

Perth Casino Royal Commission Discussion Paper on the Regulatory Framework submission

**To: The Honourable Neville John Owen
The Honourable Carolyn Frances Jenkins
Mr Colin Murphy PSM**

Thank you for the opportunity to provide a submission into the Perth Casino Royal Commission Discussion Paper on the Regulatory Framework submission.

The Alliance for Gambling Reform wishes to respond to the questions posed in the section titled 'Harm minimisation and the responsible service of gambling within the casino environment' (p21-23). We have addressed the questions below, however as they significantly overlap we have combined our answers.

- A. Should a prescriptive approach be taken in respect of harm minimisation?
- B. Should a prescriptive approach be taken in respect of responsible service of gaming?
- C. What degree of oversight ought the regulator have in respect of harm minimisation? How might that oversight occur?
- D. Should the casino gaming regulator prepare and implement a gaming harm minimisation plan or program or should the casino operator? If the former, who ought to bear the cost (or a portion of the costs) of its preparation and why?
- E. Should there be an independent body which addresses gambling harm, similar to the Victorian Responsible Gambling Foundation?

The Alliance believes it is absolutely critical that the Gambling and Wagering Commission develop a gambling harm prevention program to be implemented in the Perth Casino with

oversight directly from the Regulator and Department and written into legislation. The casino has a clear conflict of interest and cannot be relied upon to implement, monitor and report on gambling harm prevention initiatives. Electronic Gambling Machines (EGMs) are a harmful product which often relies on the funds of vulnerable people to generate a source of income¹. Therefore, the casino cannot be responsible for implementing measures to protect the community when it is in conflict with their ability to raise profits.

Examples from Victoria's Royal Commission into the Casino Operator Licence have shown that allowing Crown to regulate the content of and implement its Responsible Gambling Code of Conduct has had dire outcomes for the Victorian community. It highlighted that people's lives were ruined by gambling and the situation for those people may have been improved if casino staff had carried out their obligations under the Code². The Regulator approves the code in Victoria, however, the code would have been richer in evidence backed harm prevention measures if also approved by the Victorian Responsible Gambling Foundation. The casino could not be trusted to implement the code, so clearly needed more oversight and disciplinary action taken by the Regulator. We believe that oversight from the Regulator should be on the ground, in the casino, during all operational hours of the gambling floor.

It needs to be a requirement for all staff working on the gambling floor to understand gambling harm. They need to understand it is a public health issue and be educated on the impact it has on individuals, communities and families, and be empowered and equipped with the skills to intervene to support patrons. There needs to be limits on how long someone can gamble without taking a break and staff must intervene after that time. The Victorian Responsible Gambling Foundation has research that has found that people are much more likely to be in the moderate or problem gambling category on the PGSI scale if they are gambling for more than two hours³. If staff do not intervene there needs to be consequences for the casino. This also strengthens the need for oversight from the Regulator physically at the casino.

The Alliance firmly believes a prescriptive approach must be taken in terms of gambling harm prevention. We also believe that as a community, we should be aiming higher than simply

¹<https://responsiblegambling.vic.gov.au/resources/publications/assessing-gambling-related-harm-in-victoria-a-a-public-health-perspective-69/>

² [The Report - RCCOL - 15 October 2021.pdf \(royalcommission.vic.gov.au\)](#) chapter 1, paragraph 12

³<https://responsiblegambling.vic.gov.au/resources/publications/victorian-population-gambling-and-health-study-20182019-759/>

minimising harm, we should be preventing it all together. The gambling industry has proven time and again that if regulations are not written in a way that is abundantly clear and have dire consequences if broken, the industry has shown it can take the approach of 'do first, and ask for forgiveness later.' This is particularly true of the current casino operator in Perth, Crown Resorts. As stated above this approach could mandate time limits on how long people can gamble without intervention, robust staff training and also strict conditions on reporting. The casino should be required to report on losses incurred from various gambling products, how much they invest in gambling harm prevention measures, the number of interventions and the outcomes of that action and the breaches of the casino's code of conduct and legislative requirements to prevent gambling harm.

There is value in the Victorian Responsible Gambling Foundation in the Victorian context, and it would be beneficial for all states and territories to have a independent body which addresses gambling harm through a public health lens with sizes of the organisation relative to the gambling context (ie. WA would need less capacity than the 50 staff at the VRGF, although NSW would need significantly more). This organisation would then be able to work with a Regulator to ensure an evidence backed, strong gambling harm prevention program which would have the impact on the WA community at the centre rather than conflicting with the casino's business objectives. It could also provide support to the Regulator to implement gambling harm prevention measures such as training of staff. It is absolutely critical that an independent body would have the ability to act fully as a public health organisation to advocate, impact and influence policy and receive all relevant data and reporting from the casino and Regulator. Finally, an independent body would need to be truly independent and not be subject to any influence of the gambling industry.

Crown's taxes do not currently fund the VRGF, instead the VRGF is funded by the Community Support Fund which comes from pubs and clubs around Victoria. In the absence of other EGM venues in WA, all the costs of potential gambling harm prevention programs and an independent body should come from the casino taxes. Perhaps through an increase on taxes collected from EGMs at the casino.

Further, it is absolutely critical of the Gaming and Wagering Commission, and if an independent body was to be introduced, to have complete independence from the casino and gambling

industry. There should be time limits in place before people can move jobs from the gambling industry to a statutory body and vice versa.

And lastly, with the development of new policies relating to gambling harm prevention there absolutely must be consultation with those who have a lived experience of gambling harm to assist in understanding the issue and what could have been implemented to assist them when it was needed most.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Kate da Costa', written in a cursive style.

Dr Kate da Costa
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Alliance for Gambling Reform