

Online Casino Gambling Bill

Submission to The Governance and Administration Committee

Asian Family Services

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1 Introduction

Asian Family Services (AFS) has been the sole national provider of gambling harm minimisation services for Asian communities since 1998. Today, AFS is a well-established national organisation delivering integrated mental health, addiction, and social services, alongside research initiatives, across New Zealand.

AFS appreciates the opportunity to comment on the Online Casino Gambling Bill.

Why Asian voice matters?

- The Asian population in New Zealand is experiencing significant growth. According to Stats NZ, Asian communities currently comprise 17.3% of the total population. Projections indicate that by 2043, Asians will account for 26% of the country's overall population, with Auckland's Asian demographic expected to reach 44%.
- Asian is one of the vulnerable groups that are disproportionately affected by gambling harm, as per Ministry of Health's data Asian individuals face a 9.5 times higher risk of severe gambling harm compared to other groups.

Asian Family Services' Position

We do not support this Bill in its current form. We do, however, support the principle of regulating of online casino gambling in Aotearoa New Zealand, and oppose the Bill on the following basis:

- a. The substance of the Bill **does not reflect the statutory objective of harm minimisation.**
- b. The Bill should **prohibit all forms of gambling advertisement.**
- c. The Bill should provide **comprehensive protections, focusing on vulnerable groups** identified by the Ministry of Health, including Māori, Pacific, Asian, youth, and low-income individuals.
- d. The Bill should incorporate **comprehensive consumer protection measures** that address the specific needs of vulnerable communities, identified by the Ministry of Health, including Māori, Pacific, Asian, youth, and low-income individuals.
- e. The Bill should mandate **a comprehensive and culturally appropriate** consultation process.
- f. **We also request to be heard by oral submission.**

2 Harm Minimisation: Prioritise Harm Minimisation Measures for the Protection of Vulnerable Communities within the Bill

The Bill, in its current form, **fails to implement the core statutory objective of harm minimisation**, leaving critical protections at the discretion to the operator. It also does not reflect best-practice approaches used internationally. Communities that are disproportionately impacted by gambling harm will face heightened risk without robust, legally mandated safeguards that are enforceable and adequately resourced.

Without meaningfully addressing harm reduction, the Bill in its current form effectively functions to expand advertising and the reach of online gambling to new and vulnerable communities, thereby exacerbating harm from online gambling.

We **recommend** the following:

- (1) The Bill mandates that harm minimisation methods be **linguistically and culturally appropriate to protect vulnerable communities**.
 - 1) All protective and preventative measures, including support services and harm minimisation messaging, **must be accessible to all communities in Aotearoa New Zealand**, with targeted measures to ensure equitable access for at-risk individuals. Most people AFS serves are unaware of available support services because of language and cultural barriers, as well as multiple layers of stigma—including self, community, and service-related stigma—related to gambling.
 - 2) The Bill should require **adequate resourcing to community organisations that have the appropriate expertise to deliver culturally appropriate resources and evidence-based support services**. AFS offers comprehensive support ranging from preventive public health approaches to early intervention via helpline, as well as clinical services, all provided in linguistically and culturally appropriate Asian languages. Asian Family Services has initiated co-design efforts with Lived Experience Advisory Group with limited resources, feedback received indicates that this model is effective, as individuals did not use existing English platforms for accessing resources or support due to language and cultural barriers.
- (2) The Bill should **create a government-led self-exclusion register** that covers all licensed operators' sites and that operators must provide material about the register in languages of communities that are most affected by online gambling harm in Aotearoa New Zealand. This register should be independent of any operator system. We also recommend that centralised self-exclusion programmes establish a clearly defined process for facilitating clinical intervention when requested by individuals seeking self-exclusion.
- (3) The Bill imposes **mandatory requirements on operators to identify early harm indicators** (e.g., escalated spending, repeated cancelled withdrawals, prolonged play

sessions) by implementing government-approved real-time monitoring tools and setting enforceable intervention triggers (e.g., mandatory pauses, proactive outreach from support services). These behaviours AFS observes within their work provide a base of evidence that this bill needs to consider when realising how to identify early harm indicators.

