

## Gambling: A Poison Chalice for Indigenous Peoples'

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**Abstract** Indigenous populations are now being encouraged to be involved in the business of gambling as an operator or if not given that status, are actively encouraged to participate in gambling activities. Research both published and unpublished show that different indigenous populations often have a higher prevalence of problem and pathological gambling than other populations groups, especially the dominant population, which actively encourages the normalisation and exposure of vulnerable peoples to gambling. Within this context there are issues for indigenous peoples which vary from one country to another, but irrespective of different government and state policies, there are matters to be considered such as the “voice”, of indigenous peoples in gambling policies, their treaties and ongoing implications, duty of care by politicians and administrators whom licence and regulate gambling, and the long term effects for indigenous people, especially children and young people who are exposed to gambling with no protections in place for their safety.

**Keywords** Indigenous gambling · Indigenous gambling related harm · Duty of care

In 2007, the Addictions Foundation of Manitoba in association with the Manitoba First Nations Addictions Committee, the Addictions Foundation of Manitoba and the Assembly of Manitoba Chiefs, organised the third National Aboriginal Gambling Awareness Conference, held in Winnipeg, Manitoba. To support the theme of the conference, “Striking a Balance”, a range of key note speakers were invited to contribute, as well as many researchers who were working with indigenous communities to discuss from their perspective the degree of harm created by different licensed gambling venues.

The conference theme was “*beat the drum*” with the aim to consider the harm that gambling plays in indigenous communities. One of the first issues discussed at the

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conference, was “what is wellbeing”, and in that context “ what does this concept mean for indigenous peoples’ who have intimate relationships with their land, their ancestors and see themselves in the context of others, not as isolated individuals in the pursuit of personal pleasure or achievement of individual wealth”. In recognition of the Declaration of Indigenous Peoples Rights, first nation peoples’ define their concept of wellbeing broadly and it covers a number of different dimensions. They are : economic, spiritual, cultural, family, environment and physical health status and they are all interrelated (International Work Group for Indigenous Affairs 2008). Any definition of gambling related harm for indigenous peoples must therefore, be defined and seen through their own eyes and from their cultural values and beliefs. This perspective was validated at the conference, even though this event was financially subsidized by a levy that First Nation casino operators are now required to pay as part of their responsibility of having a licence to operate a significant gambling venue on indigenous land. Funding from this levy is also used to support local gambling treatment services.

Similar arrangements also exists in New Zealand, where specific gambler operators are required to pay a fee on the basis of a formula which defines how harm is defined and this is used to calculate gambling related harm. Increasingly, it is being recognised that this gambling related harm formula is discriminatory as it under estimates gambling harm in New Zealand, and in particular disadvantages Maori, for there are many barriers in place which prevent tangata whenua ( people of the land) seeking help and being counted as having a gambling problem, (Dyall 2004).

The third first nation conference in Canada was timely, for it provided an opportunity for different views on gambling to be heard and for its place in indigenous communities to be discussed. Secondly, the conference provided a forum for consideration to be given to the long term effects of gambling related harm for first nation communities who are struggling in many different ways to protect their people, as well as to be involved in leading their own social and economic development so that they are able to break free from Federal or state control. To be able to achieve self determination indigenous people need their own resources and so many small first nation communities are now being attracted to have their own gambling venue in their community. At the same time, however, gambling research undertaken in different first nation communities and presented at the conference, showed that although indigenous populations may have different experiences of engagement in the business of gambling and exposure to gambling related harm, in general, indigenous peoples’ are two to three times at risk to developing problems with gambling than the dominant population and it is the latter population which actively promotes gambling as a legitimate business and a recreational activity. Research findings presented at this conference, unpublished, are consistent with other research that has been undertaken with first nation peoples’ that gambling can become an addictive activity as a coping mechanism of the historic trauma indigenous people have experienced as well as their ongoing poverty and social and political marginalisation, (Abbott 1999; Wardman et al. 2001).

