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Online Gambling Inquiry – Status of Recommendations

Summary of recommendation responsibilities

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Summary of progress on recommendations

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No.	Recommendation
1	The Committee recommends that responsibility for online gambling harm reduction is held by a single Australian Government Minister.
2	<p>The Committee recommends 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 and include measures that:</p> <ul style="list-style-type: none"> • prevent gambling harm from occurring • intervene early when there is risk of harm • provide appropriate treatment and support for those experiencing harm • include measures to protect the most vulnerable that are developed with communities to ensure they are culturally safe and linguistically appropriate. <p>The national strategy should be in place within twelve months, allowing that implementation would be progressive.</p>
3	<p>The Committee recommends that, as the priority of the national strategy and with the cooperation of the states and territories, the Australian Government:</p> <ul style="list-style-type: none"> • establish national regulation and a national online gambling regulator with the sole purpose of reducing harm and with responsibility for all licencing and regulation • levy online wagering service providers (WSPs) to fund the national strategy harm reduction measures for which the Australian Government has responsibility.
4	The Committee recommends that the Australian Government develop and fund an ongoing, online gambling public education campaign with national advertising and marketing, particularly online. All gambling-related public education resources should be made available on the Australian Government's Student Wellbeing Hub and by the Office of the eSafety Commissioner to help promote awareness of gambling harm to young people and offer strategies to limit exposure.

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No.	Recommendation	s47C
5	<p>The Committee recommends that the Australian Government:</p> <ul style="list-style-type: none"> • resource the Australian Institute of Family Studies' Australian Gambling Research Centre to take on an additional role as a national clearinghouse for gambling research • provide ongoing funding for gambling research, in particular: <ul style="list-style-type: none"> ○ research to develop a set of standard indicators of risk and harm that can be applied in regulation and policy ○ prevalence studies on online gambling harm across both licenced and illegal gambling platforms and websites ○ research into vulnerable groups ○ research into best practice interventions, treatments and supports ○ research about gambling-related suicides. 	
6	<p>The Committee recommends that:</p> <ul style="list-style-type: none"> • national regulation requires online WSPs to disclose de-identified customer data on gambling participation, risk indicators, interventions and harm to the regulator and approved researchers on a consistent and systematic basis • the Australian Government conduct a feasibility study of Spain, France and other jurisdiction's data vault facilities with the aim of implementing a system that provides real-time operator data to the regulator and approved researchers. 	
7	<p>The Committee recommends that the Australian Government develop and implement:</p> <ul style="list-style-type: none"> • technological solutions and resources to quickly and more effectively block offshore gambling websites including skin gambling websites and mirror sites • a protocol for blocking transactions to known illegal gambling operators, in cooperation with Australian banks and other payment system providers • stronger sanctions for companies and known individuals who profit from illegal gambling. 	
8	<p>The Committee recommends that the Australian Government lead the development, with international organisations and other countries, of multilateral agreements that:</p> <ul style="list-style-type: none"> • improve international cooperation to combat illegal online gambling across borders • aim to reduce gambling harm and protect public policy and research from gambling industry interference. 	

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No.	Recommendation
9	<p>The Committee recommends that the levy for online gambling harm reduction support the national regulator to work with all jurisdictions on best practice prevention, detection, early intervention, treatment and rehabilitation programs for people experiencing gambling harms, including:</p> <ul style="list-style-type: none"> • better training for staff working in health, community and financial counselling services, and crisis and gambling helpline staff, to identify gambling harms, comorbid issues and suicide risk, to minimise stigma, and to provide best practice treatment and support • support for Aboriginal and Torres Strait Islander community-controlled health organisations and other organisations that assist culturally and linguistically diverse clients or patients • increased availability of integrated treatment services • enhanced referral pathways to specialist treatments and peer-based support services, including at the end of a self-exclusion period • the development and implementation of screening tools for gambling harm in all mental health and drug and alcohol assessments.
10	<p>The Committee recommends that the Australian Government develops industry guidelines for the banking and financial sector, online WSPs and other relevant organisations to educate staff about gambling harm. The guidelines should include protocols for the referral of customers experiencing gambling harm who are at risk of suicide.</p>
11	<p>The Committee recommends that the Australian Government, in cooperation with the states and territories, establish a national data collection program on gambling harms and suicides. Data should be systematically collected from health and other practitioners and support services that interact with people who experience gambling harm, including emergency departments and coroners. The data collection should include de-identified customer data provided to the regulator by online WSPs.</p>
12	<p>The Committee recommends that the multi-stage evaluation of the National Consumer Protection Framework for Online Gambling (NCPF), due to commence in 2023, includes an investigation into whether the small consumer credit contract sector is complying with its responsible lending obligations to customers who gamble.</p>
13	<p>The Committee recommends that the Australian Government work with the Australian Banking Association to develop a set of minimum gambling consumer protection standards for implementation by all banks, including a block on gambling merchant categories for self-excluded individuals using BetStop. If agreement is unable to be reached, minimum standards should be mandated in legislation.</p>
14	<p>The Committee recommends that, in developing national regulation, the Australian Government conduct a risk assessment of available payment methods. Payment methods that do not minimise the risk of criminal activity and gambling harm should be prohibited from being used for online gambling.</p>

