



Independent Gambling Authority Standard Consultation Form Casino Codes of Practice

(Please read the notes overleaf before completing)

Which code?

Strike out one RESPONSIBLE GAMBLING

Personal details

Name (please include titles and qualifications) NICK XENOPHON MLC

Residential address (include postcode)

C/O PARLIAMENT HOUSE

ADELAIDE, 5000

Home phone

Work phone 8237 9114

Mobile phone

Email address nx@xen.net.au

Do you wish to remain anonymous? (YES/NO—a blank is a “NO”) DEFINITELY NOT !!

Organisation details

If you are making this submission on behalf of a body (such as 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.

Name of body, association or organisation NO POKIES CAMPAIGN INC.

Your title, designation or position NO POKIES CAMPAIGN MLC

Is the submission OFFICIAL or UNOFFICIAL OFFICIAL

Submission details

If you are writing to support or oppose a registered submission, please write the registration name of the submission here (otherwise write “N/A”): and then strike out one of these responses:

Number of pages in this submission

This submission comprises 2 pages of standard consultation form plus ...7.... extra pages, making ...9..... pages in total.

This submission is made by (circle/strike out as appropriate)

BOTH HARD COPY AND EMAIL

Acknowledgment and consent

1. I have read the casino codes of practice public consultation information document 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>	20 NOVEMBER 2001
<i>Signature</i>	NICK XENOPHON

NOTES FOR COMPLETION OF SUBMISSIONS

1. Which code?

The Authority is approving two separate codes of practice. Even though the codes are related to each other, each one deals with different issues. If you are making a submission to share your experiences with the Authority and those experiences are common to the two codes, you can make two separate submissions with the same attachment.

2. Personal details

If you want to be **anonymous**, the Standard Consultation Form will be separated from the attached submission and only the attachment will be shown to the participants or otherwise published. However, you will need to be careful with your attachment 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.

3. 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.

4. Submission details

- (1) If you are supplying your submission on disk or making it by email, please—
 - (a) make the submission as a Word for Windows 97 (*.doc) or rich-text format (*.rtf) document—in the case of email, supplied as an attachment; and
 - (b) incorporate the Standard Consultation Form by pasting it in at the front (the form is downloadable in rich-text format from www.iga.sa.gov.au).
- (2) If it is possible, please supply both a hard copy (paper) and an email or disk version of the submission.

5. 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. In the case of emailed submissions, the Office of the Authority will seek a signed acknowledgment from you before the public hearing starts.



Independent Gambling Authority Standard Consultation Form Casino Codes of Practice

(Please read the notes overleaf before completing)

Which code?

Strike out one ADVERTISING

Personal details

Name (please include titles and qualifications) NICK XENOPHON MLC

Residential address (include postcode)

C/O PARLIAMENT HOUSE

ADELAIDE, 5000

Home phone

Work phone 8237 9114

Mobile phone

Email address nx@xen.net.au

Do you wish to remain anonymous? (YES/NO—a blank is a “NO”) DEFINITELY NOT !!

Organisation details

If you are making this submission on behalf of a body (such as 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.

Name of body, association or organisation NO POKIES CAMPAIGN INC.

Your title, designation or position NO POKIES CAMPAIGN MLC

Is the submission OFFICIAL or UNOFFICIAL OFFICIAL

Submission details

If you are writing to support or oppose a registered submission, please write the registration name of the submission here (otherwise write “N/A”): and then strike out one of these responses

Number of pages in this submission

This submission comprises 2 pages of standard consultation form plus ...7 . extra pages, making ...9.... pages in total.

This submission is made by (circle/strike out as appropriate)

BOTH HARD COPY AND EMAIL

Acknowledgment and consent

1. I have read the casino codes of practice public consultation information document 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>	20 NOVEMBER 2001
<i>Signature</i>	NICK XENOPHON

NOTES FOR COMPLETION OF SUBMISSIONS

1. Which code?

The Authority is approving two separate codes of practice. Even though the codes are related to each other, each one deals with different issues. If you are making a submission to share your experiences with the Authority and those experiences are common to the two codes, you can make two separate submissions with the same attachment.

2. Personal details

If you want to be **anonymous**, the Standard Consultation Form will be separated from the attached submission and only the attachment will be shown to the participants or otherwise published. However, you will need to be careful with your attachment 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.

3. 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.

4. Submission details

- (1) If you are supplying your submission on disk or making it by email, please—
 - (a) make the submission as a Word for Windows 97 (*.doc) or rich-text format (*.rtf) document—in the case of email, supplied as an attachment; and
 - (b) incorporate the Standard Consultation Form by pasting it in at the front (the form is downloadable in rich-text format from www.iga.sa.gov.au).
- (2) If it is possible, please supply both a hard copy (paper) and an email or disk version of the submission.

5. 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. In the case of emailed submissions, the Office of the Authority will seek a signed acknowledgment from you before the public hearing starts.

Submission to Independent Gambling Authority

Re: Advertising/Responsible Gambling Draft Codes of Practice form Sky
City Adelaide Casino

from

Nick Xenophon Independent No Pokies Campaign MLC

Draft Advertising Code of Practice

1.1 I refer the IGA to the findings of the Productivity Commission Report into Australia's gambling industry, and in particular Volume 2, Chapter 16 in relation to 'Consumer Protection'. I draw to your attention the remarks of Wendy Silver (**16.35**), former Chair of the WA Lotteries Commission who told the Productivity Commission:

"Essentially all advertising for gaming is misleading because it only shows people winning. That is not the experience of most people in gaming".

1.2 To paraphrase the discussion in the Productivity Commission's Report (**16.34**) I consider that gambling is "*sufficiently different*" from other goods to warrant "*special treatment*".

1.3 In order that consumers of gambling products have an opportunity to make an informed choice before spending money on a gambling product, any advertising should ensure that it is not intrinsically misleading, and that would generally require corrective advertising to warn of the true odds of winning, and the risk inherent with gambling (in some respects similar to the approach taken with warnings on tobacco packaging).

- 2 It is my submission that the Authority must ensure that in approving a Code of Practice it must take into account in a primary sense its objects under the Act, and in particular *“the harm caused by gambling”*, and further should undertake ongoing research to ensure that the code of practice form part of a strategy for *“reducing the incidence of problem gambling and preventing or minimising the harm cause by gambling”*.

3 Comments on ‘Principles of the Responsible Advertising of Gaming’

- 3.1 I support the view that there should be no advertising of gambling products, and I draw to your attention my view on this issue in the context of my second reading contribution to the Gambling Industry Regulation Bill on the 26 May 1999. If that position is not accepted then I make the following comments in respect to the principals set out by Sky City Adelaide
- Any advertising should carry significant meaningful warnings on the risks posed by problem gambling that is including equal in space or air time (depending on medium) and further provide details of a contact number for assistance for problem gamblers.
 - Any advertising should also provide the odds of winning a large prize, and the fact that prolonged playing can lead to significant financial loss.
 - Advertising should not be designed so as to encourage problem gamblers to gamble again. For instance I have had two complaints in the last week from problem gamblers who have been distressed by a Casino TV advertisement featuring an American Indian. Advertisements that use sound bites of a poker machine paying out should also be considered irresponsible in the contexts of triggering a response in problem gamblers and I invite the IGA to speak to Breakeven counsellors and independent psychologists on the impact of such advertising.

- 3 There should be a contact number for members of the public that have a concern about SkyCity Adelaide advertising to make a complaint, and further this number ought to be advertised, both in the media and at the venue. Any complain should be dealt with expeditiously by the IGA taking into account its statutory responsibilities.

