

THE SOCIETY FOR THE STUDY OF GAMBLING NEWSLETTER

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Editor: Danny Saunders (The Polytechnic of Wales)	

All correspondence should be addressed to the Editor at:
Department of Behavioural and Communication Studies
The Polytechnic of Wales
Pontypridd
SOUTH GLAMORGAN CF37 IDL
U.K.

THE SOCIETY FOR THE STUDY OF GAMBLING

Chairman

R. Iain Brown
Dept. of Psychology
University of Glasgow
GLASGOW G12 8RT
tel: (041) 339 48855

Honorary Secretary

David Miers
Cardiff Law School
P.O. Box 427
Law Building
Museum Avenue
CARDIFF CF1 1XD
tel: (0222) 874000

Honorary Treasurer

Gerry Taylor
41 Baginton Road
COVENTRY CV3 6JX
tel: (0203) 685275

Executive Committee

John Beard
Jack Dowie
Bob Evans
Mark Griffiths
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The Society for the Study of Gambling was formed in 1977 to provide a forum for those concerned with research into gambling, to promote its scientific study especially as far as the psychological, social and economic aspects are concerned, and to inform the public about these matters.

The membership of the Society is drawn from a wide circle of people who have an interest in various aspects of gambling. They range from social workers and psychiatrists who deal with "compulsive gamblers", to members of the commercial gambling industry. It is a condition of the Society that there should be freedom of opinion and practice among its members, so that the Society does not take any particular stance in relation to gambling.

The Society holds regular meetings twice a year in London. Further details are available from the Honorary Secretary.

Papers are reproduced in the Newsletter as a record of the Society's meetings, and are not subject to scrutiny by referees. Their appearance here is not intended as an alternative to publication in a learned journal. Any of the standard reference systems is acceptable.

The Newsletter is circulated twice a year to members of the Society. The annual subscription to individual membership is £12.00, or a subscription to the Newsletter only is £7.00.

Cheques etc. should be made payable to The Society for the Study of Gambling, and sent to the Honorary Treasurer. Overseas subscribers should remit in sterling.

From the Chairman.

This issue of the *Newsletter* has been prepared by its new Editor, Danny Saunders, but the Society should not allow this transition to pass without formally recording its very great debt to the previous Editor, Jack Dowie. First published in its present format in 1982, the *Newsletter* has sought to reflect the aspirations of the Society, publishing a variety of notes and short articles which reflect both the scope of gambling and its associated activities and issues, and the diversity of opinion that accompanies our social, economic, legal and political responses to it. The *Newsletter* is, of course, principally intended to serve as a record of the Society's activities, but it has become a more permanent and authoritative source of information and opinion than a simple diary of events. A number of specialist libraries and institutions with academic or regulatory responsibility for aspects of commercial gambling subscribe to the *Newsletter*, as do principal representatives of the commercial sector. The fact that in 1988 the Society was specifically invited by the Home Office to submit its views upon the impact of amusement machines upon young people is, we would like to think, in part attributable to the established reputation of the *Newsletter*.

Iain Brown.

YOUNG PEOPLE AND FRUIT MACHINES

Mark Griffiths
Department of Psychology
University of Exeter
EX4 4QG

Until recently, adolescent gambling has almost totally been ignored by researchers. However, there is a growing body of findings which show that gambling is not just an adult phenomenon, and these have been summarized in a comprehensive review by Griffiths (1988a).

In the U.K., the major commercial gambling activity in adolescents is the playing of slot machines, more commonly known as 'fruit machines'. Although fruit machines have become increasingly complex, most machines have the same basic design usually consisting of three reels with differing numbers of 'fruit' symbols. The reels spin on a random ratio schedule after money has been inserted, and the pay out rates of between 70-90% are pre-determined by the owner and/or manufacturer. Money is won when the machine shows a winning line e.g. a row of three 'cherries' (Griffiths, 1988e).

Over the past few years, serious problems encountered by adolescents who 'suffer' from 'fruit machine addiction' have been reported by most of the U.K. helping organizations including Gamblers Anonymous (GA), Parents of Young Gamblers (POYG), and the Gordon House Association (GHA) - the only establishment in the U.K. that deals specifically with people who have severe gambling problems (Griffiths, 1988d). In addition, the national press has reported the serious consequences of excessive fruit machine gambling including allegations of attempted murder, suicide and prostitution, as well as the wider incidence of petty crime (e.g. Leppard, 1987).

Moody (1987) reported that in the U.K., the average age of a GA member in 1964 was 40-50 years old and typically a horse race gambler. However, Moody added that GA members now consisted of approximately 50% people addicted to fruit machines, with half of these being young adolescents and half in their late teens or early twenties. Similarly, the 13 beds at the GHA were until recently, occupied by the 20-45 year old age group, but a recent report (Griffiths, 1988b) has shown an increase in the number of 'fruit machines referrals' (41% of 98 cases) most of whom were under 20 years old.

Recent studies (B.M.R.B., 1986; Ide-Smith & Lee, 1988) have shown that fruit machine playing is indeed the most popular form of commercial gambling activity among teenagers in the

U.K., but they have reported little about their negative effects. Moran (1987) carried out a survey into 30 London borough schools and 25 of the headteachers reported that a number of problems were occurring as a result of fruit machine playing. These included poor work, aggressive behaviour (fights in the playground over gambling debts), emotional disturbance, truancy (missing school to play fruit machines) and stealing (to get money to play fruit machines). Although Moran's study could be criticized on the grounds that it was based on perceived gambling problems as reported by the head teacher, a number of more direct studies have confirmed his conclusions.

In Bognor Regis (a U.K. south coast holiday resort), Barham and Cormell (1987) administered questionnaires to 329 young adolescents and found that stealing (3.2%) and truancy were problems reported by the players. The more serious problems of drug pushing and prostitution to finance gambling habits were also reported. The U.K. National Housing and Town planning Council noted a number of problems when they surveyed 9752 school children from six different areas of Britain. Some children financed their gambling using their lunch money and/or stealing and also admitted truanting in order to play fruit machines (see Evans in this Newsletter for further information). In the most recent study, Roberts and Pool (1988) administered questionnaires to 2434 school children from Minehead and Taunton (South West England) and also reported stealing and truancy as the major problems in young fruit machine players.