This paper is presented following the experience of attending the conference as an indigenous person who has been actively involved in developing a public health approach to eliminating gambling related harm in New Zealand, especially from a first nation’s perspective, (Dyall and Hand 2003). The paper also provides an opportunity to consider the differences and similarities between different indigenous peoples involved in the business of gambling or who are deliberately exposed to gambling by different governments or their respective agents. In addition, the paper provides an opportunity for reflection and

recognition of the importance of government administrators and tribal leaders being responsible in exercising their role and responsibility of duty of care, for those they are required to protect. Special consideration must be given for the protection of children and young people to ensure where possible current and future generations are healthy and secure in all aspects of their lives, (Wardman et al. 2001).

### **An Indigenous Voice**

Indigenous people in America, Canada, are increasingly becoming involved in the business and operation of casinos and large scale gambling venues in their communities. The rules for establishment of gambling venues may vary across different States and but all are required to contribute in some way for the harm they create.

Maori the indigenous population in New Zealand are different from other first nation populations internationally, that although tangata whenua are signatories to Te Tiriti o Waitangi, Maori have no dependent sovereignty and are unable to establish large scale gambling venues on their land within the context of government gambling legislation. Currently, if Maori wish to offer opportunities to gambling, such as running regularly a bingo or housie hall, tangata whenua must apply for a licence to the Department of Internal Affairs, which is responsible for the administration, operation and monitoring of gambling legislation in New Zealand. Despite Maori interest in large scale gambling, Maori have been denied the opportunity to establish their own licensed casino or to be even given a quota of gambling machines for their benefit. This is despite the fact that licences for this form gambling can only be held by charitable or approved organisations whom can decide who receives the financial benefits for community activities, (Dyall 2002; Dyall and Morrison 2002; National Research Bureau LTD 2007). Legalised gambling exists in New Zealand to predominately provide financial benefits to different community groups and the Government, irrespective of the social, cultural, spiritual and economic costs involved.

In contrast to Maori, many First Nations Peoples' in Canada and America have limited amounts of land and they often live in isolated communities with few recreational opportunities. Due to their relative isolation, many are now living in environments where there is considerable social, economic and cultural changes as different minerals and oil are being extracted from their land or neighbouring communities which are now bringing new employment opportunities to them but also the contamination and exploitation to their physical and spiritual environments and pollution of their waterways.

With these new economic and social developments and with casinos on their land or neighbourhoods, their lives are rapidly changing which threaten their: indigenous values, families, view of spirituality, social and economic structures and relationships to their physical environment.

Taking account of what is important for the wellbeing of indigenous peoples', there now needs to be wide discussion and engagement with first nation peoples' to identify and define from their different perspectives as to what constitutes gambling harm and secondly, how it should be eliminated. Without this engagement and knowledge of indigenous views, non indigenous decision makers can create serious gambling harm in such communities which can then affect the wellbeing of current and future generations and can add to already social and economic destruction that these communities historically have already experienced.

## Indigenous Delusion

At the indigenous conference on gambling, it was observed that all of people who attended representing different tribal and community groups were proud of their tribal identity and in being indigenous. In addition, many were also pleased with their success in negotiating through the different bureaucratic and decision making processes to be able to achieve a licence to operate a casino or a significant gambling facility. Those involved in obtaining a licence promoted a view that their local casino provided local employment, and generated economic wealth. However, alongside this reality, it was increasingly being found through community based research, that money was merely being recycled, taken from their families, spent at their locally owned gambling venue and any profits being redistributed back to local share holders or tribal agreed projects. Social and economic wealth was not being increased in these communities but instead it was being depleted as their were flow on effects, such as increased crime and violence in their communities, the establishment of gangs, children were not being parented and cared for as in the past and generally their communities were becoming more disorganised. A similar situation has occurred in New Zealand, as a result of gambling venues being sited in low income communities, (Ministry of Health 2006a, b; Dyall 2007).

