

Multi Operator Self Exclusion: Expanding the fence at the bottom of the cliff. A review of the Chrysalis Research UK 207 Report: *Evaluation of the Multi-Operator Self-Exclusion Scheme (MOSES Report)*.

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July 2017

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Declaration of interests

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List of acronyms

ABB	Association of British Bookmakers
DCMS	Department for Culture, Media and Sport
IPART	Independent Pricing and Regulatory Tribunal
ITT	Invitation to Tender
LBO	Licensed Betting Office
LCCPs	Licence Conditions and Codes of Practice
MOSES	Multi-operator self-exclusion scheme
MVEP	Missouri Voluntary Exclusion Program
NOSES	National online self-exclusion scheme
RGA	Remote Gambling Association
RGSB	Responsible Gambling Strategy Board
RGT	Responsible Gambling Trust
SE	Self-exclusion
VLT	Video lottery terminal

Multi Operator Self Exclusion: Expanding the fence at the bottom of the cliff. A review of the *Evaluation of the Multi-Operator Self-Exclusion Scheme (MOSES)*. Evaluation report submitted to MOSES (Chrysalis Research UK, 2017) Released March 27 2017 by GambleAware

1. OVERVIEW

In this review, we examine the findings of the Chrysalis Research (2017) *Evaluation of the Multi-Operator Self-Exclusion Scheme (MOSES)*. (which we refer to as the MOSES Report). Commissioned by GambleAware in 2016.

Gambling industry mouthpiece and industry-led charity GambleAware's March 2017 press release reads: "Gambling self-exclusion scheme in bookmakers proves effective for problem gamblers" (GambleAware, 2017). Despite this very favourable headline in GambleAware's press release, the results of the evaluation are neither ground-breaking, nor contribute anything new to a policy intervention that has been well traversed as of limited effectiveness, in other jurisdictions such as Australia, New Zealand and Canada.

This evaluation of the MOSES Review is timely, given that an equivalent scheme modelled on MOSES is currently under development by the Remote Gambling Association (RGA) for remote operators registered with the Gambling Commission in Britain – the National Online Self Exclusion Scheme (NOSES¹) - and due to 'go live' by the end of 2017. It is therefore important to bring to notice any shortfalls in what has been presented by the gambling industry, Chrysalis Research UK and the funder GambleAware, before NOSES duplicates what we find in our review below to be a poorly designed and misguided scheme.

In undertaking this review, we focus our commentary on the following areas:

- i. Background to MOSES and NOSES
- ii. MOSES Report summary: aims, methods, main findings and recommendations
- iii. International evidence on self-exclusion and multi operator self-exclusion
- iv. Themes relevant to MOSES evaluation

2. BACKGROUND TO MOSES AND NOSES

- 2.1. In 2014 the Government expressed support for the development of "multi-operator" self-exclusion arrangements in the Department for Culture, Media and Sport (DCMS) document, *Gambling Protections and Controls*. A move to expand SE across multiple operators and gambling sectors built on earlier Responsible Gambling Strategy Board (RGSB) (2012) initiatives which recommended research to understand the role and effectiveness of self-exclusion. As part of the 2014 proposals, the Gambling Commission introduced a consultation on new Social Responsibility Codes (provisions 3.5.5 for remote operators and 3.5.6 for non-remote operators) which laid the foundation for the introduction of multi-operator SE schemes for the remote and non-remote sectors. Up until the introduction of MOSES, if an individual wanted to self-exclude from a range of gambling products they had to do so separately with each operator.
- 2.2. Gambling operators (remote and non-remote) are obliged to make self-exclusion (SE) available to customers. SE occurs when an individual customer enters into an agreement with

¹ The national online multi-operator scheme for the remote sector will be known as GamStop.

a gambling operator to exclude her/himself from the premises for a period of time (minimum of six months).

MOSES

2.3. As of 6 April 2016, all non-remote operators who are premises licence holders in the arcade, betting, bingo and casino sectors are required to participate in a multi-operator/sector SE scheme. The MOSES scheme for Licensed Betting Offices (LBOs) commenced as a pilot in Glasgow in July 2015 and was supported and arranged by the Association of British Bookmakers (ABB). In March 2016, MOSES was rolled out nationally, and is operated by The Senet Group. Accessed online or by phone, MOSES allows its users to **nominate a specific LBO** which will be informed that the user wishes to self-exclude and will deny the customer the opportunity to gamble. MOSES works by customers providing photographs as part of the SE process to the nominated shops, where staff regularly familiarise themselves with SE customers who may nominate for example, all the LBOs **in a particular vicinity**, or if they have reason to be concerned they will go to other LBOs, for example, as a result of regular work travel, they can nominate other outlets as well. It should be noted, there is no provision for blanket self-banning from all LBOs or for that matter all gambling venues. When noting that “some customers felt it would be easier to exclude from all shops either nationally or within a specific radius of a home or work” the report noted that MOSES and LBO staff thought “offering this option using the current method of registration and identification system would make it too unwieldy to manage” (p. 18).

