



Comment on

**Review of the Gambling and Racing Control
(Code of Practice) Regulation 2002**

December 2012

About ACTCOSS

ACTCOSS acknowledges Canberra has been built on the land of the Ngunnawal people. We pay respects to their Elders and recognise the strength and resilience of Aboriginal and Torres Strait Islander peoples. We celebrate Aboriginal and Torres Strait Islander cultures and ongoing contribution to the ACT community.

The ACT Council of Social Service Inc. (ACTCOSS) is the peak representative body for not-for-profit community organisations, people living with disadvantage and low-income citizens of the Territory.

ACTCOSS is a member of the nationwide COSS network, made up of each of the state and territory Councils and the national body, the Australian Council of Social Service (ACOSS).

ACTCOSS' vision is to live in a fair and equitable community that respects and values diversity and actively encourages collaborations that promote justice, equity and social inclusion.

The membership of the Council includes the majority of community based service providers in the social welfare area, a range of community associations and networks, self-help and consumer groups and interested individuals.

ACTCOSS receives funding from the ACT Government - Community Services Directorate.

ACTCOSS advises that this document may be publicly distributed, including by placing a copy on our website.

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Introduction

ACTCOSS welcomes the opportunity to provide comment on the Review of the Gambling and Racing Control (Code of Practice) Regulation 2002. For several years ACTCOSS has worked to increase awareness of the social impacts of gambling and has been involved in a variety of consultations to decrease the harm associated with problem gambling. Problem gambling is a significant social and public health issue that has wide consequences for individuals, families and communities. As the majority of problem gamblers in Australia identify gaming machines as their primary addiction,¹ the opportunity to highlight potential improvements in the Code is a welcome step toward alleviating problem gambling in the Canberra community.

Gambling Staff Training Requirements, Gambling Contact Officers and Venue employee gambling restrictions

It is imperative all staff at gambling venues have completed Responsible Service of Gambling training and any other necessary training in order to be proficient in responding to problem gambling. In line with the ACT Auditor General's Office recommendation, all venue staff should complete refresher training every three years at the minimum. Staff should also have the option to enrol in training as often as they deem necessary, regardless of whether or not it has been a full three years since their last course.

Gambling Contact Officers (GCOs) play an integral role in reducing problem gambling in gaming venues. As a first point of contact for people considering self-exclusion, it is imperative GCOs are fully equipped to handle problem gambling situations. However, because GCOs are not required to be on the premises at all times, it is vital all staff are trained in responding to problem gambling and exclusion practices.

The current legislative requirement prohibiting staff from gambling at their venue of employment is in place to protect staff from problem gambling and thus should not be relaxed.

Exclusions and General Requirements in Relation to Problem Gambling

An excluded person, whether through self-exclusion or through exclusion by gambling licensee is someone who has been identified as having potential for gambling to affect their wellbeing. It is important a person in these circumstances is able to receive the help necessary to preserve their health and welfare. Excluded persons should be required to attend at least one counselling session prior to re-entering gambling venues, although further counselling as deemed necessary by experts should be required before re-entry if recommended. Additionally, a minimum period of exclusion as prescribed in

¹ Australian Government, *Problem Gambling*, viewed 12 December 2012, <<http://www.problemgambling.gov.au/facts/>>.

other States and Territories is necessary in order to ensure individuals are able to take some time away from gambling and for the ACT to maintain best practice in this area.

With the introduction of the Problem Gambling Assistance Fund, a range of measures could be implemented to support individuals and venues to minimise problem gambling.

Gaming venues should be encouraged to further utilise the problem gambling Incident Report System to minimise under-reporting. Because licensees are required to record all incidents in relation to problem gambling and exclusions, they should be penalised when found not complying with this requirement. Increased education and training for all staff in the area of problem gambling, exclusion and incident reporting may help increase uptake of this important requirement.

Cash Payment Limits and Restrictions on Cashing Cheques

The limits on the payment of winnings in cash should be adjusted to reflect the recommendation of the Productivity Commission, which is \$300 for gaming machines.² Increases in cash payments also increases re-gambling, and lowering payments helps to minimise potential harm.³ The restrictions on cashing cheques in gaming venues are vital and necessary to ensure patrons do not become entwined in a cycle of gambling beyond their means or original intentions.

Information Required in Gambling Venues and Clocks and Lighting

The provision of information in gambling venues is paramount in minimising myths around gambling and increasing awareness of problem gambling resources. To ensure all venues are providing information in a conspicuous manner, the Code should prescribe minimum standards about size and placement. Not only will this eradicate questions of adequacy, but will also guarantee consistency between venues for customers.

It would be beneficial to consumers for gaming venues to include natural lighting. Most importantly, minimum lighting level requirements should be in place and these lighting levels should be quantified to ensure compliance and reflect best practice.

Advertising restrictions for gaming machine licensees are vital to reducing problem gambling in the ACT. It is imperative new and specific requirements are placed on advertising in relation to social media as this is a rapidly growing area of information sharing and provision.

2 Australian Government Productivity Commission, *Gambling Inquiry Report*, 23 June 2010.

3 *ibid.*

Advertising Restrictions, Promotions and Inducements and Player Reward Schemes

It is necessary to clarify the Code's promotions and inducement requirements, and the requirements should be more prescriptive to leave little room for misinterpretation. Should there be a prize on offer at a gaming venue, entry in such a contest should be available through means other than gambling, such as through the purchase of food and beverages. As discussed previously, cash prizes should be limited to no more than \$300, as in line with the recommendation of the Productivity Commission.

It would be counterintuitive to believe player loyalty schemes do not encourage players to spend more than they may have originally intended. Therefore, restrictions should be placed on player loyalty schemes so that patrons are not encouraged to gamble more than for what they budgeted.

The value of prizes or rewards should not exceed \$300, whether or not it is a cash reward or in another form such as food or material goods. Allowing loyalty customers to redeem points earned from gaming machines at outside venues is a clever way to reward loyalty while disincentivising excessive gambling.

Service of Alcohol, Drink and Food in Gambling Areas

It is not appropriate to serve patrons food and alcohol while they are using gaming machines. Not only does alcohol decrease inhibitions, but consumption of alcohol may lead to increased problem gambling behaviour. In line with the national responsible gambling principles agreed to by the Ministerial Council of Gambling in 2009, the service of alcohol to consumers at gaming machines should be prohibited,⁴ along with the provision of other refreshments at gaming machines. It is important patrons are able to take breaks as necessary, and as mentioned in the discussion paper, moving away from machines to purchase food or beverage is a known way to minimise gambling harm.

4 The Hon Jenny Macklin, MP, *Statement on Ministerial Council on Gambling*, delivered 10 July 2009, Brisbane, viewed 12 December 2012, <<http://jennymacklin.fahcsia.gov.au/node/1392>>.