Gaming Machine Harm Minimisation Measures Consultation Paper
Response Form

Interested persons and organisations can make a submission on the issues raised in the Gaming Machine Harm Minimisation Measures Consultation Paper by completing this submission form.

This response form includes the questions from the Gaming Machine Harm Minimisation Measures Consultation Paper.

If you have any queries about this process please email the following address with the subject heading – Harm Minimisation Consultation Paper.

Email: liquorgamingandracingenquiries@justice.vic.gov.au

Submissions must be received by 5pm, Monday 16 January 2017.

Your details

<table>
<thead>
<tr>
<th>Name</th>
<th>Kath Brackett</th>
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<tbody>
<tr>
<td></td>
<td>Director Community Wellbeing</td>
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Please note:

All submissions will be published on the Department of Justice and Regulation’s website.

Please ensure that your submission does not include confidential, commercial-in-confidence or personal information.

The department reserves the right to not publish information that could be seen to be defamatory, discriminatory or unrelated to the review.
### Questions: Gaming Machine Harm Minimisation Measures

These questions should be read in conjunction with the Gaming Machine Harm Minimisation Measures Consultation Paper

<table>
<thead>
<tr>
<th>Q.1. Is the current $200 per EFTPOS transaction limit appropriate? If not, what other regulatory measures would support the objectives of the Act?</th>
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<tr>
<td>No. A daily limit should be set rather than a per transaction limit. Evidence shows that problem gamblers are more likely to have multiple EFTPOS withdrawals per gambling session (Hare, S. 2015).</td>
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<th>Q.2. Is the current $1,000 threshold for the payment of winnings by cheque appropriate? If not, what should be the limit and why?</th>
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<td>$1,000 should be set as the maximum with the ability for individuals to lower the limit to between $200 and $1,000 as part of the Pre Commitment process.</td>
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<th>Q.3. Should payment by EFT be permitted in addition to, or as a replacement for, payment by cheque?</th>
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<td>EFT transfer to a bank account with a 24-hour processing delay should be offered in addition to payment by cheque. The practice of cashing personal cheques in venues should also cease.</td>
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<th>Q.4. Are there other payment methods that should be considered for the payment of credits / winnings?</th>
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<td>EFTPOS, bank deposit or other electronic deposit should only be considered if combined with mechanisms to prevent immediate access to the winnings.</td>
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Q.5. Should venue operators be able to exchange personal cheques for cash?

No. Venues should not be able to exchange personal cheques for cash. This undermines other safety measures put in place such as:

- issuing large winning by cheques
- providing maximum EFTPOS cash withdrawals

Q.6. If cashless gaming and or TITO is introduced, how should they be regulated so that they are consistent with other measures that limit access to cash? What harm minimisation measures should apply?

Cashless gambling and Ticket-in Ticket-out (TITO) should not be legalised in the absence of mandatory Pre Commitment.

Research has shown that gamblers lose track of both time and money while gambling, with problem gamblers significantly more likely to lose track of both time and money (Hare, S. 2015). Therefore, any reduction in tangible indicators of the amount of money gamblers are spending has the potential to increase the risk of problem gambling.

Cashless gambling could potentially be considered if reporting of the cumulative time and money spent by a gambler was displayed in real time on all gaming machines. This however would require additional research to determine mandatory reporting standards i.e. font size, time displayed etc.
Q.7. What opportunities are there to improve the way codes operate in Victoria? 

- Are there other models that would be more effective? If so, what are they? 
- Would a more prescriptive approach for all venue operators be better? Could the operation of codes be simplified? 
- Are there other matters that should be provided for in the Ministerial Direction for codes? 
- What requirements for loyalty schemes should be included in a code to promote responsible gambling? 
- Does the annual review process contribute to fostering responsible gambling? If not, why not? Are there other options to ensure that the codes meet this aim?

Codes could operate more effectively by making their components enforceable by law.

A model of regulation that similar to covering venues with liquor licenses under the Liquor Control Reform Act 1998 should be considered. This should include the provision of fines, and license cancelation/suspensions for a breach of the Act.

The Liquor Control Reform Act 1998 includes an extensive ‘Offences and Enforcement’ section that make breaches of the act enforceable by law. This includes enforceable harm minimisation clauses such as:

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if, in the opinion of the Commission, the advertising or promotion, or the proposed advertising or promotion, is likely to encourage irresponsible consumption of alcohol or is otherwise not in the public interest. (Penalty: 120 penalty units.)
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Loyalty schemes should not be legal for gambling activity. The practice of providing rewards for increased gambling is clearly contrary to a harm minimisation approach to problem gambling, given the clear evidence that the more a person gambles the more they lose and the more likely they are to become problem gamblers (Hare, S. 2015).

