

Withholding Winnings from Self-excluders: Assessing the Impact

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Putting responsibility on the table.
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VSE programs well established and viewed as positive

Generally, VSE programs are seen as a significant, positive step to assist problem gamblers*

- 78.4% reported VSE played an important role in their decision to stop gambling
- 23.9% of VSE participants accessed counselling
- Of these,
 - 33.3% agreed VSE played direct role in decision to access counselling
 - 58.8% agreed VSE played indirect role
- 89.4% were very or somewhat satisfied with the VSE program

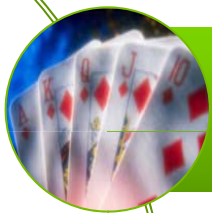
* Data from "Time Out: A progress report on the evaluation of BCLC's Voluntary Self-Exclusion Program", Oct. 2009

- 92.6% of study participants would recommend the VSE program to others

However

Most feel overall effectiveness of VSE programs could be increased if higher levels of success in stopping breaches were achieved.

BCLC Scope of Gaming Facilities



Casinos: 17



Community Gaming Centres: 17



Commercial Bingo Halls: 12

BCLC VSE data

Number of VSE participants (April 1, 2011)	6166
Number of VSE interceptions (April 1, 2010 – March 31, 2011)	8007

Gambling participation after VSE enrolment

Report gambling after enrolling in VSE*	54.3%
in a casino	71.1%
Casino visitors who entered BC casino	54.5%
Casino visitors who entered US casino	34.8%
VSE participants gambling:	
at a horse track	7.1%
at a bingo hall	13.3%
online	20.7%
at a house game	28.6%
Other (Keno, lottery, scratch tickets)	80.0%

* n = 51

Common detection tools

	Pros	Cons
Visual identification by security/other staff	Can be very effective in small venues or small communities.	Relies on fallible human memory. Ineffective at detecting VSEs who enroll at other facilities.
Facial recognition	Eliminates reliance on fallible memory. More “eyes” on the scene. Reduces anonymity available in large facilities. Allows potential for enforcing province-wide programs.	Early technology not up to television/movie standards ... too many false positives. Expensive. Heavily dependent on quality of data inputs, especially photos. Recent improvements developed by OLG show promise.
License plate recognition	Highly effective when excluded patron uses own vehicle	Limited to facilities with controlled/limited access parking Does not identify patrons who park off site or take alternative forms of transportation

Masters of disguise ...



Withholding Winnings

- ⦿ Several US jurisdictions withhold winning:
 - Illinois
 - Pennsylvania
 - Michigan
 - New Jersey
- ⦿ No Canadian jurisdictions had moved in this direction

Why not make a policy?

- ⦿ A gambling transaction is a contract
- ⦿ Consideration is exchanged – a bet for a chance to win a prize
- ⦿ Contract law applies to this transaction
- ⦿ A policy cannot supersede contract law principles
- ⦿ A regulation can
- ⦿ Comprehensive legal risk analysis confirmed that policy is not sufficient

Rule = Regulation = Law

Gaming Control Act (BC)

Rules of the lottery corporation

8 (1) The lottery corporation may make rules for the purposes of this Part, including but not limited to rules

...

(d) imposing conditions and establishing qualifications for entitlement to prizes in a lottery scheme or any class of lottery schemes conducted and managed by the lottery corporation,

Interpretation Act (BC)

Definitions

1 In this Act, or in an enactment:

...

"regulation" means a regulation, order, rule, form, tariff of costs or fees, proclamation, letters patent, commission, warrant, bylaw or other instrument enacted

Rule and Regulation

British Columbia Lottery Corporation (“**BCLC**”) is authorized by and as agent for the Government of British Columbia to conduct, manage and operate lottery schemes pursuant to the *Gaming Control Act* of the Province of British Columbia (the “**Act**”).

INTERPRETATION

1. In these Rules and Regulations:
 - a. “VSE Individual” means a participant in BCLC’s Voluntary Self-Exclusion program which enables individuals to voluntarily self-exclude from BC gaming facilities for a set period of time;
 - b. “Prohibited Individual” means a person whom BCLC has prohibited from entering a BC gaming facility in accordance with the Act;
 - c. “Jackpot Prize” means any gaming facility prize for which identification is requested in order to claim the prize.
 - d. “Gaming Facility” has the same meaning as it has in s.1 of the Act.

ENTITLEMENT

1. No VSE Individual shall be eligible to receive a Jackpot Prize.
2. No Prohibited Individual shall be eligible to receive a Jackpot Prize.
3. BCLC shall not pay or deliver any Jackpot Prize to a VSE Individual, even if a VSE individual would otherwise qualify as a winner of a Jackpot Prize.
4. BCLC shall not pay or deliver any Jackpot Prize to a Prohibited Individual, even if a Prohibited Individual would otherwise qualify as a winner of a Jackpot Prize.
5. BCLC incurs no liability to the extent that it pays or delivers a prize, including a Jackpot Prize, to a VSE Individual or a Prohibited Individual in error.



