

# Office of Liquor and Gaming Regulation

## REGULATOR PERFORMANCE REPORT 2022-23

Regulation plays an important role in keeping Queenslanders safe and healthy, by ensuring business 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. The Queensland Government recognises the importance of streamlining regulation to make it easier to do business.

To achieve this, the government has identified a number of model practices that support the achievement of policy objectives through better interactions between regulators and their stakeholders, resulting in reduced administrative burdens and costs for all parties. These practices are consistent with principles adopted in other jurisdictions nationally and internationally.

The **five model practices** are:

1. ensure regulatory activity is proportionate to risk and minimises unnecessary burden
2. consult and engage meaningfully with stakeholders
3. provide appropriate information and support to assist compliance
4. commit to continuous improvement
5. be transparent and accountable in actions.

The Office of Liquor and Gaming (OLGR) works with and across Queensland's liquor and gambling industries in a way which upholds and extends on the five model practices.

OLGR's key clients and 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
- other government and regulatory control bodies



## 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 toward risk

#### How our work aligns with the model practice

- OLGR takes a balanced risk-based approach to regulation and applies an escalation model of enforcement. Efforts are focused on areas of greatest risk, where OLGR can make the biggest difference to the community.
- There is an intentional focus on modernising processes and prioritising interventions without compromising regulatory objectives and community safety. This includes moving towards a 'digital first' approach to provide easy access, simplified pathways and 24/7 accessibility.
- Inspection programs are risk-targeted having regard to both inherent (e.g. type of licence held, trading hours) and specific factors (e.g. complaints or compliance history) and intelligence (such as crime data).
- OLGR has a risk-based agile audit plan developed using a targeted approach to ensure activity is proportionate to risk.
- OLGR's *Proactive Compliance Plan* sets out nine priority areas which are selected based on identified risk and analysis of the regulated activities most likely to cause harm.
- OLGR continues to look at how licensing processes and services can be improved, particularly regarding processing times, without unduly impacting its role in minimising harm, the impact on amenity and ensuring the integrity of gaming.
- OLGR continues to work closely with industry to identify pressures and communicate government requirements and restrictions in a simple and practical way and ensure licensing and compliance practices are responsive to new and emerging pressures.
- OLGR actively seeks opportunities to work closely with co-regulators with a view to lessening the burden on regulated entities.

#### How we're continuing to improve regulatory activities and business practices

- OLGR's compliance framework places an emphasis on educating and engaging with licensees to ensure a shared understanding of roles and obligations and drive a culture of ethical business practices. OLGR team members liaise with licensees on compliance and harm minimisation.
- OLGR is strengthening casino and gaming regulation, including delivering on the agreed program of work arising from the *External Review of The Star Entertainment Group Limited* and OLGR's internal casino integrity assessment activities.



- Research projects under the *Gambling Harm Minimisation Plan for Queensland 2021-25* are helping ensure policies and initiatives better prevent, protect, and help those affected by gambling harm.
- The *Casino Control and Other Legislation Amendment Act 2022* has enabled stricter oversight of casino operators. Strong reforms contained in the Act ensures casinos are operating lawfully and transparently and take their responsibility to reduce gambling harm seriously.
- OLGR uses data to inform practice by utilising a targeted, evidence-based approach. OLGR identifies reports of violence and works with affected venues to put in place long-term plans that embed sustainable change.
- OLGR completed a two-year trial of reduced visitor distance requirements for clubs to ease administrative burdens for licensees and improve patron experience. The outcome of the trial is currently being reviewed to inform future arrangements.
- OLGR is currently reviewing the efficacy of online and express delivery of alcohol and drafting a regulatory framework to address issues of unsafe consumption of alcohol practices and underage drinking.
- OLGR is refining processes to focus compliance activity on harm minimisation during peak trading periods, taking account of industry feedback that inspections during peak trading times adversely affect their business operations. As much as possible, systems compliance activity is being confined to periods outside of peak hours.



