

**From:** [Rowan Harris](#)  
**To:** [Tony Phillips \(DJCS\)](#); [Brett S Hetherington \(DJCS\)](#); [Lindsay D Shaw \(DJCS\)](#)  
**Cc:** [Jason Cremona \(VCGLR\)](#); [Steve Thurston \(VCGLR\)](#)  
**Subject:** RE: Sixth Casino Review - Crown submissions re 6CR Rec.s 10 and 11 (Confidential & Commercially Sensitive)  
**Date:** Thursday, 1 August 2019 5:26:09 PM  
**Attachments:** [image024.png](#)  
[image025.png](#)  
[image026.png](#)  
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[image028.png](#)  
[image001.png](#)  
[image002.png](#)  
[image008.png](#)  
[image009.png](#)  
[image010.png](#)

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Hi Tony,

Thanks for your response today. We had intended to work on completing assessment of Crown's submissions in relation recommendations 10 and 11 with your note in mind but now have a higher priority. Therefore, we will put these submissions aside for the time being and come back to them. Will be in touch.

Thanks

Rowan

**Rowan Harris** | Principal Major Licence Officer | Licence Management and Audit  
**Victorian Commission for Gambling and Liquor Regulation**  
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**From:** Tony Phillips (DJCS) [mailto:Tony.B.Phillips@responsiblegambling.vic.gov.au]  
**Sent:** Thursday, 1 August 2019 2:15 PM  
**To:** Rowan Harris [REDACTED] Brett S Hetherington (DJCS)  
 [REDACTED] >; Lindsay D Shaw (DJCS)  
 [REDACTED]  
**Cc:** Jason Cremona [REDACTED] >; Steve Thurston  
 [REDACTED] >  
**Subject:** RE: Sixth Casino Review - Crown submissions re 6CR Rec.s 10 and 11 (Confidential & Commercially Sensitive)

Hi Rowan

Please find attached our note on Crown's response

Cheers

Tony

**Tony Phillips**  
 Head of Knowledge and Policy  
 Manager, Gambling Information Resource Office



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**From:** Rowan Harris <[REDACTED]>  
**Sent:** Thursday, 1 August 2019 1:43 PM  
**To:** Tony Phillips (DJCS) <[REDACTED]> Brett S Hetherington (DJCS) <[REDACTED]>; Lindsay D Shaw (DJCS) <[REDACTED]>  
**Cc:** Jason Cremona (VCGLR) <[REDACTED]>; Steve Thurston (VCGLR) <[REDACTED]>  
**Subject:** RE: Sixth Casino Review - Crown submissions re 6CR Rec.s 10 and 11 (Confidential & Commercially Sensitive)

Noted. Thanks Tony

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**From:** Tony Phillips (DJCS) <[REDACTED]>  
**Sent:** Thursday, 1 August 2019 1:39 PM  
**To:** Rowan Harris <[REDACTED]>; Brett S Hetherington (DJCS) <[REDACTED]>; Lindsay D Shaw (DJCS) <[REDACTED]>  
**Subject:** RE: Sixth Casino Review - Crown submissions re 6CR Rec.s 10 and 11 (Confidential & Commercially Sensitive)

Oh another thing, the Sixth report makes it clear that people should be able to apply for self-exclusion without having to physically come into Crown, pp.105,108.

It did not become a formal recommendation as far as I know. However we did address it as an issue in TPE where we wanted contact substituted for attend and the form to be on the website. There is glitch in the TEP form around this that I am mentioning as needing to be addressed. If it's useful I can also put in a closing note referring to the report and noting that consistency would require that Crown also address this current barrier with regard to SEP, as was noted in the report. My memory is that every time we brought it up with them re SEP, they obfuscated it away so worth bringing it back again I would think.

Cheers

Tony

**Tony Phillips**

Head of Knowledge and Policy

Manager, Gambling Information Resource Office



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Gambling  
Foundation



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**From:** Rowan Harris <[REDACTED]>  
**Sent:** Thursday, 1 August 2019 1:18 PM  
**To:** Tony Phillips (DJCS) <[REDACTED]> Brett S Hetherington (DJCS) <[REDACTED]>; Lindsay D Shaw (DJCS) <[REDACTED]>  
**Subject:** RE: Sixth Casino Review - Crown submissions re 6CR Rec.s 10 and 11 (Confidential & Commercially Sensitive)

Hi Tony,

Just checking on progress re the above so I can plan ahead.

