



Independent Gambling Authority

**Inquiry into effectiveness of gambling
rehabilitation programs**

Guide for making submissions

Disclaimer

This document has been prepared for the purposes of public consultation in connection with an inquiry by the Independent Gambling Authority. The document contains information from a variety of sources, including published material and evidence given before the Authority.

Information provided and statements contained in this document are published solely for the purposes of the inquiry and should not be relied upon for any other purpose.

Note

This guide is similar to a guide published in relation to an inquiry into Smartcard technology. People who will be referring to both documents are asked to take care not to confuse dates and processes between the two inquiries.

Date

This Guide was issued on 25 January 2005.



Independent Gambling Authority
Level 4
45 Grenfell Street Adelaide
Post Office Box 67
Rundle Mall South Australia 5000
+ 61 8 8226 7233 (voice)
+ 61 8 8226 7247 (facsimile)
www.iga.sa.gov.au
iga@iga.sa.gov.au

CONTENTS

1.	INTRODUCTION.....	1
	1.1 Terms of reference	1
	1.2 Background to the inquiry.....	1
2.	WHO ARE THE STAKEHOLDERS?.....	2
3.	INQUIRY PROCESS	3
	3.1 Overview	3
	3.2 Pre-registration	3
	3.3 Making submissions	3
	3.4 Hearing	4
	3.5 Authority’s inquiry powers	4
4.	ABOUT SUBMISSIONS AND ISSUES IN THE INQUIRY	4
	4.1 Submitter profile	4
	4.2 What submissions might address	6
	4.2.1 Generally.....	6
	4.2.2 Specifics of gambling rehabilitation programs	6
	4.2.3 Available research and reports	6
	4.3 Evidence.....	7
	4.3.1 What evidence includes	7
	4.3.2 Evidence provided in the submissions	7
	4.3.3 Evidence provided at public hearings	7
5.	SUMMARY.....	7
	5.1 Provision of submissions	7
	5.2 Registration for hearing.....	8
	5.3 Provisional hearing details.....	8
	5.4 Further information.....	8
APPENDIX 1	9	
	Form A (Submission form)	9
APPENDIX 2	12	
	Extracts of sections 13–15 of the Independent Gambling Authority Act	12

1. INTRODUCTION

1.1 Terms of reference

This inquiry is established by terms of reference given by the Minister for Gambling, Hon. Michael Wright MP, under section 13(1)(b) of the *Independent Gambling Authority Act 1995*.

The terms of reference for this inquiry are—

1. General Scope

1.1 The Authority must report on the effectiveness of each gambling rehabilitation program conducted or funded (wholly or partly) by the Government of South Australia.

1.2 In designing its process and its reporting for this inquiry, the Authority must take into account that a purpose in commissioning this inquiry is to enable the Minister to comply with section 91 of the *Gaming Machines Act 1992*.

It has been indicated that the report should be made available to the Minister for Gambling by 9 June 2005.

1.2 Background to the inquiry

The *Gaming Machines (Miscellaneous) Amendment Act 2004* (Amendment Act) was assented to on 9 December 2004.

The Amendment Act was the end product of a very extensive debate in Parliament on a Bill to implement the recommendations of the Independent Gambling Authority in its *Report of Inquiry into the management of gaming machine numbers*, the most notable one being the recommendation to reduce gaming machine numbers by 3 000.

Certain provisions inserted into the Gaming Machines Act by the Amendment Act require the Minister to obtain a number of reports from the Authority. Of particular relevance is the new section 91:

91— Minister to obtain report on gambling rehabilitation programs

- (1) Within 6 months after the Governor assents to the Gaming Machines (Miscellaneous) Amendment Act 2004, the Minister must obtain a report from the Authority on the effectiveness of each gambling rehabilitation program conducted or funded (wholly or partly) by the State Government.
- (2) The Minister must, within 6 sitting days after receiving the report, have copies of the report laid before both Houses of Parliament.

As the assent date was 9 December 2004, the period of 6 months referred to in section 91(1) ends at the end of 9 June 2005. Having regard to the time within which the Parliament wishes the report to be made, the Authority has established a timetable for

public consultation which should allow all relevant stakeholders' views and evidence to be taken into account in a report made within that timeframe.

In establishing that timetable, the Authority has determined that there should be written submissions, followed by a public hearing. The Authority has also determined that it would not be practicable, in the available time, to commission independent external research to inform the inquiry process.

The Authority will therefore receive written submissions from interested stakeholders, addressing the terms of reference, by 21 March 2005. Stakeholders who have made written submissions will be given the opportunity to make oral presentations addressing the written submissions at a public hearing on 12 April 2005.

