

The Gambling Act 2005 and the (De)regulation of Commercial Gambling in Britain: A State-Corporate Harm

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Abstract

This article explores the forms of harmful practices and harms experienced by individuals since the implementation of the Gambling Act 2005. Employing the state-corporate crime paradigm as an analytical lens through which to examine the narratives of individuals who gamble and affected family members, and supporting secondary sources, it illustrates the ‘collateral damage’ that has resulted from an industry that embeds harmful practices as a means of capital accumulation. By providing insight into the often-hidden array of economic, physical, emotional, and psychological, and cultural harms that result from the entrenchment of a leisure culture that institutes ever more potent forms of aleatory consumption, the article offers a rare sociological critique of an industry that has been able to flourish as a consequence of an alliance between state and business.

Keywords

gambling, gambling-related harm, social harm, state-corporate crime paradigm

Introduction

Under the Gambling Act 2005, the UK has furthered the advancement of one of the most accessible and varied gambling marketplaces in the world. Offering both online and offline opportunities to gambling, citizens are bombarded with enticements to engage in a wide array of aleatory practices, from lotteries and sports and horse race betting to

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high-potency continuous gambling activities such as online slots and Fixed Odds Betting Terminals (FOBTs). Significantly, online games that can be accessed through computers, interactive televisions, and smart phones have become an area of significant growth that is evidenced by increased participation rates and revenues (Wardle et al., 2011). There is also evidence to suggest that high-frequency gamblers are gambling more often (Georgiou, 2015).

The deregulation of gambling in the UK, and the evolution of gambling products and services that take myriad forms and are increasingly potent, has given rise to concerns regarding the impact gambling has on finances, relationships, emotional or psychological wellbeing, health, work and/or study, crime and victimisation, and cultural activities. Yet, despite this developing research agenda exploring the social cost of the widespread availability of gambling on societies, which has provided early evidence of a range of gambling-related harms (Browne et al., 2016; Langham et al., 2016), there is, to date, relatively little sociological research that has sought to examine the relationship between gambling and social harm.

In response, this article employs criminological explanations of state-corporate crime to explore the injurious acts individuals who gamble and family members experience in a marketplace governed by the Gambling Act 2005. By way of introduction, the article briefly charts the evolution of gambling in Britain, which has led to the dissolution of restrictive gambling laws and the rapid growth of the gambling marketplace. The article then turns to data derived from research with individuals who gamble and affected family members, and key secondary sources, to explore the forms of harmful practices and harms experienced by individuals since the implementation of the Gambling Act 2005. Data demonstrate that individuals who gamble can experience a host of economic, physical, emotional and psychological, and cultural harms that affect not only themselves but also their family members and friends, and wider society. Research participants' narratives illustrate the 'collateral damage' caused by a marketplace that institutes harmful practices as a means of capital accumulation.

Gambling in Britain: past and present

Throughout history, gambling in Europe has been condemned by both middle-class moralists and the aristocracy. Anti-gambling attitudes were most fervent in late-18th and early-19th centuries, with intellectual and political condemnation trained on the 'idleness, indiscipline and profligacy' (Ausubel, 1960: 41) that working class betting encouraged. Games of chance were considered to negate the protestant work ethic – and, in turn, capitalist society – through their ability to dissociate wealth accumulation from disciplined labour. By repudiating the ideological tenets of Puritanism-cum-Capitalism, gambling was constructed by the state as a threat to the order of societies that must be restrained (Banks, 2017).

Yet, the 20th century has overseen a marked change in the economic and social morality of capitalist societies that has facilitated the gradual legitimisation of gambling (Cosgrove and Klassen, 2001). As the proceeding discussion illustrates, gambling is paradigmatic of broader neoliberal processes that are characterised by 'a politically guided intensification of market rule and commodification' (Brenner et al., 2010: 184).

Neoliberalism has expedited the rehabilitation of gambling, transforming it from an activity of dubious morality into a much-celebrated consumer pursuit. Such change is particularly pronounced in the UK which has, since the 1970s, 'presided over the most liberal gambling regime in the European Union, if not the world' (Banks, 2017: 3). The evolution of gambling in Britain can be divided into three distinct periods throughout which government restrictions on games of chance have been steadily eroded (Orford, 2012).

In late-Victorian and Edwardian Britain, the state endeavoured to regulate gambling by a process of 'selective prohibition' (Dixon, 1991: 38). Guided by a paternalistic concern for the poor, women, and children, who were deemed susceptible to overtures from an 'army of social parasites in the shape of bookmakers and their touts' (Rowntree, 1905: vii), anti-gambling attitudes had reached new heights by the turn of the 20th century (Dixon, 1991). With gambling framed as a problematic activity that interfered with the Protestant work ethic, prohibitive measures were targeted at those who may be 'led astray by the machinations of bookmakers or other promoters of gambling' (Munting, 1996: 68). Typically, state interventions focused on groups from the lower socioeconomic strata who were deemed ill equipped to cope with the properties of specific substances. For example, the introduction of the Street Betting Act in 1906, which outlawed horse race betting unless it took place at the racetrack, aimed to "drive working classes' betting off the streets' (Miers, 2004: 270).

