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Colin S. Campbell
Douglas College

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Fifty Years of Legal Gambling in Canada: So What?

COLIN S. CAMPBELL

Professor Colin Campbell (Criminology, Douglas College, BC) is one of Canada's leading gambling experts, and his work on the sociological analysis of gambling has been internationally influential. In 1988 he co-organised the first National Symposium on Lotteries and Gambling, at Simon Fraser University, and in 1993, co-organised the second national symposium. We asked him to reflect on the path he has taken over his many decades of teaching and researching in critical gambling studies and are delighted to have his reflections as part of this volume. - *Editors of the Special Volume*

AS MOST OF MY PUBLISHED PAPERS ON GAMBLING in Canada have tended to declare at the outset, a 1969 amendment to the Canadian Criminal Code opened the door to a major transformation in the legal status of gambling in Canada. Prior to this amendment, pari-mutuel wagering on horse racing at race tracks was the only form of gambling legally permitted. Nonetheless, other forms of gambling such as charitable bingos and raffles for the purpose of raising funds for worthy community causes were operated in a grey and fuzzy area of criminal law. Thus, policing authorities through the 20th century often found themselves stymied by the ironic situation of willingly turning a blind eye to formally illegal bingos and raffles organized, conducted and participated in by upstanding members of their communities. Consequently, police authorities in Canada clamoured for greater clarity in the criminal law pertaining to gambling generally. The 1969 amendment was a political endeavor, not only to provide needed clarity but to modernize the law in keeping with changing public moral sentiments toward gambling. The 1969 amendment thus opened the door to legalized charitable "lottery schemes" for the purpose of fundraising in aid of worthy causes. It also opened the door to large-scale lotteries as long as they were "managed and conducted" by Canadian provincial governments.

The purpose of this discussion is to note the major issues related to the growth of legal gambling in Canada over the last 50 years. The discussion constitutes my attempt to provide "a history from below." That is, the paper offers personal reflections on issues related to gambling that I have lived through, worked in, and studied. Given the breadth and scope of the issues over an approximately 50-year span, my comments and observations are only thematic and descriptive. And while it may be trite to offer this as an observation, it sadly seems that *plus ca change, plus c'est la meme chose*.

I. A PERSONAL NOTE

My involvement and academic interest in gambling occurred purely by accident. In fact, I can admit that were it not for my accidental involvement in gambling, I would never have obtained a Ph.D. More specifically, in the summer of 1969, as a member of a group of university students hired as temporary labourers, I became acquainted with two other students who were, I was soon

to learn, training on a part-time basis to become blackjack dealers. I was not then (and am not now) much of a gambler and therefore had no idea what blackjack was.¹

As it turned out, I developed a good friendship with these students – mostly, of course, because they were a couple of years older than me and could legally purchase beer! Soon they began cajoling me to join them at the training school. Initially, I was suspicious and guarded, believing that they were trying to sucker me into some sort of poker game in order to fleece me. Alas, they soon earned my trust and with the prospect of being laid off from our temporary labouring work, I soon joined them at the training school with the mysterious and alluring prospects of becoming a blackjack dealer at the inaugural agricultural fair casino to be held at the annual Stampede and Exhibition in Calgary, Alberta.

Indeed, our temporary labouring work ended and the three of us, along with a host of school teachers and firefighters from the Calgary area who had similarly trained at the blackjack school, were soon put to work as casino staff at the fledgling Calgary Stampede Casino in July of 1969.

Quickly, I discovered that it was fascinating work: shuffling and dealing cards, raking in chips, handling hundreds of dollars in cash transactions, and seeing first-hand how people could lose small fortunes on a simple turn of a card. In the ten-day duration of the first-of-its-kind gambling venture, I was smitten with my gambling employment. I was well-paid, treated well, and found the work vicariously exhilarating.

