



Victorian Commission for
Gambling and Liquor Regulation

Level 3, 12 Shelley Street, Richmond VIC 312
GPO Box 1988, Melbourne VIC 3001
T: 1300 182 457
www.vegfr.vic.gov.au

7 March 2019

Our ref: CF/18/951

Mr Barry Felstead
Chief Executive Officer, Australian Resorts
Crown Resorts Limited
8 Whiteman Street
SOUTHBANK VIC 3006

By Email

Dear Mr Felstead

Use of Button Picks and like items in the Melbourne casino

I refer to the investigation by the Victorian Commission for Gambling and Liquor Regulation (VCGLR) regarding the use of Crown-branded plastic wedges (button picks) which are able to be used by patrons to hold down buttons on electronic gaming machines in the Melbourne casino operated by Crown Melbourne Limited (**Crown**).

The VCGLR has completed its investigation and determined to issue a direction pursuant to section 23 of the *Casino Control Act 1991* (**the Act**) directing that:

- Crown must not issue or supply to patrons any button picks or like items (being any item or device designed to hold down or continuously depress an electronic gaming machine button) to patrons for use on electronic gaming machines in the Melbourne casino
- Crown must take all reasonable steps to ensure that button picks or like items (as described above) are not used by patrons for gaming on electronic gaming machines in the Melbourne casino.

Please find the direction attached to this correspondence.

The VCGLR has made this direction after considering information gathered during the investigation, and concluded:

- Button picks are considered gaming equipment under the Act, and section 62 of the Act requires that all gaming equipment must be approved by the VCGLR. The VCGLR has not approved button picks as gaming equipment under the Act
- The VCGLR had regard to the Casino Rules made in 1997 provided by Crown, however those Casino Rules do not constitute an approval for button picks as gaming equipment for use in the Melbourne casino under the Act. In addition, those Casino Rules are no longer in force as new Casino Rules were issued in 2003 and subsequently

- Under section 64 of the Act Crown is responsible for ensuring that gaming equipment must not be used for gaming in the casino unless it has been approved by the VCGLR. This means Crown has responsibility for ensuring that button picks are not used for gaming in the casino, including ensuring patrons are not using button picks for this purpose.

The VCGLR will monitor compliance with this Direction on an ongoing basis.

To facilitate compliance monitoring by the VCGLR, the VCGLR requires Crown, in accordance with section 128 of the Act, to provide a report to Mr A Ockwell, Director, Compliance by **8 April 2019** detailing the steps taken by Crown to comply with the Direction attached.

The VCGLR acknowledges that one of its objects under the Act is to foster responsible gambling in order to minimise harm caused by gambling. The use of button picks by patrons at the casino effectively enables a patron to conduct continuous gaming on an electronic gaming machine, without the patron actively exercising control over the electronic gaming machine. The VCGLR considers that practice may increase the risk of gambling harm to members of the community and is not consistent with other harm minimisation strategies, such as the pre-commitment scheme. For this reason, the VCGLR has acted to make clear to Crown that button picks are not approved and cannot be permitted in the future.

The VCGLR also had regard to its Regulatory Approach in determining the appropriate regulatory response. The VCGLR took into consideration various factors, including that button picks have been in existence for an extended period, and there was previously a lack of clarity about whether their use was authorised, and that in February 2018 Crown voluntarily ceased making button picks available to patrons and destroyed all remaining stocks of button picks. In all the circumstances, the VCGLR considered that a direction under s23 is the most appropriate regulatory outcome in order to make clear the VCGLR's expectations, to clarify the regulatory requirements and to minimise potential harm to patrons at the casino.

Should you require any further information, please do not hesitate to contact Mr Adam Ockwell on [REDACTED].

Yours sincerely

[REDACTED]

Alex Fitzpatrick
Acting Chief Executive Officer



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WRITTEN DIRECTION TO CROWN MELBOURNE LIMITED


The Victorian Commission for Gambling and Liquor Regulation gives the following Direction to Crown Melbourne Limited (**Crown**) pursuant to section 23 of the *Casino Control Act 1991* (the Act).

Under section 23 of the Act the Victorian Commission for Gambling and Liquor Regulation hereby directs:

1. Crown must not issue or supply to patrons any button picks or like items (being any item or device designed to hold down or continuously depress an electronic gaming machine button) for use on any electronic gaming machine in the Melbourne casino.
2. Crown must take all reasonable steps to ensure that button picks or like items (as described above) are not used by patrons for gaming on electronic gaming machines in the Melbourne casino.

This Direction will take effect on ^{7th}..... March 2019.

Dated: ^{7th}.....March 2019


Mr Ross Kennedy
Chairperson

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