


IN THE MATTER of the Gambling Act 2003
AND the amendment by the Responsible
Gambling Programme for the
Auckland casino

BEFORE THE GAMBLING COMMISSION

Members: G L Reeves (Chief Gambling Commissioner)
L M Hansen
R D Bell
D C Matahaere-Atariki
W N Harvey

Dates of Decision: 14 July 2017

Date of Notification
of Decision:  July 2017

**DECISION ON THE AMENDMENT BY THE GAMBLING COMMISSION OF THE
RESPONSIBLE GAMBLING PROGRAMME FOR THE AUCKLAND CASINO**

Introduction

1. By this decision, the Gambling Commission (the "**Commission**") amends the Responsible Gambling Programme ("**RGP**") for the Auckland casino approved by the Commission on 13 November 2015, and approves in its place the amended RGP **attached** to this decision. The attached document bears the title "Host Responsibility Programme" ("**HRP**"), but constitutes the RGP referred to in the licence conditions attached to the operator's licence held by SKYCITY Casino Management Limited ("**SCML**") for the Auckland casino. The HRP includes the required Problem Gambling Identification Policy ("**PGIP**").

Process

2. Condition 27 of SCML's operator's licence for the Auckland casino provides that the Commission will review the RGP every two years. The Commission's last review concluded in November 2015 with decision GC29/15 revoking the then existing Programme, and approving a new RGP in its place.
3. The Commission's next review of the 2015 HRP was due to commence in December 2017. SCML submitted a revised HRP in April 2017, well before the indicative review date. It did so in order to better align the next review of the Auckland HRP with the reviews of similar HRPs at its other casinos in Hamilton and Queenstown. It expects that the HRPs at all of its casinos will then be reviewed together in December 2018. Some of

the changes suggested in the draft revised Auckland HRP are derived from approved changes made to HRPs at its other casinos since 2015.

4. Following receipt of SCML's proposed new HRP and PGIP for the Auckland Casino in April 2017 the Commission invited the Secretary for Internal Affairs (the "**Secretary**"), Ministry of Health ("**MoH**"), Problem Gambling Foundation ("**PGF**"), Salvation Army Oasis ("**SA**") and Homecare Medical to make submissions on the proposed new HRP and PGIP. All did so.
5. The Commission circulated a copy of the submissions received to all submitters and invited them to file submissions in reply. Submissions in reply were received from SCML, the Secretary and MoH.
6. The Commission considered SCML's proposed HRP on the papers at its June 2017 meeting. In accordance with its iterative approach to reviews of HRPs, the Commission considered SCML's proposal and the submissions against the HRP previously approved, and considered whether any variations suggested or submissions made would improve upon those documents in the Auckland Casino context, or more generally.

Jurisdiction

7. Condition 24 of the licence conditions attached to SCML's operator's licence for the Auckland casino specifies the matters which must be included in the HRP. Condition 24 provides:

24. The Programme shall be consistent with and impose no lesser requirement than specified in the Act or Regulations. The Programme shall address and not be limited to:
 - (a) the provision of information for customers relating to game rules, permissible bets and payment of winning bets pursuant to section 175 of the Act;
 - (b) the provision of signage, brochures and publications, and the effective display and distribution of the same, to inform gamblers of the odds of winning, how to gamble safely, the characteristics of problem gambling and the availability of counselling and other support services;
 - (c) a policy for identifying problem gamblers. This policy shall include, as a minimum, the following:
 - (i) an acceptable definition of problem gambling;
 - (ii) indicators of problem gambling in the gambling venue;
 - (iii) the steps to be taken by the Licence Holder in identifying actual or potential problem gamblers;
 - (d) the provision of staff training;

- (e) the provision of exclusion, self-exclusion and limitation programmes;
- (f) assistance to casino employees with managing the potential for personal problem gambling;
- (g) recognition of cultural differences amongst gamblers using the Casino, and the need to tailor delivery of host responsibility obligations to maximise effectiveness for customers;
- (h) guidelines for responsible marketing and advertising of the Casino, including exterior signage, and restriction on jackpot advertising and branding pursuant to Regulations 9 and 10 of the Gambling (Harm Prevention and Minimisation) Regulations 2004;
- (i) responsible practices in the conduct of promotions and inducements to gamble at the Casino;
- (j) design of the Gambling Area to minimise problem gambling behaviour and to maximise the likelihood that episodes of problem gambling will be noticed and addressed by staff;
- (k) promotion of the responsible consumption of alcohol, including provision of staff training in responsible service of alcohol;
- (l) standards of dress and behaviour at the casino;
- (m) liaison with community service organisations, patrons with gambling problems, and family members of patrons with gambling problems; and
- (n) such other matters as the Commission may require.

8. The attached HRP addresses the matters specified in condition 24, many of which, in turn, specify how SCML will implement obligations imposed by the Gambling Act 2003 (“Act”) and Regulations.

9. In relation to conditions 24(c) and (e), sections 308-312A of the Act set out particular obligations relating to the identification of problem gamblers, provision of assistance, exclusion procedures and record keeping:

- (a) Section 308(1) requires the holder of a casino operator’s licence to develop a programme or policy for identifying problem gamblers. A notice advising customers of the existence of this policy must be displayed and a copy of the policy made available on request.
- (b) Section 308(4) requires the holder of a casino operator’s licence to take all reasonable steps to ensure that the policy is used to identify actual or potential problem gamblers.



- (c) Section 309(1) requires the holder of a casino operator's licence to approach and provide certain information or advice to every person identified under section 308(4) as a person whom the Licence Holder has reasonable grounds to believe is a problem gambler. Pursuant to section 309(2)(a), the information must include a description of the self-exclusion procedure available under section 310.
 - (d) Section 309(3) provides that an exclusion order may be issued to a customer who is provided with information or advice about problem gambling under section 309(1).
 - (e) Section 309A requires the casino operator to take all reasonable steps to assist anyone who did not request self-exclusion after being approached and provided with information or advice, but whose ongoing gambling or other behaviour gives rise to reasonable grounds to believe is a problem gambler. The required assistance expressly includes issuing an exclusion order, without a request to do so, in appropriate cases.
 - (f) Section 310 specifies when an exclusion order must be issued; namely, when requested by a person who has identified himself or herself as a problem gambler.
 - (g) Section 312A requires a casino operator to keep records of certain specified information about exclusions, including identifying details, the manner, date and length of the exclusion and the conditions of re-entry and provide them if requested by the Secretary.
10. The HRP details how SCML will undertake both compulsory and discretionary activities aimed at harm minimisation, including how SCML will comply with the obligation to take all reasonable steps to assist a patron who, it has reasonable cause to believe, is a problem gambler but who has not requested exclusion, and how it will implement the self-exclusion procedure required by section 310.
11. Section 4 of the Act defines "problem gambler" as:
- A person whose gambling causes harm or may cause harm.
12. "Harm" is defined in the Act as:
- (a) means harm or distress of any kind arising from, or caused or exacerbated by, a person's gambling; and
 - (b) includes personal, social, or economic harm suffered –
 - (i) by the person; or
 - (ii) the person's spouse, civil union partner, de facto partner, family, whanau, or wider community; or



- (iii) in the workplace; or
- (iv) by society at large.

13. A careful examination of these provisions and definitions reveals that, for understandable reasons, the Act's obligations are not confined to a single category of persons who have been formally diagnosed as problem gamblers. Even the definition of "problem gambler" includes an element of potentiality and the Act's various provisions cover a range which extends from potential problem gamblers (a person who is potentially someone whose gambling may cause harm) to self-identified problem gamblers.
14. In summary:
- (a) A problem gambler is someone whose gambling conduct has characteristics which "may cause harm". While there is a sense in which any undertaking of a particular activity carries with it the potential for that activity to cause harm (in the sense that the possibility of harm being cause by an activity can only be completely excluded if the activity itself does not take place), it is clear that the definition is not to be interpreted in that very broad way. Such an approach would eliminate any of the distinctions which the language of the Act clearly recognises (as set out below). A problem gambler, as defined, (or an "actual" problem gambler) is not limited to someone whose gambling has actually caused harm but includes someone who is gambling in a manner which may cause harm. The definition thus focuses on actual gambling behaviour of a kind with the potential to cause harm (or which does cause harm) rather than solely on harm after the event.
 - (b) The PGIP required by section 308(1) must be used to identify actual or potential problem gamblers (section 308(4)); the latter is someone who may be gambling in a manner which may cause harm.
 - (c) Of those identified as actual or potential problem gamblers, only those whom the casino operator has reasonable cause to believe is a problem gambler (as defined) must be approached and given information or advice about problem gambling.
 - (d) Any of those so approached may be excluded by the casino operator for a period of up to 2 years.
 - (e) The casino operator must take reasonable steps to assist those approached who do not request exclusion, if the operator still has reasonable cause to believe is a problem gambler. That assistance includes an exclusion order, if appropriate.



- (f) In any event, all those who identify themselves as a problem gambler and who request exclusion must be excluded by the casino operator for a period of up to 2 years.
15. The foregoing are the minimum steps that are required to be taken under the Act. The HRP must contain the detailed steps which will ensure that those minimum requirements are met but it is also intended to be a working operational document which records what the casino operator will in fact do, including in respect of discretionary matters. For that reason, the HRP contains steps which are additional to the statutory minimum and may even contain matters which are not, strictly speaking, concerned with problem gambling but which are conveniently located with harm minimisation activities.

Submissions by SCML

16. SCML submitted that there were four main changes proposed, being:
- changing the Responsible Service of Alcohol section in the HRP to align with recent changes to the Hamilton and Queenstown programmes;
 - eliminating some duplication of data collection and analysis created by the introduction of the Focal predictive algorithm by amending the Frequency and Intensity of Play general indicators in the PGIP;
 - replacing the “Repeated ATM visits” general indicator with “Multiple Declined EFTPOS Transactions” because, since ATMs were removed from gaming areas, they are no longer in the line of sight of front line staff and it is therefore difficult to observe repeated visits; and
 - removing the “Holding head in hands” as a suggested indicator of distress because there may be many reasons for someone to hold their head in their hands and the real intent behind the general indicator was to identify someone in emotional stress, distress or agitation (which would remain an indicator).
17. SCML also proposed removing the requirement, in the case of self-excluded customers wishing to return to the casino, to have undertaken six counselling sessions with treatment providers, confirmed in writing by a counselling service. SCML noted that the six session requirement was an arbitrary number set by SKYCITY itself in 2004, and indicated that feedback from customers and the Host Responsibility team supported its removal.
18. The proposed HRP and PGIP also contained a number of additional minor amendments.



Submissions by the Secretary

19. The Secretary stressed the importance of the role of the HRP as placing clear performance expectations on casinos. His submissions mainly focused on the need for clarity and appropriate expectations.
20. He supported the removal of some of the alcohol provisions but supported the retention of others. Retention was supported as being helpful and likely to be beneficial in operation rather than as an essential element of the HRP.
21. The Secretary raised an issue regarding the definition of "continuous play" in section 3.1.6, a provision which requires interaction with a customer after specified periods of continuous play and continuous presence. The definition of the former refers to the clock being reset after a break "of at least 30 minutes (in aggregate)". The Secretary sought confirmation (and clarifying amendment) that the necessary break to reset the continuous play clock was a single break of 30 minutes, and not a series of shorter breaks totalling 30 minutes over a period of five hours. The submission was based on his view that a single 30 minute break was the underlying intent of the current provision.
22. The Secretary supported the Commission's view, expressed in decision GC29/15, that it should only amend indicators of emotional distress when doing so was likely to assist materially with the identification of potential problem gamblers. He supported removing an item from the "Indicators – Intensity and Frequency of Play" on the basis that it would be consistent with a view expressed in 2015 that the current parameters overlooked a large proportion of the casino's clientele which would be better served by use of the Focal algorithm. However he opposed the removal of the "holding head in hands" item from "Indicators – Visible Emotional Disturbance". The fact that the behaviour was not determinative did not justify its removal when it can assist in detection of emotional distress.
23. Although supporting inclusion of multiple declined EFTPOS transactions, the Secretary opposed the removal of "repeated ATM visits" (accepting that observing whether ATM transactions were declined would not be realistic). He did so, on the basis that multiple ATM visits remain a valid indicator that a person may be experiencing issues with their gambling and that its removal would be contrary to the Commission's view in decision GC29/15.