Draft Responsible Gambling Code of Practice

1. I refer to the extensive discussion in the Productivity Commission's report on responsible gambling measures and the impact of informed consent, access to gambling products particularly poker machines, the design of poker machines and the high rate of loss, as well as the percentage of gambling losses derived from different forms of gambling. **Table 5.7** refers to various gambling codes and a percentage of revenue derived from problem gamblers. It varies from 5.7% for lotteries to 42.3% for poker machines. Any regulatory framework for responsible gambling should take these figures into account, with the figure for poker machines indicating an unacceptable reliance by poker machine venues on revenue from problem gamblers.
2. I repeat the statements I made in paragraphs 1.2 and 2 in this submission relating to the Draft Advertising Code of Practice.
3. I submit that the IGA in considering the approval of a responsible Gambling Code of Practice pursuant to Section 41B(a) of the Casino Act 1997 should take primary account of the Authority's functions and powers set out in Section 11 of the *Independent Gambling Authority Act*, with particular emphasis on "*reducing the incidences of problem gambling and preventing or minimising the harm caused by gambling*".
4. **Specific comments in relation to 'Customer information and signage'**
 - 4.1 Any 'responsible gaming materials' should be viewed by the IGA, and public submissions sought with respect to such material, and in particular

the IGA should also seek opinion from BreakEven, psychologists and problem gamblers over the efficacy of such material. For instance, warnings should indicate in blunt terms the potential harm that can be caused by gambling, the time it would take on average to lose a specified sum on a poker machine, and provide details where help can be sought.

4.2 Each poker machine should also provide meaningful and direct warnings about the potential problems gambling can cause including the impact on a player's family life and on that player's financial well-being

4.3 You are no doubt aware I do not support ATM's at gambling venues, but if they are there, there ought also be direct warnings on the impact of gambling on or immediately adjacent the ATM. The size and nature of these warnings (including the rotation of such warnings so that they do not become 'stale') should be the subject of public consultation.

4.4 Customer newsletters and other communications from the venue should contain a minimum proportion of space for warnings and a reference point for assistance for problem gamblers.

4.5 Information on the conduct of games should be available in a number of languages (taking into account the consumer profile of the Casino) and should be easily available to customers, or anyone who contacts the Casino. For instance these rules should be available on the internet. Appropriate warning and a reference point for gamblers rehabilitation should be set out in the material.

5. Specific Comments in Relation to 'Staff Training and Information'

5.1 Any training program should be approved by the IGA, and the curriculum of such a program as well as the qualifications and experience of those involved in the training should be the subject of public submissions. Further, there ought to be an independent audit of training of such

courses and their efficacy in minimising the harm that can be caused by gambling.

5.2 The IGA should investigate, in approving such training, courses in other jurisdictions and their effectiveness.

5.3 Details of training courses should be made public, and gambling counsellors, those involved in the treatment of problem gambling (including psychologists) and medical practitioners, as well as problem gamblers should be able to make submissions to the IGA on a regular basis to ensure the effectiveness of such training.

6. Specific Comments in relation to the 'Self-Exclusion Process'

6.1 Any approach for self-exclusion should be documented and reported to the Authority to ensure the ongoing monitoring of the effectiveness of the self-exclusion process.

6.2 Steps should be taken to ensure that a problem gambler in distress seeking self exclusion is the subject of follow up by a gambling counsellor and if there is any question that the problem gambler is at risk there should be referral made to appropriate crisis counselling and intervention.

6.3 The forms and procedures for self-exclusion should be the subject of public consultation, and regular monitoring by the Authority for their effectiveness. Any review process should be transparent and allow for advocacy by a gambling counsellor, member of a problem gamblers family, or other suitable person.

7. Specific Comments in relation to the 'Minors and unattended children'

7.1 I believe that the steps taken to exclude minors from gambling venues, including the Casino are less than adequate given the information I have

about young people (16,17 year olds) who regularly can go to the Casino and pokies venues.

7.2 There should be regular spot checks to ensure that minors are not in the Casino.

7.3 I commend SkyCity Adelaide for undertaking to patrol surrounding environs to detect any unattended children. The Casino should specify the nature and extent of such patrolling, including the time intervals and resources used. That should be the subject of record keeping made available to the IGA. (A similar requirement should apply to hotels and clubs with poker machines).

8. Specific Comments in relation to the 'Service of Alcohol'

8.1 There is an obvious link between levels of alcohol consumption and problem gambling. I draw to your attention research carried out by Professor Mark Dickerson on the link between alcohol consumption and decisions made in playing poker machines. (Please contact me if you do not have this research paper).

8.2 The IGA should approve protocols and procedures for ensuring that patrons under the influence of alcohol are not at risk in the expenditure of their money on gambling products.

8.3 The specific procedures and practices to be implemented should be the subject of public submissions.

8.4 Consideration should be given to implementing a provision similar to **Section 163(3)** of the NSW **Casino Control Act**. There ought to be an onus on the Casino to ensure that all reasonable steps are taken to prevent intoxication within the gambling area, and further to ensure intoxicated persons do not gamble.

- 8.5** The provision of inducements at the Casino involving free or discounted drinks and vouchers for the consumption of alcohol should be prohibited given the potential conflict between such inducements and responsible gambling practices.

General Comments

- Any responsible gambling code of practice should be the subject of ongoing review and independent audit to ensure its effectiveness. Further the IGA should undertake research and monitoring to ensure that the percentage of revenue derived from problem gamblers is dramatically reduced.
- Both draft codes do not appear to appropriately deal with Casino promotions, inducements, loyalty schemes, bonus points schemes and the like. Any responsible gambling codes of practice should involve a thorough examination of such schemes, their potential for increasing levels of problem gambling, and any intrinsic conflict in ensuring the minimising of harm caused by gambling all such inducement and loyalty schemes should be the subject of public consultation and rulings by the IGA with respect to its objectives.

NICK XENOPHON M.L.C.

INDEPENDENT NO POKIES CAMPAIGN
MEMBER OF THE LEGISLATIVE COUNCIL

PH: (08) 8237 9114
FAX: (08) 8231 0525
E-MAIL: nx@xen.net.au

Our Ref: NX - Parliament
Your Ref:

26 November 2001

Independent Gambling Authority
PO Box 67
RUNDLE MALL SA 5001

Dear Sirs/Mesdames

Re: Advertising Draft Code of Practice
Responsible Gambling Draft Code of Practice

I refer to my previous submission in relation to this matter, and enclose a supplementary submission, and I would be grateful if the Authority could also consider this submission with respect to both Codes of Practice. I have forwarded a copy of this submission to Mr Paul Mason of Skycity Adelaide Casino as a courtesy to him.

As I indicated in my submission to you of 21st November 2001, I have since had an opportunity to discuss the codes of practice with Mr Ralph Gerdelan, Executive Director of the Problem Gambling Foundation of New Zealand, and I have incorporated a number of his comments in the context of this supplementary submission:

1. General Principles:

- A.** Any code of practice purporting to limit and minimise harm from gambling must define a specified range of interventions to sustain a threshold of competency in the venue of the practice code.

This should include:

- Minimum duties of care in relation to problem gambling behaviour, including measures to prevent binge gambling or other excessive gambling conduct that may lead to negative and adverse consequences for the player or those members of society directly connected to the player who may suffer negative consequences as a result.

- Therefore, a range of inappropriate conducts should be described with interventions set in a targeted strategy to prevent such conducts from taking place at the venue.
 - Such interventions should include the denial of service by the operator to any person engaged in excessive behaviour – such as prolonged play on a poker machine without breaks.
 - For instance a player who has lost several thousand dollars through continuous and heavy play over many hours should be interviewed and requested to desist, if in the view of the operator it can be reasonably assumed that the player is engaged in reckless activity or that the player is not in control of his or her gambling behaviour and is acting impulsively, compulsively, or obsessively.
 - In all such cases a prima facie obligation must fall on the venue as a core requisite in the Code of Practice to intervene.
 - A test of reasonableness in order to provide a measure of objectivity should be defined in the Code so that the management of problem gambling is similar to the management of problem drinking in that the continued provision of alcohol to intoxicated persons is understood to be socially unacceptable and unlawful.
- B.** Therefore, the sustainability of a code of practice must be geared towards defining/managing and minimising problem gambling behaviours as well as obvious problem gamblers – it follows that a duty of care must be placed on the venue operator to desist in the service of gambling to:
- a) Known problem gamblers.
 - b) Persons that the venue has reasonable grounds to suspect are problem gamblers or
 - c) Who the operator has reasonable grounds of concern about the player's economic, social, psychological well being (eg; if a gambler or family member requests help at the venue then that should put the venue on notice).
- A problem gambler is not in control of his/ her behaviour and there is therefore a greater onus on intervention strategies – a duty to exclude some people from gambling. To not so provide defeats the very purpose of having a proposed set of standards.
 - In cases where there is doubt the venue should be obliged to arrange an independent clinical assessment, and this would involve a temporary bar of the player.

