

THE LEGISLATIVE COUNCIL SELECT COMMITTEE ON THE IMPACTS OF GAMING MACHINES MET IN COMMITTEE ROOM 1, PARLIAMENT HOUSE, HOBART ON THURSDAY 6 JUNE 2002.

Ms JEAN TRETHERWEY WAS CALLED, MADE THE STATUTORY DECLARATION AND WAS EXAMINED.

CHAIR (Mrs Silvia Smith) - Welcome, Jean, and I do apologise for the 10-minute delay but the previous gentleman went a little bit over time. We will still make sure that you have your time so that you have enough time to give us your information that you want to. Without a written submission we are just going to turn it over to you and perhaps we can question you as we go if anything comes up.

Ms TRETHERWEY - I'm sorry about the written submission. I was up in Queensland when I got the notification.

CHAIR - That's fine, we have a lot of non-written submissions. Over to you.

Ms TRETHERWEY - Basically what stirred me was reading a report in the newspaper a couple of months ago which I thought really was inaccurate and I thought probably somebody in my position should come along and state the case as they saw it.

Just for the record I should give you a little bit of my history. For the main part of my career, 23 years, was spent at the Royal Hobart Hospital and, of course, all my efforts were directed toward public wellbeing and public health and so on. I was director of nursing for 12 years and I was the chief executive officer for three years.

When I retired from there I had two years in the Legislative Council -

CHAIR - And did some fine work.

Ms TRETHERWEY - Oh, thank you.

Then I was appointed to the select committee on gaming - whether we should have gaming in Tasmania.

After I came out of the upper House I was asked to go on the Gaming Commission and I spent seven years on the Gaming Commission. I had a four-year term and then I did a three-year term.

As I say, what drove me to come along was these newspaper reports and I thought that I should come and tell you what I found when I was on the commission for seven years.

I found that the commission really was totally independent and I must say my own view was that it could be difficult having such a high-powered member of the public service as the chairman, but that wasn't the case at all. I can sincerely tell you he was totally independent. We were never pressured by any minister at all.

Certainly Clyde Eastoe and myself came from very different backgrounds, we had very individual thoughts on how things should be approached but we were all unified that we were there to make sure the legislation was carried out as it was intended. That is where I could be a help to the commission because I could often, if they were I thought getting off track, go back and say no, that really wasn't the intent and if you want me to go and drag out *Hansard* I can - particularly over how the community support levy was to be spent. I know I spent a lot of time actually, and it was very involved, with writing how that money should be spent. You can understand how with my background the last thing I wanted was people getting into trouble if they needn't and if they did get into trouble we should be able to support them and help them and get them back onto the track again.

Those matters we addressed and I think that we really believed we had a very real responsibility to see we built in the best player protection we could. I have been off the commission since last June but certainly my knowledge of what was happening across Australia - I used to go to meetings - was that Tasmania was a leader as far as player protection was concerned. I think my view was that the Tasmanian Gaming Commission had a much more profound idea of being socially committed, that this gaming had been introduced into the State and as far as we were concerned it's an entertainment. You know there's going to be a core group of problem gamblers and you know you must address that and you must try as much as you can to avoid other people falling into that trap. We tried to put as many things in place as possible to protect the public.

There were various things but I guess one of the ones that we really did have to put up quite a battle over because it had been introduced throughout Australia, was cash being available in venues. We were very much against that cash being readily available from an ATM.

We had to soften that a little bit because we didn't realise how many people wanted to use EFTPOS when they went to the bottleshops and hotels for cash so we allowed that to continue but we were always adamant that they couldn't take money out to use in the gaming machines and that was something that we regarded as very important.

One of the other things I pressed very hard for was that we should have a baseline study. When I came back to Tasmania in 1965 and Wrest Point was coming into being it always seemed a sad thing to me that we didn't have a baseline study in a small island like Tasmania to see where we were at with gaming and what impact it would have. I always felt that was a great mistake. So I was very determined that we should have a baseline study before this lot set off.

We had repeat studies done. I think there have been three repeat studies done since and we seem to be, from my reading of it and I'm sorry I haven't done a lot of homework on this because we only got home Sunday night, but from memory we seem to be pretty much in line with other States in what was happening as far as problem gaming was concerned. I am sure the commission would always consider it - I shouldn't say that, I am not on the commission now - but our view before was that it was very important that we have regular studies and I found it difficult to understand why some people were saying we weren't having studies and we didn't do studies. We had to have studies, we had to know how it was going.