Thanks

**Rowan Harris** | Principal Major Licence Officer | Licence Management and Audit  
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**From:** Tony Phillips (DJCS) [REDACTED]  
**Sent:** Wednesday, 31 July 2019 3:06 PM  
**To:** Rowan Harris <[REDACTED]> Brett S Hetherington (DJCS) <[REDACTED]>; Lindsay D Shaw (DJCS) <[REDACTED]>  
**Subject:** Re: Sixth Casino Review - Crown submissions re 6CR Rec.s 10 and 11 (Confidential & Commercially Sensitive)

Hi Rowan

Working at home this afternoon but will make it a priority tomorrow morning. Did you send the password?

Cheers

Tony

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**From:** Rowan Harris <[REDACTED]>  
**Sent:** Wednesday, July 31, 2019 2:46:01 PM  
**To:** Tony Phillips (DJCS) <[REDACTED]>; Brett S Hetherington (DJCS) <[REDACTED]>; Lindsay D Shaw (DJCS) <[REDACTED]>  
**Subject:** FW: Sixth Casino Review - Crown submissions re 6CR Rec.s 10 and 11 (Confidential & Commercially Sensitive)

Hi Tony,

I know I said by COB tomorrow. Is there any chance of getting it today or mid-tomorrow morning?

Thanks

Rowan

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**From:** Rowan Harris  
**Sent:** Tuesday, 30 July 2019 7:19 PM  
**To:** Tony Phillips (DJCS) [REDACTED]  
**Cc:** Brett S Hetherington (DJCS) [REDACTED]; Lindsay D Shaw (DJCS) <[REDACTED]>; Jason Cremona [REDACTED]; Steve Thurston <[REDACTED]>  
**Subject:** Sixth Casino Review - Crown submissions re 6CR Rec.s 10 and 11 (Confidential & Commercially Sensitive)

Dear Tony

The VCGLR would like to take the opportunity to thank the VRGF for its role as subject matter expert in the tripartite process as required for recommendations 10 and 11. Your team's input was greatly appreciated.

As discussed, the VCGLR has sought Crown's consent to provide the VRGF with a copy of Crown's submissions for recommendations 10 and 11 to enable formal closure of the tripartite process. This way the VRGF are not left in any doubt about the outcomes of the tripartite process, in particular what was finally agreed and put in place as a result of the 'page turn' review of the Third Party Exclusion policy and procedure documents at the last tripartite meeting on 14 June 2019.

Crown has given consent to provide the VRGF with its submissions for recommendations 10 and 11, and are attached (password is provided in a separate email). Please note that the files are confidential and commercially sensitive information, and are not to be shared with any persons or entities, organisations outside the VRGF without Crown's prior written consent. Crown has stamped the attachments accordingly.

The VCGLR is of the view that Crown's submissions meet the requirements of recommendations 10 and 11. Please note that the VCGLR will monitor implementation of the respective policies and procedures, and may tweak them if determined necessary.

The VCGLR would appreciate your comment as subject matter expert on Crown's submissions rather than endorsing the policies and procedures put forward by Crown in addressing recommendations 10 and 11.

The VCGLR would appreciate your comment for providing to the Commission by COB 1 August 2019, if at all possible.

Regards

Rowan

**Rowan Harris** | Principal Major Licence Officer | Licence Management and Audit  
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**VRGF Response to Crown responses to Recommendations 10 and 11 of the Sixth Review**

1 August 2019

**Recommendation 10**

Crown's proposals for its response to the part of recommendation 10 that involves self-exclusion being offered over the short term came very late in the process, allowing little time for analysis or discussion. It was notable that considerable time was spent by Crown in discussion of the second part of the recommendation which was very straightforward and in our view could have been resolved by one meeting.