By the following year, many other Western Canadian communities – both large and small - had discovered ‘the goose that laid golden eggs’ and the prospects of operating casinos at their annual agricultural fairs was too lucrative not to capitalize on. As fate would have it, one of the key promoters - in fact, ‘our boss’ at the Calgary Stampede - had contracted with several exhibitions across the Canadian prairies to provide gaming equipment in the form of blackjack tables, roulette wheels, and other games of chance as well as the personnel to operate them. Thus, began an “annual circuit” of itinerant casinos and staff that existed over the next handful of years as I continued with my university studies. As each summer loomed from 1970 to 1975, I eagerly looked forward to working ‘the casino circuit.’ It was great fun, novel, exciting and lucrative.

In the mid-1970s, ‘our boss’ who had been the progenitor of the agricultural fair casino circuit, successfully persuaded a prominent and influential charitable organization located in Calgary that it would be eligible under the relatively new provisions in the criminal law for provincial licensing to conduct and manage a short-duration casino for the purpose of charitable fund-raising. The charity was subsequently able to use its influence to persuade the provincial Attorney General to grant it a license to operate casino-style games for the purpose of fundraising. The event proved to be so financially successful that word-of-mouth travelled rapidly through the charitable sector and, in a relatively short time span, a flood of applications arrived on the desk of the Attorney General.

The consequence of all this was that in recognition of both: a) changing public attitudes toward gambling and, b) the emergence of a new and lucrative funding vehicle for the non-profit,

¹ Blackjack (sometimes called “21” or in the U.K. “pontoon”) is a commercial casino-style card game. The basic objective is to draw cards that total to the sum of 21.

charitable sector, the provincial government of Alberta was compelled to develop a regulatory structure. Subsequently, the Alberta Gaming Commission was created to vet eligible organizations and to issue licenses. As well, the Alberta Gaming Control Branch was established to monitor and audit licensed organizations to ensure the overall integrity of the rapidly growing charitable-based gambling industry. Of course, for better or worse, with the growth of the demand for short-duration casinos, I fell – again by accident – into full-time employment as a blackjack/roulette dealer and later as a pit boss and casino supervisor.

No sooner had charitable casino operations become a major fund-raising mechanism, when other entrepreneurial non-profit organizations in Alberta discovered an additional lucrative gold-mine for generating funds: large-scale charitable bingos. This demand was easily accommodated by Alberta provincial authorities as licencing and regulatory structures were already established.

A. The “Alibi Model”

Through the years that bingo and casino operations grew in scale, I had continued with undergraduate studies, completing a B.A. and a B.Ed. at the University of Calgary – all the while working either full-time or part-time in what was initially a fledgling casino gambling industry. By the late 1970s, however, I had come to understand that Alberta had not only witnessed a significant transformation in public attitudes toward gambling, but that it had been in the vanguard of developments that were now transpiring in other parts of Canada. Provinces both east and west of Alberta were being compelled to respond to pressures by non-profit, community-based groups seeking to raise funds for their charitable objectives. In retrospect, it was apparent that what I had witnessed first-hand was the emergence of what Devereux initially termed “convenient fictions” and which Kingma later termed the “alibi model” of gambling legalization and development.²

Most certainly, provinces themselves had been quick off the mark to capitalize on the 1969 change in the criminal law. More specifically, by the mid-1970s provinces had moved quickly to inaugurate large scale, provincially-operated lotteries that were soon annually raking in millions of dollars for provincial coffers. Provinces alone or in partnerships with other provinces had formed “Crown Corporations” – provincially-owned monopoly corporations - that “conducted and managed” major lotteries, the profits of which accrued to provincial governments. These major lotteries were often framed in marketing and public relations campaigns as contributing substantial funds toward public health care and education.