Effective April 1, 2009

- ⦿ BCLC's Board passed a resolution exercising our rule-making authority
- ⦿ Rule and Regulation posted to bclc.com
- ⦿ Signs at entrances and other areas during the month prior to coming into effect
- ⦿ Signage in place until March 31, 2012
- ⦿ No direct contact with VSE participants

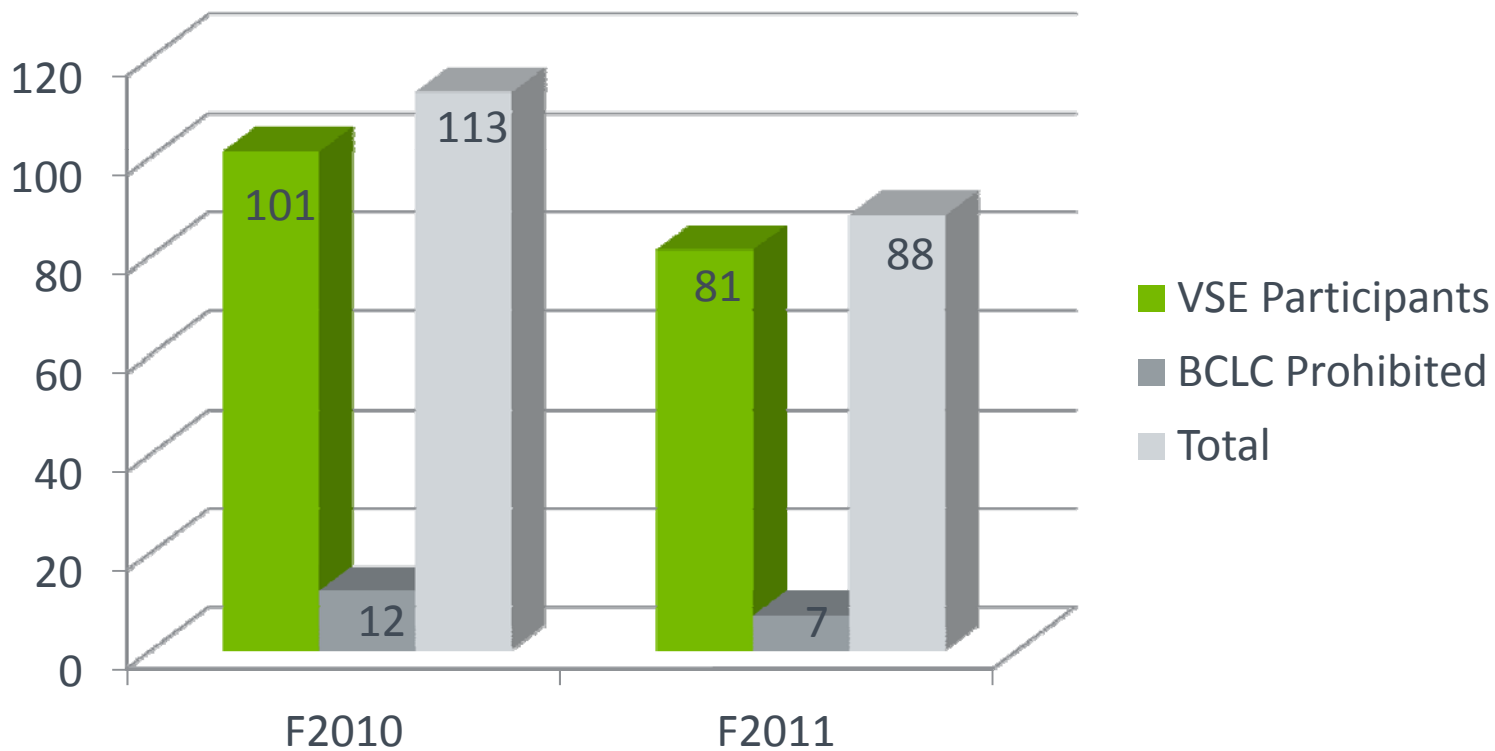
Gaming Control Act amended July 2010 to coincide with the Rule

92 If the lottery corporation or a person acting on its behalf has reason to believe that the presence of a person on the premises of a gaming facility is undesirable or that the person on the premises is a participant in a voluntary self-exclusion program, the lottery corporation or person acting on its behalf may ...

