

# International Masters of Gaming Law Regulators of the Year 2015

Each year, International Masters of Gaming Law (IMGL) recognizes outstanding regulators based on stringent standards, including preeminence in the regulatory field and their noteworthy contributions to the overall body of regulatory work.



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The regulators are selected from various jurisdictions internationally based on a rigorous nomination and review process with a possibility of a regulator being chosen from each jurisdiction. The categories are Europe, North America, South and Central America, Australasia, Indian Country, and Evolving Jurisdictions. A regulator is not necessarily chosen from each category in each year. They are selected only if they receive the required nomination and meet the demands of the review procedure.

The specific criteria for the selection process include that the overall body of work as a regulator be exceptional and that the regulator make contributions to the gaming industry as a whole while demonstrating noteworthy achievements in the regulation of the industry. The nominee must also provide a stable regulatory environment in the jurisdiction, be identified as a person of high integrity, and demonstrate service to the community. Through this annual selection process, IMGL continues its mission of “advancing gaming law through education” by selecting regulators who reflect a similar mission in their management style while serving as role models in the regulatory environment. This year’s recipients of the award for IMGL Regulator of the Year

certainly reflect these characteristics in their professional approach to the task of regulating a diverse gaming market. They are Mark Ostrowski, Regulator of the Year, North America; Jenny Williams, Regulator of the Year, Europe; and Manuel San Roman Benavente, Regulator of the Year, South and Central America.

**M**ark Ostrowski has spent the past fourteen years with the Illinois Gaming Board (IGB), first as the Chief Legal Counsel of the IGB from 2001 to 2005. In 2005, he became the Administrator/Executive Director of the IGB, responsible for the day-to-day operation of regulatory and criminal law enforcement oversight for the Illinois casino and video gaming industries. Prior to joining the IGB, he worked in private law practice with the Chicago law firm of Clausen Miller, PC, from 1999 to 2001. Mr. Ostrowski started his legal career as a prosecutor with the Cook County State’s Attorney’s Office from 1990 to 1999. He worked a majority of his career within the felony trial division. Mr. Ostrowski has spent twenty-six years as a trial attorney and regulator. He is a graduate of Creighton University, Omaha, Nebraska, receiving a



Regulator of the Year 2015-North America  
**Mark Ostrowski**  
Administrator/Executive Director, Illinois Gaming Board

Bachelor of Science degree in business administration in 1986 and a Juris Doctorate in 1989.

In a recent interview, Mr. Ostrowski stated that the highlights of his regulatory career thus far include bringing the Emerald litigation to an acceptable conclusion after over ten years of legal battles, thus allowing the tenth Illinois Riverboat license to be activated. Another accomplishment of which he is proud is getting video gaming in Illinois implemented and activated within three years of introduction of the 2009 legislation. In these three years, the IGB had “no funding, no resources, no staffing, no infrastructure.” By 2012, under his directive, Illinois went from no video gaming to transforming a former amusement industry into the present video industry operating approximately twenty-one thousand machines in over five thousand locations, becoming one of the largest video gaming jurisdictions in the world. He and his team accomplished this feat by developing a comprehensive set of rules, putting a central system in place, and providing a regulatory perspective to the former “grey games” of the amusement industry. A fellow regulator, recognizing the difficult market in which Mr. Ostrowski regulates, stated, “Mark and his team recognized the legislation’s shortcomings and worked closely with communities, local retail establishments and the industry to maximize the legislative intent as much as possible.” Another associate stated, “with the implementation of video gaming, Mark successfully introduced an entirely new gaming industry to Illinois, all while maintaining effective regulation of the ten riverboat casinos in the state.”

Other accomplishments include transforming three riverboats into “land-based like casinos” and rebuilding two riverboats after the devastation of fire and flood. According to one fellow regulator, another accomplishment is “ensuring” effective regulatory programming on the issue and the promotion of problem gambling treatment for those in need.” Further, Mr. Ostrowski’s recognition of this critical issue “speaks to his judgment in gaming regulation and in maintaining the best interests of the public.” He is also responsible for administering one of the country’s most successful self-exclusion programs. Established during his tenure in 2002, over twelve thousand people are getting help with their gambling problem through use of the voluntary exclusion program. An associate stated, “Mark leads the effort to coordinate with the Illinois Department of Human Services to ensure that the latest research is reflected in all IGB programs for responsible gaming. Additionally, Mark assisted in executing an important new law in Illinois to intercept delinquent child support payments from the winnings of casino patrons.”

Addressing the challenges he has faced, Mr. Ostrowski stated that one challenge as a regulator is working with the video industry to teach and educate about the value of a compliance-based industry. Other challenges and accomplishments include his “developing working relationships with professionals in the industry, having them understand that regulatory and criminal law enforcement oversight is not personal; it is about developing a sense of fairness in the industry. If a licensee does something well, we give them credit for it; if they make mistakes or engage in poor conduct, we hold them accountable and responsible.” His style is to regulate firmly but to be flexible to adapt to unique situations. He believes that communication between the regulators and the regulated is key to positive results. At the end of the day, he is hopeful that the industry he regulates will say that “Mark Ostrowski is fair.”