In a relatively short time-span, gambling had gone from a mostly prohibited, criminal activity to an activity vigorously supported and promoted by provincial governments. In the midst of this development, I came to appreciate that the widespread growth of legal gambling in Canada constituted social, economic, moral and political phenomena of some significance. This realization in the late 1970s led to a successful application to the M.A. program in the Department of Sociology at the University of Calgary. My hope at the time was to pursue a more serious academic study of these developments. In 1985, I completed my M.A. thesis which undertook to examine the career paths of how and why people gravitated to work in Alberta’s casinos. In many respects,

² EC Devereux, Jr, *Gambling and the Social Structure* (Arno Press, 1980) (originally presented as the author’s doctoral dissertation, Harvard University, 1949); Sytze Kingma, “Gambling and the risk society: the liberalisation and legitimation crisis of gambling in the Netherlands” (2004) 4:1 *International Gambling Studies* 47.

the thesis constituted what some researchers have referred to as an “auto-ethnography” – a study on one’s own people.³

During my studies in Sociology, I had the good fortune to study with faculty members who were genuinely interested not only in my academic studies but also in my personal, first-hand observations of the evolution of both casinos and bingos. I was encouraged to pursue studies at the Doctoral level. In the fall of 1985 I began the Ph.D. program in Criminology at Simon Fraser University undertaking to examine the history of the Canadian Criminal Code as it pertained to gambling. More specifically, from its inception in 1892, the Criminal Code of Canada contained various provisions that essentially outlawed all gambling with one notable historic exception: The Sport of Kings - gambling on the outcome of horse races. However, for various social, economic and political reasons, the Code’s gambling provisions had been ‘tinkered’ with periodically throughout the 20th Century. At each tinkering, the law’s position on gambling became increasingly permissive, albeit often vaguely. This gradual trend of permissiveness culminated in the historic 1969 amendment mentioned at the outset.

Of course, my selection of Criminology as an academic discipline in which to pursue doctoral studies was to some extent influenced by the persistent questions pertaining to gambling’s link to criminality. Academic (few as they were) and popular press histories of Las Vegas casinos were rife with documented links to organized crime, revenue skimming, money laundering and loan-sharking – questions which inevitably arose during discussions about my studies of Canadian gambling developments.

II. TRENDS & ISSUES

A. The Risk Model

In the almost 50 years since the 1969 amendment, several trends have become apparent. Perhaps foremost among these trends has been the provincial consolidation of jurisdiction over all gambling. This became readily apparent in 1985 when the provincial governments successfully persuaded the federal government to legalize gambling activities carried on electronically through computers, video devices or slot machines. The amendment, as framed, granted Canadian provinces a monopoly, once again, to “manage and conduct” such gambling.⁴

In part, the 1985 amendment was driven by technological innovations that had been embraced by gambling operators, both public (governmental) and private (corporations) on a global scale. That is, Canada’s willingness to legalize electronic gambling formats was in keeping with globalized packaging and marketing of gambling and leisure. What followed, particularly in eastern Canadian provinces between 1985 and 1993, was a rush to exploit these new revenue-generating gambling formats. It also marked the corporatization of provincial governmental

³ D Hayano, “Auto-ethnography: paradoxes, problems, & prospects” (1979) 38 *Human Organization* 99.

⁴ Bill C-81, *An Act to Amend the Criminal Code (Lotteries)*, (1984-85) (proclaimed in force December 31, 1985, *Canada Gazette*, SI/86-5 22 Jan 1986 at 468). For greater insight on the politics behind this amendment, see Judith A. Osborne & Colin S. Campbell, “Recent Amendments to Canadian Lottery and Gaming Laws: The Transfer of Power between Federal and Provincial Governments” (1998) 26 *Osgoode Hall Law Journal* 19.

gambling operations or, to use Kingma's term, it represented the Canadian transition to a "risk model" of legalization and expansion.⁵

B. Academic Interest and Developments

In the United States, American economist William Eadington, based at the University of Nevada, Reno, organized a series of multi-disciplinary academic conferences that focused on gambling and risk-taking. The first of these conferences was held in 1974 and drew a myriad of individuals and organizations who had an interest in gambling and gambling related issues.⁶ The conferences, held primarily in the United States, were also periodically held in England and Canada and drew a wide range of persons from the gambling industry, academia, government agencies, law enforcement, and addiction treatment centres. Indeed, it is safe to say that the series of International Conferences on Gambling and Risk-taking constituted a catalyst for enhancing the recognition of gambling and gambling policy developments as legitimate topics for serious academic study and debate.