Anti-gambling attitudes began to diminish in the post-war years. Advanced by the police's inability to enforce the Street Betting Act, coupled with political recognition of the significant tax revenue stream that legal gambling could bring, a new era in which gambling was to be tolerated but not encouraged began to emerge (Banks, 2017). Most notably, the passage of the Betting and Gaming Act in 1960 indicated a softening of the state's attitude towards wagering activities, presenting a host of new opportunities to gamble, including bingo, off-course betting, and casino gambling. The availability of gambling was restricted, however, by the so-called 'demand test' that required potential licensees to demonstrate that there was an unmet need for gambling that their establishment would fulfil. Under this new framework, the state's role was to 'regulate gambling to protect consumers from exploitation, not to establish new gambling media or promote participation in gambling for purposes of revenue generation' (Grun and McKeigue, 2000: 960).

Such an approach, however, was short lived, as the state moved away from tolerating gambling to a position where it both accepted and endorsed it. Most significantly, the introduction of state-sponsored gambling in the form of the National Lottery Act in 1993 signalled the beginning of an era in which gambling provision was to be provided in accordance with free-market principles. Bolstered by the availability of cheap credit and increased consumer desires, the cultural climate was one which was favourable to a sustained growth in gambling provision (Reith, 2007). The introduction of the National Lottery had significant ramifications for the whole of the industry, with the state effecting changes in policy that deregulated gambling and made it more accessible, comfortable, and potent. Reflecting broader shifts in governance and control, which emphasised internal forms of self-regulation, citizens were now charged with moderating their gambling behaviour in an environment that gave them ever more freedom and choice (Reith, 2013).

The onset of the 21st century saw further moderation of gambling laws under New Labour, with the Gambling Review Body, whose report was published in July 2001, making 176 recommendations that encouraged the state to place fewer restrictions on gambling operators and provide new freedoms for consumers. The vast majority of the body's recommendations were introduced through the Gambling Act 2005, reshaping a gambling landscape that had remained unchanged for almost five decades (Banks, 2017). Repealing the Gaming, Betting and Lotteries Act 1963, the Gaming Act 1968, and the Lotteries and Amusements Act 1976, gambling regulation was revised into a single enactment which underpinned 'a fundamental shift from regulatory constraint to a free-market, commercially moulded model' (Light, 2007: 629). Recognising the revenue generation and employment potential unfettered gambling could bring, gambling reform was 'driven . . . as much by . . . the Gaming Board, and by its then parent department, the Home Office, as by the industry itself' (Miers, 2003: 604–605). The Act affected changes in numerous areas, including, but not limited to, allowing for increased gambling advertising, the introduction of gaming machines with unlimited stakes and prizes, the expansion of online and offline betting, and the creation of a new regulatory body, the Gambling Commission. Most significantly, the demand criterion was abolished, allowing 'supply-side self-interest' (Miers, 2004: 474) to manifest in the expansion of terrestrial and non-terrestrial forms of gambling. Continuing the neoliberal economic policies of previous Conservative governments, New Labour's approach to gambling sought to disembed capital accumulation from the constraints of Keynesian principles of market regulation. Under the act, gambling is a legitimate and pleasurable leisure activity, with paternalistic state intervention replaced by the self-responsibility of the consumer citizen as the principal mode of governance. Reflecting the ongoing broader de-regulation of labour markets by successive governments, neoliberal ideologies of freedom of choice and consumer sovereignty now underpin gambling legislation. In short, the neoliberal project has resulted in gambling becoming deeply entrenched in the everyday life of late modern capitalist societies.

State-corporate crime as a theoretical framework

The state-corporate crime paradigm provides a suitable conceptual framework through which to examine the dynamic and historically contingent relationship between the state and the gambling industry, and the harmful practices and harms experienced by British citizens post the implementation of the Gambling Act 2005. Sociological and criminological research have, traditionally, focused on violations of laws by individuals, neglecting state activities that produce crime and social harm. However, the relatively recent emergence of state-corporate crime literature has presented scholars with a conceptual tool through which to examine the organisational dynamics of state-corporate relations that result in social injury, as well as the nature of the harms experienced by victims.