Although the studies outlined are interesting, they provide little insight except the incidence of fruit machine playing and/or the incidence of the negative effects of excessive fruit machine playing. The following study was not only designed to examine the sociological, psychological and physiological factors in the acquisition, development and maintenance of gambling behaviour, but was also carried out with a representative sample of the 'user population' i.e. the fruit machine players themselves.

METHOD

69 adolescent fruit machine players were approached as they came in or out of an amusement arcade in Exeter and were asked if they would participate in a face-to-face interview and questionnaire study examining factors in the acquisition, development and maintenance of gambling behaviour. 50 players (39 males, 11 females; $x = 16.2$ years) agreed to take part. On the basis of their responses 9 of these (all male) were deemed to be pathological gamblers as measured by the American Psychiatric Association (1987) diagnostic criteria. The questionnaire used is reproduced in Appendix 1.

RESULTS

Acquisition and Maintenance

Most of the fruit machine players first started playing with friends (48%) or parents (28%) although a few began playing with siblings (10%), relatives (6%) or on their own (8%). The mean starting age of the players was 11 years and the major initial reasons for playing were for fun (90%) and/or to win money (70%). However, reasons for continued playing were markedly different (see table 1) except that fun (84%) was still the major factor. Only 48% now played to win money and many played because their friends did (58%) and/or because there was nothing else to do (50%). A large majority (82%) viewed fruit machine playing as primarily a social activity. A small number of players (10%) reported they could not stop. Fruit machines were usually played upon in amusement arcades (98%) although some players also frequented public houses (42%), cafes (25%), seaside arcades (14%) and fish and chip shops (8%).

Table 1
Reasons for playing fruit machines as reported by players
n=50)

	Reason(s) for starting	Reason(s) for playing now
Parents did/do	26%	0%
Friends did/do	44%	58%
To impress friends	4%	2%
Nothing else to do	38%	50%
For a challenge	28%	18%
For fun	90%	84%
To win money	70%	48%
To meet friends	2%	30%
Miss if not	-	20%
Can't stop	-	10%

Alternative Gambling Activities

Most of the fruit machine players participated in other gambling activities. These included sports betting e.g. horse racing (54%) and the football pools (46%) both of which were mainly undertaken with the co-operation of parents. Other gambling activities were pursued with their friends - card games (84%), coin games (38%), wagers (88%) and video games (68%).

The Cost of Playing: Time and Money

Fruit machine playing can take up considerable time and money. Although 32% played once a month or less, 34% played once a week, 28% played more than once a week and 6% played every day. In actual 'playing time', 208 played on average at least an hour a day, and 30% played a couple of hours a week. However, 50% played on average less than an hour a week.

Most players could control how much money they spent and 70% of the players spent less than £5 a week (with 36% in fact spending less than £1 a week). However 14% spent between £5-£10 a week and 16% regularly spend over £10 in the same period. In money spent per session, 44% regularly spent over £3 with 10% spending £6-£10. Over one third of the players (42%) had on at least one occasion lost over £10 in one playing session.

The money to play fruit machines came primarily from two sources - pocket money (52%) and/or a part (or full) time job (64%). Other sources were less acceptable and included admissions of borrowing money from friends and parents (24%), using school lunch money (18%), using Christmas and birthday money (6%) and stealing from friends or parents (12%). Gambling debts had occurred at least once in 38% of players.

Gambling and Affective States

A number of questions were asked relating to the mood(s) players felt before, during and after the playing of fruit machines (see table 2). Before playing, a majority of players (60%) felt in a good mood although other were either fed up (14%) or in a bad mood (4%). During play, 44% experienced excitement, 38% felt they did not want to stop playing and 10% claimed they could not stop playing. After playing only 34% felt in a good mood whereas (188) were in a bad mood and 28% were fed up. A number of players (40%) wished they were still playing (see table 2)

Table 2

Mood(s) felt before, during and after playing as reported by the players (n=50)

Mood	Before Playing	During Playing	After Playing
Excitement	4%	44%	0%
Good mood	60%	64%	34%
Bad mood	4%	0%	18%
Being fed up	14%	6%	28%
Not wanting to stop playing	-	38%	
Wishing you were still playing	-	-	40%
Cannot stop playing	-	10%	
Other moods	28%	10%	20%

(1) Some players gave more than one reply.

(2) 'Other moods' refers to those players whose general mood before, during, after could not be determined.

Fruit Machines: Attraction vs. Disadvantages

Despite financial losses, the fruit machine is still attractive to the adolescent gambler. The players reported a number of attractive features and qualities including the chance to win money (72%), actually winning money (40%), the flashing lights (30%), the music and noise (30%), the prevention of boredom (26%) and the excitement and stimulation (24%). Minor attractions were the chance to "be your own boss", good fun, a test of skill, helping to forget problems, the opportunity to play alone, and watching others lose!

The major disadvantages of fruit machine playing were either financial problems i.e. losing money (35%), using up too much money (22%) and poor value for money (12%), or its addictive nature (20%). Minor distractions reported by some players included knowing you cannot win in the long run, knowing you cannot improve your game, and being a distraction from other leisure activities.

Negative Consequences

Although 54% reported they had won a lot of money at least once (amount undetermined), on other occasions 96% had lost more money than they intended and 68% had spent all their money. Other negative consequences of fruit machine playing which occurred at least once were truanting (32%), stealing (18%), trouble with parents or teachers over gambling (15%), irritability when not playing (8%), causing damage to arcade surroundings (4%), poor schoolwork (2%) and aggressive behaviour (2%).

A number of players reported they would go out of their way to gamble on fruit machines (20%) and only 66% reported they could not stop playing them easily (24% did not know and 10% said they could not).

The most disturbing finding was that 18% of the players were pathological gamblers as defined by the diagnostic criteria of the American Psychiatric Association (1987).

Pathological Gambling

Fruit machine playing appears to be predominantly male-oriented and all the nine players diagnosed as pathological gamblers were males. This group differed from the 41 non-pathological gamblers significantly on a number of variables. Unsurprisingly significant differences were found on all of the American Psychiatric Association's DSM III-R diagnostic criteria except "returning to win back losses" (see table 3) since they are a measure of pathological gambling. Pathological gamblers started playing fruit machines at a mean age of 9.22 years, significantly earlier than the others who began at 11.34 years ($t=3.25$, $p<0.01$).