In relation to the response to the short term self-exclusion:

- a) The response is clearly not in keeping with the stated intention in the report that the short-term system should be brought under Sec.72 of the Casino Control Act.
- b) The reasons offered for not doing this were not clear or persuasive. Expert evidence was offered by Crown from Alex Blaszczynski but in an inadequate form. We were verbally informed of his view that the ideal minimum time for self-exclusion to be effective was 12 months, which is the current minimum period before a revocation of self-exclusion can be sought. We did not have an opportunity to view the advice, including supporting arguments or what questions Crown asked him to address
- c) Moreover, the argument for the time-out system, as agreed by us and Crown, was not that it was a panacea for a problem gambler. Rather, that it was a harm reduction step that could be taken by a person who was not ready to commit to minimum one year self-exclusion. In this context, the lists of what the lengths are in other places and the professional advice around best length of self-exclusion is not really material to the argument. The point of offering self-exclusion of different periods was to improve the level of take-up and harm reduction. Self-exclusion may in some cases be a "cure" for problem gambling but it may also be one a suite of tools in a path to recovery or slowing down a path that is potentially ruinous
- d) Crown's offering of longer than one year self-exclusion periods as satisfying the recommendation are not very convincing. We expect they would appeal to a person very committed to addressing their gambling but only marginally more so than the one year offered. They do not address the reasoning behind offering shorter and more flexible periods.

We do not venture a view as to whether Crown's response is adequate with regard to refusing to bring its time-out into Sec 72. We do however note the following as important and made these observations in the meeting with Crown where this part of the recommendation was discussed.

- The time-out system as proposed works closely with the formal self-exclusion process. It is only offered when self-exclusion has been rejected. It requires revocation, does not automatically lapse, though presumably in a less onerous manner. It is potentially an

important tool available to those being harmed by their gambling at the casino alongside and in tandem with the self-exclusion program.

For this reason, the time out program requires a high level of oversight and evaluation even if it is not brought under section 72. From the Foundation's point of view, reporting and evaluation of how it is progressing will give worthwhile insights into improving self-exclusion generally. We would recommend any future evaluation of the program, as foreshadowed by Crown, include independent involvement and transparency in terms of methodology and data being evaluated.

Regardless, we think that for the regulator the reporting of the time out system should be at least as thorough as the current self-exclusion program.

Crown should be reporting:

1. Number and duration of time outs
2. Number of revocations of time outs and how long after time out expired they occur. This reporting line should also include the length of that particular time out
3. Number of extensions of time outs
4. Number of time outs that are not revoked and continue to operate, sorted by also by how long they were supposed to be eg. 17 three month time outs still running after 10 months and so on
5. Number of resumptions of use of time out, ie. People who have revoked a time out, come back to gambling and then taken another time out. Should include period between time outs
6. Number of time outs that proceed to full self-exclusion
7. Breaches of time out should be reported in the same manner as existing self-exclusion breaches

If the Commission rejects Crown's proposal and requires the time out system to come into the self-exclusion system the same data collection requirements should still apply.

The advantage of collecting this data is that it brings scrutiny and accountability to the delivery of the time out system and allows a meaningful evaluation of its success.

Moreover, since the time out program is an extension and complementary to the self-exclusion program, it is imperative that the two systems not be discrete from one another but work together to provide a holistic approach for gamblers wishing to stop gambling at Crown. This requires good information of the type recommended to be shared between the two programs (databases) and with the regulator.

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### **Recommendation 11**

There was considerable work done in conjunction with Crown and the regulator in the formation of this response and we think for the most part the result is a good one.

There are some matters relating to applicants accessing the process. There was considerable discussion regarding the need for potential applicants to see what was required without having to

contact the casino and for the contact for the casino to have a full range of options, phone, email, webform, rather than having to physically attend the casino.

This was covered off under part 5 of the process and has a reference in the substitution of the word contact for attend in 3.2.

It is important that the wording of the brochure for Third party initiated applications also covers off this principle, making it clear that required contact does not mean attending.

There is also a glitch in the actual application form that it is important to address. There is no provision in the form for the person to nominate how they wish to be contacted by Crown (mail, email, other). The two notification letters sent by Crown (receipt of application, notification of completion of process) are designed to be sent by post. If the applicant wishes to be notified by email (or alternative address) for safety reasons, there is no method to advise Crown of this.

#### **A final note**

A final note re the process of accessing self-exclusion. There was a view expressed in the Sixth Review that VCGLR considers it appropriate for a person to obtain a voluntary self-exclusion order without the need to contact or attend Crown's RGSC, noting that many services are now available online (p.105). The VRGF strongly supports this point and it informed our contribution to the TPE process.

Consistency would suggest that, at a minimum, Crown would provide similar forms and approaches for accessing SEP as were agreed re TEP.