

Gambling and problem gambling in Switzerland

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ABSTRACT

Aims To provide an overview of gambling and problem gambling in Switzerland, including historical aspects, past and current legislation and policies, treatment options and the research base. **Methods** A literature search was conducted on two databases (PubMed and PsycINFO), and official government and statistical reports selected from the official websites of four sources (Federal Office of Justice; Federal Gambling Board; Federal Office of Statistics; Swiss Lottery and Betting Board). **Results** After a history of banning or partial banning, Swiss gambling became regulated at the beginning of the 20th century through successive laws. The current system is characterized by important differences in the law and policies for casinos and lotteries, and contradictions in the regulation of these two areas are still under debate in order to develop new legislation. Gambling is widespread in Switzerland, and the prevalence of problem gambling in this country was comparable to that in other European countries in 2014. Most gambling treatment facilities are integrated into mental health treatment services that have out-patient programmes, and treatment for problem gambling is covered by a universal compulsory Swiss health insurance system. The availability of public funding for gambling research is still limited. **Conclusions** Switzerland needs to develop a more coherent regulatory and prevention policy approach to gambling, overcoming conflicts in the current dual system of federal and cantonal regulation. Recent efforts to enhance funding for gambling research are promising, and could lead to a more systematic analysis of the efficacy of prevention and treatment programmes.

Keywords Gambling, legislation, policy, problem gambling, Switzerland, treatment.

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BACKGROUND AND HISTORY OF GAMBLING IN SWITZERLAND

Switzerland is a confederation of 26 cantons with four spoken languages (German, French, Italian, Romansch). It is governed by a seven-member Federal Council. The current estimated population of Switzerland is 8 million [1].

The oldest known signs of gambling behaviours in Switzerland can be traced to the Roman Empire. At that time, games of chance were subject to a general ban, with notable exceptions during the festive season. In the Roman Empire, prohibition was driven by morality informed by the well-known figure of the gambler who squanders his entire wealth to ruin [2,3]. In the Middle Ages, a large range of games of chance became widespread. They were, however,

regularly banned for social and religious reasons. Gambling was still inseparable from the image of excess, and gamblers were considered to be alienated individuals [4]. Lotteries underwent intermittent development, especially in the 18th century. Charity-run games in particular were generally tolerated. Such games coexisted with purely for-profit gambling that the authorities struggled to ban.

During the 19th century, a prohibitionist approach was adopted, based on the rationale that the existence of lotteries tended to discourage work and labour. Gambling was thus viewed by the authorities as an activity likely to jeopardize social stability. A constitutional ban of the gambling house was enacted in 1874, but its application throughout the various cantons and areas of the country was inconsistent [5].

REGULATION OF GAMBLING, LEGAL FRAMEWORK AND POLICIES

Development of a regulatory policy

Since the beginning of the 19th century, the Swiss population has participated in four popular votes regarding gambling legislation and regulation (1920, 1928, 1993, 2012) [6,7]. Two periods can be distinguished. In the first part of the 20th century, gambling was viewed moralistically. Regulation of lotteries was strict and casinos forbidden. The normative landscape of gambling regulation until the 1990s was marked by the *Lotteries and Commercial Betting Act* in 1923 and the *Gambling Houses Act* in 1929. During this period, a double ban was established on lotteries and gambling houses, accompanied by two exceptional regimes. First, lotteries were authorized to obtain concessions within some cantons for allocating a portion of their revenues for the public benefit of these cantons without any contribution to the confederation. Secondly, the federal government authorized the implementation of gambling houses in specific areas to promote tourism.

The gambling landscape changed in the early 1990s, when the Federal Council decided to allow the establishment of casinos. The reason for this decision, aimed at generating new revenues for the state, was mainly that the Swiss government faced financial problems, especially because of increased health-related costs associated with insuring an ageing population [8].

Since the opening of the market in 1993, issues related to gambling taxation have been debated frequently by Swiss politicians, along with the question of protection of gamblers, which was no longer considered a moral issue. Indeed, it was viewed as a technical problem to be addressed through specific measures targeting any new gambling activity [9].

