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Mr Peter Cain MLA

Chair

Standing Committee on Justice and Community Safety

ACT Legislative Assembly

London Circuit

CANBERRA ACT 2601

Our ref: PRO24/1413

Dear Mr Cain

I am writing to provide further information to assist the Standing Committee on Justice and Community Safety in the conduct of its *Inquiry into Cashless Gaming*.

Cashless gaming trial

During public hearings on 28 March 2024, you asked why the ACT Government had not yet conducted a trial of cashless gaming, and referred to trials conducted in NSW.

I note that proposals for cashless gaming in NSW began at least as early as October 2020, when the then NSW Minister for Customer Service, Victor Dominello, began consulting NSW parliamentarians about its introduction. This was precipitated at least in part by a February 2020 report by the Central Queensland University commissioned by the NSW Office of Responsible Gambling.

It was not until 10 October 2022, two years later, that the first NSW cashless gaming trial commenced with an initial 36 gaming machines at Wests Newcastle. The trial was expanded to 144 gaming machines and closed on 22 June 2023.

Following the NSW election on 25 March 2023, the incoming NSW Government has been pursuing trials of cashless gaming in line with its election commitments. These trials have the benefit of the existing work undertaken by the prior government.

One key enabler of the NSW cashless gaming trials is a 'regulatory sandbox' that the government understands was established in 2020. (A regulatory sandbox is a quarantined environment where usual regulatory requirements are relaxed to enable new technology to be trialled.)

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Facilitating a trial in the ACT would similarly need to navigate the ACT's existing regulatory framework.

Among other issues, the *Gaming Machine Act 2004* does not permit the use of gaming machine peripheral equipment that is not approved for use by the ACT Gambling and Racing Commission. A pre-requisite to approval is the Commission considering the results of a technical evaluation of the equipment undertaken by an approved entity and any available research on its consumer protection and harm minimisation implications. Additionally, the Gaming Machine Act currently relies on technical evaluations conducted by approved entities in other jurisdictions.

The current ACT regulatory framework gives rise to some practical issues that must be resolved prior to the government pursuing any trial of cashless gaming.

Beyond these practical considerations, it is not correct to assume that the ACT Government must itself trial cashless gaming as a preliminary step, should the government decide to proceed with this proposal.

As the Inquiry terms of reference acknowledge, there are relevant developments in policy and technology across Australia. The ACT Government's research is considering these developments and drawing from the experience of other jurisdictions.

Among the existing information available to the ACT Government is the 2019 'Evaluation of YourPlay' prepared by the University of Adelaide under commission from the Victorian Government. This report is available online at <https://www.adelaide.edu.au/saces/independent-gambling-research-consortium/publications#evaluation-of-yourplay>. While not a cashless gaming solution, YourPlay provides player-card gaming and gambling pre-commitment in Victorian clubs and pubs.

The ACT Government is similarly monitoring progress in Tasmania and NSW and will seek to learn from their experience.

It may therefore be unnecessary for the ACT Government to itself trial cashless gaming.

The ACT Government has not decided whether it will introduce cashless gaming. If the government decides to proceed, the question of whether a trial is useful and a good use of resources will become relevant. A trial at this stage of the government's consideration of cashless gaming and related matters, would be premature.

Tasmanian Government pre-commitment limits

During public hearings on 28 March 2024, Dr Paterson questioned the evidence base for the loss limits proposed by the Tasmanian Government as part of their pursuit of gambling pre-commitment for gaming machines.

The Tasmanian Government arrived at its proposed pre-commitment loss limits of \$100 per day, \$500 per month and \$5,000 per year based on recommendations of a report from the Tasmanian Liquor and Gaming Commission ('TGLC Report'). The TGLC Report, page 14-15, summarises the supporting evidence underpinning the Tasmanian Government policy settings. The Commission was assisted by a research report it commissioned from Stenning and Associates, which further details

the evidence-base leading to the Commission's recommendations. These documents are available online at <https://www.treasury.tas.gov.au/liquor-and-gaming/community-interest/public-consultation/harm-minimisation-technologies>.

Dr Paterson also questioned the use of absolute loss limits. This was among the issues considered in a 2018 report commissioned by the Victorian Responsible Gambling Foundation titled 'The development of empirically derived Australian responsible gambling limits' ('VRGF Report'). This report is available online at <https://responsiblegambling.vic.gov.au/resources/publications/the-development-of-empirically-derived-australian-responsible-gambling-limits-406/>.

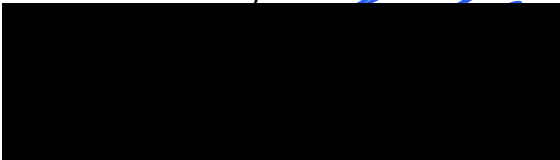
The authors of the VRGF report published further journal articles that built on this report:

- Nicki Dowling et al, 'The identification of Australian low-risk gambling limits: A comparison of gambling-related harm measures' (2021) 10(1) *Journal of Behavioural Addictions* 21
- Nicki Dowling et al, 'The development of empirically derived Australian responsible gambling limits' (2021) 10(2) *Journal of Clinical Medicine* 167.

The Standing Committee may also wish to review another report commissioned by the Victorian Responsible Gambling Foundation titled 'What is the impact of cashless gaming on gambling behaviour and harm?' (<https://responsiblegambling.vic.gov.au/resources/publications/what-is-the-impact-of-cashless-gaming-on-gambling-behaviour-and-harm-1021/>).

I trust this information will assist the Committee with its deliberations.

Yours sincerely



Shane Rattenbury MLA
Minister for Gaming

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