

Gambling Update  
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OLSWANG



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Two of the licensing objectives set out in the Gambling Act 2005 (2005 Act) are to ensure "that gambling is conducted in a fair and open way" and to prevent "gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime". The Gambling Commission has introduced measures with a view to ensuring that betting on sports meets these objectives and is seeking to encourage betting operators to share information about suspect betting patterns with sports governing bodies.

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Following the Sunday Times' exposure of the Seaham dogs scandal last year, greyhound racing commissioned Lord Donoughue to examine the regulation of greyhound racing and to make recommendations to ensure that its regulation is efficient and effective. The report ([click here to view](#)) was published on 27 November 2007 and contains 37 recommendations for a wholesale restructuring of the sport's regulatory and governance structure.

## Horseracing in the wars (again) – will the Levy be the main casualty?

In a previous update on the contest between Turf TV and SIS, we used various military metaphors. Since then, war has indeed been declared by some of the combatants and there is no immediate sign of an armistice.

At the beginning of June, the Tote confirmed it had signed its chain of 550 betting shops up to Turf TV. This was a significant deal for Turf TV, but their PR was marred by the announcement, at almost the same time, of a profits warning by Alphameric, the racecourses' co-owner and technology partner in the Turf TV joint venture.

The four biggest chains of betting shops - William Hill, Ladbrokes, Gala Coral and BetFred - have not signed up to Turf TV and William Hill's Chief Executive, David Harding, (who has since left William Hill) said that racing had "declared war" and was quoted as saying that Hills would use all means at their disposal to secure victory, including commencing competition law proceedings against Turf TV.

Battle has now been joined on several fronts. As indicated by David Harding, William Hill, Ladbrokes, Gala Coral and BetFred have (together with the Bookmakers' Afternoon Greyhound Service (BAGS))) launched proceedings in the High Court against Turf TV and its racecourse partners (other than Ascot) claiming that the racecourses infringed competition law by selling exclusive media rights to Turf TV. Turf TV and their racecourse partners have since counter-claimed, alleging that the bookmakers and BAGS have themselves infringed competition law by colluding against Turf TV and, in BAGS' case, by entering into licence agreements with Arena and Northern and sub-licensing the rights to SIS. Turf TV also issued a counter-claim against SIS challenging the legality of its agreements with BAGS and with various British and Irish racecourses.

These proceedings have come at a difficult time for Alphameric. Following its earlier profit warning, Alphameric announced in September that "toughening trading conditions" would lead to significant losses. As a result, Alphameric's share price fell to 6.75p on 25 September, having traded at 69p only four months earlier. The share price recovered after Alphameric reported in October that it had received various unsolicited approaches and on 7 November that it intended to raise £9.7m by way of an underwritten rights issue. However, Alphameric announced on 17 December that takeover talks had been terminated and the share price fell to 20p. Alphameric therefore remains in a difficult position, exacerbated by the fact that the Hills, Ladbrokes and Corals' betting shops have been significant customers for Alphameric's technology.

As foreshadowed in our original piece on this topic, the bookmakers have also turned their attention to the Levy which provides racing's key financial underpinning. The Levy was only reprieved from abolition by Richard Caborn in December last year following a review chaired by Lord Donoughue which concluded that there was no legally robust commercial alternative to the Levy as a means of funding horseracing.

The Government's decision to retain the Levy was supported by the bookmakers. In his announcement, Mr. Caborn said that the Government had decided to retain the Levy "until such time as a secure and adequate alternative commercial funding arrangement can be identified". The statement went on to say that the Government intended to repeal the legislation which gave it power to abolish the Levy – however, that legislation has not yet been repealed. The Donoghue group also recommended some changes to the procedure by which the Levy is set each year – these changes were designed to minimise the prospect of the bookmakers and the Levy Board failing to agree the Levy by the statutory deadline of 31 October and, more particularly, to avoid the consequence of the Levy having to be determined by the Secretary of State at the DCMS (this statutory requirement on the Government to intervene being one of the reasons why the Government was keen to abolish the Levy in the first place). One of the other recommendations made by the Donoghue review group was that the process by which the Levy is agreed annually should be refined with a view to minimising the chances of the Levy being referred for determination to the Secretary of State.