The commission had absolutely no influence though on government, whichever table it was, on increasing machines and increasing the amount that people were allowed to bet with. The commission had absolutely no say in that so basically the commission did not have any influence over the revenue Government received because we had no influence on that. The Government made that decision and then that was something we had to live with.

Mr SQUIBB - Parliament.

Ms TRETHERWEY - Sorry, Geoff, yes it was the Parliament.

Mr SQUIBB - The Government made the decision with the deed and Parliament endorsed it.

Ms TRETHERWEY - Yes, that's right. And to the best of my knowledge the governments of the day or the Parliament haven't gone beyond what was agreed in the original deed.

CHAIR - They've been tied into it haven't they?

Ms TRETHERWEY - That's right, yes.

As I say, the commission was not asked to give a view on it at all. We were just told what the decision was and then there were so many more hotels where you had to check out the venues out to see if they were appropriate and so on. I want to make that clear too, the commission wasn't involved.

We tried very hard to adhere to what the select committee had originally put forward, which Parliament then took over and made their decisions on, and then we were very keen to try to stay very closely with that later Productivity Commission. We were trying to keep in line with best practice as much as possible.

The community support levy - I must say we really did have to struggle with that. I really had a lot to say and I never found the chairman arguing with me at all, or the other member of the commission, over particularly how the charitable fund was spent.

When we were on the select committee we noticed that one of the things that consistently happened, wherever they put gaming machines in, that with people trying to raise money for various things with raffles and so on it did affect them and we thought that there should be some avenue that people could request some funds from to make up for that.

The commission, of course, had to delegate. There's an enormous amount of work that has to go into checking all the submissions and so on but the commission did give guidelines when they delegated to health and to sport and rec and so on on what they were supposed to look for. It wasn't unknown for recommendations to be sent back, but these things are not advertised and we'd say 'No, you've gone off the track; just go back and have another look at it'.

As I say, the charitable one seemed to be the one they had most difficulty grappling with as to what the intent was. They were working on it before I left the commission and I understand it has gone through since because I asked, I was so concerned after I left. An amount of something like \$55 000 has been set aside - and I can't remember; they've got

some name attached to it - that now they can apply to small charitable institutions to make sure that they do get some recompense for what they've missed out on.

CHAIR - If the figure is \$55 000, would that be nearly enough?

Ms TRETHERWEY - I think it should be more, personally.

Mr SQUIBB - That \$55 000 is for what, Jean?

Ms TRETHERWEY - Charitable -

Mr SQUIBB - As a pool?

Ms TRETHERWEY - That's a pool and people can apply and then they allocate from that. But I think if they all got \$2 000 each that really doesn't make up for what you lose in ticket sales. So I would think that probably should be addressed and bumped up. But I'm very pleased; that's a start.

CHAIR - It's a start, yes.

Mr SQUIBB - Are you happy with the split in the levy between community and charitable groups and the funds for research?

Ms TRETHERWEY - I certainly agreed with that on the select committee. I was very insistent that the bulk of the money or that 50 per cent should go to research and supporting people with gaming problems - to prevent people getting into the gaming problem situation and then supporting them if they did.

Mr SQUIBB - I was just wondering about your thoughts on the fact that the amount that is being allocated for research isn't being fully expended.

Ms TRETHERWEY - I would find that disappointing.

Mr SQUIBB - But it's beyond the scope of the commission.

Ms TRETHERWEY - I think the commission can say - and what we were trying to do was probably do it every couple of years - what we certainly would try to do was at any time there was an increase in either the amount people could gamble or the machines we would want a study carried out in 12 months' time. But that is not always in your hands. You can say that's what we want done but then you have to hand over to other people to actually implement it.

Mr SQUIBB - So what needs to be done to ensure that that end objective is achieved? Obviously the money is not going back into consolidated revenue but it is sitting there. We're hearing all the time that there are these problems in the community but to me it seems that the money is not being used for the purpose it has been levied for.

Ms TRETHERWEY - Research is part of that 50 per cent, isn't it. It's not the total. They used to fund relationships, Anglicare and all those people who do the counselling - that comes out of it, and that's rightly so; it should be a substantial amount but what should be

put aside each year is so much towards research. As far as I was concerned, you should be doing research every couple of years. It's no use doing it until whatever you've changed has been in place for about 12 months because then you've got something to hang your hat on.

