



School for Social and Policy Research
Discussion paper

Gambling harm-minimisation measures post 1999: An Australian overview with particular reference to the Northern Territory

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Gambling Harm-Minimisation Measures Post 1999: An Australian Overview with Particular Reference to the Northern Territory



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Executive Summary

Scope of the Report

- The purpose of the current discussion paper is to present an overview of the gambling harm-minimisation measures that are implemented across Australia with a view towards identifying those demonstrably effective measures that may be appropriate to the Northern Territory (NT) context.
- The paper is separated into 6 key areas: (1) implications of the Productivity Commission's 1999 Report, (2) public health and responsible gambling, (3) the gambling landscape in Australia, (4) codes of practice in operation, (5) harm minimisation measures, and (6) a discussion of findings and key areas for further research.

Context

- Over the last three decades the liberalisation of gambling has facilitated the emergence of a multi-billion dollar industry. In 2005-06 the total gambling turnover (the amount gambled) in Australia was over \$148 billion. However, this development has not been accompanied by adequate or evaluated measures for consumer protection.
- In 1999 the Productivity Commission's report into Australia's gambling industries represented the first comprehensive national study into the economic and social impacts of the gambling industry in Australia. This report highlighted an alarming level of problem gambling and other indirect social and economic costs. The Commission also reported a regulatory environment that was disjointed and inconsistent between jurisdictions. It identifies a need for (a) policy which was open and developed through community and industry consultation, and (b) a separation between industry and government to avoid conflict of objectives and interests.
- Most governments have initiated new responsible gambling practices since 1999. Responsible gambling and harm minimisation measures have been introduced across all forms of gambling to help address the individual and social impacts of problem gambling. However, these have been incremental, inconsistent and variably enforced (Banks, 2007).

Public Health and Responsible Gambling

- Since 1999 the outlook on problem gambling has been extended to include both social and individual perspectives. The national definition of problem gambling is concerned with gambling-related harm for families and communities in addition to individual behaviour:

Problem gambling is characterised by difficulties in limiting money and/or time spent on gambling which leads to adverse consequences for the gambler, others, or for the community (Neal et al., 2005:3).

- Within Australasia, the policy response to problem gambling is, in theory, based on a public-health framework directed towards harm minimisation and problem gambling prevention. This approach places harm minimisation strategies into three categories: primary, secondary and tertiary. Primary interventions are designed to protect people before harm arises. Secondary interventions limit the potential of existing harm increasing. Tertiary interventions include treatments and interventions for those people already affected by problem gambling.
- The public health approach to problem gambling holds government, community and industry as well as the individual responsible for minimising the harms associated with gambling. Domains including consumer behaviour, the gambling environment, industry practices, and government policies are all relevant to the delivery of responsible gambling.
- In principle, harm minimisation measures are designed to modify gambling behaviour and the gambling environment to reduce the level of problem gambling in the community. In this sense, harm minimisation is a balancing act, one that weighs consumer protection against the recreational and financial benefits of gambling industries.

The Gambling Landscape

- All of the states and territories permit casino-based gambling, electronic gaming machines (EGMs), wagering operators (both land-based and online), and lottery outlets (both land-based and online). However, there are significant differences between jurisdictions in the mix of these products provided.

- The NT has been entrepreneurial in fostering different gambling forms in its effort to become an exporter of gambling products. It provides a range of gambling opportunities in addition to EGMs that include one internet and two land-based casinos as well as thirteen online wagering operators.
- Legislation and regulation in the NT is located within the Department of Justice. The Licensing Commission is a statutory authority that was established in order to centralise the regulation of gaming and licensing. The Commission' members are appointed on a part-time basis by the Minister and are supported by a full time secretariat provided by the Department. The administration and enforcement of regulations is carried out by the Operations Branch.
- Limited regulatory intervention from government and proactive positioning of industry are legislated as central regulatory principles in the NT. These legislated principles for the minimum regulation of gambling are unique to the NT. Other jurisdictions legislate for community benefit or responsible gambling practice. There is a structural tension between the principles of the minimal regulation in the NT and the need to address gambling-related harm.
- Although there have been attempts to implement regulatory changes in most jurisdictions, there nonetheless remains significant variation in the regulatory structures between the states and territories. For example, some jurisdictions locate gambling within taxation and revenue portfolios such as treasury and finance, while others place responsibility with service delivery departments.
- There has been an increase in the use of Commissions which are primarily designed to act as a single regulatory authority for the different forms of gambling. A key requirement is the independence of these Commissions given that the policy landscape is driven by the pecuniary interests of industry and government.

Codes of Practice

- There are approximately 40 gambling codes of practice and/or codes of conduct in operation. These codes can be separated into three categories: mandatory, co-regulatory, and self-regulatory. Mandatory codes are legislated and imposed by governments. Co-regulatory codes are intended to develop a shared understanding between parties (i.e. government, community and industry) and, while often voluntary, may be legislated. Self-regulatory codes have been developed with the intent that they are enforced by industry.

- In some states the development and implementation of codes of practice is required by legislation. However, administration of the content and management of the codes is the responsibility of industry. The only jurisdictions to implement a mandatory code of practice are the NT, South Australia (SA) and the Australian Capital Territory (ACT). Queensland (Qld) has a co-regulatory, voluntary code, while the other states rely upon self-regulatory codes.
- The NT Code of Practice underpins the majority of harm minimisation measures within the NT and was initially voluntary but made mandatory in 2006. The Codes has classified the required harm minimisation measures into nine categories. These are: the provision of information, interaction with customers and community, training and skills development, exclusion of problem gamblers, physical environment, minors, financial transactions, advertising and promotions and privacy policies.
- The NT Code has a three-phase model for review that covers (1) implementation, (2) cultural shift and (3) sustainability. This is based on the three-phase review model of the *Queensland Code of Practice*. A review of the NT Code was undertaken when it was still voluntary to determine how each industry sector was implementing the code. This concluded that there was a variance in the acceptance of the code between the different gambling sectors.
- Resource constraints, affecting both governments and individual venues affect the implementation and enforcement of the codes. Consequently, this varies from state to state and venue to venue. Despite community input in the development of some codes, reviews in some states (i.e. Qld & SA) have found that communities are rarely aware of the codes in practice.

Harm Minimisation Measures

- The Productivity Commission Report classified potential harm minimisation measures into three categories: (1) informed choice: the ability to make an informed decision on whether to engage in gambling activities (2) consumer control: measures designed to direct individuals and their actions (3) venue/game restrictions: regulatory limitations placed upon operators and venues as well as technical restrictions on machines and game features.

- Consumer information and community education are the central strategies for enabling informed choice. Signage and information convey messages and warnings of gambling harm as well as how to access treatment services. However, these measures arguable place responsibility with the individual, rather than with a broader sectorial assumption of responsibility suggested by a preventative public health approach.
- Self-exclusion, where individuals have voluntarily acknowledged that they have a problem with their gambling and enter an agreement with the venue/operator to be excluded, is the most direct consumer control measure. The effectiveness of self-exclusion depends on an adequate monitoring and enforcement process as well as the personal desire to be excluded. SA's policy attempts to overcome the latter issue by a provision for license holders and family members to apply for 'third- party' exclusions.
- Harm minimisation restrictions on gambling venues and games are complex and varied. Whilst some venue restrictions are easy to execute (e.g. installation of clocks), others are more intricate and costly (e.g. impact assessments). The venue-related measures overviewed in this paper include machine capping, impact assessments, venue shutdowns, credit provision, ATM availability, smoking bans, note acceptors, maximum bet levels, and autoplay functions.
- Training of venue staff in responsible gambling practices and interaction between industry and community groups has become an integral part of responsible gambling across all jurisdictions, with industry groups now obligated through codes of practice to collaborate with community agencies.
- While different harm minimisation methods have been implemented from jurisdiction to jurisdiction, there has been little evaluation of the effectiveness of these in operation.

Key Discussion Points

- The tension between legislated minimal regulatory involvement and the need for consumer protection requires further examination.
- The review and evaluation process of the NT Code of Practice is a central component of harm minimisation that would be usefully continued. There is a need for evaluation of the effectiveness of the NT Code and as well as its awareness among the community.

- Extension of the current project would usefully concentrate on other mandatory codes of practice, as well as voluntary and industry codes, to examine which may be best suited to the NT.
- From this review several specific areas may be highlighted:
 - A third party exclusion policy warrants further examination to examine its potential applicability to the NT.
 - More research is needed to explore links between alcohol provision and gambling behaviour, particularly in high risk venues such as hotels.
 - Mechanisms for assisting smaller venues to implement effective harm minimisation practices may need to be developed to assist those venues that lack adequate capacity.
 - Currently there is little scope for community involvement in harm, minimisation practices, and mechanisms to develop a more consultative process could be explored.
 - There is a need to provide the Licensing Commission with adequate information about the social impacts of different venue types and contexts on which to base licensing decisions. This includes a robust and independent social impact assessment framework.
- However, to determine the appropriateness of existing and potential harm minimisation measures, knowledge is required about the socio-demographic composition of clientele, the spatial extent and seasonality of venue catchments, and social impacts by venue type. This will be provided by complementary projects in the CDU research agenda.
- In addition, harm minimisation measures need to be reviewed in terms of their relevance to particular minority groups in the NT including the Indigenous and Culturally and Linguistically Diverse Communities (CALD).
- In some instances, particularly those relating to Indigenous issues or online gambling, there may be no applicable policy to adapt and the NT has to be prepared to develop its own measures.

- At a more general level, harm minimisation measures current concentrate on the NT population. However the NT exports gambling products nationally and internationally, and sells local products to tourists, itinerant workers and other mobile groups. Discussion of the range of NT's harm-minimisation responsibilities is necessary to identify if the scope of harm reduction is to extend beyond its borders.

1. Introduction

1.0 Gambling in Australia

Since European settlement, gambling has occupied an important place within Australian culture (McMillen & Eadington, 1986; McMillen, O'Hara, & Woolley, 1999). From the modest beginnings of local horse races and two-up in the trenches, gambling has progressed to a contemporary billion dollar industry. In 2005-06 the total gambling turnover (the amount gambled) in Australia was over \$148 billion with total expenditure (net losses) over \$17 billion (Queensland Government, 2007a). This growth has been concentrated over the last three decades when newer forms of gaming and wagering. For instance electronic gaming machines (EGMs) were introduced into all states and territories. Throughout this period the state and territory governments have maintained a strong fiscal interest in gambling because of the independent revenue base it provides (McMillen et al., 1999; Smith, 2000; Productivity Commission, 1999). However, in terms of the non-fiscal regulation of gambling, the relationship with industry by the various jurisdictional governments has varied. Some governments have opted for a close relationship with the gambling industry, establishing legislation that maintained a market advantage for certain providers. For example, Victoria (Vic) instituted a duopoly ownership of EGMs for clubs and hotels (Livingstone, 2005; McMillen & Wright, 2007). Others have been less inclined, with Western Australia (WA) banning EGMs from clubs and hotels. Within the management of gambling the whole issue of harm minimisation is a relatively recent one, having been established on the national agenda by Productivity Commission as late as 1999. As a consequence, the development of gambling has proceeded largely without adequate, successfully evaluated, measures for consumer protection. It is this issue that the current report examines in the context of Australia's most diverse jurisdiction, the Northern Territory (NT).

1.1 The Implications of the Productivity Commission Report 1999

Although substantial research on the social impacts of gambling had been undertaken in the states and territories before the 1990s, it was not until this time that the impacts of gambling were assessed at the state level (Alder, 1998; Boreham & Dickerson, 1996; Dickerson, Boreham & Hartley, 1996; Economic & Industry Research, 1997; IPART, 1998; McMillen & Togni, 2000; Victorian State Government, 1994). It was in 1999 that the Commonwealth Government released the Productivity Commission's report into Australia's gambling industries (Productivity Commission, 1999). This inquiry represented the first comprehensive national study into both the economic and social impacts of the gambling industry in Australia. The report attempted to provide an independent and comprehensive analysis of the Australia's gambling industries from an economic, regulatory and social perspective (Banks, 2002). The inquiry highlighted the fact that the growth of legalised commercial gambling, principally EGMs but also casinos

and wagering, had caused alarming levels of problem gambling and other indirect social and economic harms.

In response to these findings the Productivity Commission highlighted the importance of effective gambling policy and regulation to minimise gambling-related harm. There were several components of good policy that were identified. First, the Commission pointed out that policy that is both open and well informed through an effective consultative process would best serve the public interest (Productivity Commission, 1999:12.1). Second, the Commission emphasised separation between industry and government to avoid conflict of objectives and interests to assist in harm minimisation. The Commission argued that, given the powerful influence of community and industry sectors, accountability and transparency of gambling policy was paramount (Banks, 2002; 2007; Productivity Commission, 1999:12.16). Third, the Commission highlighted the uneven state of the regulatory environment across jurisdictions. The regulatory environment was found to be inadequate and disjointed, with most jurisdictions adopting a reactive or incremental attitude towards policy. This lack of national cohesion, combined with the complexity of regulatory policies, had resulted in a highly fragmented regulatory environment (Productivity Commission, 1999:22.5). The combination of policy failure, deficient regulation and inadequate industry practices, particularly in the area of responsible gambling, had resulted in limited protection for individual consumers and communities.

To rectify this situation, the Productivity Commission report made some recommendations for harm minimisation and improved regulation design (Productivity Commission, 1999:22.38). The Commission formulated an approach that it argued would reduce the harm caused by problem gambling whilst preserving the benefits that may accrue to recreational gamblers, industry and government. An important aspect of the suggested 'blueprint' for gambling regulation was the establishment of an independent authority separate to the enforcement agencies. In the Commission's view, separation is required so there was independence between enforcement, investigation and judgment of regulatory breaches. While accepting the possibility that benefits available in having the enforcement and control authority as one agency, such as cost reduction, knowledge retention and skill development, may be forfeited, the Commission argued that the integrity and reputation of the agency should take precedence (Productivity Commission, 1999:22.34-36).