With an awareness of the growth of gambling's presence – and its importance in the Canadian public policy domain - in 1988 and in 1993, the School of Criminology at Simon Fraser University, organized and sponsored two major international symposia that sought to engage a range of interests in seriously examining the growth of legal gambling within Canadian society. Together, the symposia played a role in raising important policy issues related to gambling in Canada. The symposia intentionally sought to bring together scholars, government officials, law enforcement officials, gambling industry representatives and other stakeholders such as charitable organizations. The Key Note Speaker at both symposia was William Eadington.

i. 1988 S.F.U. Symposium⁷

As Eadington observed in his remarks, Canadian provincial governments were distinct in their aversion to privatized commercial gambling and had an obvious preference for strong government and charitable organization involvement. He noted, as well, that since there was no obvious effort to harness legal gambling to tourism, Canadian gambling ventures had little economic development potential.

Speakers who followed Eadington duly noted that provincial consolidation and monopolization of gambling was indicative of growing provincial power and influence within the Canadian federal system of government and offered predictions that there would be an increased competitiveness between then current stakeholders (charities, private sector interests, and provincial governments themselves) over future gambling revenues. Added to this was a forecast of a shift away from welfare-oriented (charity) gambling to gambling in the name of profit. Likewise, it was predicted that the future would most likely see a concentration of private sector operators who provided gambling services both to charities and to provincial governments.

⁵ Kingma, *supra* note 2.

⁶ William R Eadington, ed., *Gambling and society: interdisciplinary studies on the subject of gambling* (Charles C. Thomas, 1976) at xi.

⁷ The proceedings of the 1988 symposium were compiled in Colin S Campbell & John Lowman, eds. *Gambling in Canada: Golden Goose Or Trojan Horse?: A report from the First National Symposium on Lotteries and Gambling* (Burnaby: School of Criminology, Simon Fraser University, 1989).

Finally, other American speakers broached, for the first time in Canada, the negative consequences of excessive gambling variously termed compulsive, addicted, disordered, pathological or, most recently, problem gambling. Retrospectively, though, it seems noteworthy that no psychologists, psychiatrists or others from the ‘psy-sciences’ participated as formal speakers or panelists.

Having played a role in organizing the symposium, two principal recollections stand out to me. The first was that, as we endeavored to solicit a broad range of participants and speakers, we were patently unable to obtain elected or appointed political figures who were willing to speak publicly on matters related to gambling. The issue was perceived as far too controversial for public comment. Finally, a member of the opposition party in the provincial legislature in Alberta stepped forward to express his reservations about the dramatic expansion that he had witnessed though the 1980s.

The second recollection involved an impromptu threatened boycott of the symposium by a small number of gaming industry representatives who unsuccessfully demanded that a high-profile speaker be withdrawn from the speakers’ list. More specifically, private sector casino representatives sought to remove a former bank manager, Brian Molony, who had been convicted and incarcerated for embezzling millions of dollars from his employer to support his gambling addiction.⁸ It was the contention of the industry representatives that inclusion of Molony would tarnish the image of their industry. Of course, their opposition was framed in terms that claimed it was outrageous for a major university to be using public funds in order to give a convicted criminal such a high profile. Five years would pass before a second symposium was held at Simon Fraser University.

ii. 1993 S.F.U. Symposium⁹

Using the 1988 symposium as a bench mark, the 1993 symposium sought to critically assess what had transpired with respect to gambling policy developments over the previous five years.