- (4) Upholding the requirements of this Bill necessitates that the government agency establish a statutory objective to ensure all gambling harm services providers collaborate in **sharing complaints, concerns, and suggestions for improvement**. The agency should be held accountable for addressing this feedback promptly and must establish clear timelines to resolve complaints effectively.
- (5) The Bill ought to prohibit online gambling transactions made with credit cards, buy-now-pay-later (“BNPL”) arrangements, or any other deferred payment methods. Clause 42 currently bans any licenced operator from providing “credit”, which is ambiguous and insufficient to protect vulnerable communities. In our experience, individuals who use credit cards, BNPL and deferred payment options are more likely to be susceptible to gambling harm, psychologically believing they are not spending their own money. Therefore, specifically excluding the forms of “credit” would strengthen clause 42.
- (6) The Bill should also impose stricter penalties, mandate independent audits, public reporting and further regulator accountability.
- (7) Amend clause 38 to set the online casino **minimum age at 20**, which is consistent with in-person casino standards.
- (8) The Bill should include provisions **requiring banks to respond promptly to requests from individuals** seeking to block gambling-related transactions in order to minimise harm. Additionally, the Bill should mandate the establishment of an extra layer of security that enables individuals to request their bank to prohibit all transactions connected to online gambling, if they so choose.

3 Advertising: A complete Ban on All Types of Online Gambling Advertising

We support a **complete ban on all types of online gambling advertising**. Currently, the Bill allows licensed operators to advertise, according to clause 10.

- (1) Advertising increases harm because advertising normalises gambling as a social activity, which affects vulnerable populations as well as the general population. Contemporary research suggests that exposure to advertisements may stimulate a person to move from non-problematic gambling to problem gambling.
- (2) AFS has seen first-hand the susceptibility of advertising to certain at-risk groups within Asian communities. The advertising can lead young people who have never gambled before to start gambling and experience harm as a result. Prohibit gambling advertisements to prevent individuals, including those with no prior gambling issues, from developing problematic gambling behaviours after even brief exposure. We also

have worked with clients who are easily triggered back into gambling harm. Increased advertising only increases this risk and harm.

(3) We **recommend** that a ban on online gambling advertising should also include the following features to increase the effectiveness of harm minimisation:

- 1) Prohibit affiliate marketing, paid endorsements, and culturally targeted promotions affecting priority groups.
- 2) Classify gambling sites, apps, and social media as advertising and apply complete restrictions.
- 3) Fully ban all gambling advertising, including digital, social, sponsorships, and influencer promotions.
- 4) Prohibit all inducements, such as free bets, loyalty programs, cashback offers, and VIP schemes.

(4) If the Bill continues to permit advertising, we **recommend** further restrictions to be mandated. The Bill currently makes no mandated regulations over advertising, beyond clause 77(3) requiring the responsible Minister to “have regard to the need to protect children from being harmed by online casino gambling”. To implement harm reduction in accordance with the purpose of this Bill, we recommend mandating the following:

- 1) Explicitly prohibit advertising that is culturally-targeted, especially toward Asian, Māori and Pacific communities, young people, and other groups identified as being at greater risk of gambling-related harm. This prohibition should include advertising during family programming times and event cinema screenings where children and youth are present, to ensure robust protection for vulnerable audiences.
- 2) The Bill ought to incorporate an extensive prohibition on outdoor and social media advertising of gambling, given the broad accessibility of these platforms. Implementing such measures would enhance the protection of vulnerable groups from exposure to potentially harmful gambling promotions and contribute to mitigating the risk of gambling-related harm within the community.
- 3) Require the implementation of standardised, plain harm minimisation messaging in linguistically appropriate languages, with particular attention to vulnerable Asian communities.
- 4) Enforce timing and placement restrictions of online gambling advertising, including a 10:00pm watershed and bans during youth-oriented or family programming.

4 Implement comprehensive protections for vulnerable communities

(1) Strengthening protections for vulnerable groups is a fundamental requirement to uphold the public health objectives of the Gambling Act 2003 and to ensure that policy responses effectively reduce the burden of gambling harm in Aotearoa New Zealand. At present, the Gambling Act 2003 does not adequately address risks associated with online gambling, particularly for vulnerable communities.