Sustaining a threshold of compliance with the Codes of Practice

- (a) The approved code should be comprised of a full set of strategies with a purpose of demonstrating observation and compliance to define standards.
- (b) For instance, an appropriate mix within these strategies would be both passive and active interventions.

- **Passive interventions:**

The information and education strategies including consumer information about the odds of winning, health and warning notices and self referral information to problem gambling services.

- **Active interventions:**

Those involving a direct intervention between staff and patrons of the venue on issues concerned with problem gambling or excessive gambling behaviour.

- The quality and range of these interventions will collectively determine the demonstrable standards to be upheld and complied with.
 - This means that the Authority must firstly satisfy itself as to the quality, type and amount of information to be made available in gambling venues for patrons and further that the venue operator is obliged to act and intercede where issues of problem gambling or significant incidents involving excessive or reckless gambling behaviour occur.
- In general, the contemporary approach to managing societal risk from problem gambling in venues and gambling settings is to follow a public health type approach – this is both broad brush and specifically defines the actions that will complete a satisfactory code of practice: for example, the New South Wales regulations require warnings on machines and also restricted inducements to gamble including free credits/free or discounted alcohol and restricting advertising outside the venue and constraining the nature of such ads within venues.
- For instance, in the Netherlands, a country which has the longest history of application for responsible gambling Code of Practice in its casinos, has recently raised the threshold of standards for active and passive interventions, with management required to intervene with problem gamblers on the premise of reasonable assumption that the patron is a problem gambler. This results in frequent referral on to problem gambling services and these are reinforced with bans.
- South Australia should consider the realities of a high threshold in terms of defined standards within the Code of Practice and that the

standards should be subject to ongoing research to determine the effectiveness of the Code on the incidence rate of problem gambling at venues.

- In cases of assisted referral to problem gambling services the effectiveness of the uptake of personal counselling and the impact on problem gambling following such an intervention should also be monitored.
- The integrity and veracity of the code must be assessed by empirical discovery and this requires regular and intermittent reports to the Authority including recommendations to improve the Code at that time.
- Resource allocation research is therefore fundamental for the integrity and sustainability of the Code of Practice (and there ought to be a Problem Gambling Reference Group to consist of treatment providers – the Break Even Network should play a key role in monitoring the effectiveness of such a Code and in suggesting improvements).

Consumer product efficacy

- The Code of Practice should provide a reasonable range of information on each game or product without in any way being intrinsically misleading.
- Players should be aware of the odds, the mean average time it would take to win certain levels of prizes, or the number of times of repetitive play. It should also point out the strategies that minimize the rate of loss, whilst emphasizing that loss is inevitable.
- Principally the message for customer conduct should be geared around moderation of consumption and stressing the need for the player to develop high levels of risk management competency.
 - Any portrayal of gambling as ‘fun’ is mischievous – it must incorporate the potential risks involved.
 - The design of gambling products – particularly poker machines should be looked at by the Authority as part of ensuring the compliance of any Code of Practice, in the context of the Authority’s statutory responsibilities. Design information on poker machines ought to be provided to the Authority so that an evaluation of the potential risks of the product can be taken into account. The Code ought to have special provisions in it to recognize the addictiveness of various games and to restrict or prohibit those machine features that have a propensity to lead to problem gambling.
 - The Code must incorporate a resourced research strategy – with the ability to monitor what impact it has on people’s behaviour over time.

- The Code should be geared towards 'quality of life' in reducing the incidence of reckless play. There should be data collection to ensure that the Code is working, independently undertaken and peer research that is the subject to publication.

Empowerment of communities

- The code of practice should be driven by advisory community boards, and a structure should be developed to ensure the communities can participate. Problem gamblers (as well as recreational gamblers) should be part of this process.
- It is imperative if the Code is to be a supportive part of a public policy response that the principals to be employed include consultation participation, review and evaluation.

Evaluation of other jurisdictions

The relatively recent New South Wales regulations in respect of the operation of hotel and club venues should provide a minimum standard of player protection measures incorporated in any Code of Practice, and ought to be the subject of ongoing evaluation as to its level of effectiveness.

- The Authority should have an ongoing process of consultation with other Australian and overseas jurisdictions on best practice to minimize the harm associated with gambling and have access to evaluation research from other jurisdictions.
- Any advertising Code of Practice as well as a responsible gambling Code of Practice should include as part of the strategy an advertising community education campaign to warn of the risks of gambling, and in that regard the Authority should examine the hard hitting advertising community education campaigns in Victoria in the last 12 months as a model.

Yours sincerely

NICK XENOPHON

**Churches' Gambling TaskForce
c/o Second Floor
10 Pitt St
Adelaide. 5000**

**Mr R Chappell
Independent Gambling Authority**

Dear Mr Chappell,

Re: SkyCity Adelaide; Casino Codes of Practice

We write in response to the recent advertisement seeking comment on the Casino Codes of Practice.

We wish to commend the IGA and SkyCity for the willingness to engage in an open process to consider codes of practice for the Casino and express our clear desire that this is the first step in a process to be managed by the IGA, that will result in a uniform code of practice for all gambling activities in South Australia, by the end of the 2002 calendar year.

TaskForce Position on Gambling

The TaskForce was established by the Heads of Christian Churches in response to growing concern from churches about the extent of gambling related harm in the community. Our primary concern is to minimise this gambling related harm.

The TaskForce understanding of gambling and responses to harm from gambling is based on the following principles:

The TaskForce has also committed itself to work with the Industry to develop a better understanding on all sides of the gambling issue in order to generate workable solutions to problems of gambling related harm.

TaskForce Principles

1. Gambling in all forms, leads to significant harm for some individuals, their families and communities
2. Individual opportunities to provide and use gambling products should be appropriately moderated for the common good.
3. Choice for the individual is appropriately moderated for the common good.
4. Problem gambling is often connected to other personal and / or relationship issues.

5. Governments have the responsibility to provide clear policy, a legislative and regulative framework and to moderate the adverse impacts of gambling
6. Governments should significantly reduce their reliance on gambling, for revenue
7. Governments have a responsibility to adequately resource the implementation of regulation
8. Recreational gambling is part of the Australian culture.
9. Where gambling occurs, it is best that the profits generated are retained in the local community and are used for the benefit of that community
10. Gambling products should not be provided in association with alcohol or other illicit drugs.
11. Minors under 18 years should not have access to gambling products
12. There should be no advertising inducement or suasion to encourage people to gamble.
13. The social and financial impacts of gambling need to be monitored constantly and reviewed on a regular basis.

Taskforce Position on Advertising of Gambling Activities

Notwithstanding principle 12, which confirms the Churches' view that advertising of gambling is inappropriate, the principles listed above informed the development of a pragmatic statement on advertising of gambling, by the TaskForce in February this year.

"Regulation of advertising related to gambling needs to be tightened to reflect community concerns about the harm gambling can cause and to reflect the spirit of Advertising standards. (Statements like "Everyone's a Winner" in promoting a particular gambling activity are clearly inaccurate and misleading)

Gambling advertising has infiltrated almost every part of our lives from bus shelter posters, television, internet messages, shop-dockets, newspapers to high-powered promotions.

