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28 June 2019

Ms Catherine Myers
Chief Executive Officer
Victorian Commission for Gambling and Liquor Regulation
Level 3, 12 Shelley Street
RICHMOND VIC 3121

cc: Rowan Harris

By Email

Dear Ms Myers

Sixth Review of the Casino Operator and Licence (Sixth Review) - Recommendation 10

I refer to Recommendation 10 of the Sixth Review and our response dated 2 July 2018. Recommendation 10 provides:

The VCGLR recommends that, by 1 July 2019, Crown Melbourne undertake a comprehensive review of its policy for the making and revocation of voluntary exclusion orders under section 72(2A) of the Casino Control Act. The comprehensive review should be undertaken in conjunction with the VCGLR, VRGF and other relevant external stakeholders. The review should be undertaken with a view to implementing policies that facilitate:

- *Crown Melbourne issuing short term exclusion orders for 3, 6, 12 or 24 months under section 72 of the Casino Control Act, considering the specific circumstances of the person and their preferred time period for exclusion, and conditional on the person undertaking to comply with the order and with other matters (such as obtaining treatment), and*
- *Crown Melbourne reviewing voluntary exclusion orders which are more than 10 years old to consider whether the continued operation of these orders serves a useful purpose, with a view to retaining only those orders that are beneficial to the persons who are subject to them, and can be adequately enforced. The VCGLR further recommends that the review of such orders occurs in an orderly manner between 1 July 2019 and 30 June.*

In addressing Recommendation 10, Crown Melbourne Limited (**Crown**) has now:

- conducted an internal, detailed review into literature and practice in relation to its self-exclusion and revocation practices;
- participated in six tripartite meetings involving both the Victorian Commission for Gambling and Liquor Regulation (**VCGLR**) and the Victorian Responsible Gambling Foundation (**VRGF**); and
- sought independent expert advice.

As a result of the above actions, which included the conclusion that there is currently no conclusive evidence that supported any specific model in terms of optimum banning length/s and re entry processes, Crown's high level position is as follows:

- Crown will make certain adjustments to its current framework of self-exclusion and time out arrangements, to reflect the findings from our review, comments from the VCGLR and VRGF and advices from an independent expert. These adjustments are detailed below. We also note as discussed at the tripartite meetings, that there is no evidence in research that suggested that the concept of a combination of self-exclusion and time out arrangements was unsound;
- The revocation process framework will be adjusted to provide added support to customers who return to gaming, including undertaking additional monitoring to further assist customers; and
- Self-excluded customers who have been excluded for ten years or more will remain on Crown's database.

Crown acknowledges and appreciates the input of the VCGLR and the VRGF during this process.

Please find following a more detailed explanation of Crown's position on the recommendation.

Short Term Self-Exclusion Orders

The comprehensive review process undertaken by Crown identified that there is no industry or research consensus on optimal self-exclusion order length, and self exclusion order lengths put in place in other jurisdictions and venues. In this respect, independent expert advice received, provides that '*... ban lengths have been established predominantly on the basis of opinion in the absence of any comparative long-term empirical evaluation of the minimal duration required.*'

The table below sets out the results of the review of literature that Crown has carried out regarding the different self-exclusion ban lengths across international jurisdictions:

Length of ban	Jurisdictions	Reference
An absolute minimum of 1 month	International	Global Gambling Guidance Group, 2018
3 months 5 years	Canada Quebec casinos	Verlik, 2008
6 months, 1 5 years, or lifetime bans	Australia	Gainsbury, 2014

Length of ban	Jurisdictions	Reference
6 months, 1 , 2 and 3 years	British Columbia Lottery Corporation	Centre for The Advancement of Best Practice, 2016
6 months, 1 year, 5 years, indefinite	South Africa	RGC, 2016
6 months and five years	UK	RGC, 2016
3, 6 and 9 months, 1 and 2 years	Auckland – SkyCity	SkyCity, 2017. SkyCity Auckland Host Responsibility Program (Policies and Procedures manual)
2 years, Life ban	Kansas USA	RGC, 2016
1 year, 5 years, or life-time	New Jersey, USA	RGC, 2016
5 years, indefinite	FEO (Singapore)	
5 years, 10 years to life-time	Mississippi, USA	RGC, 2016
Indefinite	Missouri, Illinois, Louisiana (USA), Nova Scotia Provincial Lotteries and Casino Corporation, and Crown Australia	RGC, 2016

Taking into account the recommendation, relevant information from Crown's review and independent expert advices, Crown has determined to adjust its position so that there will no longer be an 'indefinite' self-exclusion.

As an alternative, customers will be able to elect a period to self-exclude (with the minimum period being twelve months). To return to gaming, self excluded customers will still be required to undertake Crown's revocation process. This minimum period of self-exclusion is supported by independent expert advices, which provide that *'...evidence derived from self-reports and retrospective interviews of gamblers and self-excluded individuals, respectively, suggest that a twelve month ban is a reasonable balance between allowing sufficient time for change to occur and minimising barriers to entry ... Crown's position that a twelve-month minimum ban length should be the standard duration for self-exclusion is reasonable and supported until such time that evidence accrues to suggest otherwise.'*

In respect of the concept of other short term exclusions, as you are aware, Crown has for a period of time offered a three month Time Out Program as an option for shorter term breaks from gaming. This option is put to the customer where they have indicated that a shorter time period is preferred for their circumstances, and/or where the formalities associated with a self-exclusion order (for example, legal documentation, fines and prosecutions) are a deterrent to taking any type of break.

Crown is of the view that the Time Out Program has been and will continue to be a positive option for customers experiencing problems with their gambling behaviours, particularly in circumstances where customers are reluctant to self-exclude at all, or for an extended period. Further, the Time Out Program is seen as a positive option for customers in taking an incremental step toward addressing any problem gaming behaviours and towards self-exclusion if appropriate.