Table 4 shows the reason for the continued playing of fruit machines. Pathological gamblers were significantly less likely to play because their friends do, to meet their friends or to win money, and they were more likely to view fruit machine playing as a non-social activity. They were more likely to have had a big win in their playing career but were also more likely to spend all their money. On other financial variables pathological gamblers were significantly more likely to owe money in addition to obtaining money by less socially acceptable sources (i.e. borrowing, use of lunch/birthday/Christmas money and stealing). They were also more likely to get into trouble with parents and teachers over gambling and were significantly more irritable when not playing.

Table 3

Pathological Gambling: % of players showing diagnostic criteria of DSM-III-R

Criterion	% Sample	χ^2 (at 1 d.f.)
Frequently gamble and obtain money to gamble	22	38.914***
Frequently gamble larger amounts of money	26	4.983*
Need to gamble more to be excited	18	10.488**
Restless if you cannot gamble	20	8.672**
Return to gamble to win back losses	4	0.457 not sig
Make repeated efforts to stop gambling	24	9.571**
Gamble instead of going to school/job	18	34.756***
Sacrifice other activities to gamble	20	17.612***
Continue to gamble, even when you owe Money	54	32.554***

(i) $p < 0.05$

** $p < 0.01$
*** $p < 0.001$

The pathological gamblers were more likely to be attracted by the 'aura' of the machines (i.e. the music, noise and flashing lights) and experienced significantly more excitement during play. No difference was found between the two groups on other gambling activities except that the pathological gamblers were more likely to play video games (see Table 4). Predictably there were high inter-correlations on significant pathological gambling variables.

Table 4**Significant differences (χ^2) between pathological and social gamblers**

	χ^2 (at 1 d.f.)
<u>Reasons for playing now</u>	
Because friends play	5.767**
To meet friends	4.704*
To win money	5.984**
Miss if do not play	32.554****
Cannot stop playing	14.469***
<u>Financial factors</u>	
Winning a lot of money	5.378**
Spending all money	5.165**
Borrowing from friends parents	17.402****
Owing money	17.908****
Using lunch money	10.488****
Using birthday/X-mas money	14.539****
Stealing money	31.061****
<u>Affective stakes</u>	
Excitement during playing	13.969****
Not wanting to stop playing while playing	12.064****
Cannot stop playing while playing	25.309****
Wishing you were still playing after playing	16.463****
<u>Negative Consequences</u>	
Got into trouble with parents/teachers over gambling	31.167****
Missed school or job	23.323****
Stealing	37.368****
Irritable when not playing	19.807****
<u>Miscellaneous</u>	
Attractiveness of music and noise	7.027***
Social activity (playing as a ...)	17.612****
Playing video games	5.165**

(ii) p<0.05 ** p<0.02

*** p<0.01
**** p<0.001

Although the study involved only 50 fruit machine players, the results did suggest a number of underlying trends in the factors affecting acquisition, development and maintenance of gambling behaviour. Fruit machine playing appears to be a predominantly male activity and it was not surprising that all those players diagnosed as pathological gamblers were young male adolescents. Although cases of excessive female fruit machine gambling are known (Wyatt, personal communication) they appear to be much less common.

The study confirms that pathological gambling is not just an adult phenomenon and is the first study to give an incidence figure of pathological gamblers (18%) in a fruit machine 'user population'. However, this figure is biased as the sample was taken from an amusement arcade where the heavier users are likely to be encountered, and therefore larger surveys need to be carried out to give more reliable estimates.

There seems to be little difference in the acquisitional factors between the pathological and non-pathological gamblers except that the pathological gamblers started playing on fruit machines significantly earlier, however this may or may not be causal. It also appears that more pathological gamblers tend to start playing with their parents or on their own as opposed to with friends. Sociological factors appear to play little part in the development and maintenance of pathological gambling although peer pressure appears to be very important in the maintenance of non-pathological 'social' gambling.

It was clear that even within a fruit-machine user population, most adolescents have control over their gambling although occasionally a number of social gamblers did lose some control by either losing more money than they had intended or by spending it all. Other negative effects were also found in a minority of social gamblers (e.g. gambling debts, owed money, truancy etc.).

There were no significant correlations between fruit machine playing and other gambling activities although all the pathological gamblers played video games. However, this could be explained by the fact that fruit machines and video gaming machines are invariably next to (or in the vicinity of) each other in amusement arcades. As Griffiths (1988c) pointed out, just because you are addicted to fruit machines in no way reflects interest in, or produces similar behaviour on, video gaming machines.

It could be that fruit machine playing is a fundamentally different form of gambling behaviour from any other, operating at two distinct levels. The social gambler participates for fun, money and its social focus. The excessive gambler however, plays on his/her own, 'playing for the sake of playing' ('with' money rather than 'for' it). It becomes more of a game, like a video game, than a gambling activity.

The excessive fruit machine player's reinforcer may be physiological as opposed to financial, as the pathological gamblers reported significantly more excitement and arousal during gambling activity than social gamblers, and in the DSM-III-R diagnostic criteria, 'returning to win back losses' was not a significant factor.

It has been hypothesized by Griffiths (1988e) that excessive fruit machine playing may be explained by the 'psychobiology of the near miss'. Thus, if gamblers get physiologically aroused when they win or nearly win, then in the gamblers' terms they are not persistently losing but constantly winning or 'nearly winning' thereby reinforcing further play through self arousal. It also appears that cognitive factors such as the illusion of control, notably skill perception (Langer, 1975) and biased evaluations (Gilovich, 1983) may also play an important role in the maintenance of pathological gambling. These factors from the study have been examined more closely elsewhere (Griffiths, 1988a).

The pattern that emerges is one in which sociological factors appear to be the most important in acquisition of gambling behaviour and also in the development and maintenance of social gambling whereas development and maintenance of pathological gambling appears to be sustained by psychological and physiological variables

However, this is unlikely to account for all excessive gambling behaviour. For instance, Wyatt (1988) has argued there are two types of 'fruit machine addiction' in which the problems that surround it have to be approached and treated in different ways. There are those gamblers whose problems (e.g. stealing money, truancy etc.) stem from the gambling activity itself, whereas some people gamble excessively to, escape from their 'real' problem whether it be a problem at home (e.g. alcoholic father) or an affective disorder (e.g. depression). In the first case, excessive gambling was the primary problem as opposed to the second case in which the excessive gambling was a secondary problem. It is unlikely that the previously outlined etiology of pathological gambling would explain second order excessive gambling.