Submissions by MoH

24. While MoH accepted that the requirement of six completed counselling sessions was a somewhat arbitrary number, it was concerned that no alternative support was proposed. It proposed that being a customer within a fixed period of the end of exclusion should be a general indicator, in order to increase the likelihood of monitoring.
25. It opposed the removal of the "holding head in hands" general indicator. The indicator had been included originally as a result of academic research and it remained in the Health Promotion Agency's list of recommended indicators. It expressed concern at creating a precedent of removing indicators which were backed by accepted international research without any supporting research.
26. On the other hand, it supported removal of indicators which were concerned about the size of a customer's losses, making the point that harm was circumstantial and could arise from small losses.
27. It made a number of suggestions for improvement, the most substantive of which was elevation of unattended small children to a strong indicator. Other suggested changes involved the adoption of new terminology and reformulation of some indicators.

Submissions by SA

28. SA expressed concern at the limited period allowed for consultation and suggested a number of other problem gambling providers, including other members of the SKYCITY stakeholder liaison group, whose views would have been valuable. It noted that SCML had not presented its proposed HRP to that group.
29. It opposed the removal of the counselling session requirement for re-entry by the self-excluded. It questioned the logic of its retention solely for those excluded by the casino but conceded that those who sought self-exclusion had the advantage, over the casino-excluded patrons, of having acknowledged their condition. It gave details of its anecdotal experience of direct feedback from patrons and its counsellors to support a five or six session minimum. However, it opposed counsellors providing assessments of readiness to return to the casino as being inconsistent with their primary role.
30. It agreed that current indicators of visitation and frequency were too high. It supported the use of the Focal algorithm model instead and acknowledged the effective use that SCML had made of the Focal system. However it also pointed out that the Focal system relies on regular use of a loyalty card to create a patron profile. It suggested retaining lower expenditure and visitation limits for patrons who did not have a loyalty card. It also



queried whether there had been any independent evaluation of the Focal system, pointing out that none had been shared with the problem gambling provider sector.

31. SA strongly believed that duration of play was a significant indicator of gambling risk, being supported by Australian research and included in the new Health Promotion Agency and Department of Internal Affairs guidelines for class 4 venues, and submitted that it should be elevated to a strong indicator.
32. SA supported the retention of repeated ATM visits and suggested that the indicator should simply be repeated EFTPOS withdrawals rather than multiple declined EFTPOS transactions (which should be elevated to a strong indicator). It submitted that multiple transactions indicated spending in excess of a planned limit and that using it would detect more moderate risk gamblers.
33. It supported removal of "head in the hands" as a separate indicator but considered that it be retained as one of a number of possible emotional cues to help identify at risk individuals.

Submissions by PGF

34. PGF submitted that the proposed changes to the re-entry conditions lacked any validated supporting evidence. While it agreed that the current number of counselling sessions was somewhat arbitrary, PGF's experience was that multiple sessions were usually necessary, particularly for Pacifica and Asian clients. It therefore preferred to retain the current requirement until there was evidence to support a different requirement.
35. It asked whether the Commission had received analytics to support removal of any of the current frequency and intensity of play indicators from SCML.
36. PGF challenged the logic for the removal of the general indicator of "repeated ATM visits". It suggested that multiple declines be a separate and higher indicator than visits, and questioned the difficulty of using CCTV in the light of SCML's current use of facial recognition software.
37. PGF pointed out that the elimination of "holding head in hands" from the visible signs of stress indicator criteria was not supported by any research and submitted that the criterion should remain unmodified.

Submissions by Homecare Medical

38. Homecare Medical supported the removal of the general indicators suggested by SCML, pointing out that they missed many lower tier patrons.



39. It understood why SCML sought the deletion of ATM visits as an indicator but preferred that it remain in addition to multiple declined EFTPOS transactions as a means of monitoring.
40. It supported removal of "head in the hands" as a standalone indicator but suggested that it remain as a general indicator of "visible signs of distress".

Submissions in reply by SCML

41. SCML submitted that the continuous play provision should be amended to make clear that a single 30 minute break was not required and that the requirement could be met by a series of short breaks totalling 30 minutes. It argued that that was more consistent with the wording of the current HRP.
42. It submitted that the "head in the hands" indicator results in a large number of false positives which undermines the credibility of the HRP with staff and customers alike. The point of the indicator is to detect emotional stress or agitation and the existing indicators of distress should be sufficient.
43. So far as repeated ATM visits were concerned, it repeated its earlier submission. As ATMs are located outside the Gambling Area, patrons can easily blend in with the entranceway traffic. Use of CCTV would require hiring additional staff to monitor ATM visits reliably. It has not deployed facial recognition software at the casino. It suggested that some customers use repeated withdrawals to regulate their spending. It asserted that declined EFTPOS transactions are a much more effective indicator, one which had led to several exclusions.
44. So far as monitoring post-exclusion is concerned, SCML records details of all patrons who have been approved to return and they are monitored for up to 24 weeks.
45. SCML opposed the removal of the loss of large sums of money from the PGIP. SCML uses over 30 indicators to make assessments while allowing for the fact that factors vary from one individual to the next.
46. SCML supports the proposal to add "Children left unattended while gambling" as a strong indicator, being entirely consistent with its present practice.
47. As far as re-entry conditions are concerned, SCML recognises the benefits of counselling and urges patrons who request self-exclusion to seek professional help. It seeks removal of the requirement in order to remove what it sees as a disincentive to request self-exclusion.

48. SCML indicated that Focal has been a valuable tool but is not a "silver bullet". No evaluation of Focal effectiveness has been carried out. It does rely on carded play but the PGIP contains other indicators which will apply to non-carded players, including long hours of play and other behavioural observations.

Analysis

49. The submissions assisted in clarifying the issues and the supporting arguments and in narrowing the differences in some respects.
50. Agreement emerged that gambling while children were left unattended should be a strong indicator, an amendment of which the Commission approves.
51. The Commission acknowledges the comments made about the shortness of the period allowed for submissions and the fact that the proposed changes were not earlier presented to the casino's stakeholders' liaison group. It agrees with SCML that the HRP changes were better suited to being addressed before the Commission than by discussion within the liaison group. Nonetheless it will consider widening the group from which submissions were sought in the future. It is satisfied, however, that the submissions received have enabled it to analyse the proposals robustly.
52. Although there was ultimately no agreement about the proposed changes to the provisions relating to the responsible service of alcohol, none of the matters raised in opposition were significant. The Commission prefers to focus its attention on clear accountability for harm minimisation than on more peripheral matters of operation. The same is true of a number of submissions which sought changes in what are now well-established terms such as problem gambler and gambler of interest, or which sought minor operational changes.
53. The Commission identified the following as the key contentious issues:
- (a) Should Section 3.1.6 of the HRP (Long Hours of Play) be amended expressly to require at least one uninterrupted break of 30 minutes within a 5 hours period or to allow resetting the break of 30 minutes to be met by aggregating a number of short breaks over a 5 hour period to total 30 minutes?
 - (b) Should some of the Frequency and Intensity of Play General Indicators relating to high levels of frequency and expenditure on gaming machines be removed from the General Indicators, leaving frequency and expenditure indicators on all forms of gambling (including tables games), because of the adoption by SCML of the Focal algorithm-based system?



- (c) Should “holding head in hands” be removed from the examples of emotional distress under General Indicators – Visible Emotional Disturbance in the PGIP?
- (d) Should repeated ATM visits be deleted from General Indicators – Excessive Access to Money (leaving multiple declined EFTPOS transactions in its place) and a similar deletion made from page 8 under Customer Data Including Loyalty?
- (e) If SCML were permitted to remove the requirement of confirmed attendance at least six counselling sessions after exclusion from its terms of re-entry for self-excluded patrons (while leaving the requirement in place for casino-excluded patrons), should any consequential change be made to the HRP or PGIP?

Continuous play

- 54. The Commission considered the amendment to Section 3.1.6 sought by the Secretary to define continuous play as play without a single break of at least 30 minutes duration in a five hour period, so that the taking a series of shorter breaks with an aggregated total of 30 minutes or more over the same 5 hour period would not prevent play being regarded as continuous.
- 55. The Commission considers that the use of the phrase “in aggregate” in the current provision clearly signals that the break time necessary to avoid triggering the continuous play intervention requirement does not need to comprise a single session, but may be the aggregate of more than one break taken. It therefore did not agree that the objective intent of the current provision was to preclude aggregation.
- 56. The Commission nevertheless went on to consider the underlying purpose of the provision and whether it was frustrated by the possibility of customers taking a series of shorter breaks instead of a single 30 minute break. One possible effect of the proposed change would be to discourage the taking of more frequent, shorter breaks (because they would not “count”). As it saw no reason to discourage the taking of shorter, more frequent breaks, the Commission declined to amend Section 3.1.6 as suggested. The wording of the current provision makes it sufficiently clear that continuous play intervention will not be required if a customer takes a number of shorter breaks totalling at least 30 minutes .

General indicators

- 57. The Commission considered a number of submissions relating to the removal of some of the more complex Frequency and Intensity General indicators related to gaming machines from the PGIP. The submissions generally emphasised the benefits of the Focal algorithm-based system and supported its use as a replacement for those more detailed current frequency and intensity indicators. There was broad consensus that the



Focal analytics model was more useful than the existing indicators (albeit that the latter depended on carded play).

58. The Commission confirmed a Focal high risk assessment as a General indicator and decided to remove the gaming machine specific general indicators referring to:
- (a) very high visitation frequency combined with high levels of expenditure on gaming machines, and
 - (b) high visitation frequency combined with very high levels of expenditure on gaming machines.
59. The Commission decided to retain a General indicator specifically referring to high visitation frequency combined with very high levels of expenditure on all forms of gambling, including table games. It considered that retention of this indicator would serve to address concern about uncarded play.
60. In relation to the removal of "holding head in hands" as an indicator of emotional distress, the Commission was concerned about false positives, as there were situations in which gamblers might hold their heads in their hands for reasons unrelated to emotional stress or upset. One submission reminded the Commission that in the work done by Delfabbro et al in Australia in 2007, the relevant indicator was "*sat with head in hand after losing*". As the latter critical aspect was missing from the current indicator, it created the risk of false positives, as customers might place their heads in their hands in many circumstances which did not follow losing or otherwise indicate distress. The Commission decided to remove the specific indicator, but noted that its removal still required the applicant to monitor customers for any visible signs of emotional disturbance.
61. The Commission considered submissions about the proposed removal of "repeated ATM visits and/or multiple declined transactions" and its replacement with "multiple declined EFTPOS transactions". The Commission noted that casinos were only required to report indicators that were detected, and there was no requirement to detect all instances of visits to (and declinations at) ATMs. Nonetheless, as the ATMs are positioned off the gaming floor and out of sight of casino staff, there was no chance of casino staff being able to see whether and when customers went to an ATM. In the circumstances, the Commission considered that it should remove an indicator which could not be observed, but that it should retain declined EFTPOS transactions, a more useful and observable indicator. While it agreed that declined EFTPOS transactions are both more easily observable and more serious than ATM visits, it did not consider that the amended indicator was sufficiently unambiguous to justify being elevated to the short list of strong indicators.

