



24 November 2022

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Committee Secretary
House of Representatives Standing Committee on Social Policy and Legal Affairs
PO Box 6021
Parliament House
Canberra ACT 2600

Submitted via online upload: www.aph.gov.au/Committee/Submission

Dear Secretary,

Inquiry into online gambling and its impacts on those experiencing gambling harm

The Australian Psychological Society (APS) welcomes the opportunity to make a submission to the Inquiry into online gambling and its impacts on those experiencing gambling harm.

The APS recognises that gambling forms part of an entertainment and tourism industry and is a significant source of revenue to government and private enterprise. However, we also consider gambling to be an important public health concern due to the considerable harm it can cause to individuals, families, and communities.

The APS is dedicated to advancing the discipline and profession of psychology for the benefit of our members and the community, and we advocate for change when policies cause harm to mental health and wellbeing. We therefore aim to promote evidence-informed policies that minimise the adverse consequences of activities such as gambling. As with all our work at the APS, we consider our response to this Inquiry in light of the Sustainable Development Goals (SDGs).^a Of particular relevance to online gambling is SDG 3: Good health and well-being that is focused on ensuring healthy lives and well-being for all at all ages.^b

Our response to this Inquiry draws on the practice of psychologists working in the gambling counselling services field, and on psychological research on gaming, gambling, and gambling-related harm.

Please do not hesitate to contact the APS if any further information is required. I may be contacted on [REDACTED] or at [REDACTED]

Kind regards,

[REDACTED]

Dr Zena Burgess FAPS FAICD
Chief Executive Officer

^a United Nations Department of Economic and Social Affairs. (2022). *Sustainable Development*. <https://sdgs.un.org/>

^b United Nations Department of Economic and Social Affairs. (2022). *Sustainable Development*. <https://sdgs.un.org/goals/goal3>

APS submission to the Inquiry into online gambling and its impacts on those experiencing gambling harm

Introduction

Gambling involves the staking of an item of value on an outcome that is governed by chance. It is an activity that impacts many Australians and is embedded within our society as a part of mainstream culture through the entertainment, leisure, sport, and tourism industries, and is a significant source of revenue for governments and private enterprise.

Gambling is also an activity that can cause considerable harm to individuals, families, and communities. Gambling problems have been recognised for centuries, and their prevalence appears to have increased since gambling was legalised and commercialised in many countries.^{1,2} The APS estimates that for every one person with a gambling problem, five to ten other people are affected by it.³ Problem gambling and gambling disorder, in particular, occur when there is a persistent and recurrent preoccupation with gambling that leads to clinically significant impairment or distress. This may be associated with a need to gamble with increasing amounts of money to achieve the desired excitement or restlessness or irritability when attempting to cut down or stop gambling.⁴

People with a gambling disorder may also make repeated unsuccessful efforts to control, cut back, or stop gambling and subsequently continue to gamble when feeling distressed. This may result in a pattern of 'chasing losses', with an urgent need to keep gambling, with the problem gambler often placing larger bets or taking greater risks to undo a loss or series of losses to 'get even'. As such, the individual may abandon their gambling strategy and try to win back losses all at once. There may also be attempts to conceal the extent of the involvement with gambling which may result in jeopardising or losing a significant relationship, job, educational or career opportunity. They may also rely on others to provide money to relieve desperate financial situations caused by gambling.⁴

The APS considers gambling a major public health issue, with recent research finding that gambling is associated with an approximately four times higher risk of suicide.⁵ Problem gambling and gambling disorders are also associated with other mental health problems, such as an increased risk of substance abuse, substance use disorders, depressive symptoms and depressive disorders.^{6,7,8,9,10} Specifically, it is estimated that approximately one third of people with a gambling disorder also experience a depressive disorder.¹⁰

The more recent proliferation of online platforms has seen gambling become increasingly accessible in the Australian community, as it has internationally. Increased availability of gambling opportunities typically results in a simultaneous increase in gambling behaviour and problem gambling.^{11,12} More specifically, the popularity of sports betting has grown exponentially over recent years which is largely attributed to the ease with which individuals can now place bets online.^{3,13}

The restrictions and lockdowns of the COVID-19 pandemic have also raised concerns about the continued evolution of problematic gambling patterns and behaviours.¹⁴ This is particularly focused on the potential reduction in some gambling behaviour (i.e., that occurring in person at venues) with an increase in gambling that occurs online. These concerns are effectively weighing up a balance of more traditional forms of access to gambling with undertaking similar sorts of activities online.