## 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

#### How our work aligns with the model practice

- Consultation and engagement with industry stakeholders, and with cross-government and inter-jurisdictional partners, is a core underpinning of OLGR's business model and operating frame. To meet community expectations, OLGR and industry must share effort, accountability and commitment to socially responsible licensees and ethical business models.
- OLGR works closely with co-regulators to improve coordination, communication, cooperation, and consistency between the agencies in regulating the Queensland Liquor Act.
- OLGR also chairs a number of 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.
- OLGR works closely with local business and community stakeholders through two key place-based initiatives:
  - 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.
- Licensing processes provide opportunity for the community to comment on applications, including objection conferences where warranted, so that concerns raised can be worked through.
- The Liquor and Gambling Reference Group brings 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 creates a stronger evidence base for future policies.
- OLGR works closely with government stakeholders, shire councils in discreet indigenous communities, and key stakeholder groups to collaboratively address issues in remote communities.



- OLGR has been a key stakeholder/contributor to the Queensland Government's response to the Summertime Taskforce Project's recommendations and the development of the *Queensland Outdoor Activation Action Plan*.
- OLGR has worked with the licensed club industry and Queensland Treasury to develop a Community Club Compact to address taxation and regulation issues.
- OLGR has engaged the community sector to drive cultural change around harmful gambling consumption by running campaigns such as:
  - 'Let's start yarning about gambling,' tackling the issue of gambling harm among Aboriginal and Torres Strait Islander communities; and
  - partnering with Queensland Cricket to address the normalisation of gambling in sport.

#### How we're continuing to improve regulatory activities and business practices

- OLGR was represented at national forums, including the Australasian Casino and Gaming Regulators (ACGR) forum, and the Australasian Liquor Licensing Authorities forum (ALLAF).
- In line with the Gambling Harm Minimisation Plan and Safer Gambling Advisory Committee decisions, OLGR has shifted from the term 'problem-gambling' to 'safer gambling' to better acknowledge the responsibility of gambling harm as being shared.
- Regular liaison and collaboration are occurring with interstate regulatory counterparts and the Federal anti-money laundering regulator, particularly in relation to gaming related money laundering risks and casino regulation.
- OLGR's executive continues its practice of meeting quarterly with the CEOs of major gaming operators to discuss products and performance.
- Consultation with a broad range of stakeholders in the Queens Wharf Brisbane project continues to be a core focus in order to meet strict development and commercial timeframes. This includes the consortium members, legal advisors and other Government departments.
- OLGR has in place a regional licensee visit program. Regularly throughout the year, senior executives visit a range of licensees across various regional and smaller metropolitan areas to speak directly with licensees about local challenges and opportunities and hear first-hand some of the issues impacting their businesses. These visits span the full spectrum of licensees, from people who have taken up the artisan liquor licence to larger industry members looking at greenfield developments in growth corridors.
- OLGR plays a significant role in consultation with discreet communities and liquor catchment areas in codesigned *Alcohol Management Plans* led by Department of Treaty, Aboriginal and Torres Strait Islander Partnerships, Communities and the Arts. This builds rapport and trust with shire councils, community members, liquor licensees, and other key stakeholders to ensure alcohol restrictions and limits are clearly understood and decisions on carriage limits meet community expectations.
- OLGR is a member of the community-led cross government Sly Grog Working Group which takes a collaborative approach to reduce demand and harmful effects of sly grog (illegal supply of alcohol) in discrete communities.



- OLGR is working with the Queensland wine industry to understand existing policy constraints. Wine producers have reported that the present licensing framework is too restrictive and does not allow sufficient flexibility to extend their markets. OLGR is committed to working with the wine industry to lift these constraints to enable better business.



## 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 disproportionately burden particular stakeholders (e.g. small business) or require specialist advice

#### How our work aligns with the model practice

- OLGR's extensive web content is regularly extended and updated to ensure content currency, including responsible service of alcohol and gambling materials, as well as information on venue safety. Resources are carefully tailored to meeting industry need and provide clear and practical advice.
- Compliance programs are tailored to ensure fit for purpose compliance activities that do not place unnecessary burden on industry.
- Attention is given to coordinating messaging and ensuring OLGR staff attending key meetings (SNP local board meetings, Liquor Accords and other key industry engagements) are providing consistent messaging to licensees.
- Commissioner Guidelines have been developed and published to provide advice to industry on certain liquor and gaming licensing decisions. This supports industry in providing additional clarity and direction to meet their expectations and obligations. New guidelines have been published including:
  - Preventing excluded persons entering or remaining on licensed premises;
  - Gaming guideline for section 27 of the Gaming Machine Regulation 2002;
  - Minimising harm from electronic gaming machine gambling; and
  - Promotional and public events.
- Minimum Technical Requirements are published to assist gaming manufacturers and operators, and approved ID scanner operators, to comply with standards.