More research needs to be done into the interaction of the multi-determinants involved in both adolescent and adult gambling behaviour with special emphasis on the arousal and excitement components in the physiology of gambling and the cognitive factors in the psychology of gambling. In addition, research into the differential sociological, psychological and physiological variables in first and second order gambling addictions could provide useful information for further treatment and prevention programs.

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Gambling Machines and Young People - The Results of a National Survey.

Angela Evans

National Housing and Town Planning Council

14-18 Old Street

LONDON EC1V 9AB

In 1987 the National Housing and Town Planning Council (NHTPC) conducted a large scale "recogniz survey of school children on their use of gambling machines. In this article Angela Evans, Assistant Director (Policy) with the Council, describes some of the main findings.

Gambling machines and young people may seem a curious subject for an "recognized"n which usually deals with housing and planning issues to take up. The NHTPC's involvement began when members expressed concern that the planning system was not effectively controlling the spread of amusement arcades. Local authority decisions to refuse planning permission were being overturned on appeal because they had been based on social or moral grounds rather than on proper planning considerations such as land use, design or traffic noise generation. Underpinning these reservations about the effectiveness of existing controls was a growing concern for the vulnerability of children who have ready access to gambling machines. Amusement with prizes machines represent the only form of gambling open to under 18 year olds and the Council could see no logical reason for retaining this legal loophole. Children are excluded from other forms of gambling because they are considered to be vulnerable to the addictive nature of the activity.

The Council believes that the use of gambling machines should be restricted to those who are 18 or over and limited to types of premises which are already controlled by licensing and policed under the gaming legislation. In 1987 the Home Office responded to pressure to amend the law by stating that they would not accept the need for new legislation until there was evidence that the current arrangements were causing problems. At that time there had been no national research on the subject and the Council's survey was undertaken to fill this information gap.

THE SURVEY

In all nearly 10,000 schoolchildren aged between 13 and 16 from seventeen schools in six different local authority areas were included in the survey. The children completed questionnaires anonymously and the confidential nature of the survey was stressed. Children under the age of 13 were

excluded because of the risk that they may not fully understand the questions they were being asked.

THE INCIDENCE OF GAMBLING

The survey found that nearly two-thirds (64%) of the children surveyed had gambled in either amusement arcades or in other venues such as chip shops or cafes. If children nationally are similar to those surveyed then we can calculate that about 2 million children have played on gambling machines. Amusement arcades were more popular as gambling venues than cafes etc., approximately 60% had gambled in arcades compared to nearly 50% who had played in cafes etc.

One in seven (15%) of children who played gambling machines gambled at least once a week and nearly a tenth (9%) at least twice a week. Between 3-4% gambled four or more times per week.

AMOUNT SPENT

Four in ten (43%) of children who visited arcades usually spent more than £1 during a single visit and nearly a tenth (9%) usually spent more than £3. Children tended to spend less on gambling machines outside arcades: a quarter usually spent more than £1 during a typical gambling session.

If we assume that the survey sample is representative we can calculate that over 700,000 children usually spend more than £1 during a visit to an amusement arcade and about 350,000 usually spend this amount when they gambled in cafes etc.

AGE STARTED

The survey found that no fewer than one fifth of children had started to gamble before they were 9 years old. A further 57% said that they had started playing by the time they were 13 and 22% said that they started when they were over 13 years of age. The survey was restricted to those who were at least 13 years old and so must significantly underestimate the number of children playing gambling machines.

INDIVIDUAL AND SOCIAL GAMBLING

Approximately 20% of children usually gambled alone, just over half (55%) usually played with other children and a quarter (26%) with adult members of their own family.

INDICATIONS OF DEPENDENCY

Although a questionnaire survey cannot hope to obtain an accurate measure of dependency, the survey did collect information on a number of indications of dependency, such as whether a child had ever borrowed, stolen, used his dinner

money or played truant in order to gamble. We found that 7% had stolen, 35% had borrowed, 17% used their dinner money and 6% had missed school. The figures are surprisingly high and the propensity to behave deviantly increased significantly for children who gambled frequently. For example, of those children who gambled four times a week, nearly 40% had stolen to finance their habit.

CONCLUSIONS

The survey found that the playing of gambling machines amongst children was commonplace. Regular gambling, of course, does not automatically constitute a problem. The children involved may be impervious to the addictive nature of gambling and well able to control their expenditure on the activity. It may be that arcades merely provide cosy, convivial meeting places for young people who have few other places to meet their friends. However, the survey found that many children spent sizeable amounts of money on gambling and that the more frequently children gambled the more likely they were to behave deviantly.

Gambling Machines and Young People is available from NHTPC, at the address given at the head of this paper (tel: (01) 251 2363), price £4 (incl. p + p).

GENERAL LAW ON GAMING AND VIDEO MACHINES
Susanna FitzGerald

The recent Home Office Report "Dependency and Delinquency" sets out the results of the Home Office research into the use by young people of two kinds of machine: fruit machines and video machines. However these are only two of the types of machine recognized by the law and it may be useful to set out these various categories to help to make sense of the legal framework surrounding the various machines. Generally the machines are divided into two categories: gaming machines, and non gaming machines.

Gaming Machines

These fall into two categories: gaming machines which fall under the Gaming Act 1968, and other machines where the element of chance is not provided by the machine but by something else.

(a) Gaming Machines under the Gaming Act 1968

That Act provides that a gaming machine is a machine (or apparatus):-

- (iii) which is constructed or adapted for playing a game of chance by means of the machine; and
- (ii) where the chance element is provided by the machine and
- (iv) which has a slot for the insertion of money or money's worth in cash and tokens.

The machine has to be constructed for playing a "game of chance". This means it must be a "game" (i.e. not, for example, a competition), of chance or of chance and skill combined. It does not include a game of "mere skill" where the chance element is so slight as to render the game one which can properly be said to be one of mere skill" (per Lewis J in R. v. Tompson (1943) 1 Kings Bench Division 650).

Gaming machines under the Gaming Act fall into two categories:-

- (v) Jackpot machines. The charge for playing these machines is a maximum of 20p per play and there can be large cash prizes of, for example, £100. These machines are essentially permitted only in premises which have a gaming licence such as casinos or bingo clubs or in clubs which are specifically registered under the Gaming Act - for example, snooker clubs. It can be very difficult to get registration under

the Act. These machines are generally thought of as "hard gaming machines"

- (ii) Amusement with Prizes machines known as "AWPs" which are fruit machines as we all know and understand them. With these machines the maximum charge for play is 10p per play and the prizes are severely limited. They are £2 in cash or money's worth or £4 in tokens exchangeable only for a prize and not money, or a mixture of both, but the total value must not exceed £4. The idea behind these machines is that the emphasis is on amusement rather than on gambling.