Research suggests that in recent years there may have been a reduction in overall gambling frequency in the general population due to venue closures during COVID-19 lockdowns. However, the research also suggests that people with more serious and pre-existing gambling problems may have intensified their gambling frequency, particularly through the use of online gambling platforms.^{14,15} This suggests that very involved gamblers are at higher risk of developing a pathological gambling disorder, as well as other associated mental health problems.¹⁵

The APS believes that more independent research is required to inform future gambling policy development that considers the impact of various forms of online gambling, as well as the identification of effective harm minimisation measures, particularly for high-risk groups, including those with pre-existing gambling problems, Indigenous communities, rural and remote communities and young people.

APS response to the Terms of Reference

1. The effectiveness of existing consumer protections aimed at reducing online problem gambling

The APS believes that strong consumer protection measures are needed to help people manage their gambling. We encourage the government to exercise social responsibility to protect the public from gambling products that cause harm. Current consumer protection measures are not offering sufficient safeguarding and are arbitrary.

For example, online gambling self-exclusion processes can be complex and difficult to interpret and tend to lapse behind measures to protect consumers as new betting agencies and platforms are developed. APS members have expressed concern about the communication patterns employed by betting agencies, such as sending regular emails to consumers with free offers and money to continue gambling, which appear to be currently unregulated.

The APS supports strengthening consumer protection measures, including the full provision of product information necessary to assist decision-making within the context of what appears to be an increasing normalisation of online gambling behaviours in the wider community. We also believe that psychology, as a science and profession, has much to contribute to understanding gambling from the perspectives of theory, research and practice that can be drawn upon to assist and inform consumer protection measures.

2. How to better target programs to address online problem gambling to reduce the potential exploitation of at-risk people, and protect individuals, families, and communities

There is a need to look at the impact of gambling on society as a whole, with the aim of enhancing individual and community-wide mental health and wellbeing to reduce gambling-related harm. While the APS recognises the challenges of reaching at-risk groups and communities in terms of targeting and addressing gambling problems, we believe there is a need for certain programs to focus on and address gambling-related harm for those who may be most at risk of problematic gambling and related mental health issues.

For example, research has shown that Aboriginal and Torres Strait Islander peoples or people from culturally and linguistically diverse (CALD) backgrounds tend to avoid seeking help for gambling problems due to feelings of shame, stigma, or the absence of professional assistance that is culturally informed and safe, including counsellors who speak their language or understand their culture.^{16,17,18,19}

It is therefore important for psychologists working with at-risk groups to be competent in the management of common comorbidities such as alcohol and substance use, trauma, as well as grief and loss. Further, psychologists working with Aboriginal and Torres Strait Islander peoples should also be well-versed in family and kinship interventions, financial literacy training and financial counselling, and community resilience building.^{17,20}

The APS is also supportive of implementing a cultural shift from the existing approach by the industry which appears to glorify gambling in advertisements. Further, the concept of 'gamble responsibly' is very problematic and provides a conflicting message to consumers. APS members have expressed concern that people tend to perceive online gambling platforms as 'less real', which has the potential to lead to poorer decision making and more impulsive behaviour.

3. The effectiveness of current counselling and support services to address online problem gambling

In terms of psychological strategies, research has shown that a number of interventions can be helpful in the treatment and management of problem gambling, with the most effective being cognitive behavioural therapy, motivational interviewing, and motivational enhancement therapy. These programs can be administered face-to-face or virtually and include immersive and brief therapeutic options.^{21,22,23,24,25,26} The APS recommends that these treatments should only be delivered by psychologists who have been trained in their use.

We also believe that there is a need for interventions to focus on reducing not only the potential for harm to the individual, but also for their family, as well as addressing broader social, community, political and economic factors.²⁷

4. The quality of and access to protective online gambling education programs

While the APS is aware of some funded apps and online counselling services, we believe that further work could be done in this space to increase availability of protective online gambling education programs. However, the effectiveness of these programs will largely be determined by how they are implemented. It will also be important to understand the extent to which such programs achieve their desired outcomes, which will likely only occur with structures in place to reinforce a well-designed program that is implemented as intended.

