

General Principles for Awarding Compensation in ADR

In awarding compensation, the Committee will recognise the emotional and/or practical impact on the consumer, rather than punishing the business. Consequently, we will seek evidence as to whether a dispute has had a considerable emotional or other impact on the consumer beyond a financial impact. For example: -

- significant distress, including stress or physical/mental suffering;
- inconvenience, especially where a consumer has had to expend considerable effort or time because of a bookmaker's mistake or inefficiency;
- damage to a consumer's reputation by a business's action

In most cases we will not award compensation, recognising that any dispute is likely to cause a measure of inconvenience, upset and cost, including (potentially) travel costs and lost earnings incurred by attending the hearing. We will apply a consistent approach to determining the amount of any compensation awards, although we will also recognise that all consumers are different, so what constitutes a significant impact for one person may not be the same for another. This means that in similar (or even identical) cases, we may award different amounts of compensation – or award compensation for one case but not another – depending on the overall impact on the individual consumer.

The amount of any compensation will be awarded at our discretion and is not subject to appeal by either party within the ADR process. This does not affect the consumer's right to appeal the decision in a competent court. The amount of money in dispute may be a factor we consider in deciding what sum to award, although the impact on the consumer will usually outweigh this. We may also consider that a non-monetary award, such as an apology, is appropriate.

As of December 2018, very few awards for compensation have been made in the gambling industry, so we will liaise with other ADR providers in the future to ensure that our approach is consistent with the approach used by our peers.