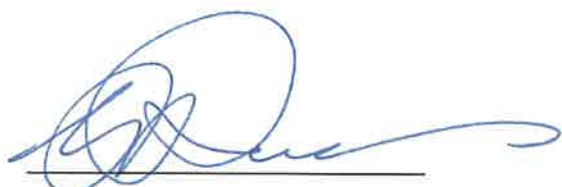
Previously excluded customers

62. The Commission acknowledged the requirement for six counselling sessions for self-excluded customers in the RGP had not been instigated by it but had been proposed without opposition by SCML initially and without any supporting research. It agreed that the requirement was somewhat arbitrary and that it should be removed for self-excluded customers. It decided to retain the counselling requirement for customers excluded by the casino operator for the reasons generally supported by submitters, namely that self-excluded customers had already acknowledged the existence of a problem, whereas casino-excluded customers had not.
63. While support for retaining the counselling requirement had been varied, there was general support for a requirement for close monitoring of customers returning after exclusion. The Commission considers that, on resuming gambling, previously excluded customers comprise a group with a higher risk of harm than others.
64. The present General indicators include "previous breach – history of barrings or exclusion orders". On reflection, the wording could be phrased less negatively so that it covers customers who have been self-excluded, excluded by the casino, or breached any harm minimisation requirement. The Commission has amended the General indicator accordingly.
65. While it agrees to the removal of the counselling requirement for re-entry for the self-excluded, it has retained the formal monitoring requirement for customers returning to gamble after a period of exclusion. Returning previously excluded customers are one of the categories for whom a Gambler of Interest (GOI) file must be opened (Section Five, PGIP). The current requirement imposes a minimum GOI period of 12 weeks in all cases. However, SCML has indicated that it monitor returning excluded customers for 24 weeks. The Commission considers that this category of GOI files should be kept open for a minimum period of 6 months from resumption of gambling and has inserted a specific requirement accordingly.



Conclusion

66. The Commission specifies the RGP **attached** to this decision, including the PGIP annexed to and forming part of the RGP. This document bears the title Host Responsibility Programme as originally submitted but constitutes the RGP under licence conditions. These documents shall take effect from **7 August 2017**, replacing SCML's RGP approved on 13 November 2015.



Graeme Reeves
Chief Gambling Commissioner

for and on behalf of the
Gambling Commission

28th July 2017





SKYCITY Auckland

**Host Responsibility
Programme**

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1.0 Introduction

Approval

Effective date: 1 January 2016

Manager: _____

General Counsel

General Manager SKYCITY Auckland

1.1 Statement of position

Statement of position

SKYCITY is committed to providing a fun and safe environment for all customers and staff.

SKYCITY recognises that alcohol and gambling can be associated with harm for some of its customers. SKYCITY takes its role as a responsible host seriously and recognises that it has an important role to play in preventing and minimising alcohol and gambling-related harm for its customers and staff.

SKYCITY Auckland intends this Programme to be a usable document for all staff which clearly sets out its obligations with respect to harm minimisation and prevention.

Compliance with legal obligations

The Programme has been developed by SKYCITY Auckland and addresses the host responsibility conditions in the casino operator's licence held by SKYCITY Casino Management Limited that relate to the Auckland property.

Standard Operating Procedures (SOPs) developed by SKYCITY shall be consistent with and impose no lesser obligations than provided in the Gambling Act 2003 ("Act"), regulations, licence conditions or this Programme.

SKYCITY Code of Business Practice

The Programme contributes to SKYCITY Auckland's compliance with the SKYCITY Code of Business Practice.

1.2 Programme objectives

Objectives

The principal objectives of the SKYCITY Auckland Host Responsibility Programme include:

- preventing the onset of gambling and/or alcohol related harm and minimising gambling-related harm for customers and other persons potentially affected by their gambling behaviour; and
- facilitating responsible gambling.

SKYCITY Auckland aims to fulfil these objectives by:

- providing effective staff training;
- providing a safe gambling environment;
- providing responsible marketing and promotional initiatives;
- promoting the responsible consumption of alcohol; and
- engaging effectively with stakeholders.

Outcomes

SKYCITY intends that implementation of the Programme will assist customers who may be experiencing harm as well as assist in preventing the onset of gambling and/or alcohol related harm to those customers who may be at risk. Reporting requirements relating to achievement of Programme objectives are set out in section 3.

2.0 Identification of problem gamblers

A copy of SKYCITY's Problem Gambler Identification Policy is attached as Appendix B and forms part of this Programme. The Policy fulfils SKYCITY's obligations under the following sections of the Act.

Section 308 requires that the holder of a casino operator's licence must have a policy for identifying problem gamblers, which includes:

- an acceptable definition of problem gambling;
- indicators of problem gambling in the casino; and
- the steps to be taken in identifying actual or potential problem gamblers.

This policy must be made available upon request. SKYCITY, or a person acting on its behalf, must take all reasonable steps to use the policy to identify actual or potential problem gamblers.

Section 309 requires that the holder of a casino operator's licence, or a person acting on its behalf, must, after identifying a person who he or she has reasonable grounds to believe is a problem gambler, approach the person and offer information or advice to the person about problem gambling.

The information or advice offered must include a description of:

- (a) The self-exclusion procedure available; and
- (b) Any procedures described by Regulations made under the Act.

If a customer is approached and provided with the above information and advice on problem gambling but does not request self-exclusion, section 309A of the Act requires the holder of a casino operator's licence, or a person acting on its behalf, must take all reasonable steps to assist that person (including, if appropriate) issuing an exclusion order, if the person's ongoing gambling or other behaviour gives reasonable cause to believe that he or she is a problem gambler.

3.0 Harm minimisation and prevention components

Introduction

SKYCITY will focus on addressing underlying causes of gambling and alcohol-related harm as well as taking steps to minimise harm. Harm prevention and minimisation initiatives will be undertaken in the following areas:

- policies and procedures;
- host responsibility information for customers;
- employee gambling-related harm;
- stakeholder engagement;
- environmental design;
- provision of safe gambling environments;
- marketing practices;
- display of signage and provision of gaming information to customers;
- staff learning and development;
- identification of problem gamblers; and
- gambling limitation.

The Programme's requirements for each area are outlined below.

Roles and responsibilities

The host responsibility function at SKYCITY Auckland is managed by the Security & Host Responsibility Manager. Reporting to this role are Host Responsibility Executives. Both roles are responsible for the ongoing monitoring and management of Gambler of Interest ("GOI") files, feedback and review of new information for GOI files and the provision of host responsibility advice and support to staff.

SKYCITY must provide coverage of the casino 24 hours per day, seven days per week (on all days when the casino is open for business) by Host Responsibility Executives. SKYCITY must employ at least 6 Host Responsibility Executives, who have the primary responsibility for ensuring that SKYCITY meets the requirements of the Host Responsibility Programme and any other host responsibility requirements. The roles of the Host Responsibility Executives include:

- collecting, collating, recording and analysing all information relating to indicators of problem gambling, including:
 - the collection and management of information, and observations concerning problem gambling, including dealing with problem gambling indicators, staff observations, patron interviews and third party inquiries;
- interacting with customers, including:
 - the provision of information and advice to patrons who SKYCITY considers may be problem gamblers;
 - offering self-exclusion from the casino or enforcing exclusion;
 - referring patrons to problem gambling counsellors; and
 - evaluating excluded patrons who wish to come back to the casino after an exclusion period has concluded;
- staff training about host responsibility; and
- engaging with service providers, researchers and regulators.

References in SKYCITY Auckland's Host Responsibility Programme and Problem Gambler Identification Policy ("Policy") to "Host Responsibility", "Host Responsibility staff", "Host Responsibility Executives" and "the Host Responsibility team" denote the function managed by the Security & Host Responsibility Manager.

3.1 Policies and procedures

Policies and procedures

The following policies and procedures have been developed to provide operational guidelines on the implementation of aspects of the SKYCITY Auckland's Host Responsibility Programme. The policies and procedures are consistent with the Act, regulations, licence conditions and this Programme, and will be updated to reflect changes.

Policies:

- Problem Gambler Identification Policy.

Standard operating procedures:

The following SOPs relate to harm prevention and minimisation activities. An overview of how these procedures are put into practice is shown below:

- Exclusion;
- Unattended Children;
- Underage Persons;
- Responsible Service of Alcohol;
- Long Hours of Play;
- Undesirable Behaviour; and
- Gambling Limitation.

The following SOPs relate to the Problem Gambler Identification Policy:

- Information Collection and Collation;
- Analysis and Intervention; and
- Exclusion

3.1.1 Exclusion

Introduction

SKYCITY offers two types of exclusions:

- self-exclusion; and
- SKYCITY exclusion.

SKYCITY Auckland provides the facility for self-exclusion of customers from the gaming areas of all SKYCITY sites for periods of three months, six months, nine months, one year, or two years and until they meet any re-entry conditions imposed by SKYCITY or by regulations made under section 316(1)(e). A customer may request and undertake self-exclusion for a range of reasons, for example, where the customer has self-identified as a problem gambler or where the customer chooses to prevent or limit opportunities for harm to occur. The self-exclusion process may also be initiated by problem gambling treatment providers or other venues under a multi-venue exclusion arrangement.

SKYCITY Exclusion is for a period of two years and the customer must also meet re-entry conditions imposed by SKYCITY or by regulations made under section 316(1)(e).

SKYCITY exclusion may be undertaken where a problem gambler does not take up the offer of self-exclusion, and SKYCITY considers that it continues to have reasonable cause to believe that the customer is a problem gambler. If SKYCITY has reasonable grounds to suspect, as a result of ongoing gambling or other behaviour, that the customer is a problem gambler (as defined by the Act), it must take all reasonable steps to assist the customer, including issuing a SKYCITY exclusion in appropriate cases¹. These decisions are made on the basis of assessment(s), provision of information, advice and assistance, monitoring of a GOI file, and refusal of a self-exclusion offer or other host responsibility efforts to assist the customer to gamble without harm but a casino exclusion may be imposed after a serious one-off incident where an offer of self-exclusion has been refused.

Conditions for re-entry are contained in the Exclusion SOP.

Approaches to customers

Only Level 3 trained staff may undertake exclusions with customers, which are generally Host Responsibility, Security or Gaming Shift Managers.

Features of the exclusion process

To ensure the effectiveness of the exclusion process, the following are features of the process:

Communication

- Provides a translation service where necessary.
- Provides support to excluded customers through provision of materials from problem gambling service providers and contact details.
- For self-exclusion, provides Questions and Answers in appropriate languages.

Third parties and service providers

- Emphasises culturally appropriate processes and, wherever possible and appropriate, encourages families and/or friends to accompany the customer.

¹ Section 309A

- Encourages third party involvement, i.e. that a mentor is nominated who can be contacted on the progress of the excluded customer and during any discussion relating to re-exclusion or re-entry.
- Encourages the excluded customer to nominate a counselling service.
- Arranges for the counselling service to call the excluded customer, if the excluded customer agrees.
- Encourages the excluded customer to make contact with the counselling service as soon as possible after their exclusion.

Other measures

- Provides an updated database that is accessible to Security and Gaming staff to assist in the detection of customers breaching an exclusion order.
- Promotes ongoing dialogue with counselling service providers to continually improve the exclusion process.
- Suspends sending all loyalty information to the customers.
- Requires timely action from staff if a customer approaches requesting self-exclusion, with every endeavour made to ensure that approaches are responded to while the customer is on the premises or phone.
- Provides opportunities for off-site self-exclusion procedures (e.g. self-exclusion forms are held by problem gambling service providers and can be completed at home).

Breaches

SKYCITY staff are required to be vigilant for any excluded customer who attempts to re-enter the gambling areas. SKYCITY Auckland Security and Gaming staff enforce the exclusion process and take action against those detected committing a breach of the exclusion process. Customers discovered attempting to do so may be warned, further excluded for an additional period or issued a Trespass Notice. The Department of Internal Affairs (“DIA”) is notified of all breaches by excluded customers and has the ability to take prosecution action if deemed necessary.

The SKYCITY Auckland Host Responsibility team regularly reviews the exclusion process and when necessary, makes improvements, in alignment with Group policy. The reviews may involve seeking customer and staff feedback through informal research processes.

Loyalty card holders

SKYCITY Auckland must remove from its Loyalty Programme all excluded customers, trespassed customers and customers formally requested to leave the premises.

The SKYCITY Auckland Security staff member responsible for the administration of the exclusion and trespass records must:

- advise Host Responsibility within 24 hours of a Loyalty Programme cardholder being excluded, trespassed or formally requested to leave the premises, to ensure their account is deactivated; and
- forward any surrendered loyalty card(s) to the loyalty station.

