



**Submission to the Responsible  
Gambling Mandatory Code of Practice  
for Tasmania**

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## About Anglicare

Anglicare Tasmania welcomes the opportunity to provide a submission to the Tasmanian Gaming Commission on the proposed mandatory code of practice for Tasmania's gambling industry. Anglicare would welcome an opportunity to speak to this submission in person if required.

Anglicare Tasmania is the largest community service organisation in Tasmania, with offices in Hobart, Glenorchy, Launceston, St Helens, Devonport and Burnie and a range of outreach programs in rural areas. Anglicare's services include emergency relief and crisis services, counselling and family support, accommodation support, employment services, mental health services, acquired injury, disability and aged care services and alcohol and other drug services. In addition, Anglicare's Social Action and Research Centre conducts research, policy and advocacy work with a focus on the needs and concerns of Tasmanians on low incomes.

Our counselling and family support program runs Break Even services that are funded by the Department of Health and Human Services through the Community Support Levy to provide personal and financial counselling to people with a gambling problem and their families. Our workers frequently report their frustration in trying to provide support to people in a regulatory environment that fails to provide adequate protection to their clients. Break Even clients tell our workers that advertising, inducements, player loyalty schemes and non-gaming venue-inducements encourage them to gamble.

In addition, most of our services experience the impacts of gambling problems. We see families fall apart, individuals in crisis and people unable to afford to eat or heat their homes because of a gambling problem in the family.

Anglicare's recent research work on gambling includes *House of Cards* (Law 2005), which looked at the impacts on low income Tasmanians who have a gambling problem in the family and *Nothing Left to Lose* (Law 2010), which looked at cases in the Supreme Court where the defendant had a gambling problem. Significantly, half of the cases involved defendants who had no prior convictions but who committed their first crimes because of gambling problems.

Anglicare is pleased that the draft Code is based on the research and findings of the Productivity Commission and the Social and Economic Impact Study into Gambling in Tasmania as well as learning from other jurisdictions. It is our hope that the replacement of the inadequate voluntary code by a strong mandatory code will help reduce the harm caused by gambling.

Anglicare also hopes that federal initiatives on precommitment as well as state initiatives on \$1 bet limits will further enhance the impact of the new code.

## **Introduction to the issue**

The majority of Tasmanians think that poker machines are a serious social problem (Department of Treasury and Finance 2008, page 53). The majority of people who experience problems with gambling are using poker machines: poker machines are designed for high intensity play at a high hourly cost (Productivity Commission 2010, page 11.1). This is a clear call to the Tasmanian Gaming Commission and Parliament to do all it can to reduce the harm caused by poker machines.

The majority of Tasmanians do not use poker machines: in the Social and Economic Impact Study (SEIS) only 29% of respondents had gambled on poker machines in the past year; nearly all respondents gambled less than once a month; and 28% of respondents usually gambled for less than 10 minutes (Department of Treasury and Finance 2008). This shows that, despite much attention being paid to the rights of recreational gamblers, the majority of Tasmanians are not spending much time gambling on poker machines. This means that measures can be introduced with the purpose of reducing harm to those with, or at risk of developing, a gambling problem without having a large impact on the broader Tasmanian community.

Anglicare's submission largely agrees with the proposed Mandatory Code but argues for strengthening of certain aspects in order to enhance minimising harm. Anglicare sees gambling problems are a public health issue that should be treated in the same way as other public health issues, with the consumer's best interests at the forefront.

## **Key issues for comment**

Anglicare agrees with the proposed measures for amending, reviewing and revoking the new Code (Tasmanian Gaming Commission 2010, page 13); however we propose that the Code be reviewed every 3 years as part of the Social and Economic Impact Study (SEIS) process rather than every 5 years and further that measures relating to online wagering be reviewed yearly as this industry is changing rapidly.

### **1. How many codes should there be?**

Anglicare agrees with the TGC's view that there should be one code. As suggested by the TGC the one code can specify what measures apply for each type of gambling where appropriate as long as all measures in the code have appropriate means for enforcement and disciplinary action. Anglicare believes that having one point of reference for all forms of gambling provides a clearer message and is easier for venues to follow and for the TGC to enforce.

Anglicare also supports the proposition that the TGC will own and have responsibility for the new Code.