While the gambling codes are covered by the normal laws about false or misleading advertising and have their own voluntary codes of practice, the Task Force argues that gambling is a special case for further regulation. Such regulation would cover all codes including the TAB, Sports betting, the SA Hotel and Club Industry, Casino, and lotteries. .

The Victorian Government has proposed new restrictions on gambling advertising that should be at least matched in South Australia. The TaskForce argues that the gambling advertisements must not:

- *Suggest winning as a probable outcome of play or gambling;*
- *Suggest that skill or systems can improve the odds of winning;*
- *Suggest that gambling is a way to increase income or wealth;*

- *Imply that the chance of winning increases the longer a person spends gambling;*
- *Offer inducements such as discount meals, alcohol, vouchers or other goods and services to attract players or punters;*
- *Highlight prizes, jackpots or payouts unless the odds of gaining these is also stated;*
- *Imply that a person's social status or attractiveness can be improved by gambling;*
- *Omit to include warnings that excessive gambling may be harmful to health, relationships and financial wellbeing.*

Advertising gambling as an entertainment must not shift to advertising that induces dependency or addiction."

We believe that each of the points listed above be covered in the Code of Practice - Advertising for SkyCity, Adelaide.

SkyCity Adelaide: Codes of Practice, Advertising - Exposure Draft 1

The following specific suggestions are made in response to this draft:

1. The point "not promote gaming as a means of relieving financial or personal difficulties" should read "should not promote gaming as a way of making money"
2. Warnings about the potential for gambling related harm, from excessive gambling need to be included in all advertising
3. Advertising should not highlight prizes, jackpots or payouts unless the odds of gaining these are also stated.
4. Inducements should not be offered that are based on gambling turnover.
5. Promotion of gambling through the Internet should not occur, as this form of promotion is likely to influence young people.

SkyCity Adelaide: Codes of Practice - Exposure Draft 1

1. The points relating to "self exclusion" need clarification regarding the "third party". It would be inappropriate for this third party to be a spouse, friend or relative, rather the third party needs to be someone who is professionally qualified to assist with gambling and related difficulties.
2. Concern has been expressed to members of the TaskForce about the lack of referrals from the Casino to various Break Even agencies, suggesting that staff should be trained in effective referral strategies.
3. Alcohol should not be served at gambling location within the Casino, since alcohol reduces the capacity of patrons to monitor the extent of their gambling spending
4. The statement "take all practical steps to ensure that no person appears to be intoxicated..." needs to be explained and codified

5. The TaskForce is also concerned at reports that some Casino staff have gambling problems, assisting staff to address these issues in a supportive manner needs to be included under "Miscellaneous"
6. The code needs to include a commitment not to be involved with or promote "clubs" and related schemes that offer prizes or inducements that are based on the level of gambling expenditure by a patron or group of patrons. This is a clear inducement to gamble excessively.
7. The emergence of sports betting requires a code of practice to commit to SkyCity not engaging in any activity that would seek to influence the outcome of a sporting activity. (This is not to imply in any way that this is likely to occur, but to acknowledge the reality of the influence of and potential influence of gambling in an increasing number of sports -for example we'd hate to see the Kiwi's helped in any way, legitimate or not, on the cricket pitch!)
8. Similarly the area of Internet gambling is emerging, the TaskForce believes that the code of Practice should exclude the Adelaide Casino from operating in Internet facility due to the risk of minors participating in gambling and causing themselves considerable financial problems.

Penalties

The draft code does not include any penalties or consequences for breaching the code. For a code of practice to be effective it must be enforceable, particularly for significant or repeated breaches. The TaskForce is currently considering this issue and is eager to discuss this matter directly with SkyCity and the IGA.

We look forward to further discussion of this important issue,

Yours Sincerely

Stephen Richards
Chair TaskForce
043 8331 967

ADELAIDE CENTRAL MISSION

SUBMISSION to

INDEPENDENT GAMBLING AUTHORITY

CODES OF PRACTICE – CASINO

Introduction

Adelaide Central Mission supports the direction of the “SkyCity Advertising Code of Practice” and reports a good working relationship with SkyCity, particularly through the Break Even gambling counselling service operated by Adelaide Central Mission. We also acknowledge generous donations of goods from SkyCity to Goodwill. We believe that SkyCity has been a “good corporate citizen” since arrival in Adelaide.

Codes of Practice

Adelaide Central Mission strongly supports the development of Codes of practice within industry groupings and has been a strong advocate for such codes within the gambling industry. We believe that a goal of the Independent Gambling Authority (IGA) in South Australia needs to be the development of uniform Codes of Practice across all gambling codes. This is particularly important with the growing incidence of single venues operating a range of gambling activities; staff should not have to apply different codes of practice in a single venue. This submission therefore puts proposals that we believe should apply to ALL gambling codes in South Australia. However we use the SkyCity exposure draft No 1 as a base for comments and a template for Codes of Practice in other gambling codes.

We stress that Codes of Practice are appropriately developed in consultation with all stake holders, particularly the businesses directly affected, in this case SkyCity Casino in Adelaide. However, Codes of Practice must be enforceable.

Advertising Codes of Practice

As a statement of Principle, Adelaide Central Mission does not believe that any form of gambling should be advertised.

Gambling, like alcohol and tobacco can be addictive for some people, creating significant personal, family and community harm. This potential for harm renders advertising and promotion as “problematic” for such products, so in the interests of individual and community well being these products should not be advertised using any form of mass media.

This means that advertising for gambling activities should not occur, in the interests of individual and community well being and safety.

SkyCity Advertising Code of Practice

Should the implementation of a blanket ban on advertising for gambling be delayed, the following comments relate to a code of practice on advertising for gambling products that need to be in place.

The SkyCity Advertising Code of Practice – Exposure Draft No. 1, provides a good basis for a Code of Practice. Adelaide Central Mission accepts all statements within the draft, except for the following comments on specific issues.

- *Not screen or air at times when minors are likely to be the predominant recipients (ie not to be in G broadcast time except for news, current affairs and sport)*

We believe that gambling should not be advertised at any time when minors are likely to be a significant (as opposed to predominant) part of the audience. The exclusion should apply to G and PGR ratings at least. The exclusion of gambling advertising should also apply to news, current affairs and sporting programs.

The exclusion of gambling advertising during sport is particularly important. There are clear efforts to link gambling with sport, in the community. This is a particular problem in promoting gambling as an acceptable, and risk free, activity associated with sport, particularly to adolescents. The critical time for values development of any individual occurs during adolescents. Participation in sport is also being strongly and appropriately promoted to adolescents. The promotion of gambling, which can cause harm, as an acceptable part of sport is inappropriate.

Additions to the Draft Code

- There should be on advertising for gambling activities on external signs, eg billboards, due to the inability to target at an audience. Large signs are particularly attractive to children.
- Advertising of gambling must not be linked to any incentive program that is based on providing additional benefits or prizes that are based on volume of gambling activity by an individual of group.
- Advertising should not imply that an individual's social status or attractiveness is enhanced by participation in a gambling activity.
- All advertising related to gambling should include the phone number of the gambling Helpline, with a notice that identifies the potential for harm from excessive gambling.