Host Responsibility must:

- deactivate excluded cardholders’ accounts;
- deactivate the accounts of cardholders who have been excluded, trespassed or formally requested to leave the premises; and
- deactivate from mailing lists, cardholders who are excluded, trespassed or formally requested to leave the premises.

Loyalty cards which are deactivated are not required to be returned by the customer to SKYCITY. Should a customer attempt to use his/her deactivated card, an error message will appear asking the customer to present his/her card to a SKYCITY staff member. Having confirmed that the customer has been excluded, trespassed or formally requested to leave, the SKYCITY staff member will contact Security and appropriate action will be taken in relation to that customer.

3.1.2 Responsible service of alcohol

Background

The SKYCITY Auckland Responsible Service of Alcohol Programme is designed to ensure customers enjoy an environment that is safe and enjoyable. A key component is the SKYCITY Auckland Responsible Service of Alcohol training programme, which is designed for all staff who work in areas where alcohol is served, to promote effective team work to ensure customer safety and enjoyment.

- SKYCITY's Responsible Service of Alcohol Programme will reflect the following principles, which are derived from the Health Promotion Agency's "*Creating a Responsible Drinking Environment - Host Responsibility: Guidelines for Licensed Premises 2014*". A responsible host: Prevents intoxication;
- Does not serve alcohol to minors;
- Provides and actively promotes non-alcoholic alternatives;
- Provides and actively promotes substantial food;
- Serves alcohol responsibly or not at all; and
- Promotes safe transport options.

Approach

The following is the SKYCITY Auckland programme regarding the responsible service of alcohol:

- SKYCITY Auckland will provide the sale of alcoholic beverages in a responsible manner, including monitoring and controlling of alcohol consumption;
- SKYCITY Auckland will ensure that it observes the provisions of the Sale and Supply of Alcohol Act 2012 relating to the permitted hours within which customers can be sold and supplied alcohol and customers and staff are permitted on licensed premises;
- SKYCITY Auckland will maintain an effective responsible service of alcohol training programme to train and inform relevant employees on the responsible sale and supply of alcohol which must be completed prior to serving alcohol;
- All SKYCITY Auckland employees, temporary and contract staff will receive training on the Responsible Service of Alcohol during their induction as part of the Host Responsibility Level 1 training programme, including recognition of excessive alcohol consumption traits;
- SKYCITY Auckland takes all reasonable steps to ensure intoxicated persons are prevented from entering the premises;
- SKYCITY Auckland takes all reasonable steps to ensure that customers are not served to the point of intoxication. Any customer displaying signs of intoxication will be removed from the premises;
- Any customer who appears under the age of 25 may be asked for verification of identity and proof of age, before being served or sold alcoholic beverages. If such identification cannot be produced, that customer will not be served or supplied with any alcohol;
- Staff tactfully intervene to prevent possible problems arising from excessive alcohol consumption, including enlisting the services of staff of similar social/ethnic background to the customers to assist in explaining the programme to customers when required;
- No person who appears intoxicated is served or sold alcohol, allowed to gamble or allowed to remain on the premises. The decision by any employee to withhold service

cannot be revoked or overruled by another, without referral to a more senior employee;

- At all times, when alcohol is sold or supplied to members of the public, there is a manager or managers on duty who hold current Manager's Certificates under the Sale and Supply of Alcohol Act 2012. ;
- Customers may not bring alcoholic beverages onto the premises where beverage service is provided, unless prior approval has been given;
- SKYCITY Auckland will ensure that a reasonable range of non-alcoholic drinks is available at reasonable prices;
- SKYCITY will ensure that a reasonable range of low-alcoholic drinks (being less than 2.5% ethanol by volume at 20 degrees Celsius) is available;
- SKYCITY will ensure that a reasonable range of food is available at all times in portions suitable for a single customer, at reasonable prices, and within a reasonable time of being ordered;
- SKYCITY will readily provide free, comprehensive and accurate information to customers about the forms of transport available from the premises; and
- Free water will always be available to customers.

3.1.3 Unattended children

Background

SKYCITY management does not allow children to be left unattended on any part of its premises.

Approach

SKYCITY Auckland takes active steps to prevent children being without adult supervision.

Employees must report to Security any incident where it is apparent that a child has been left unattended.

Security Officers must intervene and take all practicable steps to locate an adult responsible for an unattended child.

Security must contact the Police and trespass the customer in every case where there is an absence of a reasonable explanation for the child being left unattended.

In all instances of unattended children, the Host Responsibility team must be notified as soon as practicable to follow up potential problem gambling issues.

Security Officers must patrol the SKYCITY Auckland car parks and environs to detect any unattended children in vehicles.

3.1.4 Underage persons

Background

SKYCITY is committed to keeping minors out of the gambling areas. SKYCITY will rigorously enforce the prevention of underage gambling in its casinos.

Approach

SKYCITY Auckland must take all reasonable steps to restrict gambling activities only to those persons legally permitted by age to enter the gambling facilities (currently 20 and over).

Any customer who appears under the age of 25 must be asked for verification of identity and proof of age before being permitted to enter the gambling areas.

SKYCITY Auckland must take all reasonable steps to restrict access to 'supervised areas' only to those persons legally permitted by age to enter the areas (currently 18 and over), unless accompanied by a parent or guardian.

Training for SKYCITY Auckland Security and Gaming staff must include the need to be particularly vigilant for the presence of underage persons.

Any SKYCITY Auckland staff member has the authority to approach suspected underage persons and seek identification for proof of age.

3.1.5 Standards of dress and behaviour

Background

SKYCITY Auckland provides a comfortable environment where customers are able to enjoy their surroundings without disruption from others who are inappropriately dressed or behaving in an unacceptable manner.

Dress code

SKYCITY Auckland requires a neat and tidy standard of dress. While it is difficult to be prescriptive about dress suitability, in normal circumstances the following are not permitted at SKYCITY Auckland's casino:

- torn clothes;
- gang patches or other insignias;
- dirty clothes or footwear; or
- hats or caps (unless for religious or medical reasons or for Texas Hold'em Poker).

Behavioural standards

If a customer is detected:

- under the influence of alcohol;
- abusing or threatening staff or other customers;
- causing conflict with other customers or staff, or
- otherwise being unpleasant.

then SKYCITY Auckland staff must:

- take appropriate steps to stop the behaviour; or
- in appropriate circumstances, have the customer escorted from the premises.

Customers exhibiting undesirable behaviour may be trespassed or excluded.

3.1.6 Long Hours of Play

Continuous Presence

Continuous Presence is where a customer is present at the casino (but not necessarily gaming continuously) for a period of 12 hours or more. The "clock" is reset after a customer has had a break from being present at the casino for six hours or more.

As a general rule:

- when a customer has been observed to be continuously present at the casino (but not necessarily gaming continuously) for 12 hours, an automated alert will be sent to Gaming Staff and Host Responsibility. All reasonable endeavours must then be made to interact promptly with the customer.
- At the very least, in the course of the interaction, the customer should be encouraged to take breaks and Gaming Staff and/or Host Responsibility must thereafter continue to monitor the customer (which may include subsequent interactions with that customer).
- If any interaction gives rise to immediate concern that the customer is a problem gambler, Host Responsibility must proceed as required by the Act, the Policy and this Programme.
- When a customer has been continuously present at the casino (but not necessarily gaming continuously) for 24 hours and, provided that no action has already been taken under the Act, this Programme or the Policy:
 - non-international VIP customers must be requested to leave the casino for at least 24 hours; and
 - international VIP customers must be assessed by the International Business Management team to determine whether their play should be permitted to continue or not.

If one or more of the strong indicators is observed, Host Responsibility or Gaming Staff must intervene immediately and proceed as required by the Act, this Programme and the Policy irrespective of how long the customer has been present.

All interactions, observations and assessments must be logged in iTrak.

Continuous Play

Continuous Play is where a customer is gaming continuously for five hours or more. The "clock" is reset after a customer has had a break from gaming of at least 30 minutes duration (in aggregate).

As a general rule:

- When a customer has been observed gaming continuously for five hours without a break of at least 30 minutes duration (in aggregate), an automated alert will be sent to Gaming Staff and Host Responsibility. All reasonable endeavours must then be made to interact promptly with the customer.
- When a customer has been gaming continuously with a loyalty card without a break of at least 30 minutes duration (in aggregate), an automated system alert must be sent to Gaming Staff and Host Responsibility. All reasonable endeavours must then be made to interact promptly with the customer.
- At the very least, in the course of the interaction, the customer should be encouraged to take breaks and Gaming Staff and/or Host Responsibility must thereafter continue to monitor the customer (which may include subsequent interactions with that customer).

- If any interaction gives rise to immediate concern that the customer is a problem gambler, Host Responsibility must proceed as required by the Act, the Policy and this Programme.
- When a customer has been gaming continuously with a loyalty card for 10 hours (without any breaks) and, provided that no action has already been taken under the Act, this Programme or the Policy:
 - non-international VIP customers must be requested to leave the casino for at least 24 hours; and
 - international VIP customers must be assessed by the International Business Management team to determine whether their play should be permitted to continue or not.

If one or more of the strong indicators is observed, Host Responsibility or Gaming Staff must intervene immediately and proceed as required by the Act, this Programme and the Policy irrespective of how long the customer has been on site.

All interactions, observations and assessments must be logged in iTrak.

Uncarded players

Although ascertaining the length of “continuous presence” and “continuous play” for uncarded players relies upon observation rather than a system record, if SKYCITY staff become aware of uncarded players being “continuously present” or undertaking “continuous play” for the periods set out above, they must report their observation so that those uncarded players are treated as set out above.

3.1.7 Gambling limitation

SKYCITY offers customers a voluntary Pre-Commitment system.

This system is available to all casino patrons and allows them voluntarily to set limits on how much they spend and how long they play for on gaming machines.

Breaches of pre-commitment limits, multiple increases of pre-commitment limits or disabling of pre-commitment limits are general indicators.

Host responsibility staff will proactively encourage the use of the voluntary Pre-Commitment system, where appropriate, during interactions with patrons.

The features of the voluntary Pre-Commitment system include:

- access to the Pre-Commitment facility via SKYCITY's loyalty card;
- each time the loyalty card is inserted, the Pre-Commitment facility will be activated;
- the system will allow players to define their own limits for:
 - time limit; and
 - spend limit;
- enrolment for pre-commitment can occur at either:
 - the gaming machine by the player; or
 - a loyalty member's workstation;
- an "approaching limits" and "reached limits" notification will be displayed on the gaming machine;
- if limits are relaxed, then the new limits must not be available to the player for a period of 24 hours;
- once the limit is reached, no more SKYCITY loyalty points may be accumulated or entries to promotions earned;
- SKYCITY Host Responsibility Executives must be alerted once limits are breached, increased or disabled;
- no SKYCITY loyalty points can be earned by a player for the 24 hours following a limit being reached; and
- the system will provide information, support and advice to the operational business units.

3.1.8 Loyalty data analytics

SKYCITY operates an analytical model (the "Focal Model") which uses customer loyalty data to build sophisticated multi-level algorithms that will assist Host Responsibility Executives to identify potential problem gambling risk among casino customers who have loyalty cards.

The Focal Model is a tool designed to identify and prevent high-risk gambling and to alert gaming staff to those players most likely to be high-risk.

3.2 Host responsibility information for customers

Customer information resources

SKYCITY produces a range of host responsibility resources for customers. Copies of all SKYCITY brochures and other host responsibility resources are available and displayed where appropriate in SKYCITY Auckland's gambling areas.

This information is also supplemented and supported by the SKYCITY Auckland website (www.skycityauckland.co.nz), where electronic copies of the resources are made available. A copy of this Host Responsibility Programme is displayed on the SKYCITY Auckland website.

There is an ongoing process of review and development of resources for customers.

Information resources are translated into a variety of languages consistent with the cultural make-up of SKYCITY Auckland's customer base.

A summary of SKYCITY Auckland's host responsibility resources for customers is shown in Appendix A.

3.3 Employee gambling-related harm

Introduction

SKYCITY is committed to a culture that proactively supports and promotes host responsibility.

