

# Voluntary Implementation of the Northern Territory Code of Practice for Responsible Gambling

by

Ian Crundall and Laddawan Boon-Ngork

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# EXECUTIVE SUMMARY

## BACKGROUND

The Northern Territory Responsible Gambling Code of Practice was launched in April 2003. The Code was designed to promote the adoption of best practice in the provision of responsible gambling and represents the first local attempt to provide a systematic approach to the issue. A series of training initiatives were subsequently provided for many of the different gambling sectors to aid implementation.

A review was undertaken between 30 September 2004 and 30 November 2004 to assess the extent to which practices recommended in the Code had been implemented by gambling providers.

The review collected information via a questionnaire that was distributed to 131 gambling outlets and from site visits to a random sample of outlets that returned completed questionnaires. The outlets included casinos, clubs, hotel/tavern, lottery outlets, TAB/oncourse, internet sports bookmakers and bookmakers. Ninety-seven outlets returned a completed questionnaire – a response rate of 74 per cent – and 54 of those premises were randomly observed.

## RESULTS

The average rate of voluntary compliance was estimated to be 77 per cent for the industry as a whole. But compliance varied across different sectors of the gambling industry and markedly from one provider to another in any particular sector. The compliance across different sectors was found to be higher for the sectors under more stringent regulation for gambling:

Industry	%
Casino	93
Internet Sports Bookmaker	87 <sup>1</sup>
Hotel/Tavern	84
TAB	83
Clubs	82
Lottery	76
Bookmakers	36

While there were several recommended practices that were not widely supported across any of the different sectors, there was variation between the sectors in the practices that were adopted. Some of the major results for each sector were:

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<sup>1</sup> This is a conservative estimate due to the discretionary nature of many of the recommended practices for this industry. This is discussed more fully below.

## **Casino Industry**

The casino industry had the highest rate of compliance at 93 per cent. Major areas of improvement related to display of a Responsible Gambling Mission Statement (Practice 1.2); consulting with local communities about early intervention and prevention strategies (Practice 2.1); supporting self-exclusion from other gambling venues (Practice 4.5); and ensuring that advertising complies with specific national standards (Practice 8.1).

## **Clubs Industry**

Thirty of the 35 clubs with gambling facilities were part of the study. Their average compliance rate was 82 per cent. Major areas for improvement included adequate displays of information about the risks of problem gambling (Practice 1.1); display of a Responsible Gambling Mission Statement (Practice 1.2); liaison with support services and local communities (Practice 2.1); maintenance of a Responsible Gambling Incident Register (Practice 2.3); ensuring appropriate gambling training is provided to staff within the set timeframe (Practice 3.2); ensuring all staff have comprehensive product training (Practice 3.3); full procedures for recording self-exclusions (Practice 4.3); encouraging self-exclusion to extend to other providers (Practice 4.5); problem gambling signage at ATMs and point of sale (Practices 7.1 and 8.6); and compliance with national advertising standards (Practice 8.1).

## **Hotel/Tavern Industry**

Twenty-seven of the 34 hotels/taverns with gambling facilities were part of the study. Their average compliance rate was 84 per cent. Major areas for improvement were identified as adequate displays of information about the risks of problem gambling (Practice 1.1); display of a Responsible Gambling Mission Statement (Practice 1.2); liaison with support services and local communities (Practice 2.1); maintenance of a Responsible Gambling Incident Register (Practice 2.3); full procedures for recording self-exclusions (Practice 4.3); encouraging self-exclusion to extend to other providers (Practice 4.5); problem gambling signage at ATMs (Practice 7.1); and compliance with national advertising standards (Practice 8.1).

## **Lottery Industry**

Thirty-four lottery agencies were contacted, but less than half (44 per cent) responded to the survey. The average rate of compliance for those that did respond was 76 per cent. While lotteries operate on a franchise basis, areas for improvement were identified. Major areas included adequate displays of information about the risks of problem gambling (Practice 1.1); display of a Responsible Gambling Mission Statement (Practice 1.2); all recommendations relating to interaction with customers and community – namely liaison with support services and local communities (Practice 2.1); maintenance of a Responsible Gambling Incident Register (Practice 2.3); meeting the three month timeline for staff training (Practice 3.2); having a Responsible Gambling Liaison Officer (Practice 3.4); and not promoting products to non-gambling customers (Practice 8.8).

## **TAB Industry**

This industry consists of 12 gambling providers: nine TAB agents, two turf clubs and the Darwin Greyhound Association. All but one outlet returned their questionnaires and eight premises were visited. The average compliance rate was 83 per cent. Non-compliance related largely to the non-TAB agents and major areas identified for improvement were display of a Responsible Gambling Mission Statement (Practice 1.2); mechanisms for recognising and addressing complaints (Practice 2.2); and problem gambling signage at ATMs (Practice 7.1).

## **Internet Sports Bookmaker Industry**

All seven Internet Sports Bookmakers participated in the study. Their average reported compliance rate was 87 per cent, but when the optional nature of many of the recommended practices is taken into account, the compliance rate might more accurately be up to 94 per cent. Major areas identified for improvement were adequate displays of information about the risks of problem gambling (Practice 1.1); display of a Responsible Gambling Mission Statement (Practice 1.2); ensuring patrons are aware of the passage of time (Practice 5.1); and having problem gambling warning signs at point of sale (Practice 8.6). All of these areas are currently discretionary and may be regarded as inappropriate for attention.

## **Bookmaker Industry**

Just over half the seven independent bookmakers (57 per cent) completed the survey form and all of those were observed in operations at Fannie Bay racecourse. Their average rate of compliance was 36 per cent, despite none of the industry having received a copy of the Code or any formal training. Observations suggest there are unique operational features for bookmakers which would warrant a review of the practices currently recommended for them in the Code. This should be followed by education and training for all bookmakers.

## **CONCLUSION**

The results demonstrate a practical commitment by industry to provide a responsible gambling environment that seeks to minimise problem gambling. Nearly all sectors have voluntarily embraced the Code to a substantial degree. However this has not been universal.

Non-compliance can be attributed to several factors:

- the content of the Code, with some strategies not clearly articulated and their relevance to particular industries being debatable;
- inadequacies with the Manual as a practical guide for implementation and to training which was absent for some venues or not sufficiently focused or engaging for others;
- a degree of reluctance and/or resistance by some providers to make changes – albeit that the other factors could contribute to this view.

It is suggested that a more comprehensive communication strategy be developed to address some of these issues, along with revisions of the Code and the Manual. Attention should be given to providing more explanation of the reasoning and evidence underlying a number of practices. More practical details should also be furnished about how desired outcomes can best be achieved.

While each industry sector has peculiar issues to be considered, some of the more immediate shortcomings include:

- the perceived lack of relevance of the Code to the lottery industry;
- the appropriateness of aspects of the Code to the virtual environments operated by internet sports bookmakers;
- greater definition of what is expected in terms of having to consult with local communities;
- the problematic nature of banning the cashing of cheques and credit sales;
- the practicalities of extending self-exclusions beyond one venue;
- accessible information about national standards and legislative requirements; and
- greater precision about what meets a recommended action and less ambiguity of when a recommended action is expected to be applied.

Implementation has been supported by industry peak bodies through the development and delivery of training, and distribution of the Code and the Manual to all gambling providers. This has been complemented by gambling help service providers that have provided materials for display and information booklets. This is to be encouraged and maintained. However more training and engagement is necessary, both for those who have not yet received any and for those who desire more direct and individual training that can respond to their immediate questions and needs.

Before such training occurs, there must be a desktop review of the Code and its recommended strategies for particular industry sectors. The clear benefits of the Code and the appropriate application of the recommended actions need to be identified and plainly stated as the basis for any rejuvenated training program.

To improve uptake of the Code it is recommended that the Northern Territory Gambling Reference Group undertake to:

- consult with all different industry sectors to ensure the appropriateness of the Code to each and make adjustments and further distinctions between sectors as necessary;
- consider practical issues raised by this report and identify solutions that will address those issues;
- revise the Manual to ensure it provides sound practical advice about the way that venues can go about implementing each recommended action;
- provide a clear rationale for elements of the Code to ensure engagement and support of the industry;

- distribute any revised Code or Manual with further training aimed at helping gambling providers in all sectors to implement the Code and ensure requirements for practices are understood;
- develop a proposal for a centralised officer to be the contact about the Code and implementation of its recommended actions. An officer may be nominated for each industry and supported by each industry or the position might be placed within Government. Duties of the officer might be answering industry questions/inquiries about the Responsible Gambling Code of Practice, providing updates on best practice, delivering ongoing training and refresher courses, undertaking regular site visits, and ensuring self-exclusion forms from customers wishing to be excluded from more than one venue are received and observed by other venues. Other duties might be identified;
- advocate for a webpage to be developed and maintained by Racing, Gaming and Licensing to provide regular updates about the content of the Code and Manual, including explanation and justification for each practice and instructions for how to achieve implementation of each practice recommended for an industry. Further information could be provided, but these elements should be the minimum of such a site. Preferably such a site would be provided and appropriately located in conjunction with the provision of a dedicated officer; and
- identify strategies to make the public more aware of the efforts being made by industry to minimise the risks of problem gambling and the support services that are available for problem gamblers.





# 1.0 INTRODUCTION

## 1.1 BACKGROUND

The gambling industry in Australia continues to grow at a rate of about 6 per cent a year.<sup>2</sup> While it delivers many benefits, the industry also poses risks for some people who might develop problem gambling behaviours. The Northern Territory Government is committed to supporting a responsible industry that delivers social and economic benefits and ameliorates adverse effects.

As part of this commitment the Northern Territory Government has encouraged the development and dissemination of the Northern Territory Code of Practice for Responsible Gambling (the Code). The Code represents the first attempt to systematically address risks of problem gambling across the various sectors that make up gambling in the Northern Territory.

The Code was devised by a cross sectional Code of Practice Working Party that included representatives from a range of gambling providers, community support services and Government regulators. Considerable discussion, research and information analysis was injected into the process to draft the Code. While acknowledging that any Code would encounter problems due to the diversity of the industry, the changing nature of gambling and gaps in evidence and knowledge, the Working Party was united in wanting to provide a quality guide to best practice in the provision of responsible gambling, as known from the collective experience and wisdom of the Working Party.

The Code is complemented by the Northern Territory Responsible Gambling Code of Practice Manual (the Manual) which was designed to aid implementation by providing more detailed explanation and practical demonstration of the practices and recommended actions contained in the Code. It was developed by the gambling industry sector to ensure the Code was deployed to maximum advantage. Like the Code, the resource Manual is a dynamic document that will change over time as improved practices are identified.

The Code was launched by the Minister for Racing, Gaming and Licensing on 4 April 2003. Copies of the Code and Manual were distributed to all gambling providers in the Northern Territory. Funds were also provided to peak industry bodies to deliver formal training to help providers implement the Code. Both the Code and the Manual are aimed at minimising problem gambling.

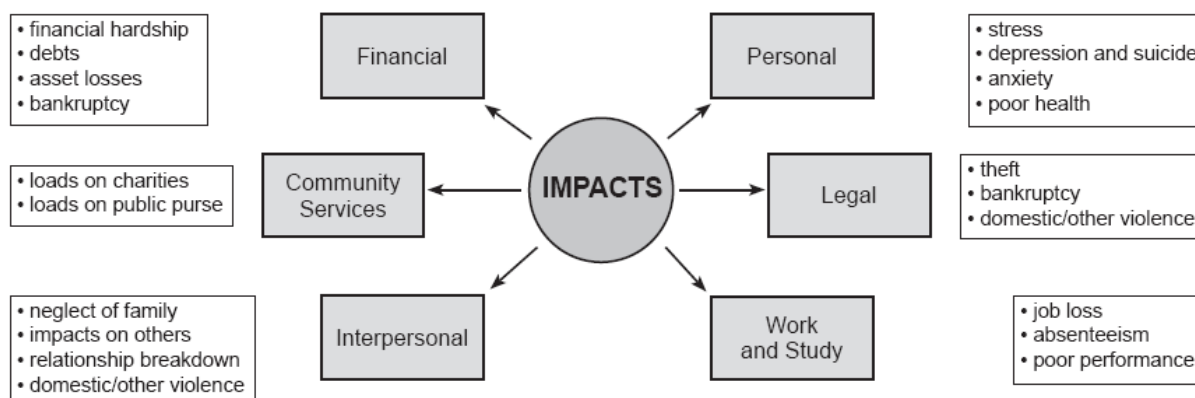
Thousands of Australians enjoy gambling: it provides enjoyable leisure and entertainment activity. However, excessive gambling and gambling beyond an individual's means can have negative results. Problem gambling is a social and public health issue and is subject to broader environmental, socio-cultural, political and economic factors.<sup>3</sup>

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<sup>2</sup> Northern Territory Responsible Gambling Manual version 9.1, 16/12/2002 page 2.

<sup>3</sup> Australian Institute for Gambling Research *Survey of the Nature and Extent of Gambling and Problem in the ACT, July 2001*, page 65.

Problem gamblers are individuals who gamble to the point where they lack control over their gambling behaviour or are unable to exercise rational judgement. They typically have difficulties in managing the scope and frequency of their gambling, their level of betting and the amount of time devoted to gambling. This can lead to a range of negative outcomes for the gambler and for others, as reflected in Figure 1.<sup>4</sup>



**Figure 1 – Impacts of Problem Gambling**

## 1.2 THE CODE AND ITS IMPLEMENTATION

The Code and the supporting Manual are based on a whole-of-industry commitment to best practice in the provision of responsible gambling. Together they outline strategies that gambling providers can adopt to minimise harm to consumers who may be adversely affected by gambling.

It is acknowledged that the Code is a complex document and that time will be needed for gambling providers to become fully familiar with the content and learn how to implement the strategies for their various situations. It is also recognised that further experience and research may change notions about what is best practice in this field. As such, it is accepted that the Code will be an evolving document, subject to review and change from time to time to reflect industry practice and Government requirements.

The Code is not intended to discourage people from participating in gambling activity. It has been designed to encourage gambling providers to promote responsible gambling. This is to be achieved by ensuring gamblers have relevant information to make informed decisions about their gambling and, if harm occurs, to take some responsibility and facilitate access to appropriate gambling help services.

The Code has been designed to:

- minimise the extent of gambling-related harm to individuals and the broader community;
- enable customers to make informed decisions about their gambling practices;

<sup>4</sup> Australian Institute for Gambling Research, *Survey of the Nature and Extent of Gambling and Problems in the ACT, July 2001*, page 97.

- enable people adversely affected by gambling to have access to timely and appropriate assistance and information;
- promote a shared understanding of responsible gambling practices between individuals, communities, the gambling industry and Government and an understanding of rights and responsibilities in relation to these practices; and
- ensure the gambling industry provides safe and supportive environments for the delivery of gambling products and services.

