



Speech By  
**Hon. Shannon Fentiman**


**MEMBER FOR WATERFORD**

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Record of Proceedings, 14 October 2022

**CASINO CONTROL AND OTHER LEGISLATION AMENDMENT BILL**

**Second Reading**

 **Hon. SM FENTIMAN** (Waterford—ALP) (Attorney-General and Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence) (4.55 pm), in reply: I acknowledge and thank all honourable members for their contributions during debate of the Casino Control and Other Legislation Amendment Bill. I will now address some of the matters raised by honourable members during the debate. I remain concerned that after listening to the speeches of those opposite they still do not appear to have read the bill, the Gotterson report, listened to the press conference that I was at last week that I attended with Mr Gotterson or even just read the media release about the government's response to the Gotterson report. If the member for Clayfield had he would have seen that I announced over a week ago that we would be introducing urgent amendments this week. The member for Scenic Rim has said that the Gotterson report did not even examine China UnionPay, which it clearly did. The member for Broadwater in his very rambling contribution to the House clearly had not read the Gotterson report when he continually referred to 'problem gambling'. It was a specific recommendation by Mr Gotterson to not use that outdated, offensive terminology.

The findings of the Gotterson report were shocking and they demanded urgent action from government. That is what we are doing and we make no apologies for doing so. I am astounded that some members opposite expressed surprise that we were moving urgent amendments. Last week I said publicly, 'As a priority, the government will progress urgent amendments'. The media release that I issued last week about the Gotterson report said we would be, 'as a priority, amending provisions in the Casino Control Act'. I am not going to begrudge people for not watching a press conference or missing a media release in their inbox, even if it is their job, but one would think that many members of parliament who have been here for many years would notice that something quite big has happened since we introduced these reforms and now we are debating this legislation: it was called an independent expert review into casinos led by Mr Gotterson.

The member for Clayfield came in here and criticised me for not properly acknowledging the work done by interstate inquiries, despite me doing so four times. It is clear the member for Clayfield was not listening because I, in fact, spent some time talking about how the recommendations from interstate inquiries influenced the development of this bill. For the benefit of those opposite I will again acknowledge the work undertaken interstate in relation to their inquiries and the legislation that has been passed as a result. Mr Gotterson acknowledged this work, noting that it informed not only his inquiry, but also this very bill before the House. Mr Gotterson also acknowledged that before his appointment to the review, the Office of Liquor and Gaming Regulation had commenced an investigation into Star casinos and produced an interim investigation report dated 21 April. This interim report was provided to Mr Gotterson who said at paragraph 122 of his report that the material 'afforded a useful basis from which to inquire into the issues identified as being of particular interest and better to understand them.'

Those opposite have sought to question the terms of reference for the external review of the Queensland operations of Star. This is despite Mr Gotterson not requesting an extension of the scope of his review when the member for Clayfield wrote to him asking him to do so. Mr Gotterson did have, in fact, all of the powers of a commission of inquiry, including the power to compel witnesses to attend, and Mr Gotterson used this power. Mr Gotterson compelled three people from Star to attend interviews, produce statements and ultimately attend his public hearings. The member for Maroochydore stated that there was no power to protect witnesses. Again that is completely wrong. I note that on 23 and 24 August, pursuant to section 16 of the Commissions of Inquiry Act, Mr Gotterson AO, KC ordered that there is to be no reporting or publication of any information that identifies or tends to identify any of witnesses A, B and C or persons 1 to 5.

The member for Clayfield also spoke about the scope of the review, saying it was too narrow and needed to look at links with unions and lobbyists. Again, clearly the member for Clayfield did not see the press conference held last week at which Mr Gotterson said—

In the inquiry I did conduct, nothing was thrown up which suggested that the current circumstances were in some way a product of, or derived from, the kinds of things that you're talking about. So it just didn't generate anything.

He also said in his report—

There was no suggestion ... that regulatory decisions were ones in which the Minister or Government of the day had improperly intervened.

There was absolutely nothing before Mr Gotterson and he found no suggestion of inappropriate interference.

We have also heard those opposite claim that the government and the OLGR had been 'caught napping' when it came to casino regulation. Clearly it is those opposite who have been caught napping, which could have been avoided if the opposition had accepted our offer of a briefing on the Gotterson report. Time and time again during the debate those opposite said, 'We'll make the regulator independent.' The member for Southport stated that there are questions remaining about the effectiveness of the OLGR and in one of the worst speeches I have heard from the member for Broadwater, when fumbling around, he also got it wrong when it comes to the OLGR. Mr Gotterson ultimately concluded that there is insufficient justification to fundamentally change the structure of the OLGR, particularly since the Queensland regulatory model has not been called into question nor is it one that has adopted a risk-based approach to casino regulation that has been the subject of criticism in interstate inquiries.

As many members noted during their contributions, we have seen a series of concerning allegations about casino operations from across the country over the past few years. The Office of Liquor and Gaming Regulation and the government have acted. After *60 Minutes* aired allegations about money laundering and junket operations at Crown Casino, the OLGR commenced an investigation into whether a similar problem existed in Queensland. In March 2021, the OLGR wrote to the Star in order to assess controls and operations under the Casino Control Act and in October 2021 began officially investigating them.