The bookmakers are now attacking the Levy in several ways. First, they are saying that racing has now found its commercial mechanism in the form of Turf TV so that the Government can go ahead and repeal the Levy. Second, they refused to take part in a review of the Levy-setting process endorsed by Richard Caborn. Third, the bookmakers are arguing that the amount of the Levy should be reduced to take account of their increased aggregate payments for horseracing television rights resulting from take up of the Turf TV service. Fourth, they are arguing that the Levy should also be reduced to reflect their additional costs from the new Gambling Act licensing regime.

Not surprisingly, the amount of Levy was not settled by agreement between the bookmakers and the Levy Board by 31 October 2007 with the result that the matter has been referred to the Secretary of State for determination by April 2008. This, coupled with the replacement of Richard Caborn (who has been a supporter of racing) as Minister for Sport by Gerry Sutcliffe and the appointment of a new Secretary of State at the DCMS (James Purnell) must again cast serious doubts about whether the Levy will continue. Even if, as seems likely, the Secretary of State decides to continue the current Levy scheme for another year, in the absence of any settlement of their dispute with Turf TV, the bookmakers are likely to continue to challenge the Levy by lobbying Government for its repeal and perhaps by bringing a European State Aid challenge. If the result of the establishment of Turf TV is the disappearance of the Levy, the racecourses behind Turf TV will indeed have achieved a Pyrrhic victory.

## Tote saga still limping on

According to reports, the Tote is to be put up for sale on the open market after the Government finally rejected a takeover bid by a racing consortium.

In our update at the end of April, we reported that the bid made by a racing consortium to buy the Tote appeared to be in trouble following reports that the consortium members had fallen out with each other and that the Treasury had rejected the bid as too highly leveraged.

Since then the "credit crunch" has led to the consortium reducing its bid, which is now reported to be approximately £320 million. It has also been reported that PriceWaterhouseCoopers, which has been advising the DCMS, has recommended that the Government should not accept the consortium's revised lower bid (PWC's valuation of the Tote being approximately £400 million).

In a horseracing debate in Parliament on 21 November, Gerry Sutcliffe, the new Minister for Sport, said that if the Government does not sell the Tote to racing *and it is sold on the open market*, 50% of the sale proceeds would go to the horseracing industry. This was the first time that an open market sale had been publicly considered and was followed by reports on 16 December that the Government had decided that such a sale should go ahead with an auction process that could last up to nine months. However, these reports remain unconfirmed at the time of writing.

Gala Coral's £400 million plus bid is said to be still on the table, although their business has been harmed by the smoking ban reducing the number of visitors to their bingo clubs. Ladbrokes and Hills would be precluded, for competition reasons, from acquiring the Tote's betting shop estates and private equity's appetite will also have diminished with the tightening of credit.

If the Government does sell the Tote on the open market, perhaps it might see the £200 million or so that it has now committed to hand over to racing as compensation for abolishing the Levy (the continuation of which has again been cast in doubt?)

## Mixed news around Europe

The liberalisation of gambling services within the EU remains a contentious issue. A number of EU Member States continue to restrict online gambling operators from competing with state monopolies. However, recent court challenges and European Commission intervention provide at least some positive news for operators. Comments from the EU Trade Commissioner also indicate that bringing an end to rules which prevent EU sports betting operators from providing services outside of the EU remains high on the Commission's agenda.

### Mixed news in Germany

Bet and Win International (BWin) recently claimed a victory for online sports betting operators. An Administrative Court of Appeal in the state of Hessen overturned a ruling by a lower court that had prohibited the online gambling operator, which is based in Austria, from providing its services to German customers. The court found that a ban on internet gambling would be impossible to enforce and as such ought to be considered "*null and void*".

Notwithstanding the Hessen court decision and the European Commission's numerous warnings, it is expected that all German states will shortly pass a treaty banning nearly all forms of online sports betting services. Hessen, Saxony and Bavaria were the first states to introduce such a ban arguing that BWin had breached the states' gambling monopolies.

The proposed adoption of the treaty is controversial because it will have the effect of protecting the national lottery and betting monopolies. Online sports betting operators will be excluded from providing all forms of online gambling services within Germany, except for those in relation to horserace betting. As such, it is expected that, if adopted, the treaty will be the subject of legal challenges and that the European Commission may initiate infringement proceedings. The adoption of this legislation is also likely to have the knock-on effect of ending sponsorship deals between BWin and German sports teams including VfB Stuttgart.