The Productivity Commission report received a mixed reception from state and territory governments, community and industry. However, it represented a powerful catalyst for change. Most governments initiated new responsible gambling policies. Industry also introduced their own responsible gambling practices (Banks, 2002:24). Interstate dialogue and 'policy learning' on responsible gambling strategies as well as cooperation on some aspects of government regulation, such as internet gaming, also increased (McMillen & Wright, 2008). Indeed, most jurisdictions recognised that different aspects of harm minimisation such as social, political, economic and cultural, had to be attended to. In some jurisdictions stronger legislative measures were developed and implemented to provide community benefit and responsible gambling practices.

Unfortunately, the majority of state and territory regulatory changes were developed idiosyncratically, resulting in significant differences in responsible gambling practices across Australia. In addition, the harm minimisation methods implemented varied widely (Banks, 2007; Delfabbro & LeCouteur, 2006; Delfabbro, Osborn, Nevile, Skelt, & McMillen, 2007). For example, in New South Wales (NSW) and Vic legislation requires industry operators to generate their own measures to encourage responsible conduct and minimise harm from gambling, whilst Queensland (Qld) employs a voluntary code which is essentially a partnership between government, industry and community. South Australia (SA), Australian Capital Territory (ACT) and NT have also sought to develop a partnership for responsible practices between all sectors, yet its implementation is mandated (Delfabbro et al., 2007; IPART, 2004; McMillen & Pitt, 2005).

In 2000, as part of the attempt to resolve the lack of consistency between the jurisdictions, the Council of Australian Governments (COAG) established the Ministerial Council of Gambling (MinCo) to develop a strategic framework to diminish the harmful consequences of problem gambling (National Framework on Problem Gambling 2004-2008). The development of preventative measures, ongoing support for problem gamblers, and sharing the onus of responsibility through government, industry, community and individuals are examples of this more holistic approach to problem gambling. The National Framework employs a public health approach that will be further examined later in this paper. However, MinCo has no legislative or regulatory powers. Consequently, this framework, whilst encouraged, is not actively enforced. The views and concerns of industry are also represented at a national level through numerous peak industry bodies such as the Australian Gaming Council (AGC) and the Australasian Gaming Machine Manufacturers Association (AGMMA) (AGC, 2007; Delfabbro & LeCouteur, 2006; Delfabbro et al., 2007). This demonstrates how industry views gambling as a national issue and are not always separated by gambling type or on jurisdictional basis. MinCo has recently met and there is the possibility that some of its recommendations will be acted upon.

Importantly, these incremental changes have not adequately responded to all the Commission's recommendations. For instance, as part of a review conducted in 2004 into the effectiveness of responsible gambling measures implemented in NSW, the Independent Pricing and Regulatory Tribunal of NSW (IPART) found that, despite the five year window since the Productivity Commission report, there were still discrepancies in the existing arrangements for harm minimisation within NSW (Banks, 2007). IPART pointed out the introduced measures were "not part of a coherent, integrated policy framework" (IPART, 2004:23). However, the restrictive terms of reference did not allow IPART to investigate core government policies and many recommendations were considered weak and ineffectual (McMillen & Wright, 2008).

To summarise, the Productivity Commission report made it clear that Australia's gambling industries, especially EGMs, generate significant social harm. The Commission made it equally clear that the interest of governments in gambling had been largely pecuniary and had established a lucrative revenue stream. The Commission's report argued that the various levels of government have an obligation towards consumer

protection and harm minimisation, one which has been tackled in various ways by different governments. In the ensuing nine years since 1999, responsible gambling and harm minimisation measures have been introduced across all forms of gambling to help address the individual and social impact of problem gambling. However, these have been incremental, inconsistent and variably enforced (Banks, 2007). This discussion paper sets out to review these varied initiatives in order to assess their relevance to the NT, itself a jurisdiction with a highly diverse population.

1.2 Scope of the Current Report

The distinctive social, economic and political characteristics of the NT have influenced the development of both the gambling industries and participation in gambling by its population (Young et al., 2006a). In addition, the high proportion of Indigenous people, the high mobility of the non-Indigenous population and the remoteness of much of the NT, demands a gambling policy approach that is responsive to this diversity. Indeed, the question of how to minimise the social harms associated with gambling while concurrently ensuring industry sustainability and stable government revenues has explicitly confronted all governments since the Productivity Commission report. In the national context, the structure of federalism has been responsible for generating a diversity of jurisdictional approaches towards gambling regulation. While this diversity has been criticised on the ground that it has produced a national regulatory environment that is complex, inconsistent and incoherent (Productivity Commission, 1999), it simultaneously represents an opportunity for the NT to learn from the varied experiences and initiatives of other jurisdictions. This is necessitated not only by the imperative of balancing social harm with industry and state revenues, but also by the need for policy-makers to keep pace with the dynamism of gambling technologies, including the unbounded nature of the internet and advances in the design of EGMs.

The purpose of the current discussion paper is to present an initial overview of the gambling harm-minimisation measures that are implemented across Australia with a view towards identifying those demonstrably effective measures that may be appropriate to the NT context.

The structure of this discussion paper is as follows:

- Chapter 2 overviews the public health approach to responsible gambling that has developed some currency in Australia.
- Chapter 3 provides a detailed outline of the current NT licensing and regulation structure as well as a summary of the Australian gambling and regulatory landscape.
- Chapter 4 gives attention to the many different codes of practice in operation and the manner in which they are enforced within each jurisdiction.
- Chapter 5 adapts the framework developed by the Productivity Commission to examine a selection of harm minimisation measures.
- Chapter 6 presents a summary of the paper and raises discussion points relevant to the NT that may direct further research over the coming period of the project.

2. Public Health, Harm Minimisation and Responsible Gambling

2.0 The Public Health Approach

The focus on the psychological study of problem gambling has broadened in recent times, particularly in Australia where problem gambling is approached in a social rather than a purely individual perspective. Here a clear distinction may be drawn between the United States and Australasian research paradigms. The United States approach focuses on processes at the individual level with an emphasis on treatment as the principal intervention. In contrast, the Australasian approach emphasises regulation and prevention strategies (i.e. primary intervention) in addition to treatment programs (Bunkle & Lepper, 2004; Delfabbro et al., 2007:39; McMillen et al., 2004a; McMillen & Pitt, 2005). These dual strategies have direct policy correlates. Gambling policies within Australia and New Zealand have been revised around a public-health framework directed towards harm-minimisation and problem gambling prevention, whilst the United States policies have concentrated on reduced gambling availability (Delfabbro et al., 2007; McMillen & Pitt, 2005).

The approach to problem gambling in Australia recognises that an individual may experience gambling-related problems in different ways and with different degrees of severity in accordance with their life circumstances. The Productivity Commission noted that problem gambling is not a static phenomenon and lies on a continuum that has different degrees of severity or harm. Figure 1 presents a diagrammatic representation of this continuum. The purpose of this continuum is to challenge the orthodoxy that there exists a dichotomy of problem versus recreational gamblers, arguing that behaviour and impacts may be conceptualised on a sliding scale of severity (Productivity Commission, 1999:6.20; Wenzel, McMillen, Marshall, & Ahmed, 2004). In other words, gamblers can move across the continuum episodically and may indulge in binge gambling.

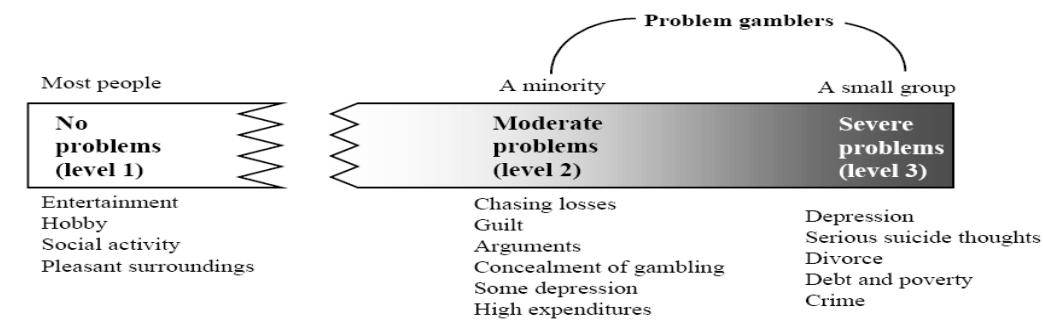


Figure 1: The Gambling Continuum
Source: (Productivity Commission, 1999)

In response to this conception of degrees of risk and severity, the public health approach allocates harm minimisation measures and prevention programs into three categories: primary, secondary and tertiary (Blaszczynski, Ladouceur, & Shaffer, 2004; Delfabbro & LeCouteur, 2006; Delfabbro et al., 2007). Primary interventions are aimed to protect people before harm arises. Secondary interventions limit the potential of existing harm expanding. Tertiary interventions include treatments and interventions for those severely affected (Delfabbro & LeCouteur, 2006:108). The value in implementing a public health approach in the context of gambling lies in the approach's ability to broaden the perspective of prevention, treatment and rehabilitation to encompass multi-levels (Korn & Shaffer, 1999). In this context, the national definition of problem gambling adopted for Australia is concerned with broad aspects of harm at social and community level in addition to individual behaviour (Neal, Delfabbro, & O'Neil, 2005:42):

Problem gambling is characterised by difficulties in limiting money and/or time spent on gambling which leads to adverse consequences for the gambler, others, or for the community
(Neal et al., 2005:3)

This definition extends responsibility for gambling beyond the individual to all those involved in its production and regulation. It is also important to note that harm is broadly defined as adverse consequences leaving it open to various definitions.

The public health approach to problem gambling explicitly holds government, community and industry as well as the individual to a level of responsibility for minimising the harms that are associated with gambling and acknowledges factors such as the gambling environment, industry practices and government policies all are of significance (Delfabbro et al., 2007:38; Korn & Shaffer, 1999; McMillen & Doherty, 2001). However, whilst theoretically useful, critics have argued that the degree in which the public health approach is being practiced is limited. Current policies have been deficient in adapting the public health approach as more emphasis and funding is placed upon treatment rather than prevention (McMillen, 2002; 2005).

In essence, measures implemented for harm minimisation are designed to modify the gambling environment in such a way as to affect the level of problem gambling in the population. Figure 2 presents a visual framework that incorporates some of these environmental influences. This framework highlights the multitude of factors other than individual-level processes that affect gambler behaviour.

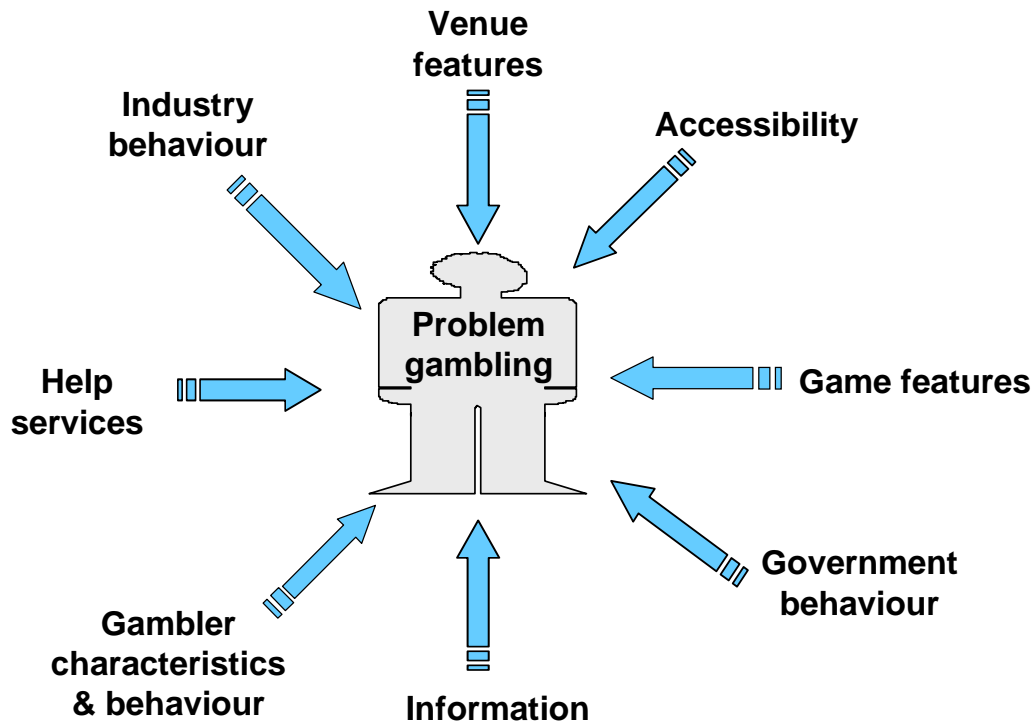


Figure 2: An epidemiological framework for problem gambling
 Source: *Productivity Commission 1999, p.6.9*

The Productivity Commission envisioned harm minimisation measures targeted at these factors to be influential in prevention strategies (Productivity Commission, 1999:12.21). The Commission argued that the balance between reducing the social costs of gambling and maintaining the benefits should remain at the forefront of any measure implemented, with the policy goal of achieving the best outcome, however difficult this may seem (Productivity Commission, 1999:12.22). In other words, harm minimisation is a balancing act, one that weighs consumer protection against recreational and financial benefits of gambling industries and government.

While there have been significant changes since 1999, predominately along the lines of the Commission’s recommendations, there still remain discrepancies amongst the jurisdictions with different regulatory infrastructures, different gambling products and different measures of minimising problem gambling (Banks 2007). Therefore, the first task of this discussion paper is to identify the harm minimisation measures (Chapters 4 and 5) that have been introduced in each jurisdiction since the Commission’s report. Before this is done however, it is necessary to provide a brief overview of the gambling environment and regulatory variance in Australia as these structural differences inevitably affect the harm minimisation measures in operation (Chapter 3).