Crown also notes that with the relatively recent introduction of Facial Recognition Technology (which the Commission has now had the benefit of seeing in practice), the instances of detection initially increased, however in the fullness of time we would expect the number to stabilise or decrease as the risk of detection becomes more widely known and customers cease trying to re-enter the Casino. This strengthening of the gaming floor perimeter detection is of paramount importance in acting as a deterrent for self-excluded and Time Out customers from breaching. Further, with easier detection of breaching or attempted breaching, Crown has the opportunity to assist persons in keeping with their commitments to not enter the Casino. Easier detection also provides greater opportunity, where possible, for responsible gaming staff to interact with those individuals to offer them information and referral.

Therefore Crown, as described above, supports in principle the recommendation regarding the concept of other shorter term banning options. In this respect, Crown's independent expert advice provides that in addition to the twelve month exclusion option, *'...the patrons should be offered shorter time periods if they indicate reluctance to take up the option of the twelve-month length ... From a responsible gambling perspective, the over-riding principle is that it is preferable to have someone agree to temporarily suspending play as opposed to declining entry into a program due to its length and consequently leading the patron to persist in problem gambling behaviours.'*

To facilitate Crown's position and to enhance its self-exclusion, Time Out and revocation framework, Crown will be amending its existing relevant policies and practices to accommodate the following:

Self Exclusion Periods

- Customers will now be able to choose to enter a self exclusion agreement with a finite term subject to a minimum term of 12 months. Independent advice received by Crown confirmed that 12 months is a *'...reasonable balance between allowing sufficient time for change to occur and minimizing barriers to entry.'* Following the expiry of the 12 month period, customers will be able to apply to have the exclusion revoked and follow Crown's revocation process.
- In this respect, customers will, for example, also be offered an option to select a longer term self-exclusion period, for example a two or three year period, which will preclude a customer from applying to have their self-exclusion revoked during that time.
- Crown's Time Out Program will be revised to offer customers shorter term periods to ban themselves via agreement, being for 3 or 6 month terms, with an option to only renew the period one time, after which self-exclusion will be the option available to the customer. It should be noted however that each request to extend a Time Out Program will be dealt with on a case by case basis in order for the Responsible Gaming team to assess each applicant to determine whether an extension is appropriate in the circumstances. Time Out Programs will only be offered to customers who are reluctant to enter into a 12 month self-exclusion agreement. As a deterrent for customers to breach their Time Out commitment, customers will be advised that any breach may result in an exclusion order being made.

- Crown's revised Time Out Program will be implemented on a trial basis for 12 months and evaluated thereafter.
- Customers will be informed at the time of self-excluding or entering into a Time Out Program Agreement that Crown has facial recognition technology and that there is a strong probability that if they try and re-enter the Casino, they will be detected.

Revocation

- Customers will now be able to choose to enter into a longer term self-exclusion agreement with automatic expiry (for example, after seven years) to remove the need for the revocation process to be undertaken. It will also be made clear to those customers who elect an automatic expiry after seven years that their carded play will be monitored and assessed on an ad hoc basis where appropriate. Independent expert advices support this position in that *'... it is reasonable to offer, at the time of taking out a seven year ban or longer, that they be offered a choice of indicating in writing an extension or have the ban 'expire'. For those electing to take the latter course of action, they should be informed that their behaviour may be monitored by RGLO members, particularly if they are loyalty card holders. Periods of under seven years ... should follow the same revocation procedure as for the twelve-month period.'*
- The existing revocation requirements, which include a customer obtaining support from a medical professional or counsellor for twelve month (or longer) self-exclusion orders, or an interview with a Responsible Gaming Advisor for Time Out Programs, will continue to be required. However, the following adjustments will be made:
 - As part of the revocation process, patrons will be required to agree to a Responsible Gaming Advisor observing, interviewing and/or tracking loyalty card play at ad hoc post revocation visits, for at least a further twelve months; and
 - Persons who are permitted to return from either a self-exclusion, or a Time Out Program, will be randomly selected and periodically monitored, as far as any observable signs and data can allow. This will be communicated to the customer to assist them with maintaining control of their gambling behaviours.

Crown will now undertake the relevant steps, such as updating the applicable responsible gaming policies, brochures and related collateral and training of relevant staff, in order for the adjusted processes to commence in practise.

It is important to note that Crown's policies and programs with respect to self-exclusion are based on current literature and will continue to be revised. As there is no ideal benchmark in place, Crown will use the opportunity it has to continue to evaluate the effectiveness of its Self-Exclusion Program, Time Out Program and revocation processes, seeking independent expert advices as and when required.

10 Year Self Exclusion Orders

As part of the above mentioned detailed review of Crown's self-exclusion and revocation processes, Crown has also considered, and sought independent expert advice, regarding the VCGLR's recommendation to review self-exclusion orders which are greater than ten years old with a view to either retaining or ending these orders, depending on the individual circumstances of the customer.

The independent expert advice obtained concluded that after a ten year period of exclusion, the following scenarios are likely to apply:

- the customer has resolved their gambling problem;
- the customer has continued to gamble elsewhere; or
- the customer is continuing to experience the desire to return to the Casino, but the exclusion order in place is assisting them in not returning.

Changes to older self-exclusion orders would require contact or notification being made to the customer. The independent expert advice concluded that contacting these customers in each of the above circumstances:

- is not commensurate with responsible gambling practices;
- may increase the customer's 'propensity to resume gambling at Crown'; and
- despite the potential for photographs to become obsolete, the benefits of contacting customers in these circumstances do not outweigh the risks.

Crown agrees with the independent expert's conclusion. Accordingly, based on the above advice, Crown is of the respectful opinion that self-exclusions that are older than ten years should continue to remain in place. Should the Commission have a firm position otherwise, please so advise. Please note that where customers in this category come to our attention, they will be engaged with and managed accordingly. Please also note that as described above, moving forward this issue will be less relevant as customers will now be able to choose to enter into a long term self-exclusion agreement with automatic expiry (for example, after seven years).