Regulator of the Year 2015-South and Central America

**Manuel San Roman Benavente**

General Director of Casino Games and Slot Machines

Ministry of Foreign Trade and Tourism of the Republic of Peru

**M**r. Manuel San Roman Benavente began his career as a regulator in 1995, regulating the telecommunications services in Peru where he held the position of President of the Court of Users of Telecommunications Services for fifteen years. From there, he was invited to lead Management of Gambling and Slot Machines, the regulatory branch of the Ministry of Foreign Trade and Tourism, where he began his laudable career as a gaming regulator. Other important positions held by Mr. San Roman include acting as a Manager of Interbank in Peru and Plant Manager of Entel in Peru. He received a degree in electronics engineering from the University Ricardo Palma de Lima, Peru, with study at the University of New York, specializing in telecommunications, and studying as well management and arbitration which have served him well in his endeavors as a regulator.

According to Mr. San Roman, when asked to join the gaming industry, he had difficult moments of doubt because of the lack of structure and prevalent illegality in the industry at the time. He stated, “Definitely the catalyst to enter the gaming industry as a regulator was the challenge to direct-- and perhaps an excessive level of confidence that if things were done properly, the agency could become an example for other activities.” He accepted the challenge,

putting order to an activity that was largely stigmatized by the game itself and the condition of illegality therein. He put together an excellent team with whom he still works today. Those early days of illegality and danger are now just memories of a past that has been overcome and which nobody wants to see return.

Regarding his achievements in the industry, Mr. San Roman stated that when he began to regulate slot machine activity, less than 5 percent of the slot machine activity was legal. In December 2010, the legalization and licensing of the activity was completed, a task that had seemed daunting until then. After this early stage of formalizing relevant legislation such as the system to prevent money laundering, interconnection of all the slots with the regulating agency, and incorporation of other rules, the framework is now respected by the operators and business executives alike. Mr. San Roman attributes the success of the program to the principles of transparency, legality, and equal treatment.

A colleague said of his accomplishments, that Peru is the first country in Latin America to establish a server-based slot machine system, the first to establish strong and specific regulations regarding compulsive gambling, and the first to regulate an online control system for slot machines on a national level. He said, "All slot machines in Peru are required to have an online control system linked with a central computer of the Peruvian Gaming Authority and Tax Authority. There is no other economic activity in Peru with this kind of strong control."

Mr. San Roman stated that there are two aspects of regulating that have made a difference in gaming activity and his own achievements: structuring and formalizing casino games and slot machines and the connectivity of all slot machines to his agency, which ensures proper control and surveillance. During this process and with proper regulation, he saw the real income from gaming grow by 500 percent. Today, many of the recognized giants in slot manufacturing are licensed in Peru, including Konami, Bally, IGT, Merkur, Austrian Gaming Industries, JVL Gaming, and Spielo, among others. Mr. San Roman has gradually gotten to know people in the industry, whose respect he has earned by his principles of transparency, legality, and equal treatment.

As a regulator, he applies clear, consistent standards, which he intends to serve as an example of regulated activity for his country and thereby to strengthen regulation overall. He says that treating all operators without any differentiation instills confidence in the regulator. This confidence extends even to commercial areas, where his expertise is sought to act as a conciliator to mediate and fulfill agreements. Another colleague stated that under Mr. San Roman's leadership, confidence of investors in Peru has grown. He emphasized that "you can trust the gaming authority."

Asked what he considered the greatest challenge to regulators in general, Mr. San Roman stated that it is the broad spectrum of the industry incorporating computing skills, electronics, and telecommunications, all of which are aspects that change with technological innovation. To him, regulation should adapt to technological innovation and new products, provided they are certified and approved. Another important challenge is to maintain the legality of the gambling facilities. Any sign of illegal activity should immediately be stopped to instill confidence in investors operating under the protection of the laws and to instill trust

in the regulator. The best advice he can give to regulators is to rely on the laws and not to lose confidence, remaining aware that gaming is an activity that is often stigmatized by society. Also, a regulator must have an open-door policy with citizens since they know the industry from the consumer perspective.

When asked to share a meaningful event, he stated:

In Peru there is an association called All Citizens Day, composed of prominent citizens. Every year this association rewards successful experiences of government entities. In 2010 the General Management of Casino Games and Slot Machines of the Ministry of Foreign Trade and Tourism was awarded in the category of Inspection and Law Enforcement, recognizing the agency's work as an example worthy of emulation. This recognition provided a great incentive for not only my staff but also for the licensees who recognized the importance of the award.

Mr. San Roman shared with IMGL members and industry executives and operators a bit of his well-earned wisdom, stating, "The regulation of games covers different legal specialties such as corporate, administrative, criminal law, and others. Perhaps the best advice to give gaming attorneys is to continue to provide legal advice that allows regulators to keep modern legal frameworks in line with technological advances, always defending the principles of transparency, reliability, predictability, honesty, and protection of vulnerable groups."

Commissioner Jenny Williams' outstanding career includes decades in public service and regulating. Her career spans posts in six government departments including water and rail privatization, local government finance, public sector housing, and business taxation, culminating in being the first non-lawyer Director General and board member at the Lord Chancellor responsible for the Judicial Group which managed judicial appointments and personnel issues.