Background

SKYCITY undertakes a range of measures concerning the potential for employee gambling-related harm that aim to:

- prevent and minimise gambling-related harm amongst SKYCITY employees as a result of their own, or someone else's, gambling;
- enhance the ability of SKYCITY staff to undertake effective host responsibility; and
- contribute to the prevention and minimisation of gambling-related harm in the community.

Requirements

SKYCITY Auckland recognises that employee gambling-related harm is a sensitive issue. Accordingly, measures to promote awareness and encourage and support help-seeking will be discreet and interventions with SKYCITY staff kept confidential.

SKYCITY Auckland will undertake the following to provide assistance to casino employees with managing the potential for personal problem gambling:

Information resources

- Provide access to supporting resources for staff, when required, using appropriate channels, including:
 - a standardised gambling screen; and
 - self-help resources to assist with early self-identification and intervention; and
 - information on how to access problem gambling services.
- Include information about personal problem gambling and underlying risk factors (such as depression and alcoholism) in host responsibility training programmes and in the Workplace Support (employee assistance) programme.
- Promote awareness and information about self-assessment and self-help resources, and encourage staff to use these resources themselves to assist with early identification and intervention.
- Promote information about personal problem gambling support services when staff approach the SKYCITY Connect Centre to participate in the Workplace Support Programme, Employee Financial Assistance, and/or where appropriate where a staff member may be seeking assistance.

Policies and procedures

- Prohibit staff from gambling at any SKYCITY owned or operated casino.
- Prohibit access to online gambling sites by staff while on SKYCITY premises, unless such access is required for genuine business reasons.
- Identify high risk areas for staff and target with increased levels of information.

Recruitment

- Assess all job applicants for evidence of problem gambling (via questions in job application forms).
- Decline applications from those who are identified as problem gamblers either through their screening results, or disclosure of relevant indicators (as set out in the SKYCITY Identification Policy) during the recruitment process and provide appropriate information, advice and assistance.

- Respond to applicants identified as problem gamblers who are also customers in accordance with the Auckland Host Responsibility Programme.

Support for staff

- Provide assistance to staff who are experiencing gambling-related harm, including:
 - identification;
 - intervention;
 - referral to confidential support through the Workplace Support Programme and/or a problem gambling treatment provider;
 - confidentiality; and
 - wherever possible, SKYCITY Auckland will involve problem gambling counsellors in staff induction training about the signs of problem gambling among staff and customers.

Engagement

- Work with class 4 organisations to maximise the effectiveness of their host responsibility programmes.

3.4 Stakeholder engagement

Background

SKYCITY Auckland aims to maintain constructive relationships with members of the local community.

Approach

SKYCITY Auckland will continue to facilitate opportunities for regular engagement to ensure local stakeholders:

- understand and are aware of SKYCITY Auckland's Host Responsibility Programme;
- are able to continue to raise and discuss operational issues in relation to host responsibility;
- continue to have opportunities to provide input into SKYCITY Auckland's Host Responsibility Programme and harm prevention and minimisation initiatives; and
- have opportunities to participate in partnership projects on key initiatives where appropriate.

SKYCITY convenes a bi-monthly Auckland Host Responsibility Community Liaison Group to discuss host responsibility issues. These issues relate primarily to operational activities, e.g. referrals, exclusions etc. There are also opportunities to discuss strategic or broader sector issues.

SKYCITY Auckland will invite representatives from:

- treatment service providers, including problem gambling and alcohol and other drugs;
- public health providers;
- Government agencies, including the Police, DIA and Alcohol Advisory Council of New Zealand; and
- researchers.

SKYCITY will keep membership of the Liaison Group under review to maintain relevance to SKYCITY's current or evolving policies and practices.

In developing and implementing its Programme, and harm prevention and minimisation initiatives, SKYCITY will consider the views expressed by the attendees of the meetings.

SKYCITY will make available to the Liaison Group a copy of the report provided to the Commission under section 3 of this Programme.

SKYCITY also arranges site visits, including presentations, for representatives to become familiar with the SKYCITY Auckland Host Responsibility Programme. SKYCITY also undertakes off-site visits to stakeholder organisations.

3.5 Environmental design

Approach

SKYCITY's general approach towards environmental design is to ensure the provision of safe environments that are conducive to responsible gambling and consumption of alcohol.

Considerations

In considering the impact of any proposed changes, the key objectives are to ensure that environmental features:

- contribute to harm prevention or, have a neutral impact on harm;
- encourage responsible gambling and alcohol consumption choices;
- do not contribute to the onset of harm or exacerbate risk; and
- facilitate effective host responsibility, particularly early identification and intervention.

This approach applies to the following SKYCITY areas:

- floor lay-out, furnishing and design;
- casino electronic gaming machine and table game location;
- access to cash;
- game and equipment features;
- environments adjacent to the gambling areas, including access to other entertainment options;
- physical location and presence of Security and Host Responsibility;
- location of problem gambling and other information resources; and
- access criteria, including dress codes and age restrictions.

Requirements

SKYCITY shall in its environmental design seek to ensure:

- problem/responsible gambling signage and exit points are clearly visible;
- patrons are visible to venue staff in the gambling areas;
- machine alleys with no exit point and in dimly lit corners are avoided;
- gambling areas are well lit, utilising natural light where appropriate;
- clocks are visible in the gambling areas; and
- other non-gambling entertainment options are available.

Other regulatory processes

All applications for construction or design changes to gambling areas must be approved by the Gambling Commission. As part of any such application, SKYCITY assesses any impacts the alterations may have on harm prevention and harm minimisation. The impact of any proposed design change on gambling harm is assessed in determining the suitability of any such proposal prior to making applications to the Commission.

3.6 Safe gambling environment – gaming machine play

Requirements

SKYCITY will take all reasonable and practicable steps to ensure a customer plays no more than one gaming machine at a time.

3.6.1 Safe gambling environment – third party loans for financial gain

Legislation

Under section 15(1) of the Act, SKYCITY is prohibited from offering or providing credit intended for use in gambling, except in circumstances approved by the CCA or the Gambling Commission. The Gambling Commission regulates and approves, as necessary, all cash access arrangements provided by SKYCITY at the Auckland casino.

Policy

SKYCITY does not permit loan transactions by third parties for financial gain at the Auckland casino, except as approved by the CCA or the Gambling Commission. It is particularly concerned to protect customers from illegal or oppressive loan activity, or “loan sharking” as it is known.

Requirements

- SKYCITY will ensure that signage is displayed in appropriate areas publicising that loan sharks will be excluded.
- SKYCITY will take all reasonable steps to identify and exclude persons at the casino offering loans for financial gain. To assist this process SKYCITY will maintain an Undesirable Behaviour SOP which shall explain how SKYCITY will identify, investigate and respond to persons at the casino suspected of offering loans for financial gain.
- Where casino staff observe suspicious behaviour or information is presented from external parties regarding loan activity, SKYCITY will investigate and act in a timely manner. This process is outlined in the SKYCITY Auckland Undesirable Behaviour SOP.
- If it is obvious that a person is engaged in offering or providing loans for financial gain, SKYCITY will issue that person with a trespass notice. If there is reasonable cause to believe that a person is engaged in offering or providing loans for financial gain, SKYCITY may issue that customer with a request to leave the premises, pending further investigation. At the completion of its investigation, and where a person is found to be offering loans for financial gain, SKYCITY will issue that person with a trespass notice.
- SKYCITY will notify DIA Gambling Inspectors of suspected loan sharking activity in accordance with Minimum Operating Standards for Records and Notification. Where appropriate, SKYCITY will also notify relevant agencies.
- Where a customer is established as receiving a loan for financial gain from a third party (i.e., not the casino), SKYCITY will open an iTrak investigation file and interact with the customer. Following the interaction SKYCITY may elect to open a GOI file for further investigation and monitoring, exclude the customer or take no further action if the customer provides a satisfactory explanation. A customer borrowing money in these circumstances is considered a potential problem gambler and will be provided with appropriate information as required by section 309(2) of the Act. All investigations, interventions and outcomes are recorded and retained on iTrak.
- SKYCITY will provide appropriate staff training to assist in preventing and minimising harm associated with loan sharking.

3.6.2 Safe gambling environment – casino credit or cheque retention

Policy

If SKYCITY enters into an arrangement with a customer whereby it accepts cheques which it will hold unbanked, or enters into any other credit arrangement with a customer, it must report this to Host Responsibility.

Requirements

Host Responsibility must monitor and record the activities of any customer with whom SKYCITY has a credit arrangement, including any customer whose cheque SKYCITY is holding unbanked by arrangement, for indicators of potential gambling harm.

3.7 Responsible marketing

Legislation and industry codes

SKYCITY's marketing activities comply with applicable laws, Regulations 9 and 10 of the Gambling (Harm Prevention and Minimisation) Regulations 2004, relevant industry codes (including the New Zealand Advertising Standards Authority "Code for Advertising Gaming and Gambling") and licence conditions.

Requirements

SKYCITY Auckland will not pursue marketing initiatives which have any of the characteristics set out below. Where concerns are raised by third parties, SKYCITY will investigate and, where appropriate, take immediate action to withdraw or amend the marketing initiative.

SKYCITY Auckland will ensure an internal process is followed to ensure harm minimisation issues are considered and addressed in the development of marketing initiatives, including those directed to members of SKYCITY's loyalty programme.

This process includes consultation with Host Responsibility as well as the Regulatory team, with final sign-off by Legal (both of which are based at SKYCITY Auckland).

Consultation includes consideration of the following principles.

Does the marketing initiative:

- Target groups at increased risk of experiencing gambling harm?
- Target minors, portray minors participating in gambling activities, or advertise gambling on radio/television at times when minors are more likely to be exposed?
- Encourage or reinforce gambling behaviour(s) that may be associated with harm, including:
 - encourage customers to participate beyond their limits of time or money?
 - discourage customers from taking breaks?
 - promote gambling as a means of relieving financial or personal difficulties?
 - state or imply that gambling is a means of winning or paying for household staples, education or housing commitments?
 - promote excessive alcohol consumption or associate gambling with excessive alcohol consumption?
- Present gambling in an unrealistic, misleading, or deceptive way, including:
 - exaggerating the chances of winning or the size of the prize, including a promise of winning?
 - stating or implying that a player's skill can influence the outcome of a game unless the skill can affect the outcome of the game?
 - exploiting superstitions or concepts of luck?

3.8 Display of signage and provision of gaming information to customers

Background

A key component of the Programme is the provision of information for customers. Provision of information is intended to assist customers to make informed decisions about their gambling and alcohol consumption while at SKYCITY.

A description of how SKYCITY will discharge its obligations to offer information and advice to persons identified as problem gamblers is addressed in the Problem Gambler Identification Policy and the SOPs.

Approach

SKYCITY has a range of information resources that are provided to customers, summarised in Appendix A.

Display of signs, brochures, clocks and website

SKYCITY ensures that:

- host responsibility material is displayed prominently and translated into key languages, besides English, to reflect the ethnicity of SKYCITY Auckland visitors;
- brochures are maintained in sufficient quantities so as to be generally available at all times, at all locations;
- all gaming machines and gaming tables at SKYCITY display problem gambling helpline telephone numbers, with information in a range of languages. The information is also displayed on or near all ATMs and public phones;
- clocks are on display in all SKYCITY gambling areas; and
- call Centre facilities include a direct line to the Gambling Helpline.

SKYCITY Auckland will make available a "Responsible Gaming" brochure, intended to assist in reducing the tendency of patrons to be subject to erroneous beliefs, e.g. that the odds of winning are better than they are, or that skill can influence outcomes (where it cannot), or player tendencies to engage in various superstitious practices.

SKYCITY actively promotes the Gambling Helpline and other free problem gambling counselling service contact details through its host responsibility resources. Customers demonstrating potentially harmful behaviour are encouraged to contact these services. All excluded customers, and third parties who contact SKYCITY about another's gambling problems, are actively encouraged to contact the appropriate services for help and support.

SKYCITY Entertainment Group has a host responsibility section on its website.

Display of game rules, permissible bets and payment of winning bets for table games

Information is made available to customers that pertain to game rules, permissible bets and payment of winning bets as required by section 175 of the Act.