Engagement in large scale gambling is promoted to indigenous people as the saviour to their problem as to how to address poverty and social isolation. Instead at the conference and here in New Zealand, an alternative finding has been found. Instead of gambling venues attracting outside and even overseas tourists to such venues, the opposite has occurred in that local people are the main patrons of such places (Australian Institute for Gambling Research 1998). Outside tourists may be attracted to the area, but if they visit they are interested in a range of local attractions, such as the natural beautiful scenery, native flora and local wildlife. Visiting a gambling venue may happen but it is not their primary reason for visiting the area.

Taking account of this reality, at the same time many first nation peoples spoke at the conference with pride of their tribe or local community's achievement in promoting sobriety as an intervention to address the adverse and intergenerational effects of alcohol abuse. Many first nation communities have now just reached the stage where they are able to control alcohol use in their communities. Having achieved this milestone, a number of these communities was shortly to establish their own casino or large scale gambling venue. Being influenced by the hype and propaganda of the proposed benefits of gambling for first nations communities, it is feared that many of the achievements that these communities have achieved in addressing the effects of alcohol misuse and the long term effects of colonisation, may be undone with the accessibility of a casino or similar venue in their local area with minimum restrictions in place to protect those who are vulnerable from the effects of problem gambling, such as children and young people, older members of the community and of course those who are non gamblers. It is now recognised that for every problem gambler they affect the lives of between 5–11 people, generally people within their family and those close them such as work colleagues, (Productivity Commission Report 1999).

## New Zealand Experience

In comparison to Canada, the situation for Maori in New Zealand in relation to gambling is quite different. Maori currently have no treaty rights in relation to benefiting from the

business of gambling, instead as part of the process of nonMaori settlement Maori have been exposed and encouraged to participate gambling as a normalised activity. Furthermore, Maori have been actively encouraged to see gambling as solutions to address issues of poverty, limited recreational opportunities and the lack of power they have over their own lives. Gambling is also often used as a means to cope with boredom, provide excitement in their lives and to escape from personal trauma (Dyall and Hand 2003). Gambling has now become a real social hazard for Maori and is used by many Maori to help manage past and ongoing effects of colonisation, to help deal with trauma within whanau, to deal with boredom, to provide excitement in their lives and to help address our limited education, employment opportunities, alienation and ongoing racial discrimination which exists at all levels in New Zealand society, (Dyall 2004). Discrimination exists for Maori at a personal and structural level and within institutions such as the health system (Harris et al. 2006). For many Maori, gambling is increasingly becoming destructive, as it erodes family relationships, changes tangata whenua values and encourages individuals to be dependent upon “luck”, instead of shaping and determining their our own future. Often the answer to solving any adverse events or celebrating any positive events for Maori is associated with gambling, for example, the regular purchase of a “Lotto” ticket to achieve family aspirations or playing the “pokies” after a whanau or sports event. In addition, Maori have been actively encouraged by Government and their our own leaders to operate “Housie”, to fund and support marae and other cultural activities (Dyall 2002).

Although Maori are recognised as the ethnic group that most regularly purchases Lotto and are adversely affected by gambling machines, as tangata whenua, they are not actively consulted or invited as a key stakeholder in providing advice as to how gambling related harm can be reduced for them and the wider community (Ministry of Health 2006a, b; Dyall 2007; National Research Bureau Ltd 2007).

Maori reliance on gambling for social and economic needs has occurred over time, and has been normalised by one generation to the next supported by different government policies, and the promotion and advertising of gambling with minimum restrictions in place to protect indigenous people and vulnerable population groups, (Dyall et al. 2007).

As indigenous peoples’ are adversely affected by the marketing and advertising of gambling in their own countries as part of responsible gambling, they should be actively involved in defining and monitoring the statutory rules regarding gaming, such as advertising and host responsibility requirements and they should ensure that their precious cultural icons are not exploited or used in the business of gambling without their permission, (Dyall and Manaia 2005; Dyall et al. 2007). This includes for example use of indigenous culture, artwork, music, natural flora, wildlife, cultural events and so forth.