Conclusion

Crown is of the firm belief that the adjustments to be made to its responsible gaming framework resulting from the review carried out and independent expert advice will see an enhancement of its practices, which will be evaluated over time with other necessary adjustments being made as evidence becomes available supporting any appropriate change.

Please do not hesitate to contact me or Joshua Preston if you have any queries.

Yours sincerely



Barry Felstead
Chief Executive Officer – Australian Resorts



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Document No: COMPLIANCE_488735.8

28 June 2019

Ms Catherine Myers
Chief Executive Officer
Victorian Commission for Gambling and Liquor Regulation
Level 3, 12 Shelley Street
RICHMOND VIC 3121

cc: Rowan Harris

By Email

Dear Ms Myers

Sixth Review of the Casino Operator and Licence (Sixth Review) - Recommendation 11

I refer to Recommendation 11 of the Sixth Review and our response dated 2 July 2018. Recommendation 11 provides:

The VCGLR recommends that, by 1 July 2019, Crown Melbourne develop and implement a policy and procedure to facilitate Crown Melbourne issuing involuntary exclusion orders under section 72(1) of the Casino Control Act at the request of family members and friends in appropriate cases. The policy and procedure should be developed in conjunction with the VCGLR, VRGF and other external stakeholders. Crown Melbourne should include information about this option in all its responsible gambling publications, website and regularly provide information to relevant stakeholders, such as Gambler's Help and other similar organisations, about this option.

Crown Perth, a wholly owned subsidiary of Crown Resorts Limited, has operated a Third Party Exclusion Program (TPEP) for over ten years. As such, Crown Melbourne Limited (Crown) was able to seek information from Crown Perth in the formulation of the TPEP.

In considering this recommendation, Crown also conducted its own internal, detailed review into literature and practice in relation to TPEPs. The review of literature notes the absence of robust data regarding the use and effectiveness of TPEPs and the various TPEP models in different jurisdictions.

Additionally, Crown has sought independent expert advice in relation to this recommendation, with advice being provided that *'Conceptually, third party exclusions (TPE) are an excellent responsible gambling tool for family members and significant others. In practice, the conduct and application of*

a TPE is a complex matter requiring careful consideration of the application process and impact on families and the index person.'

In developing Crown's TPEP, our own internal detail and research was considered along with that of independent expert advices. Further, in accordance with the recommendation, Crown met with and took input from the Victorian Commission for Gambling and Liquor Regulation (**VCGLR**) and the Victorian Responsible Gambling Foundation (**VRGF**) on the draft TPEP.

In this respect, there have been six 'Tripartite' meetings between Crown, the VCGLR and the VRGF where this recommendation was discussed. We acknowledge and appreciate the input from the VCGLR and the VRGF.

Please find attached the relevant documentation as discussed between Crown, the VCGLR and the VRGF. Crown is now in the process of taking the necessary steps to implement this new process, including developing and amending the relevant and related documents and training our staff.

Please do not hesitate to contact me or Joshua Preston if you have any queries.

Yours sincerely



Barry Felstead
Chief Executive Officer – Australian Resorts

Encl.



SUBJECT: Responsible Gaming Department Policy and Procedure

POLICY TITLE: Third Party Exclusion

APPROVED BY: Sonja Bauer

REVIEWED: June 2019

VERSION: 1.0

ISSUE DATE: June 2019

Policy

The principal aim of the Third Party Exclusion (TPE) program is to offer concerned parties (or **Applicant**) (such as a family member, friend or other person) the opportunity to initiate an exclusion process to protect and safeguard an individual (or **Customer**) whose gambling at Crown Melbourne (**Crown**) may be causing harm to themselves or significant others. Through the process, Crown demonstrates a support to concerned third parties who are adversely affected by someone's gambling behaviour.

The TPE provides a process where a concerned family member, friend or other person, can apply to have Crown consider excluding a Customer involuntarily as a direct consequence of their gambling behaviour. This is a policy that is being developed as a part of Crown's commitment to minimising harm to their customers and those significant to them, whilst respecting and treating with dignity all parties concerned.

Crown takes steps to ensure all reasonable care is taken to minimise harm to relevant individuals, as well as protecting the Customer from a process that may cause embarrassment or be inappropriately motivated.

Purpose:

The purpose of this document is to explain key processes of the TPE. This document contains:

1. Scope
2. Responsibilities
3. Procedure
4. Decision Making Processes
5. Promotion of TPE
6. Revocation of TPE
7. Breaches
8. Appeal

9. Appendices:

- i. Letter/s to the Applicant
- ii. Third Party Application for Customer Exclusion Form (including a copy of a Statutory Declaration and Authorised Witnesses)
- iii. Third Party Exclusion Committee (**TPEC**) Members
- iv. Relevant Documentation Provided by the Applicant
 - i. Subjective
 - ii. Objective
- v. Withdrawal of Licence (**WOL**) Information

To assist Crown in identifying the presence of adverse gambling behaviours, the Applicant will be required to provide relevant information in support of their Application (Appendix iv). Additionally, Crown will access the Customer's recorded history to use in its assessment. This will enable Crown to take the most reasonable steps necessary to either exclude the Customer, or to make any other appropriate decision.

TPEs may not be appropriate for every circumstance and individual. The assessment needs to be applied on a case by case basis. Crown's responsible gaming programs and services, including the Responsible Gaming Psychologists (**RGP**s), as well as government funded support services and programs will be offered to the Applicant and the customer.

1. Scope

TPE enquiries and/or applications will be administered by the Responsible Gaming Department facilitated at the Responsible Gaming Centre (**RGC**). Applications are to be addressed by the Department in a timely, consistent and professional manner and may be made via a telephone call or email, as well as face to face.