Whenever a table is open, information is displayed which advises customers that the game rules for the game are available upon request, and specifies minimum and maximum bets, and payments of winning bets. Signage is also displayed stating that staff cannot accept tips.

Display of game rules, permissible bets and payment of winning bets for electronic gaming machines

All gaming machines display information regarding the denomination of the game. Game rules are provided on the machine and/or electronically via the screen. Gaming machine odds are explained in the "Responsible Gaming" brochure, which is available in the gaming areas.

Customers may request a copy of game rules at any time. If the request is for general information or an overview of a game, an appropriate gaming employee will explain this and can provide a "How to Play" brochure to assist further.

Display of game rules, odds of winning and information on problem gambling for Fun Play tables

Information is made available to customers that pertains to game rules, odds of winning and information on problem gambling.

Whenever a Fun Play table is open, information is displayed which advises customers that the game rules for the game are available upon request, and odds of winning and information on problem gambling.

Display of host responsibility information in open areas where there are gaming machines

Information on problem gambling and responsible gambling are displayed and made available to customers in open areas (e.g. decks) where gaming machines are present.

Information requests by customers

Customers seeking further clarification of game rules will be given access to the relevant approved rules.

Information on gambling activity

Patrons (both loyalty and non-loyalty) can be provided, on request, with information on their gambling activity, including the number and length of their gambling sessions and their gambling expenditure.

3.9 Learning and development

Introduction

SKYCITY Auckland is committed to developing staff awareness, understanding and commitment to host responsibility especially with respect to gambling and alcohol-related harm. SKYCITY Auckland shall comply with its statutory obligations relating to problem gambling awareness training, including as set out in Regulation 12 of the Gambling (Harm Prevention and Minimisation) Regulations 2004.

SKYCITY Auckland will aim to ensure its learning and development initiatives are appropriate to the needs of its customers and staff.

SKYCITY's learning and development resources approach employs established models of best-practice and include a training mix of classroom based, multi-media and on-the-job coaching. Learning and development resources are tailored depending on the roles and responsibilities of staff, and their required host responsibility customer interactions.

Overview of staff roles

Staff: All staff, regardless of position, are trained to identify indicators of harm. Staff are expected to refer the observation of indicators to a supervisor/manager.

Frontline staff: All staff who have contact with gambling customers, including Customer Service Ambassadors, in the casino are required to be trained in problem gambling awareness and how to approach customers to offer information and assistance about problem gambling. Frontline staff have a primary role in being alert to and identifying indicators of harm, and will report observations of concern to a supervisor/manager. While it is not their primary role, frontline staff are trained and will approach customers themselves in circumstances, for example, where a matter is urgent or a manager/supervisor is not available.

Supervisor or manager: The supervisor/manager is the first point of contact for escalation for indicators of harm. Supervisors and managers are responsible for ensuring that all observations of indicators reported to them by staff, and any follow up responses taken by staff and/or supervisors and managers, are logged and sent to Host Responsibility. Supervisors and managers are also responsible for providing additional information to Host Responsibility to assist with the ongoing monitoring of, and interaction with, the customer.

Depending on the circumstances, the supervisor/manager may deliver interventions by providing information, advice and assistance to customers and taking other appropriate action(s) to minimise harm.

Host Responsibility: Host Responsibility records, collates and analyses all information relating to indicators of problem gambling noted by frontline staff, supervisors and managers. Host Responsibility also records interactions and interventions they undertake themselves. The information is used to undertake a section 309 assessment. As a result of the assessment, a GOI file may be opened, and/or appropriate follow up interactions or interventions undertaken. This may include meeting with customers. Host Responsibility is responsible for the ongoing monitoring and management of GOI files, feedback and review of new information on GOI files and the provision of host responsibility advice and support to staff, supervisors and managers.

Learning and development requirements

Induction training (Level 1)

All permanent staff, whether or not in direct contact with customers, will complete the three compliance e-learning modules within one month of commencement of employment. Access to the modules is available to new employees before they start work as soon as they are assigned an employee number.

The three compliance modules are:

- Play Safe – Health and Safety;
- Responsible Service of Alcohol; and
- Responsible Gaming, which includes:
 - responsible service of gambling and alcohol;
 - identification of problem gamblers;
 - reporting and recording procedures for observations;
 - approaching and providing information about problem gambling to patrons including how to access local problem gambling services; and
 - awareness of employee gambling-related harm.

For all staff in direct contact with gaming customers, SKYCITY will work to supplement this initial training by ensuring that these staff also complete an "Advanced Host Responsibility Level 1" e-learning module after 3 months employment. This module will also be compulsory annual refresher training for those staff.

Training for staff in direct contact with customers will be further supplemented by on-the-job coaching and support.

Within the first month of working at SKYCITY, employees are encouraged to complete a four hour classroom session which refreshes the compliance information from the e-learning modules and also covers general policies and procedures, and an orientation to SKYCITY.

Training for supervisors (Level 2)

Supervisors from Gaming, Food & Beverage, and Security & Surveillance must participate in supplementary Level 2 training (four hours). This training is classroom based and is run bi-monthly or as necessary. The training includes information on:

- identification of problem gamblers;
- overview of the legal framework and Host Responsibility Programme;
- initial action with respect to customers requesting problem gambling assistance;
- identification and intervention with respect to excessive alcohol consumption;
- support of staff who have intervened and debrief; and
- importance of reporting.

Advanced training (Level 3)

Advanced training (eight hours), supplementary to training for Levels 1 and 2, is provided for selected senior employees who may be expected to deliver interventions to customers. For frontline staff, this includes some supervisors and all managers. It also involves other senior employees throughout the Auckland business who might be expected to deliver interventions to customers.

This training includes both theoretical and practical components. The training includes:

- SKYCITY's legal and regulatory requirements;

- identification of problem gamblers;
- intervention including brief interventions, de-escalation and motivational interviewing;
- debriefing and staff support;
- problem gambling treatment processes;
- cultural awareness;
- advanced Responsible Service of Alcohol – intervention and slowing service; and
- awareness of employee gambling-related harm.

Refresher training

SKYCITY Auckland provides department-based/site-wide refresher training on an ongoing basis. Refresher training is available to all staff at SKYCITY. Refresher training is provided when a learning and development need is identified or requested, and for those who fail knowledge recall tests. SKYCITY will also provide, as annual refresher training, the “Advanced Host Responsibility Level 1 e-learning module, for staff in direct contact with gaming customers.

General Manager training – Sale and Supply of Alcohol Act

The Licence Controller Qualification, as required by the Sale and Supply of Alcohol Act, is facilitated through an external provider.

External operators training

SKYCITY Auckland will offer external operators providing customer services at SKYCITY Auckland (e.g. TAB), the opportunity to participate in training, where appropriate.

Suicide-awareness training

Host responsibility staff and senior Security Managers are trained to respond to customers who are at risk of suicide. This training is facilitated through an external provider.

Informal learning and development

As learning and development is an ongoing process, SKYCITY provides a range of other opportunities for host responsibility learning to occur. There is an emphasis on sharing information and experiences across SKYCITY’s portfolio to build host responsibility knowledge. These internal opportunities include:

- internal communications, e.g. staff newsletters;
- inclusion in business or management processes e.g. staff meetings and key performance indicators;
- discussion forums led by harm minimisation and host responsibility staff; and
- participation by staff in harm minimisation and host responsibility policy development processes.

Evaluation

SKYCITY undertakes a range of evaluation measures as part of its commitment to learning and development quality improvement. These measures include:

- staff training feedback and evaluation forms;
- staff knowledge recall and application of knowledge;
- staff focus groups; and
- analysis of training needs.

4.0 Monitoring and reporting

Introduction

SKYCITY will evaluate its performance against the objectives of the Programme.

The Auckland Host Responsibility Programme is measured and monitored using a range of indicators that are set out below. These indicators reflect the level of activity under the Programme, compliance with legal obligations, and progress against all the Programme objectives as set out in section 1.

The Programme is embedded into the business and specifies SKYCITY's minimum requirements in relation to its host responsibility obligations. SKYCITY is not prevented from trialling and introducing new initiatives in addition to what is specified in the Programme. In consultation with the Gambling Commission, any such enhancements may be incorporated into the Programme, prior to the Commission's next two-yearly review.

Reports to the Gambling Commission

SKYCITY will report annually to the Commission on the implementation of the Programme.

Reports will include the following information:

- a description of the resources put into the core elements of the Programme;
- a description of activities undertaken by SKYCITY under the Programme;
- reporting against the measures specified below, including a comparison to previous data where applicable;
- SKYCITY discussion on the effectiveness of the Programme and the extent to which Programme objectives in section 1 are being achieved. This will include reference to feedback from internal and external stakeholders received through a range of forums such as regular meetings with the DIA and other meetings held as required; and
- proposed improvements to the Programme.

Gambling Related Measures	Source of data	Frequency
<ul style="list-style-type: none"> Number of customers about whom there have been observations. 	SKYCITY	Annual
<ul style="list-style-type: none"> Number of observed indicators reported to Host Responsibility. 		
<ul style="list-style-type: none"> Number of approaches to SKYCITY by third parties. 	SKYCITY	Annual
<ul style="list-style-type: none"> Number of problem gamblers identified (in the first instance) by requests for exclusion or forthright disclosure, compared to number of problem gamblers identified by the casino. 	SKYCITY	Annual
<ul style="list-style-type: none"> Number of GOI files by: <ul style="list-style-type: none"> ethnicity gender age preferred mode of gambling (tables/EGMs). 	SKYCITY	Annual
<ul style="list-style-type: none"> Number of approaches to customers to offer information about self-exclusion. 	SKYCITY	Annual
<ul style="list-style-type: none"> Number of exclusions (both casino and self-exclusions) by: <ul style="list-style-type: none"> ethnicity gender age preferred mode of gambling (tables/EGMs) prompted by third party disclosures exclusion type (self/SKYCITY) following re-entry. 	SKYCITY	Annual
<ul style="list-style-type: none"> Number of customers participating in the pre-commitment. 	SKYCITY	Annual
<ul style="list-style-type: none"> Number of excluded customers (both casino and self-exclusions) agreeing to be contacted by help services on exclusion form. 	SKYCITY	Annual

<ul style="list-style-type: none"> Number of breaches of exclusion (both casino and self-exclusions) by: <ul style="list-style-type: none"> ethnicity gender age 	SKYCITY	Annual
<ul style="list-style-type: none"> Number of exclusions by length: <ul style="list-style-type: none"> 3 months 6 months 9 months 12 months 24 months 	SKYCITY	Annual
<ul style="list-style-type: none"> Number of successful and unsuccessful applications to re-enter following exclusion. 	SKYCITY	Annual
<ul style="list-style-type: none"> The extent to which customers have been assisted (drawing, inter alia, on feedback from customers and staff). 	SKYCITY	Annual
<ul style="list-style-type: none"> Number of persons trespassed or required to leave for making loans for financial gain. 	SKYCITY	Annual
Measures relating to the responsible consumption of alcohol		
<ul style="list-style-type: none"> Number of "Under the Influence" incidents. 	SKYCITY	Annual
<ul style="list-style-type: none"> Number of requests for people to leave due to the amount of alcohol served. 	SKYCITY	Annual
Measures relating to staff training		
<ul style="list-style-type: none"> HR1 courses HR2 courses HR3 courses Refresher training Number of staff who need to be trained in each category, and proportion of those staff who have completed the appropriate level training. 	SKYCITY	Annual
<ul style="list-style-type: none"> Staff recall of knowledge and behaviours related to host responsibility and associated policies and procedures. 	L&D Evaluations Mystery Shopper	Annual Annual
<ul style="list-style-type: none"> Staff perceptions of the effectiveness of training. 	L&D Evaluations	Annual
<ul style="list-style-type: none"> Staff perceptions on the effectiveness of the employee gambling harm programme, reporting to the Commission to include percentage response rate of staff to the SKYCITY survey. 	SKYCITY commissioned survey	Annual
Other Programme activity and compliance-related measures		
<ul style="list-style-type: none"> Number of internal and external underage incidents. 	SKYCITY	Annual
<ul style="list-style-type: none"> Number of unattended children. 	SKYCITY	Annual
<ul style="list-style-type: none"> Number of requests to leave the premises. 	SKYCITY	Annual

Appendix A – Current host responsibility resources for customers (as at October 2015)

“Being A Responsible Host: Our Commitment To Our Customers” – poster
SKYCITY developed and displays the A3 “Being a Responsible Host” poster in key gaming areas. The customer-focused poster is designed to provide an overview of SKYCITY’s Host Responsibility Programme and the key initiatives undertaken.