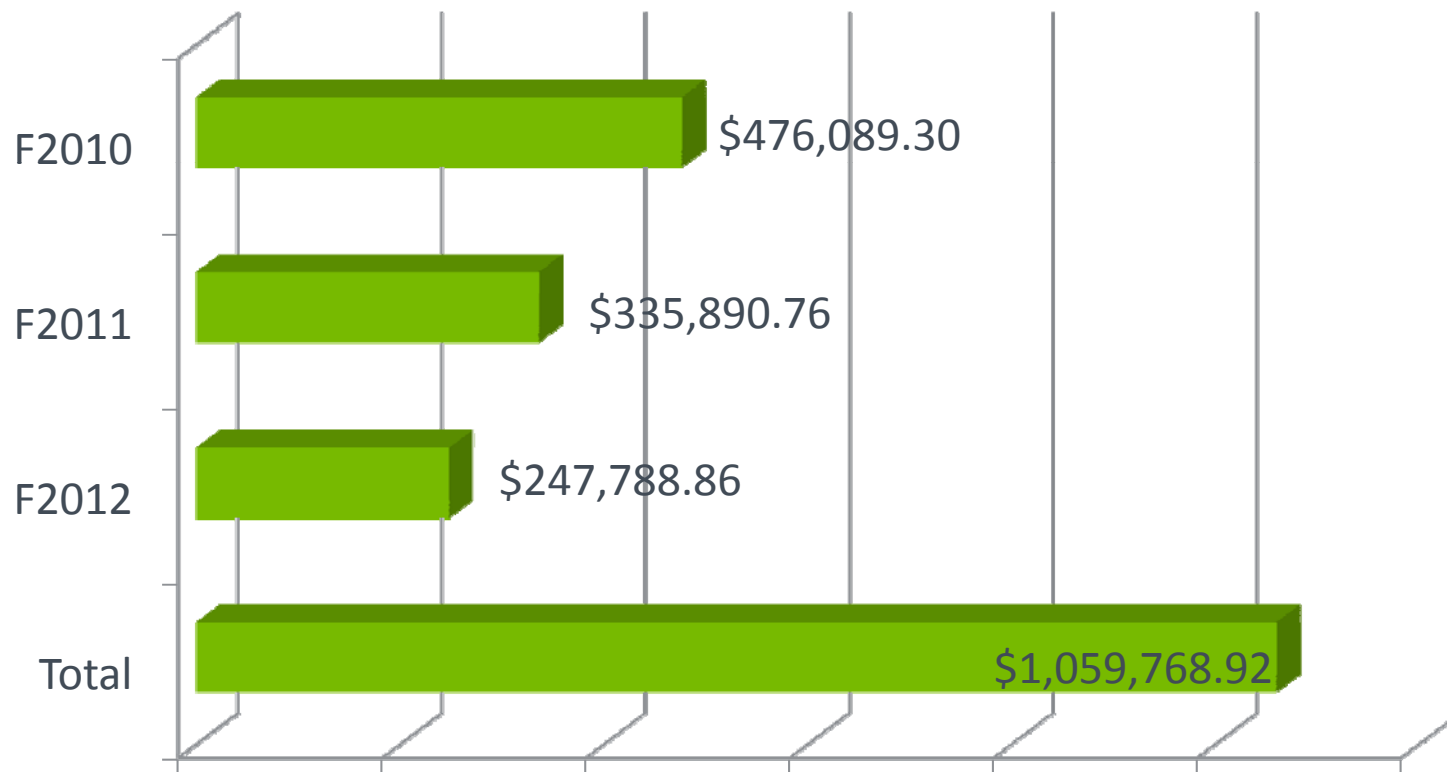
(b) by written notice delivered to the person, forbid him or her to enter the premises of the gaming facility at any time during a period specified in the notice.

93 (3) A person is not entitled to any prize or winnings as a result of the person's participation in gaming at a gaming facility if written notice referred to in section 92 (b) has been delivered to the person in accordance with section 92 (b).

Number of persons disentitled to winnings



Total amount of disentitled winnings



Post-Implementation

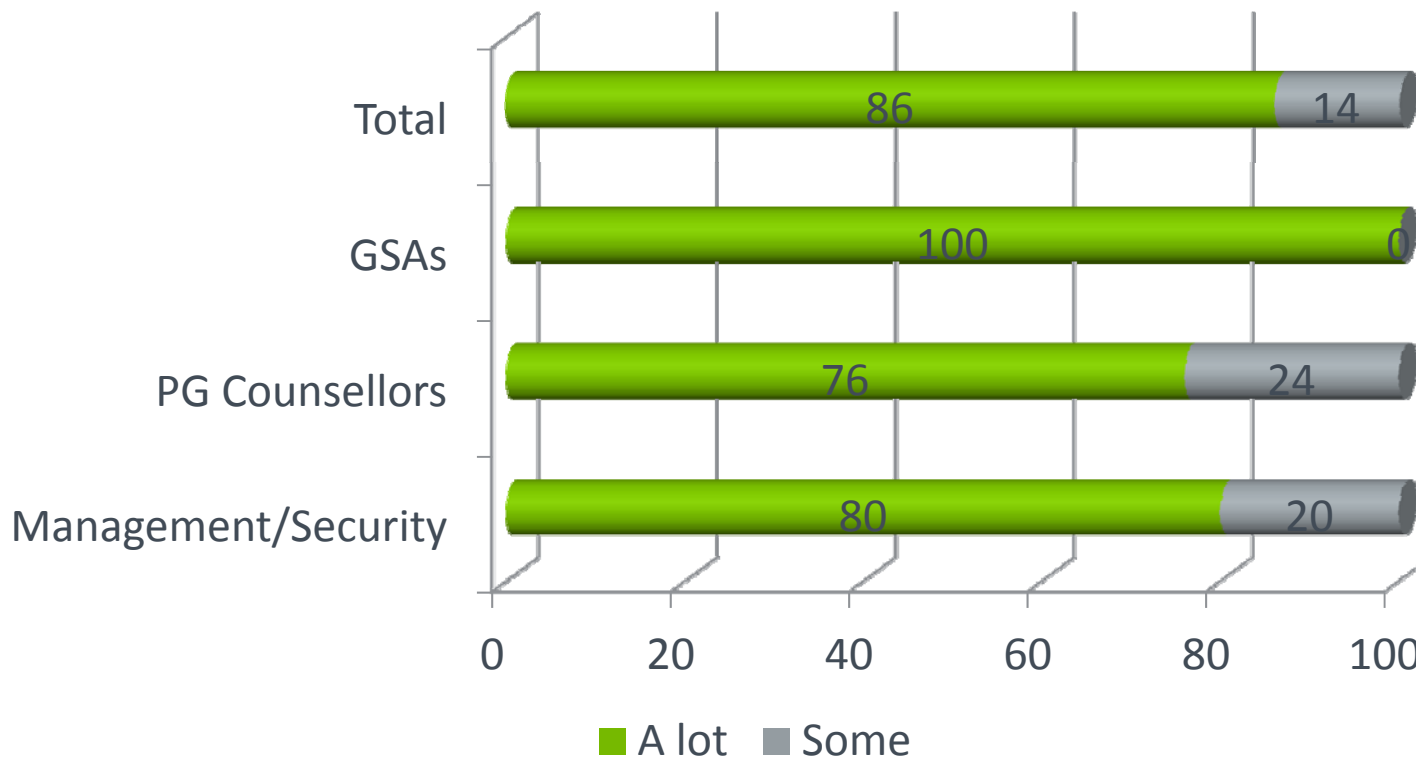
- ⦿ Complaint to Ombudsman
 - Investigation and positive outcome
- ⦿ Complaints to elected officials
- ⦿ Class Action
 - Class is comprised of disentitled individuals