In 1998, a new regulation imposed mandatory social measures on casinos to tackle the issue of problem gambling [10]. More precisely, casinos were instructed to check the identity and age of gamblers and to exclude individuals who had financial problems. Before obtaining a concession, each casino must provide a clear prevention strategy describing procedures to identify and protect people who

could display hazardous gambling behaviours. When a potential problem gambler is identified, casino staff can ask for salary certification, a bank account statement or other required administrative document. If the gambler fails to produce proof of sound financial status and reasonable gambling habits that correspond to his or her wealth, that person must be banned from all Swiss casinos. It is the mission of the Federal Gambling Board to conduct regular inspections in casinos; any breach opens the casino to fines or even deprivation of its concession.

The new regulation focused only on financial outcomes associated with gambling; problem gambling as a potential mental disorder was not considered. In practice, the new regulation resulted in increased collaborations between the gambling industry and mental health specialists. It thus appears that, in Switzerland, pathological gambling is not tackled on the basis of validated preventive actions [11] and that protection measures are delegated to casinos.

Apart from the above-mentioned rules that must be applied strictly to protect gamblers, the gambling market is considerably liberal, according to Swiss tradition. Indeed, advertising and marketing, as well as structural features of slot machines, are not regulated specifically.

Leaving the prohibition era behind, the current approach to gambling regulation by authorities implies that as long as the gambling industry undertakes measures to protect gamblers, the market needs not be regulated further. On one hand, Switzerland appears to benefit from comprehensive guidelines regarding gamblers' protection, including compulsory measures imposed on the industry to protect the population actively. Conversely, the market is wide open and characterized by unregulated 'aggressive' marketing practices. Consequently, the Swiss gambling market has thrived (see Fig. 1).

Current regulations

In Switzerland, the gambling sector is divided into two distinct categories: lotteries/betting games and casinos (see Table 1). Lotteries/betting games are supervised by authorities of the various cantons, based on the *Lotteries and Betting Law*. In contrast, the casino sector falls under the

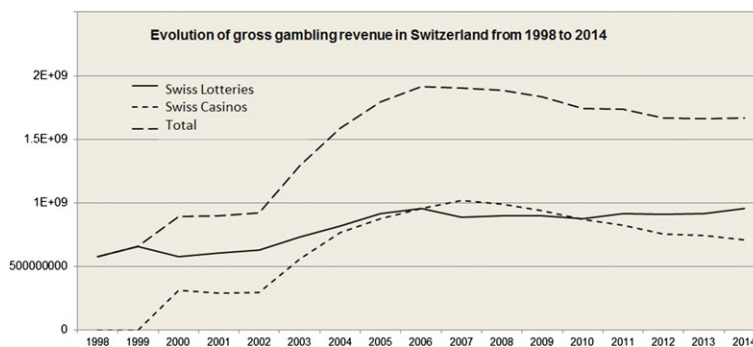


Figure 1 Evolution of gross gambling revenue in Switzerland from 1998 to 2014. Evolution of gross gambling is expressed in Swiss francs (CHF). In July 2015, 1 CHF corresponded approximately to \$US1 and €1. Data incorporated in this figure were compiled from distinct official statistics (Justice Federal Office, Federal Commission of Gambling Houses) or activity reports (French-speaking lottery, Swisslos)

Table 1 Legal framework, revenues and gambling practice regulation in Switzerland.

