

10 January 2024

The Rt. Hon. Dame Caroline Dinenage DBE MP
Chair, Culture, Media and Sport Select Committee
House of Commons
London
SW1A 0AA

By email: caroline.dinenage.mp@parliament.uk

Dear Dame Caroline,

Update about the ongoing litigation around the Fourth National Lottery Licence

Following the news today from the Court of Appeal that they have granted International Game Technology PLC' (IGT) request to discontinue their appeal, I am writing to share with you an update on where the litigation around the award of the Fourth National Lottery Licence now stands.

On 21 September 2023 IGT brought an application for permission to appeal to the Court of Appeal seeking to overturn the 28 July 2023 High Court decision that IGT did not have the legal standing to pursue a claim for damages against the Gambling Commission about the award of the Fourth National Lottery licence to Allwyn Entertainment UK Limited ("Allwyn").

However, as indicated above IGT served notice that it wished to discontinue its appeal. This brings to an end IGT's pursuit of a claim for damages against the Gambling Commission. This now leaves the legal claim by The New Lottery Company (TNLC) as the only claim we are currently aware of, which was stayed pending the outcome of IGT's legal action. As a result of the discontinuance of IGT's Appeal, the Commission anticipates that the stay on TNLC's claim will be lifted in the coming weeks. The Commission is not aware of TNLC's intentions following the IGT outcome however, in the absence of any notification from TNLC to the contrary, we expect the claim to proceed to a liability hearing.

As we stated in our joint response with DCMS, published on the 10 March 2023, to your Committee's report into the future of the National Lottery, the Gambling Commission is fully committed to providing a full assessment on lessons learned for future competitions (once all litigation has been completed), including areas that the Committee has suggested and will provide this to the Committee when complete.

Our priority is to continue to work to implement our decision and ensure a seamless and timely transition to the next licence, for the benefit of participants and good causes. The licence comes into effect 1 February 2024.



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I hope you and the Committee find this update useful. I will continue to provide updates to you as and when the situation regarding the litigation changes and we will of course provide a full assessment on lessons learned for future competitions within six months of all such litigation coming to an end. If you have any questions about this or anything else either to do with the critical work to implement the Fourth licence, or any other areas of our work, please do feel free to get in touch.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'A Rhodes'.

Andrew Rhodes
Chief Executive and Commissioner