

INQUIRY INTO IMPACT OF GAMBLING

Organisation: Redfern Legal Centre

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Redfern Legal Centre



The Director
Select Committee on the Impact of Gambling
Parliament House
Macquarie St
Sydney NSW 2000

7 March 2014

Attention: the Director of the Select Committee on the Impact of Gambling

Please find attached our policy submission in response to the NSW Parliament's inquiry into the impact of gambling on individuals and families in New South Wales.

We would welcome the opportunity to appear before the Select Committee addressing to discuss this issue further.

Yours faithfully,

Redfern Legal Centre

Jacqui Swinburne
Acting Chief Executive Officer

Redfern Legal Centre



SUBMISSION TO THE SELECT COMMITTEE ON THE IMPACT OF GAMBLING

INQUIRY INTO THE IMPACT OF GAMBLING IN NSW

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1. Background: Redfern Legal Centre

Redfern Legal Centre ('RLC') is an independent, non-profit, community-based legal and human rights organisation with a prominent profile in the Redfern area.

RLC has a particular focus on human rights and social justice. Our specialist areas of work are domestic violence, tenancy, credit and debt, employment, discrimination and complaints about police and other governmental agencies. We also run a state wide legal advice service for international students.

By working collaboratively with key partners, RLC specialist lawyers and advocates provide free advice, conduct case work, deliver community legal education and write publications and submissions. RLC works towards reforming our legal system for the benefit of the community.

2. RLC's experience: the impact of gambling on individuals

This submission is based on RLC's experience in providing free legal advice to international students affected by gambling, both through our international student service and our credit and debt specialist practice. The majority of international students RLC sees affected by gambling are not the gamblers themselves, but rather the students who are unable to recover money that they have lent to a gambling friend or partner.

Overview of RLC's international student legal service:

In 2011, RLC established a free, state-wide legal service specifically for international students. We identified a need to assist international students because of the unique issues they face in dealing with legal problems and the lack of viable alternatives to get legal assistance elsewhere. This service is the only specialist international student service in NSW.

Overview of RLC's credit & debt service:

RLC recognises that the protection of financial and consumer rights is an important mechanism to secure other rights and freedoms such as food, housing and employment. RLC provides a specialist credit, debt & consumer law advice service and a direct advice line for Financial Counsellors in NSW.

3. RLC's view in summary

Research shows that a higher proportion of international students are problem or at-risk problem gamblers when compared with domestic students. Our experience demonstrates that international students are particularly vulnerable to the effects of problem gambling.

International students are often young and are living away from home for the first time when they come to Australia. They may be new to a society where gambling is legal and readily accessible. On arrival they may bring with them large amounts of cash saved by their family so that they can quickly find a place to live and reduce the cost of overseas money transfers.

For the international students that do develop a gambling problem, a lack of awareness about where to get help, cultural stigma around accessing help and a lack of culturally appropriate gambling support networks mean that these students may have difficulty accessing the services they require. Other international students may be unfamiliar with the signs of problem gambling, and may unwittingly lend significant amounts of money to problem gamblers. Those international students then face significant legal hurdles to recover that money.

For this reason RLC recommends improving the adequacy and effectiveness of existing gambling support services to better target both international students who are problem gamblers, and international students who may be lending money to someone they do not realise is a problem gambler.

This submission will address Terms of Reference (j).

4. Terms of reference (j): the adequacy and effectiveness of problem gambling help services and programs in New South Wales:

i. International students and gambling: research & case studies

Research shows that a higher proportion of international students are problem or at-risk problem gamblers when compared with domestic students.¹ While international students may have greater access to gambling opportunities in NSW compared to in their home countries where gambling may be illegal, they are also more at risk of problem gambling because of higher levels of anxiety, depression and a variety of stresses including relationship, financial and socio-cultural adaptation stress.²

Significant numbers of international students with gambling problems do not seek

¹ See for example Susan M. Moore et al 'Problem Gambling Among International and Domestic University Students in Australia: Who is at Risk?' (2013) 29 *Journal of Gambling Studies* Article 217, 217. See also Anna Thomas et al, *International Student Summary Report* (June 2011) Gambling Research Australia <<http://www.gamblingresearch.org.au/home/research/gra+research+reports/international+student+gambling+-+technical+and+summary+report>>.

² Moore, above n 1, 228.

professional help.³ International students often feel alienated from existing domestic support services because of cultural and language barriers.⁴ Many students view counselling as shameful or embarrassing, or have a preconceived idea that these services are expensive and only appropriate for those with major mental illnesses.⁵

Students may also be unaware of existing gambling help services.⁶ Generally they receive little information about gambling risks when they arrive in Australia and even less about identifying signs of problem gambling in partners or friends.⁷ Nor do they regularly receive gambling related information through official channels such as universities or colleges.⁸ While some universities do offer counselling services, they are limited in their capacity to provide students with specific assistance with their gambling problems.

Anecdotally RLC sees international students who may hide their gambling problem from their family back home. Often their families have made significant financial sacrifices to send them to Australia to study, and may be continuing to send money to the student. Lack of family support or awareness can contribute to the sense of isolation an international student may feel, and can also leave partners and friends in Australia more vulnerable to exploitation.

The following two case studies illustrate the impact of international student problem gamblers on other international students. In both examples, neither international student recognised their partner or friend was a problem gambler, and continued to lend them money. In both instances, the students have lost significant sums of money and there is no certainty it will be recovered:

Case study:

Nadia, a young international student _____, was in a relationship with another international student, Tim, who was a problem gambler. Tim convinced Nadia that he was applying for permanent residency and that she should apply for permanent residency as his partner.