Perspectives from the front lines

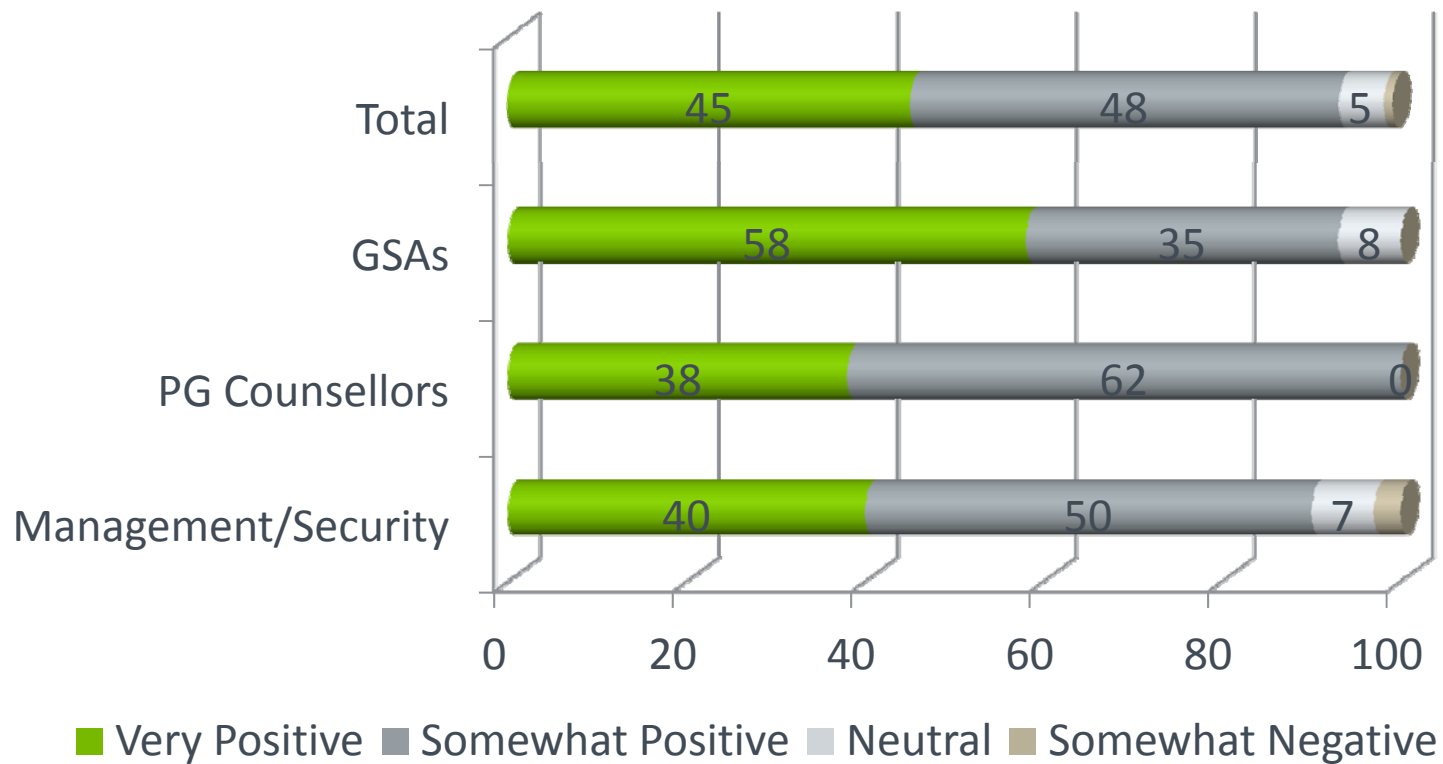
Perspectives on VSE

	Invited	Completed	Completion Rate
Problem Gambling Counsellors (PGCs)	41	21	51%
Casino security / management (CSMs)	52	30	58%
GameSense Advisors (GSAs)	31	26	84%