State-corporate crime exists on a continuum that ranges from state-initiated to state-facilitated acts which include bureaucratic failure and regulatory dysfunction. State-initiated corporate crimes represent those harms that occur when corporations engage in organisational deviance that is directed or tacitly approved by the government (Kramer et al., 2002a). For example, Kauzlarich and Kramer's (1993) examination of the

production of nuclear weapons in the United States identified how the Department of Energy in cooperation with contracted private companies operated in extreme secrecy and unencumbered by the stringent regulations that had governed the civilian nuclear industry. By contrast, state-facilitated corporate crimes occur when the regulatory institutions of the state fail to restrain the deviant activities of business. This may be the product of direct collusion between corporations and the state or because both parties adhere to shared goals that may not be realised if stringent regulatory measures are observed (Kramer et al., 2002b). For example, Lynch et al. (2010) argue that the cooperative political and corporate strategy that characterised global warming policy under the G.W. Bush Administration represents a state-facilitated corporate harm. More broadly, state-corporate crimes wide ranging utility is demonstrated through its application to an array of different practices of 'capital accumulation' (Bernat and Whyte, 2016) in a host of different settings. This includes food safety (Leighton, 2016) in the United States, gas flaring in the Niger Delta (Izarali, 2016), and construction industry collusion in the Netherlands (Van Den Heuvel, 2005). Collectively, this work illustrates how state-corporate crime may arise 'in virtue of the state's complicity in causing significant social harm either through commission or omission' (Izarali, 2016: 405).

We contend that the evolution of gambling under the Gambling Act 2005 represents a state-corporate harm in line with the theoretical model proposed by Kramer and Michalowski (2006) wherein motive, circumstance, and evolving modes of governance come together to forge an environment in which social harm occurs. As preceding and proceeding discussion illustrates, state and corporate profit motivations, neoliberal economic and social policies, (stimulated) consumer desires and gambling legislation coalesce to institute and sustain the expansion and intensification of gambling products and services that harm citizens.

In turn, this article contributes to the evolution of state-corporate crime theorising in two principal ways. First, it extends the state-corporate crime paradigm to embedded leisure harms, utilising gambling as a trope through which to illustrate how an ideological repositioning of the state and the attendant changes in modes of governance can serve to increase revenue for *both* the state and private business while enabling the spread of social harms. Second, the article seeks to situate the passage of the Gambling Act 2005 and the socially injurious harms that have occurred since its passage in their 'nested contexts' (Matthews and Kauzlarich, 2000), giving consideration to the evolution of gambling policy and the broader economic, political, and cultural changes that underpin the rise of the modern gambling industry. Mindful of the fact that much state crime scholarship often proceeds through the examination of discrete events, abstracting proceedings from their wider contexts and the broader array of social relationships in which they are located, this article recognises that the relationship between the gambling industry and the state, which manifests in the Gambling Act 2005, is 'ongoing, enduring and more akin, in fact, to a process' (Tombs, 2012: 175).

International state crime scholarship has highlighted how neoliberal ideology has resulted in the state failing to prevent corporations from engaging in socially injurious behaviours. Collectively, such scholarship illustrates how neoliberalism creates conditions in which states struggle to balance the promotion of the economic activities of business against the need to curb corporate behaviour that results in crime and social

harm. Under such conditions, states' regulatory failings facilitate private companies' profit accumulation through harmful business practices. Tombs (2012) and Whyte's (2014) critiques of state-facilitated crime or harm highlight how this conceptualisation of state-corporate interactions overlooks their symbiotic relationship by focusing on harms that result from a lack of regulation. Such an approach ignores the 'deep-rooted constitutional, material and institutional co-dependencies of "the state" and corporations . . . [through which they] . . . dually co-create regimes of accumulation' (Greener, 2020: 653) which harm. In this case, the state has opted to structure, promote – and profit from – the environment which provides the conditions for unfettered growth in the economic activities of gambling businesses. Thus, the gambling marketplace represents another arena in which

states produce the entirety of the social conditions that enable criminal and harmful practices to occur. In capitalist social orders, states play a creative and enabling role for regimes of capital accumulation; corporations are the key institutions in realising capital accumulation. (Bernat and Whyte, 2016: 77)

We argue that contemporary gambling in the UK presents a situation in which the profit motivations of both the state and industry underpin the liberalisation and subsequent expansion of wagering activities that result in significant social harm.

As Reith (2013) recognises, gambling represents a microcosm of wider trends in late modernity. The neoliberal era has expedited gambling's transformation from an activity which is constructed as undermining economic morality to a key site of intensified consumption. The evolution of gambling policy in Great Britain is paradigmatic of changes in many jurisdictions across the globe. Characterised by the spread and intensification of opportunities to gamble, such change has been achieved through an ideological re-evaluation and repositioning of the state, reflecting, more broadly, reduced state intervention in economic and social life. Under this new order, gambling is conceived of as a personal choice that should not be limited through state control. Contemporary discourse which promotes gambling as a part of a broader package of consumption choices reflects a 'long-term ideological softening up' (Tombs, 2012: 178) of public and political opposition that has enabled gambling to become a mainstream leisure pursuit.

The state's withdrawal from the governance of public life is reflected in shifts in gambling control from external to internal forms of regulation (Reith, 2007). Neoliberal forms of governance increasingly 'responsibilise' citizens for their own safety and security. In turn, the state in partnership with industry works to promote 'responsible gambling' through a variety of programmes and strategies, including gambling education and information, self-exclusion programmes, loss, deposit and time limit settings, warning messages, and self-help and support services. Thus, regulation through criminal law is replaced by the 'shibboleths of individual and corporate responsibility which, in effect, come down to self-regulation by individual consumers themselves' (Reith, 2013: 733). Under this logic, social harms that result from gambling are recast as the product of the problematic consumptive behaviour of certain individuals, serving to obfuscate the role of the product and the political arrangement situated behind it.