2. WHO ARE THE STAKEHOLDERS?

The terms of reference touch a number of stakeholders that fund or provide gambling rehabilitation programs wholly or partly funded by the Government of South Australia.

Such stakeholders would include—

- ◆ the Department for Families and Communities, and the Gamblers' Rehabilitation Fund Committee;
- ◆ other Government Departments and agencies;
- ◆ organisations receiving funding out of the Gamblers' Rehabilitation Fund and/or from the Department for Families and Communities to provide a service to problem gamblers and/or their families, particularly the Break Even services;
- ◆ organisations receiving funding through other Government Departments specifically to provide a service to problem gamblers and/or their families within those organisations' general provision of service;
- ◆ organisations receiving funding from a Government Department to assist them generally which, within their general service provision, provide a service to problem gamblers and/or their families;

The terms of reference also touch another, wider group—people who do not fund or provide Government-funded gambling rehabilitation programs but have a relevant interest in them and their effectiveness. These stakeholders would include (but not be limited to)—

- ◆ problem gamblers;
- ◆ families of problem gamblers;
- ◆ gambling providers, particularly those that provide funding towards rehabilitation services;
- ◆ organisations providing gambling rehabilitation services but not receiving funding from the Government of South Australia;

- ◆ researchers, particularly those that have conducted research about, or have experience regarding rehabilitation programs in South Australia;
- ◆ individuals or agencies with knowledge and/or experience of rehabilitation programs in South Australia.

3. INQUIRY PROCESS

3.1 Overview

The process for this inquiry has been designed with a view to the Authority gathering and having before it all the relevant material in time to report to the Minister in June 2005.

The start of the process is to publish terms of reference and allow 8 weeks for written submissions to be made. The submissions will be made public, via the Authority's website.

When people make their written submissions, they will also be able to register interest in making an oral presentation at a public hearing, to be held three weeks after the close of submissions. At this time, it is intended that this public hearing will be the last element of public consultation for the inquiry.

The Authority will use its website as the principal means of communication with stakeholders over the progress of, and any changes to, the process for this inquiry. However, in order to ensure that stakeholders are as fully informed and as up to date as possible, stakeholders will have the opportunity to pre-register their interest in being kept up to date.

3.2 Pre-registration

The easiest way to pre-register interest in this inquiry is to send an email to **rehabinquiry@iga.sa.gov.au** setting out your name, the organisation you represent (if any), a street address and telephone and fax numbers. *The principal means of contact will be via the email address you give.*

While email is the preferred means of contact, it is also possible to pre-register for notification by other means.

If you do not have an email address, you can write to the Authority at "Rehabilitation Inquiry", Post Office Box 67, Rundle Mall, SA 5000, telephone to (08) 8226 7233 or fax to (08) 8226 7247. If an email is sent to people on the pre-registration email list, it will be posted to pre-registered people who do not have an email address.

A person may pre-register at any time.

3.3 Making submissions

Submissions need to be in writing.

The Authority requires submissions to be provided both electronically and on A4 paper (one copy only). The paper version must be accompanied by an original, signed **Form A**. Form A is set out in Appendix 1 to this guide and is able to be downloaded separately from the Authority's website.

Acceptable electronic formats for submission include Microsoft Word "document" format (*.doc), "rich-text" document format (*.rtf) and Adobe Acrobat portable document format (*.pdf). Electronic documents need to match the A4 paper version.

One reason for requiring submissions to be provided in an electronic format is that they will be published on the Authority's website. The format for publication will be Adobe Acrobat format. The Authority will undertake conversion of submissions provided in Word document and rich-text formats.

Submissions are due by 4.00pm on Monday, 21 March 2005.

3.4 Hearing

The Authority has included an opportunity for stakeholders who have made written submissions to speak to their submissions at a public hearing on Tuesday, 12 April 2005.

The hearing provides an opportunity for the members of the Authority to engage in a public dialogue with the stakeholders. It also provides the opportunity by which one stakeholder might comment on other stakeholders' submissions.

It should be noted that a presentation at the hearing is not a substitute for a written submission.

Registration of interest in making a presentation to the April public hearing must be made by the last time for providing a submission, 4.00pm on Monday, 21 March 2005.

3.5 Authority's inquiry powers

The inquiry is being conducted under the powers set out in sections 13–15 of the *Independent Gambling Authority Act 1995*, which are extracted in Appendix 2. These sections include provision for witnesses to attend and documents to be produced, for evidence to be taken under oath or affirmation, for protection against self-incrimination and for legal representation before the inquiry.