This policy applies to all members of the Responsible Gaming Department. The procedure provides general guidelines to be applied when a TPE enquiry or application is received.

2. Responsibilities

Responsible Gaming Operations Manager (**RGOM**) has responsibility for:

- Ensuring that all procedures related to the Responsible Gaming Department are complied with;
- Ensuring that all Responsible Gaming Advisors are trained in the process and that uniformity is achieved;
- Raising awareness of the TPE Program amongst Crown staff; and
- Obtaining relevant information, as far as practicable, regarding the Customer's personal and gambling behaviour, through feedback provided by the business and/or Customer observations.

Responsible Gaming Advisor (**RGA**) has responsibility for:

- Raising awareness of the TPE program amongst Crown staff;

- Responding to enquiries related to the TPE, providing Applicants with relevant information regarding the TPE process and external support services available to them; and
- Providing the Applicant with a discreet environment where they can feel comfortable discussing their circumstances.

Responsible Gaming Office Coordinator (RGOC) has responsibility for:

- Providing the TPE Application paperwork to an Applicant when requested; and
- Compiling all of the information contained in the Application and any other relevant information to be considered by the TPEC.

The TPEC has responsibility for:

- Convening in a timely manner, that is, as soon as practicable following the compilation of all the relevant supporting information and completed TPE Application Form; and
- Considering the Application and relevant information in line with Part 4 of this document, 'Information to be Assessed'.

Responsibility of the Applicant:

- As the TPE process has the potential to create a negative impact on the Customer, the Applicant is required to demonstrate and substantiate their concerns clearly to Crown. The option of a Withdrawal of Licence (WOL) - Welfare may be considered a more suitable alternative (see Appendix v).

Process for the Applicant:

- Participate in a detailed discussion with a member of the Responsible Gaming (RG) team (either in person, or by telephone);
- Complete the TPE Application and return it to the RGC, either in person, via email or mail;
- Provide supporting evidence/documentation;
- Attend meetings (in person or over the phone) with the RGOM if required;
- Decide if they want to contact external support services such as Gambler's Help, medical practitioners, psychologist or counsellors as appropriate;
- Determine if they need to seek independent legal advice before proceeding with the TPE;
- Determine whether to talk to the Customer about the process and their decision; and
- Determine whether they need to make contact with other relevant parties (for example the Victoria Police if they suspect that they are the victim of a crime or treating physicians or counsellors).

3. Procedure

1. When receiving a TPE enquiry, the RGA explains the process involved to the Applicant. The Applicant can be directed to the information on Crown's website, available brochures, and/or send a letter or email outlining the details of the process together with an Application Form. The Applicant may also obtain a hard copy from the RGC.
2. Should the Applicant express the intention to submit a TPE Application, the RGA may invite the Applicant to contact the RGC to further discuss their concerns and assist them with any queries they may have regarding the completion of the Application.
3. To progress the TPE, the Applicant is required to submit a completed Application Form with supporting documentation, including provision of acceptable identification of the Applicant.

4. When an Application Form is received, the RGOM is to ensure that all relevant paperwork, including the signature of the Applicant and the Statutory Declaration, has been received and completed in full.
5. The RGOM will obtain relevant information regarding the Customer's personal and gambling behaviour, through feedback provided by the business and/or Customer observations.
6. If the material forms a substantive case, the Customer is contacted and given a chance to respond. Their response is part of the material that is considered by the TPEC.
7. Should the Applicant decline to submit an Application Form, the RGA will offer the Applicant the opportunity to contact the RGC to further discuss their reservations and assist them with any queries they may have regarding the Customer.
8. The RGOM will prepare and submit all documentation including the Application Form and attendant documents, gambling history, observations etc. to the TPEC.
9. If consent is given by the Applicant, the RGOM will contact the Customer and request attendance at the RGC for a meeting to discuss the concerns raised. In the case that a Customer is unwilling to attend the meeting, an Exclusion Order under section 72 (1) of *Casino Control Act 1991 (Vic) (the Act)* may be issued until such time as the Customer meets with the RGOM and alleviates all concerns
10. The TPEC will consider all information and determine the following:
 - a. If the recommendation is to exclude the Customer, please refer to point 11 below; or
 - b. If the recommendation is that there is insufficient information to make a determination, the RGOM will undertake further inquiries; or
 - c. If the recommendation is to decline the Application, all RGC programs and services, including counselling with a RGP and referral to Gambler's Help and other government funded help services, will be offered to the Applicant and Customer.
11. Where the TPEC determines a TPE is to be issued, the RGOM will take the necessary steps to issue the TPE. The Customer will be contacted and furnished with the Exclusion Order under section 72 (1) of the Act, including information regarding their right to appeal and the revocation process.
12. The RGOM will take the necessary steps to update the relevant Crown systems, including the Responsible Gambling Register and the Facial Recognition database, and notify all relevant departments of the Exclusion Order.
13. The RGOM will notify the Applicant that the process has been completed. Outcomes may not be discussed due to restrictions in the Act, as well as Privacy Principles.

4. Decision Making Processes

Third Party Exclusion Committee (TPEC)

Members of the TPEC will be comprised of representatives from each of the Legal, Regulatory & Compliance and Responsible Gaming Departments (Appendix iii).

This will ensure that the TPEC is able to meet in a responsive and timely manner.

Frequency of meetings will be on an as needs basis to ensure all Applications are handled expediently.

Information to be assessed:

Sources of Information include (where available):

- TPE Application information;
- Crown database of Customer's gambling history;
- Where possible to ascertain – ability for the Customer to afford the level of gambling, family responsibilities;
- The Responsible Gambling Register;
- Objective and subjective information/documentation (Appendix iv);
- Clinical considerations such as decision making ability, general welfare issues for Customer /Applicant, co morbid conditions, any counselling history;
- Assess motivation of TPE Applicant;
- Risk and seriousness of harms to Customer and Applicant;
- Response of Customer to proposed exclusion; and
- RGA input.