NOSES

2.4. Social Responsibility code provision 3.5.5 came into effect 6 April 2016. And requires all operators offering online gambling products, except those society lottery operators who do not offer instant win games, to participate in a multi-operator self-exclusion scheme². In 2014, having established a working group, the Gambling Commission began work on the development of the NOSES architecture, specification and options for funding the build and running of NOSES (Gambling Commission, 2015). In February 2016, the Gambling Commission concluded that it was not the appropriate body to fulfil this function and in a letter sent to all licensed operators, it was communicated that the RGA has been tasked with set up and operation of NOSES. In 2016, the RGA appointed KPMG to provide advice on the operating model and associated technical and legal issues in a scoping study as the first phase in a programme of work intended to ensure that NOSES ‘goes live’ by the end of 2017. At the time of writing, the online system for NOSES was being built and a programme of engagement with operators and stakeholders promoting the scheme was being conducted by KPMG (2017). It is therefore unclear what KPMG will take from the MOSES review and its deficiencies in designing NOSES.

3. MOSES REPORT: AIMS, METHODS, MAIN FINDINGS & RECOMMENDATIONS

Aims

3.1. The aims of the MOSES Report:

- To examine processes used within the MOSES scheme: Including ‘front facing’ used to register customers and ‘internal’ processes used between MOSES and the LBOs
- How these processes might be improved

² Remote operators offering only telephone betting will not be included within this scheme, but online operators offering telephone betting will be required to take all reasonable steps to ensure that individuals self-excluding from NOSES are also self-excluded from their telephone betting accounts.

- To understand the effectiveness of MOSES in supporting customers to reduce or stop their gambling activity (Chrysalis Research, 2017, p.1)

Methods

3.2. The Moses report used two surveys and a small number of telephone interviews

- Two surveys:
 - survey of registrants of MOSES (completed either by phone or online by **196 customers**). The sample achieved represented **6.8 per cent of all registrants** at the time of the study or 19 per cent of those who had agreed to be contacted.
 - survey of LBO managers (completed online by **627 managers**); **9 telephone interviews** with representatives from LBOs responsible for coordinating the scheme and nominated by MOSES manager
- Discussion with MOSES central team and manager

Report Findings

3.3. Since the main focus of the MOSES Report is SE from LBOs with surveys of LBO MOSES registrants and LBO managers, it comes as no surprise that almost two thirds of survey respondents found out about the scheme in a LBO. The data reported is descriptive and the report acknowledges the dominance of responses from Coral and William Hill. The authors statement: “(t) The data was analysed to establish if there were any differences amongst these larger sub-samples but no difference (sic) were detected” (p. 8) is not explained or elaborated, which implies an ad hoc approach.

The findings of LBO registrants (gamblers’) surveys and of LBO operators focus on functional aspects of MOSES (Chrysalis, 2017).

- The registration process is straightforward and most could complete it in one phone call (the report devotes pp. 13-19 on responses to functional aspects of the registration process).
- Similarly, interviews with LBO operators focused on functional aspects of implementation of MOSES such as clarity and efficiency of the notification process.
- The majority of MOSES registrants submitted their photo and ID within two weeks of registering.
- Most had a clear understanding of the scheme and ‘understood it was their responsibility to stay away from their nominated betting shops’ (p.2) although some “thought that the LBOs should take more responsibility in keeping self-excluded customers out” (p. 2).
- Many LBO respondents said they needed more information (e.g. on time it takes to put the SE order in place) to explain registration processes to customers.
- LBO respondents and operators identified practical problems as the scheme grows and the volume of registrations undermines MOSES’ effectiveness as breaching was reported despite systems intended to prevent it.
- Users were positive about MOSES and “83 percent agreed that it had been effective in reducing or stopping their gambling activity and 71 percent said they had not attempted to use any of their nominated betting offices since joining” (p. 3).
- Almost two thirds (64%) of LBO registrants reported excluding from other venues with 54 percent having excluded from online gambling services; 23% had excluded from a casino, 12% from an arcade venue, and 10% from a telephone betting services (p. 11).
- In terms of responsibility for enforcing the exclusion, 67% of registrants agreed with the statement: “Once registered, it is the responsibility of the betting shop staff to keep me

out”, while quite inconsistently, 86% agreed “once registered it is my responsibility to stay away from shops” (p. 11).

