To whom it may concern

Maribyrnong City Council response to
Gaming Machine Harm Minimisation Measures Consultation Paper

Thank you for the opportunity to provide a submission in response to the Department of Justice and Regulation, Office of Liquor, Gaming and Racing, Gaming Machine Harm Minimisation Measures Consultation Paper.

Maribyrnong City Council has a strong commitment to managing the impact of gambling on local communities. Council’s Reducing Harm from Gambling Policy 2016-2020 contains three key objectives:

1. Reduce the harmful impact of gambling on communities and individuals in the City of Maribyrnong.
2. Support the public health and wellbeing of residents and visitors to the City of Maribyrnong.
3. Protect and grow the prosperity of the City of Maribyrnong.

Council has also developed a Gambling Advocacy Campaign Action Plan which outlines Council’s advocacy and community engagement activities that support reducing harm from gambling in local communities in the city. This includes supporting local gambling prevention programs and advocating for changes to State Government legislation on gambling.

Attached is Council’s submission based on the questions contained in the consultation paper’s response form.

Thank you again for the opportunity to provide a submission.

Yours sincerely

Clem Gillings
Director Community Services
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

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<th>Malcolm Roberts-Palmer</th>
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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.
Q.1. Is the current $200 per EFTPOS transaction limit appropriate? If not, what other regulatory measures would support the objectives of the Act?

Maribyrnong City Council believes that the current $200 EFTPOS transaction limit should be replaced with a daily enforceable personal limit of $200 in a gaming venue. This would have a significant benefit for problem gamblers who access EFTPOS in significantly more during a gambling session.

The study of Gambling and Health in Victoria developed by the Victorian Responsible Gambling Foundation, found that problem gamblers accessed EFTPOS an average of 3.46 times per gaming session. This compared to an average of 0.14 times for non-problem gamblers and 1.55 times for moderate gamblers.

The same study also found that problem gamblers withdrew significantly larger amounts of money per gambling session with an average of $317.93 per gaming session compared to an average of $65.56 for non-problem gamblers and $130.12 for moderate gamblers.

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?

Council believes that the current $1000 threshold for payment of winnings by cheque instead be replaced with the option for an electronic transfer (using EFTPOS, bank deposit or other electronic deposit) to be processed the following day. This would keep the intention of the original legislation – that large winnings are not immediately available for further gambling (a behaviour which strongly indicates a gambling problem).

Q.3. Should payment by EFT be permitted in addition to, or as a replacement for, payment by cheque?

See previous answer.

Q.4. Are there other payment methods that should be considered for the payment of credits / winnings?

See previous answer.
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

Council does not believe that other payment methods should be considered.

Q.5. Should venue operators be able to exchange personal cheques for cash?

Council believes that gaming venues should not be able to exchange personal cheques for cash. This practice allows cheques issued as winnings in one venue to be exchanged at another, and encourages the checking of large amounts rather than small and discretionary recreational gambling.

Other businesses (such as loan providers, pawn shops, and banks) should be prohibited from cashing these cheques on the same day as they were issued. These businesses should also be prohibited from advertising the cashing of cheques by gamblers.

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?

Council believes that cashless gambling and Ticket-in Ticket-out (TITO) should not be legalised.

The Study of Gambling and Health in Victoria found that many gamblers will lose track of both money and time and are frequently unaware of whether they are ahead or behind in play on gaming machines. There is already a strong body of research demonstrating that those who use machines and experience problems lose track of the monetary component of their gambling while using machines. The study also found that problem gamblers were far more likely to lose track of money and time associated with playing gaming machines.

The introduction of TITO for EGM gambling could also lead to similar problems experienced with online gambling. The convenience of online gambling such as sports betting appears to be contributing to problem gambling rates in Australia, particularly among younger men who make up the largest proportion of online gamblers.

In its report on the survey of interactive (online) gambling, Gambling Research Australia estimates that men make up approximately 77 per cent of those people surveyed online. The report also stated that the online gamblers ability to bet quickly and repeatedly through using credit card transactions, were contributing to the risk of problem gambling. Rapid repetition of bets and ready access to resources to support this are also risk factors for the development of gambling problems, as is also the case with EGM gambling.

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

Office of Liquor, Gaming and Racing
Gaming Machine Harm Minimisation Measures
Consultation Paper Response Form

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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?

Council believes that the current Responsible Gambling Codes of Conduct are weak, and are not enforced by venue operators. The Victorian Responsible Gambling Foundation (VRGF) should be asked to develop a code of conduct for venue operators. This code of conduct should be reviewed annually by the VRGF.

The VRGF has recently released a best practice guide which provides a comprehensive set of indicators which venue operators and staff should be aware of and act on, and a set of actions which follow from these.

Council also believes that penalties for breaching the code should be enforced by the State Government and that penalties should be based on the average daily losses from EGMs in the venue.

**Establishment of a Victorian Gambling and Liquor Ombudsman**

Council believes that the State Government should establish a Gambling and Liquor Ombudsman. This office would be responsible for complaints about the operation of gambling venues and services across Victoria.

**Applying Victorian Public Health Framework**

The Victorian Public Health and Wellbeing Outcomes Framework provides a transparent approach to monitoring and reporting progress in achieving better health and wellbeing. It aligns with the Public Health and Wellbeing Act 2008. Council believes that the framework should be applied to the Responsible Gambling Codes of Conduct to ensure that improved health and wellbeing outcomes are applied to the management of gambling by venue operators.