3. The Gambling Landscape

3.0 Gambling Product by Jurisdiction

In order to contextualise the harm minimisation measures adopted throughout Australia, it is necessary to present a brief overview of the national gambling regulatory landscape. For this exercise, concentration will be placed upon the gambling context and regulatory framework in the NT.

The range of legalised gambling products and their availability within Australia is summarised by Table 1. All of the states and territories have casino-based gambling, EGMs, online wagering operators, and lottery outlets. However, there are significant differences in regulatory questions of how many, where, and of what type. For example, EGMs are prohibited outside Burswood Resort Casino in WA, internet gambling providers are concentrated in the NT and the four casinos in Qld as compared to one in most other jurisdictions are illustrations of this variation. The NT is distinctive in its ample supply of gambling opportunities relative to its small population with lotteries, keno, one internet and two land-based casinos as well as thirteen online wagering operators.

NT has had a relative recent association with legalised gambling compared to other states such as NSW who have had legalised slot machines since 1956. In 1979 the NT used a small club-style casino as an effort to boost tourism expansion and in response to alterations in federal financial and taxation arrangements due to the commencement of self government (McMillen et al., 1999). Initially EGMs were not permitted within the casino, but this restriction only lasted for a period of eighteen months "... despite the protests of community and sports clubs" (McMillen et al., 1999). Drawcard machines were available in clubs from the late 1970s and hotels in 1990 with EGMs introduced into clubs and hotels on the 1st of January 1996 (Alder, 1998). The NT is notable as the jurisdiction that has pioneered online gambling with the first sports betting licence issued in 1989, hosting the first online wagering operator (i.e., Centrebet) in 1996, and licensing the first online gaming operator (i.e., Lasseters Online Casino) in 1998.

Table 1: Summary of Gambling Products in States and Territories

<i>Gambling Product</i>	<i>NT</i>	<i>Qld</i>	<i>NSW</i>	<i>ACT</i>	<i>Vic</i>	<i>Tas</i>	<i>SA</i>	<i>WA</i>
<i>EGMs (Clubs)</i>	✓	✓	✓	✓	✓	✓	✓	-
<i>EGMs (Hotels/Pubs)</i>	✓	✓	✓	✓	✓	✓	✓	-
<i>EGMs (Casinos)</i>	✓	✓	✓	-	✓	✓	✓	✓
<i>Casinos</i>	✓ (2)	✓ (4)	✓ (1)	✓ (1)	✓ (1)	✓ (1)	✓ (1)	✓ (1)
<i>Internet Gaming</i>	✓ (1)	-	-	-	-	-	-	-
<i>Internet Wagering</i>	✓ (13)	✓ (1)	✓ (6)	✓ (4)	✓ (3)	✓ (2)	✓ (2)	✓ (2)
<i>Lotteries</i>	✓	✓	✓	✓	✓	✓	✓	✓

Note: Tasmania also has the only licensed betting exchange

(n) = Number of casinos or online wagering operators (includes Totalisator Agency Boards [TABs])

3.1 Gambling Regulation in the Northern Territory

3.1.1 Organisational Structure

Ministerial responsibility for gambling in the NT has recently transferred from Treasury to the Department of Justice (DoJ). This reorganisation is intended to move from a fiscal emphasis towards a concern with service delivery similar to the process undertaken in Vic (McMillen & Wright, 2008). Within the Licensing and Regulation branch of the Department of Justice, the Racing, Gaming and Licensing Division (RGL) regulates and monitors the gaming industry. The RGL also collects gambling taxation for DoJ.

These tasks are performed by the Operations Branch (OB) within the RGL Division along with the design and implementation of day-to-day operational policy. However, policy advice is provided to the policy co-ordination section of the Department who are ultimately responsible for any policy responses or submissions outside of the daily operations. The OB manages all licensing matters and the daily administration of gambling in the NT. This includes audit and compliance checks, assessment of licence applications, complaint and dispute handling and the monitoring of gambling systems. The OB is the enforcement arm of regulation in the NT. Both the Research and Evaluation branch (R&E) and the OB are placed within the RGL, Licensing and Regulation. Currently the Department is undergoing a restructuring process and which will soon be completed. Figure 3 presents an organisation chart of the current licensing and regulation structure for the NT.

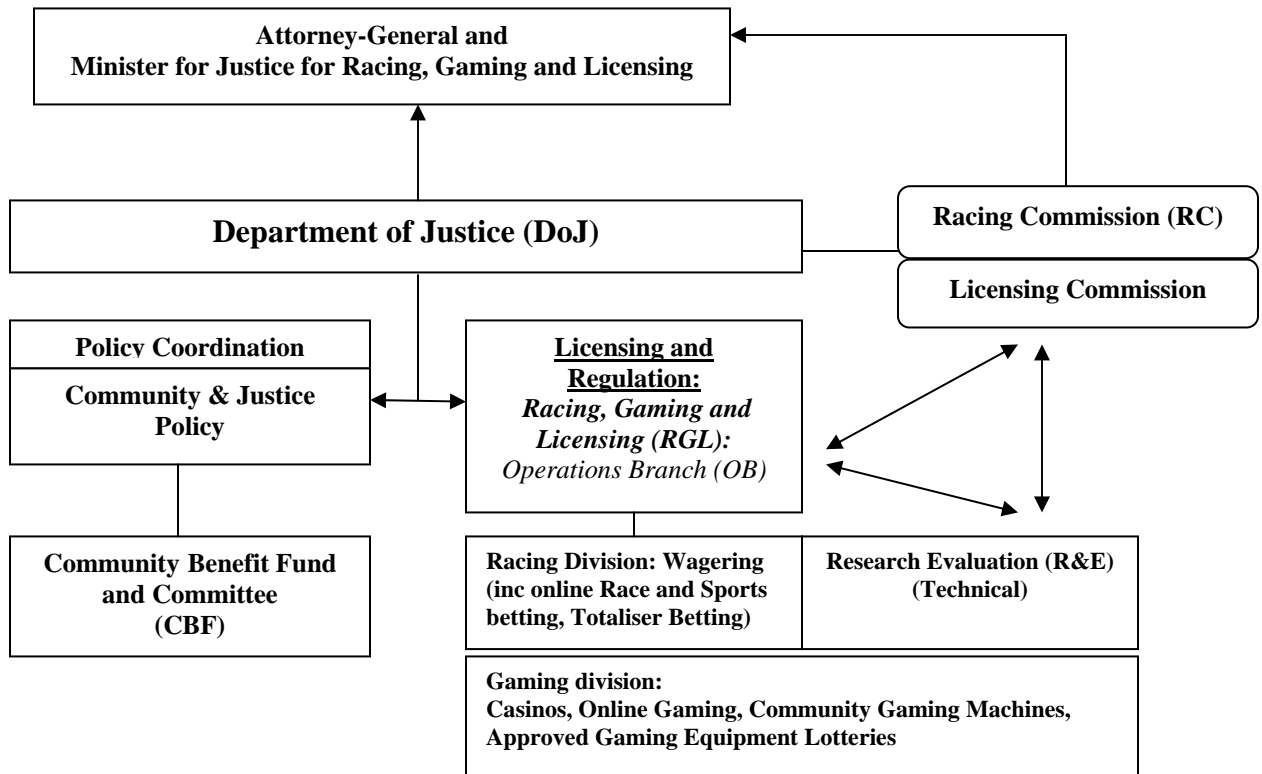


Figure 3: NT Gambling Regulation Governmental Structure

Within DoJ the Licensing Commission is a statutory authority that was founded to attempt to centralise the regulation of gaming and licensing in the NT within one regulatory authority. It was established by the *Northern Territory Licensing Commission Act 2000* and replaced the previous Gaming Machine Commission and Gaming Control Commission. In relation to harm minimisation, the Licensing Commission undertakes an important responsibility. The granting of applications, the reviewing of impact assessments, the setting of technical and consumer standards and conditions for licences are all elements of responsible gambling strategies. These are all controlled and monitored by the Licensing Commission. The Commission's responsibilities also comprise the roles previously undertaken by the former Liquor Commission, Private Security Licensing Authority and Escort Agency Licensing Board.

The Commission's members are appointed on a part-time basis by the Minister and are supported by a full time secretariat within the Licensing and Regulation branch. A parallel Commission, the Racing Commission (RC), operates on a part-time basis and has similar powers to the Licensing Commission, but is focused solely on matters pertaining to racing (horse, dogs and trots) and sports betting. While the RC is currently functional as a separate entity to the Licensing Commission the intention of the DoJ is to merge the two in the near future.

To assist the Licensing Commission, R&E undertakes the coordination of evaluation, information management and research of technological gambling systems used in the NT. All technical gambling systems must be approved by the Licensing Commission before becoming operational. For example, if a new or existing wagering operator has implemented a new trading system, the R&E would ensure that it meets the required technical as well as consumer protection standards (i.e. secure financial transactions, password protection, available betting history etc). The technical standards for EGMs are covered by the minimum national standards as well as the NT standards (Australian/New Zealand Gaming Machine National Standard, 2007; Northern Territory Government, 2007). Whilst similar in make up, the NT standards have specific extra requirements that are legislated. For instance the minimum return to player percentage for clubs is set at 85 percent and 88 percent for casinos (Northern Territory Government, 2007).

3.1.2 Legislation and Regulation

Gaming and wagering is controlled by a number of laws and regulations which are outlined in Table 2. Gaming and the legislation applicable to casinos in the NT is legislated through the *Gaming Control Act* and the *Gaming Machine Act*. Wagering is controlled through the *Racing and Betting Act*. The regulations within these *Acts* manage the separate areas of gaming and wagering such as clubs, casinos, bookmakers and the internet. The regulations are designed to reflect the different requirements for each type of gambling. For instance the casinos have more stringent probity checks for the licensing of staff compared to clubs, hotels and internet wagering providers (Northern Territory Government, 2006a, 2006c) As with all other jurisdictions, federal legislations relating to online gambling (*Interactive Gambling Act 2001*) and financial transactions (*Financial Transaction Reports Act 1988*) are applicable in the NT.

Table 2: NT Gambling Legislation: Acts and Regulations

	<i>Acts</i>	<i>Regulations</i>
Gaming	Gaming Control Act	Commission Procedures Community Gaming Gaming Machine Internet Gaming Licensing Regulations
	Gaming Machine Act	
Racing and Betting	Racing and Betting Act	Rules Racing and Betting Regulations Greyhound Racing Rules
	Soccer Football Pools Act Totalisator Licensing and Regulation Act	
	Unlawful Betting Act	

Source: NT Dept of Justice, Licensing and Gaming website viewed March 2008

In the *Gaming Control Act* and the *Racing and Betting Act* minimum regulatory intervention from government and proactive positioning of industry are legislated as central regulatory principles:

The following principles are to be considered when the Commission or the Director are performing functions conferred by this Act:

- (a) *minimum regulatory intervention by government;*
- (b) *maximum cooperation between industry and government;*
- (c) *performance-based risk management controls;*
- (d) *proactive and competitive industry positioning;*
- (e) *long term viability of the gaming industry;*
- (f) *a balanced approach to problem gambling.*

(Northern Territory Government, 2008d)

These legislated principles of minimum regulation of gambling are unique to the NT. Other jurisdictions also legislate the principles required of regulators, yet these emphasise integrity and community benefit rather than *minimal* regulatory involvement. From an initial reading of legislation, it appears that there is an evident tension between the principles of minimal regulation and the need to address gambling-related harm. For example, a mandatory Code of Practice aimed at harm-minimisation may differ with the principle of minimum regulation. These issues and potential implications for harm minimisation in the NT are given more comprehensive discussion in Chapters 4 and 5 of this report.

3.1.3 Community Contributions

In the NT all gambling operators and venues make contributions through taxation and venues that host EGMs are expected to make further contributions to the broader community. The Community Benefit Fund (CBF) was established to provide funding support for gambling-related research as well as to assist programs that have been designed to curb problem gambling. The CBF is financed by an extra taxation of ten percent on gross profits from EGMs in pubs and hotels. The Community Benefit Committee (CBC) appointed by the Minister for Racing, Gaming and Licensing and is

comprised of both government and community representatives to offer advice and assistance in the disbursement of the CBF. Ultimately, the responsibility for the CBF distribution rests with the Minister who is guided by the recommendations of the CBC. The administrative responsibility for both the CBF and the CBC lies with DoJ who provide a support secretariat in the Community and Justice Policy Division.

In addition to the monitoring of the CBF, the CBC is required by the *Gaming Control Act* to report community contributions made by sporting and recreational clubs. Whilst clubs are not direct contributors to the CBF they are expected to make a contribution to community development and improvement (e.g. the upkeep of sporting facilities, sponsorship of community organisations etc.). The level of contribution is intended to be in correlation with the level of gaming activity within the venue. This idea is to oblige those venues who make the most from EGMs to contribute proportionately. These contributions may be either financial or 'in kind' payments as long as they have benefit to the community such as the upkeep of sporting facilities (Northern Territory Government, 2008). This has allowed elasticity in club contributions in comparison to pubs and hotels that have a rigid taxation placed upon them.

Submissions for problem gambling amelioration programs are sought annually with funding available for up to three years. This includes support services for problem gamblers and their families, programs aimed at reducing the effects of problem gambling, and community activities promoting gambling awareness (Northern Territory Government, 2008a). Evaluation on whether these programs are suitable or effective has not been undertaken. Research funding for successful submissions is dependent on budget availability and, similar to amelioration programs, is obtainable for up to three years. Other community organisations that are not involved in gambling support services may also use the CBF for the purchase of vehicles or small financial loans (Northern Territory Government, 2008a).

3.1.4 Summary of NT Gambling Regulation

Although the NT was one of the last jurisdictions to allow EGMs in clubs and hotels, it has been entrepreneurial and a national leader in the development of other forms of legalised gambling, specifically online gambling. The organisational structure for regulation has altered several times over the last decade and is most recently housed within DoJ. Specified regulatory principles have been legislated to maintain the viability of the gambling industry and any reforms aimed at harm minimisation may conflict with these stated principles.