Knowledge about VSE Program



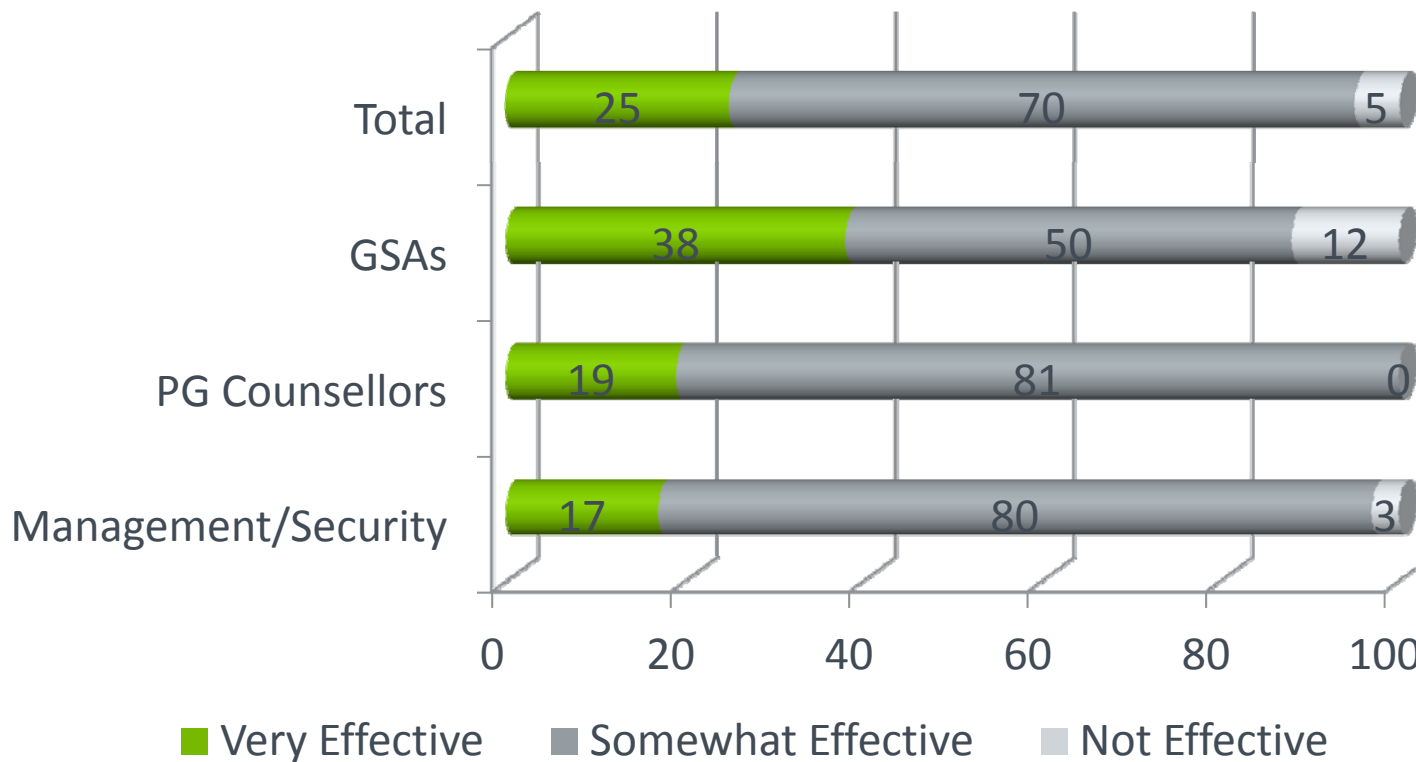
Perception of VSE Program



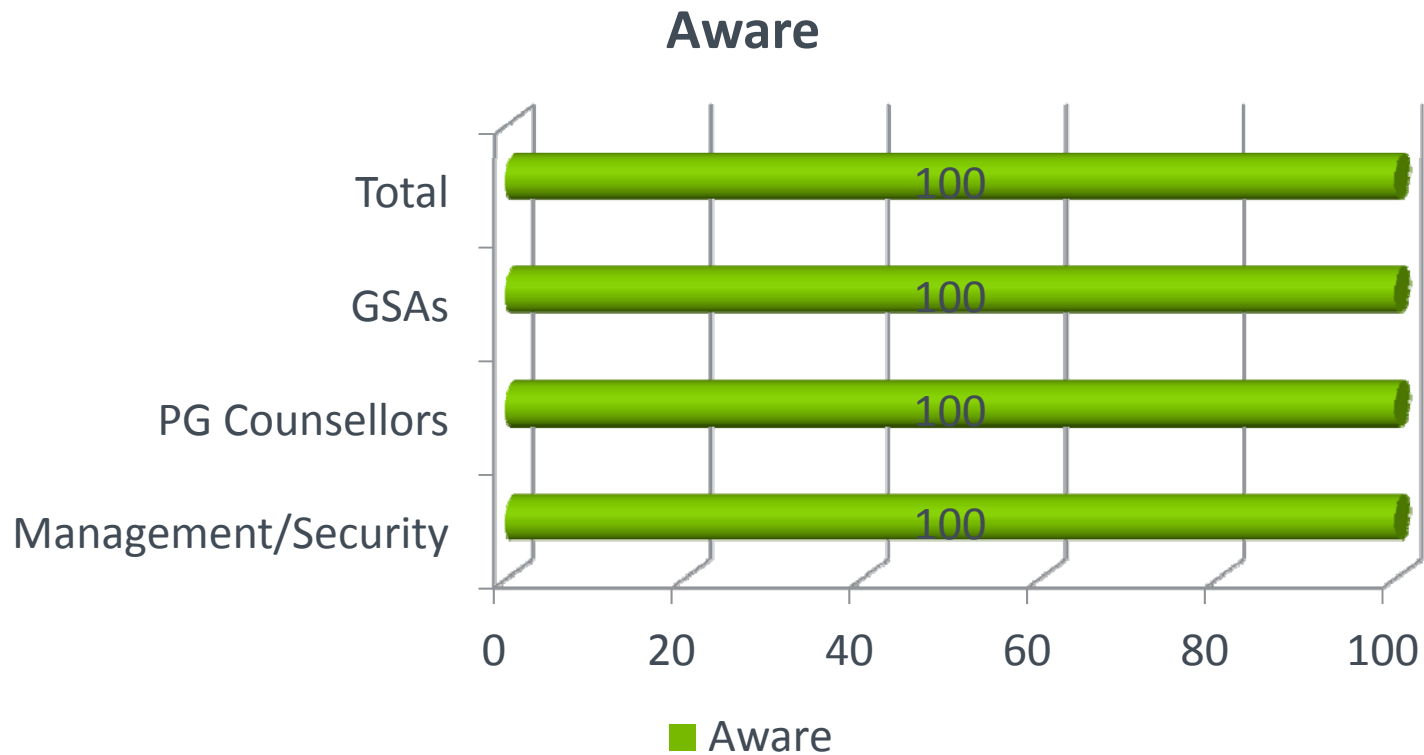
Reasons seen as positive

GSA's	PG Counsellors	Casino Security/Mgmt
I see and hear the good it does for people who are problem gamblers.	It is one more tool for our clients to use in their recovery	Easy access to Problem Gambling Counsellors.
It is a positive step to use as a tool/incentive to empower customers who need a break and hopefully use counselling as an added resource	Gamblers generally report a positive experience when they do self-exclude.	I enrolled patrons and re-enrolled patrons to VSE program and quite frankly, mostly the remarks I got were all positive.