Arguably, the most significant development by 1993 had been the introduction of video lottery terminals (VLTs) in non-age restricted premises in various communities in eastern Canada. Great concerns were being voiced by various gambling opponents and by the media in regard to the exploitative nature of electronic gaming machines. Indeed, the addictive potential of VLTs had been dramatically exposed with the widely reported incident of an irate husband destroying VLTs with a sledge hammer in a Nova Scotia bar.¹⁰ As well, 1993 saw the provincial government of Quebec open the wholly government-owned and operated Casino de Montreal – the first commercial-style casino in Canada to operate high stakes gambling. Similarly, the province of

⁸ For more information about Brian Molony and his gambling addiction, arrest and conviction see Gary Ross, *Stung : The Incredible Obsession of Brian Molony* (Toronto: Stoddart, 1987). The story was later made into a movie, “Owning Mahowny,” in 2003, starring the late Philip Seymour Hoffman in the title role.

⁹ The proceedings of the 1993 symposium were compiled in CS Campbell ed, *Gambling in Canada: The Bottom Line*, (Burnaby: Criminology Research Centre, 1994).

¹⁰ E. Flaherty, “Video gambling machines to be pulled from neighborhood stores,” Vancouver Sun (January 21, 1993) A4.

Ontario had announced its intent on opening a major casino operation in the American border city of Windsor.

Of course, by 1993 governments globally were being forced to respond to growing concerns about the effects of the rapid expansion of legalized gambling, particularly electronic gambling formats. To be more precise, governments had started to express concern about the social impact of problem gambling. As a consequence of such concern, a spate of problem gambling prevalence studies had been commissioned with debates over the merits of the instrumentation used to measure the prevalence of problem gambling in the general public.

In contrast to 1988, by the time the 1993 symposium convened, problem gambling and its prevalence in the general population had become central issues of concern.

iv. Academic Research Initiatives Elsewhere in Canada

As gambling continued to grow in terms of its economic significance, state-funded centres for the study of gambling were created for the broad purpose of better informing public policy decisions. The provinces of Ontario and Alberta saw fit to establish research centres in order to better understand the costs and benefits of gambling's growth.

In 2000, the province of Ontario established the Ontario Problem Gambling Research Centre. It was established with a mandate to examine problem gambling, its prevalence and its treatment. Its focus subsequently expanded beyond research to stimulating and providing the development of programs intended to minimize the harms associated with gambling. Renamed, the Gambling Research Exchange Ontario (GREO) in 2015, it is perhaps the most generously funded gambling research initiative anywhere in the world.

In 2001, Alberta established the Alberta Gaming Research Institute (AGRI). Formed as a consortium of the University of Alberta, the University of Calgary and the University of Lethbridge, and funded by the Alberta provincial government, the mandate of AGRI is to support and promote multi-disciplinary research into gambling in the province of Alberta. Together, both AGRI and GREO commit the majority of their funding toward research on problem gambling, its prevention and treatment.

In Ontario, in a further effort to disseminate research intended to mitigate the negative consequences of problem gambling behaviours, the government of Ontario established the Responsible Gambling Council (RGC) in 2001. It was given a mandate to develop and disseminate problem gambling prevention strategies and programs. Toward this end, it works closely with gambling providers, regulators, policy makers, treatment providers and the gambling industry

Outside of Alberta and Ontario, in 1997 Laval University in Quebec established the Centre Quebecois d'excellence pour la prevention et le traitement du jeu. Funded largely by research contracts with Loto Quebec, the provincial crown corporation which oversees all gambling in Quebec, the Laval Centre focused exclusively on developing treatment programs for problem gamblers. Also in Quebec, a research centre focused primarily on identifying and treating gambling among youth was established in 2001 at McGill University in Montreal where the

International Centre for Youth Gambling Problems and High-Risk Behaviours is located. It too receives a significant share of research funding from Loto Quebec.

In 1998, the province of Nova Scotia, through its Ministry of Health and Wellness felt compelled to establish and fund Gambling Awareness Nova Scotia. Established as a non-profit agency at arms-length from government, Gambling Awareness has a mandate to assist communities to respond to problems associated with the expansion of gambling.

v. Annual Canadian Conferences

Across Canada, since the early 2000s, there now exist a series of annual conferences in which a mixed roster of gambling policy stakeholders come together to fete the most recent research findings. Since 2002, AGRI has hosted an annual conference located in Banff, Alberta. The RGC has also since 2002 conducted an annual ‘Discovery’ conference, and Gaming Awareness Nova Scotia initiated an annual conference first held in 2004.