“Would you like a Helping Hand?” – brochure
SKYCITY provides “Would you like a Helping Hand” - brochures in 10 different languages: Chinese, English, Korean, Maori, Samoan, Tongan, Thai, Hindi, Arabic and Khmer. The brochure provides the gambling helpline information and signs and symptoms of problem gambling. It also outlines other free problem gambling counselling services.

“Would you like a Helping Hand?” - poster
In supplementing the “Would you like a Helping Hand” – brochure, SKYCITY also produces an A1 poster version. The poster provides the Gambling Helpline number and is displayed in various places across the gambling areas, including some customer restrooms.

“Would you like a Helping Hand?” - wallet card
This pocket size card also supplements the brochure and presents the Gambling Helpline number and other free problem gambling counselling service contact numbers. Available in Chinese, English, Tongan and Samoan.

“Responsible gaming?” – brochure
This brochure provides responsible gambling tips and an overview of the odds of winning and player returns and highlights that casino games are based on chance and randomness. It also provides contact details for the Gambling Helpline and the SKYCITY Host Responsibility team. Available in Chinese and English.

“Self-Exclusion at SKYCITY” – brochure
The brochure outlines the self-identified exclusion process. It provides simple information on frequently asked questions and shows the contact details for the Gambling Helpline and the SKYCITY Host Responsibility team. The “Self-Exclusion at SKYCITY” brochure is available in 10 different languages: Chinese, English, Korean, Maori, Samoan, Tongan, Thai, Hindi, Arabic and Khmer.

“Concerned About Someone’s Gambling? SKYCITY Can Help” – brochure
The brochure outlines the SKYCITY (third party) exclusion process. It provides simple information on frequently asked questions and shows contact details for the Gambling Helpline and the SKYCITY Host Responsibility team. The “Concerned About Someone’s Gambling? SKYCITY Can Help” brochure is available in 10 different languages: Chinese, English, Korean, Maori, Samoan, Tongan, Thai, Hindi, Arabic and Khmer.

“Why We Can’t Serve You” – tent card
This card provides a summary of the SKYCITY Responsible Service of Alcohol Policy. The tent card is provided to all staff to show to customers when explaining decisions regarding service of alcohol, including the slowing or stopping of service.

“SKYCITY Auckland Dress Code” – brochure
This brochure explains the casino’s policy regarding acceptable standards of dress.

“Children at SKYCITY” - brochure

The brochure explains New Zealand law and SKYCITY’s policy with respect to unattended children. It is available in Chinese, English and Hindi.

Appendix B



Host Responsibility

PROBLEM GAMBLER

IDENTIFICATION POLICY

(Gambling Act 2003, sections 308-312A)

Problem Gambler Identification Policy

References: Gambling Act 2003 ("Act"), sections 308, 309, 309A, 310, 311 & 312A

Objective

The Problem Gambler Identification Policy ("Policy") has been developed pursuant to the Act to enable SKYCITY to take all reasonable steps to identify actual or potential problem gamblers and to act on that information.

Statutory Requirements

Section 308 of the Act requires the holder of a casino operator's licence who is conducting casino gambling to develop a policy for identifying problem gamblers. This Policy has been developed by SKYCITY pursuant to section 308(1). Using this Policy, all reasonable steps must be taken to identify actual or potential problem gamblers.

Section 309 of the Act requires that the holder of a casino operator's licence, or person acting on behalf of the licence holder, must, after identifying a person who he or she has reasonable grounds to believe is a problem gambler, approach the person and offer information or advice to the person about problem gambling.

The information or advice offered must include a description of:

- (a) the self-exclusion procedure available; and
- (b) any procedures prescribed by Regulations made under the Act.

After offering information or advice, the holder of a casino operator's licence may issue an exclusion order to the person that prohibits the person from entering the gambling area of the casino venue for a period of up to two years.

Section 309A of the Act requires the casino operator, or person acting on its behalf, to take all reasonable steps to assist anyone who, it has reasonable grounds to believe, is a problem gambler, who did not request self-exclusion after being approached but whose ongoing conduct gives rise to reasonable grounds to believe is a problem gambler. The required assistance expressly includes issuing an exclusion order, despite the lack of request to do so, in appropriate cases.

Section 310 of the Act requires that the holder of a casino operator's licence, or person acting on their behalf, must promptly, after being requested, issue an exclusion order to a person that prohibits the person from entering the gambling area of the casino venue for a period of up to two years if the person:

- (a) has identified himself or herself as a problem gambler; and
- (b) has made a request to prohibit themselves from entering the venue concerned.

Section 311 of the Act requires that the holder of a casino operator's licence, or person acting on behalf of, must remove any person who enters the gambling area of a casino venue in breach of an exclusion order.

Section 312A of the Act requires a casino operator to keep records of certain specified information about exclusions, including identifying details, the manner, date and length of the exclusion and the conditions of re-entry and provide them if requested by the Secretary.

Scope of SKYCITY Problem Gambler Identification Policy

This Policy describes:

- the legal definition of a problem gambler;
- indicators of problem gambling;
- a description of sources of indicator data to be used by SKYCITY;
- a description of how indicator data is to be used by SKYCITY to identify problem gamblers; and
- an outline of record-keeping requirements and review of the Policy.

The Policy applies to SKYCITY Auckland only.

Supporting Standard Operating Procedures (SOPs)

The following SOPs provide operational guidelines relevant to the Policy:

- Information Collection and Collation;
- Analysis and Intervention; and
- Exclusion.

Section One – Definition of a problem gambler

Under the Act, a problem gambler is “a person whose gambling causes harm or may cause harm”.

“Harm” is defined as:

- (a) harm or distress of any kind arising from, or caused or exacerbated by, a person’s gambling; and
- (b) includes personal, social or economic harm suffered:
 - (i) by the person; or
 - (ii) the person’s spouse, partner, family, whanau, or wider community; or
 - (iii) in the workplace; or
 - (iv) by society at large.

Section Two - Indicators of problem gambling

Introduction

SKYCITY uses a number of indicators to assess whether a customer is likely to be a problem gambler. Although these indicators provide an appropriate basis for making determinations as to whether someone is a problem gambler, the nature and range of indicators may vary from one customer to the next. Wherever possible, indicator information should be interpreted in the context of other relevant information to develop an overall assessment of the customer's position.

Based on research and evidence, SKYCITY has developed a list of visible signs and behaviours that may be indicators of gambling-related harm. Some of these can be considered "high confidence" or "strong indicators".

"*Strong indicators*" are those where the presentation of even one or two indicators is usually sufficient to identify the person as a problem gambler.

Other indicators referred to as "*general indicators*" are behaviours which may be observed in a range of gamblers, but occur more frequently amongst problem gamblers. They are warning signs that may, or may not, indicate a problem if only one or two factors are observed in isolation, but which become indicative when a greater number of signs are observed together or across time.

Problem gamblers can be identified by inferring that harm is present or may occur using the indicators set out below. They can also be identified on the basis of information from customers or persons affected by a customer's gambling behaviour. Customers (and affected persons) may directly disclose that the customer is experiencing problems with gambling, or require assistance (e.g., they want to self-exclude), or do so indirectly.

INDICATORS

Strong Indicators

- Requests to self-exclude;
- Self-identified problem gambler;
- Self-disclosures that may or may not make reference to the person's gambling;
- Third-party disclosures that may or may not make reference to the person's gambling;
- Severe emotional distress due to gambling, including expression of suicidal thoughts;
- Children left unattended while gambling.

General indicators

Intensity and Frequency of Play

- Customers whose gambling data (accessed through customer loyalty accounts) is assessed by the "Focal Model" as being high risk.
- High visitation frequency combined with very high levels of expenditure on all forms of gambling, including table games, over a period of time;
- Very few breaks from gambling – almost continuous play;
- Increasing periods of play, and betting more each time, noted over a period of time (noting that gambling expenditure may reduce as the customer's financial resources are exhausted);
- Disconnect with time spent playing, including missing key times (e.g., meals), rushing when leaving machine or staying after friends/family leave;

- Extreme changes in patterns of play;
- Breaching pre-commitment limits and/or multiple increases or disabling of pre-commitment limits; or
- Failure to settle credit arrangements as agreed, including redemption of cheques and markers when due.

Visible Emotional Disturbance

- Emotional distress including agitation, mood swings, crying, or out-of-character behaviour;
- Personalising machines, including abuse of machines;
- Irritated by interruptions to gambling;
- Rudeness and complaints to staff about gambling outcomes; or
- Possessiveness of particular machines or spots at tables (e.g., standing over other patrons, hovering, aggression).

Dysfunction in Social Behaviour

- Attempts to conceal gambling activities, including making phone calls giving excuses for lateness;
- Steps apparently taken to avoid monitoring of gambling activity, such as ceasing to use a loyalty card;
- Not celebrating wins;
- Disintegration of physical appearance (e.g., clothing or personal hygiene) over time;
- Family/friends seeking out or enquiring about a customer;
- Falling asleep at a machine or table;
- Claims of malfunction of gaming machines or gaming errors when none are identified;
- High consumption of alcohol while gambling (e.g., demanding drinks);
- Interaction with a known or suspected loan shark; or
- Previous exclusion (by self or casino) or breach of any harm minimisation requirement.

Excessive Access to Money

- Leaving the casino to get additional money and coming back after having appeared to have run out of money;
- Multiple declined eftpos transactions;
- Borrowing money, including begging;
- Not having sufficient money to exit car park;
- Constant demand for complimentaries; or
- Tray-surfing.

Expenditure and Frequency of Play

Both expenditure and frequency of play, especially on gaming machines, are currently included as general indicators, through monthly assessment of customer loyalty account, rather than as strong indicators, because it is recognised that not all customers who exhibit high expenditure levels and frequent visitation are necessarily problem gamblers. However, such indicators are much more likely to be observed amongst problem gamblers than others and therefore may indicate a greater risk of gambling related harm. It is established from international research that problem gamblers are more likely than other players to lose control of their expenditure, to chase their losses, and to have very strong urges to gamble. Most studies of problem gambling have found that problem gamblers spend significantly more, and gamble significantly more frequently than other players.

Frequency and expenditure data are especially important as indicators in the case of users of gaming machines for several reasons:

- It is easier for people to gamble without being noticed because gaming machine gambling involves very little interaction with casino staff, compared to table games, making it less likely that their behaviour and emotional reactions will be observed;
- There is a stronger relationship between problem gambling and play on gaming machines than with other forms of casino gambling;
- Electronic data gathering from gaming machines is more accurate than from table games.

Other Observations

The indicators listed above are not exclusive – staff are encouraged to report observations of customers based on other factors which raise concerns.

Section Three – Sources of Indicator Data

The indicators described in Section 2 may emerge from the five principal sources of information SKYCITY collects, collates and analyses. Information sources include:

- customer disclosures;
- behavioural observations;
- customer data including loyalty;
- third-party disclosures; and
- interviews with customers or staff.

All information on customers collated from the sources described below is recorded as soon as practicable into iTrak, SKYCITY's incident reporting and retrieval database.

iTrak centralises information from multiple business sources (Security, Surveillance, Host Responsibility and Gaming) which can be shared, when appropriate, across the SKYCITY Group.

Host Responsibility uses iTrak to record, manage, review and assess all information about all customers on the database, including gamblers of interest and excluded or banned customers.

CUSTOMER DISCLOSURES

Customer disclosures may or may not make reference to the person's gambling (i.e., they may be direct or indirect).

Direct disclosures

Direct disclosures make reference to a customer's gambling and examples may include any of the following:

- I think I have a gambling problem;
- I want to be excluded/barred; or
- I don't want to come here anymore.