3.2 Gambling Regulation in Other States and Territories

A detailed comparative assessment of regulatory structures in each jurisdiction is outside the scope of this report, which is primarily concerned with an overview of the harm minimisation measures in operation. However, further examination and analysis of these regulatory structures is required to gain a more comprehensive picture of the rationales for (or the lack of) regulatory changes particularly in the area of harm minimisation. It is anticipated that the full report derived from this discussion paper will include this detail. For current purposes, the main regulatory structures are summarised in Table 3 which provides a brief description of the bodies involved in gambling licensing and regulation for each jurisdiction.

In light of the Productivity Commission's recommendations to promote regulatory change, the majority of the states and territories have attempted to adjust regulatory structures to reduce the existing fragmentation of policy and regulation (Banks, 2002; 2007; McMillen & Wright, 2008). Although there have been attempts to bring structural changes to most of the jurisdictions, there still remains significant variation in the regulatory structures between the jurisdictions. As shown in Table 3, the regulation of gambling is performed differently in each jurisdiction with some states incorporating gambling regulation with taxation and treasury roles, and others placing gambling within service delivery orientated departments (e.g. justice and health).

Of note in Table 3 is the number of commissions or advisory authorities that are responsible for overseeing the licensing and regulation of gambling that are in operation. The Productivity Commission identified several benefits a single independent authority for gambling regulation would convey in policy decision making. Establishing an independent regulator provides the community with reassurance that decisions are independent and not adhering to the vested interest of either government or industry. Moreover, having one regulatory authority for the different forms of gambling increases the standardisation of responsible gambling practices (Productivity Commission, 1999). This has been heightened with the recent convergence of products offered by gambling operators who now run various forms of gambling operations (Banks, 2007; TABCorp 2007a). Given good regulatory practices rely on independence of the regulator an open, transparent and consultative policy process is desired.

As governments are the ones who ultimately decide policy, commissions have to attempt to remain independent when delivering policy and regulatory governance advice as there are numerous avenues of influence presented. There are numerous interest groups involved when the subject of legalised gambling is concerned who all have conflicting objectives. The influence of pressure groups is relevant in the majority of any policy making and legalised gambling is no different. The governments' reliance upon taxation revenue, economic development and growth in employment contradicts that of regulating gambling opportunities and preventing harm (Productivity Commission, 1999). Within most jurisdictions the final responsibility for gambling is with the relevant Minister and there may be a tendency for gambling decisions to be based on political considerations

rather than harm minimisation (Productivity Commission, 1999). This amplifies the requirement for commissions to remain immune to the influence of Ministers to obtain particular regulatory outcomes (Productivity Commission, 1999).

The legalisation and taxation of gambling has provided governments a substantial revenue stream and it is no doubt in their pecuniary interests to gain additional revenue through growth in the industry. An obligation also exists towards consumer protection and harm minimisation, one which has been tackled in various ways by various governments. Since 1999, responsible gambling and harm minimisation measures have been introduced across all forms of gambling to help address the individual and social impacts of problem gambling. These measures include changes in regulations and operational procedures, restrictions on the number of EGMs, gambling prevalence and impact studies, development of education and community awareness programmes, increase in signage and information in venues, self-exclusion procedures, restrictions on the provision of alcohol, compulsory shutdown of venues, technical modifications on the make up of EGMs and games and financial amendments on consumer expenditure as well as limiting access to credit facilities. A more detailed analysis on a selection of these measures is provided later in the paper (Chapter 5).

Along with these changes there have also been numerous codes of practice in all gambling sectors. Although some codes were in operation before 1999, the proliferation since has created a multitude of codes that are developed and operated in a variety of methods. The following chapter outlines how each jurisdiction utilises these codes of practice.

Table 3: Other States and Territories Key Agencies

<i>Qld</i>	<i>NSW</i>	<i>ACT</i>	<i>Vic</i>	<i>Tas</i>	<i>SA</i>	<i>WA</i>
<p>Queensland Gaming Commission: A part-time statutory body whose role is the consideration of applications for gaming machine licences (clubs and hotels) and associated matters under the <i>Gaming Machine Act 1999</i>.</p> <p>Queensland Office of Gaming Regulation: A division of Queensland Treasury provides administrative support to the Commission and regulates all other gambling.</p> <p>Responsible Gambling Advisory Committee: An advisory body on responsible gambling-related issues. It is made up of members from community organisations, the gambling industry and government.</p>	<p>NSW Office of Liquor, Gaming and Racing: Responsible for implementing and applying the laws relating to gaming in NSW.</p> <p>Licensing Court of NSW: Deals with applications for the granting of new licences, transfer of licences, breaches, complaints and disciplinary proceedings against licencees</p> <p>Casino, Liquor and Gaming Control Authority: Responsible for performing casino, liquor and gaming machine regulatory and other decision-making functions on behalf of government. It also has similar responsibilities for registered clubs.</p>	<p>ACT Gambling and Racing Commission: A part-time statutory body that has the regulatory responsibility for all aspects of gambling and racing in the ACT including bookmakers, casinos, gaming machines and lotteries.</p> <p>ACT Treasury: The regulatory tasks and administration of the Commission are performed by the Commission's support staff who are employed by ACT Treasury</p>	<p>Victorian Commission for Gambling Regulation: An statutory authority responsible for the regulation of gambling.</p> <p>Office of Gaming and Racing: Provides strategic policy advice and support to the Minister for Gaming, the Minister for Racing and the Secretary, Department of Justice.</p> <p>Responsible Gambling Ministerial Advisory Council: Advises Minister for Gaming on issues relating to responsible gambling measures and opportunities as well as minimising the negative impacts of gambling on Victorians.</p>	<p>Tasmanian Gaming Commission: A part-time statutory body responsible for the regulation of gaming</p> <p>Revenue, Gaming and Licensing: Provides administrative support to the Tasmanian Gaming Commission also responsible for the administration of the Gaming Control Act but is not responsible for any of the functions of the Gaming Commission. Is located within the Department of Finance and Treasury</p>	<p>Independent Gambling Authority: The principal regulator for all forms of gambling and is a statutory corporation that performs its functions Independently.</p> <p>Office of the Liquor and Gambling Commission: Responsible for the administration and enforcement of legislation relating to gambling issues and performs its regulatory role in conjunction with the Independent Gambling Authority.</p>	<p>Gaming and Wagering Commission: Administers the matters relating to betting, casinos and lotteries. They also are involved in licensing and the collection of taxes.</p> <p>Racing, Gaming and Liquor: Performs the regulatory functions for all forms of gambling within Western Australia. Is part of the Department of Planning and Infrastructure.</p> <p>Problem Gambling Support Services Committee: Representatives from the gambling industry and government advise on addressing social and economic issues that result from problem gambling in Western Australia.</p>

4. Codes of Practice

4.0 Codes of Practice

Codes of practice or codes of conduct are general principles designed to guide that the best practice in responsible gambling is being provided by gambling operators. Some codes such as the ones in the NT and Qld also contain practical guidelines to assist. There are approximately 40 codes of practice and/or codes of conduct in operation for gambling providers (AGC, 2007). These codes can be broken down into the following three types: mandatory, co-regulatory and self-regulatory (Delfabbro et al., 2007:42). Mandatory codes are legislated and imposed by governments to ensure industry (operators and venues) abide to the specific standards and practices of the code with penalties applicable for non-compliance. Co-regulatory (or voluntary codes) are intended to develop a shared understanding between parties (government, community and industry) for specific practices, policies and standards. These codes usually do not have penalties applied, but may be legislated. Self-regulatory codes have been developed and enforced by industry itself.

In some states (NSW, Tasmania and Vic) there is a requirement within legislation for codes to be developed and implemented, but the contents and management of the code are left for industry to administer and would be classed as self-regulatory. (Delfabbro et al., 2007:42-3). The only jurisdictions to implement a mandatory code of practice are the NT, SA and the ACT. Qld has a voluntary (co-regulatory) code of practice and all other jurisdictions contain codes that are self-regulatory (see Table 4).

Table 4 Summary of the types of 'Codes of Practice' implemented in states and territories

Type of Code	NT	Qld	NSW	ACT	Vic	Tas	SA	WA
Mandatory	✓			✓			✓	
Co-Regulatory		✓						
Self-regulatory			✓		✓	✓		✓

4.1 Northern Territory: Code of Practice for Responsible Gambling

The Code of Practice underpins the majority of harm minimisation measures within the NT in a consistent and administratively simple approach to harm minimisation. The NT Code was developed through consultation between government, industry and community representatives which formed the Responsible Gambling Advisory Committee which was modeled on the Qld approach. This committee's function was to develop the code and was also intended to provide government, industry and community representation for responsible gambling matters, but was later disbanded once the code was operational. Currently there is no replacement committee. However; the authors have been informed via discussion with the NT government that, if required, a similar committee could be reconvened.

While initially voluntary, the NT Code was mandated in June 2006 at which time it was gazetted by the then Treasurer and Minister for Racing, Gaming and Licensing, in accordance with the *Gaming Control Act* and *Racing and Betting Act*. The contents of the Code were heavily influenced by the Qld and the ACT codes of practice with particular attention paid to the wording in the Qld and ACT documents and the review process they encompassed. Another distinctive component of the Code is the various manuals designed to provide specific guidelines for implementing harm minimisation measures. This too was derived from the Qld code. The NT Code has attempted to develop responsible gambling practices for all types of gambling. Through the Code, the NT has classified harm minimisation measures that are currently in place into nine categories. These are:

- (1) provision of information (e.g. signs and pamphlets detailing odds of winning),
- (2) interaction with customers and community (e.g. liaison with gambling support services),
- (3) training and skills development (e.g. on going training of staff in responsible gambling),
- (4) exclusion of problem gamblers (e.g. procedures and information for self-exclusion),
- (5) physical environment (e.g. clocks and natural lighting),
- (6) minors (e.g. prohibition of people under 18 from gambling),
- (7) financial transactions (e.g. cashing of cheques and providing credit),
- (8) advertising and promotions (accurate details of prizes and game results) and
- (9) privacy policies (e.g. not disclosing personal information).

As the Code is mandatory, these practices are a minimum requirement, although at times there may be overlap with an industry code. For example, TABcorp have their own responsible gambling code and provide racing and sports wagering services in the NT (Northern Territory Government, 2006b; TABcorp, 2007b). The mandatory Code should take precedence if there were any contradictions in the codes. However, to ensure that this is occurring would take extensive monitoring so there may be some uncertainty in which code is being used.

As part of regulation, the OB of the Licensing and Regulation Department oversees operator compliance with the Code. There is emphasis on ensuring that venues, particularly those with a relatively large number of EGMs, are well versed in dealing with harm minimisation (Northern Territory Government, 2006b). Compliance with the Code can at times appear to be optional in that it is at the discretion of the gambling provider. For instance, internet bookmakers need only employ the majority of responsible gambling practices “as appropriate”, but there is no definition of what is appropriate (Northern Territory Government, 2006b). Whilst the Code is now mandated, there still remains flexibility in interpreting the required compliance.

The Code also has in place a three-phase model for review that will cover implementation in the first phase; cultural shift in the second; and thirdly sustainability. This is based on the three phases review model of the *Queensland Code of Practice* (Crundall & Boon Ngork, 2005; Queensland Government, 2004). As part of the first phase, a review of the Code was undertaken when it was still voluntary to determine how each industry sector was implementing the Code (Crundall & Boon Ngork, 2005). This review established that compliance varied between different

gambling sectors with on-course bookmakers reluctant to implement the Code as they viewed sections irrelevant to how their business operated. Other Code recommendations such as developing a mission statement of support for responsible gambling, whilst easy to implement, were seen to be relatively ineffective (Crundall & Boon Ngork, 2005). Moreover, there has yet to be an evaluation of whether there has been a cultural shift by gambling providers towards responsible gambling, as well as the efficiency of the Code's intervention strategies or the effect the Code has upon gambling consumers and maintaining a sustainable industry. The NT government argues that the review and evaluation process needs to be maintained as it plays an important role in sustaining a lasting commitment to the principles of minimising gambling-related harm within the Code of Practice (Crundall & Boon Ngork, 2005).

4.2 Queensland: Responsible Gambling Code of Practice

The Qld Responsible Gambling Code of Practice was developed over two years in consultation with the Qld Responsible Gambling Advisory Committee (RGAC), and is the result of a 'partnership' between representatives of government, industry and community groups. The RGAC offers advice to the Minister on issues about problem gambling (Queensland Government, 2004). The Code applies to all sectors of the Qld gambling industry and details standards, procedures and practical resource materials designed to address the varied needs of industry and communities while achieving uniform 'best practice' outcomes consistent with legislation (McMillen & Doherty, 2001). It has established six broad category areas to guide responsible gambling practices:

- (1) provision of information,
- (2) interaction with customers and community,
- (3) exclusion provisions,
- (4) physical environment,
- (5) financial transactions and
- (6) advertising and promotions.

The Qld Code was influential in the development of the NT Code and this is reflected in common categories in the two Codes. All six categories of the Qld Code as well as the use of manuals to provide guidelines for implementation have been included in the NT Code of Practice.

The Qld Code has undergone two stages of its three-phase review process (Breen, Bultjens, & Hing, 2005; Queensland Government, 2004; 2007b). These phases of review are implementation, cultural shift and sustainability. The intention of these reviews are to ensure that any changes made to the code "enhance its sustainability as a voluntary code and its outcomes for gamblers, their families, friends and local communities" (Queensland Government, 2007b:6). The first review indicated that there has been a general acceptance to implement the code from practitioners. However, it found there was little awareness of the code and its intentions amongst the general population (Queensland Government, 2007b:10). The second phase of review, focusing on the cultural shift of gambling operators and the community toward responsible gambling, has been completed recently. This review concluded that although a high proportion of organisations and gambling providers comply with

the Code, there remains insufficient awareness within the community. Of those providers that failed to comply with aspects of the code, a large proportion of them were from smaller venues that may not have the infrastructure that was required (Queensland Government, 2007b:10). It is in these venues that industry has undertaken some actions to assist. The Qld Hoteliers Association (QHA) has developed a management programme to provide its members with methods to implement responsible gambling strategies (QHA, 2008).