- Some operators prefer their own SE schemes to MOSES.
- There seems to be some overlap between MOSES (a central scheme) and operators’ own schemes [by which gamblers can self-exclude immediately] with 40% of LBOs saying they offer their own self-exclusion scheme in the first instance. (p. 20) (although there is no discussion of the different schemes on offer or of the utility, inefficiency or confusion of having different schemes).
- LBOs identified the number of registrants as the largest barrier to SE effectiveness and staff turnover as a barrier to preventing self-excluders from gambling (p. 24).
- About 5% of registrants had been able to gamble in nominated venues after registering for SE and some reported gambling on FOBTs which are often placed out of sight of staff. (There appeared to be no probes on reported breaching to investigate under-reporting.) The 5% result is inconsistent with the statement “(j)ust under three-quarters (71 per cent) had not attempted to use any of their nominated betting offices since joining MOSES.” (p. 29) and “Since joining MOSES, just over a quarter of customers surveyed (29 per cent) had still tried to use their nominated betting offices” (p. 34).
- Some customers suggested the usefulness of a membership card system to prevent breaches, however this was not taken up as a strong or systemic recommendation to replace photo-identification by staff.
- The point was made that some customers registered with MOSES for SE do access support such as counselling (16%), but formal referral pathways and SE as only one of a raft of harm prevention measures was not taken up by the authors (Chrysalis, 2017).

3.4. The headline findings from the MOSES evaluation can be summed up in the following statements:

“The introduction of MOSES has made it easier for a customer to self-exclude from a number of different operators, rather than having to approach each individually. A key benefit is that a customer can conveniently register in their own time and in confidence over the phone, rather than in person in a betting shop. Operators felt that MOSES sat well alongside their own self-exclusion schemes and liked to be able to offer choice to the customer” Chrysalis, 2017, (p. 40).

However:

“MOSES does not provide sufficient restraint to prevent a small minority of more determined customers from gambling. They find other ways to gamble and are able to get around the exclusion. In contrast to the majority of our survey participants, they rely more heavily on staff to uphold the exclusion and prevent them from gambling. This type of customer may need more stringent action such as a more widespread ban or systems to prevent them from gambling such as membership or ID cards” (Chrysalis, 2017, p. 39-40).

Customers have to identify the geographic area they visit or are likely to visit and a member of the MOSES self-exclusion team uses a mapping tool to locate the relevant LBOs within the specified geographic area to which the self-exclusion applies. There is no provision for a blanket exclusion from all LBOs in London or in Britain. “The multi-operator approach allows someone to nominate multiple locations and operators in a ‘one stop’ process.” (p. 3) “Multi-operator” therefore has a limited meaning in terms of LBOs that are either named or in a particular vicinity. Despite blanket SE being mentioned it is not explored in the report.

3.5. These findings come as no surprise. Individual behaviour change is reliant on a complex interplay of factors and some gamblers [we adopt this term rather than “customers” used by the report] experiencing harm from their own gambling behaviour - despite having taken the steps to exclude may require additional controls are in place in order to prevent further harm from occurring. To this extent, based on self-report behaviour, 83 percent of gamblers surveyed agreed that MOSES had been effective in reducing or stopping their gambling activity and 71 percent said they had not attempted to use any of their nominated betting offices since joining (p. 3). While, this is a positive finding, it should be interpreted with caution as there is no baseline data by before the introduction of MOSES which makes it difficult to assess whether these outcomes are attributable to MOSES.

Report Recommendations

3.6. The following summarises the main recommendations in the MOSES report:

- More detailed information and guidance for staff: a quick reference guide or flow chart to show the steps during and after registration.
- More information for staff about the scheme: their roles and responsibilities for certain aspects e.g. verifying ID and notifying the central team about breaches.
- More detailed information for customers about the registration call, key terms of the scheme their role and responsibility during the exclusion.
- Quicker customer registration e.g. online registration methods or greater investment in longer opening times or more staff to respond to calls.
- Operator investment in on-line ‘live systems’ to enable operators and staff to store and update exclusions and provide membership systems for customers.
- Offer of risk assessments for customers registering with MOSES to establish their level and type gambling behaviour and signpost other support as required (Chrysalis Research, 2017, p.3)

Notably, these recommendations tweak particular elements of the MOSES model but evade broader questions, particularly in relation to international research findings and the efficacy of SE, how well it works and critiques arguing against SE being promoted as a key harm prevention mechanism when it only caters to a small number of opt-in already-harmed gamblers [tertiary prevention], rather than preventing harm in the first place. **Most notably, the MOSES report incredibly narrow, functionalist and inward-looking.**

4. INTERNATIONAL EVIDENCE ON SELF-EXCLUSION AND MULTI-OPERATOR SELF-EXCLUSION

4.1. MOSES research is conducted in ignorance of key findings of international research on self-exclusion over the past two decades that enumerates it limited application and the shortcomings of photo-recognition systems outlined below. *There is not one reference listed for the report which is quite striking for an evaluation commissioned by the charity with responsibility for British gambling research under current governance arrangements.*

A number of reviews on SE have been conducted over the last decade most notably the Australian Productivity Commission (2010), Responsible Gambling Council (2008), Canadian and Australian evaluations (O’Neil et al. 2003; Williams et al. 2012). Below we enumerate some of the main findings of key research.