I have seen the VSE program grow from a bunch of poor quality B&W photocopies stuffed in a binder to what it is today. Although there is always room for improvement, it's moved light years from where it was.	I believe the VSE program is extremely effective as evidenced by testimonials by countless clients whom I have served over the years. The VSE program is a valuable tool to those who wish to self-regulate their behavior.	As a service provider we should offer everything we can for those who require help with gambling. This is a strong tool and shows that the care of our customers comes before revenue. BCLC and the service providers do not want gambling to negatively impact anyone.

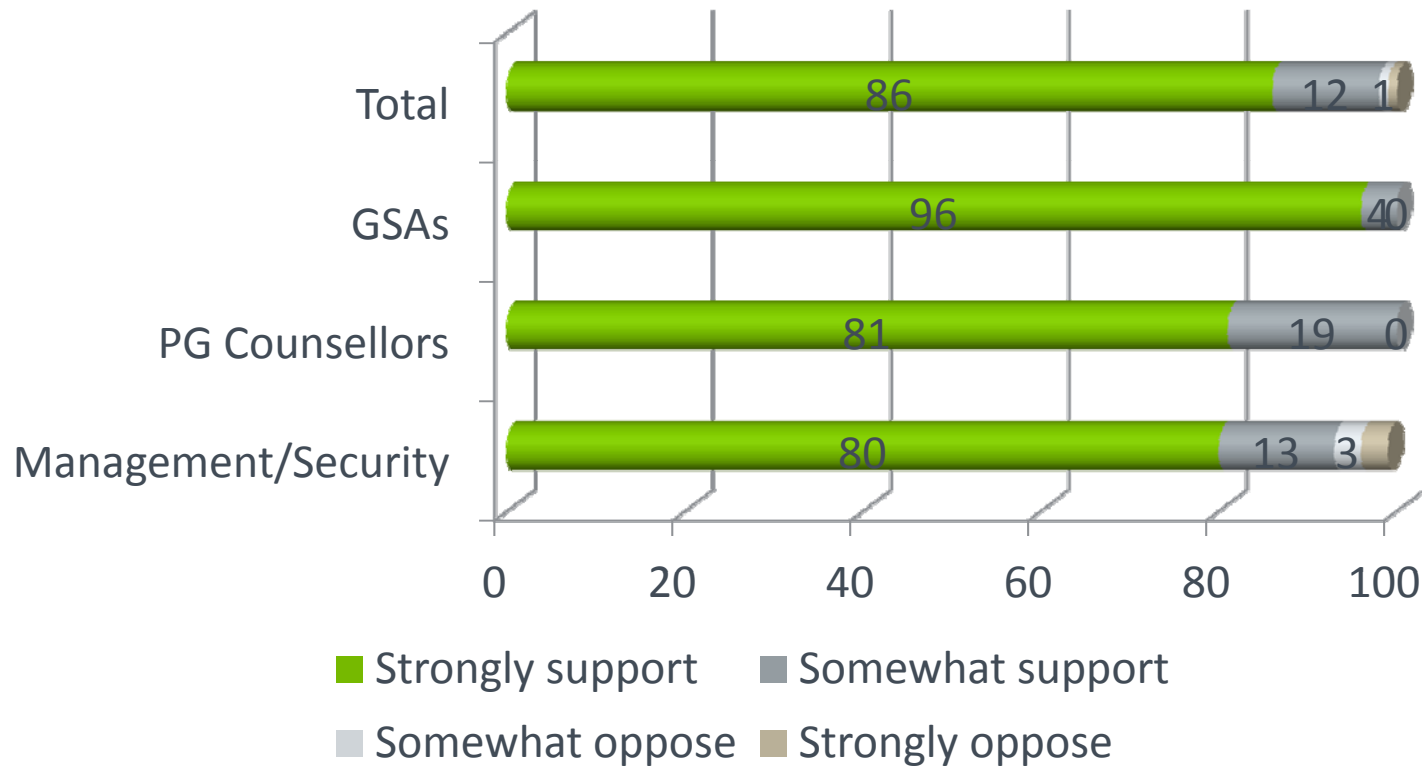
Effectiveness of VSE program in deterring participants from entering the casino