Without real awareness, indigenous people are being encouraged to gamble in which subtle messages are used which link their culture or spiritual values to gambling. For example in New Zealand, without real Maori awareness of the relationship between gambling and Maori ill health, Maori elders were invited and involved in the opening of all casinos using traditional Maori prayers to make the place a safe venue for Maori and others to visit (Dyall et al. 2007). Engagement of Maori in the process of the opening and the inclusion of Maori cultural items in such places moved the casino from being seen as unsafe or “tapu” to “noa”, a place where one can enter without fear. If Maori understood then how unsafe such places would become for tangata whenua, an alternative cultural approach could have been undertaken, such as placing a “rahui” on the venue and this would provide a real warning to Maori and others that this is an unsafe place to visit, (Dyall et al. 2007).

In New Zealand a brave decision has been taken by the Auckland City Council to ban all forms of large scale billboard advertising in the city area as it distracts from the beautiful environment that Aucklanders live in. This decision was made after wide consultation and consideration of the impact that advertising has on the social, economic, cultural and spiritual environment people live in. It has been advocated that if such a position can be taken in relation to protecting peoples' environment in Auckland that a similar stance should be taken to denormalising gambling in New Zealand. Such a decision would be extremely important for Maori and other marginalised ethnic groups who engage heavily in different forms of gambling. Research undertaken in New Zealand has identified that different ethnic groups have recall for different forms of gambling advertising and this generally links with their pattern of gambling, (Department of Internal Affairs 2001; Health Sponsorship Council 2007). Findings from research undertaken in New Zealand and the decision taken by the Auckland City Council provides information of the importance of considering how gambling advertising impacts on indigenous populations and the significance of indigenous leadership in ensuring that their tribal or community cultural icons, values and beliefs are not exploited in the business of gambling.

### **Gambling a Poison Chalice**

Recognising the experience of gambling for Maori, the situation in Canada and America for first nations, increasingly, it can be seen that gambling is a poisonous chalice for indigenous populations. Gambling has been promoted to indigenous peoples by different governments or its agents on the pretence that it is fun and a social recreational activity which is relatively harmless. However, increasingly evidence is accumulating in New Zealand and other countries, that for indigenous peoples, gambling creates considerable harm not just for those who are problem gamblers but also those who are passively affected, similar to the effects of tobacco and alcohol. The passive effects of gambling related harm is only now being considered and is far greater than the number of individuals who have a gambling problem (Dyall and Hand 2003). Those affected often have no voice in the decision making regarding gambling, such as children and young people. The effects on them both short and long term is considerable as they experience lost opportunities which increase their disadvantage and sense of poverty. Their loss of engagement with parents, family members and elders in terms of socialisation and transfer of indigenous knowledge needs to be considered when measuring or assessing gambling related harm for indigenous peoples.

When data on the lifetime and current prevalence of problem and pathological gambling is collected in indigenous communities or for a defined indigenous population, it is proposed that this information should not be presented just as a statistic, but translated into real numbers which clearly identifies the number of people who are adversely affected by problem gambling directly and then the passive effects can also be estimated. It will be recalled the passive effects can be considerable and greater than the number defined as problem or pathological gamblers

For example, in 2006 Maori accounted for one in seven of the total New Zealand population (565,329) and a third of this population was under 15 years of age. When research was undertaken in 1991 which estimated then for Maori problem and pathological gambling, the figures were for lifetime 16%, and current 3.3%, (Abbott and Volberg 1991). In 1999 a similar study was undertaken and figures from this study were for life time 7.1% and current 1.3% , (Abbott 2001). Applying the 1999 data to those Maori aged over 18 years of age, ( 365,203) which is the legal age when individuals can enter gambling

venues with pokie machines, the number of Maori affected is considerable that is 25,929 can be identified as having a gambling problem sometime in their life and for those with a current problem, 4,747 individuals.

As indigenous communities are often small applying the data to the “*right population*” is important as unless, we have the appropriate denominator, the degree of harm within populations can be significantly underestimated.

