



**ALLIANCE FOR
GAMBLING REFORM**

**You win some, you lose more –
online gambling and its impacts on those
experiencing gambling harm**

The Alliance's response to the recommendations

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Recommendation 1

The Committee recommends that responsibility for online gambling harm reduction is held by a single Australian Government Minister.

Alliance response:

The Alliance urges this portfolio be given to the Federal Health Minister given that gambling harm is public health issue which is supported by the Inquiry recommendations.

Recommendation 2

The Committee recommends that the Australian Government, with the states and territories, develop a comprehensive national strategy on online gambling harm reduction. The strategy should be based on public health principles and include measures that:

- prevent gambling harm from occurring
- intervene early when there is risk of harm
- provide appropriate treatment and support for those experiencing harm
- include measures to protect the most vulnerable that are developed with communities to ensure they are culturally safe and linguistically appropriate.

The national strategy should be in place within twelve months, allowing that implementation would be progressive.

Alliance response:

This recommendation reflects the Alliance's recommendation 2.2 calling for a national action plan addressing gambling related harm through a public health approach. The timeline for this recommendation is supported by Alliance and the Alliance urges that community stakeholders such as people with lived experience and gambling harm expertise are consulted in the development of this strategy.

Recommendation 3

The Committee recommends that, as the priority of the national strategy and with the cooperation of the states and territories, the Australian Government:

- establish national regulation and a national online gambling regulator with the sole purpose of reducing harm and with responsibility for all licencing and regulation
- levy online wagering service providers (WSPs) to fund the national strategy harm reduction measures for which the Australian Government has responsibility.

Alliance response:

This reflects the Alliance's recommendation (2) to establish an independent, adequately funded national regulator. The regulator must be completely independent of the gambling industry despite its revenue stream.

Recommendation 4

The Committee recommends that the Australian Government develop and fund an ongoing, online gambling public education campaign with national advertising and marketing, particularly online. The campaign should target and be relevant to:

- children and young people
- parents and caregivers, with the aim of helping them to guide children and young people to make safer choices online
- individuals who are at risk of or who are experiencing gambling harm
- Aboriginal and Torres Strait Islander people
- culturally and linguistically diverse communities.

The campaign should:

- seek to counter the harmful messages of gambling advertising
- be informed by rigorous, independent research
- be developed with input from target individuals and communities to ensure they are relevant, culturally safe and linguistically appropriate
- accurately present the risks and harms of gambling with licenced operators and illegal offshore websites
- aim to reduce stigma and encourage help-seeking, and protect the most vulnerable from gambling harm
- educate Australians about available consumer protection tools for online gambling and encourage healthy behaviours

- provide resources that can be used by schools, universities and community organisations, such as sporting clubs
- be thoroughly evaluated, with the evaluations to be publicly available.

All gambling-related public education resources should be made available on the Australian Government's Student Wellbeing Hub and by the Office of the eSafety Commissioner to help promote awareness of gambling harm to young people and offer strategies to limit exposure.

Alliance response:

This reflects the Alliance's calls for increasing public awareness of gambling and its harms by implementing a national multi-platform gambling harm campaign. This will need significant consultation with harm reduction experts and those with lived experience of gambling harm. The Alliance supports the commitment to publicly available thorough evaluations.

Recommendation 5

The Committee recommends that the Australian Government:

- resource the Australian Institute of Family Studies' Australian Gambling Research Centre to take on an additional role as a national clearinghouse for gambling research
- provide ongoing funding for gambling research, in particular:
- research to develop a set of standard indicators of risk and harm that can be applied in regulation and policy
- prevalence studies on online gambling harm across both licenced and illegal gambling platforms and websites
- research into vulnerable groups
- research into best practice interventions, treatments and supports
- research about gambling-related suicides.

Alliance response:

This reflected the Alliance's recommendation to increase research and support for best practice approaches to gambling harm. This must remain independent from the gambling industry and support researchers who are independent from the industry.