4. ABOUT SUBMISSIONS AND ISSUES IN THE INQUIRY

4.1 Submitter profile

It will assist the conduct of the inquiry greatly to receive, in a uniform format, some minimum basic information about the people making submissions. **Form A** (which is included in Appendix 1) has been designed for this purpose, and also to set out the terms on which the submission is made. A completed Form A must accompany a written submission.

The information collected on Form A is—

- (1) contact details—
 - ◆ name and title of contact person;
 - ◆ name of organisation making the submission;
 - ◆ address;
 - ◆ telephone and facsimile number(s);
 - ◆ email;
- (2) other formal information about the submission, including whether it is the official submission of an organisation or a private submission, and whether the person making it wishes to remain anonymous; and
- (3) whether you wish to present at the public hearing being held on 12 April 2005.

Information about the person (and organisation) making the submission which will also be of interest to the Authority and which should be dealt with in the body of the submission, includes—

- (4) description of what role you or your agency has in relation to gambling rehabilitation programs in South Australia, such as—
 - ◆ Government department or agency that funds or conducts rehabilitation programs, including a brief description of those programs;
 - ◆ service provider, and if so—
 - what type of service/program you provide (eg. face to face counselling, group therapy, phone support, outreach, in-patient, out-patient, specialist service—explain, other—specify);
 - whether your service is solely dedicated to gambling or is it part of a broader service—explain;
 - whether you receive funding from the South Australian Government and, if so, is it direct or indirect funding, and is your service funded in whole or in part by the South Australian Government;
 - ◆ problem gambler;
 - ◆ family member of a problem gambler;
 - ◆ researcher;
 - ◆ some other role you specify.
- (5) whether you or your organisation's experience and/or knowledge of gambling rehabilitation services in South Australia is—
 - ◆ current;
 - ◆ not current but recent;
 - ◆ not current and some time ago;

- ◆ other (please specify—this category includes organisations with no experience or knowledge).

If you want to make your submission on an anonymous basis, please ensure that identifying details do not appear in the body of the submission—that is that they appear only on the Form A. In the case of anonymous submissions, the Form A will be separated from the body of the submission and will not be published.

4.2 What submissions might address

4.2.1 Generally

Submissions might address the following—

- (1) what you or your organisation think makes an “effective” program;
- (2) how program effectiveness might best be measured;
- (3) whether programs are currently measured for effectiveness, and if so, how;
- (4) whether current measures of program effectiveness are adequate and explaining why;
- (5) thinking about the programs available in South Australia as a whole, and within the context of partly or wholly government funded, whether the breadth of the funded programs is effective within the context of (and please explain your answer)—
 - ◆ the funding provided;
 - ◆ the needs of the target group;
 - ◆ clinical approaches/treatment modalities available;
 - ◆ all (including non-government funded) gambling rehabilitation programs available in South Australia;
- (6) with regard to the preceding point (5), if you say that the program provision is ineffective in any way, identify what gaps there are and what is needed to provide an effective program.

4.2.2 Specifics of gambling rehabilitation programs

Some stakeholders might also, in their submissions, be able to assist the Authority to understand the nature of gambling rehabilitation programs in South Australia, by briefly describing such programs both specifically and within an overall structural perspective.

Specific program descriptions would be helpful if an identification of clinical style or treatment modality is included.

4.2.3 Available research and reports

The Authority wishes to be advised of any reviews, studies or research conducted which might be relevant to the terms of reference.

Such material might be integral to a stakeholder's submission and should therefore be included. However, it also might not be, in which case stakeholders are asked to list the material and provide a reference, if known.

4.3 Evidence

4.3.1 *What evidence includes*

Evidence is the probative material on which we base conclusions and findings.

Evidence can be—

- ◆ an opinion of an expert;
- ◆ a person's own story or experience—

and it can appear in the following forms (among others)—

- ◆ a printed report;
- ◆ the spoken testimony of a person.

4.3.2 *Evidence provided in the submissions*

Submissions must identify whether comments made are supported by evidence.

If so, access or a means of access to that evidence should be made available to the Authority. For instance, if the evidence exists only in a hard copy format such as in a book, a copy of an extract should be provided. If the evidence is contained in a report in the public domain on the internet, an electronic copy should be provided.

Where such evidence cannot be made available to the Authority, the submission needs to explain how this is the case.

4.3.3 *Evidence provided at public hearings*

The Authority's public hearings are conducted using the Authority's inquiry powers. In an inquiry, evidence may be received under oath or affirmation. As has been the Authority's practice in other inquiry hearings, if evidence is led at the public hearing, the Authority will allow it to be tested by appropriate questioning from affected stakeholders.