| | <i>Lotteries and betting</i> | <i>Casinos</i> |
|----------------------------------|--------------------------------------------------------------|-------------------------------------------------------------------------------|
| Legal basis and providers | | |
| Legal basis | <i>Lotteries and Betting Law</i> (1993) and Concordat (2005) | <i>Casino Law</i> (1998) |
| Supervisory authority | Swiss Lottery and Betting Board; cantons | Federal gambling board; federal state |
| Gambling providers | Two distinct public societies (local monopolies) | Private societies |
| Revenues (2014) | | |
| Recipients of the revenues | Public utility bodies (civil society) | Social insurance (i.e. disability insurance and retirement pensions); Cantons |
| Taxation | Redistribution of income | Income tax |
| Gross gambling revenues | 996 million CHF | 710 million CHF |
| Revenues for public interest | 600 million CHF | 339 million CHF |
| Market regulation | | |
| Ban and self-ban options | None | Yes |
| Access control | None | Yes (underage and banned individuals) |
| Early interventions | None | Identification of at-risk gamblers |
| Contribution to prevention | 0.5% of gross gambling revenues | None |
| Internet gambling | Allowed | Forbidden |

responsibility of the federal state and is regulated by *Casino Law*. Casinos are private companies that operate under federal concessions (granted for 20 years).

The gambling landscape in Switzerland is directed by a dual system involving both federal and cantonal regulations. Unsurprisingly, this context complicates the regulation of gambling and has resulted in frequent tensions between the two regulatory systems. Conflicts arise because of the amount of money at stake, especially regarding the concurrence of fiscal revenues between the cantons and the confederation. In illustration, a disagreement between the federal state and the cantons regarding the status of ‘Tactilos’ (electronic lottery devices available in bars in the French-speaking part of Switzerland) had to be settled by the highest Swiss court.

Because of this dual system, the cantons and the confederation often attribute public responsibility to each other for negative gambling outcomes. The direct consequence is that enactment of a concerted structural prevention policy and related actions has proved complicated, as this must be conducted by two distinct executive levels whose interests are not necessarily in agreement.

In this context, revision of the juridical framework was inevitable. A first attempt, launched by the cantons through a popular initiative, led to a more global revision of gambling legislation initiated in 2010, supported by both the cantons and the confederation [7].

The major issue was the improvement of collaboration between the cantons and the confederation. In particular, both levels receive part of the substantial fiscal revenues associated with gambling. These changes, implying

modification of the Swiss Constitution, were validated in 2012 through a public vote that resulted in massive agreement of the Swiss population (94%).

When the subdivision of the gambling-related revenues between the cantons and the confederation was confirmed, the context became favourable to a potential revision of the regulation. It nevertheless appeared that the current regulation fitted with the interests of all concerned actors, as the lottery monopoly and the concession system for the casinos remained unchanged. This new revision of the gambling regulation even resulted in further opening of the market. More precisely, the only real changes regarding the last regulation were the opening of the internet market for casinos and the simplification of procedures to obtain concessions. The internet market was also opened for public lottery societies. Health and social professionals contested aspects of the regulation, and emphasized the need to regulate lottery access more effectively (especially electronic gaming machines) [12]. Nonetheless, these claims have so far been rejected because of important fiscal revenues associated with these gambling activities. A final proposal was published in 2014 for public consultation, which confirmed that the combination of fiscal interests for the state and commercial priorities of the gambling industry outmatched gambling-related public health issues. The only measure undertaken to promote healthy gambling behaviours and prevent hazardous gambling was the constitution of a ‘consultative commission of experts’ devoted to protection of gamblers. This new regulation will be discussed in the Swiss Parliament in 2016 to conciliate economic, fiscal and public health interests.

NATIONAL GAMBLING PREVENTION EFFORTS

Prevention policies and related actions are different regarding lotteries/betting games and casino games. The *Casino Law* was the first law to promote prevention by banning persons with financial issues from casinos. In contrast, the *Lotteries and Betting Law* addressed neither public health issues of gambling nor related prevention policies. Given that breach, in 2006, the Swiss cantons validated an agreement between cantons that allowed them to mandate the prevention of problem gambling. This resulted in a tax of 0.5% on the gross revenues of lotteries that was dedicated specifically to financing prevention. Since the establishment of this tax, the cantons have developed their own prevention policies and actions independently from the gambling industry. This system resulted in the availability of new treatments and prevention programmes across the country [13], including e-health supports [14].

