

July 9<sup>th</sup>, 2007

**MINISTRY OF PUBLIC INFRASTRUCTURE RENEWAL**

6<sup>TH</sup> Floor

900 Bay Street

Toronto, Ontario, M7A 1L2

Attention: The Honorable Minister Kaplan

Dear Sir:

**Re: Ontario Lottery & Gaming ("OLG")  
Responsible Gambling: Self-Exclusion**

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Thank you for your letter dated July 3<sup>rd</sup> 2007.

You are correct about the resolution of the Mr. Treyes' case. Each year we take on a case that is novel and complex as part of our effort to make a unique contribution to society.

We know a great deal about the OLG's self-exclusion program and although it has a laudable expressed purpose (i.e. denying entry to the pathological gambler) it is implemented very poorly to put it mildly.

The Australian Gambling Research Panel commissioned a study<sup>i</sup>, on its self-exclusion system, which had components that are materially similar to the OLG model. The study found at page eight-five (85) "[a] significant amount of time and energy is devoted to maintaining the "bluff" component of the program and defending the credibility of the program." In Australia, the enforcement of the self-exclusion program was based on human memory i.e. of the gaming staff

The OLG believes it is fit and proper to publicize the self-exclusion program but also base the enforcement of the exclusion on human memory. There are approximately 10,000 excluded gamblers under the OLG system, who almost certainly suffer from pathological gambling. Yet, despite the multitude of visitors and the many gaming venues the OLG relies upon its staff's memory to enforce exclusion. That is not a credible system, and reasonable alternatives (e.g. photo identification with a computerized network system) are readily available as successfully implemented in Europe and other places.

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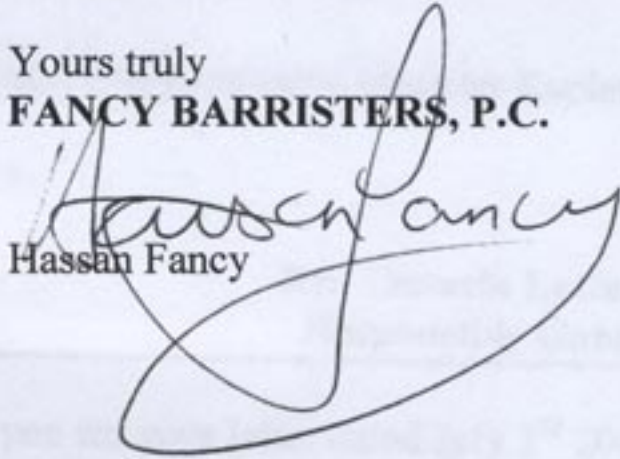


There is no justification in law or morality to take the life savings of ill addicted people regardless of the application of those monies to worthy civil projects. Each of these addicted people have families all of whom are almost certainly very negatively impacted by the deeply flawed self-exclusion system at the OLG. We do not believe that the OLG uses such a memory based system to deny entry to cheats, card sharks and the like. The foregoing should give you a meaningful outline of the problem.

We respectfully urge you to cause an independent study of this urgent matter with a view to crafting a solution to the problem. The benefits to prompt correction of the OLG's self-exclusion system are obvious and enormous. We hope you will act.

Yours truly  
**FANCY BARRISTERS, P.C.**

Hassan Fancy



<sup>i</sup> The study was prepared by "The SA Centre for Economic Studies" and was published by the Department of Justice and is easily downloaded at:  
[http://www.justice.vic.gov.au/wps/wcm/connect/DOJ+Internet/Home/Gambling+and+Racing/Research+and+Statistics/JUSTICE+-+Evaluation+of+Self-Exclusion+Programs+\(PDF\)](http://www.justice.vic.gov.au/wps/wcm/connect/DOJ+Internet/Home/Gambling+and+Racing/Research+and+Statistics/JUSTICE+-+Evaluation+of+Self-Exclusion+Programs+(PDF))