



Self exclusion/banning for problem gamblers

The **Gambling Act 2003** makes provision for problem gamblers to ban themselves from any class 4 gambling venue, that is, a venue with “pokie” machines. Self banning can work in TAB venues but different rules apply. Initial results from NZ research suggest that this option is an effective treatment tool for problem gamblers where no other approach has or is likely to work.¹

Self banning is an arrangement that the client makes with individual venues, not the trusts that own machines. It is not something the counsellor can do for the client but if self banning is appropriate it is something that the counsellor can help the client do. Family members can identify a gambler as a problem gambler however venues would not issue an exclusion order on this basis alone.

What is Self Banning?

Self banning enables a problem gambler to identify themselves to a gambling venue and be excluded from the gambling area for any period up to two years. There is no limit on the number of times bans can be renewed. The intention of the Act is that the banned person can use the other facilities of the venue, just not the gambling area. However the majority of hotel venues have defined the whole venue as the gambling area making the entire venue unusable by the excluded person.

How is it done?

The preferred method is for the client to visit selected venues (high risk venues for gambling) and ask to be banned. Some venues may be able to take a photo of the client but clients should be prepared to supply a large (ideally A4 size) current photo of themselves and their contact details.

An alternative is for the client to write to venues asking for an exclusion order. In this case they must supply a large current photo and postal contact details. To ensure the venue can confidently identify the client some other kind of ID should be supplied, for example the counsellor may endorse (sign and date) the client's photo as proof of identity.

What does the Venue Do?

If a problem gambler self bans in person the venue will issue an exclusion order as soon as is possible. If exclusion is done by post the venue will post back the exclusion order to the address supplied. The venue will display the photos either in a special book or in the venue office- not in public.

A venue can set conditions (such as counselling) on a client before allowing readmission into the venue after the exclusion order lapses and are entitled to issue trespass notices as well as exclusion orders, although the DIA discourages this practice.

Who is Self Banning indicated for?

To be effective it is important that venues don't have too many self banned gamblers to monitor. Thus self banning should not be a first choice treatment option. It is indicated for complicated clients such as those with a history of head injury, coexisting mental health disorders such as schizophrenia, substance abuse disorders, depression or mania, and clients receiving medication for Parkinson's disease.

What happens if you try to gamble at a venue when under an exclusion order?

After you are placed on the list, a venue may refuse to accept your wagers and may ask you to leave the gaming area. If you do gamble, you may be unable to collect winnings or recover any losses.

What are the consequences of a breach?

If the problem gambler enters the venue they will be asked to leave and if they refuse the police may be called to enforce the ban.

A client that breaches a ban has committed an offence under the Gambling Act and can be fined up to \$500. A venue that allows them to gamble also commits an offence and can be fined up to \$10,000 (this may be reduced to \$5,000 later this year) and as a result of the offence risks losing their gambling licence.

1. Townshend, P. (2007). Self-Exclusion in a Public Health Environment: An Effective Treatment Option in New Zealand. *International Journal of Mental Health Addiction*. 5 (4): 390-395.



Best Practice in Self Banning

Counsellors can help the client through the self banning process by supporting them to visit venues or providing draft letters to venues and taking a good photo for ID. It's important for counsellors to give accurate information to the client about the consequences of a self ban and if possible give this to a supportive other person for the client.

Self banning is most effective when clients put effort into it themselves. This is why self banning in person is encouraged especially for the client's favourite venue(s). If the self ban is being done by post the client should individually sign all the letters and photos. This is a requirement of positive identification and helps build up the client's sense of the importance of the process.

Self banning by post can be done for all venues in a particular

geographical area but caution should be used so that venues are not overloaded with numbers of bans to monitor which would make enforcement ineffective.

For this reason, and to keep photos current, bans should be requested for shorter rather than longer periods of time, perhaps for a year rather than the maximum two years. PGF counsellors have access to pre printed venue labels which can facilitate postal bans.

The photo provided should be large, ideally include a front and side shot and have the client's name, date of birth, address and expiry date of the exclusion printed on it.

After the client completes a self ban the counsellor should go through the responses from venues with the client to explain them and identify venues that are having difficulty with the process.

Who takes responsibility?

It is important that self banning is not seen as a way of abdicating and transferring responsibility. By acknowledging you have a problem and putting the venue on notice that you have such a problem ... certainly some of the responsibility should fall on the shoulders of the gambling venue.

Staff at the gambling venues are expected to commit each face to memory, then charge those gamblers with trespassing if they're found in the facility.

This can cause problems in countries where the numbers who self exclude are in the thousands but in New Zealand numbers are relatively low which would enable those who take host responsibility seriously to ensure that problem gamblers do not enter the premises.

For further information contact:

The Problem Gambling Foundation Toll free 0800664262

The Department of Internal Affairs National Compliance Unit Toll free 08002570087

Other reading:

- Department of Internal Affairs. Problem Gambling website. *Guide to exclusion orders*. [http://www.dia.govt.nz/diawebsite.nsf/Files/Exclusion_order_guide/\\$file/Exclusion%20Orders.pdf](http://www.dia.govt.nz/diawebsite.nsf/Files/Exclusion_order_guide/$file/Exclusion%20Orders.pdf)
- Gambits Department of Internal Affairs. December 2006, pp.3-7, December 2005 pp.1-7, March 2004 pp.5-6,17.
- Nowatzki & Willams. (2002) Casino Self-exclusion programmes: A review of the issues. *International Gambling Studies* vol. 2. http://www.responsiblegambling.ca/articles/A_review_of_Cdn_Vol_Exclusion.pdf
- An example of a self exclusion order from Sky City casinos: http://www.skycityconventions.co.nz/shadomx/apps/fms/fmsdownload.cfm?file_uuid=AF60F060-ECF6-4E4E-6043-AB1A7AD4F51D&siteName=skycity
- The South Australian Centre for Economic Studies. (2003) *Evaluation of self-exclusion programs and harm minimisation measures*. Report A. Adelaide: Adelaide and Flinders Universities.
- The South Australian Centre for Economic Studies. (2003) *Summary of Australia States and Territories. Self-exclusion programs and harm minimisation policies/strategies*. Report B. Adelaide: Adelaide and Flinders Universities.

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