We have also heard concerns raised by the member for Clayfield about the interim OLGR investigations report not being released and, together with the member for Maiwar, he raised concerns that there have been no prosecutions against casinos in Queensland. The OLGR heightened its regulatory activity within Queensland casinos in 2020 due to the evidence of interstate inquiries into the Crown. The initial focus was on junket operations, subsequently expanding to an investigation of allegations raised in the media; casino operator gambling harm programs; and developing proposals for legislative amendments. The OLGR commenced prosecution action in relation to conduct by the Reef casino and this is set down to be mentioned on 25 October 2022. The OLGR commenced investigations into the conduct of the Star in October 2021. There are other investigations ongoing. As I said last week, to release an interim investigation report when there are prosecutions that may be underfoot, and therefore court action, is absolutely irresponsible. As a former solicitor, the member for Clayfield should understand that.

Much of the conduct of the Star did not represent breaches of the Casino Control Act. That is another reason why a significant penalty through disciplinary action is appropriate, with grounds for disciplinary action being much broader than what is in the current act. These new laws enhance casino integrity by requiring casino entities to cooperate with the regulator, including by self-reporting breaches and providing the regulator with enhanced information-gathering powers.

The bill also lowers the threshold for taking disciplinary action, introduces a new fine, to be increased to a maximum \$100 million, and provides more powers for the OLGR to establish breaches that may result in enforcement action. In addition, the most recent budget included funding to strengthen casino and gaming regulation to control integrity, probity and harm risks. This will underpin enhanced regulatory activity by the OLGR.

The member for Clayfield also stated that Mr Gotterson was unable to make a suitability finding about the Star in Queensland. As I have explained many times, that is because under the legislation only the Governor in Council can make a finding of unsuitability based on my recommendation. As I publicly announced last week, I have formed the view that the Star is unsuitable to hold a licence in Queensland.

In his report, Mr Gotterson also addressed the Queen's Wharf Financial Commitment Agreement regarding regulatory trigger events and compensation. He noted that the state legislature should not be fettered in its capacity to impose controls on casinos or compensate them in any way for having done so. The amendments that I will be moving in consideration in detail will amend the bill in line with this finding to ensure that no compensation is payable for regulatory actions taken in relation to casinos. Similar compensation agreements have been dealt with in this way in other jurisdictions.

During the debate we have heard the opposition resorting to the same tired talking points, making wild claims about hospitality and donations, despite those opposite having been the beneficiaries of free accommodation at Jupiters and free tickets to polo. They have even had to give back nearly \$25,000 in donations from the Star since 2018. Now we are seeing the Greens team up with the LNP on this issue too, just as they are on the Uluru Statement from the Heart it would seem.

In their contributions, the member for South Brisbane and the member for Maiwar spent much time speaking about donations. They completely ignored the fact that the Greens received nearly half a million dollars from high-rolling gambler Duncan Turpie since 2017—and not just once or twice. They have taken donations from a professional high roller twelve times in the past five years. The single largest of those—\$100,000, to be precise—appeared in the Queensland Greens coffers on the eve of the 2020 election. I guess it was not just the LNP preferences that got the member for South Brisbane elected; it was gambling money, too. When it comes to gambling, the member for South Brisbane does not have a leg to stand on. I would urge her to please save us all the moral grandstanding and hypocrisy.

The member for Maiwar criticised the effectiveness of a special manager. In fact, the special manager would be empowered to issue directions to the casino entity with which the casino must comply to ensure compliance with statutory obligations. A special manager would be empowered to very closely monitor the casino and its day-to-day operations through a statutory power that allows the manager to enter and remain in any part of the casino and also sit in on board meetings of the casino. The special manager can also access all documents and records of the casino as they pertain to the management and operations of a hotel-casino complex. The special manager will be responsible for such investigations as directed by the government and will report back to the government on those investigations and on the remediation of a casino entity.

The member for Noosa stated that, whilst the bill proposes to remove barriers to cashless payments and cashless gaming, it does not propose any harm minimisation mechanisms. The bill amends the gambling acts to improve each act's capacity to address and respond to emerging technologies and cashless payment methods for gaming. Harm minimisation will be a relevant factor in any consideration and approval of cashless payment methods, systems and technologies.

In relation to amendments involving Trackside, the member for Noosa also stated that Trackside is an expansion on Keno racing as it authorises simulated sports wagering. It is important to note, again, that the bill does not automatically allow the sports wagering licensee to start conducting or offering wagering on simulated events or simulated contingencies in Queensland. Rather, the bill provides a framework for the detailed consideration and ministerial approval of virtual wagering products on a case-by-case basis. This is necessary to ensure emerging technologies and their market impact can be appropriately assessed and, where found unsuitable or contrary to the public interest in minimising the potential for gambling related harm, can be denied operation in Queensland.

I turn to changes regarding charities. I note the comments from the members for Currumbin and Noosa seeking a wider review of the not-for-profit sector beyond the scope of the amendments in this bill. However, introducing the deemed registration scheme for ACNC registered charities to operate in Queensland that is contained in this bill is an important step in an ongoing process to reduce the regulatory burden for charities operating across borders. The Queensland government is continuing to undertake additional work to support the work of charities and reduce red tape. To this end, amendments to reduce duplication in Queensland reporting requirements for ACNC registered charities commenced in late July 2022. My department is also continuing to participate in ongoing interjurisdictional discussions aimed at further harmonising fundraising laws and conduct requirements across Australia.

In conclusion, once again I thank members of the House for their contributions during the debate of the Casino Control and Other Legislation Amendment Bill. I commend the bill to the House.