The TPEC will consider all relevant material to determine whether the making of the TPE is appropriate in all the circumstances.

Whilst some cases may be of similar nature, the TPEC will be conducting an individualised process that requires unique factors to be considered in each case. However, all cases will be assessed against evidence that the gambling behaviour is causing significant harm to the Customer or those close to them. This will ensure consistency in assessments of harm occurring at a level where the risk or existing level of harm warrants the issuing of a TPE.

The problem gambling behaviour must directly cause or be related to the harm that is being alleged by the Applicant. However, if there is reasonable apprehension that moderate to significant harm will occur or has occurred to the Customer or Applicant as a result of their gambling, then a TPE will be issued.

Harms are multifaceted; they include but are not limited to the effect on finances, relationships, health (physical, psychological, emotional), family, businesses, work, study and social.

5. Promotion of TPE

A wide ranging education campaign will be utilised to raise awareness of the TPE program amongst Crown staff. This will include information provided to Crown staff via Employee Induction, the employee Intranet, staff musters and briefings.

Customers and external provider communication includes but is not limited to:

- Third Party Exclusion Brochure
 - The Third Party Exclusion brochure will be made available throughout the casino gaming floor and at the RGC.
 - The Responsible Gaming department conducts regular audits as the availability of responsible gaming related brochures.

- Crown Website
 - Extensive Responsible Gaming information is prominently available on Crown’s website
 - The TPE Brochure and Application Form will be made available, along with a ‘flowchart’ depicting key points in the process
- Notification and supply of brochures to Gambler’s Help
 - Crown will engage with the Victorian Responsible Gambling Foundation to ensure TPE brochures can be made available to Gambler’s Help offices.
 - Crown will also offer Gambler’s Help staff the opportunity to participate in information sessions – at Gambler’s Help offices or at Crown as part of general meetings or specifically for the TPE process information.

6. Revocation of TPE

What is the process of revoking the TPE?

The process for the revocation for a TPE will follow the same procedure as a Self Exclusion Revocation.

7. Breaches

Persons who are subject to a TPE will be treated in the same manner as a person who is self excluded. This means that any detected entry onto the casino gaming floor will be considered a breach of an Exclusion Order, and the consequences will include:

- Any application for revocation of the Exclusion Order will require a further 12 month breach free period;
- Forfeiture of Winnings; and
- An offence against the Act, which may result in an Infringement Notice or Fine (as determined by the VCGLR).

8. Appeal

Should a TPE be issued, the Customer will be advised of their right of appeal to The Victorian Commission for Gambling and Liquor Regulation.

Appendix I (a)**Letter for Query/Request for Application Form**

Given and Surname
Address
VIC P/C

Dear Mr/Ms Surname,

As per your contact with a member of the Responsible Gaming Team on *date* please find enclosed a Third Party Exclusion Application Form. Please note Crown Melbourne encourages Applicants to first discuss voluntary self exclusion with the relevant person prior to lodging a Third Party Exclusion Application, if possible.

Crown Melbourne recognises that applying for a Third Party Exclusion is a serious undertaking. With this in mind, we will respond to your application as quickly as possible. However, the process provides no guarantee that the person you are seeking to exclude will be excluded from Crown Melbourne.

It is important that you complete the Third Party Exclusion Application with as much detail as possible, including any documents that support your Application, for example, evidence of your attendance at Gambler's Help for supportive or financial counselling.

We will give consideration to documented evidence, such as material relating to financial issues, difficulties at their place of work (including a threat to their employment or loss of job) or absence from significant family events as a result of time spent gambling. We are unable to give consideration to applications that cannot substantiate claims.

You will also be required to complete the attached Statutory Declaration; a list of authorised witnesses is attached. Once you have completed the application and the Statutory Declaration, please return both to the Responsible Gaming Centre at Crown Melbourne, either via mail, in person or via email.

In accordance with the Privacy Act, once you have submitted your application we are unable to discuss any further aspects of the application with you. This includes whether we have met with the relevant person and whether they have been excluded from the Casino as a result of your application. We may only disclose this information when the relevant person has given written consent.

You will, however, be notified that the Third Party Exclusion process has been completed.

We appreciate that changing another individual's gambling behaviour can be difficult, which can make a difference to their success and your ability to assist them throughout the process. We recommend you access professional support such as:

- Gambler's Help – 1800 858 858 or online at www.gamblershelp.com.au
- Gambler's Help Financial Counselling - 1800 858 858 or online at www.gamblershelp.com.au
- Your General Practitioner

If you have any questions, you may contact the Responsible Gaming Centre on 1800 801 098, which operates 24 hours a day, seven days a week.

Please find enclosed some brochures you may find useful.

You are welcome to contact us at any time during the application process and we will endeavour to support you in any way we can by offering you our services, including contact with the Crown Responsible Gaming Psychologists.

Yours sincerely,

Leon Pillai
Responsible Gaming Operations Manager, Crown Melbourne
8 Whiteman St, Southbank - 3006

Appendix I (b)**Letter for Applicant Who has Completed Application Form**

Given and Surname
Address
VIC P/C

Dear Mr/Ms Surname,

Thank you for your Application for a Third Party Exclusion received on ***date***.

In order to progress your Application, it will be useful to speak with you to discuss the matters raised. Please contact [REDACTED] during business hours. Do feel free to speak with one of our Responsible Gaming Advisors at any time. They are available on tel. 1800 801 098, 24 hours a day, seven days a week.

Crown Melbourne recognises that applying for a Third Party Exclusion is a serious undertaking. With this in mind, we will process your Application as quickly as possible. However, the process provides no guarantee that the person you are seeking to exclude will be excluded from Crown Melbourne.