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No.	Recommendation
15	The Committee recommends that national regulation should require customers' identities to be verified prior to the commencement of online gambling.
16	The Committee recommends that the Australian Government prohibit all online gambling inducements and inducement advertising, and that it do so without delay.
17	<p>The Committee recommends that the evaluation of the NCPF:</p> <ul style="list-style-type: none"> • analyse deidentified customer data to determine whether voluntary pre-commitment is working to reduce harm • examine the strengths and weaknesses of universal, mandatory pre-commitment systems overseas, in comparison to Australia's current voluntary system, and undertake further reforms if it can be demonstrated that an alternative approach will drive improved outcomes overall.
18	The Committee recommends that national regulation impose a customer duty of care on online WSPs. An online WSPs' compliance with this legal duty should be assessed against a set of standard indicators of risk and harm.
19	The Committee recommends that the Australian Government should investigate the benefits and feasibility of requiring online WSPs to apply a standard behavioural algorithm to reduce online gambling harm.
20	The Committee recommends national regulation require online WSP staff to undertake research-informed training that demonstrates a sound awareness of the legal obligations and guidelines for practice in responsible service of online gambling. Staff should also undertake annual refresher training.
21	The Committee recommends national regulation prohibit commissions being paid to staff or any third party involved in the referral or provision of online gambling to an individual.
22	The Committee recommends that national regulation include provisions to prevent the proceeds of crime from being used to fund online gambling. A legal taskforce should be established as soon as practical to develop these provisions.
23	The Committee recommends that the national regulator be provided with a broad suite of powers to monitor online gambling, ensure compliance and enforce the law. Penalties should be severe enough to be a genuine deterrent to multinational corporations breaching their legal obligations.
24	The Committee recommends that the Australian Government establish an appropriately resourced national online gambling ombudsman, to sit within the national regulator.
25	The Committee recommends the Australian Government consult with industry and people who gamble to determine minimum bet limits for online wagering for inclusion in national regulation.

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No.	Recommendation	s47C
26	<p>The Committee recommends the Australian Government, with the cooperation of the states and territories, implement a comprehensive ban on all forms of advertising for online gambling, to be introduced in four phases, over three years, commencing immediately:</p> <ul style="list-style-type: none"> Phase One: prohibition of all online gambling inducements and inducement advertising, and all advertising of online gambling on social media and online platforms. Removal of the exemption for advertising online gambling during news and current affairs broadcasts. Prohibition of advertising online gambling on commercial radio between 8.30-9.00am and 3.30-4.00pm (school drop off and pick up). Phase Two: prohibition of all online gambling advertising and commentary on odds, during and an hour either side of a sports broadcast. Prohibition on all in-stadia advertising, including logos on players' uniforms. Phase Three: prohibition of all broadcast online gambling advertising between the hours of 6.00am and 10.00pm. Phase Four: by the end of year three, prohibition on all online gambling advertising and sponsorship. <p>Gambling advertising on dedicated racing channels and programming should be exempt from the ban.</p> <p>Small community radio broadcasters should be exempt from further restrictions until December 2025.</p>	
27	<p>The Committee recommends that the National Classification Scheme be consistently applied to games available from online app stores, such as the Google Play Store, Apple App Store and the Steam Store.</p>	
28	<p>The Committee recommends that the Australian Government develops and implements a public information campaign that educates all consumers, in particular parents, caregivers, teachers and young people, on all elements of simulated gambling. The campaign should be informed by research and publicly evaluated.</p>	
29	<p>The Committee recommends that the Australian Government commissions research into an effective simulated gambling warning label. The label should be incorporated into the National Classification Scheme.</p>	

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No.	Recommendation	s47C
30	<p>The Committee recommends that the Australian Government convene a working group to develop and implement minimum consumer protections for interactive games and make suggestions for legislative mechanisms to implement tighter controls on simulated gambling and its advertising. The working group should consider whether games containing loot boxes that can be purchased for money or simulated gambling should have:</p> <ul style="list-style-type: none"> • spending controls as a default function • transparent odds and drop rates for items • algorithmic loot box features disabled as a default setting, allowing players to opt in. <p>The Australian Government should conduct a review of the implementation of these protective measures and consider legislative options if minimum consumer protections are not being consistently applied.</p>	
31	<p>The Committee recommends that a legislative review of the national regulator (Recommendation three) be conducted, two years after commencement and then every five years subsequently. The review should consider developments in research about the risk of harm from simulated gambling, gambling-like elements in games and the gambling of in-game items, particularly to children and young people, and the effectiveness of regulatory responses to these issues overseas.</p>	

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