



**National Council of
Women of New Zealand**

Te Kaunihera
Wahine O Aotearoa

National Office
Level 4 Central House
26 Brandon Street
PO Box 25-498
Wellington 6146
(04) 473 7623
www.ncwnz.org.nz

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S07.49

**Submission to the Government Administration Select Committee on the
Gambling Amendment Bill (No 2)**

NCWNZ is an umbrella organisation representing 46 Nationally Organised Societies and National Members. It has 28 Branches throughout the country attended by representatives of those societies and some 150 other societies. It also has three satellite groups and three regional consultation groups. NCWNZ is representative of approximately 350,000 women, via its affiliated bodies. The function of NCWNZ is to work for the well-being of women, the family and the community at local, national and international levels through research, study, discussion and action. This submission has been prepared by the Social Issues Standing Committee in consultation with the membership and with input from the NCWNZ Board and Parliamentary Watch Committee. We are pleased to be able to make this submission as we have with the past Gambling Bills.

Many of the members of the NCWNZ feel that the Bill 'Minimizing Gambling Harm' has not had the effect that had been hoped for, in clawing back the harmful effects of gambling. Therefore members would like to see a greater responsibility on the part of operators, and stricter monitoring and accountability of venues.

NCWNZ has chosen just to reply to Part 3 of this Bill which amends provisions to harm prevention and minimisation.

Clause 80 which requires the development of policy for identifying problem gamblers amends Section 308, which requires not only that Class 4 venue licence holders or casino operators develop a policy for identifying problem gamblers, but also that *a person acting on behalf of either of these persons*, be responsible for acting on this policy. Members agree that this is essential as many larger gambling establishments would have a number of persons 'acting on behalf of' and they also need to bear the responsibility the position carries.

Members also note that **Clause 83 dealing with the issuing of exclusion orders to self-identified problem gamblers** amends Section 310 to give the same power to those 'acting on behalf of' a venue manager or the holder of a casino operator's licence in regard to issuing exclusion orders on problem gamblers who ask for themselves to be banned from a gambling venue. If someone else is employed to carry out the work of the licence holder while they are absent, then that person must also have full authority to make sure all laws regarding gambling are upheld.

NCWNZ feels that **Clause 84** New Section 312 (4) (a) (b) (c) allows far too many ways in which the defendant can avoid prosecution. It would be doubtful that anyone would be prosecuted under these terms. Also members expressed concern at the fine being set so low in subsection (5 (b)). They suggested that this should not be altered from \$10,000 to \$5000.





Clause 85. New Section 312A (a) concerns keeping records of all 'Excluded Persons' including

- (i) the person's name and address
- (ii) whether the person was excluded from the venue under sections 309/310
- (iii) the date on which the exclusion order was issued and the date of its expiry
- (iv) any conditions imposed on the person's re-entry to the venue

(b) and to provide the record to the Secretary if requested by the Secretary.

Members thought that these lists should also be sent to the Secretary at regular intervals, eg every second month. As problem gambling results in dreadful social and economic problems, the Secretary should be responsible for having a national list of these people so that Government has access to when, and where, the biggest problems occur. It was felt that there was no point in keeping a list if it never going to be seen unless specifically requested by the Secretary.

Clause 86, (6), Section 313 (1) (g) is amended to restrict or prohibit the advertising of gambling, gambling delivery mechanisms, gambling venues, gambling prizes, or to prescribe codes requiring such advertising to be responsible. Members believe that the only option should be prohibiting the advertising. Responsible codes are open to be breached and as a consequence the standards NCWNZ feels should be upheld would be lowered.

NCWNZ is pleased to have had the opportunity to make this submission, because although it is realised that many gambling venues keep sports and other community groups in funds, this good has to be weighed against the cost to the community of problem gambling.

A handwritten signature in black ink, appearing to read 'C Low', written in a cursive style.

Christine Low
National President

Christine Rattray
Convener Social Issues Standing Committee



**Oral submission on the Gambling Amendment Bill (No 2) made to the
Government Administration Select Committee on Wednesday October 10th 2007
by Jean Fuller and Beryl Anderson [S07.49]**

Select Committee: Chairperson: Shane Ardern (N), Brian Connell (N), Darien Fenton (L), Sandra Goudie (N), Dover Samuels (L), Sue Bradford (G).