We will give consideration to documented evidence, such as material relating to financial issues, difficulties at their place of work (including a threat to their employment or loss of job) or absence from significant family events as a result of time spent gambling. We are unable to give consideration to applications that cannot substantiate claims.

In accordance with the Privacy Act, now that you have submitted your application we are unable to discuss any further aspects of the application with you. This includes whether we have met with the relevant person and whether they have been excluded from the Casino as a result of your application. We may only disclose this information when the relevant person has given written consent.

You will, however, be notified that the Third Party Exclusion process has been completed.

We appreciate that changing another individual's gambling behaviour can be difficult, which can make a difference to their success and your ability to assist them throughout the process. We recommend you access professional support such as:

- Gambler's Help – 1800 858 858 or online at www.gamblershelp.com.au
- Gambler's Help Financial Counselling - 1800 858 858 or online at www.gamblershelp.com.au
- Your General Practitioner

If you have any questions, you may contact the Responsible Gaming Centre on 1800 801 098, which operates 24 hours a day, seven days a week.

Please find enclosed some brochures you may find useful.

You are welcome to contact us at any time during the application process and we will endeavour to support you in any way we can by offering you our services, including contact with the Crown Responsible Gaming Psychologists.

Yours sincerely,

Leon Pillai
Responsible Gaming Operations Manager, Crown Melbourne
8 Whiteman St, Southbank - 3006

Appendix I (c)**Letter for Applicant Who has Completed Application Form**

Given and Surname
Address
VIC P/C

Dear Mr/Ms Surname,

Thank you for your Application for a Third Party Exclusion received on ***date***.

We have given consideration to your application, and as indicated in previous correspondence, in accordance with the Privacy Act, we are unable to discuss any further aspects of the application with you. This includes whether we have met with the relevant person and whether they have been excluded from the Casino as a result of your application.

We do however, now notify you that the Third Party Exclusion process has been completed.

We appreciate that changing another individual's gambling behaviour can be difficult, which can make a difference to their success and your ability to assist them throughout the process. We recommend you access professional support such as:

- Gambler's Help – 1800 858 858 or online at www.gamblershelp.com.au
- Gambler's Help Financial Counselling - 1800 858 858 or online at www.gamblershelp.com.au
- Your General Practitioner

If you have any further questions or believe you have further documented evidence that was not included in your original application, you may contact the Responsible Gaming Centre on 1800 801 098, which operates 24 hours a day, seven days a week to discuss.

Please find enclosed some brochures you may find useful.

Yours sincerely,

Leon Pillai
Responsible Gaming Operations Manager, Crown Melbourne
8 Whiteman St, Southbank - 3006

Appendix ii

THIRD PARTY APPLICATION FORM

**Third Party Application for Customer Exclusion**

Applying for a Third Party Exclusion is a serious undertaking. Please provide as much detail and factual information to Crown Melbourne as possible.

A Statutory Declaration is attached and forms part of the Third Party Application for Customer Exclusion. The Statutory Declaration must be signed by you and witnessed by an authorised witness; a list of authorised witnesses is attached.

I _____

(Name of Applicant)

Of _____

(Address of Applicant)

(Contact details)

Request that Crown Melbourne Ltd consider excluding

(Name of Customer)

(Address of Customer)

(Contact details)

(Date of Birth)

(Relationship to Applicant)

I understand that this Third Party Application for Customer Exclusion does not place any obligation, duty or responsibility on any person. I release and indemnify Crown Melbourne against any claim, liability, loss, damages, costs, fines, penalties, causes of action and expenses including legal costs that Crown Melbourne may incur because of this Application.

Please either complete this form, or attach additional pages, to answer the questions on the pages that follow. This application must then be attached to the Statutory Declaration, which must be signed and witnessed by an authorised witness. Please note when the term 'the Customer' is used throughout this document it refers to the individual you are requesting to have excluded from the Casino.

1. Is the Customer aware that you are seeking to have them excluded from the Casino?

Yes No

2. Do you consent to Crown Melbourne advising the Customer that you have contacted us?

Yes No

3. In seeking to raise these concerns with the Customer, are we able to discuss with them the information that you have provided to us?

Yes No

4. Are you concerned about how the Customer may react if they learn about your application?

Yes No

If yes, please describe your concerns:

5. Are you concerned about **your safety** in regards to the Customer's current behaviour (for example, has their gambling caused changes in their behaviour, such as irritability, aggression etc.)?

Yes No

If yes, please describe your concerns:

6. Are you concerned about **the Customer's** safety and/or welfare in regards to their current behaviour (for example, has their gambling caused depression, stress or anxiety, do they owe people money they cannot repay etc.)?

Yes No

If yes, please describe your concerns:

7. Does the Customer believe that he/she has problematic gambling behaviours?

Yes No Unsure

Please describe what you believe to be the customer's view of their own gambling:

8. Has the Customer ever been excluded (either voluntarily or involuntarily) from Crown Melbourne or any other Casino that you are aware of?

Yes No Unsure

If yes, please provide details of the exclusion that you are aware of, including which Casino, the period of the exclusion and the reasons for the exclusion:

9. Please provide some history and background information regarding the Customer's gambling (for example, when you believe their gambling problems began, what may have caused them to have problems with their gambling, how often do they gamble etc.):

10. How does the Customer's gambling affect you, your family or those close to you (consider financially, emotionally, socially, physically, medically)?

11. Do you believe the Customer's gambling is negatively impacting their life (again consider financially, emotionally, socially, physically, and medically)?

Yes No

If yes, please describe:

12. Is the Customer's gambling negatively impacting any other individuals (for example, children, friends, their employer, etc.)?

Yes No

If yes, please describe who it is impacting and how:

13. Has the Customer taken any steps that you are aware of to deal with his/her gambling behaviours in the past (for example, attempting to stop or reduce gambling, placing financial limits on credit cards, etc.)?

