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Joint Select Committee on Gambling Reform
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**Inquiry into the Interactive Gambling and Broadcasting
Amendment (Online Transactions and Other Measures) Bill 2011**

**Submission from the Social Issues Executive,
Anglican Church, Diocese of Sydney**

Thank you for the opportunity to make a submission to this inquiry. We write on behalf of the Social Issues Executive (SIE) which has been appointed by the Anglican Diocese of Sydney to advise the Diocese and comment on public policy issues.

We support the provisions of the *Interactive Gambling and Broadcasting Amendment (Online Transactions and Other Measures) Bill 2011*. Our comments below are in addition to [our previous submission](#) to the *Inquiry into interactive and online gambling and gambling advertising*.

We oppose liberalisation of the *Interactive Gambling Act 2001*, and advertising of gaming odds during public sports broadcasts. We are concerned about the likely adverse outcomes for problem gamblers of such liberalisation, and are glad to see that the *Interactive Gambling and Broadcasting Amendment Bill 2011* responds reasonably to these concerns.

1. Suspension/cancellation of interactive gambling payments.

We applaud the proposed amendments to the *Interactive Gambling Act 2001* providing that customers may request a financial transaction provider to suspend or cancel an interactive gambling payment. We note with approval the further amendment that financial transaction providers will not be held liable for such cancellations. These measures may surprise uninformed observers, and attract complaint from ideologues committed to complete freedom of the market. Even so, we urge our political representatives not to resile from them.

We note that they are completely consonant with the intention of the *Interactive Gambling Act 2001* to prohibit online gaming services in Australia. Cessation of payment, and protection for financial service providers, is the most effective means to provide a disincentive to illicit gambling providers. In addition, it will provide a welcome 'circuit breaker' for problem gamblers.

We suggest that if passed, these amendments be expressly communicated to consumer watchdog organisations, and widely publicised elsewhere. Also, we encourage every effort to make financial service providers well aware of the protections afforded to them by the amendment. (To be effective, the change must be communicated throughout these organisations, right down to the call-centre level.)

We note however the potential for confusion between payments made to legal gambling services, and to illicit interactive gambling services. It will be incumbent upon Government to educate consumers and financial service providers that the new provisions only apply to 'interactive gambling payments' as defined by Section 5 of the *Interactive Gambling Act 2001*, noting the many complexities and exceptions to that term. Government agencies will need to provide clear guidance about when a payment may or may not be cancelled.

2. Prohibition of inducements to gamble.

The proposed amendments to the *Interactive Gambling Act 2001* to prohibit inducements to gamble come some way to meeting the concerns expressed in our previous submission. Online inducements to gamble take gambling out of a social context and place it in an anonymous, individual context that opens the way for problem gambling at levels unforeseen to date. We support the amendment.

3. Conditions relating to commercial broadcasters.

We applaud the proposed amendments to the *Broadcasting Services Act 1992* requiring ACMA to enforce conditions relating gambling advertising and odds. These measures make significant inroads into the concerns we outlined on pp. 5–6 of our previous submission.

4. Penalty for match fixing.

We applaud the proposed amendments to the *Criminal Code Act 1995* creating an offence and imposing a penalty for match-fixing. They are an appropriate response to the concerns we mention on p. 3 of our previous submission.

5. Penalty for offering exotic gambling services.

We favour the application of a penalty to corporations who offer exotic gambling services as per Section 3 of the *Amendment Bill 2011*. We note however that the prohibition of inducements to gamble will be phrased as an extension of the definition of a 'gambling service'. We wonder then whether the new penalty is also intended to apply to *inducements to* 'spot betting, exotic betting, in-play betting,' 'betting on losing outcomes' 'or any similar form of betting'. We lack the legal expertise to

know either we have interpreted the matter correctly. But if inducements to spot-betting etc. are to be penalised, then in the interests of natural justice, corporations should be apprised of this effect accordingly. (Such inducements, broadly construed, may be inadvertent in the context of a commercial broadcast.)

The Coalition of Major Professional and Participation Sports (COMPPS) has [already alerted](#) your previous inquiry of the risks to sports of exotic betting. We believe this provision of the Bill is an appropriate response to the prospect of sports corruption. It is also more straightforward and understandable to the populace than COMPPS' proposal for specific veto of various particular kinds of exotic betting.

The time is right for the measures in this Bill. University of Queensland academic Fiona Nicoll [describes](#) the collusion between wider gambling culture and burgeoning online practices.¹ Monash University academic Charles Livingstone [has catalogued](#)² a growing chorus of concern and calls for change in relation to sports betting.

However, we suggest that a more consolidated approach will eventually be needed. For example assent to Section 3 of the Bill, while a welcome addition to the relevant body of law, does represent a further incremental fragmentation of it.

We also continue to call for further research into the personal social effects of online and interactive gaming, particularly for problem gambling.

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15 July 2011

¹ Fiona Nicoll, 'Gambling in Australian culture: more than just a day at the races,' *The Conversation* June 27 2011, <http://theconversation.edu.au/gambling-in-australian-culture-more-than-just-a-day-at-the-races-1706> (accessed 15 July).

² Charles Livingstone, 'Promotion of gambling short-changes Australian sport ... and its fans,' *The Conversation* 28 June 2011. Online: <http://theconversation.edu.au/promotion-of-gambling-short-changes-australian-sport-and-its-fans-2013> (accessed 15 July).