I'm sure that unless the commission have changed a great deal they would be wanting to do a very full investigation before there was any further increase.

Mr SQUIBB - Increase in what - the roll out of machines? There is one further phase of roll out under the deed, which is next month, isn't it?

CHAIR - Yes, the beginning of July.

Mr SQUIBB - So you are suggesting that it ought to be done?

Ms TRETHERWEY - I definitely think it should be done before any further increase rolled in.

CHAIR - The levy itself is at three per cent. Is that sufficient, in your estimation?

Ms TRETHERWEY - We did a lot of time on that in the select committee and that is what we came out with. I can remember we used to have that big board there covered with figures. We went over and over it because we wanted to make sure that there was sufficient money to do what we thought was necessary. The break-up of the three - what we thought were essential - it seemed that we should support it. My view hasn't changed on that.

Mr SQUIBB - Jean, the size of the commission - a three-person commission - do you think that is ideal, having served on it and forgetting the personalities. I am just referring to the size.

Ms TRETHERWEY - I found it very effective. The longer I am around on boards and so forth, I find that it is better to have a small, very good group than to have a ten or five half-baked one. It is really terribly important, the selection of who goes on the select committee, there is no doubt about that. It has to be based on people's ability. I think that it was when we three at the time were on the committee and I am sure the new one has been. It was a good number for what we had to do, I found.

CHAIR - Yes. Coming back to the commissioner - and I understand your words - what we are looking at more than anything in those comments that you read in the newspaper was people's perception. Do you believe that there may be a reality in the fact that people perceive that the commissioner is not independent?

Ms TRETHERWEY - I can imagine that that would be the case, yes.

CHAIR - Not that there is any doubt about his integrity at all, from most points of view I would suggest. You can perceive that people generally might have that perception?

Ms TRETHERWEY - Yes, I can. The only thing is - he has excellent background knowledge in a lot of areas and that was of great benefit.

CHAIR - Absolutely.

Ms TRETHERWEY - If the other two on the commission are totally independent then there is not a problem. If there was a problem, which we did not ever have, you could out vote him. It did not ever come to that, but it could have.

Mr SQUIBB - What was your understanding of the interim arrangement?

Ms TRETHERWEY - That year?

Mr SQUIBB - Yes.

Ms TRETHERWEY - I did not think that that was right, probably. For just a year they had one person.

Mr SQUIBB - Yes, and a lot of people were of the opinion that at the end of that one year the commissioner would be moving arm's length from any involvement with the commission whereas that commissioner himself indicated to us that the intention was that that interim period would be the period of the sole commissioner, to be replaced by the commission. Is that your understanding?

Ms TRETHERWEY - That is as I understand it, yes. That is what I understood was going to happen. I do not say that I agreed with it but that was what happened.

Mrs SUE SMITH - The only question I have is that some of the people with this apparent - your words - misconception about the role of a commissioner who is also a public servant are the very people who are very much involved in the research and the vision for problem gaming and so on. The very ones who one would think should have the closest knowledge, the closest contact and so on, whereas the wider arena out there really have no perceptions; they do not really care who is on the Gaming Commission as long as it is seen as being honest and so forth. How do we solve the problems of these service providers who have the wrong perceptions? Surely for it to work perfectly we have to do some work somehow to bring those two perceptions into the right direction.

Ms TRETHERWEY - The only thing that I can think, if these particular people are the ones that I think that you are talking about, is that they may have at times an over-inflated idea of their understanding about it. Certainly my own view of the set-up was at variance to what was recorded in the newspaper. I think that they make statements that are not accurate because certainly the commission did do more than one study. I have not seen their report, I only know what was reported. No, I should not say I have not seen it; I did see part of it at one stage but that was a couple of months ago and I did not go through it in detail because at that stage I did not realise I would be coming here. It is a hard one, but I do think they do have an inflated idea of what their thoughts are and I certainly cannot agree. I think they are quite wrong with some of the things they are saying, but I do not know how you cope with that. They are a charitable organisation, they do very good work out in the community. My own opinion early on when they first did some work for the commission was that other people probably were doing it a bit better - but I know I am pretty tough boss at times.

I know they did pick up as time went along; I do not know whether it took them time to settle into it or what. But that is just my own personal view about it and it is not being superior or anything else. I really honestly do not think they get the right end of the stick at times.

CHAIR - Some people see things differently.

Ms TRETHERWEY - They do, yes.

Mrs SUE SMITH - Were you on the Gaming Commission when the responsible gambling consultative committee was set up to look at the Productivity Commission's report findings et cetera?

