




Speech By
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MEMBER FOR TOOHEY

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CASINO CONTROL AND OTHER LEGISLATION AMENDMENT BILL

 **Mr RUSSO** (Toohey—ALP) (4.05 pm): I rise to speak in support of the Casino Control and Other Legislation Amendment Bill 2022 and the amendments to be moved during this debate. The Casino Control and Other Legislation Amendment Bill was introduced into this Legislative Assembly and referred to the Legal Affairs and Safety Committee on 26 May 2022. The bill proposes to implement a range of reforms to the regulation of liquor, gaming and fair trading in Queensland, including amendments that aim to strengthen casino integrity and modernise gambling legislation; introduce a framework for wagering on simulated events; extend New Year's Eve gaming hours; and introduce a cross-border recognition scheme for charitable fundraising.

The committee, in its report which was tabled in this Assembly on 22 July 2022, has recommended to the Assembly that this bill be passed. The committee has a further recommendation in relation to the bill, that being that the Queensland government engages with stakeholders to review the legislative framework for charitable fundraising, giving consideration to the relevancy of other state and federal legislation, including consumer law.

The committee was provided with a detailed briefing by the Department of Justice and Attorney General for our consideration which addressed the policy objective reforms of the bill. As set out in the explanatory notes provided by the department to the committee, consultation was undertaken in March 2022 with Queensland casinos, the Alliance for Gambling Reform, United Workers Union, Victorian Gambling and Casino Control Commission and New South Wales Independent Liquor & Gaming Authority. The proposed amendments were generally supported or accepted by stakeholders, with concerns raised on the introduction of a pecuniary penalty as a form of disciplinary action; the introduction of a power to require information on oath or affirmation; and the introduction of an ability to require the engagement of a qualified external adviser.

Stakeholders and subscribers were invited by the committee to make written submissions on the bill which resulted in submissions being received by the committee. The committee's examination of the bill addressed each of the identified objectives and proposed reforms to be introduced. The general public would be aware that inquiries and investigations have been undertaken in multiple jurisdictions in Australia into casinos operated by subsidiaries of Crown Resorts Ltd and the Star Entertainment Group. Allegations of money laundering, criminal infiltration and other serious integrity issues raised in the media were substantiated against Crown's subsidiaries. It should be noted that Crown does not operate casinos in Queensland. The findings of these interstate inquiries identified serious concerns, suggesting that the wider casino sector should be subject to stronger regulatory scrutiny to ensure casinos operate with the highest standards of integrity.

The bill proposes to address matters raised in the inquiries in other jurisdictions by enhancing the Casino Control Act. The mechanisms proposed for this are: introducing and increasing penalties for critical offences to ensure there are meaningful consequences for breaches of the law; imposing a requirement on particular entities to self-report contraventions of the law and breaches, and for the entities to comply with all reasonable requests made by the minister or regulator under the act and for

them to do everything necessary to ensure that the management and operations of the casino operator are conducted honestly and fairly; expanding information-gathering powers and introducing other powers that are considered necessary to reflect the complexity of regulating casinos in current times; and a broad prohibition on false and misleading information. The bill proposes meaningful consequences for misconduct and breaches of the law through a penalty administered through an approved control system of penalty points and pecuniary penalties.

To reflect the complexity of modern casino operations, the bill expands the powers of the regulator and minister by bolstering general information-seeking powers to enable any information to be sought from a casino entity or associated person and, if appropriate, for that information to be provided on oath or by statutory declaration. Further, the threshold for taking disciplinary action would be lowered and reasonable costs and expenses of any disciplinary action would be able to be recovered from a casino entity.

The department emphasised that the state and community expects casinos to operate with 'the utmost integrity and fairness and remain free from criminal influence and exploitation (which is a significant risk for this industry)', and that the public 'expects that casino entities should take full responsibility for any misconduct regardless of when that misconduct may have occurred.'

While concerns were raised by a stakeholder to the proposal that the operations of an associate may be investigated and considered to determine the suitability of a Queensland casino entity, the department advised that the Casino Control Act has always recognised that a casino entity's associates are relevant to this 'in order to prevent criminal involvement and influence, and maintain public confidence in the integrity of the industry'. The committee supports the department's view that the object of the Casino Control Act is to ensure that the state and community as a whole benefit from casino gambling and that, in a circumstance where an act or omission by a casino entity is so serious that it warrants disciplinary action by the Governor in Council, it is necessary, on public interest grounds, for the Governor in Council's decision to be final and non-reviewable so that the casino entity can be disciplined as quickly as possible and with certainty.

The department also advised that the casino integrity reforms contained in the bill are considered to be examples of best practice casino regulation that will be applicable to all casinos and are not in response to any specific allegations or findings against Queensland casino operators. Many of the amendments will ensure appropriate action can be taken against casino entities if misconduct or breaches of the law have been substantiated such as the amendments to introduce new disciplinary fines and the ability to recoup the reasonable costs of taking disciplinary action against a casino entity.

The committee examined the amendments proposed in the bill to various gambling legislation to reduce red tape and modernise the increasingly complex legislative environment. The key amendments would facilitate the transition to safe cashless gambling. The Victorian Finkelstein inquiry found that 'cash is a medium favoured by criminals and leaves casinos particularly vulnerable to money laundering'. The bill amendments propose to remove any legislative barriers to considering and approving cashless payment methods. The implementation of cashless payments for gambling are not proposed for immediate or mandatory use. There is balance provided through the introduction of broad conditioning powers to enable conditions to be placed on all equipment approvals.

Charities and not-for-profits are increasingly operating across state borders and online. To reduce the regulatory burden to the sector with regard to the compliance of fundraising requirements across jurisdictions, the bill amends the Collections Act 1966 to introduce a cross-border recognition scheme for charitable fundraising. The committee noted the support and arguments from key organisations and experts regarding a review of fundraising legislation. While the committee acknowledged a review of fundraising legislation was outside the scope of the bill, it is of the view that consideration be given to a review in the future. It was for this reason the committee made our second recommendation to review the legislative framework for charitable fundraising.

On behalf of the committee, I thank those individuals and organisations who made written submissions on the bill. I also thank our Parliamentary Service staff and the Department of Justice and Attorney-General. I commend the Attorney-General for her response on 13 September when she commented on the findings and allegations of criminal infiltration, money laundering and institutional concealment presented at the NSW inquiry. I commend the bill to the House.