




Speech By
Charis Mullen

MEMBER FOR JORDAN

Record of Proceedings, 14 October 2022

CASINO CONTROL AND OTHER LEGISLATION AMENDMENT BILL

 **Mrs MULLEN** (Jordan—ALP) (12.21 pm): I rise to make a contribution to the Casino Control and Other Legislation Amendment Bill 2022. I wish to commend the Attorney-General and Minister for Justice for taking proactive action on the matters of casino operations. As the parliament is aware, allegations of money laundering, criminal infiltration and other integrity issues have over the past few years prompted several major public inquiries and regulator investigations into Australian casino operations.

The bill before us was primarily developed as a response to the recommendations of the Victorian royal commission into the Crown Melbourne, with the inquiry headed up by the Hon. Ray Finkelstein AO, KC. This bill represents the outcomes of the government's examination of both the issues identified in the Australian casino environment by the inquiries into Crown and the ability of Queensland's casino legislation to respond to such issues. It has been further informed by the independent external review into Star Entertainment Group.

This bill was pre-emptive. It was about responding proactively to what has been happening in Australia casinos, but what do we get from those opposite? Criticism. If we did not do anything we would be accused of putting our heads in the sand, yet we are criticised for proactively making changes to the legislation and not waiting. Members of the opposition cannot have it both ways.

I do not wish to entertain the conspiracy theories espoused by the suspicious mind of the member for Scenic Rim in this debate. Seriously, the only thing that was missing was the tinfoil hat and the podcast recorded in his basement. His suspicious mind clearly did not turn to his own party's cash-for-access events at Star's Gold Coast venue.

There has also been quite a bit of commentary regarding donations. Those comments encouraged me to have a quick look at the real-time donor disclosures, which is what I can do thanks to the transparency measures introduced by the Palaszczuk government when it comes to donations. I was convinced that those opposite would not be raising donations unless, of course, the LNP had refused any and all donations from Star. I can only rely on the publicly available disclosures, but since 1 March 2017, which is when the ECQ's electronic disclosure system was introduced, I was able to see eight donations to the Australian Labor Party by the Star Entertainment Group. There were also 14 donations to the Liberal National Party, totalling almost \$80,000. Similarly, the Queensland Greens may wish to raise donations in this debate but it is well known that they have accepted approximately \$473,000 in donations financed by the gambling industry. This is not histrionics, as the member for Maiwar said. It is, again, publicly available information. Facts matter in these debates and what I can say is that misleading assertions do nothing to further the very integrity those opposite champion.

The bill has a number of objectives including strengthening casino integrity and regulation in Queensland; removing certain redundant requirements under the Casino Control Act; and modernising a number of the gambling and wagering acts in Queensland to address new technologies around cashless gambling. The bill has also identified a human rights incompatibility under the Casino Control Act following the commencement of the Human Rights Act 2019 in Queensland.

A key amendment to the legislation introduces a duty on particular entities to comply with all reasonable requests made by the chief executive, inspector or minister and to do everything necessary to ensure that the management and casino operations of the relevant casino operator are conducted honestly and fairly. The need for this duty should not seem necessary but indeed it is, given the damning evidence we have heard in the various inquiries. The provision makes very clear the state's and the community's expectations of the conduct of entities involved or otherwise associated with a casino or hotel casino complex in Queensland.

In a similar manner, a new obligation requiring certain entities to give written notice of any contraventions of the Casino Control Act or directions given it is to ensure these entities have adequate processes in place to detect when a breach or contravention may have occurred. If we want to see greater transparency and a culture of responsibility to be embraced by these entities, this amendment is particularly important.

The bill also sees the introduction of new and increased penalties in relation to a number of matters. The legislation would increase the penalty for the contravention of an approved control system. Of course, this is about achieving a number of objectives, including ensuring the operation of the casino remains free from criminal influence, ensuring proper taxation of revenue and preventing errors, irregularities and theft. The penalty is also increased for interfering with inspectors. Inspectors are a key measure to ensure casino operations are being conducted in accordance with the act, so it is absolutely vital that their work is unfettered and not interfered with. The increase in the penalty for this is substantial—from 40 penalty units to 160 penalty units.

The introduction of a pecuniary penalty as a form of disciplinary action is another important matter. This will see the minister being able to issue a judicially reviewable minor fine of up to \$5 million, while the Governor in Council will be able to issue a non-reviewable major fine of up to \$100 million following the Attorney-General's foreshadowing of a further amendment. As outlined in the explanatory notes, these significant penalties are sought to ensure that, given the profits generated by casino gaming, penalties are not just seen, as was quoted, as an acceptable cost of doing business.

Shortly following the introduction of this bill the Attorney-General commissioned an independent external review into the Queensland casino operations of the Star Entertainment Group Ltd. The review, led by the Hon. Robert Gotterson AO, KC, has been finalised and the review report was provided to the Attorney-General and was made public last week. Mr Gotterson's inquiries were informed by public hearings, the findings of the independent review of the Star Pty Ltd conducted by Mr Bell SC in New South Wales and the Queensland regulator's investigations and compliance work.

As we are all aware, the Gotterson review found that the Treasury Brisbane and the Star Gold Coast casinos have been operated by their licensees in a way that is inconsistent with the objectives of the Casino Control Act. Considering the serious and concerning findings of the review and his advice regarding suitability, the Attorney-General has formed the view that the Star is unsuitable to hold a licence in Queensland. In accordance with the legislation, as a formal determination of unsuitability has been made, the Star has been given the opportunity to respond to that finding through a show cause process. It is important that we allow that process to continue, but the Gotterson review has made a further 12 recommendations, which have been accepted in principle by the government.

Again, the Queensland government is moving quickly to address the issues raised in the review and the Attorney-General has foreshadowed three key amendments to the bill before us that will be proposed during consideration in detail. These will: provide for the appointment of a special manager, fully funded by the relevant casino entity, to oversee the operations of a casino, whether or not the casino licence has been suspended or cancelled; increase the maximum penalty that the Governor in Council may impose on a casino entity, from the proposed \$50 million, as currently provided for in the bill, to a proposed \$100 million; and ensure that the state is not fettered in its ability to take regulatory actions in relation to casinos by providing that no compensation is payable by the state because of such regulatory action.

The Attorney-General has confirmed that the remaining Gotterson review recommendations will be implemented with further amendments to legislation in the first half of next year. The findings of the Gotterson review, as well as those of the Bell review and the Finkelstein inquiry, have made it clear that there needs to be a fundamental transformation of culture amongst casinos and casino operators. There needs to be more transparency, more robust governance and greater accountability. There needs to be more open and honest dialogue with regulators and where the leadership of those entities is both vigilant and open to feedback when concerns are raised. These operators will not be judged by their words but by their actions.

The legislation before us makes clear the state government's expectations and, along with the further measures foreshadowed by the Attorney-General, provides a clear pathway forward when it comes to casino integrity in Queensland. I commend the bill to the House.