Implementing the measures outlined in the Code has been voluntary. Individual gambling providers have been able to decide for themselves the extent to which they put the Code into practice. At some future date, however, the Code may become mandatory – obliging all gambling providers to comply and fully implement the Code as it applies to them.

Having been in circulation for over 18 months and with training programs having been conducted, it was considered timely to assess how the Code has been received by the gambling industry. This review is to determine the degree of which the Code has been implemented across different industry sectors and the effectiveness of the training that has been provided. It also aims to identify shortcomings or changes that might be needed to the content or application of the Code.

This is the first phase of the evaluation planned for the Code.

### 1.3 PHASES OF THE REVIEW

To assess the progressive implementation and effectiveness of the Code, a five-year review has been planned for completion in three phases. It is anticipated that practices outlined in the Code will take time for all industry sectors to fully implement and for strategies to start showing an effect in the community. The three phases of the review are outlined in Table 1.

**Table 1 – Phases of the Review**

<b>Phase 1</b>	Implementation	Over one year	Review the effectiveness of the implementation of the Code of Practice and final modifications to content.
<b>Phase 2</b>	Cultural Shift	Over three years	Review the level of cultural shift towards establishing responsible gambling as a basic feature of a gambling business.
<b>Phase 3</b>	Sustainability	Over five years	Review the sustainability of the Code in achieving best practice in responsible gambling and contributing to minimisation of harm from problem gambling.



## 2.0 SCOPE AND CONDUCT OF THE REVIEW

The main focus of this part of the review (Phase 1) is to assess implementation of the Code by each industry sector and to identify amendments required to the Code, the Manual or training programs. It also seeks to identify factors contributing to uptake of the Code and effective implementation.

### 2.1 SCOPE

Data were collected from four stakeholders groups during the period 30 September 2004 to 30 November 2004. These groups are identified and defined in Table 2. Participation by was voluntary.

**Table 2 – Stakeholders**

Group	Composition of Group
Industry	Providers of regulated gambling products within the Territory, including: <ul style="list-style-type: none"> <li>• casinos</li> <li>• clubs</li> <li>• hotel/taverns</li> <li>• TAB/oncourse</li> <li>• lottery</li> <li>• internet sports bookmakers</li> <li>• bookmakers</li> </ul> Key industry bodies represented on the Gambling Reference Group Committee: <ul style="list-style-type: none"> <li>• Australian Hotels Association NT Branch (AHA)</li> <li>• CentreRacing</li> <li>• Clubs NT</li> <li>• Darwin Turf Club Incorporated</li> <li>• IASbet Limited</li> <li>• Jupiters Limited</li> <li>• Lasseters Hotel Casino</li> <li>• SkyCity Casino (previously MGM Grand Casino)</li> <li>• MultiBet.com Pty Ltd</li> <li>• Northern Territory TAB</li> <li>• Tattersalls Sweeps Pty Ltd</li> </ul>
Community	Community groups that have a key association with responsible gambling or provide gambling-related support services to the community – including those represented on the Gambling Reference Group. <ul style="list-style-type: none"> <li>• Amity Community Services</li> <li>• Relationships Australia NT Inc</li> <li>• Anglicare Top End</li> <li>• Salvation Army</li> <li>• Gambling Help Line</li> <li>• Gamblers Anonymous</li> </ul>
Consumer	Any person who uses a gambling product or service.
Government	Northern Territory Government bodies with responsibility for gambling-related activities: <ul style="list-style-type: none"> <li>• Northern Territory Licensing Commission</li> <li>• Racing, Gaming and Licensing (Northern Territory Treasury)</li> </ul>

Three industry sectors were excluded from the scope of the present review, namely, charity and non-profit lottery providers and NT keno providers. These sectors were not included because the Code had not been properly introduced and disseminated to them. Nor were these sectors represented on the Working Party that developed the Code.

## **2.2 METHODOLOGY**

The methodology used to collect, analyse and evaluate data for the review is detailed below.

### **2.2.1 Questionnaire**

A questionnaire was developed which sought information about the implementation of each of the 36 recommended actions contained in the Code. This was posted to all gambling providers in the Northern Territory, along with a letter that outlined the purpose of the study and encouraged participation. The letter explained that involvement was voluntary and that individual responses would remain confidential. A period of over a month was allowed for the completed questionnaires to be returned and a reply paid envelope was enclosed. The questionnaire and letter are included in the Appendices.

The first part of the questionnaire collected basic descriptive information about the gambling provider. This was to enable analyses to be undertaken along industry sector lines.

Questions about each of the strategies followed, with most requiring either "yes" or "no" as an answer to whether the practice was in place. Where appropriate, some additional information was sought to help explain why a strategy was not in place or to obtain more detail about how the practice was being put into effect. All questions in this part of the survey were designed to assess the degree of compliance, implementation issues and changes that might be made to enhance the Code and its uptake.

Telephone calls were made approximately one week before the questionnaires were due to be returned, to remind all venues that the survey was to be filled in. A number of venues indicated a lack of time to complete the survey and those venues were given the option of completing the survey over the phone at a more convenient time.

Telephone surveys were subsequently arranged and conducted, with the survey questions being read out and the gambling providers giving verbal responses. This proved to be an effective alternative for those who would have otherwise missed the deadline.

A total of 131 gambling venues were sent the questionnaires. This covered providers in all the targeted industry sectors. An overall response rate of 74 per cent was achieved, with 34 surveys not returned. The sample breakdown across sectors is shown in Table 3.

**Table 3 –Sample Breakdown Across Industry Sectors**

<b>Industry Sector</b>	<b>No. of Surveys Sent</b>	<b>No. of Surveys Received</b>	<b>No. Returned (%)</b>	<b>No. of Returns (%)</b>
Clubs	35	30	86	31
Lottery	34	16	44	17
Casino	2	2	100	2
Hotel/Tavern	34	27	71	28
TAB	12	11	92	11
Internet Sports Bookmaker	7	7	100	7
Bookmakers/Oncourse	7	4	57	4
<b>Total</b>	<b>131</b>	<b>97</b>	<b>75</b>	<b>100</b>

Most of the non-returns relate to the lottery sector. The 34 venues that failed to return questionnaires were asked why this was the case and the reasons given were:

- too busy (n=13);
- promised to complete the survey but did not (n=8);
- survey was not considered relevant (n=1);
- could not be contacted by mail or phone (n=3);
- licensee/management had been away and had no time (n=2);
- survey was never received (n=2); and
- questionnaire was sent to the wrong address or the venue no longer existed (n=5).

### **2.2.2 Random Venue Observation**

To verify and supplement details obtained by the questionnaire, on site visits were made to a random selection of 55 gambling providers in Darwin, the outer Darwin region, Katherine and Alice Springs. Other locations could not be included due to resource constraints. These visits were only conducted at venues that submitted a completed questionnaire. The distribution of these visits across the different gambling sectors is shown in Table 4.



**Table 4 – Number of Observation Visits by Gambling Sector**

Industry Sector	Observation visits	No. of Surveys sent
Club	7	35
Lottery	9	34
Casino	2	2
Hotel/Tavern	15	34
TAB	8	12
Internet Sports Bookmaker	10	7
Bookmakers/Oncourse	4	7

Observation visits provided an opportunity to clarify answers given in the survey, to see how the Code was applied in practice and to identify inconsistencies between responses in the survey and venue practices. They were also used to talk with licensees, managers, employees and patrons to gain an insight into their attitudes towards the Code and its recommended practices.

Observation visits proved to be very useful as they revealed how practices in the Code were perceived by gambling providers, highlighted how some practices were misinterpreted or some requirements were misunderstood, and identified instances of practices being implemented in minimal ways. It also revealed differences between what was reported in some surveys and what was actually occurring at the venues.

Observation also provided a good understanding of the settings in which measures were expected to be implemented and how practical those expectations might be for different forms of gambling.

### **2.2.3 Defining Compliance**

The percentage of respondents indicating they were implementing a recommended strategy from the Code was calculated as the measure of compliance. While compliance of 100 per cent would be expected for a mandatory Code, lower voluntary rates of compliance have been classed as follows for the purpose of this report:

High	80 per cent plus
Fair	51 – 79 per cent
Failure	50 per cent or less

Considering the Code is voluntary, a compliance rating of 80 per cent or more for any practice is considered high and practices rated at that level are not discussed. That does not mean there are not issues that may deserve further attention to obtain full compliance at a later date. It is simply a judgement to enable the report to focus on more prevalent concerns.

The compliance rates are presented as indicative only, as not all providers chose to participate in the review. The results are based on data collected from survey questionnaires and observations conducted at a random selection of venues that returned completed questionnaires. They do not take into account gambling providers who did not return a completed questionnaire. The extent of compliance by those providers cannot be determined.

It should also be noted that the number of gambling providers within different industry sectors varies and this may affect compliance. For example, the casino industry has only two providers. It could be argued that this would make it easier to achieve 100 per cent compliance for casinos than for sectors that operate through a multitude of venues and providers.

Further, major differences were found between the degree of formal training reported by gambling venues and the amount of training delivered according to industry peak bodies. Less than half the respondents reported receiving formal training overall, but industry peak bodies indicated all gambling premises (except for bookmakers) had received formal training. This discrepancy might be partly explained by the venue respondent not being one of the individuals who received training and being unaware of its delivery as a consequence or the Code training being confused with other activities. The majority of those who did get training found it to be useful.

### **2.3 LIMITATIONS OF THE STUDY**

Although this project was undertaken in a way that was intended to provide information that would be as accurate and reliable as possible, there are several considerations that need to be remembered when interpreting the data. They include the following:

- There is no way of knowing whether those who did not return their surveys were consistently different from those who did. A 100 per cent return rate for the survey questionnaire would have been ideal for comparisons and a full analysis of compliance, but as participation was voluntary this could not be achieved.
- There is no certainty that venues that completed the survey by telephone approached the task in the same way as those which provided written responses. Only one method might have been followed, but that would have sacrificed the total pool of information that was eventually obtained. Further, evidence suggests that the telephone was more appropriate for busy gambling venues as it made people find a convenient time to focus and have questions clarified as needed.
- Some survey questions may have been interpreted differently by different people. This could result from the wording of the survey or the perceptions and background of those completing the form. As far as possible, any answers believed to have been misunderstood were clarified with that particular venue via a telephone call or during a site visit.
- Some of the information obtained from the visits depended on the cooperation and availability of licensees, employees and patrons. Access to these people could not be guaranteed to be the same at all venues.

- Survey questionnaires were completed by individuals in different positions at different venues who may have had varying knowledge of the Code. It is possible that those who filled out the questionnaire at some venues were not able to fully answer questions as they did not have a complete knowledge of either the Code or how the particular gambling business was being run.
- A few gambling venues have experienced turnover of staff and/or management and for some this meant less familiarity with the Code or even a lack of awareness about its existence. This staff movement also meant the initial mailing list was not up-to-date and some venues missed the survey as it was mailed to the previous manager or licensee. The reminder telephone calls picked up this problem, which was then addressed by faxing the survey or completing the survey over the phone.

It is not possible to determine how much these various factors may have affected the validity or reliability of the responses. But to the extent that they had some effect, it may be assumed these kinds of influences will operate in any survey of this nature. Thus the findings can be considered comparable to those of other similar surveys. Further, there is no evidence that these factors introduced any systematic bias to undermine the indicative value of the results. The findings may be generally accepted as reflecting the current situation as detected by the methods used.

## **3.0 RESULTS**

The results are presented for each industry sector and then the industry overall. They indicate the degree of compliance with the practices recommended in the Code for each respective sector. Not all strategies in the Code are recommended for all types of gambling outlets – Appendix C lists which practices are recommended as appropriate to which sectors of the industry. The number of relevant strategies is also mediated by whether individual venues have certain facilities (eg. child care) or engage in certain activities (eg. advertising). Consequently, within each sector there is variation in the sample available for determining the compliance for any specific strategy.

If a strategy was not identified as applicable to a particular gambling sector or circumstances of all the gambling providers in a sector made the application of a strategy unnecessary (eg. do not have promotional materials to post to patrons), then those strategies are not included in the corresponding tables below.

The data in the tables below only refer to information derived from questionnaire responses. It was apparent that the reported compliance rate calculated from those data did not always reflect what was in practice at venues. The commentary associated with each table highlights those instances.

### **3.1 CASINO INDUSTRY**

There are two casinos in the Northern Territory. Both returned the questionnaire and were observed during site visits.

The overall voluntary compliance rate reported for the casino industry was high at 93 per cent – the highest reported rate of all the gambling sectors. Table 5 shows the compliance rate for all relevant practices recommended for the casinos.

The degree of non-compliance revealed for one of the casinos might relate to its familiarity with the Code. While both venues had a copy of the Code, one indicated that no formal training had been provided. That casino showed the lower rate of overall compliance.

#### **Areas for Casino Improvement**

Practice 1.2 requires the display of a Responsible Gambling Mission Statement. It is the only strategy neither casino was implementing. One venue had confused a Responsible Gambling Mission Statement with its own corporate Mission Statement. Both casinos indicated they would be addressing this practice so they would be fully compliant in the near future.

Both casinos had established links with a gambling-related service as recommended by Practice 2.1. The service was Amity House, which provides advice and support materials relating to problem gamblers. Only one casino had consulted with the local community about early intervention and prevention measures for problem gambling. The other indicated it would be looking into this practice and would consult with the relevant local community as necessary.

**Table 5 – Degree of Compliance Reported for Casino Industry**

<b>Recommended Casino Practice</b>	<b>Compliance Rate (%)</b>
1.1 Information About the Potential Risks	100
1.2 A Responsible Gambling Mission Statement	0
1.3 Information on Odds or Win rates of Major Prizes	100
1.4 Information is Available on Request	100
2.1a Links to Support Services	100
2.1b Community Liaison	50
2.2 Customer Complaints	100
2.3 Responsible Gambling Records	100
3.1 Ongoing Training	100
3.2 Training Time Frame	100
3.3 Product Comprehension	100
3.4 Responsible Gambling Contact Point	100
4.1 Patron Responsibility	100
4.2 Self-Exclusion Procedures	100
4.3a Receiving Completed Self-Exclusion Forms and ID	100
4.3b Self-Exclusion Details Recorded	100
4.4 Counselling Contact Information	100
4.5 Self-Exclusion from Other Gambling Providers	50
4.6 Correspondence or Promotional Material	100
5.1 Passage of Time	100
5.2 Intoxicated Customers	100
5.4 Procedures to Check Venues and Car Parks	100
6.1 Prohibition of Minors	100
6.2 Activities for Minors	100
7.1 Signage	100
7.2 ATM and EFTPOS Facilities	100
7.3 Credit and Money Lending	100
8.1 Compliance with Advertising Code of Ethics	50
8.2 Return to Player	100
8.3 Accurate Details	100
8.4 False Impressions	100
8.5 Minors	100
8.6 Problem Gambling Signage	100
8.7 Notices of Individual's Winnings Paid	100
8.8 Urging to Buy	100
9.0 Privacy Policy	100

Practice 4.5 is about supporting self-excluded patrons to be excluded from other venues. One casino had processes in place to facilitate this, while the other believed its capacity to do this was inhibited by the *Privacy Act*. While the latter was prepared to encourage customers to help themselves and seek professional help, that casino indicated it would not encourage self-exclusion from other gambling venues. This was on the basis that it would violate the privacy of patrons and be insensitive to the highly emotional state of a patron at the time of self-exclusion which makes it difficult for such discussion to occur in a meaningful way.