SkyCity Adelaide Responsible Gambling Code of Practice – Exposure Draft No. 1

Adelaide Central Mission supports the aspects of the Code given in the exposure draft, except for the following comments:

- The “Customer Information and Signage” section should specifically use the term “Break Even Gambling Services” and “Gambling Helpline”, more specifically, instead of the more generic term “helpline”.
- Amend the following as indicated in Italics: “ensure general information pertaining to the conduct of games, including the rules *and odds related to winning*, is available to customers within the casino.
- Alcohol should not be served in designated gambling areas, eg at tables and in the vicinity of EGM’s
- The entire Casino should be smoke free, both as a safety issue for staff and to avoid multiple addictions for people at risk of problem gambling
- There should be no ATM’s in the Casino. The Casino is a “destination product”, patrons attending know they need money and responsible gambling practice encourages responsible gambling by limiting easy access to cash, whilst playing.
- The code needs to reflect a responsible practice of paying all winnings over \$50 for EGM’s and \$200 for other activities, as a non negotiable cheque, reducing the risk of people churning winnings and losing more than they intended to after a win. This cheque should also be forward dated by 24 hours to avoid the cashing of cheques with “money exchange” and pawnbroker style businesses.
- There needs to be a maximum withdrawal of \$200, over 24 hours on eftpos facilities operated by the Casino.
- A link also needs to be made in the code to the new practice that is being introduced on 1.1.02 to limit the amount of money that can be withdrawn from ATM’s. We understand that the IGA has been involved in these negotiations and will be able to propose wording based on intended practice.
- SkyCity is encouraged to develop a process to demonstrate that staff are doing their job effectively by intervening where there is suspicion of problem gambling behaviour. (There is anecdotal evidence in other codes of gambling to suggest that staff are penalised for implementing publicly stated policy in relation to minimising the risk of problem gambling)
- The practice of having security officers patrolling the environs of the casino to detect any unattended children is particularly meritorious. Perhaps the Casino code could indicate the areas to be patrolled.
- The “Service of Alcohol” section needs to be extended to include reference “other drugs”. Any patron who may be gambling whilst under the influence of other drugs (prescribed or illicit) that may impair that person’s judgement, should be removed from the gambling area.
- The “Miscellaneous” section is also commendable. We recognise that staff in gambling facilities are also at risk of problem gambling and suggest the SkyCity may also want to include in the code of practice a process to identify staff who may be at risk to problem gambling and offer counselling referral and support to deal with any problem gambling behaviour involving staff.
- The section headed “Self-exclusion process” should define a “third party” as a professional with gambling counselling skills.

SkyCity Adelaide has introduced some important measures designed to reduce the incidence of gambling related harm and are to be commended for these efforts. Specific measures worth noting include:

- The introduction of the “blue room” and associated supports
- The review of rescinding bans including the involvement of a mentor
- Patrolling the precinct looking for unaccompanied children
- Provision of problem gambling information in “quiet” places where people can be more comfortable in taking them.

Further information is available from Mark Henley, Manager of Policy with Adelaide Central Mission,

Phone (08) 8202 5135
Email mark.henley@acm.asn.au
Post 10 Pitt St
Adelaide.

From "Admin" <Admin@GSADOM.GSA.com>
 Date Wednesday, November 21, 2001 1:54 pm
 To "'RCJC'" <hedgehog@netspace.net.au>
 Subject FW: Casino Codes of Practice- Advertising and Responsible Gambling

.....
 Robert Chappell
 Director, Office of the Independent Gambling Authority
 Phone: + 61 8 8226 7233

-----Original Message-----

From: Gunn, Julie (DHS) [mailto:Julie.Gunn@dhs.sa.gov.au]
 Sent: Tuesday, 20 November 2001 3:49 PM
 To: 'codesofpractice@iga.sa.gov.au'
 Subject: Casino Codes of Practice- Advertising and Responsible Gambling

The following addition to the Draft SkyCity Adelaide Advertising Code of Practice is proposed.

An additional principle be added which reads as follows:

Gaming advertising should not feature or promote prizes and incentives in a way that contravenes the principles of the responsible advertising of gambling (e.g. use basic necessities such as food or other offsetting of living costs as an incentive to gamble)

The following additions to the Draft SkyCity Responsible Gambling Code of Practice are proposed.

It is proposed that a set of principles of responsible gambling be added to the beginning of the Draft SkyCity Responsible Gambling Code of Practice. The principles for the responsible advertising of gambling, with the addition of the proposed amendment above could be adapted for this purpose.

The lack of an encompassing set of principles may mean that SkyCity is able to do anything that is not expressly prohibited by law or specified in the Draft SkyCity Adelaide Responsible Gambling Code of Practice.

An additional section titled Prizes and Incentives be added which reads as follows:

SkyCity Adelaide will not use prizes and incentives that:

* either by implication or in actuality involve meeting basic living costs such as food, accommodation, education, petrol etc.

SkyCity Adelaide will:

* ensure that all use of prizes and incentives are consistent with the principles of responsible gambling and the responsible advertising of gambling as outlined in the Draft SkyCity Adelaide Advertising Code of Practice.

Julie J.Gunn
 Manager, Policy Branch
 Phone 08 8226 6831
 Fax 08 8226 6440

This e-mail may contain confidential information which may also be legally privileged. Only the intended recipient(s) may access use distribute or copy this e-mail. If the e mail is received in error please inform the sender by return e-mail and delete the original. If there are doubts about the validity of this message please contact the sender by telephone. It is the recipient's responsibility to check the e-mail and attached files for viruses.

Submission to IGA – Casino Code of Practice (CCOP)

Name: Michael McCabe

Qualifications: Bachelor of Social Work (BSW)
Currently undertaking: Masters of Public Health (MPH)

Codes Reviewed

1. SkyCity Adelaide Responsible Gambling Code of Practice (SCARGCP)
2. SkyCity Adelaide Advertising Code of Practice (SCAACP) – comments incorporated within the SCARGCP section

Home Telephone: (not for publication)

E-mail Address – michmcc@hotmail.com

Anonymity – Not Requested

Registration of Submission - I support the registering of the submission

Number of Pages of the Submission - (9)

Submitted by - E-mail

Acknowledgment and consent

1. I have read the casino codes of practice public consultation information document 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.

Date 20th November 2001

Signature

Table of Contents

INTRODUCTION.....	3
LEGISLATION & REGULATION.....	3
CUSTOMER INFORMATION AND SIGNAGE.....	3
STAFF TRAINING AND INFORMATION.....	7
SELF EXCLUSION PROCESS.....	7
MINORS AND UNATTENDED CHILDREN.....	8
SERVICE OF ALCOHOL.....	9
FINANCIAL TRANSACTIONS.....	9
ADVERTISING.....	10
MISCELLANEOUS.....	11
CONCLUSION.....	11

Introduction

This submission is intended to support the activities of the Independent Gambling Authority (IGA) in adopting a position on the proposed Codes of Practice, developed by SkyCity Adelaide, pursuant to amendments to the Casino Act 1997. The submission works through the various sections of the SkyCity Adelaide Responsible Gambling Code of Practice (SCARGCP). The section within the SCARGCP that addresses the advertising code contains my discussion on the contents of this particular code. The points of view expressed within the submission are my own personal perspective's. I hope they are of some benefit to the IGA in the task of considering the respective codes of practice, deemed to be instrumental in supporting "responsible gambling" and associated harm minimisation.

Legislation & Regulation.

This section merely states the willingness to comply with parameters of the law. This would indicate that one role of the IGA is to review the respective legislation and articulate the SCA which particular sections of the Casino Act 1997 clearly pertain to "harm minimisation".

It would be desirable to insert within the code a statement that SCA will routinely monitor and report on the regulatory and legislative frameworks operating in this jurisdiction in respect to their furtherance or encumbrance to the goals of the SCARGCP. This should be a voluntary addition to the code on behalf of SCA.

Customer Information and Signage

While it is welcomed that SCA is asserting a preparedness to promote messages and materials deemed to be helpful to reduce problem gambling, I would argue strongly that in order to be truly effective, the governance of the any information strategy should rest with the IGA.

In so doing the IGA should gain expert advice from appropriately trained people in the discipline of health promotion, on the prospective value of any information strategy employed to minimise gambling related harm.