As such, we strongly recommend that any future protective online gambling education programs be well-informed, based on independent research, and seek to protect the most vulnerable from gambling-related harm. Further, we believe that decision making about funding and access to protective online gambling education programs are based on thorough and well-designed process and outcome evaluations.

5. The impact of current regulatory and licensing regimes for online gambling on the effectiveness of harm minimisation and consumer protection efforts

The APS considers that gambling is generally a highly regulated industry. All State and Territory Governments have introduced legislated measures to encourage responsible gambling that aim to reduce the potential harms associated with gambling. However, we recognise that there are many causes and consequences of gambling-related harm. While psychological treatment approaches and interventions are important, the APS considers that there are also significant structural causes of gambling-related harm that must be more effectively addressed. These arise from unsafe gaming products with intrinsic design features that have been associated with uncontrolled problematic consumption and impaired decision-making.

A range of strategies are recommended from prevention, regulation and treatment, at individual, community, industry and government levels. The APS urges State and Federal governments and related industries to adopt policies that are well-informed, are based on independent research, and seek to protect the most vulnerable from gambling-related harm.

APS members who work with people experiencing distress or mental health issues related to problem gambling have expressed concern that there appears to be a 'workaround' for many regulations whereby certain restrictions are only minor or moderately effective. For example, in the context of land-based gambling, while ATMs were taken out of venues, these venues can still offer cash out services (i.e., over the bar). Self-exclusions photos also appear to be moderately effective as people can easily manipulate their appearance. In terms of online gambling, the regulations appear to have little impact on harm minimisation. There is no maximum betting amounts or pre-commitment expenditure, and the self-exclusion process (addressed above) is complex and does not offer all the protections of venue-based self-exclusion. We also recognise that while banks have some gambling supports in place, their effectiveness is yet to be established.

The APS believes that to better understand the impact and effectiveness of regulatory and licensing regimes, harm minimisation and consumer protection efforts, there is a need for well-designed and thorough process and outcome evaluation studies. The APS also recommends that the principles of harm minimisation and consumer protection be placed at the centre of any reform.

6. The appropriateness of the definition of 'gambling service' in the Interactive Gambling Act 2001 (Cth), and whether it should be amended to capture additional gambling-like activities such as simulated gambling in video games (e.g., 'loot boxes' and social casino games)

The APS believes that the current definition of 'gambling service' in the Interactive Gambling Act 2001 is not representative of what gambling involves in present times. Whilst we are supportive of the definition of 'gambling service' being amended to capture activities such as simulated gambling in video games, we also note the importance of attempting to future proof this definition to prevent the need for ongoing amendments to this definition as gambling and technology continues to evolve.

We note that the current definition of 'gambling service' in the Interactive Gambling Act 2001 currently contains a mixture of hybrid 'performance' and 'prescriptive' based activities.

The APS believes that taking a performance-based approach to any updates of the definition will allow flexibility to capture future innovation and technology changes. However, we also recognise that this approach may create uncertainty about what acceptable compliance looks like.

Prescriptive rules, on the other hand, may provide more certainty, clarity and uniformity for the public. These rules are usually easier to enforce and often preferred by enforcement officers. However, their disadvantages are inflexibility, higher likelihood of becoming outdated, and the potential to hinder innovation. In addition, changes to these rules may present implementation challenges given the public's limited change awareness. We also believe that, where appropriate, any amendment to the definition consider the diversity among interactive gamblers rather than treating them as a homogenous group.

7. The appropriateness of current gambling regulations in light of emerging technologies, payment options and products

The APS believes that our responses to Terms of Reference (ToR) 5 and 6 go some way to addressing ToR 7 in terms of keeping up to date with emerging technologies and rapid changes in options available to people choosing to gamble.

Generally, we believe that current gambling regulations fall far behind emerging technologies. For example, pay-day loans are available via downloading apps with the potential of money being deposited into a consumer's bank account within minutes. While we acknowledge the challenges with regulation keeping pace with more sophisticated ways to gamble, we believe it is important to ensure protective measures around issues such as emerging technologies, payment options and products are integrated within regulation.