Practice 8.1 requires advertisements to comply with specific and documented national standards. One casino was aware of these standards and indicated that its advertisements complied. The other casino was not aware of the standards referred to in the Code and, consequently, was uncertain whether or not advertisements complied.

The advertising and promotional materials used by both casinos were checked during the site visits for any signs of being false or misleading. All materials were found to be satisfactory.

### **Suggested Actions for Casinos**

- Both casinos need to ensure an appropriate Mission Statement is clearly displayed in the gaming area or in an area where it can be easily seen by customers. However the sample Mission Statement contained in the Manual should not be adopted, as it tends to be a description of the Code of Practice rather than a statement about the goals to be achieved. This part of the Manual requires review.
- One casino needs to extend its contact with the local community and consult on issues/problems relating to early intervention and prevention strategies for problem gambling. Both venues should also implement a Community Network Register as outlined in section 2.1 of the Manual.

It is noted, however, that the Code is unclear whether community consultation should be routine or relate to specific issues as they arise. This deserves clarification in light of the resources and effort required to meet the recommended practice. The process of consultation and definition of community also needs to be made more explicit.

- One casino needs to establish procedures to encourage self-excluded customers to seek exclusion from other gambling providers, conditional on requirements of the *Privacy Act*. To aid this, the Code and the associated training should address any relevant legislative implications. An initial legal opinion on any implications might be sought from the Department of Justice.
- To ensure venues have some idea of the technicalities of advertising standards, the Code should outline what is entailed in a user-friendly style. This would provide venues with a ready reference to check against. This might simply be reference to Internet addresses for the Advertising Federation of Australia (<http://www.afa.org.au/WebStreamer/index.html>), the Australian Association of National Advertisers (<http://www.aana.com.au>) and the Federation of Commercial Television Stations (<http://www.ctva.com.au/control.cfm>). Another option might be a pamphlet that indicates acceptable advertising standards. Whatever the approach, it is also important that enforcement officers be conversant with these standards in order to detect breaches.

### **3.2 CLUB INDUSTRY**

A total of 35 clubs were sent survey questionnaires. Thirty completed surveys were returned (86 per cent). Ten clubs were randomly observed.

The average voluntary compliance rate reported for clubs was relatively high at 82 per cent. Table 6 shows the reported compliance rate for all relevant practices recommended for clubs.

**Table 6 – Degree of Compliance Reported for Club Industry**

<b>Recommended Club Practice</b>	<b>Compliance Rate (%)</b>
1.1 Information About the Potential Risks	100
1.2 A Responsible Gambling Mission Statement	63
1.3 Information on Odds or Win Rates of Major Prizes	90
1.4 Information is Available on Request	73
2.1a Links to Support Services	63
2.1b Community Liaison	20
2.2 Customer Complaints	87
2.3 Responsible Gambling Records	53
3.1 Ongoing Training	87
3.2 Training Time Frame	77
3.3 Product Comprehension	77
3.4 Responsible Gambling Contact Point	100
4.1 Patron Responsibility	90
4.2 Self-Exclusion Procedures	93
4.3a Receiving Completed Self-Exclusion Forms and ID	63
4.3b Self-Exclusion Details Recorded	67
4.4 Counselling Contact Information	90
4.5 Self-exclusion from other Gambling Providers	67
4.6 Correspondence or Promotional Material	100
5.1 Passage of Time	100
5.2 Intoxicated Customers	97
5.3 Child Care Facilities	50
5.4 Procedures to Check Venues and Car Parks	57
6.1 Prohibition of Minors	100
6.2 Activities for Minors	100
6.3 Minors as Staff Members	100
7.1 Signage	74
7.2 ATM and EFTPOS facilities	93
7.3 Credit and Money Lending	97
7.4 Cashing of Cheques	80
8.1 Compliance with Advertising Code of Ethics	70
8.2 Return to Player	100
8.3 Accurate Details	100
8.4 False Impressions	100
8.5 Minors	100
8.6 Problem Gambling Signage	30
8.7 Notices of individual's winning paid	100
8.8 Urging to buy	90
9.0 Privacy Policy	90

Note: Practice 4.6 applies to 12 venues, Practice 5.3 applies to 2, Practice 6.2 applies to 5, Practice 6.3 applies to 5, Practice 7.1 applies to 23, Practice 7.2 applies to 3 and Practice 8.7 applies to 17.

Industry representatives reported that all clubs licensed for gaming machines had a copy of the Code and had received associated training. While a majority of clubs found the training useful, there was also feedback that the training could have been of a higher standard or more comprehensive in addressing all the practices of specific relevance to clubs. It would be appropriate for the content or delivery of the training to be revised.

### **Areas for Club Improvement**

While all clubs complied with Practice 1.1, requiring the display of information about potential gambling risks, observations found the content and appropriateness of those displays to be questionable. Many clubs did not display materials in all gambling areas (eg. TAB or Keno areas). Materials tended to be restricted to only one gambling area. This was usually where gaming machines operated and this might be a consequence of the training originally being delivered with a focus on gaming machine areas. Further training could remedy this. More importantly, further training could address the observation that some clubs had minimal materials on display and that some had displays in inappropriate places which could not easily be seen by customers.

Nearly two-thirds of clubs (63 per cent) reported that they displayed a Mission Statement as required by Practice 1.2. Site visits revealed this compliance rate to be exaggerated, as most venues had misunderstood or misrepresented what actually occurs. A number of venues reported having a Mission Statement in the survey, but in reality had no Mission Statement and had no idea what the recommended practice entailed. A number of venues thought the practice was satisfied by displaying awareness materials provided by support services or thought the practice referred to their own corporate Mission Statement. Some clubs did not know they were expected to have a Statement.

In short, observation showed compliance for Practice 1.2 to be very low. Observations revealed that about 33 per cent of clubs (10 venues) were satisfactorily compliant.

About three-quarters of clubs reported compliance with Practice 1.4, indicating procedures were in place to advise customers that additional information is available on request. Those 22 clubs reported the advice was provided through word of mouth, by notices in gambling areas or in member handbooks. The most common procedure was passive, with customers having to ask for the information or being advised to ask staff or management if they have any inquiries or questions or want general information.

One reason for non-compliance by the other clubs was that venues did not know they had to alert customers to the availability of additional information. Others argued that they were small venues which made it unnecessary to have elaborate mechanisms in place as management and staff are readily accessible. Observation found non-compliance was essentially due to a lack of knowledge about the practice.



With regard to Practice 2.1, survey responses showed that 63 per cent of clubs had links with gambling-related support services and that 20 per cent consulted with their local communities in an effort to develop or support early intervention and prevention strategy. The reasons for non-compliance varied and included:

- majority of clubs not knowing the practice was required;
- clubs not having any demonstrated need for such actions to date;
- lack of local services or community interests to consult; and
- the venue being too small to warrant such extensive mechanisms.

Observation confirmed the main reason for non-compliance was lack of awareness of the practice. Venues were also curious as to who comprised the local community to be consulted, which gambling-related support services were being referred to and the type of issues or discussion that should be involved.

Just over half the clubs (53 per cent) reported compliance with Practice 2.3 and had a Responsible Gambling Incident Register. The majority of clubs already had procedures for recording incidents in a diary/book and questioned the need for a separate mechanism. For example, some already record incidents as part of their camera surveillance and security requirements. A number also queried the usefulness of requiring a register when they had never had any incidents to record.

Non-compliance was related to the clubs either being unaware of the practice or not yet having experienced any incidents to require recording.

About three-quarters of clubs provided training to gambling staff within three months of employment, in accordance with Practice 3.2. Non-compliance was largely attributed to a lack of local access to suitable courses or high levels of staff turnover that confounded training being given within the recommended time.

Practice 3.3 requires venues to provide gambling staff with training on the gambling products available, including the type of products offered and the rules and instructions on how to play. Compliance was reported by 77 per cent and club employees reported that product comprehension training was appropriate. The main reasons for non-compliance by the other clubs were either that they only offered gaming machines which already display rules, information about the chances of winning and so forth, or that venue workers are mostly volunteers which makes it difficult to impose systematic training and additional demands without risking their willingness to contribute to the club at no cost.

Sixty-three per cent of clubs reported having procedures for receiving completed self-exclusion forms and photocopies of a patron's identification. A similar proportion (67 per cent) had procedures in place for recording details of the patron as recommended by Practice 4.3, although this may not have been in a dedicated Incident Register. The Code recommends both practices be in place, but observation revealed clubs usually only follow one of the practices. In reality, therefore, the compliance rate is low. Reasons for non-compliance included clubs not being fully aware of the all the requirements or lack of support facilities (eg. no self-exclusion forms being available, capacity to copy photo identification not being available, Incident Registers not being in place).

Sixty-seven per cent of clubs indicated compliance with Practice 4.5, which requires support and encouragement being given to persons wanting self-exclusion to also exclude themselves from other gambling providers. Observation found a minority of clubs strongly opposed this practice for a variety of reasons:

- The majority of non-compliant clubs did not regard it as their business as it was seen to be imposing or intruding on patrons. They were only willing to respond to customer initiated requests.
- Venues feared becoming counselling agents for customers.
- There were concerns about privacy issues, such as misuse of patron information.
- There was uncertainty about the consequences of clubs not implementing a self-exclusion once they receive a request from another venue.
- Exclusion can mean a loss of income to venues and this is commercially unsound.
- No one has sought self-exclusion.

For many of clubs there was a preparedness to inform customers about available help and support, but they were not prepared to actively advise and counsel patrons.

Observation revealed that the majority of venues were concerned about the negative reaction they may receive from other gambling providers if they were to encourage customers to self-exclude from those venues and thereby affect their operations.

Venues also expressed concern about patrons who do not self-exclude from other venues and continue to gamble elsewhere. Such situations are not seen to benefit either the customer or the club. In terms of revenue, clubs take a self-interest view that it would be better for the person to gamble at their own premises rather than be banned and spend money with a competitor. Because of this it was suggested that self-exclusion should be from all venues or at least all surrounding venues.

Two clubs offered child care facilities and both had procedures in place to ensure parents check their children at least once every hour and that the maximum stay within a 24 hour period is three hours. Only one of the two clubs was certain its childcare facility met the regulations specified under Practice 5.3.

Practice 5.4 requires clubs to regularly check the venue and associated car park to ensure children are not left unattended. Fifty-seven per cent reported compliance with this, but the on site visits revealed that, despite an awareness to check car parks, there were no procedures in place. This was due largely to venues not having experienced any problems to warrant new regimes being implemented. Another reason for non-compliance was that the clubs allow children inside under guardian supervision so there is no need for parents to leave children in a car.

Twenty-three clubs have ATM facilities and 74 per cent of those reported having appropriate problem gambling warning signage and support service information on the machine or nearby, as specified by Practice 7.1. Observation revealed the compliance rate to be lower at only 33 per cent. The major reason for non-compliance was lack of knowledge about the practice and its requirements.

Practice 7.2 prohibits venues with ATM and EFTPOS facilities allowing cash advances on credit cards (only cheque or saving accounts can be accessed). Two clubs reported that they had facilities to allow credit advances. Observation did not occur at either venue to confirm whether this was an accurate report or a misunderstanding by the gambling provider. It signals a concern however, as breaches attract penalties under the *Gaming Machine Act* and could deem the licensee/owner to be unfit to hold a licence.

Practice 8.1 requires advertisements to comply with specific and documented national standards. Seventy per cent of clubs reported being aware of the standards and indicated compliance. Observation revealed that most clubs were in fact not aware of the recommended practice or associated standards and, further, that they had no idea of where they could obtain information about the prescribed standards.

Only 12 venues (30 per cent) reported having gambling warning signage at point of sale where advertisement and/or promotional materials are displayed, as recommended by Practice 8.6. Non-compliance was largely explained as a function of:

- clubs not being fully aware of the practice and its requirements;
- information displays in gambling areas being considered sufficient; and
- venues not having appropriate signage to display.

Observation found many clubs were also confused about what constitutes 'point of sale' and the notion of only displaying signage when there is advertising and promotional material at those sites.

### **Suggested Actions for Clubs**

- Venues should review their information displays. They should ensure information on the potential risks associated with problem gambling is clearly displayed in all gambling areas as per Practice 1.1. Where there are multiple gambling areas, there needs to be a display in each. Where gambling activity is conducted in one area or room, a reasonable display of information around the room would suffice. Appropriate information should also be displayed at point of sale (where central transactions take place) and on or near ATM or EFTPOS facilities if they exist.

The nature of the materials on display should be reasonable in terms of effective communication. The Code should be prescriptive about the minimum standards for display (size, location, etc) to ensure the practice is satisfied in more than a notional manner.

Information that might be displayed includes the "Where to get help" poster (Form 3) and Business Cards (Form 4) from the Manual and materials

obtained from support services. Venues should be assisted in being able to locate and access these materials.

- To satisfy Practice 1.2, clubs should ensure an appropriate Mission Statement is clearly displayed in the gambling area or an area where customers can see it easily.
- Pro-active procedures should be established to advise customers about the information that can be obtained on request, as specified by Practice 1.4. This could be achieved by placing advice on a notice board, having signs or posters or some other display. Verbal communication strategies are also acceptable.
- Links with gambling-related support services (eg. Amity House, Anglicare, Relationships Australia or Gambling Anonymous) and consultation with local communities could be strengthened and licensees could maintain Community Network Registers as mentioned in the Manual. However, the Code is unclear whether community consultation should be routine or related to specific issues as they arise. This should be clarified, along with defining the processes of consultation and who should be involved.
- Practice 2.3 recommends that Responsible Gambling Records be implemented and Form 7 of the Manual provides a sample form. While a book solely for recording gambling related incidents may be preferred, consideration might be given to incidents being entered in a diary or other book already in use – provided all recommended details are included. As a minimum step, the current recommended practice should be supported by a clear rationale for having a separate facility.
- More flexible training provision might be investigated to address the impact of staff turnover. Alternatively, training demands might be revised in light of considerable information being provided on gaming machines, the small nature of some venues and the voluntary nature of those staffing the premises. Venues could also prepare Player Information Guides as recommended in the Manual (Form 6).
- Attention needs to be given to venues having both a procedure for receiving completed self-exclusion forms along with a useful photocopy of photo identification, and a procedure for entering details into a Responsible Gambling Incident Register. Consideration might be given to accepting one set of procedures as a reasonable minimum.
- There are issues surrounding Practice 4.5 that need clarification. The Code imposes a duty on clubs to provide help and support to customers seeking self-exclusion and to encourage their exclusion from other venues. There are concerns about the legal, ethical and commercial implications of the latter that need to be addressed. At a minimum, the Code and the associated training should provide some assessment of relevant implications.
- Allowing children to be on premises under adult supervision might be considered sufficient to obviate the need to check car parks as part of Practice 5.4. If not, the Code needs to be less ambiguous in requiring car parks to be checked. It is required only “where practical”. This qualification deserves better definition to minimise confusion. Consideration should also be given to who is responsible when the facility is shared with other businesses.

