

NSW Government response to Gambling Harm Minimisation Recommendations

The Gambling Harm Minimisation research, conducted by the University of Sydney Gambling Treatment Clinic, was commissioned by the NSW Government. The Responsible Gambling Fund provided funding to develop an understanding of research on gambling related harm to inform the regulation of gambling products and future gambling harm minimisation strategies in NSW.

The Gambling Harm Minimisation report's findings will continue to be used by the Government to ensure that rigorous safeguards remain effective at managing gambling related harm in NSW.

Recommendation 1	
Recommendation	Government response
Shift focus from prevalence to measuring harms and individual level of excessive demand for gambling.	<p>Supported in Part</p> <p>The NSW Government has approved funding of \$475,500 to undertake a statewide gambling survey to provide a measure of gambling behaviours and attitudes. Liquor & Gaming NSW (L&GNSW) is currently considering the methodology for this study. The expansion of the study to include the measurement of harm (as outlined in recommendation 1) is being considered.</p> <p>The methodology used in previous NSW gambling surveys focused on the prevalence of gambling. This provided important information on the extent of problem, and at-risk gambling as an issue within the community. Those earlier survey results have been used to inform Government policy around the development of harm minimisation policy and programs, and assist in the evaluation of responsible gambling strategies.</p> <p>The Gambling Harm Minimisation report (the Report) findings in relation to harm measurement and individual levels of excessive demand for gambling will be considered alongside other research on gambling related behaviours. This will assist in providing a contemporary understanding of gambling issues and will aid comparisons with other jurisdictions.</p> <p>Next steps: Planning for the statewide gambling survey commenced in mid-2017.</p>

Recommendation 2	
Recommendation	Government response
<p>Support the development of long-term prevention strategies that seek to mitigate individual level of excessive demand for gambling without recourse to stigma or highlighting acute harms, in order to promote better engagement with the harm minimisation message.⁶</p>	<p>Supported in Part</p> <p>The Government’s Responsible Gambling Fund (RGF) supports projects and services that aim to reduce and prevent harms associated with problem gambling. The RGF’s programs and activities operate across three levels of intervention: prevention; early intervention and recovery; and, research and awareness programs.</p> <p>The programs include the development of community education strategies to de-stigmatise problem gambling, facilitate pathways towards help, and the education of young people about the potential risks and harms of excessive gambling. The research will inform the future development of RGF initiatives.</p> <p>L&GNSW has developed a campaign aimed at raising awareness and understanding of the risks associated with online sports betting. The Government has considered the research findings in developing the campaign and committed resources to measuring the impact of the campaign, and is undertaking an evaluation to examine effectiveness in building awareness and changing behaviours in the sports betting context.</p> <p>Next steps: The sports betting campaign evaluation will be completed by the end of 2017.</p>

⁶ The researchers stated that the NSW Government’s ‘You’re Stronger Than You Think’ campaign is an excellent example of a recent approach by the NSW Government that avoided dramatising harmful consequences to deter excessive involvement in gambling.

Recommendation 3

Recommendation

Legislate a whole-of-industry responsible code of practice, which, amongst other measures, extends restrictions on advertising to all risky gambling products, and prohibits all licensed gambling operators, including online bookmakers from offering all types of inducements to new or existing customers in NSW.

Government response

Noted

NSW legislation provides general prohibitions in respect of the publication of advertising for gaming machines, casino games and other gambling products. In particular, bans are in place on the advertising of gaming machines, and on the display of gaming machine signage on the exterior of club and hotel premises.

During 2016, the Government introduced further reforms to reduce the harms associated with problem gambling. It is now an offence to publish gambling advertisements, including live odds that relate to betting on a sporting fixture while that sporting fixture is in progress (where there is a prescribed sports controlling body in place for the relevant sporting event). It is also an offence to publish gambling advertising which offers any inducement to participate in any gambling activity, including an inducement to open a betting account.

The NSW Government is working closely with the Australian Government on the implementation of its response to the 2015 Review of the Impact of Illegal Offshore Wagering. The response includes the establishment of a national consumer protection framework aimed at empowering individual gamblers to make informed decisions about risks relating to online gambling.

Separately, approval has been given for the release of \$50,000 of RGF funds for a research project to gather evidence to inform the development of an updated statewide harm minimisation strategy. This action is being taken in light of continual changes to the gambling environment, including the growth of digital-based gambling products.

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Recommendation 3 - continued

Recommendation

Legislate a whole-of-industry responsible code of practice, which, amongst other measures, extends restrictions on advertising to all risky gambling products, and prohibits all licensed gambling operators, including online bookmakers from offering all types of inducements to new or existing customers in NSW.