This reframing of gambling as a consumer choice advances both corporate and state interests. As Tombs (2012) recognises, states play an important role in creating and maintaining markets including ‘markets that are conducive to, or facilitate, the production of harms and crimes’ (p. 177). Cosgrove (2010) dissects how epistemologies and definitions of gambling and problem gambling interact with gambling markets, with the construction of the ‘problem gambler’ representing a means through which states and businesses can effectively manage risks produced by, and, in turn, the integrity of, their gambling products and services, concealing the wider harms caused by gambling.

Such knowledge production has buttressed the steady dismantling of the constraints on access to gambling, enabling games of chance to become an increasingly valuable source of private profit and tax revenue. With the neoliberal norm of low taxation constraining the state’s ability to maintain necessary levels of public spending and, more recently, reduce deficits and potentially ease austerity measures, alternative forms of revenue generation have become particularly attractive political solutions to governments who do not wish to levy voting populations (Reith, 2013). Thus, as Markham and Young (2015) pertinently note, in an era of ‘shrinking tax revenue, commercial gambling has paradoxically offered certainty and an independent source of income to cash-strapped jurisdictions’ (p. 2). And in an era of low-cost loans and other forms of cheap credit, consumers can forestall ‘debt in the future for the pleasures of consumption in the present’ (Reith, 2013: 723).

Thus, the Gambling Act 2005 symbolises the unification of state and corporate desires for profit maximisation, by allowing a diverse array of unconstrained wagering activities and facilitating the development of a culture in which gambling is constructed as a mainstream leisure activity. Gambling represents a hugely profitable and powerful industry, with revenues outstripping other forms of entertainment, including movies and music (Banks, 2017). This is evidenced by the ongoing increases in money spent on gambling by UK citizens, industry profits, and state taxation revenues (Banks, 2017). In 2003–2004, the estimated annual turnover on gambling activities in the UK was about £53 billion, with operators retaining a gross gambling yield of £8 billion and HM Customs and Excise collecting £1.351 billion in gambling duties (National Audit Office, 2005). Since the implementation of the Gambling Act 2005 – and despite a worldwide recession and economic downturn – gambling revenues have risen dramatically, with gambling operators securing £12.6 billion in gross gambling yields in 2014–2015 and HM Revenue and Customs pocketing in excess of £2.1 billion (Gambling Commission, 2016; HM Revenue and Customs, 2016). Moreover, the gambling industry in Britain employs a growing number of citizens, totalling 108,063 in 2014–2015 and representing a 1.9% increase on the previous year (Gambling Commission, 2016).

As proceeding discussion illustrates, the liberalisation of the gambling marketplace through the Gambling Act 2005, alongside its narrow licencing objectives, has resulted in the mainstreaming of a leisure activity that sustains a range of gambling-related harms. These harms are often-hidden from general view and constructed as ‘individual’ failings. Empirical studies of state-corporate crime have typically taken a case study approach, employing secondary sources through which to analyse how ‘regulatory structures are created and the rationales and/or circumstances that led to their construction’ (Griffin and Miller, 2011: 219). Far less-explored are the experiences of victims of harms perpetuated or

endorsed by states, enabling states and corporations to maintain a position of denial. Thus, as Kauzlarich and Matthews (2006) argue, studies exploring state-corporate crime should endeavour to examine the lived experiences of the victims of such harms as well as the roles of those actors involved in the committal of state-corporate crimes.

To date, sociological research examining the social harms caused by gambling has been slow to develop, while gambling research more broadly largely eschews phenomenological and socio-culturally situated qualitative data in favour of quantitative experimental research designs that concentrate on 'dysfunctional consumers'. Consequently, the voices of individuals who gamble and affected others are often absent from academic and social policy debate, while sociological and cultural analyses are overshadowed by prevalence surveys and psychological studies focused on 'problem gamblers' (Cosgrove, 2010). This research study seeks, in part, to begin to redress this imbalance, demonstrating how the largely unseen harms of gambling impact individuals who gamble, families, and communities.

In the analysis that follows, we utilise the social harm frameworks developed by Hillyard and Tombs (2004) and Pemberton (2016) to illustrate some of the gambling-related harms experienced by UK citizens. Hillyard and Tombs (2004) outline the following four intersecting forms of harm: (1) Physical harms that can impact both individuals and households; (2) financial or economic harms that may be experienced locally, regionally, and nationally; (3) emotional and psychological harms; and (4) harms that inhibit growth, development, and autonomy by undermining 'cultural safety'. More recently, Tombs (2019: 73) has advanced this notion of cultural harm to encompass a loss of the 'routines and networks which constitute social life' and the 'isolation and meaninglessness' that co-occurs. Elsewhere, Pemberton's (2016) conceptualisation of social harm adopts a human needs approach that focuses on injuries which prevents self-actualisation. For Pemberton social harm takes the following three principal forms: (1) physical and mental harms, (2) the capacity for autonomous action, and (3) relational harm, which encompasses both harms that result from enforced exclusion from personal relationship and social networks and harms of misrecognition. Such harms are evidenced across the narratives of individuals who have experienced gambling problems and the affected others we spoke with.

