuted under this legislation.

Information on the numbers of prosecutions at court is only available from 1993 and, within that period, information from 1993 to 2006 is only available in relation to the main offence at disposal in relevant cases. Information from 2007 onwards is in relation to cases where there was a prosecution for at least one offence under the legislation specified.

2. *A breakdown of the results of these cases (e.g., convictions, acquittals, dismissals) by year.*
3. *Statistical data on the outcome of these prosecutions.*

Prosecutions and convictions at courts for offences under Article 132 of the Betting, Gaming, Lotteries and Amusements (NI) Order 1985, 1993 – 2024 (end August)

Year	Prosecutions	Convictions
1993	3	3
1994	4	4
1995	6	#
1996	*	*
1997	0	0
1998	0	0
1999	0	0
2000	0	0
2001	0	0
2002	0	0
2003	0	0
2004	0	0
2005	0	0
2006	0	0
2007	0	0
2008	0	0
2009	0	0
2010	0	0
2011	0	0
2012	0	0
2013	0	0
2014	0	0
2015	0	0
2016	0	0
2017	0	0
2018	0	0
2019	0	0
2020	0	0
2021	0	0
2022	0	0
2023	*	0
2024	4	0
Total	20	13

Note:

1. Figures relate to initial disposals at courts. Appeals are not included.
2. Figures from 1993 to 2006 are in relation to the main offence at disposal.

3. Figures from 2007 onwards are in relation to cases where there was a prosecution for at least one offence under the legislation specified.
4. Figures for 2024 relate to period to end August 2024.

Means a figure of 3 or more has been treated to prevent disclosure of a small number elsewhere.

* Means a figure of less than 3 has been treated under rules of disclosure.

3. *Any available records indicating the community or political affiliations of the individuals involved, if recorded.*

Departmental prosecutions and convictions datasets do not contain information on the community or political affiliations of defendants, so it is not possible to provide information in response to this part of your request.

2. *Any internal policy, communications, or guidance relating to the application of this legislation specifically in regard to political or community groups such as GAA clubs and Orange Halls.*
4. *Any recorded discussions or considerations made regarding the proportionality or fairness of prosecuting.'*

In Northern Ireland gambling (other than the National Lottery) is regulated under the Betting, Gaming, Lotteries and Amusements (NI) Order 1985 ("the Order") (the 1985 Order) as amended by the Betting, Gaming, Lotteries and Amusements (Amendment) Act (Northern Ireland) 2022.

This legislation regulates a wide range of betting, gaming, lotteries and amusement activity in Northern Ireland. This includes:- betting in bookmaking offices and on tracks; the use, supply and maintenance of gaming machines; gaming in bingo clubs; small scale amusements with prizes; and lotteries other than the National Lottery. The Department for Communities (DfC) is responsible for issues relating to this policy area.

You may, therefore, wish to direct any query relating to the issues raised in parts 2 and 4 of your query to the DfC. They can be contacted at foi@communities-ni.gov.uk .

4. Details of any instructions or guidance provided to the judiciary concerning the application of this legislation in relation to groups such as GAA clubs or Orange Halls.

The Department does not hold records of any information on instructions or guidance provided to the judiciary concerning the application of this legislation in relation to groups such as GAA clubs or Orange Halls. We are not therefore able to answer this part of your query.

If you are unhappy with the result of your request for information you may request an internal review within two calendar months of the date of this letter. If you request an internal review please do so in writing stating the reasons to the address above.

If following an internal review you were to remain dissatisfied you may make a complaint to the Information Commissioner and ask the Commissioner to investigate whether the DoJ has complied with the terms of the FOIA. You can write to the Information Commissioner at:

Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

The Commissioner will not investigate a complaint unless an internal review procedure has been carried out.

Further details on the role of the Information Commissioner and the handling of appeals can be found at: www.informationcommissioner.gov.uk

If you wish to discuss this please contact the Freedom of Information Team using the contact details provided at the top of the first page. Please remember to quote your reference in any correspondence.

Yours sincerely

Freedom of Information Manager