The main rationales for these recommendations are

1. There exists an inherent conflict of interest with promoting restraint and promoting gaming – the SCARGCP notes SCA sees itself (rightfully) as a business.
2. Health information strategies of this nature requires specific expertise from the discipline of health promotion
 - Information systems are constitutive of public perceptions of the nature and course of problem gambling
 - Getting the message wrong can result in a deleterious impact rather than the desired outcome of increased knowledge, attitudes and behaviours by the gambling public
 - Proper attention to evaluation of process, impact and outcomes of such strategy are best achieved by trained personnel
 - A hand off approach in terms of employment relationships minimises collateral criticism detracting from the worth of the strategy
 - Such personnel exist and are suitably trained in this area
3. There already exists a standard of an authority charged with prescribing the messages and format of layout on other products potentially deleterious to health status - such as tobacco. It is further argued that this should be the same across all gambling codes in which the IGA monitors to maximise consistency.

I would add that

- Helpline stickers should be displayed on all gambling products including gaming tables.
- Consideration of promoting the number on mediums such as pencils, drink coasters etc.. should be considered by the IGA
- Rather than displaying the helpline number in ATM's I would submit that the ATM's should be removed. It is interesting the size and prominence of the ATM sign in the foyer of SCA. Interestingly the signage is in the corporate colours of blue.
- The “reinforcement of the SCARGCP” in newsletters targeting customers is welcomed. Again the use of expertise from health promotion practitioners is urged to compliment this process

It is also essential that this section recognise that information is transmitted by the SCA to the gambling public in a multitude of mediums, particularly via the communications between staff and the patrons. This highlights the role of training as an important component of the SCARGCP.

General information pertaining to the conduct of games is an interesting one. The IGA may be aware that a feature that is far more common in the SCA to that of the Adelaide Casino is the insertion of screens on roulette tables that “inform” the gambling public of the run of preceding numbers. These screens “inform” the public that monitoring the outcome of a random game (each spin has the same probability as the previous), is of benefit. If a patron was to attempt to exercise this right on a game such as blackjack in which monitoring the fall of the cards alerts the patron to a real alteration of the odds – the person would be called a “card counter” and evicted from the Casino. It would seem it is permitted to promote that which has no bearing on the game, but a real bearing on the cognition’s of gamblers, and the converse denied.

One aspect not mentioned in this section is information systems and processes to dispute results. This information should be available to patrons (in multiple languages), with clear instructions on the processes of disputing decisions made related to gaming. A mechanism to engage external mediation should also exist. I am unsure if this is a function of the IGA or if, such an external process exists. If so – what steps are currently under way to promote this mechanism to the gambling public.

In the course of constructing this submission I visited the SCA in early November 2001 – approximately at 11am . On this visit, I noted the current slogan “How to play without losing this”(Shirt) and the various methods of promoting the message. On the day I visited there were two cards available in the downstairs container and multiple pamphlets. There were more cards available upstairs on the counter near the cashier. This could indicate that the cards are being well utilised, or there are limited stocks. Of course as a exercise of reviewing this occurrence on a one off occasion, not too much can be drawn from the general supply of the cards.

It would be interesting to know who has direct responsibility for the monitoring of the stocks of cards and pamphlets, and what type of independent evaluation is currently being done or is planned in terms of patron knowledge and recall, and use of the mediums.

While not wanting to diverge too much, I would argue that the message is skewed towards the individual level of “responsible gambling” – noting “for a small number of gamblers problems may arise”.

Any approach that “promotes” responsible gambling should in fact also promote information on the ways of managing gambling to the patrons benefit. Maintaining a position of only promoting adverse messages of problem gambling, which many patrons would not identify strongly with in the first place, can contribute to stigma and shame being associated with problem gambling. Targeting problem gambling messages towards a lower point along the continuum is also recommended – losing ones shirt is to far down the track for my liking.

In respect to the issue of “responsibility” of gambling problems, the very fact that the severe end of problem gambling is classified within the DSM -IV as an “Impulse Control Disorder – not elsewhere classified”- it is indicative that a degree of autoism accompanies the behaviour at the individual level. This in turn minimises the capacity of individual “response – ability”.

I am yet to read any reference to a commitment by the SCA to examine behaviour (response) it has under its control (ability). It is assumed the SCA is not acting under compulsive behaviour, thus has a “responsibility quotient” of a different nature to problem gamblers. It is assumed the IGA has a critical role in supporting the gambling industries to exercise this ability to a new calibre.

A public health perspective recognises that vulnerability health problems arises from an interaction between the

1. Host – Gambler
2. Agent – Game features – particularly tempo and continuity variables
3. Environment – Systems to support dissociation eg tokens to gamble with

At least two of these domains are substantially influenced and under the control of the SCA.

Staff Training and Information.

This section is welcomed and it is acknowledged that training can be of enormous benefit to the employees, both in terms of patron responsibilities and issues related to occupational hazards associated with working in this industry. It is not unusual for a higher risk ratio of associated problems to be experienced by employees in range of industries that deal with potentially addictive materials – hazardous drinking by hospitality workers, Schedule 8 substance use within the medical fields. As such, it is strongly argued that staff should be orientated to issues related to problem gambling routinely.

In terms of any training that takes place, I would recommend that the training be

- The content be vetted and endorsed by the IGA
- The curriculum be accredited training - (if not currently in this format at this stage, all training should be developed to a standard enabling adoption by the Australian Quality Training Framework AQTF). This would
 - promote capacity for national consistency of educational standards relevant to this professional domain,
 - enable integration of the curriculum into formative training pathways
 - create a capacity for export in other jurisdictions.
 - lead to routine acceptance of the issue within the profession
- Monitored via annual reports being submitted to the IGA detailing the coverage of staff training.
- Ensure that evaluation systems are built into the training packages to ascertain the level of quality and quantity and attainment of stated goals.
- Develop systems to ensure currency of materials (Referral systems do change from time to time),

Self Exclusion Process

This section of the SCARGCP lacks the necessary detail of the whom, when, where, how. It is my submission that this information should be transparent in the code and exist as a public document to guide the gambling public on the expected process. There should also be a independent review process stipulated within the code. The code should also contain guidelines and appropriate systems to ensure the privacy and confidentiality is protected. It is recommended that aggregate data determined by the IGA be submitted to this authority on an annual basis.

The principle of financial penalty should in my view be reviewed as a matter of urgency. Supports to ensure adoption of the process should be the guiding principal. The psychological tenants supporting the assumption that a financial threat will be of benefit to the person should be thoroughly investigated. Does it in fact act as a disincentive as well as treat people a potential criminals.

A complete review should be undertaken on barring to develop an appropriate range of multi-modal / multi-level strategies that work in unison to maximise a reduction in gambling related problems being experienced by patrons.

Minors and Unattended Children

It would be helpful to gain greater understanding of what constitutes “whatever steps are reasonably appropriate” to exclude minors from the Casino complex. The venue is located in a major transit building. Clear definition of what constitutes the SCA complex can ensure the jurisdictional authority and actions to dissuading young people from the locality is confined only to the casino business.

Clear gaming policies and promotional strategies on issues such as “no winnings will be paid to underage gamblers” may have some effect on reducing motivation to gamble by minors. In the event that a underage person is identified, rather than a punitive approach, it is strongly recommended that they be provided with a specially designed pamphlet discussing openly the elevated risk of problem gambling experienced by of underage persons, with appropriate information on gambling assistance programs.

In terms of the emphasise on parental neglect, it is recommended that appropriate staff receive training by Family and Youth Services on matters related to the reporting of child neglect. This training should emphasise the approach of a non-punitive emphasise and the primacy of strategy to improve family functioning.

All matters related to minors should be documented and the fed back to the IGA in non-identifiable fashion. Documentation should include a brief summary of the incident and action taken by the SCA.

Service of Alcohol

The issue of the correlation of alcohol use to the point of cognitive impairment and ability to gamble is rightfully an important issue that the SCARGCP needs to address. The key is to enable identification of alcohol impairment well before “excessive” consumption.