Taken together, the institutes and annual conferences represent a major endeavor to focus on matters related to the issue of problem gambling. If there has been one over-riding attention getting topic that these institutes and their researchers have “beaten to a pulp,” it is that of problem gambling.

vi. Academic Journals

Two principal peer-reviewed journals had been created to provide forums for the dissemination and discussion of blossoming academic research focused on gambling issues. The Journal of Gambling Studies had been established in 1985 initially under the auspices of the National Council of Problem Gambling in the United States. Subsequently, in 2001, based in Australia, the International Journal of Gambling studies was established. Canadian scholars have published an appreciable number of academic articles in these two gambling studies journals and serve on the Editorial Boards of both. Overwhelmingly, the articles published by Canadian scholars address issues related to the psychology of problem gambling, its consequences and its mitigation.

C. The Responsible Gambling Paradigm

With the burgeoning of academic interest in ‘gambling studies’ and the rise of annual conferences, the emergence of academic journals, and the establishment of research institutes affiliated with universities dedicated to gambling issues, the dominant focus has been on the subject of problem gambling. These conferences, journals, and research institutes, dominated by the ‘psy-sciences,’ focus principally on problem gambling – or such derivatives as: treatment, prevention, awareness, education and, more recently, ‘responsible gambling.’ Agencies formed for the purpose of delivering problem gambling awareness, treatment and prevention programs are often affiliated with government and have been fueled by an ever burgeoning “help industry” of researchers, treatment specialists, psychologists, psychiatrists, clinicians, public health experts, counsellors, government bureaucrats and industry supporters. Just who are these people and what are they doing? The answer suggests that these very busy people have been variously engaged in the

proselytization of the “responsible gambling paradigm” such that the ascendance of responsible gambling has become a tail that increasingly wags the gambling policy dog.

As defined by Cassidy, Loussouarn, and Pisac, responsible gambling “is a politically constructed idea that individual consumers should be responsible for managing their own excessive behaviour.”¹¹ In a similar vein, Garry Smith and I have observed that responsible gambling as a response to problem gambling transposes excessive gambling into an individual problem that depoliticizes the issue by ignoring the conditions under which legal commercial gambling is made available.¹² In short, the embrace of the responsible gambling paradigm by governments, the gaming industry and by the “help industry” downplays the revenue imperative of commercial forms of gambling and seeks to neutralize the negative consequences associated with excessive gambling. This is an intentional strategy contrived to facilitate and sustain the acceptability of gambling as a revenue source for governments and their private sector partners. Most certainly, as many others have commented, the responsible gambling paradigm has emerged with and appeals to the neo-liberal, minimalist state.

IV. SO WHAT?

With the hindsight of 50 years of gambling’s legalization, development, and intense study, what can be concluded? Cynically, I am afraid not much.

Contentious issues that were evident at the outset remain every bit as contentious today. Some, perhaps, even more so. As Garry Smith, Tim Hartnagel and I noted in 2005, genuine public consultation on gambling policy development has been virtually non-existent in the modern era. The last genuine public review occurred in the 1950’s when a Special Committee of the House of Commons and Senate received public input from a spectrum of stakeholders with respect to the legalization of lotteries.¹³ Little has changed in this regard. Expansion of casinos and the introduction of both VLTs and Internet-based gambling managed and conducted by provincial lottery corporations occurred with little opportunity for meaningful input from the general public.