- A ready reference to all childcare regulations might accompany the Code to help venues satisfy Practice 5.3.
- Venues with ATM facilities should ensure that cash advances cannot occur via credit cards. Although this is a responsibility of the ATM provider, it is the licensee whom the Code holds liable. In this light the Code may need to revise who can be held accountable for a breach.
- To ensure venues have some idea of the technicalities of advertising standards, the Code should outline what is entailed in a user-friendly style. This would provide venues with a ready reference to check against. This might simply be reference to Internet addresses for the Advertising Federation of Australia (<http://www.afa.org.au/WebStreamer/index.html>), the Australian Association of National Advertisers (<http://www.aana.com.au>) and the Federation of Commercial Television Stations (<http://www.ctva.com.au/control.cfm>). Another option might be a pamphlet that indicates acceptable advertising standards. Clearly enforcement officers would also need to be conversant with these standards to detect breaches.
- Venues should ensure problem gambling warning signage is displayed clearly at point of sale where advertisement or promotional material exists to satisfy Practice 8.6. The Code needs to be clear about what constitutes such a site. Presently there is confusion about what is an appropriate 'point of sale'. This might be overcome by signage being recommended regardless of whether any advertising/promotion is present.

For a number of practices non-compliance was related to the small-scale, community-based nature of many club operations. While high standards of gambler protection and harm minimisation are to be encouraged, the capacity of clubs varies widely in how this might occur. It is debatable whether large clubs with professional staff and extensive facilities should have the same obligations as smaller and more volunteer-based associations. The Code might need to be revised in this context.

### **3.3 HOTEL AND TAVERN INDUSTRY**

Questionnaires were sent to 34 hotel/tavern venues and 27 returned completed surveys (71 per cent). Observation visits were conducted at a random selection of 15 of those premises. The overall compliance rate reported by the hotel/tavern industry was high at 84 per cent. Table 7 shows the compliance rate reported for each practice recommended for hotels/taverns.

**Table 7 – Degree of Compliance Reported for Hotel/Tavern Industry**

<b>Recommended Hotel/Tavern Practice</b>	<b>Compliance Rate (%)</b>
1.1 Information About the Potential Risks	96
1.2 A Responsible Gambling Mission Statement	44
1.3 Information on Odds or Win Rates of Major Prizes	100
1.4 Information is Available on Request	85
2.1a Links to Support Services	74
2.1b Community Liaison	11
2.2 Customer Complaints	93
2.3 Responsible Gambling Records	59
3.1 On-going Training	93
3.2 Training Time Frame	93
3.3 Product Comprehension	96
3.4 Responsible Gambling Contact Point	93
4.1 Patron Responsibility	100
4.2 Self-Exclusion Procedures	100
4.3a Receiving Completed Self-Exclusion Forms and ID	70
4.3b Self-Exclusion Details Recorded	52
4.4 Counselling Contact Information	93
4.5 Self-Exclusion from other Gambling Providers	74
4.6 Correspondence and Promotional Material	100
5.1 Passage of Time	93
5.2 Intoxicated Customers	100
5.4 Procedures to Check Venues and Car Parks	78
6.1 Prohibition of Minors	100
6.2 Activities for Minors	100
6.3 Minors as Staff Members	100
7.1 Signage	56
7.2 ATM and EFTPOS facilities	96
7.3 Credit and Money Lending	93
7.4 Cashing of Cheques	74
8.1 Compliance with Advertising Code of Ethics	63
8.2 Return to Player	81
8.3 Accurate Details	81
8.4 False Impressions	100
8.5 Minors	100
8.6 Problem Gambling Signage	85
8.7 Notices of Individual's Winnings Paid	100
8.8 Urging to Buy	89
9.0 Privacy Policy	93

Note: Practice 4.6 applies to 1 venue, Practice 6.2 applies to 2, Practice 6.3 applies to 6, Practice 7.1 applies to 18, Practice 7.2 applies to 1 and Practice 8.7 applies to 16.

Information from the AHA indicated all hotel/tavern venues had received formal training and had a copy of the Code. But less than half of those surveyed reported receiving any formal training. This discrepancy might simply reflect staffing changes over time, recall deficits, staff differences in who was trained and who completed the survey or other issues. Be that as it may, a review of the process might be of value to determine whether training should be repeated at venues or whether the delivery needs to be examined to ensure ongoing uptake. In any case, the majority of those who reported having some training indicated that it was useful.

### **Areas for Hotel/Tavern Improvement**

There was a reported 96 per cent compliance rate for Practice 1.1, requiring venues to display information about the potential harm associated with problem gambling. Observation showed that although venues had this information on display, it was often minimal. For example, displays were seldom in all gambling areas, they were frequently of a basic nature or actually hidden and not easily seen. About half the venues visited were found to have such inadequate displays. It is questionable, therefore, whether the reported high compliance rate is meaningful.

The survey results revealed that less than half of the venues (44 per cent) had a Mission Statement as recommended by Practice 1.2. But site visits revealed this rate to be exaggerated. Observations did not detect any Mission Statements on display, even when their presence was indicated by the questionnaire. Providers were either unaware of the requirement or believed the display of information about problem gambling was sufficient.

Three-quarters (74 per cent) of hotels/taverns complied with Practice 2.1 and had links with gambling-related support services. Fewer (11 per cent) reported consulting with the local community about intervention and prevention strategies.

Visits found lack of knowledge about the practice to be the main reason for non-compliance. Many licensees/managers had no idea they should establish links with gambling-related services or consult with local communities. Moreover, they were unsure what constitutes appropriate gambling-related support services, who comprises the local community for the purpose of consultation, the kinds of issues that warrant discussion and the rationale for the prescribed practice (ie. what it is trying to achieve and how it benefits the gambling venue or problem gambler).

Other reasons for non-compliance were an absence of local gambling support services or a defined local community to consult, or venues not having had any demonstrated need for taking the recommended actions.

Assessment of Practice 2.3 found that 59 per cent of hotel/taverns had a Responsible Gambling Incident Register. The majority had an incident book/diary in which all incidents were recorded. Some had not yet used the register, but among the other venues there was a mixed sense of whether it was useful or not.

One reason for not complying with this practice was that venues resolve problems immediately so there is no need to record incidents. Most non-compliance, however, resulted from venues not being aware of the practice. Many questioned the utility of record keeping and the purpose it serves, with some suggesting it simply creates unnecessary work and delivers no benefit.

Seventy-five per cent of venues had procedures for receiving completed self-exclusion forms and photo identification, but only 52 per cent of those venues entered the details into an incident book/register as recommended by Practice 4.3. While visits revealed many hotels/taverns had not received requests for exclusion, the primary reason for non-compliance was venues not being aware of the practice and its requirements.

Partial compliance was common to the extent that the majority of venues had procedures for receiving self-exclusion forms and copies of photo identification, but the prescribed practice was often incomplete as details were seldom entered into a register. Similarly, partial compliance was achieved by some venues having a procedure for taking self-exclusion forms but not for taking photo identification, or some not having self-exclusion forms or facilities for taking photo identification but instead entering details into a diary. Few had complete compliance.

Seventy-four per cent of hotels/taverns had procedures to encourage and support self-excluded patrons to seek exclusion from other gambling venues as outlined in Practice 4.5. Non-compliance by the other quarter of venues was largely based on negative perceptions of the practice. Specifically it was argued that:

- the practice imposes unnecessary onus, responsibility and work on venues;
- venues should only respond to customer requests and not impose on them; and
- staff are not comfortable with the task as it intrudes on customers who should seek the option at their own initiative.

Regardless of whether a process for encouraging self-exclusion was in place, observation revealed a large majority of licensees believed the practice either did not work or was not worthwhile if people self-excluded from one venue and not others. Concerns were also expressed about the negative effect encouragement of self-exclusion from other venues might have on other gambling providers. It was explained that encouraging self-exclusion from other venues would be seen as unfairly taking potential business away from those venues.

Problems were also identified as arising if self-exclusion forms were sent to other gambling venues at the request of a customer but the other provider did not support the request and let the customer gamble. This was seen as disadvantaging both the customer and the original venue that enforced exclusion. Because of this, some providers suggested that exclusions should apply to at least all venues in the area, if not all venues in the Territory. It was also suggested that there could be a central contact (ie. a Responsible Gambling Officer) to process self-exclusion forms and to distribute requests to other venues and monitor their application.



In accord with Practice 5.4, 78 per cent of hotels/taverns reported checking their premises and venue car parks on a regular basis to ensure children were not left unattended. Non-complying venues indicated that:

- they shared a car park area with other shops and it was the shopping centre owner who was responsible for patrols; and
- they allow children to remain on premises under the supervision of a guardian, so there is no reason for parents to leave children outside and this removes the need to have the car park area checked.

Eighteen hotels/taverns had an ATM facility installed and 56 per cent reported having appropriate gambling warning signs as recommended by Practice 7.1. But observation found this compliance rate to be an exaggeration. Actual compliance is estimated to be more like half the reported rate (28 per cent). The majority of non-compliance was due to venues not being aware of the practice or simply not having signage to display.

Seventy-four per cent of hotels/taverns complied with Practice 7.4 and had procedures that prohibited the cashing of cheques for the sole purpose of gambling. Observation suggests this rate was an over-estimate. A majority of venues were found not to comply for reasons that include:

- policing a customer's spending or advising them how to spend their own money was regarded as inappropriate and bad public relations, irrespective of how the money is obtained;
- policing to ensure customers do not gamble with cash from a cheque is extremely difficult, if not impossible, due to limited staff, monitoring resources and uncertainty about how any spent cash is obtained; and
- it is difficult to stop a person who chooses to gamble with their own money.

Sixty-three per cent of hotels/taverns claimed to be aware of standards associated with the Advertising Code of Ethics and Federation of Commercial Television Stations (FATCS) and indicated their advertisements comply as recommended in Practice 8.1. Non-compliance by venues was mainly due to lack of knowledge of the recommendation. During visits many venues expressed interest in getting more information about the standards and how they apply.

### **Suggested Actions for Hotels/Taverns**

- Venues should review their information displays. They should ensure information on the potential risks associated with problem gambling is clearly displayed in all gambling areas as per Practice 1.1. Where there are multiple gambling areas, there needs to be a display in each. Where gambling activity is conducted in one area or room, a reasonable display of information around that space would be sufficient. Appropriate information should also be displayed on or near ATM or EFTPOS facilities if they exist.

The nature of the materials on display should be of a quality that is conducive to effective communication. The Code should be prescriptive about the minimum standards for displays (size, location, etc), to ensure the practice is satisfied in more than a notional manner, and adjustments made to the Manual accordingly.

- To satisfy Practice 1.2, hotels/taverns should ensure an appropriate Mission Statement is clearly displayed in the gambling area or an area where customers can see it easily.
- Links with gambling-related support services (eg. Amity House, Anglicare, Relationships Australia or Gambling Anonymous) and consultation with local communities should be strengthened and licensees could maintain Community Network Registers as recommended in section 2 of the Manual. Again, however, the Code is unclear whether community consultation should be routine or related to specific issues as they arise. This should be clarified, along with defining the processes of consultation and who should be involved.
- Practice 2.3 recommends that Responsible Gambling Records be maintained. While a book solely for recording gambling related incidents may be preferred; consideration might be given to incidents being entered in a diary or other book already in use by a venue – provided all recommended details are included. In addition to considering this change, the Code should also provide a clear rationale for the extra record keeping as many venues see it simply as an unnecessary burden.
- It is also apparent that the rationale for a number of practices such as the Incident Register needs to be more fully explained to venues. Uptake is less likely to occur with any practice if it is not clear to those who must implement changes that the new system will deliver any advantages. The Code may need to provide more explanation and persuasion for each recommended action, rather than being a menu of prescribed practices.
- Complaint resolution may be improved if licensees more actively promoted and displayed their Complaint Resolution Procedures.
- There are issues surrounding Practice 4.5 that need clarification. The Code imposes a duty on hotels/taverns to provide help and support to customers seeking self-exclusion and to encourage their exclusion from other venues. There are concerns about the legal, ethical and commercial implications of the latter action that need to be clarified. As a minimum, the Code and the associated training should address relevant implications to the satisfaction of those required to implement the practice.
- The Code and regulators might consider the establishment of a central and independent Responsible Gambling Officer to coordinate and manage exclusions. This would overcome competition concerns between venues. Mandatory exclusion from other venues might also be examined further.
- Licensees should check that ATM facilities do not allow cash advances on credit, as recommended by Practice 7.2. Although this is a responsibility of the ATM provider, it is the licensee whom the Code holds to account. In this light the Code may give further consideration to who can be held accountable for a breach.
- There are significant practical issues associated with enforcement of Practice 7.4 which warrant attention. This may result in the Code disallowing the cashing of all cheques or suggesting ways to better monitor patrons and their use of money. To aid compliance with the practice as it is currently, gambling providers could display the Financial Transaction Policy contained in the Manual to alert patrons to the policy about cashing cheques.

- To ensure venues have some idea of the technicalities of advertising standards, the Code should outline what is entailed in a user-friendly style. This would provide venues with a ready reference to check against. This might simply be reference to internet addresses for the Advertising Federation of Australia (<http://www.afa.org.au/WebStreamer/index.html>), the Australian Association of National Advertisers (<http://www.aana.com.au>) and the Federation of Commercial Television Stations (<http://www.ctva.com.au/control.cfm>). Another option might be a pamphlet that indicates acceptable advertising standards. Clearly enforcement officers would also need to be conversant with these standards to detect breaches.

### **3.4 LOTTERY INDUSTRY**

A total of 34 lottery outlets were surveyed, and 16 completed questionnaires were returned (44 per cent). Nine lottery outlets were observed.

The average reported rate of compliance for the lottery industry was 76 per cent. Table 8 shows the reported compliance rate for all practices recommended for lottery providers.

Industry representatives reported that all lottery outlets had been provided with formal training and had a copy of the Code. The majority of those who had received training found it to be useful and indicated it helped with implementation of the Code. A self-paced learning kit was provided to all outlets to enable them to train new staff as needed.