Data sources

This article draws on interviews with individuals who gamble ($n=14$) and family members ($n=18$) accessing help and support. Interviewees were self-selecting, responding to calls for participants made through a regional gambling support group for individuals who gamble and family members, a national online support group for family members, and through social media. There is a notable gender split among the respondents who took part in this study, with all interviewees identifying as having gambled being male and all but one of our respondents identifying as a family member being female. Respondents' age ranged from 25 to 62 with a mean age of 39 for both those who had gambled and family members. Qualitative semi-structured interviews with male and female individuals who gamble and family members were conducted face-to-face or by telephone. The interview schedule comprised questions that sought to identify when the

individual started gambling or became aware of their family member's gambling, the extent and nature of gambling-related harms experienced by themselves and others, and their coping and help-seeking behaviours. Given the (potentially) sensitive subject matter under consideration, we sought to build interviewees' confidence and trust through a process of active listening that supported them in discussing their experiences of gambling and gambling-related harm. Through our active collaboration with research participants and by being attentive and emotionally and intellectually engaged, we were able to generate a safe space in which participants could tell their stories. All interviewees have been anonymised. Interview data are supplemented by secondary sources. Underpinned by the principles of grounded theory (Charmaz, 2008), interviews and field notes were studied for patterns in attitudes, understandings, and experiences of gambling and gambling-related harm. Grounded theory presents a 'set of inductive steps that successively lead the researcher from studying concrete realities to rendering a conceptual understanding of them' (Charmaz, 2002: 675). Thematic codes and categories were developed through the examination of interviews, and although there is a clear overlap between some of the coded categories, as analysis advanced, three distinct data themes emerged which collectively illustrate how a commercially moulded gambling marketplace has facilitated the establishment of a range of harmful practices and how harms are experienced by both individuals who gamble and their families. First, the Act has constructed an environment in which citizens are bombarded with enticements to gamble, enticements which have served to normalise gambling activities. Second, significant social harm for individuals who gamble is the product of 'technological innovations that have increased the potency of gambling by accelerating the rate of gambling and its reach across space and time' (Banks, 2020). Third, gambling can harm their relationships and family. We explore these three themes in the results section below.

Encouraging voluntary exposure

For many research interviewees, enticements to gamble are both voluminous and ubiquitous. As Griffiths (2016) has recognised, 'Arguably the most noticeable change in the British landscape since the Gambling Act came into force in September 2007 has been the large increase in gambling advertising'. The Act relaxed many of the previous prohibitions on the advertisement of gambling products and services, with the new standards creating significant opportunity for the increased marketisation of gambling through a number of mediums, most notably television. Interviewees frequently indicated that they felt overwhelmed by commercial gambling advertising encouraging them to gamble:

Gambling adverts are everywhere! You can't escape them. They are on daytime TV and throughout the football and other sports on commercial channels. It is also inescapable when you are on the internet and social media. It's on my Twitter feed as promoted ads. It's been normalised and the industry are always coming up with new ways to suck people in. (Martin)

Since the implementation of the Act, advertising promoting gambling has grown unabated. Even those who do not gamble cannot help but be aware of gambling brands through their near constant advertising, most notably on television (Banks and Moxon,

2012). The government's liberalisation of advertising regulations has led to sports betting, bingo, online casino game, and poker companies spending £118.5 million on television spots in 2015. Consumers are now assailed by messages to gamble, with advertisements having grown 600% 'from 152,000 in 2006 to 537,000 in 2008 after the market was liberalised, reaching 1.39 million in 2012' (Ofcom, 2013). The growth in sports betting advertising is even more pronounced, increasing from 3,000 to 91,000 spots between 2006 and 2012. This equates to a growth of 3000% since 2006 and nearly 2000% since the Acts introduction. As one family member recognises, marketing techniques appear to have become more targeted and aggressive in their approach:

The adverts today are so sophisticated. For example, the daytime bingo adverts targeted at mums with low self-esteem; telling them it's [(gambling)] a positive lifestyle choice and will bring them friends and happiness. To top it off they go: 'please play responsibly even though we'll do everything we can to make damn sure you don't'! (Claire, affected other)