In contrast, the casinos pay taxes based only on revenues, leaving the responsibility for casino gambling prevention to the cantons, which in Switzerland are also responsible for social and health policies. Although this system will probably not change with the regulation in progress, the cantons [15] and health and social professionals [12] have the common objective of obtaining a contribution from casinos to finance prevention and treatment of problem gambling.

EPIDEMIOLOGY OF PROBLEMATIC GAMBLING IN SWITZERLAND

Gambling prevalence

Reliable gambling prevalence data are available from the Swiss Health Census, a survey carried out every 5 years since 1992 by the Swiss Federal Office of Statistics. These surveys are based on telephone interviews and mail-delivered questionnaires and are conducted in representative samples of at least 1000 Swiss residents aged 15 years or older from each canton. According to the Swiss Health Census [16], the life-time and past-year prevalence of gambling among the Swiss adult population in 2012 [17] was 73.6 and 46.6%, respectively. In a study conducted in male conscripts (military service is mandatory in Switzerland) aged 18–22 years [18], 79% of the respondents were life-time gamblers and 56% were past-year gamblers. The reported prevalence of gambling among 14–17-year-olds was 37.48% [19]. In 2012, the estimated percentage of the Swiss population who gambled exclusively online was 2.8% [17]. According to the Swiss Health Census 2002 and 2007, gambling is more ubiquitous in the French- and Italian-speaking regions of Switzerland than in the German-speaking regions [16,20].

Problematic gambling

Two large nation-wide surveys have been conducted to determine the prevalence of problematic gambling in Switzerland. These two studies used similar methodologies and measured problematic gambling with the South Oaks Gambling Screen (SOGS) [21]. The first study [22], conducted in 1998, revealed a 12-month prevalence of pathological and problematic gamblers of 0.8 and 2.2%, respectively. It also found that 36% of potential and probable pathological gamblers considered themselves to have a gambling problem. The second study was conducted in 2005 [23]. The past-year prevalence of problematic gambling was comparable to that in the initial study, despite widespread openings of casinos that followed legislative changes in 2002. In this second study, past-year prevalence rates were 0.8% for problematic gamblers and 0.5% for pathological gamblers. The life-time prevalence of problem gambling and pathological gambling was 2.2 and 1.1%, respectively.

A few other regional studies are available. In a recent study [18] conducted in the French part of Switzerland on a sample of conscripts (aged 18–24 years), the prevalence rate of problem gambling was 1.4% according to the Problem Gambling Severity Index [24]. In another study conducted in the French part of Switzerland, prevalence of at-risk gambling was 5.5% in a sample of adolescents aged 14–17 years, based on the SOGS [19]. A recent study commissioned by the Federal Commission of Casinos showed a possible reduction in the prevalence of problem and pathological gamblers between 2007 and 2012 from 1.5 and 0.5% to 0.7 and 0.4%, respectively [17].

TREATMENT AVAILABILITY IN SWITZERLAND

Switzerland has a large array of health services for substance-related disorders because of a pioneering risk reduction policy that has been in place since the late 1980s [25]. However, consideration of problem gambling as a public health issue is only recent [23]. Since the implementation of a gambling policy, specialized prevention and treatment centres have been created in most Swiss cantons [26].

Although no federal monitoring of pathological gambling treatment facilities exists in Switzerland, an approximation of treatment availability can be extracted from cantonal initiatives and published research reports.

Most problem gambling treatment programmes are incorporated into mental health treatment facilities and are provided typically by institutions that treat substance use disorders [13]. Only a few institutions offer specialized services for problem gamblers [13]. Treatment costs are

