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Submission cover sheet

Inquiry into the Electoral (Gambling Industry) Amendment Bill 2026

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Throughout my long career in public health policy, I have learned a few things about industries which profit from products and activities which impose harm – and often addiction – on their customers. Tobacco and alcohol are obvious example.

What compounds the public health problems of these products is the fact that their harms extend beyond the direct harms to individual customers or users and include significant adverse impacts on family, friends, workplaces and communities. Gambling must also be included among the industries which profit from harmful activities.

As the partner of an addicted gambler, I am also particularly aware of the predatory nature of this industry. I am aware of how “addiction by design” works to cause immense harm to those who never set out to become addicted and who struggle to understand how they had become “problem gamblers”, with their finances, their relationships, and their lives damaged, ruined or brought to a tragic end by the insidious manipulation of electronic gaming machines – aided, it must be said, by easy access to cash and other encouragements provided by the gaming venues, with the ACT’s so-called “community clubs” foremost among these.

It was former MLA Shane Rattenbury who spoke to the Legislative Assembly about the “insidious, manipulative and deliberately addictive nature of gaming machines” and noted that there are “rooms of people who are researching, testing and putting their heads together to find the most effective way to keep people playing gaming machines; the most effective way to take people’s money; the newest devious psychological tactics designed to trap and confuse gamblers,” and that there are, “thousands of these addictive machines across the ACT that can trap and ruin people” (Shane Rattenbury MLA, Australian Capital Territory, *Parliamentary Debates*, Legislative Assembly, 23 July 2020: p.1639, at: <https://www.hansard.act.gov.au/hansard/9th-assembly/2020/PDF/20200723.pdf>)

According to Sally Gainsbury, Director of the Gambling Treatment and Research Clinic at the University of Sydney, the immersiveness of the machines allows users to “zone out” and escape their thoughts and feelings. “This makes it very difficult for individuals to take a break, to pause, to make an informed decision on whether they want to continue to play as opposed to just continuing because that’s just how the machine works (Sally Gainsbury, quoted in: Angus Thomson, *The science of pokies and how they’re designed to keep you hooked*, 22 March 2023, <https://www.smh.com.au/interactive/2023/why-pokies-are-addictive/>). Being in “the zone” is about a loss of rational control and finding it difficult, if not impossible, to stop. This is why poker machines are regarded as the most addictive and harmful form of gambling (Charles Livingstone, ‘Pokies line the coffers of governments and venues – but there are ways to tame this gambling gorilla’, *The Conversation*, 28 April 2025, at: <https://theconversation.com/pokies-line-the-coffers-of-governments-and-venues-but-there-are-ways-to-tame-this-gambling-gorilla-252038>; Russell AMT, Browne M, et al., Electronic gaming machine accessibility and gambling problems: A natural policy experiment, *J Behav Addiction*, 2023 Aug 18;12(3):721-732. doi: 10.1556/2006.2023.00044. PMID: 37594879; PMCID: PMC10562817; see also the documentary film, *Ka-Ching: Pokie Nation*, 2015, <https://communityfoundation.org.au/article/ka-ching-pokie-nation-case-study/>).

There is strong and consistent evidence that electronic gaming machines -- poker machines -- are the largest contributor to gambling harm compared to other forms of gambling and are responsible for about 51% - 57% of gambling problems (A Russell, M Browne and M Rockloff, *Gambling in Australia: how bad is the problem, who gets harmed most and where may we be heading?*, *The Conversation*, 23 April 2025, <https://theconversation.com/gambling-in-australia-how-bad-is-the-problem-who-gets-harmed-most-and-where-may-we-be-heading-252389>; Russell AMT, Browne M, et al., Electronic gaming machine accessibility and gambling problems: A natural policy experiment, 2023; and Rodda, S.N., Merkouris, S.S.; Dowling, N.A., Current approaches to the identification and management of gambling disorder: A narrative review to inform clinical practice in Australia and New Zealand. 2024, *Med. J. Aust.*, 221, 495–500). Research suggests

that between 75% - 80% of those experiencing harm from gambling in the ACT experience it principally as a consequence of poker machine use. (C Livingstone, L. Francis and M Johnson, *Benefits and costs associated with licensed clubs operating poker machines in the ACT, Australia*, 2017, Canberra: Foundation for Alcohol Research and Education).

The ACT's Gambling and Racing Commission's report, *Strategy for gambling harm prevention in the ACT -- A public health approach 2019 – 2024*, states that, "in the ACT almost half of all money lost to gambling - 44 percent - is estimated as coming from people experiencing gambling harm." (ACT Gambling and Racing Commission, *Strategy for gambling harm prevention in the ACT -- A public health approach 2019 – 2024*, at: https://www.gamblingandracing.act.gov.au/data/assets/pdf_file/0009/1436580/Strategy-for-gambling-harm-prevention.pdf)

In this regard, it is particularly odious that gambling venues have been known to provide inducements to their most vulnerable customers to keep them gambling (see reported actions by the Hellenic Club to facilitate gambling by the late Ray Kasurinen at: Steve Evans, Ray Athwal, 'The ACT has lost 1500 pokies, so why are losses growing?', *Canberra Times* 29 May 2024, at: <https://www.canberratimes.com.au/story/8619815/canberra-pokies-losses-rise-despite-fewer-machines-why/>).

It should now be clear that the issue is problem products – gaming machines which are intentionally designed to manipulate and addict – and the various elements of the industry which benefit from, facilitate and promote their use.

Based on the totality of the evidence, it is difficult to escape the conclusion that:

"ACT gambling policy is oriented towards apparent appeasement of a vociferous sector that enjoys monopoly provision of a dangerous product, appears to be provided with a discounted rate of taxation, and justifies that with an opaque and misleading capacity to claim for the provision of what appear at best to be illusory or exaggerated benefits" (C Livingstone, L Francis, and M Johnson, 2017, *Benefits and costs associated with licensed clubs operating poker machines in the ACT, Australia*. Canberra: Foundation for Alcohol Research and Education).

If there is to be a genuine commitment to a public health approach to reducing gambling-related harm in the ACT, this must be a multi-faceted approach involving a mix of strategies. The provisions of the current Bill represent one such strategy, but it is only one among many which need to be implemented.

It is important to make clear that the proposed legislation would include the prevention of monetary, in-kind and other donations by licensed clubs which generate income from gambling activities, and by representative organisations such as ClubsACT.

Of course, our elected representatives should be free from the direct financial influence of industries whose products and activities are the cause of such significant harms. The gambling industry has, however, shown itself to be immensely powerful at all levels of politics. The industry is said to have more than 100 lobbyists targeting federal politicians, and industry groups such as ClubsNSW continue to wield significant political influence despite the NSW prohibition on political gifts and donations from gambling interests. The inability to make political gifts and donations will not impact the industry's ability to spend large sums on lobbying, public relations campaigns, and legal challenges to combat harm reduction initiatives.

The proposed legislation should be supported as an important and a necessary initiative, but with the understanding that it is only one of many steps that must be taken to curb the gambling-related harms which currently impact individuals, families and communities.