Recommendation 6

The Committee recommends that:

- national regulation requires online WSPs to disclose de-identified customer data on gambling participation, risk indicators, interventions and harm to the regulator and approved researchers on a consistent and systematic basis
- the Australian Government conduct a feasibility study of Spain, France and other jurisdiction's data vault facilities with the aim of implementing a system that provides real-time operator data to the regulator and approved researchers.

Alliance response:

Reflects the Alliance's recommendation that independent researchers have the ability to access unidentified customer data to investigate impacts of harm and possible solutions. Providing de-identified data should be a requirement of the WSPs licence.

Recommendation 7

The Committee recommends that the Australian Government develop and implement:

- technological solutions and resources to quickly and more effectively block offshore gambling websites including skin gambling websites and mirror sites
- a protocol for blocking transactions to known illegal gambling operators, in cooperation with Australian banks and other payment system providers
- stronger sanctions for companies and known individuals who profit from illegal gambling.

Alliance response:

The Alliance supports this recommendation.

Recommendation 8

The Committee recommends that the Australian Government lead the development, with international organisations and other countries, of multilateral agreements that:

- improve international cooperation to combat illegal online gambling across borders
- aim to reduce gambling harm and protect public policy and research from gambling industry interference.

Alliance response:

The Alliance supports this recommendation.

Recommendation 9

The Committee recommends that the levy for online gambling harm reduction support the national regulator to work with all jurisdictions on best practice prevention, detection, early intervention, treatment and rehabilitation programs for people experiencing gambling harms, including:

- better training for staff working in health, community and financial counselling services, and crisis and gambling helpline staff, to identify gambling harms, comorbid issues and suicide risk, to minimise stigma, and to provide best practice treatment and support
- support for Aboriginal and Torres Strait Islander community-controlled health organisations and other organisations that assist culturally and linguistically diverse clients or patients
- increased availability of integrated treatment services
- enhanced referral pathways to specialist treatments and peer-based support services, including at the end of a self-exclusion period
- the development and implementation of screening tools for gambling harm in all mental health and drug and alcohol assessments.

Alliance response:

Reflects the Alliance's recommendation 5 which calls for increased education and training on gambling harm especially with all staff involved in gambling related online activity and for staff who work in helplines who may be contacted by someone experiencing gambling harm.

Recommendation 10

The Committee recommends that the Australian Government develops industry guidelines for the banking and financial sector, online WSPs and other relevant organisations to educate staff about gambling harm. The guidelines should include protocols for the referral of customers experiencing gambling harm who are at risk of suicide.

Alliance response:

This is supported by the Alliance and reflected recommendation 4.3 of the Alliance's recommendations to encourage financial institutions to promote harm minimisation options and develop advice and referral options for people at risk of harm.

Recommendation 11

The Committee recommends that the Australian Government, in cooperation with the states and territories, establish a national data collection program on gambling harms and suicides. Data should be systematically collected from health and other practitioners and support services that interact with people who experience gambling harm, including emergency departments and coroners. The data collection should include de-identified customer data provided to the regulator by online WSPs.

Alliance response:

This further supports the Alliance's recommendations for the increased research support required to understand best practice approaches to gambling harm.

Recommendation 12

The Committee recommends that the multi-stage evaluation of the National Consumer Protection Framework for Online Gambling (NCPF), due to commence in 2023, includes an investigation into whether the small consumer credit contract sector is complying with its responsible lending obligations to customers who gamble.

Alliance response:

The Alliance strongly supports this recommendation.

Recommendation 13

The Committee recommends that the Australian Government work with the Australian Banking Association to develop a set of minimum gambling consumer protection standards for implementation by all banks, including a block on gambling merchant categories for self-excluded individuals using BetStop. If agreement is unable to be reached, minimum standards should be mandated in legislation.

Alliance response:

The Alliance strongly supports this recommendation and is supported by the Alliance's recommendations 4.3 to work with financial institutions to promote harm minimisation.

Recommendation 14

The Committee recommends that, in developing national regulation, the Australian Government conduct a risk assessment of available payment methods. Payment methods that do not minimise the risk of criminal activity and gambling harm should be prohibited from being used for online gambling.

