



Harm Prevention and Regulation

Office of Liquor and Gaming Regulation

2023-24 Regulator Performance Report

Introduction

This report has been prepared to meet the Office of Liquor and Gaming Regulation's (OLGR) reporting obligations under the Queensland Government's Regulator Performance Framework and the Queensland Audit Office's Good Regulatory Practices Framework.

Regulation plays an important role in keeping Queenslanders safe by ensuring businesses and individuals act in a way that is consistent with legislative and community expectations. Excessive regulation, however, can be an impediment to business growth and innovation, especially where the regulatory burden is not proportionate to the issues that regulation is trying to address.

Our balanced and fair approach to regulation reduces harm by targeting high-risk licensee behaviours without imposing unfair regulations. Our regulatory framework is not fixed in time. It changes to meet emerging risks. A core set of principles underpins our approach:

- Transparency: we share our priorities, decisions and performance
- Proportionality: our action considers differing levels of risk
- Fairness and consistency: we act with integrity and do what we say we'll do
- Respect: we value and invite the insights of our partners and industry
- Excellence: we work with passion, pride and purpose, taking accountability for our actions.

Model practice 1: Ensure regulatory activity is proportionate to risk and minimises unnecessary burden

Supporting principles:

- a proportionate approach is applied to compliance activities, engagement and regulatory enforcement actions
- regulations do not unnecessarily impose on regulated entities
- regulatory approaches are updated and informed by intelligence gathering so that effort is focused towards risk.

Evidence to support alignment with regulator model practice

As a modern regulator, we understand that best practice regulation is risk-based, where limited resources are targeted to the highest risks and to initiatives most likely to prevent and/or reduce liquor and gambling harm. Across 2023-24, we actively engaged with industry and our customers as part of continuously improving our processes to achieve the Queensland Government's policy objectives.

Our risk-based approach included the following activities:

- we incorporated risk assessments into our processes for licensing application and approval, probity, compliance, and enforcement. Our annual compliance audit plan (see below) and venue control plans were risk-based
- our Compliance and Enforcement Policy included a risk-based compliance posture and associated hierarchy of escalating interventions that are proportionate to the risk posed by licensees.
- we adopted a behavioural change approach, where we recognise that the compliance of licensees is a function of several factors. We helped licensee to move toward full compliance through a tailored suite of interventions from education and advice to enforceable undertakings and legal prosecutions.
- our Technical Unit adopted a risk-based approach to gaming equipment evaluations and accepts self-certification for lower-risk evaluations to remove unnecessary burden.
- we implemented reduced requirements for extended-hour permits for licensees.

Our 2023-24 Proactive Compliance Plan (the Plan) has nine priority areas. Priority areas are identified through risk assessments and analysis of the regulated activities where there is evidenced or likely cause of harm, including new or emerging issues.

We developed the Plan using a targeted approach to ensure activity is proportionate to risk, and inspection programs which were formed through consideration of known issues, including inherent risk e.g., type of licence held, trading hours, specific factors e.g., complaints or compliance history, and targeted intelligence and information.

The foundation of our compliance approach is educating, and engaging with, licensees to ensure a shared understanding of roles and obligations that drive a culture of sustainable, prosperous, ethical business practice.

We liaised with industry, licensees, applicants, peak bodies, and members of the community who have experienced, or supported those vulnerable to experiencing, harm from gaming. We looked at better ways to communicate so that our customers understand government requirements. We collaborated closely with co-regulators or other government agencies for a multi-faceted approach to mitigating potential risks to the community.

We commenced identification and prioritisation of regulated venues presenting a higher risk of gambling harm for compliance activities, through a multi-factor assessment considering:

- number of electronic gaming machines
- number of excluded patrons
- compliance and harm minimisation history
- socio-economic disadvantage

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- gaming machine activity.

The 2023 Queensland Gambling Survey provided up-to-date data on the gambling behaviours of Queenslanders, including participation and levels of harm. We used the data to inform and target programs based on risk.

We continued to improve licensing processes and services, particularly application processing times, without unduly detracting from our role in minimising harm, the impact on amenity, and ensuring the integrity of gaming.

In 2024 we conducted an internal review of licence transfers to find improvements in processing effectiveness. The review identified several opportunities to reduce regulatory and administrative burdens on liquor licence transfer applicants.

Licensing decisions were informed by research, data and legislative requirements. For example, decisions on applications for late-night gaming were made based on updated research which concluded that the later into the evening and early morning a person gambles on gaming machines, the higher the risk of problem gambling.

