

Economic Development White Paper

PURPOSE OF CONSULTATION The purpose of these consultation papers is to give the public an opportunity to guide the development of new law and policy for the gambling industry in Jersey. This consultation paper sets out the issues and suggests questions which - if you answer them - will provide useful information for the Shadow Gambling Commission. It is important that the shadow Commission gets your views and that you take the time to think about the issues in this paper and what it means to you and your Island. This is your chance to say exactly what you think.

DEADLINE FOR RESPONSES

Friday, 3rd August 2007

SUMMARY / QUESTIONS TO CONSIDER

The States has agreed in principle to modernise outdated gambling legislation. Broadening the Industry, the first in this consultation series, discusses what is currently permitted in Jersey, the restrictions placed upon the industry and the introduction of new forms of gambling.

This paper discusses:

- Existing limitations on licensed betting offices (LBOs) and asks whether these restrictions are still required.
- A wider range of gaming machines that offer different games and larger jackpots and whether these machines should be permitted in Arcades or remain wholly inside LBOs.
- Permitting and licensing commercial card clubs.
- The regulation of online gambling.
- Alternative forms of gambling such as commercial bingo and casinos do not form part of the modernisation plan for gambling, but the paper concludes by seeking opinions on this form of gaming.

Regulatory Principles are discussed in the second paper in this consultation. The shadow Commission believes regulatory principles for a well regulated jurisdiction should ensure the vulnerable and young are protected; gambling is transparent and fair; gambling is protected from criminal involvement, and gambling is accountable and subject to audit. The shadow Commission proposes:

- That a licensing regime is adopted for LBOs and also for organisations that have any direct contact with gambling related devices e.g. internet hosting providers, gaming machine suppliers, etc.

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- Current licence fees should be raised to a level that better reflects the realistic cost of regulation.
- The creation of a levy on gambling income dedicated to providing resources for the treatment, monitoring and research of gambling related harm.
- The introduction of civil powers to fine licensees for less serious misconduct.
- The paper concludes by asking for views on an advertising policy for gambling in the Island.

Harm Reduction is the focus of the third consultation paper. Gambling can be a problem for a small number of people and the shadow Commission is recommending that future gambling policy should be based on a strategy of education, counselling and research.

The shadow Commission discusses:

- Education is vital to both support those who have a problem and help prevent others from developing one.
- Whether the reality of gambling should form an educational programme for schools
- The extent of information an adult should have to inform them whether they want to gamble or not.
- Support groups for gamblers.
- The information gambling establishments should provide.
- How to introduce self exclusion from gambling establishments.
- The shadow Commission proposes the creation of a specific fund for this education, counselling and research strategy and asks for opinions on alternatives for funding these schemes.

There is no rule on the reading order of the papers, but it is recommended that you start with the first paper, “Broadening of the Industry”.

FURTHER INFORMATION There are three consultation papers: “Broadening the Industry” is the first, “Regulatory Principles” is the second and the third paper is “Harm Reduction”. All papers are available from www.gov.je (Government web site), the States bookshop, the public library and the Economic Development Department at the address below. Comments received by the 3rd August will be analysed and used to inform the drafting of the new gambling law.

SEND COMMENTS TO

Shadow Jersey Gambling Commission 26/28 Bath Street St. Helier Jersey JE2 4ST	Tel. +44 (0)1534 448150 Email gambling@gov.je Fax +44 (0)1534 448170
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This consultation paper has been sent to the following individuals / organisations:

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| The Public Consultation Register
All States Members | General Practitioners (GPs)
Representatives of the various faith groups
Gambling Industry representatives |
| All Parish Halls | |

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Gambling Assembly
States Police and all States Departments
Jersey Race Club
Breweries

Community Counselling for Jersey Trust
Chamber of Commerce
Jersey Hospitality Association

SUPPORTING DOCUMENTS

Broadening of the Industry
Regulatory Principles
Harm Reduction

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Background

A new gambling law for Jersey is urgently required. Since the present law was approved in 1964 the worldwide gambling industry has seen many developments and changes. Forty years ago many people took a very different view on gambling than they do today. The current law is cumbersome and complicated, putting large numbers of rules in place to cover social and club gaming (such as raffles and bingo) whilst doing very little to regulate the professional gambling industry.

The States has already decided (March 2005) that it wants a new gambling law, but there is debate about what should be in it. For that reason, the Minister for Economic Development approved the creation of a shadow Jersey Gambling Commission to make recommendations from a professional and independent perspective.

The shadow Commission has produced 3 papers to help Islanders put their views across in an informed way. This paper is about Harm Reduction. The shadow Commission wants to know your views about how gambling can be made safer for people who might be tempted to gamble too much.

The other papers are about types of regulation and types of gambling that might be allowed in the new law. Please look at these papers as well if you want to and send us your views.

Shadow Jersey Gambling Commission

On the 15th December 2006 the Assistant Minister for Economic Development announced the appointment of three Commissioners to sit on the shadow Gambling Commission. The role of the shadow Commissioners is to prepare for the transition to a statutory Gambling Commission and to advise the Minister and Assistant Minister for Economic Development on changes to the Island's gambling laws.

The shadow Commissioners will work with senior managers within the Economic Development Department to ensure that:

- Jersey retains its excellent international reputation as a well regulated jurisdiction;
- business growth and investment is encouraged; and
- potential harm is minimised and programmes introduced to protect the young and the vulnerable.