The practice of serving patron alcohol at the gaming tables and gaming machines is assumed to be a service offered to patrons. This creates an ability to monitor the level of consumption. It is possible to develop ceilings of alcohol service consistent with standards that enable continued control a motor vehicle BAC $>.05$. Monitoring consumption of gambling (money) is routine in the SCA via swipe cards. Investigation of extending this ability to monitor the level of alcohol served could assist.

Any promotion involving the use of alcohol should be reported to the IGA. Happy hours or cheap drinks to be consumed in a particular timeframe, or linked to any gambling activity should be bared. Messages that promote nil or minimal mixing of alcohol and gambling should be considered for benefit. There should be an onus should also be on the SCA to not mix promotions of alcohol in any way. The current television advertisement that emphasises “Broads, Bands and Bars”, is of some concern.

Training strategy again is highly recommended as a method of supporting staff in their roles. Consistent with he previous point, SCA policy on serving practices need to demote the use of alcohol within the venue, particularly in quantities that lead to impairment of faculties.

In the event of evicting an intoxicated patron, every effort should be made to ferry this person home by guiding them to a taxi or offering to call a friend. The main reason for this is the possibility of self-harm in this state. Alcohol creates a potential for more impulsive behaviour, including attempted suicide. If the patron has experienced a loss of substantial size in the venue, eviction in an aggressive manner could tip the scales towards self-harm.

Financial Transactions

Gaming on credit should in all instances be prohibited.

Advertising

The review of the SkyCity Adelaide Advertising Code of Practice SCAACP is regarded as requiring a greater deal of scrutiny by the IGA and as previously recommended, all information systems – inclusive of advertising and promotional activities by the SCA should be submitted to the IGA to enable judgement on the potential impact to community levels of problem gambling. Advertising extends to the general public, thus exposes people to material they are not choosing to interact with by attending the venue. Advertising also has an inherent function of attracting patronage. A critical question is - which patronage?

The current standards adopted by SCA are of concern. By way of example – the current series of television advertisements promoting SCA select vulnerable young men as the main actors within the script.

One advertisement sets the audience to believe a pet is avoiding eviction from a suburban home, (dialogue “get out from under there” – lights going on and off in the home). The tag is that the pet is in fact a young male being told to get out of the home and party – ah la the SCA venue Bars, Bands, Broads.

The other advertisement in the same series depicts an unfortunate socially inept (if not psychiatrically impaired person with an obsessive-compulsive disorder), boring his neighbours and family literally to the point of collapse – being encouraged to get out amongst the action at SCA.

All advertising is strategic in terms of the target audience, the emotional component that is trying to be achieved. The fact that young men tend to be identified consistently in the SA and within national problem gambling surveys as the most at risk group, creates some concern that this group would be the target audience of these advertisements. Further persons experiencing loneliness and / or difficulties with social interaction are not the patrons any gambling industry should be targeting.

This recommendation of the role of the IGA in requesting information on the target audience and scrutiny of content in advertising extends to all gambling industries operating within SA.

Further to this section, I would recommend the prohibition of screening advertisements until after 9pm to maximise not exposing minors to this content. The activity of gambling is an accepted adult pastime.

The SCAACP should be extended to incorporate “promotions” as well as advertising. These activities should also be documented, logged and submitted the IGA for review. Promotions that encourage people to extend their time in the venue to be eligible for prizes, such as the practice in gaming machine tournaments, should be also prohibited.

Miscellaneous

The only addition I would add to this section is the development of a clear policy for employees regarding assistance in the event that they develop gambling related problems. This should include the ability to be supported to seek professional assistance and enable flexibility in the workplace in terms of work task allocation, particularly if the assigned role creates difficulties for the employee in terms of associated discomfort. For example a person who waiters in a gaming machine area may be able to be assigned to a different section of the venue such as the restaurant. Staff should be encouraged seek support, with a clear message of corporate support and assistance consistent with any workplace standards.

Conclusion

I hope the information contained within this submission is of some benefit to the IGA. Harm minimisation (ideally harm eradication) is an important standard that should be guiding all who have a stake in the area of gambling – punters, the house, the government, the whole of the community. It is hoped the submission has left the IGA with the perspective that their exists a range of opportunities the progress such outcomes and the needs and strategies are varied. Adopting an approach of “any” strategy is being better than none is to be avoided. All strategy requires consideration by competent people, many who lie outside the industry. All strategy should incorporate sound reasoning and contain a specific end that can ultimately be demonstrable in terms of achievement/ non-attainment.

In concluding, I commended the process undertaken by the IGA in extending such an opportunity to submit this information. I also state a preparedness to provide additional comment on any of the issues / points raised within this submission. I wish every person associated with the IGA the very best in their roles and associated tasks.



SUBMISSION ON SKYCITY ADELAIDE CASINO'S DRAFT RESPONSIBLE GAMBLING AND ADVERTISING CODES OF PRACTICE

Given the parallels that exist between the gambling operations of SkyCity Adelaide Casino and those of the hotel industry, the casino Code of Practice will clearly have ramifications for any new codes being developed for hotels and clubs. While the Australian Hotels Association (SA) supports most of the clauses contained in the draft codes, it does have concerns and comments to make about some of the clauses and their possible flow-on effect to other codes.

Furthermore, to ensure consistency in responsible gambling approaches, the AHA believes that the responsible gambling and advertising codes for the casino should mirror the codes for the hotel and club industries that have already been approved by the IGA.

- **Sky City Adelaide will prominently display responsible gaming materials (posters, pamphlets, wallet cards and stickers) in public areas throughout the SkyCity Adelaide complex. Pamphlets will be translated and available in six languages, including English.**

While the AHA supports the availability of responsible gambling material in gaming areas, it does have concerns about providing pamphlets in six languages. Hotel gaming rooms are much smaller than the SkyCity complex and already contain brochures, wallet cards and stickers. The AHA, however, would consider supporting the inclusion of six sentences in different languages in the Helpline brochures which direct patrons to the 1800 Helpline number, where patrons can access a translation service. The printing of brochures is currently funded by the Gamblers Rehabilitation Fund.

- **Sky City Adelaide will display Helpline Stickers on ATMs**

Unlike the casino, it is illegal for hotels to provide ATM and EFTPOS facilities in delineated gaming areas. Therefore, historically the AHA has not considered it necessary to include a Helpline sticker on ATM machines. Although we would object to Helpline stickers being placed on EFTPOS and ATM facilities in drive-through areas and dining rooms, we would have some sympathy with the stickers being placed on ATM and EFTPOS facilities located next to gaming areas.

- **SkyCity Adelaide will provide annual refresher courses for all staff (responsible gambling training).**

The Australian Hotels Association (SA) together with Regency TAFE provides an accredited responsible training course for gaming room staff. In addition, our Gaming Updates regularly provide information on responsible gambling practices and venues regularly contact the AHA for advice. Given this and the large number of staff involved in hotel gaming rooms (many of them in regional areas) we do not believe it is necessary for yearly refresher courses for people working in the hotel industry. The logistics and costs involved would be enormous and unnecessary given the high level of advice and support for gaming room staff and venue management that already exists.

- **Security officers will patrol surrounding environs to detect any unattended children in vehicles.**

SkyCity Adelaide does not have a designated carparking facility and it is unclear from this clause whether security officers would be expected to patrol all public carparking facilities in the immediate area. Clearly, should a security officer find a child alone in a car, he or she will have no way of determining whether a person has left the child to gamble, shop or visit one of the thousands of offices in the immediate area.

In essence, this clause suggests that parents often abandon their children to gamble when (excluding one much-publicised case in Victoria) there is no factual evidence that this is occurring.

Parenting is a community-wide issue and hotels simply do not have the staff available to patrol carparks on a fulltime basis. If a hotel is only in a position to patrol a carpark on a part-time basis and if an incident should occur inbetween patrols, ***serious questions arise over liability, especially if hotels are governed under a code to “detect any unattended children in vehicles”.***

Given the serious legal implications that arise out of this clause and the fact that the clause appears to be based on a flawed logic that gambling operators are responsible for ensuring that patrons are fulfilling their legal responsibilities as parents, the AHA strongly rejects this clause.