4.3 New South Wales: Codes of Practice

NSW legislation for various forms of gambling prescribes the minimisation of harm associated with the misuse and abuse of gambling activities as well as the fostering of responsible conduct. Although responsible gambling is legislated for EGM venues under the *Gaming Machine Act 2001*, there is no unified code of practice that applies to all sectors of the NSW gambling industry. Industry is expected to develop and implement codes that are designed to ensure responsible gambling practices. This moves responsible gambling practice away from a public health approach, with many industry codes and harm minimisation measures aimed more at the individual problem gambler. This self-regulation model does not represent a common framework for responsible gambling practices (Hing & Dickerson, 2002). For example, numerous codes have been developed by industry bodies such as ClubsNSW, the Australian Hotels Association and Betsafe (AGC, 2007). The implementation, enforcement and evaluation of these codes are also industry responsibility. This may be problematic as the industry has strong commercial objectives. It may be beneficial for a venue to not actively enforce measures that may affect profitable clientele (Productivity Commission, 1999:16.43).

In 2004 IPART conducted a review into NSW harm minimisation measures and the gambling environment in general. This review investigated the effectiveness of the current harm minimisation measures. IPART found that although measures were in operation, the actual objective of these measures was unclear and lacking in efficiency and effectiveness (IPART, 2004). Since then NSW has recently investigated the role of responsible gambling codes in the State as part of the Office of Liquor, Gaming and Racing (OLGR) review of the *Gaming Machine Act* (Office of Liquor Gaming and Racing, 2007). Again the industry codes in operation were found to be inadequate. Many of the codes had not been updated since initial implementation and were not applicable with current legislation (Office of Liquor Gaming and Racing, 2007).

In summary NSW has left the issue of responsible gambling principally in the care of industry. Responsible gambling practices and codes of practice are required by legislation, yet their development, implementation and enforcement is self-regulated. This creates a complex environment where the objectives of industry may outweigh the benefits to government and community. Despite recommendations by IPART and the OLGR to revise and update, the codes of practice operational in NSW appear to be disjointed and ineffective (IPART, 2004; Office of Liquor Gaming and Racing, 2007).

4.5 Australian Capital Territory: Gambling and Racing Control (Code of Practice)

The mandatory Gambling and Racing Control Code of Practice for all gambling providers in the ACT is legislated within the *Gaming and Racing Control ACT 1999* and was implemented in late 2002. The Code was developed by the ACT Gambling and Racing Commission (GRC), a statutory body responsible for the regulation of gambling and racing activities in the ACT, following community consultation and industry input (ACT Gambling and Racing Commission, 2004). The Code requires providers of all forms of gambling to adhere to principles to promote responsible gambling that include:

- (1) the use of advertising and promotions,
- (2) the provision of information to gamblers,
- (3) the training of staff and
- (4) harm minimisation measures and dealing with problem gamblers.

It is also designed to provide minimum standards of harm minimisation across all gambling providers. As with the NT and Qld codes, periodic review of the code is an important aspect. An initial review of the Code was undertaken in 2004 and primarily focused on the whether one Code was satisfactory for all forms of gambling, which it subsequently was found to be (ACT Gambling and Racing Commission, 2004). A further review has yet to be undertaken but is proposed.

4.6 Victoria: Codes of Practice

The *Gambling Legislation Amendment (Problem Gambling and Other Measures) Act 2007* requires that major industry participants are to have a responsible gambling code of conduct approved by the Victorian Commission for Gambling Regulation (VCGR). This is not one code as such and appears to be a self-regulatory system similar to NSW. The standards and requirements for the codes have yet to be finalised. There is some correlation between other jurisdictions codes and the current codes implemented by industry. The largest gaming and wagering operator in Vic, TABcorp, has implemented its own Code of Practice that has similar aspects as the Qld Code of Practice, particularly in the supply and delivery of gambling information. (Delfabbro & LeCouteur, 2006:130; Queensland Government, 2004; TABcorp, 2007b).

4.7 Tasmania: Codes of Practice

Tasmania (Tas) does not have mandatory or voluntary code of practice and has opted for the self-regulatory model with the provision of responsible gambling practices being left to gambling operators. However, the Tas government appears to be attempting to develop a gambling environment for consumers that delivers responsible gambling practices (Tasmanian Gaming Commission, 2007). A strategic plan is in place to improve consumer protection and increase harm minimisation measures in venues and a socio-economic report for the whole state has been completed and is nearing publication (Tasmanian Gaming Commission, 2007).

4.8 South Australia: Responsible Gambling Code of Practice

SA has also implemented a mandatory code of practice. This code is designed to provide a framework through which the gambling provider can ensure that its general gambling practices are consistent with the community's expectations that the licenced business will be conducted in a responsible manner and minimise the harm caused by gambling. However, unlike the NT, Qld and the ACT, SA have separated the advertising component of the code and established a separate Advertising Code of Practice. This too is mandatory. As part of the review process, the Independent Gambling Authority (IGA) has a statutory obligation to review the codes of practice every 2 years. The latest review was completed in 2007 and contained some clarification of how both codes and the measures implemented are perceived within the community (Martin, 2007). These Codes were viewed as a practical tool in establishing some awareness of problem gambling within the community and creating partnerships between industry and counselling providers, but had little effect on the behaviour of gamblers themselves (Martin, 2007:8)

4.9 Western Australia: Code of Practice

WA does not have a mandatory or voluntary code of practice and has opted for the self-regulatory model. As WA has no EGMs in clubs and hotels the responsible gambling practices for EGMs are confined to the Burswood Casino in Perth. There is an industry code of practice in place that has been developed by Racing and Wagering Western Australia. This code, the Racing Industry Responsible Wagering Code of Practice, is based upon other similar industry and jurisdictions codes and leaves industry operators to implement the practices involved (WA Racing Industry, 2007).

4.10 Summary of Codes of Practice

The large number of responsible gambling codes in operation in Australia, be they mandatory, industry-regulated or otherwise, expose some of the complexities in developing coherent frameworks for responsible service provision. Codes differ in terms of:

- their development of responsible gambling practices (depending on whom was involved in the design).
- the degrees of consultation between government, industry and community, and hence level of agreement on the codes' content and requirements.
- what the code is trying to deliver, in that some service providers may not wish to actively discourage lucrative problem gamblers.

If there is reliance upon voluntary codes, particularly those that are only developed by industry, an inherent conflict of interest arises (Banks, 2002). An industry-developed code may be expected to be conducive to good business rather than harm-minimisation. On the other hand, those codes that are mandatory (i.e. in SA, NT and

ACT) can enforce operator compliance. Compliance involves the regulatory arm of these jurisdictions tracing and monitoring the requirements of the code and enforcing penalties applying for non-compliance (ACT Gambling and Racing Commission, 2004; Northern Territory Government, 2006b).

However, resource constraints may result in inconsistent monitoring. The implementation of code requirements may also fluctuate from venue to venue, particularly in those venues that have limited staffing or other capacity to comply or where codes are self-regulatory and do not demand compliance. Without an effective review process we are unable to judge the extent of compliance or effectiveness in delivery. Moreover, while the developments of some codes have ostensibly involved community input, the reviews that have been conducted have found that communities are rarely aware of the codes in practice (Martin, 2007; Queensland Government, 2007b). In spite of these limitations, codes of practice have become one of the foremost delivery mechanisms for harm minimisation measures. Nonetheless, divergences in the objectives between government and industry may result in codes that are potentially conflicting.

The following Chapter moves from the codes of practice to the harm minimisation measures themselves. The primary harm minimisation measures in operation across Australia are presented and discussed. As an organising framework, we use the Productivity Commission's own classification of harm minimisation measures. These measures are discussed in the context of their contribution to a public health approach.

5. Harm Minimisation Measures

5.0 Harm Minimisation Measures

As part of the public health approach to problem gambling, government and the gambling industry are seen to have a duty of care in protecting their customers from potential harm (Delfabbro et al., 2007). Within Australia this duty of care or responsibility is implemented via harm minimisation strategies that are predominantly a combination of legislation and self-regulation such as the previously outlined codes of practice (Delfabbro & LeCouteur, 2006; Delfabbro et al., 2007; McMillen & Pitt, 2005). A range of harm minimisation measures have been designed in an effort to curb problem gambling whilst simultaneously maintaining the benefits of gambling to consumers and governments (Banks, 2002; Blaszczynski, Sharpe, & Walker, 2001; IPART, 2004; Productivity Commission, 1999). Modifying the design of a venue through requirements and restrictions, providing informative signage that outlines the potential of winning and implementing an exclusion process for problem gamblers are some examples of strategies used (Delfabbro et al., 2007; IPART, 2004). As different modes and methods of gambling migrated from jurisdiction to jurisdiction so too have various harm minimisation methods. For example, NT has embraced elements of the ACT and Qld Codes of Practice in implementing their own code for responsible gambling (Northern Territory Government, 2006b). Given the magnitude and diversity, as well as the varied rationale for these strategies, it is important to recognise and classify the measures for any commonalities (Blaszczynski et al., 2001; IPART, 2004; Livingstone, Woolley & Borrell, 2006; Productivity Commission, 1999).

The Productivity Commission (1999) classified potential measures into three categories:

1. Informed choice;

The principle of informed choice is primarily a preventative method of harm minimisation. Information is provided to consumers with the intent of aiding them to make an informed decision on whether they wish to partake in gambling activities or not. This notion is dependent on the quality and relevance of information and on the rationality of the 'sovereign' consumer (Blaszczynski et al., 2004).

2. Consumer control;

The prominence of the consumer is a prevailing theme in responsible gambling and harm minimisation. As well as establishing an informed consumer, there are also consumer control measures designed to guide individuals and their actions. As consumers' participation in gambling activities differs, so too do the control measures. The different varieties of gambling (EGMs, casinos, wagering and lotteries) all have consumer controls that are intended to achieve a similar outcome, such as exclusion from gambling services.

3. Venue/games restrictions.

The third category, venue/games restrictions, includes a wide range of regulatory limitations placed upon operators and venues as well as technical restrictions on the machines and games which are intended to reduce social harm.

Our purpose here is not to evaluate the Commission's categories. Rather, we use them to provide a framework for organising our own discussion of the various harm minimisation measures in operation nationally. The first two categories, informed choice and consumer control, are aimed at empowering consumers to make conscious and planned decision when it comes to gambling. Although these measures are for the most part based on the individualistic model, there is merit when placed in the public health approach. Referrals on how to access treatment services through self-exclusion indicate the use of tertiary public health interventions (Delfabbro et al., 2007). At this stage we have not provided a comprehensive list of all possible strategies, but our coverage does include the main strategies and policies evident in Australia at the time of writing. The sections below outline and discuss the main harm minimisation measures under the categories of informed choice, consumer control and venue/games restrictions and are principally descriptive as there still remains little evaluation on the effectiveness of these measures.

5.1. Informed Choice

Community education and awareness are two of the more prominent strategies for enabling informed choice. In addition, signage and information about the probability of wins are also elements of informed choice, areas initially emphasised by industry but overlooked of late (Banks, 2007; Blaszczynski et al., 2004).

5.1.1 Education and Awareness

Education is a central component within a public health approach. Raising gambling awareness is one method of helping people to approach their gambling activities in a responsible manner. The gambling industry, mainly larger gambling operators such as casinos, has been proactive in educating staff and patrons on what is responsible gambling and how it relates to the product they deliver. Education and information is not exclusively related to just the individual. School based gambling education and awareness is also in operation throughout the states and territories. Several jurisdictions (SA, Vic, Qld and ACT) have been proactive in developing strategies to promote gambling awareness in schools (Delfabbro & LeCouteur, 2006:109). SA has proposed to develop innovative educational programmes that communicate directly to young people and gambling within schools. Whilst a programme that outlines probabilities and the notion of randomness has been employed within Vic (Delfabbro & LeCouteur, 2006). Most recently, NSW plans to launch a gambling awareness programme designed for primary school children (Masters, 2007). Given these activities in other jurisdictions, gambling awareness in schools is one area where the NT is not providing anything.

Many awareness programmes are aimed at providing the community at large with a greater understanding of the impact of gambling. These are generally managed by community organisations, such as Amity in the NT, who arrange these campaigns with the financial and organisational assistance of government and industry. Recent gambling awareness campaigns of this nature have been conducted in the NT, Vic and ACT. However, despite some public improvement in the acknowledgment of the harms associated with gambling (Delfabbro & LeCouteur, 2006) it has been difficult to gauge the effectiveness of these campaigns with many containing very broad goals and purposes.

The focus of education in relation to gambling has centred on improving responsible gambling practices and awareness. Given many education strategies have been aimed to guide people to make informed decisions about the possibility of winning (Blaszczynski, Ladouceur, Nower, & Shaffer, 2005), other measures may be better employed for problem gamblers (Delfabbro & LeCouteur, 2006). Through targeted campaigns, the gambling awareness message appears to have slowly infiltrated into the community but again it is difficult to measure the influence it has on curbing problem gambling (Delfabbro & LeCouteur, 2006).

5.1.2 Signage and Information in Venues

Signage and information within gambling venues is an integral part of most responsible gambling strategies and codes of practice. The information consists of warning messages about the effects of excessive gambling, as well as the probabilities of winning. It is generally conveyed through pamphlets, signs on machines and posters. As with education (section 5.1.1) this information is intended to assist consumers to make informed or rational decisions about their gambling.

