

**Legislative Council**  
**HANSARD**  
**Tuesday 31 October 2023**

*[excerpt]*

**MOTION**

**Gambling Harm**

[11.38 a.m.]

**Ms WEBB** (Nelson) - Mr President, I move -

- (1) That the Legislative Council notes:
  - (a) the release on 26 June this year of the Australian Parliament's Standing Committee on Social Policy and Legal Affairs' Report *You win some, you lose more: online gambling and its impact on those experiencing gambling harm*;
  - (b) the report and its recommendations received unanimous support of all members of the authoring parliamentary Standing Committee which comprised federal Labor Party, Liberal Party, National Party, and Independent representatives;
  - (c) recommendation 26 of the report that calls on the Australian government, with the cooperation of the states and territories, to implement a comprehensive ban on all forms of advertising for online gambling, to be introduced in four phases, over three years, commencing immediately; and
  - (d) the report's additional call for 'the Australian Government, with the states and territories, [to] develop a comprehensive national strategy on online gambling harm reduction,' and that the national strategy should be based on public health principles and be in place within 12 months, allowing for progressive implementation.
- (2) That the Legislative Council calls on the Tasmanian Government to:
  - (a) commit to participating in the development of the proposed comprehensive national strategy on online gambling harm reduction which delivers on the goals and intent of the *You win some, you lose more report*; and
  - (b) formally notify at the earliest opportunity the Australian government of Tasmania's willingness to cooperate with the development and implementation of the recommended

progressively phased out comprehensive ban on all forms of advertising for online gambling.

Mr President, I rise to speak on this motion I have put forward in the hope our Chamber will show its ongoing commitment to addressing the harm caused in the Tasmanian community by gambling. The motion notes the report released by the Australian Parliament's Standing Committee on Social Policy and Legal Affairs, called *You win some, you lose more: Online gambling and its impacts on those experiencing gambling harm*, and it calls on the Tasmanian Government to do something which is a straightforward and positive thing for us all to support and encourage.

While this particular report and its recommendations relate to online gambling, this is an opportunity to meld together at a state level our responsibilities to policy development for both land-based and online gambling. Regulation of online gambling has usually been confined to the federal jurisdiction with states perhaps, contributing comments or supporting ideology about the dangers and harms of online gambling. This has in the past been used to protect land-based gambling by often inferring that land-based gambling is not as dangerous and is being outgunned by the growth of online gambling.

However, after the recent passing of the Gaming Control Amendment Future Gaming Markets Bill here in 2021 and the subsequent ministerial direction for the introduction of a card-based system for poker machine use, Tasmanians were privy to a significant change of public policy in this state in the area of gambling. For the first time in my many years of work and advocacy on gambling regulation, the risk of harm to all and to any users of poker machines was recognised by the commitment to introduce this universal pre-commitment card for all poker machine use state-wide by the end of 2024. That will be a nation-leading development when we see it come to fruition. I have no doubt there are powerful pokies industry interests who are continuing to work hard behind the scenes to exert their influence on political parties and political decision makers, in an attempt to undermine the introduction of that card.

I hope both major parties will stick with their previously expressed commitment to introduction and not betray the Tasmanian people for the purposes of political self-interest. However, today's motion presents us with what is a much less politically charged policy decision in this area. One that should not cause any disquiet or concern. The motion refers to the report and recommendations of the Australian Parliamentary Standing Committee on Social Policy and Legal Affairs, from an inquiry it held into online gambling and its impacts. This inquiry report received unanimous support from all members of the authoring committee, which was comprised of federal Labor Party, Liberal Party, National Party and Independent representatives. 161 submissions were received as part of that inquiry. Notably, for our consideration here, there were no submissions from Tasmanians that presented arguments against improving consumer protections for online gambling, quite the opposite. Submissions from both the Tasmanian Government and the Tasmanian Liquor and Gaming Commission, identified the increased risks posed by online gambling and their desire to protect consumers in Tasmania.

Both the Government submission and the Liquor and Gaming Commission's submission pointed particularly to the negative role that advertising can have on normalising gambling to children. Our Liquor and Gaming Commission's submission made clear statements about the pervasive and negative impact of gambling advertising, saying this:

The Commission notes the increase in the number of complaints received from consumers regarding the pervasive nature of gambling advertising, particularly, in digital forms such as broadcasted on social media. These complaints also include targeted advertising and tailored messaging to individuals on their personal devices. In some instances, this is targeted people who have excluded themselves from gambling. Most of these complaints relate to wagering operators, not licensed in Tasmania and the Commission has little ability to act other than to refer the complaint to the relevant regulator for investment. It is the Commission's view that current media restrictions for gambling advertising are no longer effective in protecting children and vulnerable people from exposure to gambling products and that legislation has not kept pace with the digital evolution.

Clearly, our Tasmanian regulator in the gambling area is calling for the same things that this report ultimately put forward as recommendations, in particular, stronger media restrictions. Many of the submissions to the inquiry were from individuals. In particular, people who experienced gambling harm or are worried about the impact of online gambling on family members. I noted one particular submission, No.148, was from a grandparent. Who described their four-year-old grandson mimicking gambling ads, attracted to their so called 'flash.' The submitter calls for this:

Restricting streaming services which are now ubiquitous to one gambling ad per ad break and stopping gambling ads in play and live crosses will go a long way to ameliorating the harm.

That grandparent explains the barrage of gambling ads when travelling on public buses that play commercial radio seems relentless. Another submission, No.35, to that inquiry, pointed out the inadequacy of current advertising rules. I quote from that submission:

Quite recently, during the 7 Network's Australia's Got Talent program, what I consider family viewing, several gambling ads were shown. Having contacted ACMA I was informed that this program held a PG. If, as we are constantly reminded, betting companies are aiming their product at responsible adults, why were they appearing during PG timings?