Aware of policy to withhold winnings from self-excluded or banned players



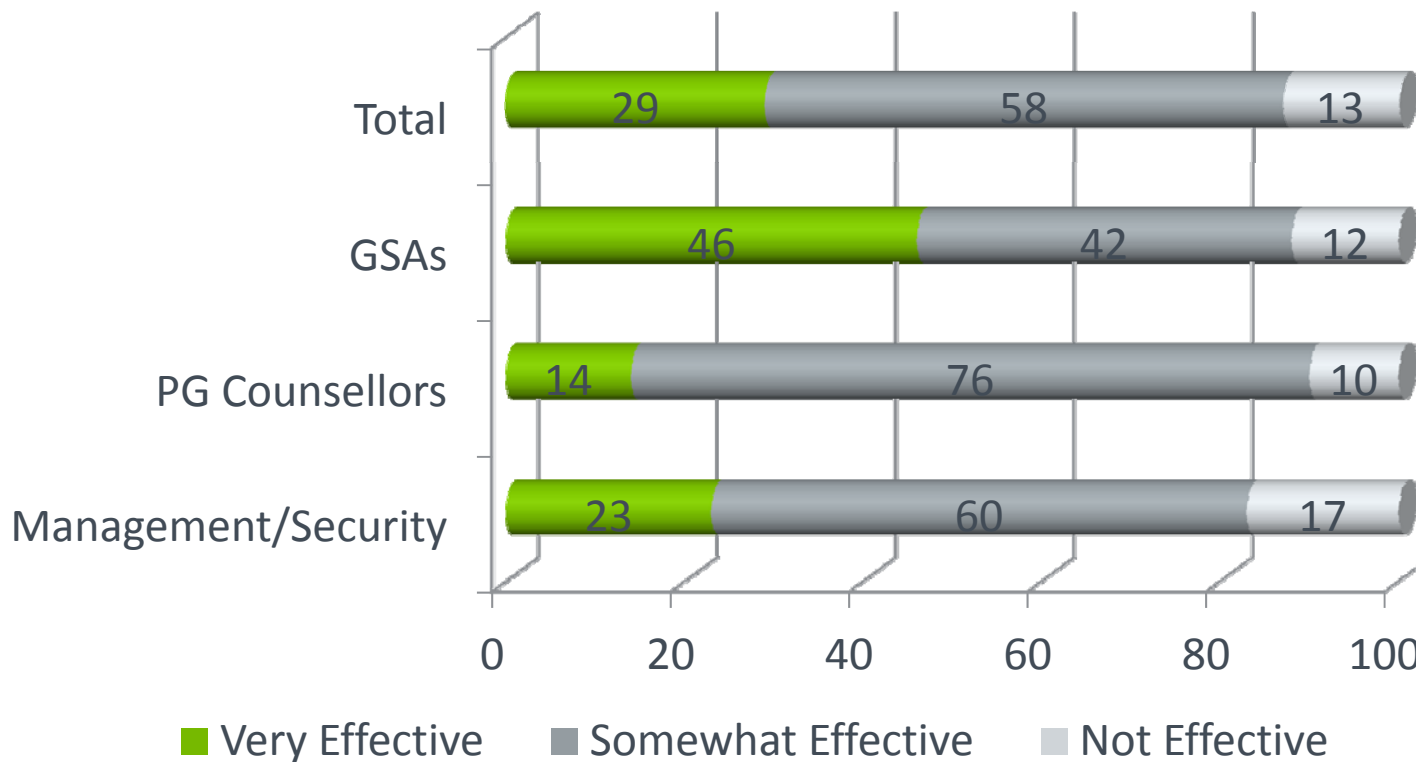
Support or oppose the policy



Reasons for supporting the policy

GSAs	PG Counsellors	Casino Security/Mgmt
It is an excellent deterrent.	It takes away some of the cognitive distortions that clients have about reasons to gamble, i.e.. win money to solve problems, source of income, etc.	Players requesting help need to be supported.
It takes away VSE clients' incentives to play	This helps fight the distorted thinking gamblers have around the big win fixing their lives. Many clients report this policy has served as a deterrent for them. They see no point in going gambling if they aren't going to be paid out a jackpot. However some clients have reported developing strategies to defeat this policy as well, i.e.. fake ID, having a friend with them who claim the jackpot	I believe that it is virtually impossible to identify every excluded person – therefore they must have some deterrent to not entering and trying to play and profit from breaking the exclusion. I believe this is probably the most effective deterrent. In gaming, money talks.