We reduced the reporting requirements for wine licensing returns following the recommendations from the Survey of Artisan Liquor Industry 2023 (conducted by the Queensland Government Statistician's Office on behalf of the Department of Regulation Development, Manufacturing and Water (DRDMW)). The survey responses allowed us to explore ways to remove reporting duplication for wine industry matters to DRDMW.

Our strengthened Casino and Gaming Regulatory Framework (the Framework) has benefited from findings and recommendations of the External Review of The Star Entertainment Group Limited and the Bell Inquiries (examining The Star's operations in New South Wales and our own internal casino integrity audit and assessment activities). The Framework provides for measures such as mandatory carded play, mandatory precommitments, a mandatory code of conduct for safer gambling, and periodic reviews of casino operators, and are measured to sufficiently address the risk while emphasising the importance of casinos upholding their responsibility to actively reduce gambling-related harm.

Model practice 2: Consult and engage meaningfully with stakeholders

Supporting principles

- formal and informal consultation and engagement mechanisms are in place to allow for the full range of stakeholder input and Government decision making circumstances
- engagement is undertaken in ways that help regulators develop a genuine understanding of the operating environment of regulated entities
- cooperative and collaborative relationships are established with stakeholders, including other regulators, to promote trust and improve the efficiency and effectiveness of the regulatory framework.

Evidence to support alignment with regulator model practice

Consultation and engagement with industry stakeholders, cross-government and inter-jurisdictional partners is a core principle underpinning OLGR's business model and operating framework.

As a modern regulator, we strategically liaised with co-regulators to strengthen cross-jurisdictional relationships, ensuring communication and information sharing opportunities are identified and maintained. We proactively engaged with a wide range of stakeholders to ensure our systems, processes and practices are fit-for-purpose, relevant, contemporary, and effective. Our stakeholders include:

- licensees, permit holders and their staff
- licence and permit applicants
- liquor and gaming industry associations
- not-for-profit organisations
- community groups and individuals affected by the sale and supply of liquor and gambling activities, including inviting Queensland community to comment on advertised license applications
- other government and regulatory control bodies.

In 2023-24, our regulatory governance activities included participating on internal corporate governance committees and on external consultative groups.

Our proactive and reactive compliance audit programs saw our inspectors visiting, engaging, and educating licensees, providing invaluable and genuine insight into the operating context of regulated entities. Our programs included audits and desktop reviews of online Wagering Service Providers, and involved collaboration with other state, territory, and commonwealth agencies to ensure a consistent approach to National Consumer Protection Framework compliance, and to resolve any cross-jurisdictional issues.

We worked closely with government stakeholders, shire councils in discreet First Nations communities, and key stakeholder groups to collaboratively address issues and risks in remote communities. In reviewing and updating restrictions for alcohol in several remote communities, OLGR consulted with local communities and stakeholders to develop a clear understanding of community expectations on the regulatory framework for alcohol restrictions and limits.

Our collaborations included:

- working with Queensland Police Service on relevant licence applications to ensure approvals do not place a great risk to the community such as extended trading hours applications
- consulting with Australian gaming regulators and industry bodies to implement new gaming products or regulation across jurisdictional borders e.g., National Consumer Protection Framework for online wagering measures
- participating in national liquor and gambling regulator forums that bring together state, federal and international regulators and relevant industry bodies to consider best practice regulatory models and a consistent interjurisdictional approach to industry regulation
- consulting with the Special Manager Group, The Star and NSW Liquor and Gaming in relation to the Internal Control System uplift at The Star casino properties in Queensland

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- Safe Night Precinct (SNP) local boards that manage and plan to address community safety and amenity issues, and can raise funds and apply for grants from local, state, and federal governments; and
- Liquor Accords made up of industry, government and in some instances community stakeholders, are active in implementing place-based management initiatives to minimise alcohol-related impacts in and around licensed premises.
- supporting the Safer Gambling Advisory Committee, a non-statutory Ministerial advisory committee that provides advice to Government on policies, strategies and regulatory arrangements for gambling harm and is forum for community, industry and government to work together to develop ethical and safer approaches to gambling
- chairing the working group made up of industry, community and government stakeholders supporting the implementation of the Gambling Harm Minimisation Plan for Queensland 2021-25
- support to develop and adopt an industry-led Multi-Venue Self Exclusion database system for pubs and clubs that aims to provide a mechanism to support venues to assist patrons that may be experiencing, or at risk of experiencing, harm from gambling
- establishing a First Nations Gambling Harm Steering Group to guide and inform First Nations gambling harm initiatives. The group consists of a range of community representatives from across the State, and government stakeholders such as the Department of Treaty, Aboriginal and Torres Strait Islander Partnerships, Communities and the Arts
- establishing a consultative mechanism to engage people with lived experience of gambling harm to inform policy and program development. OLGR worked with Relationships Australia Queensland and the Queensland Mental Health Commission to develop principles for safe and meaningful engagement and a guideline to set out the process of ongoing engagement
- chairing several working groups with other Australian gaming regulators to discuss the issues and potential harms of regulated wagering and lottery products and systems that are proposed to operate across jurisdictional borders.
- convening the Queensland Liquor and Gambling Reference Group bringing together key stakeholders, community, and government to discuss challenges and opportunities, and provide input to help design, implement and evaluate policies and programs. With an open and collaborative forum, the reference group leads to better information-sharing and collaboration to create a stronger partnership for future policy development.

