

Presentation to the Law Amendments Committee by Jon Kelly, Ph.D.

I appreciate the opportunity to speak to the Law Amendments Committee as it considers changes to the way Nova Scotia structures and manages its Voluntary Self-exclusion program.

If I may introduce myself, my name is Jon Kelly. In 2017 I retired from my position as C.E.O. of the Responsible Gambling Council after over 19 years in that role. The RGC is a research and prevention organization which over many years has examined many policies and practices related to the management of gambling and the prevention of problem gambling. Prior to joining the Responsible Gambling Council I was for almost two decades policy advisor and Policy Director with the government of Ontario. So I come to the subject of self-exclusion both from the perspective of good public policy and an analyst and creator of responsible gambling programs.

Self-exclusion is one of the most important tools in the prevention and reduction of problem gambling. Over many years at the Responsible Gambling Council we examined self-exclusion from a variety of perspectives. We conducted research and literature reviews. We consulted gaming providers, people who gamble, people who had experienced gambling problems, policy makers and others in our pursuit of understanding best practices for this program. We conducted focus groups with people who had had first-hand experience of gambling problems and expert forums on the subject. In 2008 we released a comprehensive review of best practices in self-exclusion followed by a more in-depth look at the reinstatement process and, more recently, the use of policies related to the forfeiture of winnings. Of all preventative measures I would suggest that self-exclusion is the program that has had the most study and operating experience.

Self-exclusion has evolved considerably in the last two decades. Notably, the program rationale has shifted from the earlier enforcement orientation, i.e. catch self-excluder and eject them, to a more support oriented program. Experience and research in the past two decades has led to several improvements. These included clear processes for

player choice in setting the length of the self-exclusion period, disentanglement of winnings while excluded and a defined reinstatement process.

Player choice in setting ban lengths has many advantages over 'the once and for all' approach to self-exclusion. It recognizes that people choose to ban themselves for many reasons and allows individuals to choose bans that match their needs. Flexible bans also promote active engagement by the individual in making their own choices and actively deciding what is best for them. They allow players who wish to quit to make a commitment which is more time limited than a lifetime commitment. They can take smaller steps which are less intimidating than permanent and irrevocable commitments. For those who wish to quit for good, the opportunity for longer term bans is always available.

Disentanglement of winnings or withholding winning from self-excluded players has proven to be an effective tool in reducing breaches and is strongly supported by casino operators, problem gambling counsellors and staff who work in on-site centres in venues.

Many self-excluded gamblers opt to return after their bans are finished. In some jurisdictions their names are simply removed from the list of banned individuals and they are able to return to gambling immediately. But, people who self-exclude, especially those who breach their agreements, are potentially at greater risk of future gambling problems. For this reason many jurisdictions have developed formal reinstatement processes. In these jurisdictions individuals are required to contact the gaming operator and indicate their plan to return to gambling. The operator meets with the individual and may require some form of re-entry educational program, e.g. a one hour online course. There is usually a cooling off period to provide an opportunity for the player to make a well-considered decision.

In Ontario, the reinstatement program is linked to the ban length in that all bans are considered to stay in place until the individual applies for reinstatement and completes the reinstatement requirements.

Reinstatement processes offer both the individual and the operator the opportunity to review the player's experience during self-exclusion, to provide information about play safety and to encourage the player to consider carefully their decision to return.

These three provisions, ban length choices, disentitlement of winnings and a formal reinstatement process are valuable tools to help make the VSE program stronger and more successful for the player.

I encourage the committee and the government of Nova Scotia to adopt these provisions and I am certain you will have a better VSE program because of that decision.