### French have more time to bring betting laws in line with EU rules

Following talks with French ministers, the EU Commissioner for the Internal Market has recently agreed that France can have an additional four months to find a solution to keeping its national betting laws in line with EU rules. These negotiations follow the European Commission's reasoned opinion this summer that France's gambling laws breach the EU laws on the free movement of services. If France fails to modify existing legislation as requested it is likely to face proceedings in the European Court of Justice. It is hoped that negotiations between France and the Commission will lead to a resolution of the issues by spring 2008.

The French budget minister responsible for brokering this extension with the Commission has insisted that there will be a controlled opening of the French sports betting services market which is currently dominated by two state-owned monopolies Français des Jeux (FDJ) and Pari-Mutuel Urbain (PMU). However, sports betting operators are reported to be unhappy with the proposals which would open the betting market only to a limited extent e.g. the fixed odds betting market would continue to be served solely by FDJ.

Meanwhile the PMU has suffered a defeat in its attempts to prevent a Maltese sports betting service operator (Zeturf) and its co-location service provider BellMed from offering services in France. PMU began proceedings in the French courts in 2005 and was initially successful in seeking orders to stop Zeturf offering its services in France and forcing BellMed to disable Zeturf's website.

As expected PMU sought to enforce the French judgments against Zeturf and BellMed in Malta applying EC Regulation 44/2001 (the "Brussels Regulation"). The Maltese court upheld PMU's application for the enforcement of the French judgment at the initial application stage. However, Zeturf and BellMed successfully appealed this enforcement decision in January and September, respectively. The Maltese court considered that PMU was exercising powers of an "administrative nature" and, as the Brussels Regulation applies only to the enforcement of civil or commercial matters not those of an administrative nature, the decision could not be enforced in Malta.

Zeturf has continued legal action in the French courts by appealing the French judgments to the French Supreme Court. The French court held in July 2007 that any restriction on operators' freedom to provide services needed to be adequately justified (e.g. in order to prevent criminal or fraudulent activity or reduce gambling addiction). The Supreme Court held that it did not believe that a public policy objective would be realised by protecting PMU's monopoly position even if this potentially increased government revenue. Further to this, the Supreme Court quashed the decision under appeal and has remitted it back for the Court of Appeal to consider the legal status of PMU as a state monopoly.

### **Sweden's response to European Commission still unclear**

Sweden also received a reasoned opinion from the European Commission this summer threatening to bring proceedings in the European Court of Justice if legal obstacles to the provision of sports betting services were not removed. The Commission issued the reasoned opinion just a week after the Swedish government authorised a new revision of the current legislation which is to be finalised in December 2008.

In Sweden (as in many other jurisdictions) the liberalisation of gambling laws has been highly political. In late October, the ruling Moderate Party voted in favour of privatising state-owned gaming operator Svenska Spel and introducing a licensing system for the gaming market. The CEO of Svenska Spel, Jesper Kärrbrink, recently stated that he considered a new Swedish gaming system allowing competition in the market was required on condition that unlicensed cross-border operations could be prevented from operating in Sweden.

### **Opportunities increase in Italy**

Following the *Gambelli* and *Placanica* rulings and the change of government last year, the Italian betting and gaming market has finally been the subject of some liberalisation.

Firstly, in 2006, new gaming licences were awarded to international operators based in the EU and EFTA states to provide online betting services to Italian punters as well as licences for traditional betting shops outlets based in Italy. It is now expected that Rome will shortly issue a second tender process for remote gaming licences.

Secondly, it is anticipated that the Italian government will shortly provide clarification of the legal definition of "skill gaming". In particular, it is hoped that this re-clarification will mean that, once licensed, online operators will be able to offer poker and other popular card games to Italian consumers. However, games

such as roulette will not be licensed in Italy as these are not classified as games of skill and can only be organised in a very limited number of land-based casinos.

### **Norwegian amendment to gambling law proposed**

At the end of November, the Norwegian government proposed that existing gambling laws should be amended to prohibit Norwegian banks and financial institutions from processing payments for online gambling services. The justification for this proposed amendment is in order to clarify the current legislation which prohibits companies from "mediating" with online gambling service operators. If adopted, this ban is likely to take effect from the middle of 2008. This proposal follows the recent EFTA court ruling that Norwegian national gambling monopoly, Norske Tipping, was justified on the basis of legitimate public policy ([click here to see this article](#)).