8. The effectiveness of protections against illegal online gambling services, including casino style gambling such as online blackjack and slot machines

The APS is aware that under the Interactive Gambling Act 2001, essentially any 'casino style' game of chance that is interactive and played over the internet is prohibited, including games of mixed chance and skill, roulette, poker, online pokies, and blackjack.

This APS believes that the introduction of the most recent amendments to the Interactive Gambling Act 2001, such as changes to prevent groups from outside Australia providing illegal gambling services over the internet (2017) and the National Self-Exclusion register (2019), was a step in the right direction. While we are of the understanding that compliance with these provisions is monitored, we are unaware of the quality and impact of enforcement and the degree of government and industry collaboration between jurisdictions.

Ultimately, these protections against illegal online gambling appear largely ineffective. APS members are aware that illegal online casinos continue to be developed and accessed, and then disappear just as fast. Further, because there are no protections to consumers if they lose money through these illegal casinos, the ombudsman or the state regulators are not able to intervene.

9. The effectiveness of current gambling advertising restrictions on limiting children's exposure to gambling products and services (e.g. promotion of betting odds during live sport broadcasts), including consideration of the impact of advertising through social media, sponsorship or branding from online licenced gambling operators

Internet access poses unique problems for national regulation and regulation of access, particularly by minors given their familiarity with internet technology and use in all aspects of their lives. While the prevalence of interactive gambling among young people is difficult to estimate, the Victorian Responsible Gambling Foundation consider that people aged 18 to 24 have higher rates of participation in sports betting than other adults.²⁸

Young people appear to also be at a higher risk of participating in online gaming environments than in land-based environments. It is particularly attractive to young people, especially young men as they are most comfortable and familiar with online betting formats.^{29,30}

While digital technology is an important tool, especially for young people, adolescence is also a particularly vulnerable developmental stage. For example, development of attitudes and entrenched behaviour toward internet gambling among adolescents has implications for longer-term involvement in adulthood and chronicity of problems affecting families and the broader community.³¹

Constant availability of gambling from any location, accompanied by increases in advertising, may normalise gambling behaviour, resulting in increased participation and less perception of potential harm, which is of particular concern in relation to adolescents, who are highly influenced by advertising.³² Checks for age appropriateness can be conducted online, however it is easier to work-around them with the use of false identification. Moreover, the increasing prevalence of online gambling via mobile phones which can be used in isolation from others, magnifies the risk for young people as it lacks adult supervision.

The recognition of problems associated with youth gambling has been demonstrated by laws prohibiting minors from engaging in gambling activities.³² However, this recognition needs to be supported by appropriate and responsive legislation that regulates online gambling opportunities. The APS believes that the de-regulation of advertising restrictions has seen an increase in gambling advertising, particularly advertisements that use high profile sports stars to list the odds before major Australian sports games, which is considered problematic for young people. Further, a rapid increase in online sports betting, fuelled by advertising and technology advances that make gambling easily accessible puts young people and those pre-disposed to gambling problems at serious risk.

The integration of sports-betting advertising in television broadcasts and the prominent display of internet signs on playing grounds contributes substantially to the normalisation of gambling as an integral component of sporting activities, particularly influencing the attitudes of children and young people.³¹ Other research indicates that young people may be more susceptible to gambling advertising than adults.³³

Young people are the next generation of gamblers, and it appears inevitable that they will continue to be targeted by increasingly sophisticated strategies to encourage them to participate in gambling activities. Their potential vulnerability, at a point in time when mental health issues are at their most prevalent, plus the impact of lifetime costs of gambling addiction from an early age, should warrant the implementation of legislation to protect their interests as a matter of priority.

Adolescents and young adults should be the focus of targeted prevention programs, and consideration should be given to regulating the burgeoning advertising of gambling so that it does not target this vulnerable group, either deliberately or inadvertently. The impact of increasing internet gambling opportunities on this group warrants attention, and research into the impacts of online gambling and gambling advertising should be prioritised.

The APS recommends that children and young people are protected from exposure to internet gambling and online gambling advertising. This may mean further strengthening the Interactive Gambling Act and providing education about the risks of gambling and potential harms, within a cyber-safety framework. Children and young people must be protected from exposure to internet gambling and online advertising as a priority.

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