- (2) There is a demonstrated need for robust and comprehensive protection tailored specifically to online environments, in our experience, these platforms present heightened risks and disproportionately affect those most at risk. Our further concern is that non-licensed overseas-based gambling platforms will continue to be available and accessible, as Internet NZ has reported the ineffectiveness of blocking such sites. In our experience, individuals who are affected by gambling harm will continue to find ways to access these sites. The Bill in its current form does not seem to meaningfully address this reality.
- (3) From our research, it is important to include Asian perspectives into legislative frameworks to address problems that affect Asian communities. Our research has focussed on health, mental health and wellbeing, and gambling. We have also authored two research reports regarding online gambling. Our findings consistently show a lack of meaningful, targeted legislative responses to the needs of mental wellbeing and gambling harm in Asian communities.
- (4) A practical step toward better protections for vulnerable communities is to amend the current gambling levy formula. At present, the formula does not address the needs of vulnerable communities. The levy should be transparent, ringfenced, proportional to risk, and fund independent research, whānau-led services, and culturally grounded prevention to protect Māori, Pacific, and Asian communities.

5 Establish robust consumer protection mechanisms

- (1) More robust consumer protection mechanisms are required in this Bill. These protections must be more accessible, especially for linguistically and culturally diverse communities.
- (2) We **recommend** that the licenced operators are mandated to do the following, and that each of these steps must have the option to be presented to consumers in multiple languages and communicated in plain, culturally-appropriate language:
 - 1) Require operators to clearly define consumer rights, including dispute resolution, account closure, and refunds.
 - 2) Display odds, return-to-player rates, and gambling risks transparently
 - 3) Enable easy account closure, integrate with self-exclusion registers, and provide harm-related refunds.
- (3) We also **recommend** that the Bill includes the following:
 - 1) Setting sector-specific data privacy standards to protect personal data from marketing misuse.
 - 2) Using an independent, binding complaint resolution and publicly report outcomes of these complaints. Such dispute resolution systems should be designed for accessibility.
 - 3) Establish robust navigation mechanisms that are mandated to safeguard consumers, ensuring clear pathways for protection and support within the gambling environment.

6 Mandate comprehensive and culturally appropriate consultation for regulations

- (1) If this Bill is passed, we recommend that all regulations developed under this Bill (clauses 75-77) must be subject to comprehensive and transparent consultation with priority and vulnerable groups, particularly those most at risk of gambling harm, including Māori, Pacific, Asian communities, and youth.
- (2) All consultation processes on regulation should also be conducted in a manner that is both linguistically and culturally appropriate to ensure meaningful participation from all affected communities.
- (3) In our experience, different Asian groups will have different responses to regulation. To make regulation effective, especially in relation to harm minimisation, standardisation can often fail to address specific and cultural ways that individuals with gambling harm. We recommend that the regulation mandate consultations with individuals with lived experience and ensure all documents are translated into multiple languages to ensure the accessibility of communities who has language barriers.
- (4) The regulator must therefore engage with communities most impacted. This can be achieved by including into the Bill a similar provision to s 13 of the Mental Health and Wellbeing Commission Act 2020 could be inserted, which creates an obligation for that Commission to ensure that it has effective means of seeking the views of specific groups.

7 Conclusion

- (1) For the reasons set out above, we **oppose** the Bill in its current form. We request to be heard through an oral submission.
- (2) We thank the Select Committee for your consideration of our submission.

8 About Asian Family Services

Asian Family Services (AFS) has served as New Zealand's sole national provider of gambling harm minimisation services for Asian communities since 1998. AFS is now a prominent national organisation offering comprehensive mental health, addiction, and social services, complemented by research initiatives.

Our gambling harm minimisation service portfolio includes public health prevention, clinical intervention, peer support, cultural support and Multi Venue Exclusion support under contract with Te Whatu Ora Health NZ, funded by the gambling levy.

We operate a national Asian Helpline available in eight languages (English, Mandarin, Cantonese, Hindi, Korean, Vietnamese, Thai, and Japanese), Monday to Friday, from 9 am to 8 pm. Annually, over 2,100 individuals affected by gambling harm access direct clinical and intervention support, receiving culturally appropriate, in-language care tailored to their specific needs. AFS' Public Health team engages with over 10,000 community members annually. These numbers go beyond just activity and output; it represents a long-term, transformative journey for AFS in supporting our communities to normalise conversations about gambling harm,

encourage help-seeking behaviour across generations and age groups, and empowering Asian New Zealanders to access support that honours their culture, language, and lived experience.

In addition, AFS has been leading Asian-focused gambling harm research since 2018. Over the past seven years, AFS has built a wealth of evidence-based insights into gambling harm and mental wellbeing within Asian communities.

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