Good morning. My name is Jean Fuller and my colleague is Beryl Anderson. We are both members of the Parliamentary Watch Committee of the National Council of Women of New Zealand. This submission has been prepared from a background of policy decisions and consultation with members.

The National Council of Women of New Zealand first considered the problems associated with gambling in 1902, and since that date, the organisation has passed 18 resolutions recording our concern for the effects this activity may have on children, adults and communities, as well as those institutions which have become dependent on funds arising from gambling profits.

We have seen at first hand the distress and disruption which is caused by problem gambling and have unwaveringly lobbied the governments of the day to consider this harm when enacting law related to gambling. So it is not surprising that once again we are concentrating our message on Part 3 which is that section of the Bill which deals with the provisions relating to harm prevention and minimisation.

Members have expressed doubt that current policies are effective in controlling the promotion and exercise of gambling outlets. They therefore accept the value of **Clause 80** which requires Class 4 venue licence holders or casino operators to develop a system for identifying problem gamblers. They also approve the extension of responsibility to those acting on behalf of the managers. However, one member spoke of the difficulty this last requirement could cause for small clubs, such as bowling clubs with half a dozen pokie machines. In view of the number of activities available in the same venue eg table tennis, bowls, a bar etc she felt that it would be an unrealistic burden for the Manager to be required to supervise the pokie machines at all times in order to monitor excluded players. She did agree that the management of the club should minimise opportunities for excluded persons to use the machines and that management should carry the ultimate responsibility.

Members felt that the defences outlined in **Clause 84 New Section 312 (4) (a) (b) and (c)** were loose, and could be used to cover a casual attitude to compliance. In particular we were concerned at the reduction of the fine from \$10,000 to \$5,000, and could see no reason for this change.

Clause 85 requires records of excluded persons to be kept by the operators and provided to the Secretary on request. Our members felt that these lists should be sent to the Secretary on a routine basis to give the Government the opportunity to monitor the situation and be proactive if problems were seen to be developing.

Clause 86 (6) Section 313 (1) (g) refers to the advertising of gambling. We note that this part of the Bill allows for regulations to control these activities but we have no way of knowing what these regulations will actually contain. Our concern is that there should be very clear guidelines on the advertising of gambling and the use of inducements. It is our observation that voluntary codes are not effective in this area and that advertisers are particularly ingenious in circumventing good intentions, so we look forward to the promulgation of regulations which will clarify the situation.



It is of on-going concern to the National Council of Women that community organisations rely on the proceeds of gambling to fund their activities. We should not like to see the needs of sports or other organisations being used as a justification for increased gambling opportunities.

In 2004 the Ministry of Health published a Strategic plan for Preventing and Minimising Gambling Harm 2004-2010. Our response to this document was to stress the importance of primary prevention to reduce the number of gambling addicts. We stated then, and still believe, that “prevention is better than cure. If one person is prevented from becoming an addict it is better for their physical and mental health, family relationships, financial wellbeing and their standards of work.” The focus of this Bill is on the cure rather than the prevention. While we appreciate the importance of this we would be happier to see more work and funds going into the prevention of problem gambling.

Questions: We had only one question from Darien Fenton who wanted to know if we thought that the solution to the problem outlined by the bowling club with a few pokie machines was to give these premises a different classification. Since our respondent had not taken the matter that far we were unable to do more than stress that we were flagging a potential, practical, problem. It is clear that enforcing the proposed legislation in a multi-purpose venue would be more difficult than in a casino.

Outside the Select Committee room we chanced to meet Dr Jackie Blue who took the opportunity to receive a copy of our written and oral submissions and to discuss the Bill with us. Of particular interest was the question of whether there was an increase or decrease in problem gamblers, what proportion of these were women, and what part depression played in problem gambling. Regrettably we had no hard data. We had heard the Pub Charities representative say that a Ministry of Health Survey showed that problem gamblers were decreasing in numbers but no information was given as to the nature of the survey or the break-down between men and women. This “corridor” meeting was, perhaps as useful as the appearance. Dr Blue is certainly involved with this issue and would welcome any further information which might come to hand.

Copies of submissions from Pelorus Trust, Whitireia Community Law Centre and Pub Charity are being sent to the NCW Convener for her information. These copies were supplied by the Select Committee secretariat.

Jean Fuller and Beryl Anderson
24/10/07