(b) Other Gaming Machines

However, as I mentioned above there are other machines which are similar to AWP's but where the chance element is not provided by the machine. An example of this is prize bingo machines. In R. v. Herrod ex parte Leeds City District Council (1976) 1 Q.B. 540, Lord Denning MR described how prize bingo machines work. He said:

"Now prize bingo is like ordinary bingo, but played with sophisticated apparatus. Instead of cards with numbers on them, there are dials facing the players. A player puts in a coin. Thereupon two dials light up showing numbers corresponding to two cards. When the game starts, instead of someone drawing a number out of a hat the machine throws a ball into the air. A gaily dressed lady plucks one of them and calls out the number. If it is one of the numbers on the dial, the player crosses it out by pulling a cover over it. If he gets all his numbers crossed out correctly before the other players, he gets a prize. This is obviously a lottery or a game of chance, but it is not a "gaming machine" because the element of chance is not "provided by means of the machine" but by means of the gay lady."

With these machines the maximum charge for play is 30p per play, the maximum stake money taken at one game (amongst several players) is £20 but the maximum money prize is 30p.

Non-Gaming Machines

There are also non-gaming machines, which so far as the Home Office report is concerned means video machines. These are machines which play games of mere skill or where the chance element is so slight as to render the game one which can properly be said to be one of skill. With reasonable skill the player ought to do reasonably well, and the more skill the player has the more often he should win. These machines are often referred to as skill with prizes machines. One of these machines played a game called Trivial Pursuits, a general knowledge game; I understand students at one of the

universities played the machine with such success that they broke the bank!

Operating Video Machines

As these skill with prizes machines are not gaming machines, there is no need to have a licence or permit to operate these machines in public premises. However operators who want to open an amusement arcade, only using these machines, may encounter problems with the Planning Authorities. There may also be Local Authority bye-laws to contend with, made under Section 75 of the Public Health Act 1961. These regulations deal with fire safety, hours of opening, cleanliness, public safety and so on. There is no power to restrict the age of the person playing the machines.

Operating Fruit Machines or AWP's

The situation is very different regarding the operation of AWP's. Before anyone can operate these machines on public premises they must have a permit. If the premises on which the machines are to be operated have a drinks on licence e.g. a pub or a wine bar (but not a restaurant licence by itself) application must be made to the local liquor licensing justices. Otherwise application must be made to the Local Authority.

The law now separates amusement arcades (i.e. premises used wholly or mainly for the provision of amusements by gaming machines) from all other premises whose proprietors want to operate AWP's on the premises. Generally amusement arcades are in a better position than other premises as far as the law is concerned.

Premises other than Amusement Arcades

With regard to premises which are not amusement arcades and which do not have a drinks on licence, e.g. fish and chip shops, shops, cafes etc., Local Authorities are given special and wide reaching powers to pass Resolutions.

These Resolutions can be any of the following:

- (i) that the Local Authority will not grant any more permits to a specified class of premises e.g. shops;
- (ii) that the Local Authority will not grant or renew permits to a specified class of premises e.g. cafes;
- (iii) where the Local Authority grants or renews a permit to premises or a specified type of premises it will only do so with a condition limiting the maximum number of AWP's on the premises, and the Local

Authority may specify the maximum number. (The examples of premises given are mine).

However, Local Authorities cannot pass Resolutions limiting the age of the persons entering the premises or using the machines.

After such a Resolution has been passed, any application for grants or renewals of permits for AWP's must be dealt with in accordance with the Resolution.

These Resolutions are not popular with the Courts because the Courts feel that it takes away the right of an individual to be heard in respect of his application before the application is decided, i.e. the Resolutions decide whether someone should have a permit or should have his permit renewed and he has no right to argue or appeal against that. Lord Salmon in the R.v. Herrod case (supra) said:

"Resolutions could cause grave hardship by depriving very many people of their livelihood without giving them any chance of being heard, or of course, any right of appeal This could be an example of how easily liberty is eroded without anyone realising what was happening."

Assuming that no Resolution has been passed and that the premises are not an arcade, the Local Authority or Justices have a discretion whether to grant or renew permits. The discretion must be exercised "judicially", i.e. not arbitrarily. Consequently they cannot refuse it because they do not like the length of the applicant's hair! The applicant can appear in front of the Local Authority or Justices, present his case (with the help of lawyers if he wishes), and is generally allowed to call witnesses, so that all the facts of his particular case can be gone into.

The Local Authority or Justices can refuse the grant or renewal of a permit if they consider it undesirable to have AWP's on the premises because of:

- (a) the purposes for which the premises are used and/or
- (b) the persons by whom they are used and/or
- (c) any circumstances in which the premises are used or to be used.

Consequently, if many young children are using the premises and this is thought to be undesirable by the Local Authority or Justices, the grant or renewal of the permit can be refused. However, the only condition that can be imposed on the permit is as regards the number of machines on the premises. There is still no power to attach any condition as to the minimum age of the persons using the machines.

Amusement Arcades

With regard to amusement arcades the situation is different. The Local Authority has no power to pass Resolutions with regard to them. Consequently, amusement arcades escape the first hurdle that all other premises which do not have a liquor licence must cross i.e. the Resolution. Applications will only be made to the Local Authority concerned as Justices are highly unlikely ever to grant a liquor licence to an amusement arcade. Generally the grant of the permit is at the discretion of the Local Authority which discretion again must be exercised judicially. The procedure is the same as that for non amusement arcades. The Local Authority may take into account the age of the customers in deciding whether or not to grant the permit, but they cannot attach any conditions at all to the grant of the permit, not even in respect of the number of machines permitted on the premises, let alone with regard to the minimum age of the persons using the machines or visiting the premises.

Once granted , renewal of the permit may not be refused except on two grounds:

- (i) the Local Authority or their representatives have been refused reasonable facilities to inspect the machine or
- (ii) because of the conditions or manner in which the AWP's are used on the premises or in which other amusements (which could include video games) are being provided or conducted on the premises. This could include physical safety aspects or the fact that customers are being cheated, or that the Gaming Act regulations (such as the amount of stake money or prizes etc.) were being breached. It is hard to see that the "conditions or manner in which the AWP's are used on the premises" obviously covers the age of the customers.