- An evaluation of SE in Ontario casinos (Ladouceur et al. 2000; 2007) found that 70% of self-excluders had reported gambling in casinos or other venues whilst on SE agreements and 11–55 % of gamblers broke their contract, returning an average of six times. Gamblers were critical of the lack of support and poor levels of support regarding problem gambling treatment during ban periods, and weak detection of self-excluders by venue staff, (Ladouceur et al. 2000).
- An evaluation of a trial of the Nova Scotia self-exclusion program in VLT retail sites tested venue staff detection of self-excluders under conditions where they knew the evaluation was taking place, in order to test detection and enforcement practices (Schrans et al. 2004). The scheme relied on photographs and self-excluders' information sent to all participating venues but found that identification of self-excluders by gambling venue staff was deficient, with identification rates of only one third falling to half after three months. Performance was poor with only 23 % of play visits by self-excluders being detected by staff, despite staff training and only a small number of excluded players. The report was critical of the design of a self-exclusion program relying on venue staff identification and reporting of self-excluders and was likely to be too costly, cumbersome and impractical if rolled out to a larger number of venues.
- A national evaluation of self-exclusion programs in Canadian casinos in seven provinces estimated that only between 0.6 and 7.0 % of problem gamblers signed up to self-exclude (Williams et al., 2007).
- Another national Canadian study of interviews with 300 self-excluded gamblers (Verlik 2008) found that just over half admitted to breaching their agreement frequently. Of those who breached 81 % stated that it was very easy to gain entry to excluded venues and only 48 % were recognised. Sixty-eight percent of participants thought that facial recognition technology and mandatory identification checks upon entry to venues would be more effective than photographs.
- A national non-representative study of 76 self-excluders from seven Canadian provinces reported that one third had breached their self-exclusion agreements (70% of whom were not detected) and of those who were detected, 63% reported breaching again. There was mixed support for the use of player cards or identification checks when entering venues (Responsible Gambling Council 2008).
- A US study of enrollees in the Missouri Voluntary Exclusion Program (MVEP) established in 1996, investigated the long-term effectiveness of the program in helping participants change their gambling behaviour. Under the scheme, self-excluded individuals are caught entering a casino they may be arrested and charged with trespassing (Missouri Gaming Commission 2008). Only 13 % had not gambled at all since enrolling in MVEP, 16 % of participants attempted to enter Missouri casinos an average of 4.7 times and only 50 % were caught indicating a slack policy enforcement.
- European casinos such as those in Switzerland and the Netherlands require passport or identification prior to entry. The Swiss system applies bans nationally under an independent regulator (Haefeli 2005). Visits to Holland Casino require identification and involve registration of players in a computer system that accurately detects self-excluded players across the national system (De Bruin et al. 2001). The Netherlands also appears to have relatively high self-exclusion program utilisation rates with an estimated 25,000 agreements arranged between 1990 and 2002 and where venues are more effective in detecting breaches due to the strict admission rules requiring passport or personal ID.
- The Australian Productivity Commission (2010) estimated that 10-30% of problem gamblers had current self-exclusion agreements. In some Australian States and Territories' club and hotel self-exclusion programs generally offer the option of excluding from

multiple venues whereas in South Australia and Tasmania programs that allow self-exclusion from all gaming venues state-wide (Productivity Commission, 2010, E-11).

- A New South Wales study of 135 gamblers who had self-excluded between 2003-2005 found that 79% of males and 80% of females had gambled on electronic gambling machines whilst excluded with 33-45% gambling at venues from which they had specifically excluded; many breaching agreements ten times or more (Croucher et al. 2006).

4.2. Two Australian evaluations of SE programs (The Gambling Research Panel's (O'Neil et al. 2003) evaluation of Victorian self-exclusion programs and the New South Wales Independent Pricing and Regulatory Tribunal (IPART)

- The IPART (2004) evaluation of self-exclusion programs in NSW found a number of flaws in these programs:
 - self-exclusion agreements could easily be breached
 - problem gamblers were discouraged by certain 'barriers' from self-excluding
 - some elements of self-exclusion programs were ineffective
 - information collection was poor (IPART, 2004, section 6, p. 81).

It did however also specify that "participants must be given written information about problem gambling counselling services (IPART, 2004, p. 74). The IPART (2004) evaluation points to the difficulties of programs that are based on anything short of show of ID upon entry:

...it is not possible to prevent all self-excluded patrons from returning to the casino. People who are determined to breach their orders can disguise themselves in order to try to avoid detection (IPART 2004, p. 78).

- The Victorian evaluation of self-exclusion programs was critical of the reliance on photographs [the method of excluded patrons used in the MOSES scheme] being used by venues to identify self-excluders:

The problem of identification and detection at the venue level is a significant weakness of the program and this will remain, as long as photo recognition-based identification is relied upon. (O'Neil et al. [SACES] 2003, p. viii, p. ix).