In the case of a problem gambler giving evidence about behaviour or conduct, this could include conventional cross examination.

5. SUMMARY

5.1 Provision of submissions

Submissions must be provided by 4.00pm on **Monday, 21 March 2005**.

5.2 Registration for hearing

Registration of interest in making an oral presentation at the public hearing may be made at the time of providing a written submission. People who make submissions before the deadline are able to register interest up until the submission deadline.

5.3 Provisional hearing details

The hearing has been fixed for 9.00am on **Tuesday, 12 April 2005**.

The place for the hearing has been provisionally fixed for the Boulevard Room, Stamford Plaza Hotel, 150 North Terrace, Adelaide.

5.4 Further information

Enquiries about submissions and the inquiry process should be directed to the Authority's Manager, Responsible Gambling, on (08) 8226 7233.

APPENDIX 1

Form A (Submission form)



Independent Gambling Authority
Form A
Gambling rehabilitation programs inquiry
(Please read the notes overleaf before completing)

1. Personal details

<i>Name of contact person (please include titles and qualifications)</i>	
<i>Street address (include postcode)</i>	<i>Home phone</i>
	<i>Work phone</i>
	<i>Facsimile</i>
	<i>Mobile phone</i>
<i>Email address</i>	
<i>Do you wish to remain anonymous? (circle/strike out as appropriate—a blank is a "NO")</i> YES NO	

2. Organisation details

<i>If you are making this submission on behalf of a body (such as a government department, a service provider, a recognised charity), on behalf of a group of people (such as an informal association of people with a specific interest in gambling) or in some other capacity (for example, as a university lecturer) please provide the details of the body and indicate whether your submission is the body's OFFICIAL position or simply your own UNOFFICIAL view.</i>
<i>Name of body, association or organisation</i>
<i>Your title, designation or position</i>
<i>Is the submission OFFICIAL or UNOFFICIAL</i>

Appendix 1: Form A (Submission form)—continued

3. Submission details

<i>This submission is made by (circle/strike out as appropriate)</i>	
HARD COPY AND DISK	HARD COPY AND EMAIL
HAND WRITTEN COPY ONLY	
<i>If the submission has been provided as a handwritten version only, it will need to be typed to enable ease of reading and placement on the Authority's website. Do you permit the Authority to produce a typed version of your handwritten submission?</i>	
<i>(circle/strike out as appropriate—a blank is a "YES")</i> YES NO	

4. Hearing

<i>Do you or your organisation intend to present at the public hearing on 12 April 2005?</i>
<i>(circle/strike out as appropriate—a blank is a NO)</i> YES NO
<i>Will you require any equipment for your presentation, such as Powerpoint?</i>
<i>(circle/strike out as appropriate—a blank is a NO)</i> YES NO
<i>If you require any equipment other than Powerpoint, please specify.</i>

Acknowledgment and consent

1. I have read the submission guidelines for the inquiry and make this submission on the basis set out in that document.
2. I take responsibility for the correctness and accuracy of statements made in this submission.
3. Unless specifically attributed to others, the opinions, comments and observations in this submission are my own.
4. I consent to the whole or any part of this submission being published by the Independent Gambling Authority.

<i>Date</i>
<i>Signature</i>

Appendix 1: Form A (Submission form)—continued

NOTES FOR COMPLETION OF SUBMISSIONS

1. Personal details

If you want to be **anonymous**, Form A will be separated from the attached submission and only the submission will be shown to the participants or otherwise published. However, you will need to be careful with your submission to make sure that you do not inadvertently identify yourself. Please note that your details may be disclosed to certain members of the board and staff of the Authority.

2. Organisation details

- (1) This section has two purposes: while it allows a person to make an official submission on behalf of an organisation, it also allows people whose role in an organisation makes them experts or opinion leaders (or both) to credential their submissions appropriately.
- (2) If the submission is made as the official submission of a group, please expect the Office of the Authority to seek independent verification of the status of the submission.

3. Submission details

When supplying your submission on disk or by email, please make the submission as a Word for Windows (*.doc) or rich-text format (*.rtf) document or as an Adobe Acrobat format document—in the case of email, supplied as an attachment

4. Acknowledgment

The acknowledgment is important. It makes sure that you understand some of the issues involved in making comments which might be published. Please read it carefully.