### **2. Is it appropriate to have license holders arrange audits of their compliance with the new Code?**

Anglicare agrees with two-yearly audits of compliance along with spot checks but believes the auditors should be engaged directly by the Gaming Commission to ensure they are free of influence by venue operators. The cost of auditors can still be provided by the industry but the auditors should work directly to the Gaming Commission.

**3. Is it appropriate that the new Code applies differently to different forms of gambling?**

Anglicare agrees with the Gaming Commission’s proposal that the Code should apply differently to different forms of gambling in some circumstances. However, while we agree with both the Productivity Commission and the Gaming Commission that people with gambling problems are more likely to have problems with poker machines than other forms of gambling, we are concerned that other forms of gambling should not be treated lightly with regard to harm minimisation. For example, Keno is currently permitted in family dining areas and the proposed new mandatory code excludes Keno from a number of measures. It is not surprising that Keno has a high incidence of young people gambling on it (Department of Treasury and Finance, 2008: volume 2, page 20) and because of this Anglicare would like the regulations tightened for Keno. We are also concerned with the significant differences in treatment for terrestrial and online wagering. We have made some suggestions to strengthen harm minimisation for these gambling forms in our submission.

*I started going to the casino when I was 14 or 15 with my parents every Friday. I started by filling out a Keno ticket and my parents would put it on for me and I would win about \$42 which was a lot of money to me... Then I used to bet a lot on Blackjack which I was pretty good at... Then the [poker] machines became a problem...*

(Jason, mixed gambling)

Extract from *House of Cards: problem gambling and low income earners in Tasmania*, Anglicare Tasmania, Hobart.

**4. Are the proposed measures sufficient and appropriate? Are the transition periods sufficient and appropriate?**

Anglicare has provided comments on each measure below. Further to these comments, Anglicare asks the Gaming Commission to keep in mind that people on lower incomes and who have lower educational attainment are more likely to gamble on poker machines than other forms of gambling (Department of Treasury and Finance 2008, Productivity Commission 2010). This is particularly important for measures that assume a certain level of literacy and numeracy.

*I probably realised [I had a problem] when I would go in and I could say I can afford to lose \$20 that's fine but then I would stay and keep waiting to regain what I lost. Then leaving, feeling really bad. It's the light, the music, the jingles, the free drinks, etcetera. It was one day when I put in \$100, \$129, and I thought 'oh no what am I doing?' Why didn't I stop myself?*

(Maureen, poker machine user)

Extract from *House of Cards: problem gambling and low income earners in Tasmania*, Anglicare Tasmania, Hobart.

#### **4.1 Advertising**

Anglicare supports the objectives, measures and transition period proposed in the Discussion Paper and that the Code of Practice for advertising must apply to all forms of gambling.

Anglicare recommends the inclusion of members of the public in assessing complaints about advertising codes in keeping with best practice in the advertising industry (for example, see the Australian Association of National Advertisers, [http://aana.com.au/documents/AANACodeReviewConsultationdoc-040810\\_3\\_fin\\_sm.pdf](http://aana.com.au/documents/AANACodeReviewConsultationdoc-040810_3_fin_sm.pdf) page 3).

#### **4.2 Inducements**

Anglicare agrees with the Discussion Paper that this measure should apply to all forms of gambling. We support the measures for terrestrial gambling listed on page 17, although we would prefer to see the maximum limit for any inducement vouchers and inducement expenditure to be set at \$5. We believe these measures should also apply to online gambling. We support the prohibition of incentive-based sponsorship. Anglicare agrees with the proposed 6 month transition period.

Under the current regulatory environment, Break Even clients have complained that there are certain inducement draws they enter where they have to be on the premises to be able to collect if they win and so they tend to stay at the venue and are at risk of gambling more than they can afford. Some venues have onsite draws for several days in a row. For this reason we propose that draws should not require the patron to be onsite at the time of the draw in order to collect a prize.

#### **4.3 Player loyalty schemes**

Anglicare is supportive of the measures listed on page 19 for Player Loyalty Schemes, including the additional measures for both terrestrial and online gambling. However, we recommend that the “rewards” offered should be of no greater value than \$5 and should not be allowed to include alcohol. Anglicare supports the proposed 3 month transition period.