Despite in New Zealand, that there exists considerable information on the size of problem gambling and its effect on Maori on all areas of wellbeing for tangata whenua, this information is not taken seriously by such government agencies as the Gambling Commission or the Ministry of Health.

To challenge the decisions taken by government or its agents in relation to gambling, Maori have taken the initiative to establish Te Herenga Waka O Te Ora Whanau with the specific purpose to provide a Maori voice on gambling. This tribal mandated organisation has made submissions to the Gambling Commission and the Ministry of Health and has clearly articulated the size of the problem for Maori, its effects on Maori whanau and communities, and in particular the relationship between Maori gambling and Maori imprisonment, (Abbott and McKenna 2000; Abbott et al. 2000). As an organisation it has given advice on the basis of academic research and government reports. Despite using this information, a Maori voice has not been heard and is often excluded in the advice that is offered to the Government of the day. This situation has occurred even though Te Herenga Waka O Te Ora Whanau has provided advice on the basis of “*good faith and without prejudice*”, to government agencies. This is a key principle that the government has identified it should use when interacting with Maori. As advice offered by Maori has not been considered seriously by government agencies it has been concluded that such bodies do not understand the reality of the world of being Maori in New Zealand and further, that our advice is not politically acceptable.

Indigenous peoples’ need to be involved at all levels of decision making regarding gambling and researchers and other stakeholders should work collaboratively with first nation peoples to support their voice to be heard so that the full effects of gambling related harm can be considered by tribal elders, gambling operators and those who allocate licences for such venues. For indigenous people to engage in the process of decision making regarding gambling, researchers and other stakeholders need to provide support in a variety of ways, for example payment for assistance with research, help with peer review, help with analysis of data from a first nation perspective, help with support with dissemination of results and with the design, implementation of any interventions to reduce gambling related harm and help with monitoring of compliance responsibilities associated with gambling. Without any payment in some form, indigenous advice and engagement in the business of gambling, and reduction of gambling related harm is devalued.

### **Lack of Duty of Care: A Political Issue for Indigenous Populations**

To avoid the destruction of indigenous communities there is a real need for those who advocate or allow for indigenous gaming to consider their duty of care responsibilities. Information is increasingly becoming available that those who have advocated or provided licences may be in the future be under legal scrutiny for they have failed to take account of the current information available of the harm gambling creates, especially for children and young people. The voice and face of this population are often not present at gambling research conferences or in board rooms where gambling decisions are generally made.

Without real consideration of those who are invisible and have limited voice inequalities of health can be perpetuated and increased.

To address current gambling related harm, there is now an urgent need for indigenous peoples to develop their own culturally appropriate gambling treatment services and interventions, (Dyall and Manaia 2005). This degree of authority and independence Maori have requested since the late 1990's, and despite having available information to substantiate this need, the request has not been adequately heard by the Ministry of Health in its funding decisions regarding gambling intervention services. In New Zealand, currently one in three seeking help through gambling treatment services self identify as Maori, identify gambling machines as their main gambling problem and are assessed as having a severe problem and spend more than Europeans despite lower household incomes (Ministry of Health 2006a, b).

## Conclusion

Engagement in gambling increasingly can be seen as a poisonous chalice for indigenous peoples. There are similarities and differences with the situation of indigenous peoples. However, when proposals are presented for indigenous communities to be exposed or engaged in gambling there is considerable promotion of the benefits but the harms are generally under reported or not explained in real term in which first nation peoples' can understand from their perspective. The promise of economic returns often does not deliver at the level expected, nor the employment opportunities promised. The short and long terms effects on communities, families and children are often not seriously considered. However, the longer that indigenous people depend or drink from the poisonous chalice the more harm they are likely to experience and for many communities they will return to the similar situation when alcohol was used and abused as an instrument of colonisation. There is an urgent need for indigenous peoples to collaborate, to share information and to develop an international first nations' voice on gambling consistent with the Declaration of Indigenous People Rights.

*“He mahi kai te tangata  
Survival is the treasured goal”*

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