

JOEL GOLDMAN

Alternative Dispute Resolution

1. Consumer Guide to Complaining About A Gambling Transaction (Disputes)

Operators licensed by the Gambling Commission are required to have effective complaints and disputes procedures. If you have a dispute about a gambling transaction, for example if you disagree with an operator about whether you won, how much you have been paid, or the way in which payments to or from a gambling operator were managed, you should follow the disputes process below.

All licence holders must have a clear policy on dealing with disputes about gambling transactions.

The process to follow in raising a dispute should be readily available to you in writing or on the operator's website:

1. Ask for a copy of the operator's disputes procedures.
2. Raise your dispute with the licence holder concerned, following their procedures and providing as much detail as possible about your dispute. Ideally, you should keep a full record of the dispute.
3. The licence holder should investigate the dispute, escalating as necessary, following their internal procedure and informing you of the outcome.
4. If you are not satisfied with the outcome, you may refer a dispute about your gambling transaction(s) to the Alternative Dispute Resolution entity party (also known as the ADR entity) for consideration. The ADR entity that is relevant for your dispute must be named in the operator's dispute procedures or you can ask the operator for their contact details. The referral to the ADR entity is free of charge for customers, although you may be asked to provide information to the ADR entity (such as copies of relevant documents) at your own cost. The ADR entity will not be able to look at your dispute unless you have exhausted the operator's internal procedures.
5. The ADR entity may then contact you in the course of their considerations; and will provide you with the note of their decision.
6. If you remain unsatisfied with the decision of the ADR entity you have the option to refer the matter to the courts. Civil legal action would normally start in the County Courts or High Court (in England, Wales and Northern Ireland), depending on the circumstances of the case. In Scotland, most small claims are started in the Sheriff Courts.

So that your dispute is handled as efficiently as possible, you should always follow the licence holder's complaints procedure in the first instance.

All Gambling Commission licence holders who have direct gambling customers are required to have an Alternative Dispute Resolution Entity or ADR entity. Operators must choose one or more ADR entity from the approved list issued by the Gambling Commission. The operator must name the ADR entity in their disputes policy.

If, once you have exhausted the operator's internal disputes procedures, you remain unsatisfied; you have the right to refer to the relevant ADR entity free of charge. You can find out which ADR entity the operator uses by checking their disputes procedure or asking the operator. Gambling operators may only choose an ADR entity which appears on an approved list.