Providing this information in gambling venues is a requirement of the Qld, SA, ACT and NT codes of practice. In the NT, consumers must be able to access on request any relevant information about responsible gambling, such as self-exclusion provision and documentation addressing problem gambling issues (Northern Territory Government, 2006b). In NSW the use of signage is legislated with gaming venues displaying warning notices (including notices on EGMs) (NSW Government, 2007). The Vic legislation requires EGMs to have information on how machines operate (i.e. return to player information and odds of winning) as well as new EGMs to display to the player the amount of time and money spent. Industries are not the only ones who use signage. Community organisations like Lifeline, Amity and Anglicare are actively involved in providing advertising campaigns that target problem gambling and vary the focus of these from prevention to treatment. Governments in the ACT, Vic, Qld and SA have created websites solely devoted to providing information about responsible gambling.

In terms of assessment of these measures, an argument has been forwarded by Delfabbro and LeCouteur (2006) that the provision of probability information may be too confusing and counterproductive. The excess signage creates a negative effect with consumers switching off and not reading the information (Martin, 2007). In other words, care needs to be taken to get appropriate level information to different groups of consumers. In addition, these efforts require evaluation for effectiveness which needs to be expanded further. Furthermore, an emphasis on shifting the overall

attitude towards problem gambling would be more effective in developing behavioural change (McMillen, 2005).

5.1.3 Summary of Informed Choice

In summary, the use of informed choice has some merit in reducing the potential harm from excess gambling. Providing the consumer with the opportunity to make an informed decision about their gambling practices underpins many responsible gambling strategies, especially those that have been developed by industry. Community and education programs have also been used to reduce the harm associated with problem gambling. Utilising signs, pamphlets and posters to convey messages and warnings of the potential for gambling harm as well as how to access treatment services are part many codes of practices in operation. Providing this information to the gambler, presumes that they have the opportunity to make a rational decision about their gambling. However, this is primarily to place more responsibility onto the gambler and is more akin to the individualised approach to responsibility. In addition, the overloading of information may be derogative as people ‘tune out’ to excess signage. Education in the NT is an area that appears under represented as harm minimisation initiatives even though they are a requirement of the code of practice.

5.2. Consumer Control

In addition to the establishment of an ‘informed consumer’, there are also consumer control measures designed to direct individuals and their actions. Self-exclusion is the most prominent consumer control measure and applies both to gaming venues and wagering providers. Another measure is the use of alcohol restrictions to control the impaired behaviour that excess alcohol consumption has with reference to gambling decisions. Each of these issues will be discussed in turn.

5.2.1 Self-exclusion

Self-exclusion as a harm minimisation measure is designed to aid self-control by problem gamblers. Self-exclusion describes the circumstance where individuals have voluntarily acknowledged that they have a problem with their gambling and enter an agreement with the venue/operator to exclude them from their premises (including online facilities). While this places the onus of responsibility largely on the individual who opts for exclusion, the individual venue can actually perform the exclusion in some jurisdictions and must accept some responsibility to enforce the exclusion.

While self-exclusion is in practice in all jurisdictions, it has been legislated for casinos in all jurisdictions bar the NT (which covers this subject through the mandatory Code of Practice). NSW, Qld, SA and Tas all have legislated self-exclusion for clubs and hotels, with the other jurisdictions using either self-regulatory (Vic, Tas, WA) or mandatory codes (ACT) to implement self-exclusion measures. In the ACT licence holders must gain written consent from the GRC if they wish to exclude someone who they perceived to be a ‘problem gambler’.

The legislation for self-exclusion differs in SA compared to the other states. Within SA self-exclusion can be made by not only the individual but by the venue licence holder, the Liquor and Gambling Commissioner or on application from a family member to the IGA (Delfabbro & LeCouteur, 2006). It is important to note the shift from self-exclusion to simply exclusion is a policy unique to SA due to the ability for family members to apply for exclusion.

There are also organisations that have implemented their own self-exclusion practices in excess of the legislated requirements. The NT gaming and wagering provider Lasseters has a 'three strikes' policy where if an individual has self excluded themselves three times they are permanently excluded. This applies to all of their operations which include a land based casino, an online casino and an online sportsbook.

The effectiveness of self-exclusion depends entirely on an adequate monitoring and enforcement process (Ladouceur, Sylvain, & Gosslin, 2006; South Australian Centre for Economic Studies, 2003). In addition, the coverage of venues is an important issue. While exclusion may be effective at one venue, there is the option of gambling at alternative venues (Delfabbro & LeCouteur, 2006). There is the final point that problem gamblers may not wish to self-exclude. In these cases the SA model enabling exclusion by venues, the Commissioner or by family members on application is an avenue worth exploring further for relevance (or lack of) to the NT.

5.2.2 Alcohol Restrictions

The impaired behavioural effects caused by alcohol consumption, and their transference into problematic gambling behaviour, is the rationale for alcohol restrictions as a harm minimisation measure. Most venues operate within alcohol legislation and undertake responsible service of alcohol at gambling venues. However, there still are forms of alcohol-related enticements for people to enter gambling venues for instance happy hours. Although in some jurisdictions such as Qld this form of inducement is prohibited.

The link between alcohol and gambling is an important one because the majority of gambling operators (casinos, clubs, hotels and racetracks) also provide alcohol. Within all jurisdictions, the possession of a liquor licence is a prerequisite for a gaming licence. In the case of the NT the application for a gaming licence is assessed subsequent to the granting of a liquor licence. Intoxicated gamblers in the NT are to be removed under the Liquor Act and there is also a provision within the Code of Practice for patrons not to be provided with gambling services if intoxicated (Northern Territory Government, 2006b). This is also the case for Qld, SA and the ACT. In NSW the separate application for a gaming licence is not required once a liquor licence has been issued.

The development of responsible gambling practices has been compared to similar approaches in responsible service of alcohol (Delfabbro & LeCouteur, 2006; Martin, 2007). The results of this comparison identified fundamental differences in the possible harm inflicted by alcohol versus gambling, as well as the measures implemented to prevent this harm. Foremost among these was the visible signs of behavioural change associated with excess alcohol consumption compared to

excessive gambling (Delfabbro et al., 2007). Thus new approaches need to be devised for responsible gambling provision. Certainly more exploration needs to be done on the link between alcohol provision in venues and gambling behaviour, particularly in high risk venues such as hotels.

5.2.3 Summary of Consumer Control

Consumer control has worth in the amelioration of problem gambling as it allows restrictions upon the individual. Limiting the amount of gambling through establishing a self-exclusion process is one such way that consumer control is enforced. However in most states and territories the emphasis is still on the individual to initiate the exclusion, and only relates to that particular venue. The exploration of having a third party involved in the exclusion process may be useful but potentially problematic. Providing an environment where decision making is not impaired by excess alcohol consumption is required by regulation in all jurisdictions. Yet implicate in the licensing process for most venues is the correlation between gambling and alcohol.

5.3 Venue Restrictions

Venue restrictions are the most common form of harm minimisation measure partly because they are in some cases the easiest to perform. The installment of clocks within venues is a prime example of the undemanding effort required for some venue restrictive measures. However, there are some measures that are more complicated. The capping of the number of machines and the use of impact assessments are two such measures that are complex and varied. A number of measures are discussed here including machine capping, impact assessments, venue shutdowns, credit provision, ATM availability and smoking bans.

5.3.1. Machine Capping

Limiting the opportunity to gamble is the rationale behind machine capping as a harm minimisation measure. Research has shown that, at the macro scale, there is a correlation between availability of gambling opportunities and the prevalence of problem gambling (Abbott, 2006; Delfabbro, 2002) and was a central finding of the Productivity Commission (Productivity Commission, 1999). As a consequence, the capping of machine numbers is, rather simplistically, viewed as a method to reduce the availability of EGMs and hence affect gambling behaviour. However, such uncertainties have not prevented capping limits from becoming important harm minimisation tools (Doran, McMillen, & Marshall, 2007; McMillen, Marshall, Ahmed, & Wenzel, 2004; Young et al., 2006b; Young & Tyler, 2007).

The introduction of ‘caps’ on gaming machine numbers is the harm minimisation measure that features the most diversity between jurisdictions. All jurisdictions have undertaken capping in some form, with most combining statewide and venue capping policies. Clubs ranged from no capping within the ACT to no EGMs at all in WA. The ACT does not permit EGMs in the casino while WA permits EGMs only in the casino. Vic has a regional capping policy for lower socio-economic areas in addition

to the other statewide and venue caps. Table 5 outlines the different capping measures that are in place in each state and territory.

In addition, Table 5 also outlines the changes in EGM numbers and caps from 1999 to 2007. There were several variations in capping limits from jurisdiction to jurisdiction as well as increases in machine caps. Since the NT has increased the cap for hotels from six to ten. Qld has implemented a statewide cap (hotels only) as well as create a venue cap for clubs and hotels. NSW has developed a capping level for new clubs, but not for existing clubs. Tas now has a state-wide cap of 2,500 for all clubs and hotels as well as increased individual caps for these venues and SA has introduced a statewide cap. The capping level for any of the casinos did not change during this period. This underscores the variances between jurisdictions that are commonplace in gambling.

Table 5: Summary of gaming machine numbers and caps in all states and territories – 1999 and 2007

<u>1999</u>	<i>NT</i>	<i>QLD</i>	<i>NSW</i>	<i>ACT</i>	<i>Vic</i>	<i>Tas</i>	<i>SA</i>	<i>WA</i>
<i>Num. Approved</i>	1,252	32,394	99,672	5,013	29,611	2,942	12,912	1,180
<i>Max. Cap statewide</i>	None	None	105,500	5,200	30,000	None	None	None
<i>Clubs Cap</i>	45	None	None	None	105	25	40	No EGMs
<i>Hotels Cap</i>	6	None	30	13	105	15	40	No EGMs
<i>Casino Cap</i>	No limit	No limit	1500	No EGMs permitted	2,500	1,180	None	None
<u>2007</u>	<i>NT</i>	<i>QLD</i>	<i>NSW</i>	<i>ACT</i>	<i>Vic</i>	<i>Tas</i>	<i>SA</i>	<i>WA</i>
<i>Num. Approved</i>	2,650	41,383	99,614	5,179	30,000	3,680	13,604	1,500
<i>Max. Cap statewide</i>	None	20,000 (Hotels only)	105,500	5,200	30,000	3,680	15,086	1,500 (Casino Only)
<i>Clubs Cap</i>	45	280	450	None	105	40	40	No EGMs
<i>Hotels Cap</i>	10	40	30	10	105	30	40	No EGMs
<i>Taverns Cap</i>	10	-	-	2	-	-	-	No EGMs
<i>Casino Cap</i>	No limit	No limit	1500	No EGMs permitted	2,500	1,180	-	1,500

Source: Adapted from Review of the Maximum Number of Gaming Machines Allowed in the ACT: Consultation Paper (ACT Gambling and Racing Commission, 2007); Productivity Commission 1999; Queensland Government, 2007.

Note: NSW cap is not applicable for clubs which already have over 450 EGMs, Victoria also has regional caps for specific socio-economic areas, ACT cap does not include "Draw Card" Machines in hotels which are being phased out.

The cap on the number of machines within the NT is regulated under *the NT Gaming Machine Regulations* as well as the *NT Gaming Machine Act* and was initially notional rather than legislated (Alder, 1998). The cap limit for Category 1 venues (hotels/pubs/taverns) is ten machines per venue. Currently, eighty-five percent of venues are capped at the maximum. As previously described an extra levy is placed on venues in this category. A tax of ten percent on gross profits is distributed to the CBF to support community development, gambling support services and research.

For Category 2 venues (clubs) the cap is forty-five machines per venue with eight of the thirty-three venues currently reaching their maximum. This cap is largely arbitrary, happening to be the highest number of machines in any single NT club at the time when the then Minister for Racing, Gaming and Liquor, Fred Finch, decided to implement an EGM cap. In addition, there is an extra criteria relating to clubs within a 1.5km radius of the Darwin casino. Any additional EGM licences may only be granted to clubs (new or existing) in this vicinity when the population increases by approximately 292 people.

The reduction of the number of operational EGMs has recently transpired in both SA and NSW. Within SA the *Gaming Machines (Miscellaneous) Amendment Act 2004* was passed to remove up to 3000 EGMs. This is to be accomplished via a compulsory reduction of EGMs for hotels housing twenty-one or more machines (South Australian Centre for Economic Studies, 2006). Clubs and hotels that have less than twenty-one machines are not subjected to this reduction process. To further progress EGM reduction the trading of entitlements between existing venues was developed and the granting of new licences for machines was prohibited (South Australian Centre for Economic Studies, 2006). When reviewed the reduction of machines was perceived by most operators to have little effect on either revenue or problem gamblers (Martin, 2007).

In NSW, as part of the five year review of the *Gaming Machine Act 2001* there has also been a recommendation to decrease machine numbers to 99,000 - a reduction of 5,500 (Office of Liquor Gaming and Racing, 2007). Along with this reduction is a new cap for clubs of 450 machines. However this does not apply for those existing venues that already have more than the 450 limit. Moreover, as shown in Table 5 the actual number of operational machines is just over 99,000 and has been since 1999.

The establishment of separate caps for certain districts is an effort to reduce problem gambling and gambling-related harm for particular vulnerable communities (McMillen & Doran, 2006). However, recent research has indicated that the relationship between venues, their proximity and connectivity to gamblers may be of more importance than the actual number of machines within venues (Marshall, McMillen, Niemeyer, & Doran, 2004; McMillen & Doran, 2006; South Australian Centre for Economic Studies, 2005)

5.3.2. Impact Assessments

One of the more significant changes since the Productivity Commission report is the increasing use of impact assessments in relation to EGM licence applications. These harm minimisation measures are used to evaluate the potential effect, both economic and social, of an increase in gambling on the local community. However, within the different states and territories the requirements on the level of analysis and input are varied.

As with the code of practice, the NT has borrowed extensively from Qld's documentation for impact assessment. A Community Impact Analysis (CIA) is required in the NT when there is an application for either a new gaming licence or an application to increase machines by five or more for existing licences (Northern Territory Government 2008c). There are several criteria such as the size and location of the venue, the characteristics of the surrounding area, and the potential implementation of harm minimisation measures. In addition, there is a requirement that a responsible gambling strategy is implemented as part of the impact statement. As a minimum, this strategy is presumed to comply with the NT Code of Practice.