Government response

Harm minimisation efforts in the past have been focused on land-based gambling products. Future efforts will focus more on online forms of gambling and emerging gambling products. This research will be leveraged to:

- help identify best practice strategies for the full range of gambling products
- determine how these strategies should be applied to each gambling product
- determine whether standardisation of strategies across all products is appropriate.

Next steps: The Government is currently working with other Australian jurisdictions to implement key measures within a national consumer protection framework for online gamblers by the end of 2017. The harm minimisation strategy research project is expected to commence in late 2017.

Recommendation 4

Recommendation

We recommend the mandatory reporting of the actual proportion of annual profitable gamblers.

Government response

Noted

The Government notes this recommendation. Introducing this kind of reporting scheme would be difficult, as it would create a significant regulatory burden and have the potential to infringe on individual rights. It is also unclear how this information would help address gambling related harm.

Gamblers commonly undertake gambling activity in more than one venue and across a number of gambling products and technologies.

There are numerous complexities around this issue, including: collecting and publishing the data; privacy and confidentiality provisions under NSW and Commonwealth laws; and, the heavy compliance burden that would be required to obtain this information from venues and the gaming machine centralised monitoring system.

It is considered that collecting and collating data of the actual proportion of profitable gamblers would require extensive resources, the cost of which would need to be borne by Government and industry alike.

Recommendation 5

Recommendation

We recommend positive alerts to players, in reference to ‘losses disguised as wins’, where the return is less than the amount wagered, be added to the Gaming Machine Prohibited Features Register, on all future gaming machines.

Government response

Noted

It is proposed that the Government will undertake a review of the Gaming Machine Prohibited Features Register to align it with the new principles-based Gaming Machine National Standard, and consider the development of a national approach to prohibited features and gambling harm minimisation.

The Government will work with industry, the wider community and other jurisdictions to move to a consistent national model for determining which specific gaming machine features present an unreasonable risk of harm to players. The issue of ‘losses disguised as wins’ will be considered as part of the review.

Next steps: The timing of the proposed review is to be determined.

Recommendation 6

Recommendation

Prioritise the identification of psychosocial factors associated with an increased risk for harm, including individual barriers to a more realistic understanding of the mathematical principles that underlie the misperception of risk and the excessive demand for gambling products.⁷

Government response

Noted

The Government is committed to minimising the harm and adverse social effects caused by gambling. The Government continues to work with industry to ensure that up to date, detailed information is available for individuals before they choose to gamble, including odds of winning on gaming machines, lottery and Keno products. This also includes the requirement that information about products is available in hard copy and online, and in multiple languages.

Further, it is expected that the Government initiatives, including the statewide gambling survey, sports betting awareness campaign and harm minimisation research will aid in developing strategies that seek to understand the psychosocial factors associated with increased harm and mitigate individual levels of excessive demand for gambling.

Next steps: The Government will continue to work with industry to ensure that all individuals are able to access information that will help to explain the risks associated with gambling products to underpin ongoing work to help individuals respond to excessive demand.

⁷Individual differences in the level of demand for gambling include incorrect beliefs about gambling and misperceptions of risk. These risk factors are modifiable through prevention, education and persuasion strategies.

Recommendation 7

Recommendation

We recommend supporting research that seeks to define personal financial thresholds at which harms are likely to emerge. This may include defining a new construct called a 'relative unit of gambling', similar in principle to a 'standard unit of alcohol', which may be used for the purpose of mass dissemination and harm minimisation.

Government response

Noted

A relative unit of gambling would require comprehensive research to be undertaken on an individual to individual basis to determine what a person's 'relative unit of gambling' is. The Government notes that the Report identifies that a person's capacity to gamble or incur a loss is a more useful measure of gambling related harm than the actual amount gambled or lost.

Introducing a 'relative unit of gambling' may have little benefit as the effect of gambling on an individual varies significantly more than the effect of alcohol consumption. It is unclear how this will impact recreational and non-problem gamblers who participate in gambling as a form of entertainment. Further, introducing a 'relative unit' may cause people to focus more on the amount than on their individual capacity to gamble, which may undermine messaging around not gambling beyond your limits.

The Victorian Responsible Gambling Foundation is currently finalising research that may provide further clarity on the issues identified above. The research will examine the behavioural indicators of responsible gambling consumption, and develop an empirically derived measure of Australian responsible gambling consumption. The behavioural indicators research was completed in late 2016 and the responsible gambling limits will be identified around July 2018.

Next steps: The Government will review the outcomes of the Victorian research projects once they are finalised.