

A close-up portrait of a middle-aged man with a serious expression, looking slightly off-camera. He has dark hair and is wearing a blue and black plaid shirt over a dark t-shirt. The background is blurred, showing what appears to be an outdoor setting with trees and a fence.

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**AUSTRALIA** | together  
we stand

**NSW Gaming Machines  
Amendment (Gaming Harm  
Minimisation) Bill 2020**

December 2020

# The Gaming Machines Amendment (Gambling Harm Minimisation) Bill 2020

Mission Australia is a national, non-denominational Christian charity that has been helping vulnerable people move towards independence for more than 160 years. In the 2019-20 financial year, we supported over 167,000 individuals through 483 programs and services across Australia.<sup>1</sup> This included close to 60,000 individuals in NSW supported through 263 services. Of these, just over 600 people were supported through eight gambling support services. Our goal is to end homelessness and to ensure people and communities in need can thrive.

Mission Australia welcomes the opportunity to provide input into the NSW Gaming Machines Amendment (Gambling Harm Minimisation) Bill 2020 (the Bill). This submission is based on a combination of research and insights from our service provision across NSW. It includes testimony from some of our practitioners and the participants they work with.

Mission Australia supports the amendments proposed in the Bill in principle, particularly those which relate to strengthening the roles and responsibilities of the venues as they play a critical role in addressing gambling related harm. However, further measures are needed to ensure that people are better supported to address their gambling related issues. We endorse NCOSs' submission and recommendations in addition to the recommendations outlined below.

## Recommendations

- Mandate gambling related training to staff working at gambling venues irrespective of their employment type, including full-time, part-time, casual and outsourced employees.
- Introduce ratios for staff with advanced training and the number of gaming machines to ensure larger venues are able to provide meaningful support to people with gambling issues.
- Incentivise gaming venues to build ongoing relationships with gambling support services to ensure people with gambling issues receive necessary support and staff training related support.
- Fund complementary wraparound services for the families of people with gambling related issues, in particular for children and young people.
- Increase funding to upskill gambling counsellors to train as financial counsellors so they can provide a broader suite of supports.
- Clarify regulations to ensure people who are excluded from the gaming venue are able to access other areas of the venue.
- Develop a campaign to educate the public about gambling supports, alleviate stigma and promote help-seeking behaviour.

## Implementation of the measures introduced in the Bill

We believe that the measures introduced in the Bill will have a positive impact and result in better support to people with gambling related issues if they are implemented well. However, further

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<sup>1</sup> Mission Australia, Annual Report, 2019-20, accessible at:  
<https://www.missionaustralia.com.au/publications/annual-reports/annual-report-2020>

clarity is required in relation to the practical implementation of some of the measures as outlined in this section.

Further development on the implementation of the measures should be done in consultation with people with lived experience and community service providers.

### Availability of trained staff

It is vitally important that training on gambling related issues be provided to all staff, irrespective of their employment type. Given the nature of the industry, gaming venues largely consist of outsourced or casual staff. Training should therefore not be restricted to direct employees employed on a full time or part time basis, and must be extended across all employment types, to ensure that any staff member who comes into contact with people accessing gaming venues is educated to support those who may have gambling related issues.

#### Case study

Chris\* worked as a shift-worker in the mining industry. He was diagnosed with bipolar disorder and had family issues as a result of his gambling. After he was referred to Mission Australia's gambling service, he requested that his gambling counsellor set up self-exclusion for him. He was also linked with Relationship Australia to address his family issues.

Although he had excluded himself from gaming venues, he reported to his gambling counsellor that he was able to access the venues as the venue staff were unaware that he had self-excluded and did not conduct the necessary checks. The gambling counsellor had to report these breaches to the venue.

Chris was supported to access financial counselling and a psychologist to address his mental health issues. He was also supported to identify and engage in other activities to keep him occupied and keep him away from gambling.

\*Name has been changed for privacy

### Staff ratio for larger venues

It is an encouraging inclusion in the draft legislation that venues would be required to maintain additional trained staff with advanced training at all times.<sup>2</sup> Evidence demonstrates that larger gambling venues and casinos are likely to be more harmful to people with gambling issues.<sup>3</sup> The harms associated with gambling arise from either a loss of money or the opportunity cost of time spent gambling.<sup>4</sup> Further, a high rate of gambling expenditure within a venue's trading area is

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<sup>2</sup> Gaming Machines Amendment (Gambling Harm Minimisation) Bill 2020, accessible at: <https://www.nsw.gov.au/sites/default/files/2020-10/draft-gaming-machines-amendment-gambling-harm-minimisation-bill-2020.pdf>

<sup>3</sup> F. Markham, M. Young and B. Doran, Gambling expenditure predicts harm: evidence from a venue-level study, 2014, Volume 109, Issue 9, accessible at: <https://doi.org/10.1111/add.12644>