Identifying self-excluded patrons from photographic information is highly problematic from the venues' perspective and the problem of detection can only be compounded with any expansion of the program. If the police conclude it is difficult to identify someone from a photograph only, we have concerns as to whether this method is appropriate and realistic for gaming venues and their staff. Self-excluded patrons report that it is commonplace for breaches to occur and to go undetected. There are no systematic procedures in place to counter this. In a recent paper sponsored by the industry, it is reported that "monitoring and enforcing self-exclusion requirements has met with varying degrees of success. There are suggestions that venues find it difficult to enforce". There is also a conflict of interest where enforcing self-exclusion may impact directly on operator income. Clearly, discretionary systems are vulnerable to the actions of self-interested parties (O'Neil et al. [SACES] 2003, pp. vi-viii).
- New Zealand legislated for self-exclusion under the Gambling Act 2003 with registration by mail or at the gambling venue for a period of up to 2 years, with breaches constituting an offence with fines up to \$500, that constitute for gamblers and up to \$10,000 for venues

allowing an excluded person to gamble.; which have sharpened venue vigilance (Townshend 2007).

5. THEMES RELEVANT TO THE MOSES EVALUATION

Fallacious claims in the absence of engagement with international research

5.1. There is not one reference listed for the report which makes a number of claims that are clearly refuted by the international evidence:

CLAIM:

“Self-exclusion is widely accepted as an effective harm-minimisation tool for individuals who have recognised that they have a problem with their gambling and have made a commitment to deal with it.” (Chrysalis, 2017, p. 4)

CLAIM:

“It is recognised that the most effective approach to self-exclusion is by implementing multi-operator schemes whereby an individual can, through a single registration process, nominate a number of operators from which they would like to be refused service.” (Chrysalis, 2017, p. 4)

CLAIM:

“The principle of the multi-operator scheme is to offer a quick and convenient method for self-excluding from a number of venues across different operators. The multi-operator approach allows someone to nominate multiple locations and operators in a ‘one stop’ process.” (Chrysalis, 2017, p. 5) “The Responsible Gambling Trust’s report on self-exclusion highlighted that a single operator approach is significantly flawed because of the ease with which consumers can continue to gamble at other venues, locations or sites where they haven’t self-excluded.” (Chrysalis, 2017, p. 4)

These claims illustrate **the fallacy of “bounded” evaluations** i.e. evaluations that ask limited questions that preclude broader assessment of the efficacy of program design (which is capable of being rationalised by the Senet group requesting “a brief, independent evaluation”). **The evaluation was framed *only* to inform improvements to the scheme – not to question its overall efficacy or evaluate MOSES against findings of international research on best practice.**

Low uptake of SE by gamblers

5.2. There is some evidence to suggest some gamblers may use SE to prevent the development of problems. SE programmes have found low uptake among gamblers and in particular, problem gamblers. Australia’s Productivity Commission (2010) calculated that the take up rate for SE amongst problem gamblers was around 9–17 percent. However, Williams et al. (2012) report use of between 0.6–7 percent of problem gamblers in Canadian provinces in 2005, and a study from the Australian states of Victoria and South Australia reports use of 2.5–3.5 percent of problem gamblers (O’Neil et al. 2003). In a 2012 article, Livingstone et al. concluded that there is modest evidence that SE programs are an effective intervention for changing individual (rather than population-wide) gambler behaviour and reducing gambling related harm (Ariyabuddhiphongs 2013; Gainsbury 2010, 2014; Williams et al. 2007; Williams et al. 2012). Given these findings it may be reasonable to ask why the Gambling Commission, (charged with responsibility for population level protection measures aimed at

children and vulnerable adults), Responsible Gambling Strategy Board (RGSB) and GambleAware have invested significant time and resourcing into a policy intervention targeted at a relatively small number of gamblers.

Main criticism of current SE arrangements not supported by local evidence

5.3. In comparison to the evidence presented above, a 2014 RGT review into operator-based harm initiatives by Reno Model proponent and Advisor to the RGT, Alex Blaszczyński, and co-authored by Jonathan Parke (then RGT Director of Commissioning) and Jane Rigbye (then RGT Assistant Director of Commissioning and wife of Jonathan Parke) and Adrian Parke (University of Lincoln and brother of Jonathan Parke), concluded that the “existing literature offers limited new insight into challenges related to self-exclusion in Great Britain. Most studies are outdated, specific to a particular product or jurisdiction, rely on weak research designs, and draw from self-selected samples” (Blaszczyński et al., 2014, p. 10). In the same report the authors assert the following:

A fundamental criticism of existing self-exclusion arrangements, in relation to both land-based and remote gambling, is the relative ease with which most consumers can continue to gamble at other venues, sites, operators, sectors or jurisdictions. This situation not only undermines the potential impact of self-exclusion to problem gamblers but penalises more responsible operators. Consequently, there exists an imperative to explore and develop a ‘Multi-Operator Self-Exclusion Schemes’ (MOSES) where data and resources can be shared so that gamblers can have the choice of a more comprehensive reach when they take the decision to self-exclude. (Blaszczyński et al., 2014, p. 60).