Yes No Unsure

Please provide details:

14. Have you taken any steps to reduce the negative effects of the Customer's gambling (for example, reducing their access to funds, etc.)?

Yes No

If yes, please describe:

15. Have you or the Customer sought or received any counselling or financial support in relation to gambling?

Yes No Unsure

If yes, please provide details (for example, number of sessions, any positive impacts of counselling):

16. How does the Customer afford his/her gambling? Please provide details such as employment, pensions, money borrowed to fund gambling, assets sold to fund gambling, etc.:

17. Are there other issues that the Customer is dealing with that may be affecting their gambling behaviour (for example, grief, loss of job, separation etc.)?

Yes No

If yes, please describe:

18. Please provide any further information you believe may be useful for Crown Melbourne to assess the extent to which the Customer's gambling is a problem:

19. The following information can assist us in monitoring the Customer's gambling, so please provide as much information as you can:

a) What days does the Customer frequent the casino? _____

b) What times does the Customer frequent the casino? _____

c) What games does the Customer play? _____

d) Where in the casino does the Customer normally play? _____

e) Does customer have a Crown Loyalty Program card? _____

**** Please also attach a recent photo of the Customer to this application. This will assist confirmation of the customer's identity.**

Signed this _____ day of _____ 20

Signature of Applicant

Print Name of Applicant

Checklist:

- Completed Application Form
- Photo of Customer
- Photo ID (Applicant)
- Completed and witnessed
- Statutory Declaration
- Other documentation

Important Note – Crown Melbourne should only be provided with documents you are legally entitled to access and that have not been obtained surreptitiously.

Privacy Collection Statement: Crown Melbourne collects your personal information for purposes directly related to our functions or activities, including providing responsible gaming services. If you do not provide this information, we may not be able to provide you with these services. Your personal information may be disclosed to related entities, other companies acting on Crown Melbourne's behalf and other casinos, which may include those located overseas. Please refer to Crown Melbourne's privacy policy at www.crownmelbourne.com.au for full details including how you may access your personal information and/or complain about a privacy breach, or contact Crown Melbourne at 8 Whiteman Street, Southbank VIC 3006, [REDACTED]

State of Victoria

Statutory Declaration

I, _____
[full name]

of _____
[address]

[occupation]

do solemnly and sincerely declare that:-

I acknowledge that this declaration is true and correct, and I make it with the understanding and belief that a person who makes a false declaration is liable to the penalties of perjury.

Declared at _____

this _____ day of _____ 20____

.....
Signature of person making this declaration
[to be signed in front of an authorised witness]

Before me,

.....
Signature of Authorised Witness

The authorised witness must print or stamp his or her name, address and title under section 107A of the *Evidence (Miscellaneous Provisions) Act 1958* (as of 1 January 2010), (previously *Evidence Act 1958*), (eg. Justice of the Peace, Pharmacist, Police Officer, Court Registrar, Bank Manager, Medical Practitioner, Dentist)

Authorised witnesses for statutory declarations *Oaths, Affidavits and Statutory Declarations Act 2005*

[s 12(6)(a)]

Item	Formal description	Informal description
1.	A member of the academic staff of an institution established under any of the following Acts— <ul style="list-style-type: none"> • <i>Post-Secondary Education Act 1980</i> • <i>Victorian Post-Secondary Education Commission (VPSEC)</i> • <i>The Tertiary Education Act 1993</i> • <i>University of Melbourne Act 2009</i> • <i>Monash University Act 2009</i> • <i>Deakin University Act 2009</i> • <i>La Trobe University Act 2009</i> 	Academic (post-secondary institution)
2.	A member of any of the following bodies — <p><i>Association of Taxation and Management Accountants (ACN 002 876 208); CPA Australia (ACN 008 392 452); The Institute of Chartered Accountants in Australia (ARBN 084 642 571); National Institute of Accountants (ACN 004 130 643); National Tax & Accountants Association Limited (ACN 057 551 854).</i></p>	Accountant
3.	A person who is registered under the <i>Architects Act 2004</i> .	Architect
4.	An Australian Consular Officer within the meaning of the <i>Consular Fees Act 1955</i> of the Commonwealth.	Australian Consular Officer
5.	An Australian Diplomatic Officer within the meaning of the <i>Consular Fees Act 1955</i> of the Commonwealth.	Australian Diplomatic Officer
6.	A bailiff appointed under the <i>Civil Judgments Enforcement Act 2004</i> .	Bailiff
7.	A person appointed to be in charge of the head office or any branch office of an authorised deposit-taking institution carrying on business in the State under the <i>Banking Act 1959</i> of the Commonwealth.	Bank manager
8.	A member of Chartered Secretaries Australia Limited (ACN 008615950).	Chartered secretary
9.	A pharmaceutical chemist within the meaning of the <i>Pharmacy Act 1964</i> .	Chemist .
10.	A chiropractor within the meaning of the <i>Chiropractors Act 1964</i> .	Chiropractor
11.	A person registered as an auditor or a liquidator under the <i>Corporations Act 2001</i> of the Commonwealth.	Company auditor or liquidator
12.	A judge, master, magistrate, registrar or clerk, or the chief executive officer, of any court of the State or the Commonwealth.	Court officer
13.	A member of the Australian Defence Force who is — <p><i>an officer within the meaning of the Defence Force Discipline Act 1982 of the Commonwealth; . a non-commissioned officer within the meaning of that Act with 5 or more years of continuous service; or a warrant officer within the meaning of that Act.</i></p>	Defence force officer
14.	A dentist within the meaning of the <i>Dental Act 1939</i> .	Dentist
15.	A medical practitioner within the meaning of the <i>Medical Act 1894</i> .	Doctor
16.	A member of the Institution of Engineers, Australia, other than at the grade of student.	Engineer
17.	The secretary of an organisation of employees or employers that is registered under one of the following Acts — <p><i>Industrial Relations Act 1979; Workplace Relations Act 1996 of the Commonwealth.</i></p>	Industrial organisation secretary
18.	A member of the National Insurance Brokers Association of Australia (ACN 006 093 849).	Insurance broker
19.	A Justice of the Peace.	Justice of the Peace
20.	A legal practitioner within the meaning of the <i>Legal Practice Act 2003</i> .	Lawyer