#### **Areas for Lottery Improvement**

Sixty-three per cent of lottery outlets reported compliance with Practice 1.1, indicating that they displayed information about the potential risks of problem gambling. Observations suggested this rate of compliance was exaggerated and did not reflect industry practice. It is estimated that compliance was significantly lower. Very few outlets were found to have appropriate information on display and those that did were found to have inadequate or poorly presented information. Many mistakenly thought Tattersalls brochures, posters, signs, booklets and the like satisfied this practice – despite such products having little to say about problem gambling.

The reasons given for non-compliance were:

- a belief that such information is relevant because lotteries are ‘soft gambling’ and do not contribute in any substantial way to problem gambling<sup>5</sup>;
- lack of awareness of the practice and its requirements; and
- not having access to suitable materials for display.

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<sup>5</sup> This appraisal is common in explaining non-compliance to various practices in this industry. There is support for this notion from the 1999 Productivity Commission analysis of gambling in Australia. See Discussion for further consideration of the claim.

**Table 8 – Degree of Compliance Reported for Lottery Industry**

<b>Recommended Lottery Practice</b>	<b>Compliance Rate (%)</b>
1.1 Information About the Potential Risks	63
1.2 A Responsible Gambling Mission Statement	0
1.3 Information on Odds or Win Rates of Major Prizes	100
1.4 Information is Available on Request	69
2.1a Links to Support Services	50
2.1b Community Liaison	0
2.2 Customer Complaints	50
2.3 Responsible Gambling Records	31
3.1 On-going Training	80
3.2 Training Time Frame	94
3.3 Product Comprehension	100
3.4 Responsible Gambling Contact Point	75
4.4 Counselling Contact Information	81
4.6 Correspondence and Promotional Material	100
5.2 Intoxicated Customers	81
6.1 Prohibition of Minors	100
6.3 Minors as Staff Members	50
7.3 Credit and Money Lending	94
7.4 Cashing of Cheques	94
8.1 Compliance with Advertising Code of Ethics	88
8.2 Return to Player	100
8.3 Accurate Details	100
8.4 False Impressions	100
8.5 Minors	100
8.6 Problem Gambling Signage	63
8.7 Notices of Individual's Winnings Paid	100
8.8 Urging to Buy	63
9.0 Privacy Policy	100

Note: Practice 4.6 applies to 3 outlets, Practice 6.3 to 4 and Practice 8.7 to 13.

No compliance was found for Practice 1.2 which recommends that a Mission Statement is displayed at each gambling venue. Some outlets misreported compliance on the questionnaire but this came from confusing the recommended Mission Statement with their corporate (Tattersalls) Mission Statement. Others were simply unaware of the requirement. The majority, in any case, believed that such a Mission Statement was inappropriate because lotteries are only 'soft gambling'.

The compliance rate for Practice 1.4 was 69 per cent, indicating the majority of outlets had mechanisms for alerting customers to the availability of additional information that could be provided upon request. However follow up showed compliance to be higher. Many of the outlets that reported non-compliance actually had mechanisms in the form of brochures, posters and the Tattersalls policy handbook or had procedures in place that ensured staff were available at all times to answer questions and provide appropriate information.

Practice 2.1 requires lottery outlets to establish links with gambling-related support services and consult with the local community about early intervention and prevention strategies. Results showed that half had links with support services, but none had consulted with the community.

The majority of outlets were non-compliant because lottery products are regarded as 'soft gambling' that do not expose people to harm. Many others were not aware of practice or its requirements, some asserted that they did not have a defined local community to consult and others explained they had not encountered any demonstrated need to adopt the practices.

Further, in assessing compliance for these particular practices it is important to note that Tattersalls undertakes these tasks on behalf of the industry sector. This may obviate the need for individual outlets to do the same. Tattersalls participates on the Gambling Reference Group which links it to support services. It also consults with local community stakeholder groups (eg. police) and has established links with Amity House.

Fifty per cent of lottery outlets had procedures in place to recognise and address complaints as recommended by Practice 2.2. The common practice of lottery outlets was to refer customers to management to deal with a problem. In addition to some individual outlets having formal complaint handling procedures in place, all outlets were able to refer problems to the formal processes established and maintained by Tattersalls.

The reasons given for non-compliance were that:

- problems are dealt with immediately by management so procedures are not necessary;
- outlets have yet to receive any complaints; and
- the process is overly demanding in the context of lotteries being 'soft gambling'.

Practice 2.3 had a compliance rate of 31 per cent. Only a few outlets had a Responsible Gambling Incident Register. Most compliant outlets recorded incidents/events in a diary/book. The reasons for not having a separate incident register were:

- issues are dealt with immediately so there is no need to keep records;
- outlets being unaware of the practice or its requirements;
- there had been no complaints or incidents to date to record; and
- lottery products are "soft gambling" so incidents do not require registration. This was the most common reason identified from site visits.

Eighty per cent of lottery outlets reported complying with Practice 3.1 and trained staff in responsible gambling service and products within three months of employment. However observation indicated this rate to be an exaggeration, with many outlets confusing this training with lottery specific product training. It is estimated that compliance is probably less than half the reported rate (31 per cent).

When considering compliance with Practice 3.1 and other recommended training, consultation and record keeping practices, it is important to appreciate certain characteristics of the lottery industry. It has a strong perception that lotteries do not add significantly to problem gambling, (especially when compared to other forms of gambling like gaming machines, TAB and casino games). Because of this, many outlets see the Code as creating unnecessary work. This is further highlighted by lotteries typically being only part of a mixed business that is more than likely a small/family operation with limited resources. The relevance of practices to mail order lottery licensees is also questionable.

Three-quarters of lottery outlets reported having a staff contact for problem gamblers, as recommended by Practice 3.4. The most common reason given for non-compliance among the remainder was outlets being unaware of the practice and its requirements. Other reasons for non-compliance were a lack of demonstrated need for the service and lottery products being 'soft gambling' and not accessed by problem gamblers.

Practice 6.3 discourages persons under the age of 18 from selling gambling products. It does not prohibit sales by minors. Most lottery outlets do not employ minors, but four outlets did report employing minors as staff and observation revealed two where minors sold gambling products.

Practice 8.1 requires gambling providers to ensure that advertisements and promotions comply with national advertising standards. Eighty-eight per cent of lottery outlets reported an awareness of the relevant advertising codes of practice. Observation revealed total compliance.

To maintain consistent standards, Tattersalls provides all advertisements, posters, booklets and the like and prohibits individual outlets from issuing their own product advertisements. As a major incorporated company, it might be assumed that Tattersalls complies with the relevant national advertising standards. It might also be assumed that the advertising and promotional materials are not false or deceptive, as required by Practice 8.2. Visits certainly found no instances of false, deceptive or misleading material.

Practice 8.6 requires lottery outlets with advertisements at point of sale to have problem gambling signage. While 63 per cent of outlets indicated compliance with this recommendation, visits found this to be substantially over-stated. Observations showed that few outlets with point of sale advertisements had appropriate signage about problem gambling (19 per cent). The reasons given by most outlets for not complying were that they were not aware of the practice and its requirements or that they did not have suitable signage to display.

Sixty-three per cent of lottery outlets reported compliance with Practice 8.8 and prohibited staff from verbally urging non-gambling customers to buy gambling products. A major reason given for non-compliance was the standard practice of 'up-selling' gambling products. Observations found this to be especially so during jackpot draws. It is not certain the extent to which this practice captures non-gamblers, but there is clearly a mixed message in how outlets perceive the need to promote higher-margin products (especially in small businesses) and the recommendations of the Code.

The relatively low overall compliance rate seems to stem from a lack of understanding of the Code and its requirements or limited appreciation of its relevance. This latter view is based largely on lottery products being 'soft gambling' and not strongly linked to problem gambling. In this light the Code is seen by some retailers to be imposing more demands than are necessary.

It must be remembered that lottery distribution in the Northern Territory is of a franchise nature. Under this arrangement, Tattersalls assumes responsibility for a range of operational matters on behalf of its retail outlets and it would be the initial point of contact to clarify and resolve issues of non-compliance.

### **Suggested Actions for Lottery Industry**

- It is critical that dialogue take place to address the apparent divergence in how applicable the Code should be to this particular industry. This has arisen partly by the relevance of some measures, if not all, being vague and unexplained. It is compounded by the minimal role, if any, that lotteries play in nurturing problem gambling<sup>6</sup>. Implementation cannot be reasonably expected unless the rationale for measures is clear and understandable. The outcome of such a dialogue will impact on other actions listed below. As a minimum, the lottery industry requires more training to help outlets implement the Code and more education in regards to the purpose of the Code and the additional work it demands.
- Venues should review their information displays. They should ensure information on the potential risks associated with problem gambling is clearly displayed, as required by Practices 1.1 and 8.6.

The nature of the materials on display should be of a quality that is conducive to effective communication. The Code should be prescriptive about the minimum standards for display (size, location, etc), to ensure the practice is satisfied in more than a notional manner, and adjustments made to the Manual accordingly.

- To satisfy Practice 1.2, lottery outlets should ensure an appropriate Mission Statement is clearly displayed in an area where customers can see it easily.
- As the Code stands, licensees should promote and display the Manual's Complaint Resolution Procedure, maintain an Incident Register and keep Responsible Gambling Records. Alternatively, as complaints are often immediate and not complex, it may be more effective to reassess the relevance of these practices to the lottery industry.
- More flexible training provision might be investigated to address the impact practices can have on the type of businesses that sell lotteries. Venues could also prepare Player Information Guides as recommended in the Manual (Form 6).
- To satisfy Practice 3.4 with a minimum demand on limited resources, some creativity might be applied to the introduction of a Responsible Gambling Liaison Officer. The officer need not be on the premises and could act for multiple lottery venues, but he or she must be able to be contacted at all times during trading hours. Given the small business nature of many lottery outlets, a shared officer might be preferable and this could be centralised. Venues would

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<sup>6</sup> See Discussion section for commentary that indicates lotteries are a relatively low risk form of gambling.

still need to have the full contact details of support services available on premises.

- Practice 6.3 focuses on “discouraging” the sale of gambling product sales by minors and suggests the activity should only occur under exceptional circumstances. The Code should make clear what qualifies as exceptional circumstances.
- Licensees should ensure all staff and management are aware of Practice 8.8 and prohibit staff from promoting gambling products to non-gambling customers.
- Tattersalls should contact support service providers for information that can be displayed by outlets about the potential risks of problem gambling. This would have to be consistent with what is known about lotteries as a source of problem gambling.

### **3.5 TAB INDUSTRY**

A total of 12 TAB outlets were surveyed, with 11 (92 per cent) returning completed questionnaires. Eight TAB outlets were observed.

The average reported rate of compliance was 83 per cent and Table 9 shows the compliance rate reported for each practice recommended for TAB industry.

The NT TAB reported all its agents had a copy of the Code and had received formal training. However the survey included Alice Springs and Darwin turf clubs as part of the TAB industry and it is known that neither of these received training. Responses show that high compliance occurred with the TAB agents, while the turf clubs had low compliance.

The NT TAB provides an administrative function and support to all TAB outlets and it performs some tasks on behalf of the individual outlets. It does not provide any administrative support to the Darwin or Alice Springs turf clubs or the Greyhound Association.

#### **Areas for TAB Improvement**

There was 73 per cent compliance with Practice 1.2, indicating that most outlets had a Mission Statement displayed. TAB agents had been provided with an appropriate Mission Statement by NT TAB and were the first venues to display correct Mission Statements. There was non-compliance by both turf clubs and one TAB agent, with all three citing a lack of awareness of the practice and its requirements.

Fifty-five per cent of TAB agents reported having established links with gambling support services and 27 per cent reported consulting with the local community as recommended by Practice 2.1. Follow up revealed that individual TAB agents do not undertake these tasks. The NT TAB has the established links and consultation processes which they activate on behalf of TAB outlets. The reported compliance rate, therefore, is incorrect and should include all TAB outlets (ie. 82 per cent) to more accurately reflect the reality of what occurs.



**Table 9 – Degree of Compliance Reported for the TAB Industry**

<b>Recommended TAB Practice</b>	<b>Compliance Rate (%)</b>
1.1 Information About the Potential Risks	82
1.2 A Responsible Gambling Mission Statement	73
1.3 Information on Odds or Win Rates of Major Prizes	100
1.4 Information is Available on Request	91
2.1a Links to Support Services	55
2.1b Community Liaison	27
2.2 Customer Complaints	73
2.3 Responsible Gambling Records	91
3.1 On-going Training	100
3.2 Training Time Frame	82
3.3 Product Comprehension	100
3.4 Responsible Gambling Contact Point	91
4.1 Patron Responsibility	82
4.2 Self-Exclusion Procedures	82
4.3a Receiving Completed Self-Exclusion Forms and ID	82
4.3b Self-Exclusion Details Recorded	82
4.4 Counselling Contact Information	91
4.5 Self-Exclusion from other Gambling Providers	91
4.6 Correspondence and Promotional Material	36
5.1 Passage of Time	100
5.2 Intoxicated Customers	100
5.4 Procedures to Check Venues and Car Parks	27
6.1 Prohibition of Minors	100
6.2 Activities for Minors	100
7.1 Signage	0
7.2 ATM and EFTPOS Facility	100
7.3 Credit and Money Lending	100
7.4 Cashing of Cheques	100
8.1 Compliance with Advertising Code of Ethics	73
8.2 Return to Player	100
8.3 Accurate Details	91
8.4 False Impressions	100
8.5 Minors	100
8.6 Problem Gambling Signage	91
8.7 Notices of Individual's Winnings Paid	100
8.8 Urging to Buy	91
9.0 Privacy Policy	100

Note: Practice 6.2 applies to 1 outlet, Practice 7.1 to 2 and Practice 8.7 applies to 11.

Darwin and Alice Springs turf clubs, on the other hand, did not comply with Practice 2.1 in any way. Both indicated they were not aware of the practice or its requirement.

Practice 2.2, requiring procedures for recognising and addressing complaints, had a compliance rate of 73 per cent. Individual TAB agents initially deal with all complaints, with the more complicated cases being forwarded to NT TAB. The complaint process is promoted via brochures, signs and word of mouth. Only one TAB agent, along with both turf clubs, reported non-compliance with this practice.

Around a third of TAB outlets (36 per cent) reported having procedures in place to prevent promotional material being sent to self-excluded customers as recommended by Practice 4.6. Observation found the compliance rate to actually be higher, as TAB venues are prohibited from promoting themselves and have no materials to send to customers in any case.

Only three TAB agents had procedures for checking premises and venue car parks for children left unattended as recommended by Practice 5.4. Reasons for non-compliance were:

- employees having clear views of car park area, so they are able to regularly check from within the premises and not go outside;
- TAB outlets allowing children inside venues under guardian supervision at all times so there is no need for parents to leave children in a car park and there is no need to check the car park as a result;
- rosters which only allow for one staff member restrict capacity for checks to be done on a regular basis; and
- TAB outlets often have communal car parks with other businesses in shopping centres that have security officers doing the checks.