**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?

Council believes that there should be a separate offense for failure to respond to demonstrations of problem gambling. As operators of a high-risk and potentially harmful product, gambling venue operators have a duty of care to ensure that their customers are not harmed by their product, as far as is practical.

This offense should cover all gambling venues in the state. The State Government should also consider how this might be applied to non-venue based gambling offered within Victoria.

Penalties for offences considered by this consultation should be linked to venue losses. As a guide, one penalty offence should be equivalent to the average daily losses on EGMs in that
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<th>Q.9. Are self-exclusion programs best administered by the industry or by another body?</th>
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<td>Council believes it would be more appropriate for the self exclusion programs to be administered by another body. Self-exclusion systems should be simple and easy to use, and allow a person to restrict themselves from as many venues as they require. This system should be covered by a single point of entry and administered by Gambler’s Help services. As a supplement to any system, an app could be developed that informs venues when a person who has excluded has entered their venue, using existing geolocation systems in phones. This would be a voluntary system but could help enhance the operation of self-exclusion.</td>
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<th>Q.10. Should there be one self-exclusion program in Victoria?</th>
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<td>As outlined in the response to question 9, Council believes that self exclusion programs should be managed by local Gamblers Help services.</td>
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<th>Q.11. How could self-exclusion programs be improved?</th>
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<td>Council believes that independent evaluation and assessment of self exclusion programs should be undertaken on an annual basis to monitor their effectiveness. This independent evaluation should be undertaken by a newly established Gambling and Liquor Ombudsman.</td>
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<th>Q.12. Is the annual review useful or are there other ways to report on program trends and compliance?</th>
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<th>Q.13. Should there be a separate offence for venue operators who knowingly allow self-</th>
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Q.14. Should a new requirement to undertake advanced responsible service of gaming training be introduced?

Council believes that advanced training should be compulsory for all staff who work at venues with gaming machines. The Victorian Responsible Gambling Foundation has worked on an extensive training program for gambling venue staff, implementation of which is to start from January 2017. It is Council's understanding that this program will have 2 modules; a preliminary online session which must be completed within one month of employment followed by module 2 which will be delivered by the Venue Support Worker program of Gamblers Help. This must be undertaken within 6 months of employment.

Q.15. If so, who should be required to complete the advanced training and what content should the training include?

Council believes that the venue floor manager should be required to undertake advanced training that identifies problem gambling and instructs that person in how to intervene to reduce their risk of harm. A penalty should be introduced to be levied on venue operators who allow their venue to operate at any time without a suitably trained manager.

Q.16. Who should be responsible for the development and provision of the advanced training?

Council believes that the Victorian Responsible Gambling Foundation (VRGF) should be responsible for the development and provision of advance training, because of its expertise in this area. As outlined in the response to question 14, the VRGF has worked on an extensive training program for gambling venue staff, implementation of which is to start from January 2017.
Q.17. Do you think regional caps and municipal limits should be maintained? Why?

Council believes that regional caps should be maintained in order to minimise the harm caused by EGM gambling on local communities. However, the state limit of 10 EGMs per 1000 adults should be lowered because it potentially allows for a further concentration of EGMs in capped regions. The City of Maribyrnong currently has 446 attached EGM entitlements which equates to 6.4 EGMs per 1000 adults as of 2015-16. The City had losses of $53.7 million in 2015-16. This is an increase over $800,000 from 2014-15 financial year.

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

Council believes that regional EGM caps should be extended to non capped regions in Victoria. However, the cap limit in these areas should be set at a limit that recognises the harm caused by gambling in these areas. This is particularly important in municipalities experiencing significant population growth such as Melton, Wyndham, Whittlesea, Hume, Cardinia and Casey, which have seen significant growth in the number of machines.

As outlined in the previous answer, Council believes that given the size of these growth areas, cap limits should be set at a suburb level not a municipal level. This will allow for social and economic disadvantage to be taken account of in different suburbs in growth areas.

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

The City of Maribyrnong is projected to have significant population growth, with a forecast increase of 80 per cent between 2016 and 2041, from 86,975 to 156,291.

Any future review of EGM caps that reflects this population increase would potentially allow for increase in size of existing venues and the creation of new venues in the municipality.

Council believes that the City of Maribyrnong EGM cap should be maintained at the current level regardless of the projected population increase in the City of Maribyrnong.

Council also believes that any future review of EGM caps should take account of the increased harm caused by gambling to local communities, particularly in areas of significant social and economic disadvantage, such as Braybrook.

Braybrook is the fourth most disadvantaged suburb in metropolitan Melbourne, with a SEIFA Index of Disadvantage rank of 801.1. Braybrook also has significant levels of disadvantage across a range of indicators including educational attainment, qualifications,
Braybrook has 95 EGMs with losses of $15.31 million in 2015-16, from two venues, the Braybrook Hotel and the Ashley Hotel. The density of EGMs is often higher in disadvantaged local areas than the Victorian ceiling of 10 EGMs per 1,000 adults. The number of EGMs in Braybrook equates to 10.1 EGMs per 1000 adults based on the 2015 estimated residential population of 9,430. Higher EGM densities in disadvantaged suburbs are linked to increased risk of gambling harm increasing the significant risk to the health and wellbeing of the local community.