The Commissioner for Liquor and Gaming and Assistant Director-General OLGR and other key decision makers met regularly with industry representatives, Safe Night Precincts, and local licensees around the state to directly hear and understand their concerns.

We worked closely with industry, government, and community organisations to ensure public events involving the service of liquor are conducted in a manner that minimises the risk of alcohol related harm and violence.

During 2023-24, we worked in conjunction with Queensland Police Service and community stakeholders at 62 major public events around Queensland, including Schoolies activities.

Model practice 3: Provide appropriate information and support to assist compliance

Supporting principles:

- clear and timely guidance and support is accessible to stakeholders and tailored to meet the needs of the target audience
- advice is consistent and, where appropriate, decisions are communicated in a manner that clearly articulates what is required to achieve compliance
- where appropriate, regulatory approaches are tailored to ensure compliance activities do not proportionately burden particular stakeholders (e.g., small business) or require specialist advice.

Evidence to support alignment with regulator model practice

As a modern regulator, we understand the importance of voluntary compliance for best practice regulation. We provide information, guidance and support to licence applicants, licensees, peak bodies, and the community to operate within legislative requirements, and maintain compliance, to prevent and reduce alcohol and gaming harm.

In 2024 we commenced a process to review the effectiveness of our website information on liquor licence transfer applications, including interim authorities. The review identified several opportunities to improve the way we communicate government and license requirements to applicants. In addition, the review identified opportunities to provide better quality information and support where applicants and licensees seek advice from us.

We updated our website to include information on responsible service of alcohol and gambling harm minimisation materials for venue safety. Resources were carefully tailored to meeting industry needs and provide clear and practical messaging advice.

We published the following guidelines:

- Gaming Guideline G06: Authorised sale of hotel operating authorities
- Guideline 68: Late-night extended hours permit
- Guideline for digital payment platforms for electronic gaming machines.

Further publications and stakeholder communications:

- we provided updated information to licensees on our website and in other communications on Anti-Money Laundering and Counter-Terrorism Financing (AML/CTF) obligations
- we improved client communications for annual fees which resulted in earlier and more fee payments than prior years
- we provided targeted advice to Artisan Liquor Licensees about how to maximise their business within the boundaries of their licence type
- we published industry newsletters
- we published Minimum Technical Requirements to assist gaming manufacturers and operators, and approved ID scanner operators, to meet the standards set for approved gaming equipment in Queensland.
- we contributed to gambling harm minimisation updates to the Australia New Zealand Gaming Machine National Standards that provides guidance to the gaming machine industry.

OLGR's uplifted gambling harm minimisation programs are tailored to assess and uplift strengths around leadership and culture, patron management and due diligence, management and operation of electronic gaming machines, and Gambling Help service relationships.

We developed consistent community education and training materials, including industry-focused materials, for delivery by Queensland's Government-funded Gambling Help services.

We worked closely with licensees through initiatives and programs to address and manage patron safety and amenity issues to minimise the impact and occurrence of alcohol related harm in and around licensed premises.

Model practice 4: Commit to continuous improvement

Supporting principles:

- regular review of the approach to regulatory activities, including collaboration with stakeholders and other regulators to ensure it is appropriately risk-based, leverages technological innovation and remains the best approach to achieving policy outcomes
- to the extent possible, reform of regulatory activities is prioritised on the basis of impact on stakeholders and the community
- staff have the necessary training and support to effectively, efficiently and consistently perform their duties.

