




Speech By
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MEMBER FOR TOOHEY

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CASINO CONTROL AND OTHER LEGISLATION AMENDMENT BILL

 **Mr RUSSO** (Toohey—ALP) (6.26 pm): I rise to speak to the Casino Control and Other Legislation Amendment Bill 2023. The former Legal Affairs and Safety Committee in its report No. 67 of the 57th Parliament, tabled in this Assembly on 2 February 2024, has recommended that this bill be passed. The objectives of the bill are to facilitate the implementation of recommendations 1 to 11 of the Gotterson review and to implement a range of other reforms to enhance the casino regulatory framework.

In October 2021, allegations of money laundering, breaches of law and links to organised crime were levelled against Star which, through its subsidiaries, owns and operates Treasury Brisbane and the Star Gold Coast casinos and will, from 2024, operate the Star Brisbane in the Queen's Wharf Brisbane precinct. The allegations led the Queensland government to subsequently appoint the Hon. Robert Gotterson AO, KC in June 2022 to conduct a review of the Star Queensland casino operations. The Gotterson review found that Treasury Brisbane and the Star Gold Coast licences were being operated in a way that was inconsistent with the achievement of the objectives of the Casino Control Act 1982.

Gambling has become an incredibly insidious presence in our society. Australia has a long history and association with gambling, with Australia's first official horse race meeting beginning in 1810 in Hyde Park, Sydney at the order of Governor Macquarie. From colonial times, our long history in gambling has evolved and gambling products and are now available in pubs and clubs, at sporting events and in people's homes. Many online operators take bets on sports, races and even wild and whacky things like which celebrity or public figure will be abducted by aliens first or which country the aliens will attack first. The list of strange activities people can bet on does not stop there. What about how far and how fast you can carry your wife, which is based on a legitimate wife carrying competition in Finland?

Gambling has a firm foothold in the Australian culture with an associated host of repercussions. Australians are the biggest losers worldwide, and it is estimated that Australians lose approximately \$25 billion on legal forms of gambling each year. This represents the largest per capita losses in the world, with the costs of gambling borne not only by the individual gambler but also by their families and the community. In addition to this harm, casinos are a vector for crime and money laundering activities. The Gotterson report has shown that casinos have been willing to overlook, and even encourage, these illegal and socially harmful activities.

The key issues raised during the committee's examination of the bill include: default play and break limits; access to and use of player data; measures to reduce gambling harm; review of gambling licences; a mandatory code of conduct for casinos that includes penalties for noncompliance; and anti-money-laundering measures. The committee heard that there has never been greater public consciousness and support for gambling reform, and this bill addresses some of these concerns.

The remaining 11 recommendations of the Gotterson report that are addressed in the proposed bill are aimed at minimising the destructive impact of problem gambling and criminal influence inside casinos. The measures proposed to be introduced include requiring the use of an identity linked gambling card, setting player times and loss limits, and introducing cashless gambling for transactions over a thousand dollars.

During our examination of the bill the committee heard that cashless gaming with partial, voluntary, non-binding precommitment is currently available at many licensed venues in Queensland for machine gambling at the licensee's discretion. Players who reach their preset expenditure and time limit may remove their card and continue to play anonymously using cash. The Alliance for Gambling Reform strongly supports gambling products having mandatory identity linked cards with the object of both minimising gambling harm and preventing money laundering.

The Department of Justice and Attorney-General's response to submissions stated that the bill does not propose to apply mandatory carded play to Keno and wagering in Queensland casinos as Keno and wagering systems are not casino property. Instead, casino operators offer Keno and wagering through agency agreements with the respective Queensland Keno and wagering licensees. The department stated that other jurisdictions undertaking similar reforms are not initially capturing Keno and wagering either and that if mandatory carded play was to be applied to Keno and wagering in casinos in the future it would be appropriate to do so through the Keno Act and the Wagering Act.

The committee noted that the purpose of the bill is to implement the recommendations of the Gotterson review and create a regulatory framework for mandatory carded play in casinos. Such a framework includes the requirements for carded play and the introduction of cash limits, mandatory precommitment limits, and play and break limits. The proposed bill is aimed at casinos, as were the recommendations made by the Gotterson review. The committee recognises the potential to expand this framework to other areas once it has been rolled out, but that is the objective of this proposed bill.

According to the explanatory notes and the Gotterson review, the success of several Gotterson review recommendations relies on casinos collecting real-time data on gambling behaviour through player cards. However, the Casino Control Act does not require collection of player data. Accordingly, the Gotterson review made two recommendations for the collection and the availability of player card data. Such data would be collected for the purposes of research and to inform casino staffing levels and the proper supervision of casino activities. The committee believes that the bill strikes the right balance between the protection of a player's personal information and upholding the public good that can be achieved when the information is shared to disrupt crime or carry out important research.

The Gotterson review noted a tendency to blame individuals for gambling harm. Gambling harm was dismissed as a symptom of personality disorders rather than the effect of effective gambling products that were designed to be addictive. The Gotterson review recommended changes to terminology in gambling legislation to reduce stigma and shame and the implication of personal irresponsibility for gambling behaviour. The bill proposes to implement the modernising of terminology and replace terms that can stigmatise, shame or imply sole personal responsibility for gambling problems rather than a shared responsibility with gambling providers. The committee noted the importance of terminology in public policy and also noted the support the alliance has for the bill. Removing stigmatising language is part of recognising that gambling can be a powerful and addictive activity. That addiction is not solely the fault of the gambler.

Currently, Queensland has no requirement for casinos to comply with the code of conduct for safer gambling under the Casino Act. Casinos can choose to follow the voluntary Queensland Responsible Gambling Code of Practice and associated casinos resource manual. The Gotterson review found that a voluntary safer gambling regime was not enough to deter casino operators from conduct that may facilitate gambling harm. The committee saw the value in creating a mandatory code of conduct for Queensland casinos. The committee believes that self-regulation is not always appropriate when the industry is large, concentrated or has the potential for major public impact such as the gambling sector. Modern casinos are more vulnerable to money laundering, criminal influence and exploitation and have the potential to cause considerable gambling harm. An appropriate level of regulation and oversight of casinos is required to protect players and the community and to prevent criminal activity. The Gotterson review recommended a 'user pays' levy, noting—

It is appropriate that those who benefit financially from the casinos pay for the regulation of those activities.

However, it warned that the levy—

... ought to be structured in a way that leaves no doubt that the casinos are not 'clients' of the regulator, and that they cannot control or direct that which the regulator does.

The bill proposes to amend the Casino Act to provide for an annual supervision levy. The levy will be used to fund the regulation and oversight of casinos. I commend the bill to the House.