*I was trying to get a gold card at the casino but you have to lose too much to get one of them. I thought to get a gold card would be great but it was costing me too much. I was going every fortnight to get the card, but the rewards weren't worth it to lose all that money.*

(Kevin, mixed gambling)

Extract from *House of Cards: problem gambling and low income earners in Tasmania*, Anglicare Tasmania, Hobart.

#### **4.4. Access to cash**

Anglicare supports the objectives of the proposed measures on access to cash – to minimise the ability for people gambling to spend more than intended by limiting the opportunity to

make impulsive withdrawals of cash. In keeping with this objective, Anglicare advocates for no access to cash in a gambling venue for gambling activities. Current regulations that permit a certain number of EFTPOS transactions or cheques to be cashed for gambling purposes are difficult for venues to implement and monitor. We also see the need for clear guidelines on access to credit and propose a credit code be included to prohibit the ability to gamble on credit.

*I would just go [to a venue] and spend everything and have nothing left. Then I would get behind on my rent and then be living on the street. I have lost houses. It has been very hard at times. I have thought about stealing so I can get ahead. It is just a circle I keep going around in.... I owe \$1,000 on my MasterCard and have done for years. I just pay the minimum per month.*

(William, races gambling)

*My psychologist tells me to leave my card at home now... because it is so convenient when I run out of money but if I don't have my card I can't use it.*

(Anna, mixed gambling)

Extracts from *House of Cards: problem gambling and low income earners in Tasmania*, Anglicare Tasmania, Hobart.

In relation to each point proposed in the Discussion Paper:

**1. Current EFTPOS restrictions (1 transaction per day per customer for gambling purposes)**

In a small venue, a staff person may notice if someone came back for repeated EFTPOS transactions and made repeated cash withdrawals, and further noticed what that money was used for; however in larger venues Anglicare believes such oversight is impossible. We therefore propose no access to cash withdrawals for any purpose through EFTPOS in gambling venues.

**2. Enhance EFTPOS restrictions to include a \$200 limit**

For the same reasons above, Anglicare believes this is difficult for venues to enforce and recommends no access to cash via EFTPOS in gambling venues.

**3. Continue current prohibition of ATMs in hotels, clubs and TOTE venues.**

Anglicare supports this measure.

**4. Enhance current ATM restrictions in casinos with a \$400 daily limit from debit and credit cards and place gambling warning and help-seeking messages on ATMs.**

Anglicare proposes no access to cash withdrawals from a credit card from ATMs located in casinos. Provided that ATMs in casinos are located away from the gambling areas, we support a daily debit withdrawal limit being set at \$200 from ATMs in casinos and the placement of clear warning and help signage on ATMs. Further, Anglicare does not support the cashing of cheques in gambling venues, whether they be hotel, club or casino.

Anglicare supports the proposed transition period of 6 months.

#### **4.5 Payment of winnings**

Anglicare believes the proposed measures are not strong enough and are not consistent with the Discussion Paper's proposed access to cash measures. Anglicare therefore proposes that all winnings greater than \$200 be paid by cheque and that no cheque may be cashed in a gambling venue. These measures should be consistent across all forms of gambling.

#### **4.6 Lighting requirements**

Anglicare supports the objective of the proposed Code for lighting requirements but believes the proposed measures are vague as to how 'adequate lighting' is to be defined. There needs to be some guidance to auditors and for spot checks and a minimum lux figure (a unit of illuminance) would be appropriate for this. Anglicare agrees with the proposed transition period for lighting requirements to commence with the new Code.

#### **4.7 Service of food and alcohol**

Anglicare supports the objective as explained on page 25 of the draft Code.

We endorse the measure that gambling operators must prevent a person who appears intoxicated from gambling at their venue. We also support the restriction of service of food and alcohol to customers participating in table gaming and poker machines; however propose that this measure include service of any beverage and the restriction of service be extended to all hours. People with gambling problems do not gamble after 6pm only and the easy access to refreshments throughout the day without having to leave a poker machine reduces the opportunity to take a break from gambling.

*I have been there when it opens at 9 am and there until it closes at night. I just keep going back.*

*(Mark, poker machine user)*

Extract from *House of Cards: problem gambling and low income earners in Tasmania*, Anglicare Tasmania, Hobart.

Anglicare supports the proposal that the new measures will apply at the commencement of the new Code.