Alliance response:

The Alliance strongly supports this and is reflected in the Alliance's online gambling policy which stresses the need to understand the risks of various payment methods such as AfterPay and PayPal.

Recommendation 15

The Committee recommends that national regulation should require customers' identities to be verified prior to the commencement of online gambling.

Alliance response:

The Alliance has long advocated that people should not be able to gamble until their identity is verified and so strongly support this recommendation.

Recommendation 16

The Committee recommends that the Australian Government prohibit all online gambling inducements and inducement advertising, and that it do so without delay.

Alliance response:

The Alliance strongly supports this recommendation and supports recommendation 1.3 of our submission. Inducements are a significant cause of gambling harm in Australia and agree there must be no delay to implementing this recommendation.

Recommendation 17

The Committee recommends that the evaluation of the NCPF:

- analyse de identified customer data to determine whether voluntary pre-commitment is working to reduce harm
- examine the strengths and weaknesses of universal, mandatory pre-commitment systems overseas, in comparison to Australia's current voluntary system, and undertake further reforms if it can be demonstrated that an alternative approach will drive improved outcomes overall.

Alliance response:

The Alliance has long advocated for mandatory pre-commitment for both online and land based gambling. Research shows voluntary pre-commitment is not very effective at reducing harm. This reflects the Alliance's recommendation 3.1 in our submission. We also strongly advocate for a practical default limit.

Recommendation 18

The Committee recommends that national regulation impose a customer duty of care on online WSPs. An online WSPs' compliance with this legal duty should be assessed against a set of standard indicators of risk and harm.

Alliance response:

The Alliance supports this recommendation and urges the government to impose significant fines for WSPs who are found to breach their duty of care.

Recommendation 19

The Committee recommends that the Australian Government should investigate the benefits and feasibility of requiring online WSPs to apply a standard behavioural algorithm to reduce online gambling harm.

Alliance response:

The Alliance supports this recommendation and believes that any behavioural algorithm utilised must be created independently of the gambling industry.

Recommendation 20

The Committee recommends national regulation require online WSP staff to undertake research-informed training that demonstrates a sound awareness of the legal obligations and guidelines for practice in responsible service of online gambling. Staff should also undertake annual refresher training.

Alliance response:

The Alliance strongly supports this recommendation, especially annual refreshers. The training must be developed separately to the gambling industry. It must be evaluated and reviewed regularly. If training is not undertaken or not undertaken regularly enough there must be significant penalties that are applied to WSPs.

Recommendation 21

The Committee recommends national regulation prohibit commissions being paid to staff or any third party involved in the referral or provision of online gambling to an individual.

Alliance response:

The Alliance strongly supports this recommendation. It is crucial staff are not conflicted between preventing gambling harm and being awarded commissions for encouraging people to gamble beyond their means.

Recommendation 22

The Committee recommends that national regulation include provisions to prevent the proceeds of crime from being used to fund online gambling. A legal task force should be established as soon as practical to develop these provisions.

Alliance response:

The Alliance strongly supports this recommendation. The Alliance also urges for provisions for returning proceeds of crimes (such as fraud) back to persons or entities impacted.

Recommendation 23

The Committee recommends that the national regulator be provided with a broad suite of powers to monitor online gambling, ensure compliance and enforce the law. Penalties should be severe enough to be a genuine deterrent to multinational corporations breaching their legal obligations.

Alliance response:

The Alliance strongly supports this and supports our recommendation 1.3. There must be penalties severe enough to impact WSPs rather than being the 'cost of doing business'. Fines imposed on casinos in recent years are a good example of severe penalties.

Recommendation 24

The Committee recommends that the Australian Government establish an appropriately resourced national online gambling ombudsman, to sit within the national regulator.

Alliance response:

The Alliance strongly supports this recommendation, and it reflects the Alliance's recommendation 2.1 to establish an online gambling ombudsman.

Recommendation 25

The Committee recommends the Australian Government consult with industry and people who gamble to determine minimum bet limits for online wagering for inclusion in national regulation.

