



Submission in response to the ACT Gambling and Racing Commission
Discussion Paper on *Gambling and Racing Control (Code of Practice)*
Regulation 2002

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About Care Inc. and the Consumer Law Centre of the ACT

Care Financial Counselling Service (Care) has been the main provider of financial counselling and related services to low to moderate income and vulnerable consumers in the ACT since 1983. Care's core service activities include the provision of information, counselling and advocacy to consumers experiencing problems with credit and debt. Care also has a Community Development and Education Program, makes policy and comment on issues of importance to its client group and has operated the ACT's No Interest Loans Scheme since 1997.

In late 2002, Care was selected as the host agency for the Consumer Law Centre of the ACT (CLC). The CLC was officially opened in January of that year. The CLC offers legal assistance in the area of credit and debt, consumer protection and fair trading. In addition to casework, the CLC advocates and provides policy comment on local, territory and national issues to improve legal protection and raise awareness and understanding of consumers' rights in the ACT.

Across Care's service delivery programs, the agency responds to over 2000 new requests for assistance every year.

In addition to casework, Care and the CLC work hard to advocate on behalf of the ACT's consumers, providing policy comments on issues of significance to our client group and striving to improve legal protection and awareness of consumers' rights in the ACT.

Summary

Before looking at the specific questions raised in the Discussion Paper, we note that The Gambling and Racing Control (Code of Practice) Regulations 2002 (the Code) was developed to promote consumer protection and reduce the risk of harm associated with problem gambling. To this end we strongly support a code that reflects best practice in the industry and that provides clear guidelines in relation to the standards expected of gambling providers in the ACT.

A number of the questions in the discussion paper relate to training and education of workers in gambling venues. The Centre for Gambling Research at ANU, published a report on 31 October 2011 entitled 'Help-seeking and Uptake of Services Amongst People with Gambling Problems in the ACT'. The report found that people with gambling problems tend not to seek help for those problems. They are more likely to seek help for other problems that occur as a consequence of their gambling, such as financial or relationship problems. Our experience as financial counsellors supports these findings, and indicates that any training or professional development may need to be expanded to include some of these other services.

Specific Comments

1. What is the appropriate length of time between training courses?

It is difficult to determine an exact timeframe for provision of training courses. However we believe that five years is too long a time period. There could be many changes to best practice and even to legislative requirements in that time. Perhaps two to three years is a more appropriate time frame.

Training should include a robust induction training course as well as ongoing refresher training. Induction training modules should be updated every 12 months to ensure they are relevant and effective. Opportunities should be provided for participants to be provided about the training. Such feedback should be considered in any subsequent review of the training.

It is important to utilise a range of training strategies and modes of delivery in the development of any problem gambling training course. Face-to-face delivery of induction training is probably most appropriate. Online modules could be developed for subsequent follow up training.

We note that there is no information in the Discussion Paper about what the training actually involves. In Care's view any training should include:

- identification and recognition of problem gambling behaviour;
- information on appropriate referrals in the local community, including; general counselling and financial counselling services;
- basic communication skills.

Any staff working in a gambling venue should also be encouraged to attend external training as part of their ongoing professional development.

2. Should the requirement to complete RSG training be broadened to apply to all venue staff?

Staff in gambling venues often work shifts and perform multiple roles, so we believe that all staff need some basic training in recognizing and responding to problem gambling. Perhaps it would be appropriate to have two levels of training – a more detailed and thorough course for those directly providing gambling products and services and another shorter, more general training course for those working in the venue generally.

3. Should GCO training be required more frequently than the current five years, and if so, how often?

Yes, as with other staff members, training should be more frequent for Gambling Contact Officers, perhaps once every two to three years. GCOs should also have access to supervisors or consultants with whom they can talk through difficult cases. Patrons who display signs of problem gambling may also have other complex issues that they are dealing with in their lives. Responding appropriately and sensitively to such patrons may at times be difficult.

4. Should GCOs be required to attend at least one approved GCO forum each year?

Yes, GCOs should be required to attend at least one approved forum each year. They must be kept up to date with current best practices. A yearly forum provides a networking opportunity for GCOs, which is especially important for referrals. GCOs should receive a certificate of attendance as a record for professional development.