No TAB agents had ATM facilities, so compliance with Practice 7.1, requiring the display of signage, was unnecessary. But there were ATM facilities at the two turf club venues and neither was observed as having the appropriate signage. The reasons for this were a lack of awareness of the practice and its requirements, and not having any suitable signs to display.

Three-quarters of the TAB industry reported an awareness of the advertising standards stipulated in Practice 8.1 and indicated compliance with those standards. However observation suggests compliance for TAB agents might have been 100 per cent, as promotional materials were provided by the NT TAB. As a peak body, it might be assumed that NT TAB is aware of relevant advertising standards and ensures they are met by all its promotional materials. Conversely, only one turf club indicated compliance.

### **Suggested Actions for TAB Industry**

- There is evident support for the Code among TAB agents, based on the cooperation of outlets and the training and support provided by the NT TAB. However this is not replicated by the two major turf clubs in the Territory. There is a clear need for the Code to be introduced and encouraged at those two venues without delay.
- Turf clubs should review their information displays. They should ensure information on the potential risks associated with problem gambling is clearly displayed in all gambling areas as per Practice 1.1 and around ATM or EFTPOS facilities. Where there are multiple areas for gambling activities, there

needs to be a display in each. The nature of the materials on display should be reasonable in terms of effective communication.

- Turf clubs should also address the absence of Mission Statements, complaint mechanisms, consultation processes and a range of other practices. However this should be preceded by some preliminary review of the Code to reaffirm the appropriateness or otherwise of all those practices for turf clubs.

### **3.6 INTERNET SPORTS BOOKMAKER INDUSTRY**

Seven internet sports bookmaker outlets were surveyed and all returned completed questionnaires. All seven internet sports bookmaker websites and physical venues were observed.

The average reported rate of compliance was high at 87 per cent. Table 10 shows the reported compliance rate for each practice recommended for the internet sports bookmaker industry.

Reported compliance for this industry is complicated by the discretionary nature of many of the strategies. Only 17 measures are recommended to apply to all internet sports bookmakers. When these are isolated, the average compliance rate is 94 per cent. Without knowing whether non-compliance with the optional measures was due to situational inappropriateness or some other reason, compliance can be assumed to sit between 87 per cent and 94 per cent.

Representatives of the internet sports bookmaker industry reported that all operators had a copy of the Code and had received formal training to help them implement practices. The majority indicated that the training was useful.

#### **Areas for Internet Sports Bookmaker Improvement**

If it is assumed that non-compliance with the discretionary practices was based solely on a venue determining that a practice is not appropriate, then the compliance rate for each of the optional practices might more accurately be 100 per cent. Unfortunately insufficient information was collected to confirm whether appropriateness was the critical consideration guiding implementation. This makes commentary on those strategies problematic.

Two practices that might have relatively low compliance for reasons other than discretion are Practices 5.1 and 8.6. Both seem to be limited largely by practical considerations.

**Table 10 – Degree of Compliance Reported for Internet Sports Bookmaker Industry**

<b>Recommended Internet Sports Bookmaker Practice</b>	<b>Compliance Rate (%)</b>
1.1 Information About the Potential Risks	71
1.2 A Responsible Gambling Mission Statement	57
1.3 Information on Odds or Win Rates of Major Prizes	86
1.4 Information is Available on Request	86
2.2 Customer Complaints	100
2.3 Responsible Gambling Records	100
3.1 On-going Training	100
3.2 Training Time Frame	86
3.3 Product Comprehension	100
3.4 Responsible Gambling Contact Point	86
4.1 Patron Responsibility	100
4.2 Self-Exclusion Procedures	100
4.3a Receiving Completed Self-Exclusion Forms and ID	57
4.3b Self-Exclusion Details Recorded	86
4.4 Counselling Contact Information	100
4.5 Self-Exclusion from other Gambling Providers	86
4.6 Correspondence and Promotional Material	100
5.1 Passage of Time	14
6.1 Prohibition of Minors	100
6.2 Activities for Minors	100
7.3 Credit and Money Lending	100
8.1 Compliance with Advertising Code of Ethics	86
8.2 Return to Player	100
8.3 Accurate Details	100
8.4 False Impressions	100
8.5 Minors	100
8.6 Problem Gambling Signage	0
8.7 Notices of Individual's Winnings Paid	100
8.8 Urging to Buy	100
9.0 Privacy Policy	100

Note: Practices 1.1, 1.2, 1.4, 2.3, 3.1, 3.4, 4.2, 4.4, 4.5, 5.1, 6.1 and 8.6 are discretionary and only need to be implemented "as appropriate". Practice 8.7 applies to 7 operators.

An inspection of websites found only one internet sports bookmaker implementing Practice 5.1 and installing a 'watch the clock' facility to enable the passage of time to be monitored. Reasons for non-compliance varied and included:

- having a procedure in place to alert customers of time would be impractical as patrons are spread widely across time zones in Australia and other countries. It was also asserted that customers log on at various locations (eg. home, work or elsewhere) where clocks would be available.
- new passage of time facilities would be redundant for patrons placing bets on line as individual computers already have visible and continuing clock displays; and
- internet sports bookmakers have no physical venue and do not deal with customers in a face to face situation. As such it is argued that it should be the

responsibility of patrons to ensure time is tracked. Indeed it is argued that internet sports bookmakers should be excluded from this practice.

Many internet sports bookmakers were aware of the practice but found it difficult to implement in an efficient or sensible way. They suggested the Manual should contain more ideas of the types of systems that could be put in place. Clearly, while Practice 5.1 is discretionary, there is a preparedness to comply if suitable methods can be identified.

There was no compliance with Practice 8.6, requiring problem gambling warning signage to be displayed when a promotion is directed at Northern Territory residents. All website promotions are liable to be accessed by Territorians and so it might be expected that every promotion should have clearly visible and appropriate warning signs.

Despite responsible gambling internet links being provided by the majority of internet sports bookmakers, they did not have explicit gambling warning signage which could be scrolled across the screen or a pop up message. Messages, however, would have to be appropriate to each individual web site and take into account the diversity and spread of customers around the world. It is in this context that it is again noted, as with a number of other practices for this industry, that the strategy is to be applied “as appropriate” and that the implications of non-compliance are difficult to identify.

Apart from these discretionary strategies, it is also apparent that the reporting of compliance was at times incorrect. For example, while the survey results showed varying compliance for the two parts of Practice 4.3, observation and follow up showed the rate to actually be higher. All internet sports bookmakers fully complied with practice and had a mechanism in place to disable access. Patrons were able to phone, email or write letters to the internet sports bookmaker asking to be excluded. Once a request was received, the patron’s account would be closed indefinitely. Compliance for this practice should be 100 per cent.

### **Suggested Actions for Internet Sports Bookmakers**

- There is a clear need to review the appropriateness of the practices recommended for this industry. One outcome might be a clearer rationale being provided for each practice being adopted (and justifying all the associated effort and work that goes with that) and more assistance being given to get the practices implemented in a virtual environment. Alternatively, more exceptions might be identified for the industry so only a select menu of the most relevant and meaningful strategies is retained.
- The strategies with least compliance in this industry were those identified by the Code as optional. Greater compliance might be achieved with variations to existing requirements (eg. Practice 1.1 might allow suitable links to be made from a homepage) or by further developmental work of a practical or technical nature (eg. time monitors that are not dependent on local time constraints).

### **3.7 BOOKMAKER INDUSTRY**

Seven oncourse bookmakers were surveyed and four (57 per cent) completed the questionnaire. On-site observations were conducted at the stands of those four bookmakers.

The average rate of compliance reported for the oncourse bookmaker industry was very low at 36 per cent. Table 11 shows the compliance rate reported for each practice recommended for the bookmaker industry.

At the time of the survey, no training had been provided to oncourse bookmakers. Bookmakers do not have permanent venues. Instead they operate out of individual stands at locations such as racecourses. This more transitory nature of the business may have hampered the delivery of training in any systematic way.

### **Areas for Oncourse Bookmaker Improvement**

With nearly three-quarters of the recommended practices showing no compliance or only marginal compliance, it is clear that the industry is in dire need of improving its performance against the Code. No attempt will be made to discuss each of the practices that need attention.

While survey results indicated 100 per cent compliance for Practice 3.2, observation found bookmakers were confusing training in responsible gambling provision with normal employment and induction training. As with most of the other practices, actual compliance for Practice 3.2 was zero.

Due to the nature of bookmaker operations, many practices recommended in the Code (eg. 2.1, 5.1, 5.2, 5.3, 5.4, 6.1, 6.2, 7.1, 7.2, 8.4, 8.5 and 8.6) seem to be impractical for implementation. For example, it appears problematic to expect a small and mobile business provider to be required to establish links and consult with the local community, as specified by Practice 2.1. It might be more appropriate that the venues where bookmakers operate be the ones that should comply with more of these practices. In this context it is necessary to review the bookmaker industry and redefine which practices in the Code should be applied.

### **Suggested Actions for Oncourse Bookmakers**

- The Code currently categorises TAB agencies and oncourse bookmakers together, but observation indicates many of the recommended practices for both are not appropriate to bookmakers. The Code should distinguish oncourse bookmakers and TAB agencies and list recommendations for each separately. Evidence from this study indicates that many practices applicable to the TAB should not be applied to bookmakers.
- Provide bookmakers with copies of the revised Code and provide appropriate training to help them implement practices.

**Table 11 –Degree of Compliance Reported for Oncourse Bookmaker Industry**

<b>Recommended Oncourse Bookmaker Practice</b>	<b>Compliance Rate (%)</b>
1.1 Information About the Potential Risks	0
1.2 A Responsible Gambling Mission Statement	0
1.3 Information on Odds or Win Rates of Major Prizes	100
1.4 Information is Available on Request	0
2.1a Links to Support Services	0
2.1b Community Liaison	0
2.2 Customer Complaints	0
2.3 Responsible Gambling Records	0
3.1 On-going Training	50
3.2 Training Time Frame	100
3.3 Product Comprehension	100
3.4 Responsible Gambling Contact Point	25
4.1 Patron Responsibility	0
4.2 Self-Exclusion Procedures	0
4.3a Receiving Completed Self-Exclusion Forms and ID	0
4.3b Self-Exclusion Details Recorded	0
4.4 Counselling Contact Information	75
4.5 Self-Exclusion from other Gambling Providers	50
4.6 Correspondence or Promotional Material	100
5.1 Passage of Time	0
5.2 Intoxicated Customers	0
5.4 Procedures to Check Venues and Car Parks	0
6.1 Prohibition of Minors	25
6.2 Activities for Minors	25
7.1 Signage	0
7.4 Cashing of Cheques	0
8.1 Compliance with Advertising Code of Ethics	50
8.2 Return to Player	100
8.3 Accurate Details	100
8.4 False Impressions	100
8.5 Minors	100
8.8 Urging to Buy	25
9.0 Privacy Policy	75

### **3.8 GAMBLING INDUSTRY OVERVIEW**

A total of 131 gambling providers were surveyed and 97 (74 per cent) returned completed surveys. Completed questionnaires were obtained from 30 clubs, 27 hotel/taverns, 16 lottery outlets, 11 TAB agencies, 7 internet sports bookmakers, 4 bookmakers and 2 casinos. This includes all casinos and internet sports bookmakers, but only a sample from the other sectors. Observations were made at a random sample of 54 of those providers.

The average compliance level reported for the whole of industry was 77 per cent. Table 12 shows the reported compliance rate for each practice. The rate is derived only from providers in the industries to which the practice is recommended.

Although the average voluntary rate was relatively high, the degree of compliance varied considerably across different sectors of the industry:

Industry	%
Casinos	93
Internet Sports Bookmakers	87
Hotel/Tavern	84
TAB	83
Clubs	82
Lottery	76
Bookmakers	36

Interestingly, higher compliance is recorded for the industries under more stringent regulation (ie. casino, internet sports bookmakers and TAB outlets).

Casinos, with only two venues, had the highest reported rate of compliance. Casinos are prominent gambling providers in the Northern Territory and provide a variety of gambling activities. They are also heavily regulated and showed a willingness and level of cooperation for implementing practices recommended by the Code.

The next best reported rate of compliance was for internet sports bookmakers. They showed a ready preparedness to adopt the Code but were experiencing difficulties in translating some requirements to the type of environment in which they operate. This is acknowledged to some degree by the Code identifying some strategies as only necessary when 'appropriate'. This complicates the reported compliance rate and it is probable that compliance was actually higher.

The hotel/tavern and club industries and the TAB industry reported substantial levels of compliance. Clubs were the largest industry to be surveyed, with 35 venues. While overall compliance was high, the uptake of different practices by individual clubs was variable. This was also the case for hotels/taverns. Some premises had embraced the Code while others had put a minimum in place.

It might also be noted that results pointed to the Code being more effectively implemented in larger clubs and hotels than in smaller venues and outlets in remote areas. It is not known whether this represents a greater reluctance on the part of such venues to adopt new procedures and practices or whether the Code needs to be more flexible to accommodate qualitatively different factors operating in smaller and more remote venues. More consultation is warranted to ensure the most appropriate response is made to this observation.

The TAB industry had a similarly high level of compliance, despite being compromised by the inclusion of the Darwin and Alice Springs turf clubs which had not received any formal training about the Code and, as a corollary, had not put many practices into effect. Those two venues are in clear need of concerted attention.



**Table 12 – Degree of Compliance Reported for Gambling Industry**

<b>Recommended Practice</b>	<b>Compliance Rate (%)</b>
1.1 Information About the Potential Risks	73
1.2 A Responsible Gambling Mission Statement	34
1.3 Information on Odds or Win Rates of Major Prizes	97
1.4 Information is Available on Request	72
2.1a Links to Support Services	57
2.1b Community Liaison	18
2.2 Customer Complaints	72
2.3 Responsible Gambling Records	62
3.1 On-going Training	87
3.2 Training Time Frame	90
3.3 Product Comprehension	96
3.4 Responsible Gambling Contact Point	81
4.1 Patron Responsibility	79
4.2 Self-Exclusion Procedures	79
4.3a Receiving Completed Self-Exclusion Forms and ID	69
4.3b Self-Exclusion Details Recorded	65
4.4 Counselling Contact Information	90
4.5 Self-exclusion from other Gambling Providers	70
4.6 Correspondence and Promotional Material	91
5.1 Passage of Time	68
5.2 Intoxicated Customers	80
5.3 Child Care Facilities	50
5.4 Procedures to Check Venues and Car Parks	52
6.1 Prohibition of Minors	89
6.2 Activities for Minors	88
6.3 Minors as Staff Members	83
7.1 Signage	46
7.2 ATM and EFTPOS facilities	97
7.3 Credit and Money Lending	97
7.4 Cashing of Cheques	70
8.1 Compliance with Advertising Code of Ethics	69
8.2 Return to Player	97
8.3 Accurate Details	96
8.4 False Impressions	100
8.5 Minors	100
8.6 Problem Gambling Signage	62
8.7 Notices of Individual's Winnings Paid	100
8.8 Urging to Buy	80
9.0 Privacy Policy	94

Note: Results based on same qualifications as for previous tables for each separate sector.