#### **4.8 Clocks in gambling areas**

Anglicare supports the proposed measures and transition period as we believe they will help people be aware of the passage of time while gambling. However we propose that the measure be extended to Keno and terrestrial wagering venues. Since not everyone knows how to read an analog clock Anglicare recommends that the measure includes the requirement to include some digital clocks in each venue.



Anglicare also proposes the measure be strengthened so that all poker machines in all types of venues be required to display the correct time. Further, we propose that online gambling sites be required to have a clock visible and that this clock should include the time spent on the site.

*You think you have been there for 30 minutes but you will have been there for about 3 or 4 hours. It is really strange.*

(Ben, user of various gambling forms)

Extract from *House of Cards: problem gambling and low income earners in Tasmania*, Anglicare Tasmania, Hobart.

#### **4.9 Staff training in recognising problem gamblers**

Anglicare supports the proposed objective, measures and transition period for staff training. We do however have concerns that staff being trained in recognising problem gamblers does not necessarily mean that they will feel they can intervene. For example, a young staff person may feel unable to approach an older person if they suspect they are having problems with their gambling. Anglicare therefore suggests strengthening the measure to place responsibility with the licence holder to ensure people who have been identified by staff as exhibiting problematic behaviour are approached by a qualified staff member.

We are also concerned that the requirement to “engage with patrons” is vague and can be interpreted quite differently by different staff. We believe that staff training would be strengthened by adding a consumer voice: this model has been successfully implemented by Relationships Australia South Australia. Training should also be extended to lottery licence holders with all lottery staff required to read relevant printed information. Anglicare is aware that venue staff can also develop gambling problems or be affected by seeing people in their venue who are or may be impacted negatively by gambling. We therefore propose that confidential counselling, support and information be offered to venue staff. Anglicare is keen to work collaboratively with the training providers to assist staff to develop sufficient skills in identification and intervention in gambling problems.

*[Venue staff] will chat to you either at the machine or at the bar... They know that you are overdoing it.*

(Kevin, mixed gambling)

Extract from *House of Cards: problem gambling and low income earners in Tasmania*, Anglicare Tasmania, Hobart.

#### **4.10 Information to players**

Anglicare supports the objective, proposed measures and transition period in the draft Code for providing information to people when gambling.

We suggest in addition to those proposed that better information is provided to players on the screen of poker machines in a format that flashes up intermittently; this measure has the added benefit of creating a short enforced break in play. Anglicare recommends that

onscreen information to players be the same for poker machines in casinos, hotels and clubs; and we recognise that this would need to be implemented for all new machines/games and therefore needs an appropriate transition period of 2 to 3 years. Anglicare also recommends that the Helpline number be placed in a larger font on stickers on poker machines so that it is easier to read.

Further, the language currently used on poker machines to express likely wins and losses is vague and requires understanding in mathematics. The new Code must incorporate language that makes it clear how much money people should expect to lose per hour on a particular machine and betting at particular rates. While this increases the amount of information that would be required it is a reasonable expectation of consumers that the real cost of using a machine is provided.

Anglicare recommends that the proposed printed player information is professionally graphically designed and in a layout and font size that is easy and desirable to read.

Information to players should also be extended to venues with lotteries licences.

## **5. Other matters**

In addition to the responsible Gambling Mandatory Code of Practice for Tasmania, Anglicare advocates for the introduction of the \$1 bet limit, a maximum loss rate per hour of \$120 and a pre-commitment system.

Further, there are other significant initiatives that the State could implement to reduce harm including: reducing the opening hours, increasing the forced breaks in play, introducing effective harm minimisation messages on machines, changing the type of poker machine so that it requires the person to make an informed decision for each button push and making all regulations for casinos the same as for hotels and clubs. These are key recommendations of the Tasmanian Gaming Commission in their policy response to the SEIS (Tasmanian Gaming Commission, 2008) and Anglicare believes they should be implemented.

## **Conclusions**

Anglicare supports the majority of proposals in the Gaming Commission's draft Discussion Paper and commends the Commission on the scope of the proposed Code. An effective mandatory code should be an important part of the Government's approach to harm minimisation and we welcome its introduction and implementation.

## **References**

Department of Treasury and Finance 2008, *Social and economic impact study into gambling in Tasmania, Volume 2: The prevalence study, final report*, report prepared by the SA Centre for Economic Studies, The School of Psychology (University of Adelaide) with assistance of Harrison Health Research (Adelaide), Department of Treasury and Finance, Hobart.

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