One issue that is apparent in the CIA review process is the independence of the analysis. Currently the analysis can be performed by the applicant themselves. This opens the possibility of the applicant not providing a full picture of the situation for their own benefit. However, the Licensing Commission have identified this prospect and recently advised they will be more stringent in approving applicants (Northern Territory Government 2008b).

In Qld and NSW clubs and hotels applying for approval to operate EGMs are required to submit community impact assessments. In NSW impact assessments have to encompass the views of patrons of the existing venue if it applies for more EGMs, as well as community organisations. They have also recently developed a new Local Impact Assessment that is specifically intended for existing high density gaming areas (NSW Government, 2007). In Victoria, under the *Gambling Regulation Act 2003*, all applications for new or existing venues have to undertake a community impact assessment. This is to assess both the social and economic impact that an increase in EGMs will have on the community (VCGR, 2006).

The ACT introduced social impact requirements for new and expanding EGM venues in 2004. This includes a six week period public consultation period that is taken into account when processing the application. In Tas the *Gaming Control Act 1993* requires the government to commission a review of the social and economic impacts of gambling in the state every three years, but does not require separate impact statements for local communities or EGM applications.

5.3.3. Shutdown periods

As with the majority of venue restrictions, shutdowns attempt to reduce levels of social harm by limiting the availability and hence accessibility, of gambling. They operate on a temporal basis as opposed to the spatial basis of some capping policies. Regulated shutdowns are designed to alleviate and deter extended periods of gambling on EGMs. They are potentially useful in reducing harm in that they force a

break from play and from the temporal detachment experienced by problem gamblers (Livingstone, 2005). However, their effectiveness is limited by the fact that problematic gambling occurs at all times, not just very late at night. In addition, the level of play may intensify during the period just before shutdown, similar to what has been associated with alcohol restrictions (ACNielsen, 2003; Blaszczynski et al., 2001). In terms of a public health approach, the onus of responsibility is transferred to the venue rather than the individual.

In Qld gaming is limited to the ordinary operational hours for liquor. With the exception of casinos permitted to operate for 24hrs, each gaming venue must be closed for a minimum of 6 hours every 24 hours (Queensland Government, 2008). Shutdown periods in the ACT, NSW and SA vary between 3 to 6 hours per 24 hours. However, in NSW EGM venues may apply for a variation of these shutdown periods (McMillen & Pitt, 2005:44) and the government has been criticised for allowing hundreds of gaming venues to be exempted from requirements (McMillen & Wright, 2008). Within the NT there is a compulsory shutdown period between 4am and 10am for all venues. Both in the ACT and NSW, evaluation of the shutdown as a measure indicated that despite strong support from EGM venues, it was not viewed as effective from either operators and consumers or counseling services (ACNielsen, 2003; McMillen & Pitt, 2005).

5.3.4. Credit Provision/Cheque Payments

The provision of credit and cashing of personal cheques is used as a harm minimisation measure to prevent venues from encouraging people to continue gambling and potentially place themselves in financial stress. In the NT, with the exception of bookmakers (including online and corporate bookmakers), the provision of credit for gambling is not permitted. For bookmakers the decision for credit allocation is an operational one. All states and territories have prohibited credit for EGM gambling (AGC, 2007).

Cheque payments are used to decrease the possibility of winning being gambled again. In the context of cheque payments, the NT has again used the Qld model and payments of EGM winnings of over \$250 are to be made by cheque. The cashing of personal cheques is prohibited within clubs and hotels for gambling purposes. In casinos cashing of personal or third party cheques has to undergo a strict process. Customers must have opened a specific account for gambling with the casino and have provided the relevant account and signatory information.

Research conducted within the ACT found that compared to two other harm minimisation measures (\$10 maximum bet and a three hour shutdown) the payment of cheques for winnings over \$1,000 was considered more effective by both staff and patrons (McMillen & Pitt, 2005). However, this study also noted that there was inadequate evidence to make any “firm recommendations for improvement” (McMillen & Pitt, 2005:18).

5.3.5. ATMs and Eftpos

Restricting the availability of money through automatic teller machines (ATMs) and applying limits on electronic funds transfer point of sale (Eftpos) transactions are harm minimisation measures that have been implemented in all jurisdictions. The relationship between problem gambling and ATMs has been previously researched (KPMG Consulting, 2002; McMillen, Marshall, & Murphy, 2004; Productivity Commission, 1999). A correlation has been identified between problem gambling and the use of ATMs within gambling venues, especially those that supply EGMs. In addition, prevalence surveys in NSW (ACNielsen, 2007) and the ACT (McMillen, Masterman-Smith, & Tremayne, 2001) reported that problem gamblers in gaming venues are more likely to withdraw money for gambling purposes at these venues compared to non-problem gamblers. It has also been reported that many people stop gambling sessions simply because they run out of money (Productivity Commission, 1999:16.71). Once again, on this issue the NT has drawn on policies and ideas from Qld. In the NT and Qld, credit facilities have been excluded from ATMs in gaming venues, a daily withdrawal limit of \$250 per card has been imposed and ATMs are not permitted proximate to gaming areas.

Within other jurisdictions policies also have been developed relating to the location of ATMs. Similar to the NT and Qld, in SA and the ACT there are restrictions on the location of ATMs to gaming areas as well as withdrawal limits. In SA the limit for withdrawals is \$200 whilst in the ACT the maximum withdrawal is \$250 (AGC, 2007). Vic currently has a \$200 withdrawal limit and is reviewing all policies relating to ATMs. The location of ATMs and Eftpos facilities in NSW are to be separate from the area in which EGMs are housed (McMillen, Marshall, & Murphy, 2004). Tas has a location policy similar to that of the NT, but also allows the provision of cash through Eftpos, although not for gambling purposes (AGC, 2007). The monitoring and control process for enforcing this is unclear but appears to assume extra responsibility by the venue operators.

5.3.6. Smoking Bans

Smoking was not a harm minimisation measure implemented to ameliorate problem gambling, but was introduced because of other public health concerns (Delfabbro & LeCouteur, 2006; Walsh & Tzelepis, 2003). Although initially used as a preventative health measure for venue staff, the effect on revenue has been of note particularly during the initial period of the ban with expenditure immediately decreasing (Lal & Siahpush, 2008). Smokers having to spend time away from the EGMs meant they had greater chances to consider their gambling patterns (Delfabbro & LeCouteur, 2006). There may be some worth in considering smoking bans as a intervention tool for gambling (Delfabbro & LeCouteur, 2006; Lal & Siahpush, 2008; Walsh & Tzelepis, 2003), but as the ban was applied for other motives it will not be examined further in this report.

5.4. Game (EGM) Restrictions

EGMs constitute an advanced technology that pose a considerable challenge to regulators. To assist with technological proficiency and integrity there exists a set of minimum technical standards applied to EGMs (Australian/New Zealand Gaming Machine National Standard, 2007). However, once more there is fragmentation between the jurisdictions, with all states and territories besides NSW applying their own additional requirements. Given the multitude of structural characteristics applicable to EGMs (Livingstone, Woolley, Zazryn, Bakacs, & Shami, 2008), by necessity we present a snapshot of some of the more important features relating to harm minimisation measures below. There are many other forms of restriction on machines, such as jackpots (linked or otherwise) and spin speeds which will be given more attention in the full report. This report covers note acceptors, maximum bet levels, and autoplay functions.

5.4.1. Note Acceptors

A note acceptor is a bill validation device (transfer from cash to game credits) that is internal to the EGM. Restrictions on note acceptors have been suggested as a harm minimisation measure in that it affects the amount that can be fed into a machine. It may also be viewed as a consumer control as it provides consumers with an opportunity to contemplate whether to insert more money (Brodie, Honeyfield, & Whitehead, 2003).

The NT has note acceptor EGMs in casinos, but these are not permitted within clubs and hotels. This is similar to the legislation within Tas and SA. In the ACT and Qld EGMs are fitted with note acceptors, but do not accept fifty or hundred dollars bills (McMillen & Pitt, 2005). Furthermore in Qld, the maximum number of notes accepted is five, effectively placing a limit of \$100 on the amount deposited in a machine at one time (AGC, 2007; Brodie et al., 2003). As with ATMs, Vic is currently reviewing the use of note acceptors in EGMs. NSW continues to accept \$100 notes in machines as the evaluation of the effectiveness of this measure has contradictions in the government's assessment (NSW Government, 2005). Research on the effectiveness of this harm minimisation measure has been largely inconclusive as revenue levels appear to remain unchanged (Blaszczynski et al., 2001; Brodie et al., 2003; NSW Government, 2005). However, revenue levels and expenditure, whilst influential, are not necessarily a direct measure for problem gambling (Blaszczynski et al., 2001).

5.4.2. Maximum Bets

Contemporary EGMs enable multiple line bets together with multiple credit bets per transaction. Combined, these features enable high rates of expenditure. The Productivity Commission and others found that although there was no distinction on the size of the machine (1cent compared to \$1), problem gamblers were more likely to bet multiple credits and lines as opposed to regular gamblers (Delfabbro & LeCouteur, 2006; Livingstone, Woolley, & Borrell, 2006; Productivity Commission, 1999). The introduction of the maximum bet is designed to limit the amount bet per transaction and thus slows down the rate of loss (Livingstone et al., 2006).

In regards to implementation, the states and territories differ in terms of the permitted maximum bet. The NT, Qld and WA limit the amount to \$5 while the limit in all other states is \$10, the latter set as the maximum bet according to the national minimum standards (AGC, 2007; Australian/New Zealand Gaming Machine National Standard, 2007). While this measure may very well slow the rate of loss, its effectiveness as a harm-minimisation measure is unknown. It requires evaluation in context of other measures that as a package may affect problem gamblers. As previous research has pointed out, it is not just the amount spent but also the time spent playing that correlates with problem gambling (Blaszczynski et al., 2001).

5.4.3. Autoplay

Autoplay is the continuous automatic playing of a machine without initiating the game manually (Australian/New Zealand Gaming Machine National Standard, 2007). As all EGMs must abide to the minimum requirements of the Australian/New Zealand Gaming Machine National Standard, which do not permit autoplay, this feature is not available in any jurisdiction (AGC, 2007; Australian/New Zealand Gaming Machine National Standard, 2007).

Livingstone (2005) detailed how many problem gamblers encountered a deep involvement with the EGM and entered into a 'zone' of intense play where time and space were disassociated (Livingstone, 2005; Livingstone, Woolley & Borrell, 2006a). Disabling this function creates a spatial barrier on the re-commencement of the game therefore decreasing the intensity of playing time. However, some EGMs have a bonus game feature, which consist of a series of multiple free games that operate within a single betting event. The 'free spins' are a possible issue for problem gamblers because this feature extends both the attractiveness of the machine and the time spent in a single gambling session (Livingstone, 2005). This suggests that attention needs to be paid to the characteristics of EGM games, their attractiveness to players, and potential implications for problem gambling.

5.5. Other Measures

Mentioned above are only a brief introduction and overview of some of harm minimisation measures in operation in Australia. There are other measures that can be placed within the categories suggested by the Productivity Commission. Within informed choice examples are statements on expenditure (which are currently available for online gambling providers, but not in most other venues) and clarification on the mechanics of EGMs. Other measures that have merit within the category of consumer control are the pre-commitment behaviour of gamblers and the use of loyalty cards within venues. This involves encouraging people to gamble within pre-set limits or using card based technology to monitor gambling patterns (McDonnell-Phillips, 2006). Whilst within venue/games restrictions an example is discouraging enticement through advertising or the disabling the multi-linked EGM jackpots.

There are also some measures which in nature are not loyal to the framework, containing elements of all three categories. This highlights that informed choice, consumer control and venue/game restrictions, whilst useful in the organisation of measures, does have limitations. The collaboration between industry and community as well as the training of staff in identifying problem gamblers and delivering responsible gambling services are two examples of these measures. Community organisations have actively become involved with industry groups, now obliged, to collaborate on ways to implement responsible gambling whilst the training of staff has implications in all categories. Both of these measures are not primarily designed for the consumer and therefore do not meet the criteria of the framework, however they do require some rationalisation.

5.5.1. Community Collaboration

Interaction between industry and community groups has become an integral part of responsible gambling across all jurisdictions. The referral of those people who have identified themselves as having a problem with their gambling is one area that industry has collaborated directly with community groups. The SkyCity casino in Darwin has listed community counselling providers on their website. ClubsACT, the association of licenced clubs in the ACT, has established a problem gambling support and counselling service called 'Clubcare' in association with Lifeline Canberra, a community organisation. The enforcement of these collaborations is through the implementation of the relevant code of practice, be they mandatory, voluntary or self-regulated. The influence of the codes of practice has obliged most industry operators to affiliate with gambling-related support services. Previous to the Productivity Commission's report there had been little consultation between community counselling services and gambling providers (McMillen, Marshall, & Murphy, 2004). However, there appears to be little if any evaluation of these codes as well as the relevance of the community sectors that are consulted. In most cases, people have rarely chosen to use the counselling service affiliated with the venue as well as those from culturally diverse backgrounds find difficulty in accessing relevant services (McMillen, & Bellew, 2001; McMillen, Marshall, Murphy, Lorenzen, & Waugh, 2004a).

5.5.2 Training

The training of staff is intended to enhance current harm minimisation measures as well as ensuring responsible gambling practices are being employed. Providing training for existing measures also increases effectiveness and improvement in the identification of problem gamblers (Delfabbro et al., 2007). Training schemes for staff have been developed by industry in NSW, ACT, SA and Qld (Delfabbro & LeCouteur, 2006:129). Within the ACT and SA gambling staff are required by legislation to undertake a proactive role identifying potential problem gamblers are required to undertake appropriate training (Delfabbro et al., 2007 p64). The appropriate training is to be carried out by the operators and venue managers in conjunction with registered and approved training providers. Examples of these in the ACT are Betsafe, QUEST Employment Training Solutions and Clubstart (ACT Gambling and Racing Commission website).