Ms TRETHERWEY - Yes.

Mrs SUE SMITH - Do you have any information on that particular process as far as the Gaming Commission were concerned?

Ms TRETHERWEY - Yes, from memory - and we had a report back about where we stood in regard to all the matters the Productivity Commission raised and we were looking pretty good. We were in line with a lot of things and maybe a bit ahead in others. The things that we had not tackled - we made a list of the things that needed to be addressed and the officers were going through them and addressing them.

Mrs SUE SMITH - So you were happy with the reporting process on the Productivity Commission work with the consultative committee and you believe the Tasmanian Gambling Commission from their part of that report were fulfilling recommendations or issues or whatever that came up out of that report?

Ms TRETHERWEY - Yes. In fact I read it pretty thoroughly and obviously part of the responsibility being on the commission is to make sure things are followed up and we were doing that.

CHAIR - Just slipping back to the issue of research, and there have been some studies done through the Department of Health and Human Services. Are you suggesting that we need to do a follow-up every couple of years and the last one I think was done in 2001? If we look for an independent person or an independent group, where should we go?

Ms TRETHERWEY - We did have an independent person. He did the original study. I will have to look his name up - Professor -

Mrs SUE SMITH - Mark Dickerson.

CHAIR - Dickerson, that's right.

Ms TRETHERWEY - He did not do the second one but he was in charge of it. Then my memory fails me after that. I would have to refer back to the minutes and things. But I did not think we ever left it just in the hands of the Department of Health.

CHAIR - The other one was done through, the last one, wasn't it?

Ms TRETHERWEY - We were always very conscious of the fact that you had to have somebody from outside and I think I changed my mind about that. You need somebody obviously like Mark Dickerson to -

Mrs SUE SMITH - Should there be an automatic trigger by the Gaming Commission, do you believe, every two years that perhaps the University of Tasmania is responsible through some department and funded out of the levy so you get a continuance of work, that it is not a case of, 'We will do one now and we will wait three years', that it is a two-year -

Ms TRETHERWEY - I always thought that was our original intention, that we were going to do that because it is the only way you could ever handle them.

Mr SQUIBB - Just of a general nature, Jean, and to pick your brain I suppose from your vast and long experience on the subject, do you have any suggestions to make as far as harm minimisation is concerned in Tasmania which would assist the committee in its recommendations to reduce the incidence of problem gambling? Something you have seen elsewhere that is not being applied in Tasmania?

Ms TRETHERWEY - No, anything I have seen elsewhere, Geoff, I put forward.

Mr SQUIBB - So everything you have seen and put forward has been adopted?

Ms TRETHERWEY - Yes. We had a real social conscience, I promise you that, we really did. We tried very hard to make sure that we had best practice - not just in Tasmania, not just in Australia but we were trying to best practice across the world, for player protection. I mean, that is how far we were willing to go. Apart from saying, 'No, there will be no more machines' or 'No, you can't raise the limit' we did everything else we could to make sure that the public was protected as much as possible.

CHAIR - I guess you have been aware of some of the things that have been happening recently on the mainland with harm minimisation. They seem to be tinkering around all sorts of edges. We have already done some of things.

Ms TRETHERWEY - Yes.

Mr SQUIBB - Most of it.

CHAIR - Yes.

Ms TRETHERWEY - And you are right, they are tinkering around the edges. But I -

CHAIR - Is there any more, I guess is what Mr Squibb is saying, is there any more?

Ms TRETHERWEY - Well, if I had heard of anything I would have rung up and said but I have not struck anything further than what we have already done. As I say, we were trying to go as far as we could, as far as possible. I have always said, as a little State like Tasmania, we can often be the leader -

CHAIR - We often are, aren't we?

Ms TRETHERWEY - I really firmly believe that, yes.

Mrs SUE SMITH - It has been very worthwhile, I am very pleased you made contact -

CHAIR - Yes, because you concentrated on one area and that was really good. It has given us an insight from inside the commission, so to speak, because you have been there and -

Ms TRETHERWEY - I enjoyed my time on the commission. It is a lot of work, though I tell you - the reading.

Mr SQUIBB - It is like being back here.

CHAIR - I was going to say, 'Like being back here'. Anyway, thank you very much. We do appreciate the time you have taken to come in. Thanks very much.

Ms TRETHERWEY - Thanks very much.

THE WITNESS WITHDREW.