The submission continues with this:

Added to this, the 7 Perth Kid's Institute 24-hour telethon was recently shown here in WA. This is a yearly telethon, supported and financially bolstered by none other than Kerry Stokes. It is watched by children and their families and friends who have sleepovers and remain watching throughout the night. Its sole aim is to help raise funds by encouraging donations to support research into children's cancers, disabilities and diseases. The Perth Kids Institute's discoveries and knowledge is shared throughout Australia and worldwide for the benefit of children. Once again, why did the 7 Network feel it appropriate to programme gambling ads during the Telethon?

Another submission, No.156, described the harm they had experienced for over a decade with gambling online. This submission points out that:

The promotions, incentives, 100 per cent match bonuses, free play, free chips, assent via all types of correspondence at an alarming level. Even when you unsubscribe or close your account or even contact the casino's management, advising them that you are a compulsive gambler and you need your account shut down permanently, they continue to send emails, letters via post, text messages, as well as phone calls.

The common theme across the submissions is the inappropriateness of advertising and promotions by the gambling industry.

I will move on to discussing the specific recommendations that I have mentioned in my motion, that came from that report. Recommendation 26 calls on the Australian Government, with the cooperation of the states and territories, to implement a comprehensive ban on all forms of advertising for online gambling, to be introduced in four phases, over three years, commencing immediately. I believe this recommendation would in particular provide better protection for Tasmania's young people.

Commercial radio and television and free-to-air sports broadcasts, as well as online platforms, currently have minimal restrictions on gambling advertising. Children watching sport with their families may think betting on who kicks the first goal is part of the game. It is not; it is a gambling industry gimmick. Young people talking about the footy might currently think that gambling on the game in one of the many 'With friends' apps is, to quote an APP reviewer, 'Awesome.' This so-called social betting is heavily advertised by the industry as the future of betting. We must now step in to stop these dangerous trends which are actively working to normalise gambling in children and young people and build a harmful habit, which we know can have catastrophic impacts on people throughout their lives.

The report makes a very reasonable call for a phased-in process over three years to give effect to this recommendation for a comprehensive ban on advertising. It is proposed to start with prohibiting inducements and advertising of online gambling on social media, and removing the exemption for advertising during news and current affairs broadcasts. It would then slowly extend to the hours of prohibition of advertising on commercial radio, starting with no ads being allowed during school drop-off and pick-up times. The implementation would include a phased-in prohibition of advertising in stadia and on players' uniforms.

I agree with the assessment of the inquiry that taking the approach of four phases over three years is generous to the gambling industry. The important thing now is to not delay setting the starting date for this positive action.

Mr President, my motion also calls on our Chamber to support the report's additional call, which was 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...

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

This is something I believe our Chamber can easily support - a national strategy to deliver on the goals and intent of the unanimously supported report of a federal parliamentary committee. That report is in keeping with our governments' and our regulators' views on online gambling. A national strategy would dovetail into the work we are doing in Tasmania, both in relation to the National Consumer Protection Framework for Online Wagering and to the introduction of the universal poker machine card.

I put this motion here today with the hope that our Chamber will do everything it can to protect Tasmanians, and especially protect children and young people in our communities, from harmful online gambling. I ask members to support the motion's call on the Tasmanian Government to commit to participating in the development of the proposed national strategy on online gambling harm reduction, and to cooperate with the development and implementation of the recommended phase-out of all forms of advertising for online gambling.

I commend the motion to the Chamber.

[...]

[12.31 p.m.]

**Ms WEBB** (Nelson) - Mr President, I very much appreciate the engagement of members with the motion, and the thoughtful and considered remarks and reflections that people made on the topic. It was very heartening to hear those and to hear the support there.

I am disappointed in the Government. It is a shame if it seems to be nitpicking to find a way not to support my motion. It is a real shame. Actually, nothing in what the Leader has presented from the Government, precludes it from supporting part (2) of the motion. This is why I think that is the case: Part (2) of the motion calls on the Tasmanian government to commit to participate in the development of a proposed comprehensive national strategy on online gambling harm reduction action.

We are already participating in the framework, the Leader's contribution outlined that in detail, the fact that, along with our other states and federally, we are developing a national framework in that space. The idea that we would commit to participating in developing a national strategy is entirely aligned with that and hardly remarkable. It does not say the time line on which we have to commit to doing it. It does not say 'immediately commit'.

The Government could have chosen to support part (2) by saying, 'yes, once the federal government has finished its consideration of the report and a national strategy is proposed to be developed, we would commit to doing that'. That could have been the Government's answer to part 2(a).

Similarly, part 2(b) calls on the Tasmanian Government to 'formally notify at the earliest opportunity the Australian Government of Tasmania's willingness to cooperate in the development and implementation of the recommended progressively phased out comprehensive ban'.

That again, allows for the fact that that is not an immediate call. It is at the earliest opportunity that is appropriate. The Leader described herself that the federal government are still considering those recommendations and should the federal government come forward to begin seeking cooperation to implement that recommendation, that would be the earliest

opportunity, at that point, for the Government of Tasmania to indicate its willingness to cooperate.

It is a real shame and it is nitpicking. It is finding reasons to not support a motion that is put forward in good faith on issues that actually we all agree on and we are all pulling in the same direction. In my contribution I mentioned the Government's submission and the submission from our Liquor and Gaming Commission, all pulling in the same direction.

I am disappointed to hear that the Government will not be supporting the motion. There was every opportunity for it to do so and it could have explained the circumstances under which it was able to do so, with some of those caveats.

I will leave it to the Chamber for the final result.

**Report considered and noted.**