This assertion appears word-for-word, without any supporting references or evidence in a 2014, Journal of Gambling Business and Economics article with Jonathan Parke as lead author (see Parke et al., 2014, p. 75). This statement finds its way into the RGSB (2014) following advice to the Gambling Commission.

The Trust’s review described the ‘relative ease with which most [self-excluded] consumers can continue to gamble at other venues, sites, operators, sectors or jurisdictions’ as being a fundamental criticism of existing self-exclusion arrangements, and one which undermines the potential impact of self-exclusion (RGSB, 2014, p. 9).

And finally, the original statement is upgraded to a “significant criticism” and becomes the main rationale for the Gambling Commission “strengthening self-exclusion and harm minimisation more generally”.

A significant criticism highlighted in the Responsible Gambling Trust’s (the Trust) report on self-exclusion in relation to both land-based and online gambling is the ease with which consumers can continue to gamble at other venues, sites, operators, sectors or jurisdictions, thereby undermining its effectiveness as a tool. The Responsible Gambling Strategy Board in its advice to the Commission about self-exclusion included the view ‘that a collective approach to self-exclusion (i.e. multi-operator self-exclusion schemes) is both realistic and potentially advantageous. Such an approach would go some way to remedying a fundamental limitation of current self-exclusion agreements – that they are easily circumvented by visiting another venue/operator. The Responsible Gambling Trust’s Operator-based harm minimisation review (‘The Trust’s review’) also stated that ‘we find compelling justification for continuing to explore the opportunities for connecting self-exclusion across venues and operators. This in our view represents a key priority for strengthening self-exclusion and harm minimisation more generally

(Gambling Commission, 2015, p. 3).

Emphasising gamblers responsibility to self-exclude overlooks their vulnerability - Relying on gamblers “personal responsibility” to agree not to enter gambling premises maintains an inherent ambiguity that leads to breaches.

5.4. Problem gamblers frequently gamble to excess when they lose control. This relates not to individual culpability and weakness but to a complex of factors involving individuals’ reactions to gambling products designed to get players to play longer and to bet more heavily, licensed gambling environments that do not restrict time on machines or gambling session duration [e.g. internet], and where there is no onus on operators to intervene for example, when players gamble for long periods of time (O’Connor and Dickerson, 2003; Smith and Rubenstein 2009). Thus, when people chose to exclude, they have crossed an important threshold of realising they have a problem and wishing to be helped to cease what has become a habitual form of behaviour and where urges to gamble may be triggered by advertising or by passing by a high street gambling venue.

Broader UK Gambling Regulatory Governance issues - Confusion around the Gambling Commission’s role

5.5. In assessing the results of this evaluation, we draw attention to the broader stakeholder environment (Gambling Commission, Responsible Gambling Strategy Board, GambleAware, Senet Group etc.) which appear to lack a sense of clarity and purpose around their roles and responsibilities. With significant time and resourcing from a number organisations having gone in to development of MOSES, it is time to allow non-remote gambling operators to take full responsibility for, and ownership of MOSES - a legal and regulatory obligation under the Licensing Conditions and Codes of Practice. (LCCPs)

For example, as the regulator, the Gambling Commission is responsible for the development and enforcement of the LCCPs. Given that SE features within the LCCP, surely it must be the job of a responsible regulator to assess the impact of its regulations to ensure these regulations are fit-for-purpose and having the intended effect, or acting to offset any unintended consequences.

In the case of MOSES, the Gambling Commissions seeks the advice of the RGSB asking it to provide a response, in one instance, on what relatively minor changes can be undertaken in the short term to improve SE. Neglecting the data that the Gambling Commission holds on self-exclusion via the regulatory returns, the RGSB then draws heavily on the findings and conclusions of the report *Operator-Based Approaches to Harm Minimisation: Summary, Review and Future Directions* commissioned by the Responsible Gambling Trust³. After 18 months of meetings and discussions, the RGSB (an internal advisory panel of the Gambling Commission) then provides its formal written advice back to the Gambling Commission devoid of any reference to the SE data held by the Gambling Commission. While not making it into the final written advice to the Gambling Commission, Blaszczyński et al. (2014) maintain:

A fundamental area for improvement concerns the codes of practices covering gambling harm minimisation. Whether guidelines are voluntary, mandatory for trade body membership or a regulatory requirement, more specificity is required. However, in reality this is difficult as a result of the absence of evidence regarding what works best. Such prescription is important regarding the identification of triggers for operator-based action and specifying

³ At the time of publication, report co-authors Jonathan Parkes (Director of Commissioning) and his wife Jane Rigby (Assistant Director of Commissioning) were in the employment of the Responsible Gambling Trust (RGT).

details of the action that should be undertaken. Currently there is too much room for interpretation. Evaluating and documenting harm minimisation efforts (as detailed above) is critical to the long-term development of effective and fair codes of practice (Blaszczynski et al. 2014, p. 12).