## Will the US change its restrictive gambling laws?

There have been further developments relating to internet gambling in the US at both an international and domestic level, but there seems to be little change in the US mindset at this stage.

As we reported in January of this year, there were two faint causes for optimism amongst online gambling operators. The first was the continuing case brought by Antigua against the US at the World Trade Organisation ("WTO"); and the second was the change in the balance of political power in the US. Given the deep seated antipathy to gambling within the US, one can never be very optimistic that the US market will be re-opened to online gambling operators but events have nevertheless taken a positive direction more quickly than many commentators would have expected.

In relation to the WTO dispute, the WTO's Appellate Body had stated that the US ban on foreign operators offering online gambling services to US citizens may be justified as "necessary to protect public morals", but also stated that the US should not discriminate between foreign and domestic operators (US law currently allows internet horserace betting between American states). The WTO gave the US until 3 April 2006 to implement the Appellate Body's recommendations. The US took no action by that deadline and stated on 10 April 2006 that it was in compliance with the WTO's recommendations. Indeed, the US subsequently went further and sought to withdraw from its WTO trade commitments concerning online gambling. In response, Antigua commenced a claim in June of this year for compensation from the US under Article 22 of the WTO's Understanding on Rules and Procedures Governing the Settlement of Disputes and the US has been given until 14 December 2007 to come up with a compensation scheme.

Article 22(2) provides that if a member (in this case the US) fails to remedy non-compliance with its obligations within a reasonable period of time, the member will enter into negotiations with any party which has invoked the Dispute Settlement Procedure (in this case Antigua) with a view to agreeing compensation. If no compensation is agreed, the party that invokes the Dispute Settlement Procedure may request or seek authorisation to suspend the application of other WTO obligations. The WTO arbitration panel is reported at the time of writing to be about to deliver its decision.

Antigua has sought the suspension of its intellectual property obligations to the US, which would allow Antigua to produce, for example, software and pharmaceuticals without paying licence fees. The European Union, Canada, Australia, India, Costa Rica and Macau have all since joined Antigua on its side of the battle line. The EU Trade Commissioner, Peter Mandelson, has upped the ante by claiming, at a White House trade summit in early November, that the Unlawful Internet Gambling Enforcement Act ("the UIGEA") is unfair to foreign firms and should be repealed. Mr. Mandelson was in the US to negotiate compensation on behalf of the EU and is reported to have said "It's not in the interest of American consumers to have good responsible competitors in this market excluded by regulatory mechanisms. What we need to see is a change in US legislation that removes that discrimination against EU operators. When a member of the WTO defaults on its commitments, compensation is due and that's the case of online gambling".

It was reported on 17 December that the EU and US had reached agreement on their dispute. In return for gambling services being excluded from the US' WTO commitments, the US will provide trade concessions to the EU in mail services and technology. It was reported that such concessions fell short of the \$100 billion that the EU was seeking. The EU has said that it will continue to seek a "non-discriminatory policy

towards internet gambling in the US", but obviously, with the settlement of its compensation claim, most of the EU's leverage has disappeared.

Pressure was further increased at a hearing of the House of Representatives Committee on the Judiciary on 13 November when various witnesses gave evidence on "Establishing Consistent Enforcement Policies in the Context of Online Wagers". The case against the UIGEA was forcefully made by Professor Joseph Weiler of the New York University School of Law.

He pointed out that under the General Agreement on Trade in Services (GATS), established under the WTO, the US had chosen to open up gambling services to providers from other WTO member countries. He then continued by explaining how the use of the Wire Act and other legislation to prosecute gambling providers had led to the WTO's decisions that the US had infringed its GATS commitments and that, as a result, the US had withdrawn from its GATS commitments but continues to mount prosecutions in relation to online gambling. He then explained that, contrary to some suggestions, the US is entitled to outlaw gambling but, if it chooses to do so, it cannot impose the ban in a discriminatory way; the latter is what the WTO found the US had done by continuing to allow domestic online betting on horseracing. Professor Weiler went beyond the legal analysis by contending that the US, as a world leader, is setting an example which will be detrimental both to its reputation and to its long term commercial interests. His conclusion was that online gambling does indeed create risks for US citizens but that the correct approach, which would also be consistent with its legal obligations, would be for the US to regulate gambling and apply that regulation equally to both US and overseas operators.