<sup>4</sup> F. Markham, B. Doran and M. Young, Our most profitable gambling venues are the most harmful, The Conversation, 11 June 2014, accessible at: <https://theconversation.com/our-most-profitable-gambling-venues-are-the-most-harmful-25977>

directly associated with high incidence of problem gambling within that area.<sup>5</sup> Venues can increase per capita gambling expenditure in a number of ways. These include increasing the number of poker machines, relocating machines to poorer communities with a higher propensity to gamble,<sup>6</sup> customising the machine mix to suit local player preferences,<sup>7</sup> marketing, provision of courtesy buses and attractions such as bingo, which themselves lose money but bring in gamblers who then play the pokies.<sup>8</sup>

With social distancing regulations in place due to COVID-19, even larger venues would only be able to have a limited number of persons in the venue at any given time. However, when the restrictions are lifted more people will access the venues. Although smaller venues are likely to be able to provide necessary support, larger venues with larger number of patrons may not be able to monitor and identify people who are likely to have gambling issues. Therefore, it is important to ensure that ratios are introduced to ensure that larger venues have adequate number of staff with advanced training to the number of gaming machines.

## Strengthen links to community services

From Mission Australia's experience, different gaming venues have varying levels of relationships with community sector organisations supporting people with gambling issues. The community services providing gaming related supports in some areas are invited to the venues to engage and educate staff about identifying individuals who are likely to be experiencing gambling related issues, supporting people with gambling issues and about available local services to support them. However, in some areas the gaming venues do not engage with the community services despite the services making regular attempts to engage with them. Considering the importance of the relationship between the gaming venues, communities and community services, Mission Australia recommends that the draft legislation introduces processes to strengthen the engagement of relevant stakeholders.

### Walk in my shoes

Walk in My Shoes (WIMS) is a ClubsNSW initiative that seeks to provide a structured opportunity for gambling counsellors to directly experience the operational challenges and pressures that may arise in a club's gaming space.

Any Responsible Gaming Foundation (RGF) funded Counsellor whose service has a current Memorandum of Understanding in place with ClubsNSW is eligible to participate. RGF funded

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<sup>5</sup> F. Markham, B. Doran and M. Young, Our most profitable gambling venues are the most harmful, The Conversation, 11 June 2014, accessible at: <https://theconversation.com/our-most-profitable-gambling-venues-are-the-most-harmful-25977>

<sup>6</sup> D Marshall and D. Baker, The Evolving Market Structures of Gambling: Case Studies Modelling the Socioeconomic Assignment of Gaming Machines in Melbourne and Sydney, Australia, Journal of Gambling Studies, 2002, pp 273–291, accessible at: <https://doi.org/10.1023/A:1016847305942>

<sup>7</sup> C. Livingston and J. Adams, Harm promotion: observations on the symbiosis between government and private industries in Australasia for the development of highly accessible gambling markets, Society for the Study of Addiction, Vol 106, Issue 1, 2011, accessible at: <https://doi.org/10.1111/j.1360-0443.2010.03137.x>

<sup>8</sup> F. Markham, B. Doran and M. Young, Our most profitable gambling venues are the most harmful, The Conversation, 11 June 2014, accessible at: <https://theconversation.com/our-most-profitable-gambling-venues-are-the-most-harmful-25977>

counsellors are given the opportunity to sign on for WIMS with a club of their choice in order to shadow a duty manager of the venue for all or part of a shift.

This initiative will serve to address a number of benefits for participating counsellors:

- Gain greater insight into the challenges faced at venue level.
- Gain greater perspective of regulatory and community responsibilities of the Club.
- Allow the counsellor to observe real life issues faced by club staff and patrons.
- Allow the counsellor to observe patron interaction in the gambling floor environment.

## Increase in complementary services

We welcome the measures in the draft legislation that will increase the supports venues can provide to reducing gambling harm. The introduction of family-led exclusion pathway and domestic and family violence related measures in particular are welcome. However, we note that in our service experience, people with gambling issues need wraparound supports. By the time they reach out for support they are likely to experience multiple issues and may need support with housing, mental health and suicide prevention, financial counselling, engaging with education or employment.

“Most people that we support need more than gambling counselling. They have incurred debt and have complex financial challenges to deal with that gambling counsellors may not be equipped to support ... Mission Australia is supporting some of our gambling counsellors to upskill so that they can train as financial counsellors. This should be a government initiative to make sure there are adequate number of qualified professionals available to support people when they are reach out for support.”

Mission Australia Regional Leader, Illawarra and South Coast

More services should be made available in local communities to ensure people have access to appropriate supports to address the multiple challenges they experience as a result of their gambling issues.

## Case study

Wendy\* is a retired woman who was asked to leave her family home as she used her husband's superannuation funds for gambling by forging his signature. She was referred to a Mission Australia gambling support service who supported her to access housing as she was experiencing homelessness at the time and also referred her to another community service to set up her bond and initial rent payments. She was also assisted with food, groceries and support to settle in at her accommodation.