The AHA (SA) is more than happy to expand on these or any other points regarding codes of practices or the hotel industry in general. For more information, please contact general manager John Lewis on 8100 2410 or manager – public affairs Jodie van Deventer on 8100 2450.

GAMING MACHINES ACT 1992

Advertising Code of Practice

THIS is the Advertising Code of Practice for gaming machine licensees pursuant to section 29 of the Statutes Amendment (Gambling Regulation) Act 2001.

1. OBJECTIVES:
- To ensure that playing gaming machines in a Hotel or Club constitutes a socially responsible leisure and entertainment activity.
 - To enhance the appropriate development of gaming machines within the Hotel and Club industry throughout South Australia consistent with community expectations.
 - To provide guidelines for the responsible advertising of gaming machines in Hotels and Clubs.
 - To enhance the positive public image of the Hotel and Club industry.
2. CONSULTATION: The Advertising Code of Practice must be reviewed by the Independent Gambling Authority (IGA) in consultation with holders of gaming machine licences at least every two years. The Authority must seek and consider written submissions from the public when reviewing this Code.
- Unless it considers it contrary to the public interest to do so, before altering this code of practice the Authority must give written notice of the proposed change to a body representative of licensees and consider any representations made by the body within 14 days or longer period provided.
3. SCOPE: This Code applies to all holders of a gaming machine licence. The code covers communication activities including (but not limited to) advertising in media (including electronic media), point of sale promotional material, leaflets, displays, internal and external signage, gaming machines artwork, the internet, subscriber products and other materials designed for public communication.
4. THE ADVERTISING CODE OF PRACTICE—DETAILS:
- (a) Advertisements and promotions must comply with the laws of South Australia.
 - (b) Advertisements and promotions should focus on the *entertainment* value and not be false, misleading or deceptive, particularly with regard to winning or the chances of winning.
 - (c) Advertisements and promotions should be conducted in accordance with decency, dignity and taste and reflect prevailing community standards.
 - (d) Advertisements and promotions must not suggest that gambling is a form of financial investment or will solve financial problems.
 - (e) Advertisements and promotions must not suggest that enhancement of one's social, financial or sexual success and general abilities can be attributable to gambling.
 - (f) Advertisements and promotions must not suggest that skill can influence games that are really games of chance.
 - (g) Advertisements and promotions depicting the playing of gaming machines should not be associated with irresponsible consumption of alcohol.

- (h) Advertisements and promotions should not be undertaken in a way that encourages minors to play gaming machines and the target audience must be people of 18 years and over.
- (i) Advertisements must not link proceeds of gambling with the payment of household staples e.g. gas, electricity, rental payments, mortgage payments.
- (j) Advertisements must not encourage patrons to spend their last dollar with the expectation of winning.

Television Advertising

- (k) In all instances, the media selection and placement of television advertising will be in accordance with the Federation of Commercial Television Stations (FACTS) Code of Practice as follows:

Commercials Relating to Betting or Gambling

- (l) Except in news, current affairs and sporting programs, a commercial relation to betting or gambling must not be broadcast in "G" classification periods Monday to Friday, nor on weekends between 6 a.m. and 8.30 a.m., and 4 p.m. and 7.30 p.m.
- (m) The conformity of an advertisement with the FACTS Code will be assessed in terms of its probable impact, taking its contents as a whole, upon a reasonable person within the class of those to whom the advertisement is directed and taking into account its probable impact on persons within other classes to whom it is likely to be communicated.

5. RESOLVING COMPLAINTS OR CONCERNS:

If a patron has a question or concern relating to this code of practice, he or she should in the first instance contact the management of this venue. If the complaint or concern is unable to be resolved with management or the patron is unsatisfied with the outcome then the patron should contact the Office of the Liquor and Gambling Commissioner on 8226 8410.

Dated 24 September 2001.

ROB LUCAS, Treasurer

GAMING MACHINES ACT 1992*Responsible Gambling Code of Practice*

THIS is the Responsible Gambling Code of Practice for gaming machine licensees pursuant to section 29 of the Statutes Amendment (Gambling Regulation) Act 2001.

CONSULTATION: The Responsible Gambling Code of Practice must be reviewed by the Independent Gambling Authority (IGA) in consultation with holders of gaming machine licences at least every two years. The Authority must seek and consider written submissions from the public when reviewing this Code.

Unless it considers it contrary to the public interest to do so, before altering this code of practice the Authority must give written notice of the proposed change to a body representative of licensees and consider any representations made by the body within 14 days or longer period provided.

GAMING LEGISLATION: The licensee will ensure that approved gaming machine managers and employees have a detailed knowledge of the provisions of the Gaming Machines Act 1992 and will have appropriate practices in place to ensure compliance with:

1. Provisions relating to employment:
in particular
 - section 50—carrying identification
 - section 51—use of gaming machines
2. Provisions relating to cash facilities:
in particular
 - section 51A—location of cash facilities
 - section 51B—withdrawal limits
3. in particular
 - section 52—extension of credit
4. Provisions relating to minors:
in particular
 - section 56—access by minors
 - section 58—identification of minors
5. Provisions relating to barring of patrons:
in particular
 - section 59—licensee barring
 - section 60—removal of barred persons
6. Provisions relating to powers to remove offenders:
in particular
 - section 67—removal of offenders

PRIZES AND WINNINGS: Prizes and winnings must be paid at the time of claiming. Winnings in excess of \$1 000 that are paid by cheque may be paid within 24 hours of the win.

MACHINE MANAGEMENT: Gaming machines will be maintained in proper operating condition to ensure player confidence and the integrity of gaming. Unplayable machines will be clearly marked.

SIGNAGE WITHIN GAMING ROOM: Licensees must display in approved gaming areas a copy of the following documents:

- *RESPONSIBLE GAMBLING CODE OF PRACTICE
- *ADVERTISING CODE OF PRACTICE

MEMBER/CUSTOMER SUPPORT: If patrons have difficulty in controlling their personal level of expenditure, management and staff, where appropriate, will direct patrons to the gambling help line.

SIGNAGE ON MACHINES: Each gaming machine will display clearly a sign approved by the Liquor and Gambling Commissioner containing the 24-hour gambling help line number together with a message that encourages members and customers to gamble responsibly.

CLOCKS: The licensee must ensure that a clock is placed in a clearly visible position within approved gaming areas.

PLAYING WHILE INTOXICATED: The licensee will ensure that patrons who are clearly intoxicated will be prevented from playing gaming machines and may be lawfully removed from these premises.

STAFF DEVELOPMENT AND TRAINING: As from 1 January 2002, the licensee must ensure that newly approved gaming managers and newly approved gaming employees have or will undertake training in the operation of machines and responsible gambling within six months of their approval unless the Commissioner is satisfied that the persons knowledge, skills and experience is such that additional training is not required.

The Licensee must ensure that all existing approved gaming managers and approved gaming employees have undertaken or will undertake training in the operation of machines and responsible gambling by 1 October 2002, unless the licensee is able to satisfy the Commissioner that the persons knowledge, skills and experience is such that additional training is not required.

CHEQUES: Cheques will not be cashed in approved gaming areas. The Liquor and Gambling Commissioner can, by notice in writing, exempt a venue from this provision if the Commissioner thinks that good reason (e.g. the location of the licensed premises) exists for doing so.

RESOLVING COMPLAINTS OR CONCERNS: If a patron has a question or concern relating to this code of practice, he or she should in the first instance contact the management of this venue. If the complaint or concern is unable to be resolved with management or the patron is unsatisfied with the outcome then the patron should contact the Office of the Liquor and Gambling Commissioner on 8226 8410.

Dated 24 September 2001.

ROB LUCAS, Treasurer