Indirect disclosures

Indirect disclosures do not make reference to a customer's gambling and examples may include any of the following:

- comments regarding impact on personal life;
- voicing repeated attempts to stop or control gambling;
- comments regarding psychological distress; or
- comments regarding financial distress.

The significance of indirect disclosures should be determined by the nature of the disclosure. Indirect disclosures referring to harm, financial difficulties or loss of control would lead to a high suspicion that the person was experiencing, or at risk of experiencing, harm associated with their gambling.

Direct and indirect disclosures from customers must be recorded in iTrak and sent to Host Responsibility as soon as practicable to be used in making problem gambling assessments.

BEHAVIOURAL OBSERVATIONS

Although staff cannot be expected to watch all customers on all occasions, the process of observation and identification is enhanced by the fact that one may observe a clustering of indicators. Those customers who present with strong indicators, or who produce several common indicators, may produce many more. In effect, problem gamblers may draw attention to themselves through observable behaviour. Staff should use this information to focus their observations to particular customers.

At the same time, there will be customers where the problematic behaviour may be 'silent' or hidden. Some patrons may gamble very frequently, spend very large amounts of money, but not produce any obvious emotional responses or other indicators to draw attention to themselves. For this reason, staff should remain vigilant to the presence of people who spend many hours in the casino, and who visit very frequently. In such cases, staff should be vigilant for additional indicators of harm. As noted below, frequency of gambling and level of expenditure are indicators in their own right, and also ways of identifying people who require additional observation.

Staff who observe the indicators specified in Section 2 must report the observation to the appropriate supervisor/manager. All observations of indicators reported to them by staff and any follow up responses taken by staff and/or supervisors/managers must be logged into iTrak by the supervisor/manager so as to make the record of the disclosure or observation available to Host Responsibility as soon as practicable. The reported disclosures and observations form part of the body of information upon which assessments of problem gambling are to be made.

CUSTOMER DATA INCLUDING LOYALTY

High levels of frequency and expenditure are general indicators (see Section 2). SKYCITY must monitor the amount of money and time spent over time proactively using the Loyalty Programme.

Although high levels of expenditure and visitation are listed as general indicators, it is important that SKYCITY take steps (where it has concerns about a player's expenditure or visitation frequency) to obtain additional information that places this behaviour into context. For example, through discussions with the customer or other parties, there may be direct or indirect disclosures concerning the lack of affordability of the gambling. Alternatively, staff might find that some players who spend very large amounts appear to be chasing their losses, or are leaving the casino and then returning with additional money. SKYCITY may also make enquiries about the affordability of losses.

In addition, where a customer is brought to the attention of Host Responsibility by self or third party disclosure or by observation, SKYCITY must ascertain whether the customer is a Loyalty member. Where the customer is a member of the Loyalty Programme, SKYCITY must examine their data to determine:

- their time of play;
- duration of play;
- turnover;
- win/loss;
- patterns of expenditure (e.g., increase over time);
- games played;
- tier upgrades;
- non-gaming use of card (e.g., car park use); and
- visitation frequency.

SKYCITY will insert notes in the loyalty card database to alert relevant staff that, on presentation of an inactive loyalty card, the person presenting the card may be a banned player and that Security must be notified to determine this issue. All relevant information will be recorded into iTrak as soon as practicable and made available to Host Responsibility.

THIRD PARTY DISCLOSURES

Information concerning gambling-related harm may also be obtained via third-parties. This might include:

- an enquiry from a concerned family/whanau member; or
- a formal enquiry about the potential problem gambler from the wider community, (e.g., probation officer, general practitioner or employer).

A third party may only seek general information about a customer, and will not always voluntarily identify gambling as the cause of their concerns about a customer (e.g., who may be a friend or relative of the inquirer). Where a third party appears to express general concern about a customer, staff must ask if there are concerns that the customer's gambling may be causing problems. Where there is a positive response to this question, this must be recorded in iTrak and made available to Host Responsibility. Details must be taken, including contact details and a brief summary of concerns. An attempt to identify the customer within the venue (e.g., via Loyalty card use, if available or feasible) should be undertaken. If found, further enquiry must be undertaken and the customer may be requested to leave the premises for a period of time. If requested to leave, SKYCITY must also provide to the customer problem gambling information, including exclusion options. The action must be logged in iTrak and made available to Host Responsibility as soon as practicable.

A third party request that the customer at the casino be removed immediately because of concerns about the customer's gambling is a strong indicator of harm, and will be treated on an urgent basis. The third party must be referred immediately to Host Responsibility or Security. Details must be taken, including contact details and a brief summary of concerns. An attempt to identify the customer within the venue (e.g., via loyalty card use, if available or feasible) should be undertaken. If the customer is found, further enquiry must be undertaken and the customer may be requested to leave the premises for a period of time. If requested to leave, SKYCITY must also provide to the customer problem gambling information, including exclusion options and contact details for problem gambling service providers. The action must be logged in iTrak and made available to Host Responsibility as soon as practicable.

All third party information should be corroborated as part of an internal investigation. The Exclusion SOP outlines the specific steps taken by SKYCITY Auckland in corroborating information.

INTERVIEWS WITH CUSTOMERS OR STAFF

From time-to-time, Host Responsibility or other appropriate staff may interview either customers or staff as part of an investigation.

Customer interviews: During the course of an interview, information may be disclosed by a customer that suggests that he/she may be experiencing harm or gambling in a way that may cause harm. All such information must be recorded into iTrak and made available to Host Responsibility as soon as practicable.

Staff interviews: During the course of an interview, information may be disclosed by staff that suggests a customer may be experiencing harm or gambling in a way that may cause harm. This information must be recorded in iTrak and made available to Host Responsibility as soon as practicable.

Section Four - Identification

Section 2 highlights the indicators that are taken into account in identifying whether a customer may be an actual or potential problem gambler.

Section 3 identifies the primary sources of information available to identify problem gamblers. It also describes the ways in which this information might be utilised and consolidated so as to assist in the identification process.

SKYCITY must use data from the sources identified in Section 3 to identify customers who are actual or potential problem gamblers, ie where their gambling is causing harm, or may cause harm, to the customer or others. Once identified, SKYCITY must determine, based on direct information or inference (using indicators) whether it has reasonable cause to believe that the customer is or has been gambling in a manner that has caused harm or may cause harm. If so, SKYCITY's legal obligations under sections 309-312A of the Act are engaged immediately.

Depending on the assessment, including the perceived severity and urgency of a situation, SKYCITY provides graduated responses ranging from immediate intervention, advice and discussion to ongoing monitoring.

Obligation to Identify

The assessment by SKYCITY, whether there is reasonable cause to believe that a customer is a problem gambler, must be made in good faith, in accordance with the statutory test and within a reasonable timeframe.

Analysis of Information

As outlined in Sections 3 and 5, all disclosures or observations related to indicators of harm noted by staff must be reported to, and recorded by, the supervisor or manager and made available to Host Responsibility.

When a self or third party disclosure or observation report is made available to Host Responsibility, Host Responsibility must open a GOI file and collate and review all information available to it in relation to the relevant customer. This includes a review of incident reporting and loyalty databases and other relevant internal information sources. Host Responsibility may also make further enquiries of relevant staff in relation to that customer.

Host Responsibility undertakes a section 309 assessment based on the information collated.

A variety of different types of information is used when undertaking a section 309 assessment, taking into account:

- severity of presenting indicators;
- anti-social behaviour including uncharacteristic or unusual behaviour;
- uncharacteristic changes in appearance;
- changes in patterns of play; and
- number of indicators and repetition over time.

Identification

Strong indicators

Direct disclosures by customers are expected to result in an immediate assessment that SKYCITY has reasonable cause to believe that a customer is a problem gambler, with SKYCITY taking the required steps in response promptly.

The presence of any strong indicator should be sufficient to indicate that the customer is very likely to be a problem gambler unless another more likely explanation is established.

For instance, although emotional distress may be a reliable and valid indicator of gambling-related harm, not all people who appear distressed will necessarily feel this way because of gambling. Therefore, if this strong indicator is evident, it would be appropriate to interpret the person's behaviour in the context of other indicators. For example, is the person gambling large amounts of money for long periods and displaying other signs of gambling-related harm? If a person only appears distressed, such people should be approached initially on the assumption that they require general assistance, but not necessarily because their gambling is a problem.

General indicators

The observation of small clusters of general indicators should be sufficient to trigger further monitoring but, depending on the circumstances, may not necessarily lead to an immediate assessment that SKYCITY has reasonable cause to believe that a customer is a problem gambler. As part of a graduated response, it is expected that such people should be subject to further monitoring to determine whether any further general indicators emerge, including the repetition of the same indicators. If there is an accumulation of general indicators over a period of time (e.g., several general indicators recur during a one month period) SKYCITY would have reasonable grounds to consider such people to be problem gamblers.

Consequences of Identification

Once it has reasonable cause to believe that a customer is a problem gambler, SKYCITY must:

- (a) offer information or advice to the customer about problem gambling including a description of self-exclusion procedures, within a reasonable time of identification, taking into account the urgency of the situation and the risk of harm¹;
- (b) issue an exclusion order immediately if requested to do so by the customer²; and
- (c) consider whether it would be appropriate to issue an exclusion order without any request to do so as a means of providing assistance to the customer³.

SKYCITY will also provide contact details for problem gambling service providers.

¹ Section 309

² Section 310

³ Section 309A

Section Five – Record keeping

Recording, collation and analysis of information

Host Responsibility is responsible for the collation, analysis and electronic recording of all information relating to indicators of harm. Host Responsibility also keeps records of observations noted by frontline staff, supervisors and managers, and of all direct and third party disclosures, interactions and interventions undertaken in relation to a customer by frontline staff, supervisors and managers.

Host Responsibility also records the section 309 assessment referred to in section 4 above, and the outcome of that assessment.

As outlined in section 3, all information collated by SKYCITY in relation to a customer is recorded as soon as practicable into iTrak.

Host Responsibility uses iTrak to manage, monitor, review and assess information about all customers on the iTrak database, including gamblers of interest and excluded or banned customers.

GOI files

A key purpose of a GOI file is to institute a formal monitoring process in relation to a customer. A GOI file is opened by Host Responsibility: in circumstances where a customer has come to the attention of Host Responsibility for monitoring; a third party disclosure is made in relation to a customer's gambling; or a customer returns from exclusion.

SKYCITY may also open a GOI file in other circumstances, as may be appropriate, including where:

- information is requested or presented from government agencies; or
- suspected or actual undesirable activity is present, including unattended children, unaccompanied minors or breaches of trespass orders.

Once opened, all available customer data to assist the assessment of whether a customer is a problem gambler must be obtained and placed on the file. In the case of customers who come to attention as a result of expenditure and visitation frequency, a GOI file must be open so that further information and observations can be recorded for assessment.

SKYCITY will regularly review GOI files at a minimum, at the following intervals and more often as required:

- monthly review for the duration of the investigation; and
- formal 12 week review.

Whenever new information becomes available or is obtained, a problem gambling reassessment must be undertaken. Except in the case of returning excluded customers, if an assessment is made that the customer is not a problem gambler after the 12 week review period, the GOI file may be deactivated. IN the case of returning excluded customers, the GOI must remain open and kept under review for at least 6 months. In all cases, if concerns remain, the file must be left open and reviewed on a regular basis.

All deactivated GOI files will be retained by SKYCITY. A GOI file may be reactivated at any stage subsequent to the 12 week review period if further information or indicators in relation to a customer emerge. In this case, a problem gambling reassessment will be undertaken, and monitoring may continue as part of the customer information review process.

Whenever an exclusion order is made, whether at the request of a customer or as a result of a decision taken by the casino operator to assist a suspected problem gambler, all of the information required by section 312A must be recorded on the relevant GOI file, retained and provided to the Secretary if requested.

Section Six – Review

The Problem Gambler Identification Policy will be measured and monitored as part of the Auckland Host Responsibility Programme.

Where new evidence emerges in relation to indicators of harm and identification of problem gamblers, SKYCITY will review its Problem Gambler Identification Policy accordingly.