



Minister for Consumer Affairs, Gaming and Liquor Regulation

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Mr Andrew Maiden
Chief Executive Officer
Australian Subscription Television and Radio Association
5 Thomas Holt Drive
NORTH RYDE NSW 2113

Our ref: CD/17/698783

Attention: ASTRA Codes Review

Dear Mr Maiden

Review of gambling and betting commercials and promotion of live odds provisions in the Subscription Television Broadcasting and Narrowcasting Codes of Practice

I refer to your invitation to comment on proposed changes to the Subscription Television Broadcasting and Narrowcasting Codes of Practice (Codes).

The Victorian Government is strongly concerned about the effects of gambling advertising on vulnerable groups such as problem gamblers and young people, particularly during televised sports events.

There is clear disquiet among the Victorian community about the increasing association between gambling and sport and this is magnified by the unrelenting display of gambling advertising during sporting events.

The Australian Government's announcement about restrictions on betting advertisements during live sports broadcasts is a first step towards addressing the proliferation of betting advertising during sports broadcasts when children may be watching. The Australian Government has stated that its intention is to establish a "clear safe-zone during which parents can have confidence that their children will not be exposed to gambling advertisements".

The revised Codes do not implement these reforms in a way that provides a genuine safe-zone for children and other vulnerable people to enjoy televised sports unhampered by prompts to gamble.

As you are aware, the broadcasting reforms announced by the Australian Government include new restrictions on gambling advertisements during live sports broadcasts on commercial and subscription television, commercial radio, SBS and online platforms. Between 5.00am and 8.30pm, gambling advertisements will not be able to be shown from five minutes before a live sports event commences, during the event and for five minutes after the event has concluded. I note that this will be implemented in part through the changes to your Codes.

It is my firm view that the gambling advertising restrictions should be extended to include the entire match where play commences before 8:30pm. Children and young people who commence watching televised sports before 8:30pm are likely to continue to watch the remainder of the match if it extends past 8:30pm.

Furthermore, there are strong community concerns about the frequency of gambling advertisements and the Codes as drafted will permit blanket advertising by wagering service providers during commercial breaks outside the prohibited times. The new restrictions could unintentionally shift the existing advertisements to other times when the target audience is likely to be watching television.

To mitigate this risk, the Codes should limit the frequency with which gambling advertisements are displayed at any time of the day or night, including scheduled and unscheduled breaks in play, in a way similar to that proposed for long form live sporting events.

I am alarmed at the content of some recent television advertisements for wagering service providers. I have raised my concerns with the Advertising Standards Bureau and the Victorian Commission for Gambling and Liquor Regulation, however the review of the Codes presents a timely opportunity for the industry to show leadership and commitment in this regard.

Some recent advertising campaigns by wagering service providers have featured negative gender stereotypes, portrayals of excessive participation in wagering activities and a clear implication that gambling takes priority in all aspects of people's (usually men's) personal and professional lives. I request that the Codes clearly prohibit advertisements that portray irresponsible gambling and behaviours or other content that does not meet community expectations.

I am also concerned by some of the exclusions in the Codes. For example, the Codes will not capture a sporting event that is a "first-run transmission of delayed programming". Children are still likely to watch a broadcast of a sporting event, whether delayed or live. The gambling advertising provisions in the Codes should apply to first-run transmissions of delayed programming in order for the provisions to apply to major sporting events that are commonly delayed, such as major tournaments, international sporting events and multi-sport events such as the Olympics and the Commonwealth Games.

In addition, the Codes propose to exclude commercials relating to fantasy sports. These competitions are distinct from traditional footy tipping and are clearly betting. When displayed alongside live sporting events, fantasy sports products reinforce the association between sports and gambling.

Studies on the impact of betting advertising have found that it can shape gambling attitudes, intentions and behaviours and impact most negatively on vulnerable groups and children.

I encourage you to make amendments to the Codes that demonstrate a genuine commitment to ensuring Australians, especially children and young people, can enjoy live sporting events without being exposed to prompts to gamble.

Should you require further information or wish to discuss any of the issues raised in this submission, please contact Ms Cate Carr, Executive Director, Liquor, Gaming and Racing, on telephone 03 8684 1915.

Yours sincerely



Hon Marlene Kairouz MP

Minister for Consumer Affairs, Gaming and Liquor Regulation
Minister for Local Government