Nadia and her family in _____ lent him large sums of money to pay for the permanent

³ Thomas, above n 1, 34, 35.

⁴ Ibid 28.

⁵ Ibid 35.

⁶ Ibid 17.

⁷ Ibid 28.

⁸ Ibid 36.

residency application. In fact there was no permanent residency application - Tim was using the money to gamble and pay his gambling debts. Nadia was ultimately defrauded \$38,000.

Nadia came to RLC for advice about how to recover this debt. We assisted her to negotiate a deed, which formalised the debt and provided an agreed schedule for repayment by instalments. Only some repayments have been made. She can no longer afford to pay her tuition fees and is experiencing severe financial hardship and stress.

Nadia is considering a claim in the Local Court but is having difficulty paying the associated court costs. She is worried that Tim will abscond overseas if he faces a claim in court, or even if the police talk to him. Nadia will have difficulty enforcing a judgment to recover this debt if Tim leaves the country. She is struggling to pay for basic living expenses and may have to return home if she is unable to continue her studies.

Case Study:

Ben is an international student . In December 2011 he lent his friend Billy, another international student , \$8000 ostensibly to buy some shares. They orally agreed that the money would be paid back to our client by 28 February 2012.

In January 2012 Ben lent Billy a further \$1500 as Billy told him he really needed to buy some furniture. Between July 2012 and December 2012 Ben continued to lend Billy money. In total, Ben lent Billy \$11,300.

Ben then discovered his friend did not own the shares or the furniture but was instead gambling heavily. He came to see RLC in August 2013. We assisted him to draft a letter of demand and when that went unanswered, to file a statement of claim in the Local Court. However now that some time has passed, Ben has been unable to locate Billy and is unable to serve him with the statement of claim.

Ben's only option is to seek leave from the court for substituted service. Ben will be returning home in July, and is unsure whether he will be able to recover his loan before he leaves the county.

ii. *Best practice gambling support services:*

Of the 500,000 international students enrolled to study in Australia in 2013, NSW attracted more students than any other state or territory with close to 180,000 enrolments.⁹ Accordingly NSW has benefitted from the largest proportion of international student economic activity, with Deloitte Access Economics estimating that in 2011 international students 'value-added' \$4.9 billion to the state economy.¹⁰

While a number of gambling support services exist in NSW, none specifically target or are designed for international students. Services such as Gambling Help NSW and Salvation Army Moneycare provide good support for problem gamblers in NSW generally, but do not specifically address the vulnerability or cultural sensitivities of international students' problem gambling.¹¹

Victoria has been running a successful problem gambling service for international students for a number of years.¹² The Centre for Culture, Ethnicity and Health founded the Multicultural Gambler's Help Program that works with communities to provide information, improve access to support services and develop preventative strategies that are culturally appropriate.¹³ This program specifically addresses problem gambling amongst the migrant community in a way that minimises language or cultural barriers.¹⁴ We recognise the value and effect of such a service and encourage NSW to adopt a similar service for international students.

⁹ Australian Education International, *International Student Enrolment Data 2013*, Detailed monthly pivot table, October 2013) Table 7a <<https://aei.gov.au/research/International-Student-Data/Pages/InternationalStudentData2013.aspx#3>>.

¹⁰ Deloitte Access Economics, *The economic contribution of international students*, Australian Council for Private Education and Training, Executive Summary (2013), iv. <http://www.acpet.edu.au/uploads/files/Reports_Submissions/2013/Economic-Contribution-Executive-Summary.pdf>.

¹¹ *Gambling Help* (March 2014) Gambling Help, NSW Trade and Investment <<http://www.gamblinghelp.nsw.gov.au/>>. *The Bridge Program* (March 2014) The Salvation Army <<https://salvos.org.au/need-help/drugs-and-alcohol/residential-treatment.php>>.

¹² *Support Services* (27 June 2013) Study in Melbourne & Victoria, Official Government Gateway <<http://www.studymelbourne.vic.gov.au/help-and-advice/support-services>>.

¹³ *Multicultural gambler's help program* (March 2014) Centre for Culture, Ethnicity & Health <http://www.ceh.org.au/our-programs/our_programs_mghp>.

¹⁴ *Ibid.*

iii. Recommendation for more appropriate gambling support services for international students in NSW:

We make the following recommendations to ensure more culturally appropriate gambling support services for international students with gambling problems in NSW, and better gambling awareness resources so that international students may better identify when a friend or partner may be gambling:

- The establishment of culturally sensitive problem gambling counselling services designed to reduce cultural stigma associated with counselling and respond to exclusion by language barriers;
- More effective and comprehensive information on official government websites, and other information access points for international students;
- A broad-based approach by universities, TAFES and colleges to provide information about problem gambling services and support. Distribution of this material through networks and educational seminars to raise awareness amongst international student peer groups;
- Widespread communication of support services for international students, particularly through channels that are readily accessible by international students before they arrive in Australia.

6. Conclusion:

Once an international student has lent significant sums of money to a problem gambler who is also an international student, there are significant hurdles to fully recovering that money. In NSW, there is currently a lack of relevant services and information for both international students who are problem gamblers, and international students who may be living with or friends with a problem gambler. RLC recommends introducing more culturally appropriate gambling services and more effective communication strategies about problem gambling to ensure international students do not lend money that they may have difficulties in recovering.