Self-Exclusion is not Prevention

5.6. There appears to be some confusion as to the purpose of MOSES – whether it is to prevent harm or is intended as a tool to help those customers already experiencing harm. The background section of the Independent Evaluation of the of the Multi-Operator Self-Exclusion Scheme for LBOs Invitation to Tender (ITT) issued by GambleAware stated:

The gambling industry is undertaking a number of initiatives to prevent gambling related harm. Both the RGSB and the Gambling Commission have emphasised the importance of rigorous and independent evaluation of the effectiveness of these initiatives.

And

RGT has agreed to facilitate the evaluation of industry harm prevention initiatives, using the independent procurement, supervision and quality assurance structures it has in place under the governance of its independent Research Committee (Responsible Gambling Trust, 2016, p.2)

How MOSES works:

individuals who wish to self-exclude can nominate all Licensed Betting Offices (LBOs) that they use or are likely to use (but cannot request a blanket exclusion)

The self-exclusion lasts for one year

The customer makes a phone call to a trained advisor to create a personal self-exclusion based on their usual gambling activity (in LBOs)

Nominated LBOs are informed that the user wishes to self-exclude, giving them *the ability* to deny the individual the opportunity to gamble and take necessary steps to remove them from the venue if required.

Used by approximately 3,500 customers since November 2015 who on average exclude from 22 shops each (from Chrysalis Research, 2017, p.4-5)

The design of MOSES invites failure as a harm prevention tool.

5.7. It has been established in much of the international literature that self-exclusion programmes are overwhelmingly used by those with established gambling problems. Williams et al. (2012) for example, concluded that SE programmes work more as a tertiary prevention intervention, to prevent further harm for those individuals already experiencing problems. However, it is quite a misrepresentation of ‘population health’ terminology to categorise SE as a prevention measure.

As found in other jurisdictions, SE programmes are not population-wide preventive measures, are overwhelmingly used by those with established gambling problems and, with some exceptions, are generally implemented upon the request of those experiencing the gambling problems; and at a stage when harm is extremely distressing for the gambler. In assessing the evidence to date, Livingstone, Rintoul & Francis (2014, p. 6), concluded that after operating in some jurisdictions for more than 25 years, there is only modest evidence that SE programs can reduce gambling-related harm (Ariyabuddhiphongs 2013; Gainsbury 2010, 2014; Williams et al. 2007; Williams et al. 2012).

Confusingly, the Gambling Commission, RGSB and the GambleAware locate SE under the heading of ‘prevention’; presumably because effective SE has potential to prevent further harm to those who are already harmed. However, in jurisdictions like New Zealand, the limitations of a multi-venue self-exclusion programme were recognised upfront. Around the time the programme was being rolled out, further population-level protections were introduced in legislation granting the Minister of Internal Affairs discretionary powers to institute at his/her discretion “the use of pre-commitment, player tracking, or other harm-minimisation devices, technology, or systems in or associated with gaming machines (The Gambling (Gambling Harm Reduction) Amendment Act 2013, s.314 (1)). Since 2007, the Gambling Commission has required New Zealand casinos to have voluntary pre-commitment and player tracking requirements as part of the casino Host Responsibility Programmes⁴. To date, the New Zealand Minister of Internal Affairs has not required gambling operators in pubs and clubs to offer pre-commitment or player tracking on electronic gambling machines despite the requirement and practice already occurring in New Zealand casinos for around a decade.

6. CONCLUSION

The literature identifies as frequent limitations of schemes world-wide: low usage rates for SE programs and outcomes in terms of cessation of problematic gambling and breakdown at points of detection (breaches are widespread and frequent) and enforcement of SE (Croucher and Croucher 2006) and thus doubts about the ultimate success of exclusion.

Photographic identification of self-excluders is problematic and difficult for staff in programs involving large numbers of people. MOSES is called “multi-venue exclusion” but it does not give provision for a blanket exclusion from all venues or all LBOs for example, and requires gamblers to specify venues or a location for self-exclusion. Venue-specific exclusion programs are problematic in terms of preventing harm to problem gamblers who are allowed to gamble at venues not covered by the agreement. (International research shows gambling at venues not covered in the agreements is a common occurrence.) It also finds that self-excluders should be offered a range of options for self-banning from short term to life and that processes for lifting the ban should be straight-forward but not too easy.

International research finds that despite industry promotion of SE, current programs are deficient in terms of industry support (e.g. staff training); lack of reach and effectiveness (O’Neil et al. 2003; Nowatzki and Williams 2002); lack of joined-up access to counselling and other complementary services and lack of industry or regulator attention to the effectiveness of mandated proof of identification prior to admittance to gambling venues (e.g. Holland Casinos, Singapore casinos) as a more reliable means of ensuring self-excluders are not admitted to gambling venues.

The disregard of finding over a decade ago of the lack of reliability of photo identification of self-excluders identified by the SACES review is inexcusable and a design fault of the scheme (O’Neil et al. [SACES] 2003, p. viii, p. ix). It also disregards considerable policy discussion in Australia on electronic smart card self-exclusion which would be more reliable.