Research evidence indicates that gambling can influence both uptake and consumption. In particular, advertisement messages are often received and decoded by young people resulting in an early uptake of gambling (Derevensky et al., 2010). Gambling Commission (2017) survey data indicate that the impact of advertising is particularly significant among 18–24 years olds, with 68% of surveyed online gamblers in this age group stating that they have been prompted to gamble by advertising. Rates are also high among 25- to 34-year-olds (60%) and 35- to 44-year-olds (57%). As Simon, a self-defined 'gambler with problems', notes,

They [(advertisements)] are so hard to ignore. I feel like they follow you around . . . you put on the TV [and] they're there, walk down the street and they are there on billboards, go to the pub and they are on beer mats, in the toilets when you're taking a piss. I have managed eight days without a bet, yet I am being encouraged every day. I can reel off their tag lines, all of them . . . they just get in your head. (Simon)

Interviewees indicate that they feel overwhelmed by the barrage of media messages encouraging them to gamble. Undoubtedly, the consumption cues which promote gambling as a glitzy and glamorous transformative experience that results in economic and social riches (Banks, 2014) have serious repercussions for how individuals understand wagering activities. In turn, such understandings can shape individuals' gambling behaviour and increase their susceptibility to the numerous harms posed by gambling.

Harms experienced by those who gamble

Successive sweeps of the British Gambling Prevalence survey indicate that increased rates of gambling problems have coincided with the proliferation and diversification of gambling products and services (Wardle et al., 2007, 2011). Such surveys fail, however, to record the widespread harms of gambling which are not merely experienced by 'at-risk' and 'problem gamblers', but extend well beyond the individual who gambles impacting on average six other people (Goodwin et al., 2017). As such, gambling can harm communities economically through increased healthcare costs and greater reliance

on welfare, and damage social cohesion and social capital by isolating and excluding individuals and families (Browne et al., 2016). Yet, the socially and politically constructed nature of problem gambling, posits blame for excessive consumption with faulty individuals, obfuscating harm as a wider public health issue.

In line with the work a Hillyard and Tombs (2004) and Pemberton (2016), a range of social harms may result from individual's engagement in gambling. Interviewees indicate that they have experienced gambling-related financial harm, emotional or psychological distress, relational harm and harms that inhibit growth, development, and autonomy including reduced performance at work or study and involvement in criminal activity.

For a number of our participants, the economic harm wrought by gambling is significant. Dan, who describes himself as a 'regular gambler', tells a familiar story of many who progress from non-problematic to problematic gambling behaviour. Aged 27 and with a 'reasonably paid' job, Dan has gambled 'on and off' for the past 5 years, although it is only in the last 2 years that his gambling has 'got out of hand'. Dan started off putting a couple of quid on football accumulators on a Saturday afternoon, but he 'gradually started staking more . . . winning more, then losing more . . . you know how it works!' Dan states that

I want nothing more than to stop gambling and believe me I have tried. But as soon as pay day arrives or I have cash in my hand it's always the same. Most of my money is lost on roulette. We have a love and hate relationship, me and the wheel. I've lost a king's ransom chasing 'the win' which would see me stop gambling forever. I have even managed it a few times, but always end up sticking it back in [the machine]. (Dan)

Dan estimates his total debt 'to be in the region of £32k' much of which is on '0% credit cards and low interest loans'. A lack of sociological research into the impacts of financial loss and debt has resulted in the individual economic characteristics of gambling vanishing from policy debate. Yet, unmanageable gambling-related debt was a prominent theme of discussion with the individuals in this study. For example, Nick highlights how within 3 years he had generated significant debts leading to depression and mental health problems:

I started working in a [shop] in the town centre when I was 18, visiting the local bookies after work and on my breaks. By the age of 21 I was hooked to gambling. Literally blowing as much of my wages as I could and racking up huge debts. It eventually came to a head when I kept gambling on a FOBT when I should have been back at work and ultimately I was sacked. Unemployed, I stopped caring for myself . . . [and] . . . had no self-worth . . . (Nick)

Nick's narrative illustrates the health and cultural harms that can result from gambling, which not only affect the individual but their families and communities, with increased healthcare costs, employee absenteeism, and welfare reliance.

For some, gambling problems precede and precipitate offending behaviour. Echoing the ethnographic work of Lesieur (1984), Alan indicates that his gambling problems led him to turn to crime to finance his gambling when all legal avenues for funding were exhausted:

I started gambling when I was a teenager and continued into my twenties when I met my wife. Fast forward a couple of years – kids, house and mortgage later – and I am still gambling, but the amounts have crept up and up. My gambling had become more frequent and uncontrollable, but at the same time normal for me . . . I kept it in the background hidden from [my wife] and children. Anyway, I was working as [a] manager of [a retail shop] when I got into trouble. I had started taking a few quid here and there, looking to double my money and return it . . . sometimes I did, but typically I lost it all. The amounts I was taking got bigger and began to get harder to hide and eventually someone noticed the discrepancies in the accounts. I hadn't been in trouble before and received a suspended sentence and was tagged . . . I lost so much as a result; my job, my wife and been left with a huge amount of debt . . . (Alan)

Alan's story illustrates how the development gambling problems can lead to a 'spiral of options and involvement' whereby all legal avenues to funding gambling or shortages in household finances that result from gambling are used until they are exhausted. Undoubtedly, the social and fiscal costs of gambling-related crime and criminal justice intervention are considerable, with a report by the Institute for Public Policy Research (2016) estimating that the incarceration of individuals for gambling-related crimes alone costs the UK between £40 and £190 million per annum.