Evidence to support alignment with regulator model practice

As a modern regulator, we understand the importance of continuous improvement to achieving best practice regulation. In 2023-24, we progressed a wide range of improvements to internal processes and practices to improve the effectiveness and the efficiency of our services and reduce red tape for businesses.

As part of our improvement efforts, we conducted internal quality assurance (QA) reviews at several levels in our operations including a deep dive QA review of our liquor licence transfer and interim authority processes.

Improvements to internal supports for regional offices have been introduced following a survey which highlighted a need for access to materials relating to processing licence applications that could be shared with applicants to understand criteria assessment requirements. The aim is to provide a consistent and informed approach to processing licence applications within Queensland and these improvements have supported that objective.

We maintained a focus on modernising processes through technology advancement, without compromising regulatory objectives. This includes investing in a 'digital first' approach to provide easy access, simplified pathways and 24/7 accessibility for clients. Industry has been consulted to understand their needs and expectations, as a new system processing platform is developed. A primary focus of the platform will be to significantly improve customer experience turnaround times for licensing applications by:

- automating components of the process and removing the requirement for applicants to complete tasks such as identity verification
- providing an online client portal and electronic form lodgement, and
- providing ability for clients to track and self-manage their applications.

We maintained our National Association of Testing Authorities accreditation to perform testing and evaluation services for gaming products and systems in the gaming industry. We maintain best practice collaborations and training so we can be informed of new technology trends, analysing potential for advancements, and risks associated with these trends. We prepared for the introduction of cashless gaming by liaising with industry and inter-jurisdictional counterparts and undertaking product and equipment testing.

We conducted an external mid-point evaluation of the Gambling Harm Minimisation Plan for Queensland 2021-25. The evaluation examined whether the Plan is positioned to achieve intended outcomes, deliverables are evidence-based and implemented and the adequacy of governance and monitoring arrangements.

Annual and outcome-based periodic reviews of compliance programs are undertaken to support continuous improvement, and ensure risks are being targeted in the most effective contemporary manner.

We progressed the inaugural external evaluation of Safe Night Precincts to identify insights and answers which determine if a long-term goal of 'a safer night-time environment in entertainment areas' is being achieved, with the framework for the review delivered in December 2023.

We undertook recruitment and onboarding campaigns for skilled and experienced staff as part of the uplift of subject experts in various human resources fields, supporting a balanced work environment to achieve a high level of standardised, best practice, consistent regulatory activities across the State. Additionally, we provided training opportunities for staff in relation to the highly specialised field work of noise monitoring, assessment and evaluation.

Our Liquor and Gambling Regulation Strategy clearly details our future course of regulatory activity, making clear the priorities and commitments we have to evidence-based regulation, continuous improvement, and supporting industry in a dynamic and ever-changing liquor and gambling environment.

Model practice 5: Be transparent and accountable in actions

Supporting principles:

- where appropriate, regulatory frameworks and timeframes for making regulatory decisions are published to provide certainty to stakeholders
- decisions are provided in a timely manner, clearly articulating expectations and the underlying reasons for decisions
- indicators of regulatory performance are publicly available.

Evidence to support alignment with regulator model practice

In 2023-24, we developed, refined, and applied performance indicators and measures to improve the effectiveness and efficiency of our internal processes and our services to our customers. We published performance data in several formats, including in our Service Delivery Statement.

Evidence of our transparency and accountability included:

- we published relevant licensing applications on our website, including decisions and information notices providing reasons
- our bi-annual licensing and compliance summary provided an overview of our licensing and compliance activities for liquor and gaming over the previous 6-month period
- we published information about reviews and prosecutions of Queensland casinos on our website
- we provided detailed billing information and regular statements to clients for technical evaluations and probity investigations
- we improved the accountability and transparency of the implementation of the Gambling Harm Minimisation Plan for Queensland 2021-25 through the development of a revised governance framework
- we provided regular updates on progress of the implementation of the Gambling Harm Minimisation Plan for Queensland 2021-25 to the Safer Gambling Advisory Committee and Gambling Harm Minimisation Plan Working Group
- we published our Compliance and Enforcement Policy
- we maintained our extensive register of Commissioner Guidelines, Forms, and other information for applicants and licensees on our website

Through the Liquor and Gambling Regulation Strategy, we shared our priorities with industry, our compliance monitoring and enforcement focus areas, and emphasised fairness, transparency, and accountability in accordance with natural justice principles. This includes a structured appeals process, allowing parties to contest decisions in a manner that upholds integrity and fosters public trust in regulatory outcomes.

On our website we included more detailed information regarding matters such as noise complaints for the benefit of licensees and complainants.