In 2004, she was appointed to establish and run the UK Gambling Commission to regulate all commercial gambling other than spread betting and the national lottery. By 2006, when the Commission moved from London to Birmingham, it had expanded from sixty to the almost three hundred employees needed to accomplish the daunting task by 2007 of relicensing casino, bingo and machine suppliers and licensing over two thousand betting and arcade operators for the first time.

Under Jenny Williams' leadership the Commission then made significant improvements in the prevention of underage gambling, reducing the supply of illegal machines, and tackling sports betting corruption. It also secured improvements in the approach to research, education and treatment for problem gambling and supported the government in securing the policy change to point-of-consumption regulation of remote gambling in 2014.

After a first class honor's degree in economics at Cambridge, Mrs. Williams worked as an economic advisor to the Zambian government before undertaking social policy research at Nuffield College, Oxford. She was a non-executive director of a water utility and is currently vice chair of a leading homelessness charity. Among her notable recognitions was receiving the Lifetime Achievement Award from IAGA for her exceptional contribution to the world of gaming in 2015.



Regulator of the Year 2015 - Europe

Jenny Williams

Commissioner and Chief Executive,  
Gambling Commission, Great Britain

Commissioner Williams said of her early introduction to the gaming industry that when invited to interview for the CEO position, “I had literally never been in any licensed gambling premises in my life. I spent the week before the interview racing round casinos, bingo halls and betting shops.” Evidently, she qualifies for the marathon in achieving her quick study of the industry.

She stated, “In 2013 we took over responsibility for regulating the National Lottery, and in 2014, with the 2014 revision to the 2005 act, we became responsible for licensing and regulating overseas operators operating in Great Britain.” The commission now has about three thousand licensees and oversees a domestic market (including the national lottery) of well over £10 billion in gross gambling revenue net of prizes. Commissioner Williams has indeed “guided her country through an unprecedented period of growth and modernization.”

In an interview for this profile, when asked if she had a moment of realization that she wished to join the gaming community, her candid response was, “Not really. I had left the civil service and was starting to pursue a portfolio career when a city commercial lawyer I had come to like and respect while working in rail privatisation, told me he had become a gaming board commissioner, and that it was a truly fascinating industry. He informed me that they would shortly be looking for a CEO for the new gambling commission. I am not sure I would have seen the gambling industry as where I wanted to be for the next decade, but he was absolutely right: it is a fascinating industry.”

For Jenny Williams, her greatest challenge as a regulator has been the range and complexity of issues, spanning a spectrum from the individual bookie to some

of the world’s largest licensed remote gambling operators, from lotteries to in-play betting, sports betting corruption and fantasy football, and the impact of technological developments. For her, it is a challenge to try to anticipate and to prepare to deal with emerging risks to players or to the public interest.

Regulating is, to Commissioner Williams, also finding the right balance between getting to know and understand the industry subjectively and maintaining the objectivity and degree of distance necessary to act in the public’s and not the industry’s interest “except to the extent they coincide.” Also related to achieving the right balance in regulating, she emphasizes the importance of “determining the minimum level of regulatory intrusion or burden consistent with ensuring ‘reasonable consistency’ with the licensing objectives of keeping crime out of gambling, keeping gambling fair and open, and protecting the under age and vulnerable.”

To regulators in general, Commissioner Williams offered her sage advice to keep listening to each other and trying to understand the key commercial and regulatory pressures. Her opinion of effective regulating is that it should go with the grain of the industry being regulated so far as possible. Likewise, the industry needs to understand and genuinely respect the political and societal context in which they are trying to trade. “Mutual respect and understanding of the very different roles goes a long way to helping make regulation work for society and the industry.”

Displaying her wit and sense of humor, Mrs. Williams told of her early days in the commission when many bookmakers resented the new commission and its authority. “One irate operator got in touch with a licensing officer who happened to be a woman, didn’t like the advice he was given, demanded to speak to her manager, and then her manager and then the Director of Licensing, all of whom were women. Finally in exasperation at not getting the answer he wanted, he demanded to speak to the CEO. He was told, ‘fine we will get her to call you back.’ ‘Not another bloody woman,’ he replied, slammed the phone down, and never called the commission again.” She said, “I quite like the idea of ‘another bloody woman’ on my tombstone and of handing my position over to one, my successor Sarah Harrison.”

Concluding the interview by asking Commissioner Williams to share advice with the readers of IMLG’s five publications, she promptly responded, “I don’t think they need advice from me.” She stated, “I have always valued the exchanges I have had with your members and the way you can very often have a sensible ‘without prejudice’ discussion about current issues with the industry lawyers and advisers. You can get a much better understanding of what is at stake or why people are taking the line that they are and get honest feedback on the commission’s performance. This candid dialogue is often difficult for operators when they are worried about upsetting the regulator.” But of the licensees, she says she is endlessly optimistic, knowing that the companies try to do the right thing because of the value of the license and the company’s reputation. “If a company sees a risk to its license and that they can do things better, they will.”