However there are questions about the feasibility and effectiveness of this training. A survey by Delfabbro et al. (2007) of industry stakeholders found that although many 'on the floor' staff had received some form of training, it was generally perceived to be inadequate when interacting with potential problem gamblers as there was a lack of training in this area. (Delfabbro et al., 2007:147). Indeed, there are several challenges with providing adequate staff training. First, as opposed to over consumption of alcohol, the symptoms of problem gambling are not easily identifiable and hence difficult to implement in practice (Delfabbro et al., 2007; Martin, 2007). Second, training may be possible for the staff of larger venues (i.e. major clubs and casinos), but more problematic for smaller venues given their limited capacity. The latter is an issue of concern to the NT which features a high proportion of smaller venues.

5.6. Summary of Harm Minimisation Measures

Table 6 presents a summary of the harm minimisation measures implemented in each jurisdiction as discussed above. While the different jurisdictions have, in a broad sense, implemented similar measures, they have implemented these measures in a way that are unique to their own situation. In other words, the different regulatory environments have influenced the practice of responsible gambling and how harm minimisation measures are implemented.

As part of the public health approach to problem gambling governments and industry are now more aware of the responsibility they have in providing safe gambling environments. Since the impact of problem gambling, and especially the use of EGMs, was detailed in the Productivity Commission's 1999 report, more harm minimisation measures have been implemented. The placements of restrictions on consumers, venues and games, as well as provision of gambling education, training and information are examples of the measures used. This multitude of measures can be classified into various categories. For the purposes of this paper we have used informed choice, consumer control and venue/game restrictions, as outlined by the Productivity Commission.

Within this framework a range of measures have been implemented:

- The use of signage and provision of information proliferated after the 1999 Report (Banks, 2007).
- Education and community awareness programs have been designed to improve the basis for consumer choice and to assist the recognition of problem gamblers or problematic situations.
- Self-exclusion has also become a major tool for controlling those gamblers who are problematic, although is limited, and open to legal challenge, if not monitored adequately.
- The capping of EGM numbers has been one of the more significant measures that have been introduced. Although caps were in some jurisdictions before 1999, they are now operational in all states and territories. The actual effectiveness of this measure in different contexts has been the subject of debate.

- Community impact assessments are operational in most jurisdictions but not for all types of gambling. However, most assessments are not carried out independently.
- Financial transactions have been extensively altered with the access to cash in venues now limited and credits facilities prohibited. The positioning and use of ATMs is another area that has undergone revision.
- The configuration of EGMs and games is now utilised in an attempt to curb problem gambling.

However, the point we wish to emphasise is that we are unable to present an adequate assessment of the success or failures of the vast majority of harm-minimisation measures as they have, in large, not been adequately evaluated (Delfabbro & LeCouteur, 2006).

Table 6: Summary of a selection of harm minimisation measures in the states and territories.

	NT	Qld	NSW	ACT	Vic	Tas	SA	WA
Informed Choice								
Warning Statements & Signage	✓	✓	✓	✓	✓	✓	✓	✓
Education (Schools)	-	✓	✓	✓	-	-	✓	-
Consumer Control								
Self-exclusion	✓	✓	✓	✓	✓	✓	✓	✓
Alcohol/Gaming Restrictions	✓	✓	✓	✓	✓	✓	✓	✓
Venue Restrictions								
Machine Caps	✓	✓	✓	✓	✓	✓	✓	n/a
ATM/Eftpos Restrictions	✓ \$250	✓\$250	✓	✓\$250	✓\$200	✓	✓\$200	✓
Impact Assessment	✓	✓	✓	✓	✓	-	✓	n/a
Shutdown	4am-10am	Approx 10 hours	Variable	3 hours	No 24hr venues except the casino	-	6 Hours	n/a
Cheque Payments	\$250	\$250	-	\$1,000	*			n/a
Credit (EGMs)	Not Allowed	Not Allowed	Not Allowed	Not Allowed	Not Allowed	Not Allowed	Not Allowed	Not Allowed
Game(Machine) Restrictions								
Autoplay	Not Allowed	Not Allowed	Not Allowed	Not Allowed	Not Allowed	Not Allowed	Not Allowed	Not Allowed
Technical Requirements	✓	✓	✓(min)	✓	✓	✓	✓	✓
EGM Max Bet Limit	\$5	\$5	\$10	\$10	\$10	\$10	\$10	\$5
Note Acceptors	Not in Clubs/Hotels	\$20 max of 5	Up to \$100	<\$50	<\$50*	Not in Clubs/Hotels	No	N/A

* Currently under review

6. Discussion Points

6.0. Developments since the Productivity Commission 1999

In the context of a national problem gambling estimate of 2.1% of the adult population, the Productivity Commission report (1999) highlighted the need for the socially responsible provision of gambling products. Since that time, a public health approach that applies prevention as well as rehabilitation and treatment, has become the accepted approach, at least in theory, to gambling-related harm minimisation in Australia. This approach distributes the responsibility for gambling outcomes not only with the individual but also with families, communities, industry and government. However, despite the recommendations of the Productivity Commission (1999), there still remain substantial differences between the different Australian jurisdictions in terms of both the harm minimisation practices and regulatory structures adopted. There exist substantial variations in legislation, the types of gambling available, gambling regulation, and the implementation of responsible gambling practices.

There has been a definite increase in the development and implementation of harm minimisation measures to ameliorate problem gambling. However, these are not consistently applied across jurisdictions. For example, even for relatively straightforward harm minimisation measures such as maximum bet size on EGMs, the requirements vary across jurisdictions. While this variation is indicative of a fragmented and incoherent national framework, it nonetheless offers a number of alternative harm minimisation initiatives that may be fruitfully explored in context of their successful applicability to the NT. Indeed, harm minimisation measures and a code of practice to reinforce them are the main initiatives in terms of responsible gambling practices. These are discussed in terms of their relevance to the NT in the next two sections.

6.1. Codes of Practice and the NT

Codes of practice have become the primary instrument for formalising delivery of harm minimisation measures in each jurisdiction. The sheer number of these, their attendant complexity and degree of mandate has clouded any appraisal of the effectiveness of these codes. Therefore, the most pressing question relates to the formal mechanisms for review of the effectiveness of the various codes. To date, much effort has gone into the development of the codes, but very few have been properly evaluated for currency and effectiveness, although SA, Qld, NT and the ACT have undertaken some review. To use the example of the NT, the code of practice was initially designed with reference to the codes in Qld and ACT as well as consultation from a range of gambling-related stakeholders to provide a whole-of-industry approach to responsible gambling. The code was developed in a consultative process and it is now mandatory. Written into the code of practice is a phase of review that is designed to assess if there has been a cultural shift in the delivery of responsible gambling. However, the code has not continued the review and evaluation process. While the code formalises the majority of harm minimisation measures implemented

in the NT, it remains unclear whether and to what extent these measures are being implemented in practice and how they are evaluated. In terms of harm minimisation measures, given that the consultative committee for the code has since disbanded, there are questions about who is currently responsible for any modifications that may be needed to the code, or how these measures may be evaluated in practice.

6.2. Harm Minimisation Measures for the NT

Using the framework provided by the Productivity Commission there are three broad areas of harm minimisation canvassed by this report: (1) informed choice, (2) consumer control and (3) venue/game restrictions. While we have presented an initial inventory of these in this report, all areas require more detailed investigation to judge their usefulness to the NT context.

6.2.1. Informed choice in the NT

In the context of informed choice, which incorporates both public education and industry training, the NT appears to be doing relatively little. Within the public health approach towards problem gambling, there may be scope to expand preventative measures further. The extension of this project will examine what is occurring in other jurisdictions in terms of public education and which of these initiatives has been most successful. In the context of industry training, the NT may be at a disadvantage given the small size of its gambling venues compared with those elsewhere, making training more expensive and difficult to implement within a small business environment. Again this is an area that our further research will examine. Much policy appears to be implemented top-down without adequate inclusion of the communities, including gamblers, likely to be affected by the expansion of gambling opportunities. The role the community has in establishing and implementing responsible gambling practices may be of extra importance for those venues that may lack capacity for implementation.

6.2.2. Consumer control in the NT

The very term consumer is overly generalised in a diverse region like the NT. In some consumer groups vary depending according to social, spatial and temporal dimensions. To gain a better understating of how to implement effective consumer controls, we need to profile consumers in terms of their socio-demographic characteristics and residential location. The CDU research team have planned further research in this area. Although the NT has a unique composition, transposing some consumer control measures into the NT context is possible. For example, SA has implemented a unique self-exclusion process that allows third parties to initiate the exclusion procedure. This may be examined closer to see if it would have credence for use in the NT. In addition, certain industry operators (i.e. Lasseters) have been proactive in developing their own self-exclusion policies.

6.2.3. Venue/game restrictions in the NT

In the context of venue/game restrictions it is evident that the policy of EGM capping presents a potentially controlling, albeit blunt, harm minimisation measure. Capping is a way to manage the total supply of EGMs in any given area, even down to the level of the suburb, such as implemented in Victoria. However, as previous work by CDU has demonstrated, the policies introduced in other metropolitan jurisdictions have not been evaluated in the NT context (Young et al., 2006b; Young, Tyler, & Lee, 2007).

These require careful consideration as the unique characteristics of the NT, including the existing spatial structure of supply, as well as the heterogeneous yet mobile structure of demand, suggest that the relationships between venues and regions evident in other jurisdictions will not translate directly into the NT context. This is where the other projects commissioned by the CBF, specifically the venues typology (project C6) will heavily inform the harm minimisation review project. Currently the CDU team is conducting analysis of EGM expenditure over the past decade on an individual venue basis. In the second year of the program, the team plans to conduct patron surveys to describe the link between different venues and the residence of their clientele. This will enable us to identify the spatial range and intensity of impacts for each type of venue – directly informing the capping policy. In addition, some attention needs to be turned towards the process for processing new EGM licence applications and applications for additional gambling opportunities (e.g. more EGMs). The extension of this report will examine the relevance and likely effectiveness in the NT context of the processes (e.g. social impact assessment procedures) operating in other jurisdictions.

6.2.4. Challenges for the NT

There are some other pertinent issues that are relevant to the NT. The unique population of the NT has significance in any policy employed to curb problem gambling. With Indigenous representation greater than other jurisdictions and a highly mobile urban population (Young et al., 2006b) there may be no applicable policy to compare. In this context the NT has to be prepared to develop its own appropriate harm minimisation measures. CDU is undertaking projects that incorporate these issues and will assist potential future gambling policies. The conception of problem gambling and the gambling activities performed in Indigenous communities are examples of these projects. Likewise, the examination of venue clientele will be important in establishing measures that are of suitable relevance.

In addition, attention needs to be placed on the unique gambling regulatory framework of the NT. Compared to other jurisdictions in Australia, the relatively low numbers of EGMs outside casinos is a distinctive feature of the NT gambling environment. The NT also is heavily involved in internet gaming and wagering with many operators, nationally and internationally, actively seeking to establish operations in the NT. Only recently the NSW and Vic-licenced TABcorp has applied for a NT wagering licence to commence operations in the jurisdiction. Currently player participation and problem gambling prevalence are not as significant in these forms of gambling when compared to EGM usage (Productivity Commission, 1999; Young et al. 2006b). However, the increase in this form of gambling has significance

to the NT, particularly as a revenue issue for government, even though the majority of transactions are from either interstate or overseas (Queensland Government, 2007a).

6.3. Future research

A number of specific areas for further research may be distilled from the discussion above:

The Code of Practice

- How are the measures developed, implemented, enforced and evaluated in both the NT and other jurisdictions which have mandatory codes (i.e. SA and ACT)?
- What have been the advantages/disadvantages of the current NT Code?
- Would other codes (voluntary or self-regulatory) be more appropriate to the NT context?
- What interstate codes have been evaluated and how?
- What have been the outcomes of any evaluation?
- What codes are relevant to the NT's diverse demographic?
- How should the NT Code be revised for improvement?

Harm Minimisation

- What is occurring in other jurisdictions and which initiatives have had the most success?
- Has the relevant evaluation been performed on the measures that are perceived to be successful?
- How do smaller venues deal with training for responsible gambling?
- To what extent can the community sector assist in developing responsible gambling awareness and /or practices?
- What is the relationship between venues and communities in the NT?
- How effective is the capping system as a harm-minimisation tool?
- Can the licensing and social impact processes of other jurisdictions be useful to the NT?
- What would a locally-relevant social impact assessment process look like?

These questions will be used to guide our future review of the harm minimisation measures and responsible gambling practices implemented in other jurisdictions. In particular, we will pay attention to the other mandatory codes that are in place in SA and ACT, the voluntary code in Qld, and industry codes in operation within the NT. This research will centre on the effectiveness of these interventions, as well as the likely consequences for government revenue and the economic viability of industry.

The CDU team proposes to investigate these areas in greater depth over the coming months with a view to providing the CBF with a more comprehensive analysis. This research will be primarily desktop and will involve the collection, collation and analysis of every appropriate document, including all annual reports, from the appropriate regulatory body in each jurisdiction. This will enable the team to identify in detail all the harm minimisation measures and changes that have occurred since 1999 as well as providing us with an indication of which measures have been

reviewed and/or evaluated. This phase of the work will also be used to identify any evident gaps in the measures. The completion of this phase will bring us to the 18 month mark in the ongoing project.

In the second 18 months we plan to move from a desktop based project, to an examination of the identified measures in practice. This will involve interviews with key individuals in each regulatory authority to explore how the formal frameworks and mechanisms have been applied in practice. These will not be limited to the responsible government agencies for gambling in their jurisdiction. Also included will be industry and social service providers as well as other government and community organisations that have relevance to gambling. Although there may be some difficulties in gaining a strong historical narrative in these interviews (due to the frequency of policy changes and staff turnover) this exercise will still be valuable in allowing us to provide a pragmatic assessment of each measure and its administrative context.

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