Yet, gambling-related harm does not affect all social groups equally. The most potent forms of gambling, in particular FOBTs, appear to be a 'class targeted', with the Licensed Betting Offices (LBO) which house such machines, clustering in economically and socially marginalised locations and extracting money from already impoverished citizens (Tombs and Turner, 2015). Although FOBTs were introduced prior to the Gambling Act 2005 in 2002, the Act has allowed for the continued growth in machine numbers, with Gambling Commission statistics reporting 34,436 machines in operation across LBOs in 2013/2014.

With the demand criterion abolished by the Gambling Act 2005, local licencing authorities are largely powerless in preventing new LBOs opening in towns, cities, and local communities. Up to four machines may be housed by establishments which have a betting licence, resulting in an increase and clustering of LBOs in areas of high socio-economic deprivation. Wardle et al.'s (2014) study that examined both the location and density of FOBTs in the UK revealed that there is a 'significant correlation between machine density and socio-economic deprivation' (p. 201), with areas that have a high density of FOBTs also having a younger age profile and greater rates of income deprivation and economic inactivity than other locations (Wardle et al., 2014: 201).

Individuals interviewed highlight how FOBTs have been a propellant of financial harm:

I have bet on pretty much everything over the years I have been gambling, but it is roulette which has cost me the most. I can sink hundreds in the FOBT over a matter of hours. The FOBTs have been a disaster for me. I have won plenty, but lost far more. For example, last Tuesday, twenty quid in and up £300. Walk away you say . . . and that's what I tell myself . . . but then it's a few more spins and a few more and in a couple of hours you're back at the ATM. (Nick)

I wish I had never looked at a betting terminal. When I was younger, I used to play on the fruities, but that's not like how I gamble now. And I don't gamble huge amounts per spin yet it

slowly eats away at my bank balance. By the end of the week I have nothing left and am waiting on pay day again. (Dan)

This hyper consumption – be it through the amount wagered per bet¹ or period of time on machine – can lead to the rapid depletion of funds. Consequently, FOBTs are highly profitable for the betting industry, extracting from customers an average of £900 per week per machine or in the region of £1.5 billion per annum (Hancock and Orford, 2014). In turn, FOBTs can further damage social capital and community resilience in often already deprived and marginalised communities.

Harms experienced by ‘affected others’

The harms of gambling are significant, extending far beyond the individual who gambles. Interviewees in this study reveal how gambling can result in economic, physical, and emotional and psychological, and cultural harms to families and friends (Hillyard and Tombs, 2004).

Anger, frustration, distress, and conflict were often cited by intimate partners as the emotional, psychological, and relational harms they experienced as a consequence of an individual’s gambling:

He’d be trying to extort money from me on a regular basis. Threatening to harm himself, screaming and shouting at me and blaming me for his gambling. My health deteriorated as a result of the constant stress and strain and I resented him so much. I’ve watched both my daughters’ mental health decline, whilst my marriage, along with a comfortable and happy retirement, has disappeared. (Rebecca, affected other)

Gambling can impair family relationships, with members experiencing high levels of distress, a loss of trust, relationship dissatisfaction, and subclinical levels of depression and anxiety. Interpersonal and intrapersonal harms that result from gambling most often impact spouses and intimate partners (Kourgiantakis et al., 2013). Yet, gambling not only affects partners but also children and parents who may experience economic, emotional and psychological, and physical harms. As Becky identifies, her father’s gambling activities have significant legacy harms that impact the whole family:

It has destroyed my entire family. My parents are divorcing. My mother is left with nothing. My father will have to live alone somewhere else after thirty-odd years of marriage because he was too stubborn to stop gambling a few years ago, before it became an addiction he couldn’t control. I feel hopeless and get migraines through not sleeping and stress. I wake up almost every hour throughout the night. It is horrible to watch my mother have everything taken from her that she worked so hard to build. It’s heartbreaking to watch her retirement now, working out how to actually function, whilst all the time my father is abusive towards her. I want to cry most days. (Becky, affected other)

According to the Gambling Commission (2020) figures, online gambling is now the dominant form of gambling in the UK. Prior to the implementation of the Gambling Act 2005, gambling websites were unable to legally operate from the UK, although citizens were free to gamble with overseas providers. The Act introduced a new licencing regime

that harmonised existing gambling regulations and provided new opportunities for the rapid expansion of remote gambling. The rise in Internet gambling has, to a certain extent, made gambling opportunities more readily available to UK citizens by enabling greater home gambling, while simultaneously undermining many of the player protection measures and ‘responsible’ gambling strategies typically found in land-based establishments (Banks, 2014). Alice documents the profound impact that her son’s online gambling has had on his and her lives:

When Internet gambling came in, he gambled day and night on anything. He became disassociated and money became only figures to him. He now calls himself a ‘professional gambler’ and calls it ‘working’. He has lost his family, car, girlfriend, business and reputation. He only mixes with other gambling addicts and hardly speaks to me or his dad. He has narrowed his world down to his next bet only. (Alice, affected other)

Similarly, Sarah highlights how remote gambling has had an acute impact on her relationship and home life:

My husband is totally addicted to Internet gambling. When he is at home he will go to the bathroom and lock himself in and play slots on his phone. He will stay up for days sitting in front of his computer playing slots and when he sneaks out to the casino he can be gone for one to four weeks coming home broke, dirty, starving and delirious from sleep deprivation. He doesn’t talk any sense, has lost many cars and a motor home. My life is so lonely and I miss the love we once shared. It basically stops you living your life like you should be. (Sarah, affected other)

As previous discussion illustrates, interviewees in this study highlight how gambling can result in a range of harms for individuals who gamble and affected others. This includes, but is not limited to, financial harm, reduced performance at work or study, relationship disruption, conflict or breakdown, emotional or psychological distress, and criminal activity. Perpetuated by the spread and intensity of betting products and services, the state sponsored growth of gambling in contemporary Britain has significant quality of life implications for citizens that necessitate further sociological examination.

Conclusion

Under the Gambling Act 2005, the UK has rapidly developed into a gambler’s paradise. Facilitating rather than constraining gambling provision, the Act has served to consolidate a marketplace that is unencumbered by regulatory measures focused on minimising harm. Advertisements encouraging citizens to gamble are unremitting and help structure an environment in which gambling is increasingly normalised. Marketing strategies mitigate the dangerous risks posed by gambling, while constructing it as a life affirming and (potentially) life changing experience. Alongside the widespread promotion of gambling products and services, opportunities to gamble proliferate, with casinos becoming bigger, gaming machine numbers growing, and the penetration of the domestic sphere by myriad forms of remote wagering continuing unabated. In short, we are now sheep-dipped in gambling.

State-corporate crime presents a suitable framework through which to critically examine the harmful practices and deleterious effects of a gambling marketplace that is focused on capital accumulation. This article extends analysis of state-corporate harms to leisure activities illustrating how state and corporate profit motivations, neoliberal economic and social policies, (stimulated) consumer desires and gambling legislation structure a gambling marketplace that institutes a range of social harms. Under the Gambling Act 2005, gambling has become highly prevalent, profitable, and potent. Our analysis illustrates how rather than ‘representing a moment of rupture in the regulatory relationship’ between the state and private business, the act represents an ongoing erosion of restraints on gambling through which the state has constructed and maintained a gambling marketplace in which capital accumulation can be maximised for both itself and private business.

The narratives presented in this article illustrate the damage that can be wrought by unconstrained wagering activities. Yet, disconcertingly there appears to be a general lack of public and political awareness of the harms caused by gambling. Thus, as Rothe (2020: 12) has highlighted when discussing crime and harm more broadly, gambling-related harm is not only entrenched in neoliberalism but the ‘corrosive consumer culture . . . [that] we, knowingly or blindly, consent to’. The successful legalisation and expansion of gambling has been achieved, in part, by states and their business allies focusing attention on the comparatively small number of ‘problem gamblers’ who represent the ‘casualties of legitimate gambling as a consumer choice’ (Cosgrove, 2010: 118). From such a viewpoint, gambling is a limited moral problem for states because, although they benefit financially from it, they spend ‘significant’ sums of money helping, treating and supporting the pathologised problem gambler.

In response, this article has employed the voices of individuals who gamble and affected others to illustrate that social harm extends beyond individuals who gamble to families, communities, and society more broadly. Individuals, family members, and other loved one’s who have experienced gambling-related harms have important things to say, yet their views, opinions, and experiences are rarely heard. This article’s originality lies in its utilisation of the state-corporate crime paradigm as a theoretical frame through which to elucidate how citizens are victims of a host of economic, physical, emotional, and psychological, and cultural harms as a consequence of the ‘evolution’ of gambling policy in the UK. It presents the first study to place the victimisation of UK citizens in gambling’s broader socio-political, historical context, connecting criminological theorising with voices that are often missing from academic studies and social policy debate. Such changes and the harms that result reflect, more broadly, the deregulation and liberalisation of gambling which continues to occur throughout many jurisdictions of the world. Yet, despite commercial gambling becoming a global enterprise, there remains limited critical appraisal of the ways in which it is both legitimised and managed in different contexts. As such, it is essential that sociologists seek to further examine how organisational actions, individuals, operating procedures and cultures help structure an environment in which profit maximisation is placed ahead of public health.

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1. In April 2019, the government reduced the Fixed Odds Betting Terminal (FOBT) maximum stake from £100 to £2.

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