5. Should the existing restrictions on staff participating in lottery gambling at their place of employment be relaxed?

Existing restrictions on staff participating in lottery gambling at their place of employment should not be relaxed. It is a conflict of interest for staff as it blurs the boundaries between their duties as a staff member and their interests as participants in lotteries. Allowing staff to gamble at their place of employment could also open up abuse by friends and relatives seeking the employee to gamble on their behalf.

Whilst we acknowledge that some of these forms of gambling carry a lower risk, we believe that it's best to have a policy that is uniform and clear. There is no shortage of places staff members can go to gamble outside their workplace, so these measures would not place unreasonable restrictions on staff.

6. Should an excluded person be required to attend at least one counselling session with the ACT's Gambling Counselling Service prior to re-entry into the venue at the end of their exclusion period?

Excluded persons should be encouraged to attend a counselling session prior to re-entry, but should not be forced to do so. While a counselling session should always be offered, it is our experience that trying to force people to engage in counselling is generally not productive. Clients need to be engaged in the process themselves for it to be effective.

We also note our previous comment that according to research people with gambling problems do not seek help for the gambling issue. In fact according to a recent report by the Centre for Gambling Research- *Beliefs and knowledge about gambling amongst high intensity players of gaming machines* (Nov 2012) – help seeking is often a last resort after experiencing significant negative consequences. There is also a lack of self-identification and acknowledgment of problem gambling, possibly as a result of issues of shame and guilt. It might therefore be more useful to encourage problem gamblers to seek the assistance of other specialist services such as financial counsellors or relationship counsellors. Having developed a rapport with a counselling service, it is more likely that a problem gambler will acknowledge and address the problem gambling behaviour.

In a situation where a self-excluded person cancels their Deed of Exclusion but continues to display problem gambling behaviours, it is the responsibility of the gaming venue to institute a licensee initiated exclusion to minimise the risk of harm. During this time referral to other specialist services should be encouraged.

7. Should a minimum period of exclusion be introduced?

We are not aware of whether or not minimum periods of exclusion are a significant issue, but if they are, this could be a good measure. It might be useful to have a database of these exclusions that operates across ACT clubs so that excluded persons are unable to simply go to another venue.

8. Should the increased use of the problem gambling Incident Report System be encouraged? If so, what is the best mechanism?

There should be encouragement for the increased use of the Incident Report System.

It is important for transparency and privacy reasons that a copy of any information recorded should either be given to or otherwise be made accessible to the person about whom an Incident Report is recorded.

9. Is more training or education required in this area?

Yes, increased training is required. The discussion paper itself states that problem gambling behaviours are not being recognised by staff. This issue needs to be addressed in the induction training to ensure that staff are properly equipped to recognise problem gambling incidents and are adequately trained to fill in the appropriate forms to record any incidents

10. Should the limits on the payment of winnings in cash be adjusted?

The limits should not be adjusted to match CPI because the current limits are still very substantial amounts of money. In fact being able to access up to \$20,000 in cash at a casino or ACTTAB facility can be very risky for a problem gambler.

In our view not having quick access to the cash may give problem gamblers an opportunity to stop and reflect about what they want to do with any winnings rather than enabling them to immediately use the funds for gambling.

11. Are all cheque cashing restrictions still necessary, and if so, what restrictions or limits should apply?

Even if cheques aren't being used as often as they once were, there is no need to remove the restrictions that currently apply. Furthermore, problem gamblers could get into debt by overdrawing their chequing accounts. They would then incur dishonour fees from their financial institution, which adds to their financial difficulties.

12. Should there be a total prohibition on cashing all cheques or particular types of cheques, such as personal cheques?

As discussed in the response to Question 10, we think that restricting access to cash in gambling venues is beneficial to problem gamblers and so we would support a total prohibition on cashing cheques in gambling venues. The Code is designed to minimise harm caused by problem gambling and reducing ready access to cash with which to gamble, will certainly assist with this objective.