Individual TAB agents had implemented nearly all practices identified for them and they were well supported by NT TAB which provided training to the industry and prepared an information folder for all TAB outlets. The success of this might be a model for other industries.

Lottery outlets were the second largest industry surveyed and it achieved a fair level of compliance. The nature of lottery outlets is quite distinct from other gambling providers and uptake would seem to reflect those differences. Observations and information given by lottery providers suggests a mismatch between what is expected from the industry in terms of uptake of the Code and the practical value to businesses and consumers in doing so. This is underscored by a perception that lotteries are not a significant contributor to problem gambling.

Oncourse bookmakers were found to have the lowest level of compliance. However this was mitigated by them being the only providers who had not received a copy of the Code or any formal training. While this makes it premature to assess the industry, it is apparent that many practices recommended by the Code are either not applicable or are impractical for bookmakers to implement.

Irrespective of the differences between sectors, there were some common implementation difficulties. These involved nine practices in particular.

Practice 1.1 requires problem gambling warning information to be displayed. Most providers had information but it was not appropriate or of adequate quality to satisfy the Code.

The requirement of Practice 1.2 for a Mission Statement was often confused with providing a corporate Mission Statement and/or other materials. It was evident that many providers are uncertain about what is required and the Manual does little to clarify the matter.

Practice 2.1 is an activity unknown to many gambling providers, especially the part that deals with consulting the local community. Many have links with support services such as Amity House, but few knew who comprised their local community, the matters to be discussed or how consultation should occur.

Although venues often had diaries and other record keeping facilities, few gambling providers have a Responsible Gambling Incident Register as recommended by Practice 2.3.

Practice 3.1 requires licensee to provide training in responsible gambling products and services to staff. This was frequently confused with the provision of training and orientation that routinely occurs when people are employed by any business.

There was widespread partial compliance with Practice 4.3, but the majority were unaware of the three-step process of receiving completed self-exclusion forms, taking a copy of a patron's photo identification and entering details into a register. As a result, the recommended practice was seldom fully implemented.

Implementing Practice 4.5 is problematic, if not unethical or illegal, for a number of providers. It raises sensitivities about staff intrusion, inequitable application by providers, legal risks and a range of other concerns.<sup>7</sup>

Practice 7.1 stipulates that problem gambling warning signs must be displayed near or on ATMs. At some places there was no display and at others a minimalist approach had been taken.

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<sup>7</sup> It is acknowledged that at the time of the survey, more advice was being sought about the legalities of exclusions and how they operate.

Appropriate signage is also required by Practice 8.6 at point of sale where advertisements are present. Many gambling providers did not know what 'point of sale' referred to and this inhibited uptake of the practice.

Practice 8.8 requires 100 per cent compliance by all industry participants. The Code prohibits gambling providers from urging non-gambling customers to buy gambling products. Two-thirds of the gambling industry (76 per cent) had procedures to ensure compliance, but the lottery, internet sports bookmaker and bookmaker sectors were without procedures.

The most common reasons for non-compliance with any of the practices were that venues were either totally unaware of the expectations they were to meet or lacked any understanding of how to implement the recommended actions. While many of the gambling providers who received training indicated that it had been helpful, others did not find it comprehensive enough or indicated that they had not received any at all. This is an area that can be addressed, with attention being given to those sectors currently unfamiliar with the Code or in need of more practical guidance. This focus is likely to improve the compliance rate significantly.<sup>8</sup>

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<sup>8</sup> Breen, H., Buultjens, J. and Hing, N. The responsible gambling code in Queensland, Australia: implementation and venue assessment. *UNLV Gaming Research & Review Journal*, 2005, 9, 43-60 notes that key facilitators of implementation are staff training, education and development in responsible gambling.

## 4.0 DISCUSSION

The reported compliance rates revealed by this study need to be qualified at the outset. They are confounded by some strategies being discretionary in some industries, by misrepresentation of what is actually in place at venues (both in terms of practices being under-reported and others being over-reported) and by the role of some peak industry bodies as being responsible for uptake at individual venues. While these considerations necessarily limit a precise assessment of compliance, the results are still indicative and provide instruction on broad issues around initial implementation of the Code.

The results demonstrate a practical commitment by the industry as a whole to provide a responsible gambling environment that seeks to minimise problem gambling. Nearly all sectors had substantially embraced the Code on a voluntary basis. However compliance was not universal.

The reasons for non-compliance were varied. Some related to the content of the Code. A number of the recommended actions are not clearly articulated and the relevance or appropriateness of some to particular industries is debatable. Some non-compliance related to inadequacies with the Manual as a guide to implementation. The details provided or the explanations given about how an action can be taken are not always instructive. Non-compliance also arose from a complete lack of training and education about the Code or training that was not sufficiently focused or engaging.

Another contributing factor was the apparent reluctance of some providers. This is partly due to practical considerations about how their businesses operate, but it is also partly attitudinal. While the former can be addressed through collaborative efforts and negotiation and trial and error, the latter requires more engagement. The one part missing from the Code is any rationale for the various measures that are recommended. They are simply listed and are expected to be taken up.

Effective implementation is best facilitated when people understand the need for actions. There needs to be clear rationale for how changes to business practices and new imposts will deliver better outcomes. Many of the practices demand additional resources and substantial operational changes and these should not be extracted without proper justification. A communication strategy that involves more than the distribution of the Code and some one-off training would seem to be essential.<sup>9</sup>

A range of venues is likely to benefit from more explanation of the reasoning and evidence underlying a number of practices. Uptake is less likely to occur if it is not clear to those who must implement changes that the new system will deliver any advantages. The Code may need to provide more explanation for each recommended action, rather than being a menu of prescribed practices. The Manual too might be more expansive about how desired outcomes can be best achieved, with attention paid to the peculiar parameters of each industry sector.<sup>10</sup>

This is especially pertinent to the lottery industry which does not see itself as a major contributor to 'problem gambling' (particularly when compared to other

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<sup>9</sup> See Carlopio, J. *Implementation: Making Workplace Innovation and Technical Change Happen*. Sydney, McGraw-Hill, 1998.

<sup>10</sup> Embedding the Code in a theoretical model might assist in this respect. For example see Dickerson (2003).

forms of gambling like gaming machines, TAB and casino games) and therefore has difficulties in relating to the Code.<sup>11</sup> Further, the sale of lotteries is often only part of a small, mixed business and much of the extra demand created by the Code is not easily absorbed. There is an urgent need to engage these outlets in the relevance of the Code if it is to be fully embraced. At a minimum, lottery outlets require more training to help them implement the Code and more education about the intentions of the Code and the additional work it demands.

Similarly, the virtual environments in which internet sports bookmakers operate raise questions about the utility of some recommended actions. It is likely that non-compliance is largely due to practical limitations. It would seem that the industry would embrace practices further if assistance was provided in this area. Likewise some consideration should be given to separating bookmakers from the TAB and identifying appropriate strategies to be applied to each sector.

These concerns are especially critical to address if the Code is to ever be mandatory. Once that is the case, there will be an obligation that what is identified in the Code will be put in place. To avoid frustration and resentment, there needs to be confidence that the measures identified by the Code are practical, appropriate, efficient and effective. To enforce compliance it is imperative that the industry has the necessary knowledge, skills and resources to understand and implement what is required and that the prescribed actions are appropriate and add value to existing activities designed to enhance the responsible management of gambling. The Code and its recommended applications need to be reviewed accordingly.

This needs to occur separately for each sector of the industry. Implementation was more widespread among the casinos, TAB agents and internet sports bookmakers. This may reflect the greater regulation these industries are subject to. Further, it is among the other industry sectors which are not subject to the same degree of scrutiny or control that there is greater caution expressed about the relevance of the Code of Practice and its purpose.

All the recommended strategies are currently presented as being of equal importance, yet the fact that some strategies are identified as discretionary for some industries indicates this is not a correct interpretation. Articulation of the rationale underlying each strategy might clarify that some should be more of a priority for certain venues to implement. Intuitively it would appear that effort put into some strategies might deliver greater impact on problem gambling than others. If that is the case, venues with limited resources might then attend to those strategies which are most effective for them rather than trying to do everything. But this possibility cannot be gauged properly until further explanation is given for the choice of strategies included in the Code. This could be in the form of a companion booklet, if not part of the Code itself.

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<sup>11</sup> There is support for this industry claim from the Productivity Commission analysis of indices in 1999 that concluded "lotteries and scratchies, in their current forms, currently present low risks for problem gambling" (p 6.53). It found, for example, that lotteries had the lowest share of problem gambling (ie 0.28%) compared to other forms such as gaming machines (9.27%), racing (5.23%), casino games (3.59%).

An example of an area that might be improved is the requirement for venues to display a Mission Statement. There is no rationale given about how this affects problem gambling. Moreover, while such a Statement should articulate a clear vision to strive toward, the example provided in the Manual does not do that – it simply indicates support for the Responsible Gambling Code.

Similarly the Code limits access to credit. However purchases by credit card are increasingly demanded by lottery customers. To what degree do all customers have to be inconvenienced to protect those at risk of problem gambling? This needs to be more fully considered and explained.

Another practice that is accompanied by little practical detail is the need to consult with local communities. Many gambling providers were unaware of the recommendation and, further, they were unsure who comprises the local community in this context, the kinds of matters that warrant consultation and whether that consultation should be routine or issues driven, and the processes to be involved. It was unclear to many what such consultation was supposed to achieve or the benefits that would flow from the effort involved.

The Code and Manual also provide little practical guidance in terms of the ban placed on the cashing of cheques. Compliance is problematic as intense scrutiny and monitoring is required to know that the proceeds of a cheque will or will not be used for the sole purpose of gambling. This is beyond the resources and operating principles of most outlets. Attention might be given to the Code disallowing the cashing of all cheques or being more helpful about how venues can better monitor patrons and how they decide to spend their money.

The issue of credit and the cashing of cheques also bears on differences observed with gambling providers in remote locations who are often isolated and usually offer gambling products as part of a mixed business. Such a situation raises particular challenges and strict adherence to the Code may be inappropriate or unduly burdensome for those venues. For example, some are located in areas where there are no banking facilities to cash cheques without prior arrangements. Strict application of the Code in those places might penalise people by virtue of where they live rather than any propensity to problem gambling. In light of this, the Code could be reviewed to include a statement about providers having an obligation to respond to the needs of their local community, taking into account geographical and cultural diversity.

Another complicated issue that appears to have been inadequately addressed for many providers to date is the recommendation to encourage self-exclusion from other venues. There are a range of legislative, commercial and practical issues that are outstanding for many providers and, as a result, their compliance has been limited. Indeed some outlets were explicitly resistant to this recommendation on the basis of it imposing unnecessary onus, responsibility and work on venues and intruding on customer liberties.

Even among providers with a process in place for self-exclusion, most considered the practice either unworkable or not worthwhile if people self-excluded from one venue and not others. Venues expressed concerns about the negative relationships that could arise from targeting other gambling providers for exclusion. Practical problems were identified for situations in which self-exclusion

forms are sent to other gambling venues at the request of a customer but the other provider does not observe the request and lets the customer gamble. This was seen as disadvantaging both the customer and the original venue that enforced exclusion.

To address these concerns, it was suggested that exclusions should apply to at least all venues in a particular locality, if not all venues in the Territory. It was also suggested that a neutral and central Responsible Gambling Officer could process self-exclusion forms, distribute requests to other venues and monitor their enforcement. Even if these options were to be taken up, there would still need to be a range of practical, ethical and legal issues to address before any implementation occurred.

Concerns about expanded self-exclusion aside, the notion of a centralised Responsible Gambling Liaison Officer is attractive for a number of other reasons. In addition to monitoring self-excluded patrons and encouraging them to extend exclusion to other venues, the position could be the principal contact for industry wanting information, updates or answers to questions about the Code. The duties of the position could be constantly reviewed to ensure it meets needs and demands as they emerge over time. With the Code acknowledged as dynamic and needing to respond to changes over time, a position like this would be invaluable for ensuring some continuity and currency for the Code and its application.

The Code's approach to self exclusion also highlights some lost opportunities that could be avoided. Self exclusion occurs at a moment that a person is aware of his or her problem with gambling and prepared to take some remedial action. Advantage could be taken of this situation by having self-exclusion act as a gateway for further intervention in the form of counselling or financial management skills development. This would shift self-exclusion from being a punitive action to being one of active intervention.

The Code specifies compliance with national standards for advertising and regulations for child care. To ensure venues have some idea of the technicalities of these standards and regulations, the Code might outline the essential requirements in a non-technical style or at least have a ready reference to useful sources of information. Likewise the Code should ensure that none of its recommendations contravene legislation (eg. the *Privacy Act*) and present any implications in a user-friendly form.

In terms of advertising and promotion, a look at the recommended standards actually reveals broad concepts such as honesty, truth and fairness. It is curious why the Code does not directly state these concepts rather than require reference to other sources and expect providers to research and educate themselves about what is required.

Adjustments could also be made to the Code so it is more definitive of what is required. The display of information about gambling risks is an illustration of this. Many venues complied with the stated recommendation, but the nature of the displays left much to be desired in terms of any effective communication. In this kind of instance the Manual should specify minimum standards. This also applies to photocopying patron identification for exclusion purposes. It needs to be assured that such copies are large enough to enable identification. Another

example relates to self-exclusion 'from venue or site'. Enforcement of the provision will differ markedly depending on whether this is meant to refer to exclusion from entire premises (venue) or only from the gambling area within premises<sup>12</sup>.

Similarly the Code uses phrases such as "if appropriate" and "when needed" for some recommendations and this can create ambiguity and subjectivity about when they should be in place. This is unacceptable if the Code is to become compulsory at any stage. While there may need to be some latitude, greater effort needs to be given to defining that latitude so venues know for sure whether they will have to comply or not.

While this research has highlighted difficulties with the Code and areas for improvement, this does not detract from the fact that the Code in its present form has already achieved significant changes in practice and awareness. As a first attempt to have an industry Code and knowing that best practice in responsible gambling is being continually refined, it would have been surprising if no issues were revealed by the research for attention.

The shared commitment and cooperation shown by various stakeholders involved in the preparation of the Code is to be acknowledged and supported into the future. Each gambling sector, the support services and the regulators all have different interests and perspectives, but this exercise has demonstrated a capacity to work together for the common goal of having a responsible gambling industry which seeks to minimise the risk of problem gambling.

Implementation to date has been supported by industry peak bodies through the development and delivery of training, and distribution of the Code and the Manual to all gambling providers. This has been complemented by gambling help service providers that have provided materials for display and information. This too is to be encouraged and maintained.