#### How we're continuing to improve regulatory activities and business practices

- OLGR delivered its first public facing *Proactive Compliance Plan* which emphasises sharing a way forward with industry and helping licensees to work proactively with the regulator to drive improvements and address harms.



- OLGR is expanding its communications with industry and working to bring greater clarity and purpose to messaging, as well as making use of a range of communication channels. This includes online and print based mechanisms and through a direct connection with industry.
- OLGR is strengthening the model for, and promoting, liquor accord involvement to industry - as forum for local licensees and stakeholders such as OLGR and other government and community organisations to connect, receive important updates, discuss common issues and share ideas about alcohol-related harm prevention strategies they can implement in their local areas. Minjerribah and Charters Towers welcomed their first Liquor Accord meetings.
- Gambling Harm Awareness Week was run this year with the theme 'Let's talk about gambling,' where a focus was placed on breaking down the stigma that is often a barrier to people seeking help and support by starting a conversation about gambling.
- OLGR participates in the Safer Gambling Network Meetings (SGNET) where industry stakeholders are invited to discuss gambling-related updates and seek feedback.
- OLGR's new Venue Control Program provides further opportunities for compliance officers to work closely in partnership with industry to put in place solutions to emerging issues in their venues and ensure safety for staff and patrons. Outcomes from this program have been very strong with industry inviting involvement in the program seeing the outcomes achieved for venues in their areas.
- OLGR has delivered targeted, compliance-focused education visits including the provision of supporting materials and information about resources available to assist licensees to comply with legislation and to discuss business practices.
- OLGR maintains regular communication with industry stakeholders and licensees to assist with compliance activities and demystify expectations, including through articles in key industry journals (QHA Review and Clubs Insight), as well as direct email and social media on priority concerns, and regular articles in the monthly subscription newsletter *Inside Liquor and Gaming*.
- Online content has been refreshed to ensure it provides licensees with information on what compliance officers generally check during inspection activity. This also includes providing a list of documents that officers may ask a licensee for which can be provided at the time of inspection or at a later agreed upon time, whichever the licensee determines is more convenient.
- OLGR officers are always available to talk through regulatory options for anyone interested in participating in the liquor or gaming industries.
- OLGR continues to review liquor licensing through customer experience testing. By continuing these reviews, OLGR further streamlines the application processes for premises licences. Streamlining will help remove unnecessary burdens, improve timeliness, and maximise the public benefit of community impact statements.





## MODEL PRACTICE 4 - Commit to continuous improvement

### Supporting Principles

- Regular review of the approach to regulatory activities, 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

#### How our work aligns with the model practice

- The *Liquor and Gambling Regulation Strategy* sets the future course for OLGR, making clear the priorities and commitments and evidencing the organisation's commitment to continuous improvement in a dynamic and changing liquor and gambling environment.
- OLGR is an organisation which fosters innovation, is diverse and inclusive, and which assesses and responds to the unique circumstances of licensees right across the state. The organisation's commitment to continuous improvement ensures it remains relevant and has credibility, in turn ensuring the community and industry can have confidence and trust in OLGR's work.
- OLGR monitors work in other jurisdictions through regular contact, forums and through significant projects.
- Compliance programs are reviewed each year to ensure risks are being targeted in the most effective contemporary manner. New audit and inspection programs are developed as needed to address specific risks.
- Outcome-based periodic reviews of specific programs are undertaken to support continuous improvement e.g. liquor inspection and gaming audit process reviews.
- OLGR undertakes feasibility studies in areas identified as warranting review to ensure the full range of options and their viability are assessed as a core part of the continuous improvement process.
- Understanding the priority for industry in streamlining application and approval processes, OLGR is continually assessing and harnessing opportunities to reduce processing and approval times.
- Identification and analysis of major risk factors in gaming applications of significant community impact is undertaken to inform revised decision-making process and the identification of appropriate harm minimisations strategies.