covered by universal mandatory Swiss health insurance. Intervention programmes, delivered mainly from an individual or group approach, have proved useful in the treatment of pathological gambling [27,28] and its psychiatric comorbidities. In Switzerland, as in most countries [29], self-banning from casinos is offered as a protective measure for individuals presenting problem gambling issues. In addition to self-exclusion measures, casinos must identify and ban at-risk gamblers at an early stage. During the last decade, approximately 3500 people were banned from Swiss casinos each year, totalling 43 094 people by the end of 2014 [30], more than 70% from self-exclusion [31,32]. International comparisons revealed that this number is impressive (e.g. fewer than 27 000 banned in Germany by the end of 2013) [33]. This phenomenon is due partly to facilitation of self-banning, in contrast to more laborious procedures in other countries [33]; an active and mandatory prevention role of Swiss casinos [31]; and a legal framework that accords high priority to early secondary prevention, implying that people with risky yet not fully problematic gambling behaviours are susceptible to being excluded [34]. Unfortunately, public health and social impacts of self-banning have not been investigated in Switzerland to date. However, from international evidence [29], at least some banned people are likely continue to gamble abroad, online or in illegal gambling venues.

The 0.5% tax from lotteries and betting activities also contributes to the progressive development of prevention programmes and training initiatives, both at cantonal and inter-cantonal levels. Consequently, most Swiss cantons currently provide additional forms of help and social counselling or support for problem gamblers and their relatives (i.e. free helpline, informative websites, e-mail counselling, social counselling, debt reduction and legal assistance), including services dedicated to migrants and women [13].

In accordance with the treatment gap between problem gambling prevalence and treatment seeking [35,36], along with evidence that online help is appealing for people reluctant to seek help in traditional settings [37], several attempts have aimed to provide online-based treatment. Unfortunately, to date, no definitive evidence is available regarding their effectiveness in the Swiss context [13,14]. Simultaneously, specialized associations and peer support groups for problem gamblers have been made available in almost all cantons (see www.sos-spielsucht.ch).

RESEARCH BASE AND RESEARCH AGENDA

Gambling-related research has received poor support in Switzerland. Most public research grants are obtained through the Swiss National Science Foundation. However, since 1975, according to Swiss National Science

Foundation records, only one research project was funded that was focused on gambling (in 2009–10). The other main funding option dedicated to gambling-related research stems from the 0.5% tax on lotteries. Each canton is responsible for the management of the incomes resulting from the tax on lotteries. Cantons use these revenues to support prevention campaigns or to make calls for prevention-related research. Unlike the case in several other countries, national lotteries in Switzerland do not directly finance gambling-related research through specific research calls. A significant part of published gambling research has resulted from non-funded projects. This explains partly why the number of peer-reviewed published papers authored by Swiss investigators to date is limited. Among studies published in the last 5 years, some have focused on the prevention, assessment and prevalence of problem offline and online gambling in the community [18,38–42], while others were interested in risk factors associated with harmful gambling [43,44].

CONCLUSIONS

This paper emphasizes the complex picture of the gambling landscape in Switzerland. The history of gambling in Switzerland is marked by successive changes and amendments in gambling regulations, which were generally enacted by popular vote. The Swiss political system and Swiss cultural diversity explain, at least partly, the apparent contradictions that have characterized gambling and problem gambling regulation.

The Swiss gambling landscape is unique, in that its regulation has been set up through a series of popular votes, and the law and policies are distinct for casinos and lotteries. This distinction between casino- and lottery-based games has led to complex debates regarding gambling devices such as electronic gambling machines [45]. One important detail of the Swiss experience is the mandatory social measures imposed on casinos resulting in their active involvement in the prevention of problem gambling. This system was described as one of the most socially orientated casino approaches world-wide [31].

Considering the recent evolution of gambling regulations and the latest gambling devices themselves (e.g. internet gambling; sophisticated forms of electronic gambling machines), the improved management of problem gambling in Switzerland faces several challenges. It requires a more systematic assessment of the outcomes of prevention policies and actions, along with the efficacy of treatment programmes. Access to treatment should also be improved, especially through the dissemination of internet-based self-help or interventions. Eventually, funding options for fundamental and applied research (i.e. prevention and treatment studies) should also be increased, as the impact of gambling-related research in Switzerland at the

international level is currently poor. Undoubtedly, such progress will depend largely upon efforts made both at the political level and by the gambling industry.

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