Also the permit could be lost, whether it is an arcade or not, because of breaches of the rules under the Gaming Act as to, for example, prizes or stake money. These are offences under the Gaming Act, and if found guilty of such an offence, the Justices or Local Authority can cancel the permit in toto.

Conclusions

Once granted a permit lasts for 3 years unless it is cancelled because of offences. Generally, therefore, once an amusement arcade has been granted a permit, providing the arcade is properly run, it is unlikely that the permit will ever be taken away. However, Local Authorities do have absolute power to refuse the grant of the permits to amusement arcades in the first place if they consider that it is not in the interests

of the local people or the people likely to use the arcade. Consequently, if the Local Authority feel that an amusement arcade on the premises suggested would be likely to cause truancy, theft or other problem with young persons, then they are perfectly entitled to refuse the permit. However, the Home Office report does not corroborate the view that AWPS and video machines do cause such problems to any degree. The Report is therefore being used by applicants in support of their applications for permits for AWPS. In practical terms therefore it may be difficult to persuade Local Authorities that an amusement arcade would cause difficulty, unless they have actual evidence of an amusement arcade within their jurisdiction which has caused such problems. In those circumstances the findings of the Home Office report could be overborne.

Local Authorities therefore have very wide powers to prohibit or restrict the use of AWPS in premises (other than amusement arcades) within their area by passing Resolutions. They and Justices have a wide discretion also to refuse permits for the use of AWPS in all premises within their areas to which the public have access. If, therefore, anyone considers that too many permits are being granted for AWPS, he or she should make their objections to the Local Authority or Justices of the relevant area. They may have the right to appear in front of the Local Authority or Justices when they are considering an application for a permit. In practical terms, such an objection may be heavy going in front of Justices, as there are age restrictions on young people being in licensed premises under the liquor licensing laws, but Local Authorities may be far more sympathetic.

Susanna FitzGerald is a barrister of 15 years call who practises extensively in the field of gaming, lotteries and liquor licensing. She has lectured both in England and America on British Gaming Law.

SSG Newsletter No. 15, August 1989

REVIEW

AMUSEMENT MACHINES: DEPENDENCY AND DELINQUENCY. By **John Graham.** Home Office Research Study No 101. (1988).

This is the Report which the Home Office promised it would prepare in response to the growing public concern about the impact of amusement machine use upon young people. Particular attention was focussed upon the possibility of a connection between such use and later offending.

The Report reviews (ch 2) previous research on amusement arcade machines, including the surveys conducted by the National Housing and Town Planning Council, by the Spectrum Children's Trust and by Dr Emmanuel Moran for the National Council on Gambling. It finds each of them wanting. Chapter 3 sets out the research design carried out for the Home Office, which involved firstly a national random sample of 1,946 children aged 10-16 in England and Wales conducted in 1987, and secondly a series of in-depth interviews with both regular and occasional players identified by the sample. Chapters 4 and 5 discuss the research findings, under the headings, "the extent of participation and the risk of dependency" and "the role of amusement machines in the lives of young people." Chapter 6 is particularly concerned with the link (if any) between amusement machine use and delinquency.

It would be wrong to try to summarise the many points which emerge from the research, which should be read by anyone concerned with this issue, but the Home Office's own summary is as follows (p iii): "The results suggest that whilst for a small minority of young people public concern may well be justified, the scale of the problem does not appear to warrant legislation. Very few young people are at risk of becoming dependent upon amusement machines and no evidence is found of any association between the playing of machines and delinquency."

The consultative process of which this Report is a part included the Society, which devoted its entire Meeting in November 1988 to this topic. The Meeting was attended by Home Office staff. Shortly thereafter the Secretary responded to the Home Office's invitation to present the Society's views. The letter is set out below.

"CONSULTATION ON AMUSEMENT ARCADES

Dear Mr Pratt,

As perhaps you are aware, the Society for the Study of Gambling has no particular stance on gambling, indeed its constitution expressly permits its members freedom of opinion as to the desirability or otherwise of gambling, of its impact

upon the consumer and of proposals to ameliorate that impact where it is perceived to require intervention. Accordingly, it is not possible for the Society to present a collective view to the Home office in response to the consultative letter and documents on the matter of the use by young persons of AWP machines which you recently sent to me.

As you know, two of your staff attended the meeting of the Society held on 15 November 1988 at which a number of speakers addressed different aspects of this matter, and I think the best response the Society can make is for me to recap briefly the main points that emerged from that meeting.

(1) So far as the siting of fruit machines in places other than arcades is concerned, if ratepayers and others have objections, they should communicate these to their local authorities, which have sufficient powers under Schedule 9 of the Gaming Act 1968 (including the making of resolutions divesting themselves of discretion for specified classes of premises) not to grant or renew permits if there is a danger that young people will have too easy access to such machines.

(2) Research suggests that notwithstanding the true position, young people who play on fruit machines perceive that they present elements which allow the player to exercise some degree of skill (knowledge of reel position and display and of particular machines) and that negative recency effects remain potent. The implication for education is to underline the nature of chance as against the illusion of control. This has, however, relevance well beyond AWP machines - to many forms of gambling and risk-taking (e.g. drug use) - and it might be preferable to introduce the wider topic in the personal and social education curriculum.

(3) The Home Office report (research study 101) reads as though the conclusion was reached before the research was undertaken.

(4) There was little agreement as to the size of the problem, or indeed whether the problem was not in fact in large measure a consequence of a moral panic allied with an implicit assumption that, viewed as a leisure activity, playing on fruit machines is to be deplored.

(5) There was some anecdotal evidence presented of young people being approached in arcades for criminal purposes, or for the purpose of being made loans for gambling."

Signed by the Honorary Secretary on behalf of the Society.

Since then the Home Office has stressed the desirability of educative efforts to warn young people of the potential for harm, and has sought to remind local authorities of their powers under the Gaming Act 1968 concerning the grant and renewal of permits.

RECENT DEVELOPMENTS.

David Miers
Cardiff Law School
University of Wales.

Report of the Gaming Board for Great Britain 1988/89.

(12 July 1989, House of Commons paper No. 461).

This shows that:

1. In 1988/89 116 casinos enjoyed a total drop of £1,722m, the same figure as for 1987/88. There continues to be a marked decline in the proportion of the drop taken by London casinos (from over 708 two years ago to 648 in 1988/89), but the fact that the overall figure has not declined is due to a very buoyant provincial market.