⁴ New Zealand casino Host Responsibility Programmes are subject to regulatory approval by the Gambling Commission.

On this last point, a gambler's access ID swipe card across all forms of terrestrial gambling (and other proof of ID for internet gambling) would facilitate a range of player protection mechanisms and render self-exclusion far more effective.

The future success of initiatives such as MOSES relies on a departure from individual-based approaches (reflected in models such as the Reno Model [see Hancock and Smith, 2017], with an emphasis on the provision of information and individual's making an informed choice to gamble). This is in stark contrast to a public health approach which starts from the premise that gambling is a harmful consumption where protections are required to promote health and prevent and minimise harm from occurring to population(s). In the absence of evidence, the health of population(s) are better protected with the application of the precautionary principle to assessing proposed policies in relation to harmful products like gambling. Manufacturers and operators of harmful products have a conflict of interest, and are likely to seek to prevent, delay or obstruct the introduction of public health policy and regulatory initiatives that pose a threat to their financial interests.

Finally, the fact that internationally SE programs have become the predominant harm-reduction strategy used by the gaming industry (Nower and Blaszczyński 2008) should lead to questioning why the industry are so supportive of SE programs. SE is identified as a key harm minimization measure promoted by the Reno Model to limit access to gambling opportunities and provide problem gamblers with an avenue to cease or limit their gambling behaviour (Blaszczyński et al. 2007). SE has been not just supported by but also driven by the gambling industry and thereby taken up as an easy option by governments and regulators, often as a way of seeking to show they are addressing community concerns about gambling.

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APPENDIX A: Responsible Gambling Trust. Independent Evaluation of the of the Multi-Operator Self-Exclusion Scheme for licensed betting offices (LBOs) Invitation to Tender. September 2016. Excerpts – background, about MOSES, purpose and scope of the ITT and work requirements.

4. Background

4.1. The gambling industry is undertaking a number of initiatives to prevent gambling related harm. Both the RGSB and the Gambling Commission have emphasised the importance of rigorous and independent evaluation of the effectiveness of these initiatives.

4.2. RGT has agreed to facilitate the evaluation of industry harm prevention initiatives, using the independent procurement, supervision and quality assurance structures it has in place under the governance of its independent Research Committee (<http://www.responsiblegamblingtrust.org.uk/Research-committee>).

4.3. The Senet Group has asked RGT to commission a brief, independent evaluation of the Multi-Operator Self-Exclusion Scheme (MOSES) for licensed betting offices (LBOs).

4.4. The Senet Group will be making a restricted donation to RGT to fund this work, but otherwise will not be directly involved in the commissioning, management, quality assurance or publication of the report, which will all be directed by RGT's independent Research Committee.

5. About MOSES

5.1. The MOSES scheme began in July 2015 as a pilot in Glasgow, arranged by the Association of British Bookmakers (see Appendices E and F).

5.2. In March 2016, it was rolled out nationally, and is now operated by The Senet Group.

5.3. It is accessed online <http://self-exclusion.co.uk/> and by phone 0800 294 2060

5.4. The scheme allows its users to nominate specific LBOs which will be informed that the user wishes to self-exclude and will deny them the opportunity to gamble.

5.5. This is currently achieved by providing photographs to the nominated shops where staff regularly familiarise themselves with self-excluded customers

5.6. Customers may nominate all the LBOs in a particular vicinity, or if they have reason to be concerned they will go to other LBOs, for example, as a result of regular work travel, they can nominate other outlets as well.

5.7. On average, customers exclude from 22 shops each.

6. Purpose and Scope of the 'Invitation to Tender' (ITT)

6.1. The purpose and scope of this document is to:

- Outline the tendering process and timetable
- Provide researchers with sufficient information to enable them to consider the appropriateness of this invitation and to respond
- Outline the information required in the tender responses
- Set out the administrative arrangements for the receipt of proposals.

6.2. The evaluation of bids in response to invitations to tender for RGT research, including this evaluation project, will be overseen by RGT's Independent Research Oversight Panel. This Panel advises the Research Committee, which then takes the final decision.

7. Work requirements

7.1. This tendering exercise relates primarily to the appointment by RGT of an independent evaluator to review the effectiveness of the early implementation of the MOSES system and make recommendations for its improvement.

7.2. In particular, the project should address:

7.2.1. How users found the process?

7.2.2. How the process could be made better for users?

7.2.3. Whether users also self-excluded from anywhere else e.g. casinos, adult gaming centres?

7.2.4. How the MOSES process compares to other self-exclusion schemes from the users' perspective?

7.2.5. How MOSES central staff found the process?

7.2.6. How the process could be made better for MOSES central staff?

7.2.7. The coverage and effectiveness of MIS reporting systems for managers and the MOSES board (reporting of registrations and notifications but also breaches)

7.2.8. Whether current approaches are scalable and ways in which this scalability could be improved, if necessary

7.2.9. How self-exclusion contact points at Operators and LBO staff found the process?

7.2.10. How the process could be made better for LBO staff?