#### How we're continuing to improve regulatory activities and business practices

- The updated LGFT strategic framework, which outlines the course for two years through to 2024, highlights 4 pillars:
  - A modern regulatory approach



- Outstanding service experience
- Community, business and government share the way forward
- A connected team leading positive impact
- OLGR is introducing a new compliance management system, which will streamline internal processes and functions of the OLGR team, to deliver best practice and integrated services that respond to stakeholders' needs with consistency and reliability and an improved user experience.
- OLGR is preparing for the introduction of cashless gaming by undertaking product and equipment testing and developed the *Guideline for digital payment platforms for electronic gaming machines* to ensure system suppliers and any venues that are introducing safe cashless digital payment gambling technologies are familiar with the expectations and the proposed solutions.
- OLGR has announced the intention to ban credit payments for online gambling through the *Interactive Gambling Amendment (Credit and Other Measures) Bill 2023*. The Bill aims to reduce the risk of online gambling harm.
- Work is currently underway to establish a comprehensive evaluation framework to ensure Safe Night Precincts (SNPs) continue to achieve their intended purpose. SNPs were established to provide safe and effective management of 15 key entertainment precincts across Queensland. Under legislation, the triennial reviews of SNPs will be undertaken once the framework has been endorsed.
- OLGR has made practical changes to extended hour permit provisions to reduce approval delays and make it easier for licensees to apply for short-term extended hour permits.
- OLGR continues to review and improve timeframes for licence transfers, including providing better guidance to applicants to support them to submit more fulsome submissions, as well as improving internal governance and management processes.
- Continued implementation of the regional staff engagement strategy ensures OLGR has a high-performing, motivated and valued regional workforce that delivers quality results.
- OLGR is extending and improving complaint assessment and triaging tools. A broader range of complaints are subject to a risk-based triaging approach which will reduce the burden on businesses by not being subject to investigation where another regulatory response is sufficient to treat the risk.
- OLGR, through the LGFT Capability Program, has enhanced the skills and professionalism of its workforce which aims to keep pace with international and national industry changes.
- A new course for Certificate IV in Investigations has been introduced to strengthen staff skills, with 2 programs delivered and further scheduled.
- OLGR has refreshed its compliance induction manual and checklist now available for new starters.



## 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
- Decision are provided in a timely manner, clearly articulating expectations and the underlying reasons for decisions
- Indicators of regulator performance are publicly available

#### How our work aligns with the model practice

- OLGR published a liquor compliance strategy detailing the regulatory approach for compliance monitoring and enforcement. Through this, OLGR shares priorities with industry to help become more agile in how public value and minimise harm are delivered. Progress is reported annually.
- More detailed information regarding matters such as noise complaints are included in web content for the benefit of licensees and complainants.
- Detailed billing information and regular statements are provided to clients for technical evaluations and probity investigations.
- Submission timeframes are published for technical evaluations.
- Substantial information on applications and licence details are available on OLGR's public registers, including the following:
  - advertised liquor licence and adult entertainment permit applications published for objections or submissions
  - advertised gaming applications published for community comment
  - pending gaming machine licence applications
  - recently approved liquor and gaming machine licence applications
  - approved licence transfer applications
  - online licence search
  - high-risk venues
- OLGR also makes gaming statistics available online. This includes lists of gaming sites by statistical area, local government area and Electronic Gaming Machine (EGM) statistics for hotels and clubs.



#### How we're continuing to improve regulatory activities and business practices

- Each year OLGR will report on progress against the four strategic pillars set out in the *Liquor and Gambling Regulation Strategy*. The *Liquor and Gambling Regulation Strategy* confirms the organisation's commitment to:
  - Remain confident and clear about our regulatory purpose and objectives
  - Be anticipatory and forward looking
  - Be transparent and visible
  - Take measured risks and learn from experience to maximise future success
- OLGR is committed to transparency and publishes *Licensing and Compliance Summary* reports bi-annually, sharing data on a range of licensing and compliance matters.
- Key datasets and reports continue to be published online, including a searchable database of premises with approved liquor licences.
- As part of its legislative obligations, OLGR publishes reasons for decisions on certain liquor and gaming applications. If an application was advertised for public comment, and objections or adverse comments are received, OLGR publishes the decision and the reasons supporting the decision on its website.
- Existing liquor and gaming compliance checklists and web content has been updated to provide licensees with information on what compliance officers generally check during inspection activity. This also includes advice on documents that officers may ask a licensee for which can be provided at the time of inspection.