On 30 September 2006, the US Congress passed the Safe Ports Act which included the UIGEA. As is well known, that led to many online gambling operators closing down their US-facing businesses and massive reductions in the values of their companies. The Federal Reserve together with the Attorney General had 270 days from the commencement of the UIGEA to prescribe regulations requiring financial institutions to identify, block or otherwise prevent or prohibit unlawful internet gambling transactions.

It was only on 1 October, several months overdue, that the Federal Reserve and the Department of Treasury published their joint proposal for the rules to implement the UIGEA. Interested parties had until 12 December to comment on the proposed rules – it is unclear when the Rules are likely to come into effect.

Also, Barney Frank, the chairman of the House of Representatives' financial services committee in April of this year proposed the Internet Gambling Regulation and Enforcement Act, a bill which is intended to regulate and tax online. This bill is only at the first stage of the legislative process but its proponents argue that it would resolve all of the current issues in one fell swoop. First, it would provide a licensing and regulatory framework which would serve to protect US citizens; second, it would raise revenues from licensing and taxing US-based online operators; and finally it would enable the US to comply with its WTO obligations and not have to pay compensation to Antigua, the EU and other claimants. Whilst there is a persuasive logic to this argument, it would require a significant change of the US mindset for this bill to be passed.

## UK casinos update

According to reports, the Department of Culture, Media and Sport (DCMS) has been putting together a revised parliamentary order under the Gambling Act 2005 (2005 Act) to permit the creation and development of eight large and eight small casinos in the UK. Large casinos will have a minimum total customer area of 1,500 m<sup>2</sup>, up to 150 Category B gaming machines (which have a maximum jackpot of £4,000) and be allowed to offer bingo and betting. Small casinos will have a minimum total customer area of 750m<sup>2</sup>, up to 80 Category B gaming machines and be allowed to offer betting.

Further to our previous update, the proposed legislation is reported to exclude the so-called "super casino", the one regional casino permitted under the 2005 Act, which in January 2007 the Casino Advisory Panel (CAP) recommended be awarded to Greater Manchester.

Shortly after becoming Prime Minister, Gordon Brown instructed Hazel Blears, Secretary of State for the Department for Communities and Local Government, to review the plans for the "super casino" and to look at alternative ways to generate deprived areas. The DCMS has said that it is still awaiting Ms Blear's report, although it has been reported that the new legislation for the sixteen large and small casinos could be introduced in the next few weeks. Leaders of Manchester City Council have been quoted as saying that they may seek judicial review if the proposal for a "super casino" is abandoned, stating that 3,500 jobs are at stake

## Integrity in sports betting

Two of the licensing objectives set out in the Gambling Act 2005 (2005 Act) are to ensure "*that gambling is conducted in a fair and open way*" and to prevent "*gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime*". The Gambling Commission has introduced measures with a view to ensuring that betting on sports meets these objectives and is seeking to encourage betting operators to share information about suspect betting patterns with sports governing bodies.

The Commission's initial approach to this issue was to include a licence condition for betting operators which states that:

*"Licensees who accept bets, or facilitate the making or acceptance of bets between others, on the outcome of horse races or other sporting events governed by one of the [15] sports governing bodies [set out in the 2005 Act] must also provide the relevant sport governing body with any information the licensee suspects may: lead the Gambling Commission to consider making an order to void a bet; or relate to a breach of a rule applied by that sport governing body".*

Thus, if betting operators fail to provide such information, they put their operating licences at risk.

On 4 October 2007, the Gambling Commission published a policy position paper summarising its current thinking on the matter following its issues paper on integrity in sports betting that was published in May 2007. The Gambling Commission stated that it understands the importance of upholding integrity to both sports governing bodies and the betting industry, but that "*the evidence points to the number of incidents giving cause for concern about integrity in sports betting being low*".

The Gambling Commission further stated that there was no evidence to suggest that either limiting the types of bets offered by British operators or requiring them to pay a levy to sports governing bodies would improve the level of integrity and may even result in some sports betting operators relocating offshore.

In conclusion, it seems that, for the moment at least the Gambling Commission will keep the situation under review. However, it has called on sports governing bodies and the betting industry to: "*improve their understanding of how each other's industry operates and to share information relevant to integrity in sports betting; share knowledge and best practice on sports betting integrity; and, continue to provide evidence of incidents to the Gambling Commission that may impact on integrity in sports betting*".