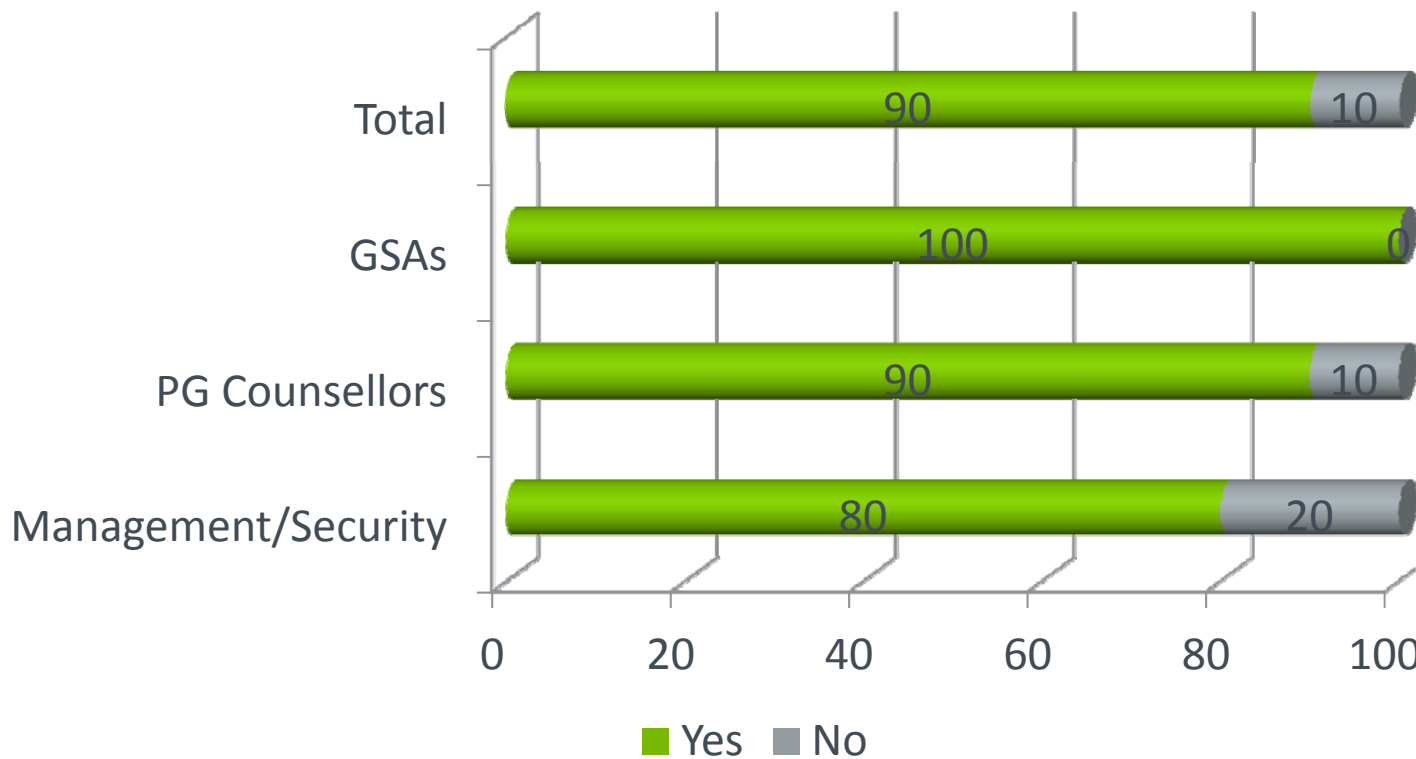
Effectiveness of policy in deterring participants from entering the casino



Reasons policy is effective

GSAs	PG Counsellors	Casino Security/Mgmt
<p>Patrons have indicated that the incentive to play is less because they know they can't win.</p>	<p>Clients often refer to this. I assume then it's functioning successfully as a deterrent.</p>	<p>Makes people realize that it is a serious infraction to breach the VSE agreement.</p>
<p>Personal observations and communications from VSE participants</p>	<p>Without this policy I believe more patrons would attempt to breach their VSE agreements</p>	<p>I have had to tell people they will not be receiving their large win, and the reason why, and yes, they get upset. But they eventually agree that they should not have been in here and I don't see them again even trying to come in until they are done the program.</p>
		<p>Less repeat violators.</p>

Had direct conversations with clients or patrons regarding the policy?



Conclusion

- ⦿ BCLC committed to strong/effective VSE program
- ⦿ Technology can help, but not the total solution
- ⦿ Program to prevent VSE's from claiming large wins, supported by sound legal framework, is proving effective and has support of counsellors, GSAs and casinos staff/security
- ⦿ Future initiatives?
 - Account-based play
 - Pre-commitment tools.

Thank you.

Questions?

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