

Independent Gambling Authority Inquiry Into Barring Arrangements

A Joint Response by the Australian Hotels Association (SA Branch) and Clubs SA

– Major Points of Presentation –

The Australian Hotels Association (SA Branch) and Clubs SA welcome this inquiry and the opportunity to comment on the operation of the statutory barring scheme. This joint response reflects an agreed position by both Associations and is in itself confirmation of the determination of the hotel and club gaming industry to assist with the early detection and treatment of problem gamblers.

The hotel and club industry have further demonstrated their commitment to dealing with problem gambling issues by establishing Gaming Care and Club Safe, via financial support from the Independent Gaming Corporation, as responsible gambling intervention agencies to, amongst other things, improve relationships between licensees and counselling agencies.

Issuing Barring Orders

- Section 59 of the Gaming Machines Act 1992 provides that a *licensee* may bar a person from the gaming area.
- The *licensee* must act *immediately* to self-barring requests.
- We submit that gaming machines managers should have the authority to issue barring orders as they are required to be on the premises at all times the gaming operations are being conducted.
- A comparison can be drawn with section 125 of the Liquor Licensing Act 1997 which permits a licensee or a responsible person to bar a person from the licensed premises.
- The Liquor Licensing Act provides a maximum penalty of \$1,250 for licensees or their staff for allowing barred persons to breach a barring order.

- The Gaming Machines Act imposes a significantly higher penalty for a licensee, gaming machine manager or gaming machine employee who allows a barred person to breach a barring order (maximum of \$10,000) than that imposed on the barred person (\$2,500).
- We submit that the same penalty for a breach of a barring order should apply to all parties.

Identifying Barred Patrons

- It is extremely difficult to identify barred persons from a photograph.
- Although regular updating of photographs may assist, some barred persons have deliberately disguised their appearance to avoid detection by gaming staff.
- Offenders should be brought before a Magistrate who may direct the person to attend problem gambling counselling or bar the person from other gaming venues. *Repeat* offenders should receive a penalty.

Venue to Venue Notification of Barrings

- The current prohibition from disclosing information concerning barred persons to anyone other than gaming staff does not assist the problem gambler who can enter other gaming venues, particularly those in close proximity to those from which they are barred.
- Other licensees should be alerted to barred person in order to monitor their presence and gaming activities.
- Multi-venue operators or group owners should be able to bar problem gamblers from all of their venues.
- The Responsible Gambling Code of Practice requires barred persons to be removed from loyalty mailing lists. We believe the manager of any group data base should be permitted to cancel all reward cards held by a barred person.

Broader Scope for Barrings

- Many venues providing gaming facilities also provide TAB and Keno.
- We submit that licensees should be given the discretion to bar persons from other gambling facilities if they have been barred from gaming.