## Ladbrokes advert cleared by ASA

A television advert for Ladbrokes has been cleared by the Advertising Standards Authority (ASA) following complaints from viewers in the first test of the new gambling advertising laws in Great Britain.

The Ladbrokes campaign is the campaign to be formally investigated since the law on advertising gambling was relaxed to allow casinos and bookmakers to advertise on television for the first time.

The advert featured banter between ex-footballers turned TV-pundits such as Ian Wright and Lee Dixon with the strapline "Everyone's got an opinion, what's yours worth?". It has been reported that viewers complained that the use of football celebrities might encourage young people to gamble, that the advert plays on "*male bravado and peer pressure*" and could also "*influence vulnerable people*". This would be contrary to one of the three licensing objectives under the 2005 Act, which is to protect children and vulnerable people "*from being harmed or exploited by gambling*".

The ASA's CAP (non-broadcast) and BCAP (broadcast) Advertising Standards Codes (Codes) were updated at the same time that the Gambling Act 2005 came into force. In particular, the Codes state that adverts should not:

1. Portray, condone or encourage gambling behaviour that is socially irresponsible or could lead to financial, social or emotional harm;
2. Exploit the susceptibilities, aspirations, credulity, inexperience or lack of knowledge of children, young persons or other vulnerable persons;
3. Suggest that gambling can be a solution to financial concerns;
4. Link gambling to seduction, sexual success or enhanced attractiveness; or
5. Be likely to be of particular appeal to children or young persons, especially by reflecting or being associated with youth culture.

The ASA cleared the advert of all complaints made against it.

## Compliance and enforcement: impact assessment

The Gambling Commission has regulatory powers to investigate whether the provisions of the Gambling Act 2005 (2005 Act), including licence conditions, codes of practice and guidance, are being complied with in order to achieve the policy objectives for gambling in Great Britain. Further to this, it has published an impact assessment on compliance and enforcement (with particular focus on the former) under the 2005 Act.

The impact assessment sets out the policy options for compliance which were considered by the Gambling Commission. It explains that the Commission would prefer to take a risk-based approach, concentrating resources on areas where intelligence suggests action is most needed and using a combination of the following methods:

Use information provided by operators in regulatory and other information returns to conduct a desk-based compliance regime with the Gambling Commission issuing codes of practice and guidance;

Carry out inspection visits to premises, including both regular announced and unannounced visits to individual premises and classes of operator; and

Use complaints about the industry and other intelligence to identify where compliance and enforcement action is required.

The Gambling Commission further stated that its preferred approach to enforcement was for it to recruit its own "enforcement resource" to investigate and institute proceedings both for criminal offences and regulatory breaches (e.g. codes of practices, licence conditions).

It is proposed that the policy be reviewed in October 2009 so that there is a sufficient time period during which the actual costs and benefits of the new regulatory regime can be assessed.

## Greyhound racing to be reformed

Following the Sunday Times' exposure of the Seaham dogs scandal last year, greyhound racing commissioned Lord Donoughue to examine the regulation of greyhound racing and to make recommendations to ensure that its regulation is efficient and effective. The report was published on 27 November 2007 and contains 37 recommendations for a wholesale restructuring of the sport's regulatory and governance structure.

As with Lord Donoughue's report into horseracing, he has recommended that the existing bodies, the National Greyhound Racing Council, the British Greyhound Racing Board and the British Greyhound Racing Fund, are all abolished with their functions being subsumed into a single new body, the Greyhound Board of Great Britain. British greyhound racing has generally been regarded as characterised by internecine disputes which has led to the sport and the various bodies involved in its governance and administration being unable to act in a co-ordinated way to prevent the sport's steady decline. Lord Donoughue's recommendations are designed to put an end to that.

There will clearly be some groups who will not favour the Donoughue reforms and who are, therefore, likely to need some coercion in order to co-operate. However, in the horseracing inquiry conducted by Lord Donoughue, the stick which the Government was able to wield in order to encourage reform was the threatened abolition of the Levy whereas greyhound racing has no statutory funding. The governmental threat for greyhound racing is, presumably, that if it does not reform, a statutory regulatory framework will be introduced to address the welfare concerns raised by Seaham.

# About Olswang

Olswang is a leading business law firm with a distinctive approach. Our pioneering and problem-solving ethos has established a commanding reputation in the technology, media and real estate sectors, as well as a wide range of other industries.

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