APPENDIX 2

Extracts of sections 13–15 of the Independent Gambling Authority Act

13. Inquiries by Authority

- (1) The Authority—
 - (a) may hold an inquiry whenever it considers it necessary or desirable to do so for the purpose of carrying out its functions; and
 - (b) must, if requested to do so by the Minister, hold an inquiry into any matter relating to—
 - (i) the operations of a licensee under a prescribed Act; or
 - (ii) the operation, administration or enforcement of a prescribed Act.
- (2) On completing an inquiry under this section, the Authority must submit to the Minister a report of the inquiry and the findings of the Authority on the inquiry, and any such report may include recommendations for action to be taken.
- (3) Unless the Authority recommends that the report should remain confidential, the Minister must, within six sitting days of receiving a report under subsection (2), cause a copy of the report to be laid before each House of Parliament.

14. Powers and procedures of Authority on an inquiry or appeal

- (1) For the purposes of proceedings before the Authority (whether under this Act or any other Act), the Authority may—
 - (a) by summons signed on behalf of the Authority by the Secretary of the Authority, require the attendance before the Authority of any person; or
 - (b) by summons signed on behalf of the Authority by the Secretary of the Authority, require the production of any equipment or other item, or any books, papers or documents; or
 - (c) inspect any equipment or other item, or any books, papers or documents produced before it and retain them for such reasonable period as it thinks fit, and, in the case of books, papers or documents, make copies of any of them, or of any of their contents; or
 - (d) require any person to make oath or affirmation that he or she will truly answer all questions put to him or her by the Authority relating to any matter being inquired into or that is before the Authority; or
 - (e) require any person appearing before the Authority to answer any relevant questions put to him or her by any member of the Authority or by any person appearing before the Authority.
- (2) If a person—
 - (a) who has been served with a summons to appear before the Authority, fails without reasonable excuse (proof of which lies on the person) to attend in obedience to the summons; or
 - (b) who has been served with a summons to produce equipment or any other items, or books, papers or documents, fails without reasonable excuse (proof of which lies upon the person) to comply with the summons; or
 - (c) misbehaves before the Authority, wilfully insults the Authority or any member of the Authority or interrupts the proceedings of the Authority; or
 - (d) refuses to be sworn or to affirm or to answer any relevant question when required to do so by the Authority,

Appendix 2: Extracts of sections 13–15 of the Independent Gambling Authority Act—continued

the person is guilty of an offence.

Maximum penalty: \$10 000 or imprisonment for 6 months.

- (3) A person is not excused from answering a question or from producing books, papers or documents under this section—
- (a) on the ground that the answer to the question or the contents of the books, papers or documents would tend to incriminate the person; or
 - (b) on the ground of legal professional privilege,
- but if the person objects to answering a question on the ground that the answer would tend to incriminate him or her, the answer will not be admissible against him or her in criminal proceedings (except in proceedings for perjury) or, if the person objects to answering a question on the ground of legal professional privilege, the answer will not be admissible in civil or criminal proceedings against the person who would, but for this subsection, have the benefit of the legal professional privilege.
- (4) The Authority may, if requested to do so by a person who has been required to answer a question by the Authority or who has produced books, papers or documents to the Authority, by order prohibit the publication in any newspaper or by radio or television of the name of the person, any answer given by him or her in proceedings before the Authority or the contents of any book, paper or document produced by him or her to the Authority.
- (5) A person who contravenes an order under subsection (4) is guilty of an offence.
- Maximum penalty: \$10 000.
- (6) The Authority may sit at any time and in any place (including a place outside this State) and may adjourn its sittings from time to time and from place to place.
- (7) In the course of any proceedings, the Authority may—
- (a) receive in evidence any transcript of evidence in proceedings before a court or tribunal and draw any conclusions of fact from the transcript that it thinks proper; or
 - (b) adopt, as in its discretion it considers proper, any findings, decision or judgment of a court or tribunal that may be relevant to the matter before the Authority.

15. Representation before Authority

- (1) A person appearing before the Authority may appear—
- (a) personally;
 - (b) by counsel;
 - (c) if a body corporate—by an officer or employee of the body corporate who has obtained leave of the Authority to appear on behalf of the body corporate;
 - (d) if the party is a member of a genuine association formed to promote or protect the interests of a section of the liquor industry or the gaming machine industry or of employees in those industries—by an officer or employee of that association.
- (2) The Commissioner of Police may be represented before the Authority—
- (a) by a member of the police force; or
 - (b) by counsel.



Independent Gambling Authority
Level 4
45 Grenfell Street Adelaide
Post Office Box 67
Rundle Mall South Australia 5000
+ 61 8 8226 7233 (voice)
+ 61 8 8226 7247 (facsimile)
www.iga.sa.gov.au
iga@iga.sa.gov.au