Q.8. Should the requirement to interact with customers who are showing signs of distress from gambling be part of codes, or should a separate offence be created for venue operators who fail to respond to suspected problem gambling?

A separate offence should be created along similar lines to that governing the serving of Alcohol to people who are intoxicated (Liquor Control Reform Act 1998). It has been clearly established that problem gambling does not only harm the gambler, but that it can and often does harm others in the community such as family, friends and colleagues.
**Q.9. Are self-exclusion programs best administered by the industry or by another body?**

For self-exclusion programs to be successful they need to be:

- Understandable
- Enforceable
- Work across multiple venues
- Well published
  
  (Gainsbury S, M. 2014), (SA Centre for Economic Studies, 2003)

For this to be achieved in the most effective and efficient way it is recommend that there be one single program that is administered and coordinated by central independent body.

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**Q.10. Should there be one self-exclusion program in Victoria?**

See above

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**Q.11. How could self-exclusion programs be improved?**

There should one self-exclusion system that applies to all venues.

The system should be simple and easy to use.

Third parties should be able to recommend/apply for a person to be excluded from a venue.

A person must be able to restrict themselves from as many venues as required.

This system should be covered by a single point of entry and administered by an independent third party.

Excluded persons should also be removed from mailing lists and incentive programs.

Excluded persons should have to actively reinstate themselves at the end of the exclusion period.

(Gainsbury S, M. 2014), (SA Centre for Economic Studies, 2003)
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<th><strong>Q.12.</strong> Is the annual review useful or are there other ways to report on program trends and compliance?</th>
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<td>A centrally administered exclusion program would facilitate a more efficient monitoring of a review process. A system of venue compliance reviews/audits undertaken by a single independent third party (with all information collated and stored centrally) would help facilitate more accurate, efficient and timely reporting of program trends and compliance. This in turn would help to increase the transparency and accountability of the industry.</td>
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<th><strong>Q.13.</strong> Should there be a separate offence for venue operators who knowingly allow self-excluded persons to enter or remain in the venue?</th>
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<td>Yes, there should be a separate offense for venue operators who knowingly allow excluded gamblers to use gambling products. As stated in question 8, this should be made enforceable by law through changes to the Gaming Regulation Act along similar lines to that governing the serving of alcohol to people who are intoxicated (Liquor Control Reform Act 1998).</td>
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<th><strong>Q.14.</strong> Should a new requirement to undertake advanced responsible service of gaming training be introduced?</th>
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<td>It is recommended that this question be answered once the new system starting in January 2017 has been implemented and reviewed after 12 months of operation.</td>
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<th><strong>Q.15.</strong> If so, who should be required to complete the advanced training and what content should the training include?</th>
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<td>Any employee working in a gaming area should be required by law to undertake Responsible Service of Gaming Training. Again, this should be made enforceable through changes to the Gaming Regulation Act.</td>
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Q.16. Who should be responsible for the development and provision of the advanced training?

Victorian Responsible Gambling Foundation

Q.17. Do you think regional caps and municipal limits should be maintained? Why?

It is appropriate to have distribution limits, however the limits could be applied far more effectively to reduce the harm from gambling.

There has been a body of research demonstrating clear relationships between the size of EGM venues, accessibility, expenditure and harm (Young, et al., 2008), as well as relationships between EGM density, disadvantage and expenditure (Rintoul, et al., 2013).

Findings from the Regional Electronic Gaming Cap Review (2005) recommended a universal cap to be set at 8.0 EGMs per thousand adults; however this was not implemented, with current caps in many areas well exceeding this level.

A more nuanced system is required to determine overall EGM limits and their distribution that is based on public health considerations.

A review of regional caps and municipal limits is required, especially in areas of disadvantage.

A strategic justification is required to determine the maximum allowable limit of 105 EGMs per venue, based on local conditions.

Q.18. Should regional caps be extended beyond the existing capped areas and if so, why?

Before any changes to the current system of caps and limits are considered, a comprehensive review should be undertaken.

Q.19. Are the current regional cap and municipal limit levels appropriate?

No - see above
Works Cited


Hare, S. 2015. Study of Gambling and Health in Victoria, Victoria, Australia: Victorian Responsible Gambling Foundation and Victorian Department of Justice and Regulation.


