



Wednesday 30 April 2025

Mr Richard Eccles

via: the Department of Infrastructure, Transport, Regional Development, Communications and the Arts

By email: Online.Gambling@communications.gov.au

Dear Mr Eccles,

RE: Statutory Review of BetStop

We are writing on behalf of financial counselling peak bodies across Australia, representing over 1,200 financial counsellors who collectively assist more than 125,000 of the most vulnerable Australians face-to-face every year.

Specialist gambling financial counsellors use specialist skills and knowledge to reduce the impacts that gambling harm has on individuals and families, providing a critical layer of - support to vulnerable Australians. In Victoria alone, gambling financial counsellors provide approximately 1,600 Victorians experiencing gambling harm, and affected others, with financial counselling assistance each year.

They report to us how their gambling harm clients almost always present with comorbidities and underlying issues including poor mental health, family violence, and drug and alcohol addiction. It is also well understood that gambling contributes to major risk factors, such as financial loss and relationship and family breakdown, which are associated with suicide.

The human impact of gambling harm is immense – not just for the individual, but for their family, friends and networks. In many cases the impact of gambling harm on the family has a flow on effect to the children in the family unit leading to associated mental health issues, poor health/ educational issues and the impacts of homelessness due to the breakdown of the family.

For many people, Betstop is working. BetStop plays a critical role in mitigating the risks of gambling harm. It is a necessary resource for facilitating better control against gambling for those on the path to recovery.

Financial counsellors report that the client experience of BetStop as a national self-exclusion register for online and phone wagering has been generally positive in the past 18 months of its operation. It has operated as intended, allowing people experiencing gambling harm to take personal control of their situation and manage their actions.

However, we note that despite the generally positive experiences so far, financial counsellors have identified gaps and loopholes in its operation that could in the future, pose risks for people experiencing gambling harm. This has included in one instance, a client on BetStop who was able to continue gambling using their own bank account but a family member's identification.

01. Listing of a support person

It is our understanding that gambling harm clients using BetStop have the option to list up to five support people, with those listed as a support person receiving notifications at key points of the client's use of BetStop (e.g. if they cancel their self-exclusion early, if they extend, when it

ends, if they are removed as a support person). This clear communication assists the support person to provide meaningful assistance, prompting tailored conversations to support the client at each stage of their journey.

The role of social supports in recovering from gambling harm is well documented in international literature¹. The current voluntary nature of the listing of support people is a risk factor for clients who may re-engage in gambling because of a lack of supports – whereas having a support person listed may help to mitigate this risk.

We recommend amendments to the BetStop registration process with strengthened prompts to encourage the addition of a support person where one has not been listed - e.g. 'Listing a support person is encouraged to help support your self-exclusion. Are you sure you want to proceed without listing a support person?'

02. Ending self-exclusion early

Financial counselling works on an empowerment model, where clients are supported to make their own decisions, within a framework of informed consent. It is with this model in mind that we recommend that any individual who wishes to end their self-exclusion early be required to provide more substantial evidence to confirm that they have seen a gambling counsellor or general practitioner to discuss this decision.

Under the current arrangements, individuals need only to provide a personal statutory declaration. We are not suggesting that individuals will necessarily perjure themselves by providing false evidence – but we acknowledge that the risks of gambling harm are well-known and can include a compulsion to deception to facilitate ongoing access to gambling.

As such, we suggest that this requirement be strengthened to require either: 1) more substantial evidence such as a letter of support or a medical certificate from the appropriate professional or 2) a 'cooling off' period accompanied by contact with the individual and their support person to confirm release from the self-exclusion period.

03. Integration with other self-exclusion schemes

There is a clear gap in the operation of BetStop in its current design for Australian licensed online and phone wagering services only. We believe that for it to be effective in its primary purpose, there should be integrated information-sharing with other self-exclusion schemes (e.g. for in-person wagering and lotteries) across all states and territories to create a coordinated national response to self-motivated action against gambling harm.

Ease of use for an individual must be paramount in this information-sharing, e.g. a client fills out a single registration form with a handful of additional fields that seek their consent for their details to be placed on other self-exclusion schemes.

This will help to address cases seen by financial counsellors where clients excluded from one form of gambling then turn to another form – e.g. during the COVID-19 pandemic when lockdowns and involuntary exclusions from in-person wagering meant that clients experiencing gambling harm turned to online wagering instead.

¹ Petry NM, Weiss L. Social support is associated with gambling treatment outcomes in pathological gamblers. *Am J Addict.* 2009 Sep-Oct;18(5):402-8. doi: 10.3109/10550490903077861. PMID: 19874160; PMCID: PMC3015181.

04. Increasing enforcement power

There must be suitable consequences for gambling providers who do not comply with the fundamental self-exclusion objective of BetStop.

In addition to the investigative power that the Australian Communications and Media Authority (ACMA) holds to manage complaints about BetStop non-compliance, the legislation should be updated to require gambling providers to refund money lost to gambling providers who have breached the law, and to suspend or revoke licences for egregious breaches. This could be framed as an extension to ACMA's investigative role, with the power to suspend or revoke licences, award compensation and require providers to issue refunds.

Without meaningful enforcement with financial consequences to act as a deterrent, there is no encouragement for gambling providers who provide nothing but harm to act conscientiously and to abide by the law.

05. Plugging the gaps – unlicensed offshore gambling providers

Financial counsellors, particularly those working in remote communities, are increasingly seeing clients who have suffered significant financial losses after engaging with online casinos promoted heavily through social media and messaging app groups. These unregulated sites pose serious risks beyond financial loss, including scams, identity theft, fraud, and potential links to money laundering.

Recognising that there may be challenges, we recommend that it be considered how ACMA can invest into new technologies, improve regulations including privacy to address this issue and enhance consumer protection and reduce gambling-related harm in vulnerable communities.

06. BetStop in the broader context of gambling advertising

Financial counsellors have discussed the normalisation of gambling in society and how this proves to be a challenge for clients who have taken the step to self-exclude through BetStop. Choosing to self-exclude for online and phone wagering providers is a strong conscious action by an individual, but one that is under the constant assault of gambling advertising across many multiple channels that try to tempt the individual back into gambling harm.

Until gambling advertising in all forms is banned outright in Australia, BetStop will never be fully effective.

Though the government's response to the 'You win some, you lose more' Murphy report is outside the remit of this Statutory Review, we urge you to consider the advocacy role that you can play in influencing full government action on all 31 recommendations of the report.

(continued overleaf)

Thank you for your consideration. To discuss this letter further or for any further queries, please contact FCVic's Advocacy Manager Amanda Chan on [REDACTED].

Yours sincerely,



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