2. The amount staked on bingo at licensed bingo clubs between September 1987 and August 1988 was £626m. This was a 12.68 increase over the previous year, and continues acceleration in receipts since 1985. The number of licensed clubs continues to decline: from 1115 on 31 March 1988 to 1074 on 31 March 1989.

3. The number of gaming machines was:

	1987/88	1988/89
jackpot machines	41,486	40,980
AWP machines	184,876.	188,607

Video Games

British Amusement Catering Trades Association v. Westminster CC. (1988] 1 All England Law Reports 740.

In the last Recent Developments (Newsletter No. 12), a resume of the judgment of the Court of Appeal in this case was given. By a majority, it held that a video game was a "cinematograph exhibition" within the meaning of the Cinematograph Acts 1909 to 1962. The implications of this judgment for BACTA and for all occupiers of premises on which video games are located were profound: in essence they would require a further licence (that is, in addition to the permit granted under section 34 of the Gaming Act 1968) to be issued by the local authority, which would have to be satisfied that the premises met the standards set by these Acts. Those standards are principally directed towards audience safety in cinemas.

Leave to appeal to the House of lords was given, and the House unanimously allowed the appeal, preferring the dissenting judgment of Nourse LJ in the Court of Appeal. In a short speech, Lord Griffiths indicated that their Lordships had no doubt but that this legislation was intended to provide for

the safety of the audience at a film show, and in particular to eliminate the fire risks associated with its highly inflammable medium; the legislation could simply not be read as extending to video games.

Annual Report of the Department of Customs and Excise 1987-88.
(4 October 1988, Command Paper 453).

The total of betting and gaming duties for the fiscal year 1987-88 was £826.6m. This was a slight increase on the preceding year (2.2%), but is, and continues to be significantly lower than the yield from the tobacco (£4,766.6m) and liquor (£4,443.1m) duties. Table J of the Report shows the following totals for the five betting and gaming duties (1986-87 figures are also given for comparison):

	1987-88 (£000)	1986-87. (£000)
general betting duty	355,001	344,428
pool betting duty	275,191	254,237
gaming premises duty	41,700	52,700
gaming machine licence duty	94,183	74,673
bingo duty	60,618	54,047
totals.	826,693	780,085

The Report also shows that off-course taxed bets amounted to £4438m, while on-course taxed bets (bookmakers and tote bets) amounted to £39m.

UPDATE

The following recent publications about gambling have been listed by the Learning Resources Centre at the Polytechnic of Wales. Grateful thanks are given to Simon O'Donohue for his time and effort in conducting the necessary library search. It is emphasised, however, that this list is not exhaustive.

Lucky numbers: Choice strategies in the Pennsylvania Daily Number game.

Halpern, Andrea R.; Devereaux, Scott D.
Bucknell U. Lewisburg, PA, US
Bulletin of the Psychonomic Society,
1989 Mar Vol 27(2) 167-170
ISSN 00905054

On being the expert witness for the compulsive gambler facing legal charges. Special Issue: Compulsive gambling and the Law.

Lorenz, Valerie C.
Forensic Ctr for Compulsive Gambling, Baltimore, MD, US
Journal of Gambling Behavior,
1988 Win Vol 4(4) 320-328
ISSN 07420714

From the view of a compulsive gambler/recidivist. Special Issue: Compulsive gambling and the law.

Jarvis, Stephen
Journal of Gambling Behavior
1988 Win Vol 4(4) 316-319
ISSN 07420714

Recovery, reinstatement, serenity: The personal account of a compulsive gambler. Special Issue: Compulsive gambling and the law.

A. Paul
Florida Council on Compulsive Gambling, Ocala, US
Journal of Gambling Behavior,
1988 Win Vol 4(4) 312-315
ISSN 07420714

The early warning system that failed: A personal account. Special Issue: Compulsive gambling and the law.

Ottinger, Paul w.
Journal of Gambling Behavior,
1988 Win Vol 4(4) 309-311
ISSN 07420714

**Problem gambling: One view from the gaming industry side.
Special Issue: Compulsive gambling and the law.**

Bybee, Shannon
Journal of Gambling Behavior,
1988 Win Vol 4(4) 301-308
ISSN 07420714

Compulsive gambling in Britain. Special Issue: Compulsive gambling and the law.

Kelly, Joseph M.
Karp & Kelly Ltd, Reno, NV, US
Journal of Gambling Behavior,
1988 Win Vol 4(4) 291-300
ISSN 07420714

**Legalization of lotteries in the 1980s. Special Issue:
Compulsive gambling and the law.**

Braidfoot, Larry
Southern Baptist Convention Christian Life Commission,
General Counsel, Nashville, TN, US
Journal of Gambling Behavior,
1988 Win Vol 4(4) 282-290
ISSN 07420714

**Compulsive gambling and the changing military law.
Special Issue: Compulsive gambling and the law.**

Little, William S.; Hecker, Fred S.
Stark & Little, Baltimore, MD, US
Journal of Gambling Behavior,
1988 Win Vol 4(4) 277-281
ISSN 07420714

**Compulsive gambling and the law: From sin to vice to
disease. Special Issue: Compulsive gambling and the law.**

Rose, I. Nelson
Whittier Coll, School of Law, Los Angeles, CA, US
Journal of Gambling Behavior,
1988 Win Vol 4(4) 240-260
ISSN 07420714

**Gambling among lottery winners: Before and after the big
score.**

Kaplan, H. Roy
Florida Inst of Technology, School of Management, US
Journal of Gambling Behavior,
1988 Fall Vol 4(3) 171-182
ISSN 07420714

The prevalence of excessive and pathological gambling in Australia.

Dickerson, Mark; Hinchy, John
Australian National U, Canberra, ACT, Australia
Journal of Gambling Behavior,
1988 Fall Vol 4(3) 135-151
ISSN 07420714

Discharge planning with pathological gamblers: An ongoing process.

Adkins, Bonnie J.
Cleveland Veterans Administration Medical
Ctr, Brecksville, OH, US
Journal of Gambling Behavior,
1988 Fall Vol 4(3) 208-218
ISSN 07420714

The relationship between dissociative-like experiences and sensation seeking among social and problem gamblers.