It is apparent, however, that further training and engagement is necessary. Despite a valuable CD-ROM package being produced and disseminated, a number of gambling providers have found this insufficient and want direct and personal training to respond to their immediate questions and needs. More basic training could be provided to those who are having difficulty implementing practices or others who have not received any to date, and a refresher course could be offered to other venues for instruction in particular areas identified for attention and improvement.

But before this training occurs, there must be a desktop review of the Code and its recommended strategies for particular industry sectors. The clear benefits of the Code and the appropriate application of the recommended actions need to be identified and plainly stated as the basis for any rejuvenated training program. There needs to be consideration of the issues that have been raised to ensure the actions are practical and appropriate and that better alternatives cannot be found.

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<sup>12</sup> This was raised during drafting of the Code.





## 5.0 RECOMMENDATIONS

To improve ongoing uptake of the Code it is recommended that the Northern Territory Gambling Reference Group<sup>13</sup>:

- consult with all different industry sectors to ensure the appropriateness of the Code to each and make adjustments and further distinctions between sectors as necessary;
- consider practical issues raised by this report and identify solutions that will address those issues;
- revise the Manual to ensure it provides sound practical advice about the way venues can go about implementing each recommended action;
- provide a clear rationale for elements of the Code to ensure engagement and support of the industry;
- distribute any revised Code or Manual with further training aimed at helping gambling providers in all sectors to implement the Code and ensure requirements for practices are understood;
- develop a proposal for a centralised officer to be the contact about the Code and implementation of its recommended actions. An officer may be nominated for each industry and supported by each industry or the position might be placed within Government. Duties of the officer might be answering industry questions/inquiries about the Responsible Gambling Code of Practice, providing updates on best practice, delivering ongoing training and refresher courses, undertaking regular site visits, and ensuring self-exclusion forms from customers wishing to be excluded from more than one venue are received and observed by other venues. Other duties might be identified;
- advocate for a webpage to be developed and maintained by Racing, Gaming and Licensing to provide regular updates about the content of the Code and Manual, including explanation and justification for each practice and instructions for how to achieve implementation of each practice recommended for an industry. Further information could be provided, but these elements should be the minimum of such a site. Preferably such a site would be provided and appropriately located in conjunction with the provision of a dedicated officer; and
- identify strategies to make the public more aware of the efforts being made by industry to minimise the risks of problem gambling and the support services that are available for problem gamblers.

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<sup>13</sup> The GRG has evolved out of the original committee which designed the Code and one of its current terms of reference is to monitor the implementation and effectiveness of the Code of Practice for Responsible Gambling and make recommendations to Government about how desired outcomes can be enhanced or reinforced. While other responsible agencies can be involved, the GRG should have a lead role.



## BIBLIOGRAPHY

- Australian Gaming Council, *Database on Australia's Gambling Industries*, Melbourne, Australian Gaming Council, 2004.
- Australian Institute for Gambling Research, *Study of Gambling in the Northern Territory 1996-97*, Sydney, University of Western Sydney, 2000.
- Australian Institute for Gambling Research, *Survey of the Nature and Extent of Gambling and Problem Gambling in the ACT, 2001*, Sydney, University of Western Sydney, 2001.
- Breen, H., Buultjens, J. and Hing, N. The Responsible Gambling Code in Queensland, Australia: implementation and venue assessment, *UNLV Gaming Research & Review Journal*, 2005, 9, 43-60
- Carlopio, J. *Implementation: Making Workplace Innovation and Technical Change Happen*, Sydney, McGraw-Hill, 1998.
- Clubs Queensland, *Queensland Responsible Gambling Resource Manual Section B: Clubs*, March 2002.
- Dickerson, M. Exploring the limits of "responsible gambling": harm minimisation or consumer protection, *Gambling Research*, 2003, 15, 29-44.
- Northern Territory Treasury Annual Report 2003-04*, Darwin, Northern Territory Government, 2004.
- Productivity Commission, *Australia's Gambling Industries, Report No 10*, AusInfo, Canberra, 1999.
- Queensland Government Treasury, *Responsible Gambling Code of Practice Queensland – Report on the Implementation Review*, Brisbane, Queensland Government, 2004.
- Queensland Office of Gaming Regulation, *Gaming Newsletter*, 2002, 5 (2).
- Responsible Gambling Advisory Committee, Northern Territory Responsible Gambling Manual, Darwin, Northern Territory Treasury, 2003.
- Responsible Gambling Advisory Committee *Northern Territory Code of Practice for Responsible Gambling*, Darwin, Amity Community Services, 2004.
- Responsible Gambling Advisory Committee, *Queensland Responsible Gambling Code of Practice: Trial and Review*, Brisbane, Queensland Government, 2002.



## Appendix A: Questionnaire

### General Questions

*Please circle the appropriate box and answer any additional questions*

1. Name and address of your venue:
  
2. Name of person completing this survey and position held:
  
3. Contact phone number:
  
4. Which category best describes your business/venue:  

Casino	Clubs
TAB/oncourse	Lottery
Tavern/Hotel	Internet Sports Bookmaker
  
5. Do you have a copy of the Responsible Gambling Code of Practice?  

Yes	No
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6. Have you received any formal training or instruction to help you implement the Code?  

Yes	No – <b>go to question 8</b>
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7. How useful was the training?  

Very useful	Useful	Not useful at all
-------------	--------	-------------------
  
8. Have you experienced any factors that prevent you from implementing the Code?  

Yes <b>If so, what have these factors been?</b>	No
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9. Do you have any suggestions for how the Code could be improved?  

Yes <b>If so, what are your suggestions?</b>	No
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## Strategy Questions

*Please circle Yes/No as appropriate and answer additional questions. Please note, the Code does not relate all practices to all types of gambling.*

**1.1** Is information about the potential risk associated with gambling and where to get help for problem gambling prominently displayed in all gambling areas?

Yes

No **If not, why?**

**1.2** Is a Responsible Gambling Mission Statement clearly displayed in a prominent location?

Yes

No **If not, why?**

**1.3** Is information about the odds or win rates of major prizes accessible in gambling areas?

Yes

No **If not, why?**

**1.4** Do you advise customers that information about the nature of games, game rules, self-exclusion provisions and gambling related complaints resolution mechanisms is available upon request?

Yes **If so, how do you advise them?**

No **If not, why?**

**2.1(a)** Have links been established with local gambling-related support services to support early intervention and prevention strategies for problem gambling?

Yes **If so, whom with?**

No **If not, why?**

**2.1(b)** Has any consultation occurred with the local community with respect to early intervention and prevention strategies for problem gambling?

Yes **If so, what strategies were discussed?**

No **If not, why?**

**2.2** Do you have mechanisms for recognising and addressing complaints?

Yes **If so, how are they promoted?**

No **If not, why?**

**2.3** Do you maintain a Responsible Gambling Incident Register and is the record properly maintained?

Yes **If so, how useful do you find it?**

No **If not, why?**

**3.1** Are procedures in place to ensure staff receive appropriate information and ongoing training about gambling products?

Yes **If so, how often is training given?** No **If not, why?**

**3.2(a)** How many gambling-related customer service staff do you currently employ who have been working for over three months?

Number of staff:

**3.2(b)** How many of these staff have received appropriate gambling training?

Number of staff: **If not all, why?**

**3.3** Have your staff been trained to assist players in understanding the types of games offered, the applicable rules and the principles of chance that apply?

Yes No **If not, why?**

**3.4** How many staff at your venue are currently acting as a Responsible Gambling Liaison Officer?

Number of staff: **If none, why?**

**4.1** Do you provide self-exclusion as an option to people?

Yes No **If not, why?**

**4.2** Are there procedures in place to allow patrons the option of excluding themselves from the gambling venue or site?

Yes No **If not, why?**

**4.3(a)** Is there a procedure in place for receiving a completed self-exclusion form and photo ID from a patron?

Yes No **If not, why? Go to question 4.4**

**4.3(b)** Is there a procedure in place for self-exclusion details to be entered in the Responsible Gambling Incident register?

Yes No **If not, why?**



- 4.4** Is contact information for counselling agencies provided to customers who seek self-exclusion or express concern that they have a gambling problem?
- Yes No **If not, why?**
- 4.5** Are procedures or policies in place to support and encourage self-excluded customers to seek self-exclusion from other gambling providers?
- Yes No **If not, why?**
- 4.6** Are there procedures in place to ensure that correspondence or promotional material is not sent to excluded customers or others who do not want such information?
- Yes **If so, what are the procedures?** No **If not, why?**
- 5.1** Are there practices in place to ensure that customers are aware of the passage of time (eg. visible clock in gambling area or open windows)?
- Yes **If so, what are they?** No **If not, why?**
- 5.2** Are procedures in place for identifying and removing intoxicated persons from the premises?
- Yes No **If not, why?**
- 5.3(a)** Do you offer child care facility?
- Yes No **Go to question 5.4**
- 5.3(b)** Do the child care facilities meet all child care regulations?
- Yes No Don't know
- 5.3(c)** Are patrons encouraged to check on their child at least once an hour and only have a three hour stay within a 24 hour period?
- Yes **If so, how are you ensuring this?** No **If not, why?**
- 5.4** Are policies in place to check venue and venue car parks to reduce the risk of children being left unattended?
- Yes **If so, what are these procedures?** No **If not, why?**

- 6.1** Is the identification of any person suspected of being under 18 years checked?
- Yes No **If not, why?**
- 
- 6.2** Are there any activities for minors conducted in close proximity to the gambling area or is there any aspect of gambling being promoted to children?
- Yes **If so, please provide details** No
- 
- 6.3** Do you currently have persons under the age of 18 working in the venue?
- Yes **If so, how are you ensuring they don't sell gambling products?** No
- 
- 7.1(a)** Do you have a ATM within the premises?
- Yes No **Go to question 7.2**
- 
- 7.1(b)** Does it have problem gambling warning signage and support service contact details displayed on or near it?
- Yes No **If not, why?**
- 
- 7.2** Do any ATM or EFTPOS facilities allow for cash advance from credit cards?
- Yes No
- 
- 7.3** Is policy in place to prevent credit or money been lent for the purpose of gambling?
- Yes **If so, what are the procedures?** No **If not, why?**
- 
- 7.4** Is there policy in place to prevent cheques being cashed for the sole purpose of gambling?
- Yes **If so, what are the procedures?** No **If not, why?**
- 
- 8.1(a)** Are you aware of the Advertising Code of Ethics or the Federation of Commercial Television Stations (FACTS) Code of Practice?
- Yes No

- 8.1(b)** Do all your advertisements comply with either of the Codes mentioned above?
- Yes    No    Don't know
- 8.2** Does your advertising give accurate detail of the chances of winning a prize (ie 'the return to player')?
- Yes    No **If not, why?**
- 8.3** Does your advertising, marketing and promotion accurately detail prizes on offer and are game results available?
- Yes    No **If not, why?**
- 8.4** Does any advertising within the venue give the impression that gambling is a reasonable strategy for financial betterment?
- Yes    No
- 8.5** Do you have any advertising displays or point of sale materials directed at minors, portraying minors as gambling participants or displayed in areas specifically to target minors?
- Yes **If so, what is it that occurs?**    No
- 8.6** Do advertising displays at the point of sale have appropriate problem gambling warning signage?
- Yes    No **If not, why?**
- 8.7** Are notice of winnings paid displayed within the premises?
- Yes    No **If not, where are they displayed?**
- 8.8** Are procedures in place to prohibit staff from urging non-gambling customers to buy gambling products?
- Yes **If so, what are the procedures?**    No **If not, why?**
- 9.0** Are policies in place to protect the privacy of players?
- Yes **If so, what are they?**    No **If not, why?**

**THANK YOU FOR YOUR ASSISTANCE**  
***Please return the completed survey in the envelope provided.***

## Appendix B: Letter Accompanying Questionnaire

### *RACING, GAMING AND LICENSING*

*Postal Address:* GPO Box 1154  
DARWIN NT 0801

*Office Address:* Level 1  
Cnr Woods & Knuckey Streets  
Darwin NT 0800

*Telephone:* (08) 8999 1342

*Facsimile:* (08) 8999 1888

Dear «Title» «Last\_Name»

### **RE: RESPONSIBLE GAMBLING CODE OF PRACTICE SURVEY**

The Northern Territory Code of Practice for Responsible Gambling was introduced on 4 April 2003. It outlines a range of strategies to be adopted by gambling providers to minimise the harm that can arise from gambling. The Code was developed collaboratively between gambling providers, regulators, Government and gambling support services and represents a whole-of-industry commitment to best practice. A list of the Working Party involved in this process is attached for your information.

The Working Party has recommended that research should now examine the uptake of the Code. All gambling providers should have received a copy of the Code and training and assistance with implementation of the Code has been available through peak industry bodies such as the Australian Hotels Association, TAB, Tattersalls and International All Sports (IAS). The research is to assess how the Code is operating across different types of gambling and identify any shortcomings or changes that might need to be addressed. It is in this context that I am seeking your cooperation.

I have enclosed a survey which I would like you to complete and return to me by **25 October 2004**. In the envelope that is enclosed. All information will remain confidential and will not be used for any other purpose other than this research. Individual outlets will not be identified in any reports. It should take 15-20 minutes to complete. To assist with the accuracy of the information, the survey should be completed by someone with a good understanding of the business and the responsible gambling practices employed.

Following receipt of all the survey forms, I will be visiting a random selection of venues to follow up responses and clarify some details that cannot be determined by questionnaire. I will contact you further if your venue is one of those selected for a visit.

The data collected will be used to inform the Working Party and the Minister for Racing, Gaming and Licensing about the practical use of the Code and issues that might be involved in the Code remaining voluntary.

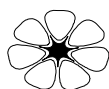
I hope you will be able to find time to complete the survey. Your contribution will be valuable for obtaining a full understanding of how the Code is being received and improvements that can be made. If you have any difficulties or queries please do not hesitate to contact me on 8999 1342.

Yours sincerely



Laddawan Boon-Ngork  
Research Officer

30<sup>th</sup> September 2004



Northern Territory Government

## Appendix C: Selective Practices

For each industry sector some practices do not apply. These are shown below, and can also be found in the Northern Territory Code of Practice for Responsible Gambling Code.

<b>Practice</b>	<b>Industry Sector for Which Practice is Not Recommended</b>
2.1	Internet Sports Bookmaker and Oncourse Bookmakers
4.1	Lottery
4.2	Lottery
4.3	Lottery
4.5	Lottery
5.1	Lottery
5.2	Internet Sports Bookmaker and Oncourse Bookmakers
5.3	Internet Sports Bookmakers, Oncourse Bookmakers and Lottery
5.4	Internet Sports Bookmakers, Oncourse Bookmakers and Lottery
6.3	TAB, Internet Sports Bookmakers and Oncourse Bookmakers
7.1	Internet Sports Bookmakers, Oncourse Bookmakers and Lottery
7.2	Internet Sports Bookmakers, Oncourse Bookmakers and Lottery
7.4	Casino, Internet Sports Bookmakers, and Oncourse Bookmakers