This, of course, reflects the reality of the policy formulation process with regard to gambling. Given the exclusive jurisdiction of provincial governments over the licensing, conduct and management of all gambling formats, policy decisions have been typically made at the executive level of decision-making, rather than openly discussed or debated in provincial legislatures. Key decisions both in the past and today are made on the basis of input from only a select group of trusted members of provincial Cabinets and senior bureaucrats. In essence, gambling policy decisions are undertaken in camera by a ‘policy elite’ and are virtually immune to public scrutiny. In turn, these decisions are routinely rubber-stamped by elected members of provincial legislatures.

¹¹ Rebecca Cassidy, Claire Loussouarn & Andrea Pisac, *Fair game: Producing gambling research* (Goldsmiths, University of London, 2013) at 13.

¹² Colin S Campbell & Garry J Smith, “Gambling in Canada—From Vice to Disease to Responsibility: A Negotiated History” (2003) 20:1 *Canadian Bulletin of Medical History* 121.

¹³ CS Campbell, T Hartnagel & G Smith, *The legalization of gambling in Canada*, (Ottawa, Ont: Law Commission of Canada, 2005).

It is noteworthy, too, that agencies mandated to deliver problem gambling treatment are often funded directly from gambling revenues. In many respects, this has raised a potential conflict of interest in that such funding typically is contingent on an undertaking to remain “gambling neutral.” More precisely, in some provinces treatment specialists (and the agencies they work within) are contracted to deliver counselling services and must agree to refrain from public commentary about provincial gambling operations and/or policies. Under these contractual arrangements such personnel and agencies are effectively silenced.

Another persistent deficiency with regard to gambling has been the notable absence of genuinely independent policing and regulatory oversight. Nowhere has this become currently evident than in the province of British Columbia where investigative journalist reports have publically exposed the extensive transnational network of money laundering and loan-sharking that occurs in and through British Columbia casinos. These reports show aggressive and pro-active policing and regulation have been thwarted by the revenue imperatives of the provincial Crown corporation, the British Columbia Lottery Corporation (BCLC). In short, BCLC executives have been perceived to be unwilling to tackle obvious concerns about the 100s of millions of dollars in drug-dealing cash that have been funneled through and cleansed in B.C. casinos.¹⁴

Given the foregoing personal reflections based on my involvement with gambling as a worker, researcher and student of gambling policies and regulations over the years, several observations may now be tendered as concluding remarks.

V. CONCLUSION: PAID PIPERS?

The very recent disclosures regarding money laundering in British Columbia casinos discussed immediately above illustrate what scholars have described as “co-optation” or “regulatory capture” of police and other regulatory officials by both private sector and government gambling operators. These terms refer to the interdependence that can emerge in the relationship between the gaming industry (including provincial Crown corporations and private sector casino service providers) and the formal oversight mechanisms. That is, regulatory personnel come to share a view that recognizes the importance of sustaining revenues that accrue to casino operators and their government masters and, thus, of maintaining at least the appearance of integrity in gambling operations.¹⁵

Additionally, it can be noted that despite the posturing and periodic pronouncements of government lottery and casino officials in justification of gambling expansion plans, there has been no demonstrated link between Canada’s commercial gambling industries and tourism. Instead, it would appear that irrespective of location, gamblers that constitute the bulk of patrons of Canadian casinos, comprise a local clientele drawn from surrounding communities. Thus, it is fair to suggest that revenues do not derive from visitors/tourists from outside of Canada who bring ‘new’ money

¹⁴ S. Cooper “Detectives probed calls made from Burnaby casino to E-Pirate suspect.” Vancouver Sun. (Feb. 24 2018) online < <http://vancouversun.com/news/local-news/police-probed-calls-made-from-burnaby-casino-to-e-pirate-suspect-paul-king-jin>> [perma.cc/PKV7-KUWL].

¹⁵ CS Campbell & JR Ponting, “The evolution of casino gambling in Alberta” (1984) 10:2 Canadian Public Policy 142, 149.

into the Canadian economy via their disposable income expenditures. While ‘destination resort’ casinos hold prospects for bringing in outside revenue and for creating broader economic benefits, the reality of Canadian casinos is that very few of them, despite the marketing hype, are true destination casinos catering to an international tourist clientele.