Alliance response:

The Alliance supports this recommendation.

Recommendation 26

The Committee recommends the Australian Government, with the cooperation of the states and territories, implement a comprehensive ban on all forms of advertising for online gambling, to be introduced in four phases, over three years, commencing immediately:

Phase One: prohibition of all online gambling inducements and inducement advertising, and all advertising of online gambling on social media and online platforms. Removal of the exemption for advertising online gambling during news and current affairs broadcasts. Prohibition of advertising online gambling on commercial radio between 8.30-9.00 am and 3.30-4.00pm (school drop off and pick up).

Phase Two: prohibition of all online gambling advertising and commentary on odds, during and an hour either side of a sports broadcast. Prohibition on all in-stadia advertising, including logos on players' uniforms.

Phase Three: prohibition of all broadcast online gambling advertising between the hours of 6.00am and 10.00pm.

Phase Four: by the end of year three, prohibition on all online gambling advertising and sponsorship.

Gambling advertising on dedicated racing channels and programming should be exempt from the ban.

Small community radio broadcasters should be exempt from further restrictions until December 2025.

Alliance response:

This reflects the Alliance's first recommendation to restrict online exposure to gambling for children and young people and ban the broadcasting of all gambling advertising. The Alliance urges the Australian Government to commit to this recommendation swiftly so that the three-year period begins without delay.

Recommendation 27

The Committee recommends that the National Classification Scheme be consistently applied to games available from online app stores, such as the Google Play Store, Apple App Store and the Steam Store.

Alliance response:

Following consultation by the Australian Government on the National Classification Scheme, the Alliance strongly urged for this change and therefore strongly supports this recommendation.

Recommendation 28

The Committee recommends that the Australian Government develops and implements a public information campaign that educates all consumers, in particular parents, caregivers, teachers and young people, on all elements of simulated gambling. The campaign should be informed by research and publicly evaluated.

Alliance response:

The Alliance strongly supports this recommendation and suggests it be embedded into the school curriculum as per Alliance's recommendation 5.3.

Recommendation 29

The Committee recommends that the Australian Government commissions research into an effective simulated gambling warning label. The label should be incorporated into the National Classification Scheme.

Alliance response:

The Alliance strongly supports this recommendation. Simulated gambling is a rapidly growing issue and must be responded to without delay.

Recommendation 30

The Committee recommends that the Australian Government convene a working group to develop and implement minimum consumer protections for interactive games and make suggestions for legislative mechanisms to implement tighter controls on simulated gambling and its advertising. The working group should consider whether games containing loot boxes that can be purchased for money or simulated gambling should have:

- spending controls as a default function
- transparent odds and drop rates for items
- algorithmic loot box features disabled as a default setting, allowing players to opt in.

The Australian Government should conduct a review of the implementation of these protective measures and consider legislative options if minimum consumer protections are not being consistently applied.

Alliance recommendation:

The Alliance strongly supports this recommendation and supports the Alliance's recommendation 1.4 to regulate technologies in gaming such as loot boxes and simulated gambling.

Recommendation 31

The Committee recommends that a legislative review of the national regulator (Recommendation Three) be conducted, two years after commencement and then every five years subsequently. The review should consider developments in research about the risk of harm from simulated gambling, gambling-like elements in games and the gambling of in-game items, particularly to children and young people, and the effectiveness of regulatory responses to these issues overseas.

Alliance response:

The Alliance believes that the reviews should be at least every two years rather than every five as there is and will continue to be significant technological developments and it is crucial the regulator remains fit for purpose and agile to meet those changes.

Overall response:

The Alliance strongly supports all of the recommendations that have been made by the Committee and is pleased that most of the Alliance's recommendations have been addressed and those that have not been addressed as recommendations have been addressed more broadly in the report such as our recommendation for an independent gambling harm national services directory.

The Alliance strongly urges the major parties and especially the Australian Government to swiftly agree to all recommendations so that there are no delays to timelines and most importantly no delay in preventing ongoing harm caused to Australians every day.



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