She was assisted to access her GP to obtain a mental health plan as she was suffering from depression and anxiety. Wendy was also supported to access legal support, an interest free loan to support herself and gambling counselling.

\*Name has been changed for privacy



### Case study

Matt\* self-referred to a Mission Australia support service via the NSW Gambling Helpline. He was experiencing multiple challenges in life as a result of gambling related issues including excessive reliance on alcohol. These were causing family issues as well as financial issues as his performance at work was impacted. He was falling behind on rent and was facing eviction.

Mission Australia referred Matt to a number of local community services to support him to access financial services, an alcohol and drug counselling service, a GP to obtain a healthcare plan to address his alcohol dependence and assistance with rent payments. His wife was invited to join Mission Australia's gambling counselling sessions, which she found helpful to better understand what he was going through.

He has successfully abstained for two months with the support of the gambling counsellor and has been referred to Relationship Australia for couples counselling.

\*name has been changed for privacy

Additional measures are needed specifically to focus on children and young people as part of broader harm minimisation measures. Children of people with gambling related issues are exposed to a range of family stressors, including financial and emotional deprivation, physical isolation, inconsistent discipline, parental neglect/abuse and rejection, poor role modelling, family conflict, and reduced security and stability.<sup>9</sup> Children and young people are also likely to develop gambling issues as a result of living with and witnessing parents with gambling related issues.<sup>10</sup> There should be complementary wraparound services available for the families of people with gambling related issues.

### Access to other sections of the gaming venue

Often gaming venues have dining options or are the only venues available for various social activities, particularly in rural and remote areas. People who have self-excluded or excluded by the venue may wish to access other areas of the gaming venue.

"We only have a few nice places to go out for a meal with family, have birthday parties or socialise ... People who come to us are sometimes concerned that they will not be able to go into the venue at all if they self-exclude. Regulations should be clear for venue staff as well as people with gambling related issues."

Mission Australia Area Manager, Regional NSW

There should be clear protocols in relation to allowing patrons to use the other sections of the venue whilst ensuring that the entrances to the sections with gaming machines are staffed to ensure people excluded are not accessing the gaming areas.

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<sup>9</sup> Australian Gambling Research Centre, The impact of gambling problems on families, Discussion Paper, 2014, accessible at: <https://aifs.gov.au/agrc/publications/impact-gambling-problems-families/what-are-impacts-gambling-problems-families>

<sup>10</sup> C. Erskine, R. Wooldridge, K. Merriam and S. Macleod, A study on the role and influence of family and parental attitudes and behaviours on gambling-related harm in young people, Young People, Gambling, and Gambling Related Harm Research, 2018, accessible at: <https://about.gambleaware.org/media/1823/ecorys-report-final-gambling-in-families.pdf>

## Measures in relation to the Exclusion Register

Mission Australia supports the implementation of the Exclusion Register (the Register), however, only with the consent of the client. Privacy is a significant concern for many people who may withhold consent to share their personal data in online platforms. The Register can be accessed by multiple parties including the venue staff and the police. The privacy provisions should be strengthened to ensure that opportunities for data breaches are minimised.

There can be instances where gambling counsellors may need access to the Register with consent of the clients they assist.

“We often have clients who come over for help and say that they may have been excluded and some don’t have any recollection of when they were excluded ... There should be a system for gambling counsellors to look at the Register with consent of the individuals that they support.”

Mission Australia Area Manager, NSW

## Removing shame and stigma

It is encouraging that the Bill has measures to omit the term ‘problem gambler’ when referring to people with gambling issues. These measures are useful in destigmatising gambling related issues through shifting the language and culture in relation to gambling, and in turn increase help seeking behaviour.

Stigma and shame in relation to gambling issues can impact on an individual’s willingness to reach out for support. A public education campaign should aim to de-mystify the treatment process and educate the public about the symptoms of gambling related issues to reduce shame, stigma, and denial and encourage help-seeking.<sup>11</sup> Stigma is a significant concern in some of the culturally and linguistically diverse communities that Mission Australia works with. It is also important that the services are reflective of the communities that they work in and provide culturally appropriate and sensitive services.

Another aspect of this is the lack of confidential services, particularly in regional and remote areas. Where the service providers such as gambling counsellors are known to people in the community, they might be reluctant to seek support. Under the new provisions, venues are required to provide information of local gambling support services. This requirement should be broadened to ensure that the venues provide details of multiple gambling services (online and face to face) as well as other complementary local services where necessary and appropriate.

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<sup>11</sup> S. Gainsbury, N. Hing, and N. Suhonen, Professional help-seeking for gambling problems: awareness, barriers and motivators for treatment, *Journal of Gambling Studies*, 2013, accessible at: <http://www.springerlink.com/openurl.asp?genre=article&id=doi:10.1007/s10899-013-9373-x>