Harm Reduction

Gambling is an activity that is generally enjoyed without any problems. People are used to gambling in many different ways and enjoy the thrill of finding out if 'lady luck' is on their side, or not. Gambling stops being fun when it ceases being a leisure activity and instead becomes a major part of one's life, influencing what you do and how you feel.

We believe that the number of problem gamblers in Jersey is very small, but nevertheless, these people must be helped and so too must those who might develop a problem in the future. What needs to be achieved is the right balance between allowing the great majority of people to gamble safely and for fun, whilst at the same time looking after the minority who could get into difficulty.

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It is also right to say what we are not going to do. We are not going to recommend that the States ban gambling. Stopping people from doing something that they want to do and already can, would not be feasible or desirable. Indeed, it is now so common worldwide that even if the States tried to ban gambling it would fail. Instead we need to make the right choices so that Islanders can gamble relatively freely, how and when they want, but having made educated choices about what they are doing and knowing how to get help if they ever feel that they need it.

The shadow Commission is recommending that future gambling policy should be based on a strategy of education, counselling and research. Steps should be taken to educate people about gambling by providing them with as much information as possible to help them make informed choices about whether they wish to gamble or not.

Prevention

At the moment, the States does not provide Islanders with a structured way of finding out about the reality of gambling. The current Law has provided that there are notices in betting shops explaining the win ratios on gaming machines and a number of the bookmakers have provided information about problem gambling and how people who might have a problem can try to get help. This is a good thing, but it is generally taken from UK sources and might not be as helpful as having local information specifically tailored for Jersey.

The shadow Commission is particularly interested to receive your views on the education of people, especially children, on the realities of gambling. There is evidence to suggest that a structured programme of education about gambling can do a lot to reverse misheld beliefs that gambling is an easy source of making money. Should such a programme be developed? Should it be delivered within the secondary school system, or should an alternative approach be considered?

People can also get help from Gamblers Anonymous (GA), but GA is a voluntary organisation and the help that they can offer may vary according to their own resource restraints. What the shadow Commission is considering is a system that will sit alongside GA to complement it and not replace it. This would be supported by professionally trained counsellors and would be available throughout the year. Such a system would come at a cost and the issue of funding needs to be fully considered.

The shadow Commission is considering how best to help those people who already have a gambling problem and also those who may develop a problem in the future. Most countries now have a system of voluntary bans (self-exclusion) that allow people to ask that they not be allowed to gamble for a set period of time. A small number of countries go further and allow their family or friends to request a ban even when the gambler does not want it. The shadow Commission is considering the feasibility of introducing an Island-wide system of self-exclusion and would welcome your views and comments on the subject.

Funding

The States is unlikely to finance the provision of services such as these. We would like to have your views on how the provision of these types of services might be funded. The shadow Commission is currently considering a number of alternatives,

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but takes the view that leaving voluntary organisations and/or the Health Service to deal with any problem gamblers is not a viable option.

The first is to recommend an increase in licence fees for all gambling related businesses to cover all issues of regulation, including problem gambling. This has the benefit of being simple, but would not be dedicated to provide help and might easily be diverted to other areas. Another option would be to ask the gambling industry to make a voluntary contribution to fund such a programme. This has the attraction of being simple and readily acceptable, but may give rise to inequalities and could not be definitively relied upon. Another method would be to raise a specific levy or charge for gambling. This would only need to be a very small percentage (say 2%) of all money spent on gambling in the Island and which could be 'ring-fenced' to fund the shadow Commission's proposed strategy of education, counselling and research. Other options may also be viable.

Questions

Many of these questions are phrased in such a way that they are quite specific. However, the shadow Commission do not want you to feel restricted by these questions and if you feel that other matters are important, please feel free to include them either by a particular question, or at the end.

General

- Has gambling ever had an impact on you or a member of your immediate family (living in Jersey)?
- Do you think that problem gambling is a serious enough issue to be covered by legislation?
- Should the States consider a system of self-exclusion?
- If so, should it be voluntary or regulated by the proposed Commission?
- Should the shadow Commission reconsider its proposals not to allow third party applications for exclusion? If so, on what grounds and by whom?

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- Should the shadow Commission take responsibility for developing systems to assist problem gamblers or should it be left to the industry or the States?

- What should be the role of the industry where they suspect a person may have a problem?

Education

- Is there a need to provide more information about gambling e.g. the odds on chances of winning?

- What sort of information would be valuable and how should people get access to it?

- Do you think that professional types of gambling are more or less harmful than club or society gambling?

- Should children be given access to information about responsible gambling?

- Is 18 the right age to allow people to gamble or should it be raised or lowered (in the UK you must be 16 to buy tickets for the national lottery)?

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Counselling

- What do you think is the best way that a problem gambler should get help in Jersey?

Funding

- How should a programme of education, counselling and research be funded? Please give a preference to:
 - Voluntary contribution
 - Statutory levy
 - Other – please explain.

Please provide any other information that you see relevant to this consultation paper.

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Have your say

We would be delighted to receive your views on the questions we have posed, or on any other aspect of this consultation document. The consultation period will close Friday, 3rd August 2007.

Please send your responses to our questions, and any other comments you wish to make to the following address

Shadow Jersey Gambling Commission
26-28 Bath Street
St. Helier
JE2 4ST

Or click on the link to e-mail us at gambling@gov.je

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