Kuley, Nadia B.; Jacobs, Durand F.
Mary Baldwin Coll, Counseling 5 Psychological Services,
Staunton, VA, US
Journal of Gambling Behavior,
1988 Fall Vol 4(3) 197-207
ISSN 07420714

Group psychotherapy with pathological gamblers.

Taber, Julian I.; Chaplin, Martin P.
Ioannis A. Louragis Veterans Administration Medical Ctr,
Addictive Disorders Treatment Program, Reno, NV, US
Journal of Gambling Behavior,
1988 Fall Vol 4(3) 183-196
ISSN 07420714

Sex, locus of control, and illusion of control in Hong Kong as correlates of gambling involvement.

Hong, Ying-yi; Chiu, Chi-yue
U Hong Kong, Hong Kong
Journal of Social Psychology,
1988 Oct Vol 128(5) 667-673
ISSN 00224545

Plasma cortisol and depression in pathological gamblers.

Ramirez, Luis F.; McCormick, Richard A.; Lowy, Martin T.
Case Western Reserve U School of Medicine, Cleveland, OH,
US
British Journal of Psychiatry,
1988 Nov Vol 153 684-686
ISSN 00071250

Active gamblers as peer counsellors

Rosecrance, John
U Nevada, Reno, US
International Journal of the Addictions,
1988 Vol 23(7) 751-766
ISSN 0020773X

Choice in the repeated-gambles experiment.

Silberberg, Alan; Murry, Paul; Christensen, Joyce; Asano, Toshio
American U, Washington, DC, US
Journal of the Experimental Analysis of Behavior
1988 Sep Vol 50(2) 187-195
ISSN 00225002

Pathological gamblers are neither impulsive nor sensation-seekers.

Allcock, Clive C.; Grace, David M.
Cumberland Hosp, North Parramatta, NSW, Australia
Australian & New Zealand Journal of Psychiatry,
1988 Sep Vol 22(3) 307-311

Gambling as self-presentation.

Holtgraves, Thomas M.
Ball Stae U, Muncie, IN, US
Journal of Gambling Behavior,
1988 Sum Vol 4(2) 78-91
ISSN 07420714

Gambling as a function of gender and sensation seeking.

Wolfgang, Ann K.
State U New York, Oneonta, US
Journal of Gambling Behavior,
1988 Sum Vol 4(2) 71-77
ISSN 07420714

Lottery games and risky technologies: Communications about low-probability/high-consequence events.

Mumpower, Jeryl L.
State U New York, Nelson A. Rockefeller Coll of Public Affairs & Policy, Albany, US
Risk Analysis,
1988 Jun Vol 8(2) 231-235
ISSN 02724332

Pathological gambling among youthful multiple substance abusers in a therapeutic community.

Lesieur, Henry R.; Heineman, Mary
St John's U, Jamaica, NY, US
British Journal of Addiction,
1988 Jul Vol 83(7) 765-771
ISSN 00070890

Professional horse race gambling: Working without a safety net.

Rosecrance, John
U Nevada, Reno, US
Work & Occupations,
1988 May Vol 15(2) 220-236
ISSN 07038884

Gambling in young adolescents.

Ide-Smith, Susan G.; Lea, Stephen E.
U Exeter, England
Journal of Gambling Behavior,
1988 Sum Vol 4(2) 110-118
ISSN 07420714

Pathological gambling as a defense against loss.

Whitman-Raymond, Robert G.
Rhode Island Coll School of Social Work, US
Journal of Gambling Behavior,
1988 Sum Vol 4(2) 99-109
ISSN 07420714

The use of a hand-held microcomputer in the collection of physiological, subjective and behavioral data in ecologically valid gambling settings.

Dickerson, Mark; Hinchy, John; Schaefer, Martin;
Whitworth, Neville et al
Australian National U, Canberra, ACT, Australia
Journal of Gambling Behavior,
1988 Sum Vol 4(2) 92-98
ISSN 07420714

Effects of limited and unlimited stakes on gambling behavior.

Ladouceur, Robert; Gaboury, Anne
U Laval, Ecole de Psychologie, Quebec, Canada,
Journal of Gambling Behavior,
1988 Sum Vol 4(2) 119-126
ISSN 07420714

Job satisfaction of casino card dealers.

Frey, James H.; Carns, Donald E.
U Nevada, Las Vegas, US
Sociology & Social Research,
1988 Apr Vol 72(3) 159-164
ISSN 00380393

SCL-90 assessed psychopathology in pathological gamblers.

Blaszczynski, Alex P.; McConaghy, Neil
Prince of Wales Hosp, Psychiatric Unit, Randwick, NSW,
Australia
Psychological Reports,
1988 Apr Vol 62(2) 547-552
ISSN 00332941

Recreational betting: Everyday activity and strategies.

Filby, Michael P.; Harvey, Lee
City of Birmingham Polytechnic, Perry Barr, England
Leisure Studies,
1988 May Vol 7(2) 159-172
ISSN 02614367

Hemispheric EEG correlates of compulsive behavior: The case of pathological gamblers.

Goldstein, Leonide; Carlton, Peter L.
U Medicine & Dentistry of New Jersey, Robert Wood Johnson
School of Medicine, Piscataway, US
Research Communications in Psychology, Psychiatry &
Behavior
1988 Vol 13(1-2) 103-111
ISSN 03622428

Defining the win and thereby lessening the losses for successful entrepreneurs. 5th Annual Creativity & Entrepreneurship Conference (1988, Cincinnati, OH)

Lipper, Arthur
Venture Magazine, New York, NY,
US Journal of Creative Behavior,
1988 Vol 22(3) 172-177
ISSN 00220175

Gambling: Relationships between the frequency of wins and irrational thinking.

Ladouceur, Robert; Gaboury, Anne; Dumont, Michel;
Rochette, Pierre
U Laval, Ecole de Psychologie, Quebec, Canada
Journal of Psychology
1988 Jul Vol 122(4) 409-414
ISSN 00223980

**Lottery games and risky technologies: Communications
about low-probability/high-consequence events.**

Mumpower, Jeryl L.

State U New York, Nelson A. Rockefeller Coll of Public
Affairs & Policy, Albany, US

Risk Analysis

1988 Jun Vol 8 (2) 231-235

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AUSTRALIAN NATIONAL ASSOCIATION FOR GAMBLING STUDIES

ANNUAL CONFERENCE

Sunday 5th November - Wednesday 8th November

For full details please contact the conference convenor:

Fred Burns
Box 123 Dandenong
Victoria 3175
AUSTRALIA

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