13. Are the Code's information requirements adequate? Are they sufficient or too much?

The current information requirements may not have a strong impact on reducing problem gambling but are never the less necessary. The information should also:

- be displayed in different languages appropriate to clientele of the venue;
- be provided in a range of formats, including posters on display in the gaming venue, and pamphlets on tables;

- include pocket sized information with the helpline number. These could be placed in bathrooms so that they can be taken discreetly by gamblers.

14. Should the Code prescribe minimum standards about size or placement to ensure information is conspicuous?

Yes, minimum standards regarding placement and size should be prescribed. See the response to Question 13 above.

15. Are the Code's clock and lighting requirements appropriate?

The Code of Practice should make prescriptions about the positioning of clocks so they are clearly visible and well lit. Clocks should also be large enough to ensure the times can be seen from a distance. The number of clocks required should be determined by the size of the venue, such that clocks are visible from all areas in the venue.

Lighting should be located close to clocks and be adequate for people to read signs and other information in the venue.

16. Should adequate lighting levels be quantified?

It may be too difficult to quantify lighting levels. However as noted in the response to Question 15 above, lighting should be placed near any clocks and minimum lighting levels should where possible be quantified.

17. Are the current advertising restrictions adequate? Should they be more prescriptive?

Restrictions should be placed on advertising, for example, implying that 'You're a winner', particularly on the internet.

In addition we would support further research being undertaken into the impact of advertising on problem gamblers and the adequacy of advertising restrictions at gambling venues or online gambling sites.

18. Should new or specific requirements be introduced in response to the rise of social media?

We have concerns about the ease of access to gambling via the internet. The Code should therefore be updated to respond to the rise of social media and

the internet. We acknowledge that that this discussion paper doesn't deal with online gambling but along with overseas betting, this is a growing problem area. There should be more obstacles to accessing online gaming, such as educational pop-ups that appear when users try to access betting sites.

19. Is clarification of the Code's promotions and inducements requirement necessary?

The Code's requirements should be made clearer and more prescriptive. We do not think that it is appropriate for any inducements directly linked to gambling to be permitted.

20. Should the requirements be more prescriptive to aid interpretation?

See response to Question 19.

21. If prizes and entries are gained by playing gaming machines, should it be mandatory that entries to promotions are available through alternate methods (eg. Food purchase)

No prizes or entries should become available through gambling at all. Offering prizes can be seen as encouraging gambling which is inconsistent with the objective of the Code.

22. Considering harm minimisation objectives, should promotions be able to offer cash prizes to those playing gaming machines? If so, what restrictions should be applied eg. Maximum of \$500?

Cash prize promotions should not be permitted as they are inconsistent with harm minimisation objectives. As noted above, access to cash enables problem gamblers to continue gambling.

23. Do player loyalty schemes encourage players to spend more than they planned or budgeted for? If so, should restrictions be introduced to minimise this impact?

Loyalty schemes are designed to reward people who spend money. They encourage players to spend more than they planned to and they should therefore be restricted.

24. Should restrictions be introduced on the value of prizes or rewards that can be offered including limitations or prohibitions on cash rewards?

There should not be any prizes or rewards offered for gambling, and in our view there certainly should not be any cash rewards. Rewards can be provided for activities other than gambling.

25. Should loyalty points accrued while playing gaming machines be able to be redeemed for rewards at external business?

See response to Question 24. Allowing loyalty points to accrue provides a reward to people who continue gambling. The Code should not allow further incentives to gamble.

26. Is it appropriate for alcohol to be served to people playing gaming machines or table games?

We do not believe that it is appropriate for alcohol to be served to people playing gaming machines. Patrons should be required to leave gaming machines and tables to purchase food and alcohol, and should have to eat in a separate designated eating area.

In addition it is our view that there should be restrictions on the amount of time a patron can stay at a gaming machine without taking a break. It is important that patrons be encouraged to eat and drink regularly and to engage in other activities provided by the venues.

27. Should a prohibition on the service of food or drink while gambling at a gaming machine or table be introduced?

See response to Question 27.

28. Should any restrictions be placed on a patron's ability to reserve a gaming machine?

Yes, reserving gaming machines should be restricted.