Item	Formal description	Informal description
21.	The chief executive officer or deputy chief executive officer of a local government.	Local government CEO or deputy CEO
22.	A member of the council of a local government within the meaning of the <i>Local Government - Act 1995</i> .	Local government councillor
23.	A member of the Australasian Institute of Chartered Loss Adjusters (ACN 074 804167).	Loss adjuster
24.	An authorised celebrant within the meaning of the <i>Marriage Act 1961</i> of the Commonwealth	Marriage celebrant
25.	A member of either House of Parliament of the State or of the Commonwealth.	Member of Parliament
26.	A minister of religion registered under Part IV Division 1 of the <i>Marriage Act 1961</i> of the Commonwealth.	Minister of religion
27.	A nurse within the meaning of the <i>Nurses Act 1992</i> .	Nurse
28.	A registered optometrist within the meaning of the <i>Optometrists Act 1940</i> .	Optometrist
29.	A registered patent attorney under the <i>Patents Act 1990</i> of the Commonwealth.	Patent attorney
30.	A physiotherapist within the meaning of the <i>Physiotherapists Act 1950</i> .	Physiotherapist
31.	A podiatrist within the meaning of the <i>Podiatrists Registration Act 1984</i> .	Podiatrist
32.	A police officer.	Police officer
33.	The person in charge of an office established by, or conducted by an agent of, Australia Post within the meaning of the <i>Australian Postal Corporation Act 1989</i> of the Commonwealth.	Post office manager
34.	A registered psychologist within the meaning of the <i>Psychologists Registration Act 1976</i> .	Psychologist
35.	A public notary within the meaning of the <i>Public Notaries Act 1979</i> .	Public notary
36.	An officer of the Commonwealth public service.	Public servant (Commonwealth)
37.	A person who is employed under the <i>Public Sector Management Act 1994</i> Part 3.	Public servant (State)
38.	The holder of a licence under the <i>Real Estate and Business Agents Act 1978</i> .	Real estate agent
39.	The holder of a licence under the <i>Settlement Agents Act 1981</i> .	Settlement agent
40.	The Sheriff of Western Australia and any deputy sheriff appointed by the Sheriff of Western Australia.	Sheriff or deputy sheriff
41.	A licensed surveyor within the meaning of the <i>Licensed Surveyors Act 1909</i> .	Surveyor
42.	A person employed as a member of the teaching staff within the meaning of the <i>School Education Act 1999</i> or as a teacher of a non-government school within the meaning of that Act.	Teacher
43.	A member, registrar or clerk, or the chief executive officer, of any tribunal of the State or the Commonwealth.	Tribunal officer
44.	A registered veterinary surgeon within the meaning of the <i>Veterinary Surgeons Act 1960</i> .	Veterinary surgeon

Appendix iii

Third Party Exclusion Committee Members

Responsible Gaming Department

Responsible Gaming Psychologist
Responsible Gaming Operations Manager
Group General Manager Responsible Gaming

Regulatory and Compliance Department

Group General Manager Regulatory & Compliance
Manager – Compliance Reporting

Legal Department

Senior Legal Counsel
Legal Counsel

Confidential Draft

Appendix iv

Relevant information/documentation to be provided by Applicant:

Subjective:

Discussions with RGD personnel
Personal experiences
Relationship with the relevant person

Objective:

Photo ID
Work history
Financial statements
Completed Application Form
Statutory Declaration
Evidence of any sessions with Gamblers Help/ Financial Counsellors
Statements from Gambler's Help/Financial Counsellors
Evidence of having taken out Self Exclusion elsewhere
Evidence of accessing a Recovery Assistance Program
Other documentation considered relevant by the Applicant

Important Note – Crown Melbourne should only be provided with documents the Applicant is legally entitled to access and that have not been obtained surreptitiously.

Appendix v

Withdrawal of Licence - Welfare

Withdrawal of Licence (WOL)

Withdrawal of Licence (WOL) is the Common Law right of an owner and occupier of land to restrict a person from entering or remaining on his/her property.

This process may also be considered if there is a safety concern for a Third Party Exclusion (TPE) Applicant and allows family or other significant stakeholders to initiate a 'watch' situation by the Responsible Gaming Advisor (RGA).

The third party will be offered support by the Responsible Gambling Department (RGD), including a conversation with the Responsible Gaming Psychologist (RGP).

A WOL - Welfare may be implemented as follows:

1. The Third Party (**Applicant**) has a conversation with a member of the RG team, discussing their relationship with the individual and their safety concerns.
2. The Customer (**Customer**) needs to be clearly identified by the Applicant, including date of birth and any other relevant information that would allow the RGA to establish their identity.
3. The RGA does a thorough search of the Customer's history with Crown Melbourne (**Crown**), including all recorded information available on them, to establish if the Customer is found to have a history with Crown indicating historical issues regarding welfare
4. The RGA will approach the Customer as part of a welfare check, where a conversation regarding their gambling behaviour is initiated.
5. If the Customer has a history of recorded behavioural indicators of problem gambling, a WOL - Welfare will be considered.

If the Customer does not have such a history, they will be watched discreetly by the RGA when on the premises. A decision on whether to issue a WOL - Welfare will be made based on all the available material.

Note: A WOL - Welfare covers the whole of the Crown Melbourne Complex. TPE only covers the casino gaming floor.