Likewise, as commentators forecast at the 1993 Symposium, private sector casino operators who contract with provinces to provide and operate gambling venues are increasingly concentrated. That is, major corporations that operate casinos and other forms of commercial gambling in Canada have consolidated control over a significant share of the Canadian gambling market. For example, Great Canadian Casinos, established in the early 1980s to provide fund-raising services to small charitable organizations in British Columbia, now operates 21 land-based gambling establishments including 15 casinos and several racetracks with slot machines (‘racinos’) across Canada.

Also predicted in 1993, was increased competitiveness over gambling revenues. In combination with changing gambling technology (i.e. the development of electronic gaming machines) and the monopolization of such technology by provincial governments, older and established forms of gambling such as charitable bingos and casinos have been placed under siege due to competition from government and private sector interests. Nowhere has this been more evident than in the province of British Columbia where charitable organizations were essentially legislated out of involvement in casino fund-raising in order for the provincial government to implement revenue producing video lottery terminals in casino locations.¹⁶

In retrospect, though, as gambling laws, policies and practices have evolved over almost 50 years since liberalization of the law in Canada, perhaps the most unsettling of developments has been the formation of the unhealthy alliance of industry, government, and the academic community with regard to the production and dissemination of gambling research. As Rebecca Cassidy, Claire Loussouarn and Andrea Pisac have astutely and correctly pointed out, the production and utilization of gambling research is fraught with problems.¹⁷ This is not a matter distinct to the Canadian gambling landscape. It is a problem evident in other major western countries with a similar history of explosive growth in legalized forms of gambling, including the U.K., the U.S.A and Australia.

Industry and government funded research has tended to be directed to a small cadre of international ‘experts’ who, with noted exceptions, have subscribed to a narrow and conservative research agenda. This agenda has avoided controversial research programs that might ultimately broach criticisms of government and industry expansion policies and operating practices. And while I recognize that I am painting with very broad brushstrokes, it appears to me that very little of gambling research has contributed to a richer understanding of gambling and its social and economic impacts. Social and economic impact of gambling studies offer inconclusive and contradictory results, often overstating both the negative and positive consequences. This has allowed governments and the gambling industry to “cherry-pick” results to their advantage. Other than a generally damning indictment of the predatory addictiveness of electronic gaming machines

¹⁶ For further discussion of the context of provincial government monopolization of casino gambling revenues, see V Jepson, S Patton & JJ Azmier, *Canada’s Gambling Regulatory Patchwork* (1999) Canada West Foundation. Calgary.

¹⁷ Cassidy *et al*, *supra* note 11.

– it would appear there is very little in gambling research findings that is concrete or that has been used to inform evidence-based policies in a meaningful way. For example, in the face of compelling evidence of the negative impact of electronic gambling machines, lottery corporations, politicians and gaming operators continue to both downplay and sidestep their destructive effects.

All said and done, the problematic alliance of academic researchers with government and industry in the production of gambling research raises a fundamental and perplexing question on which I will close: do those who pay the piper call the tune?

Statement of Interest: Colin S. Campbell (with co-researchers) received a grant amount of \$48,000 in 2005 from the Law Commission of Canada to research and write the report “Legalized Gambling in Canada.” From 1997 to 2001, he worked as a contracted Research Consultant for the provincial public inquiry into the Nanaimo Commonwealth Holding Society and its use of bingo proceeds. As well, since 1987, he has received a series of small contracts to provide research and consultancy services and to write reports for both private and public agencies. These include: Royal Canadian Mounted Police (\$5,000); City of Vancouver (\$5,000), Musqueam First Nations (\$10,000); Canada West Foundation (\$5,000), the International CyberCrime Research Centre at Simon Fraser University (\$5,000). In 1992, he served as a consultant to the City of Windsor Casino-Convention Centre Committee. He also provided consultancy in 1998 to the BC Lottery Corporation regarding responsible gambling. No funding has been received in regard to the contents of this contribution to JLSP.