

The Director
Federal Bureau of Consumer Affairs
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50 Blackall St
Barton ACT 2600

cc The Director
ACT Consumer Affairs Bureau
250 City Walk
Canberra ACT 2601

cc Mr Trevor Kaine MLA
Chair of the Select Committee on Gambling
ACT Legislative Assembly
London Crt
Canberra ACT 2601

Dear Sir

There is a need for the gambling industry to be honest in its advertising. Gambling is destroying many Australian families. Australia's young people are facing massive problems, for which family-breakdowns are a significant contributing factor. The advertisements used by the gambling industry often border on misrepresentations. Some of Australia's massive gambling debts are no-doubt worsened by this form of promotion. No other industry would be permitted to use this level of distortion within their advertisements. This misleading form of promotion undermines fair-trading laws.

Every day people are encouraged to gamble through print, electronic and point-of-sale media by wildly unrealistic claims which include: 'Winning is easy', 'It might as well be you', 'Win a truckload of cash', 'Play by your rules', 'Spend the rest of your life', 'Win a million, the fewer numbers you choose, the easier it is to win', 'It's easy to win', '\$600,000 giveaway . . . simply by inserting your membership card into the poker machine', '5 chances to win a million', 'Wins are multiplying like bunnies', 'Millionaire's pack - play for a million', 'You can win a \$1 million on a Spot 10 why not have a go' and so on. In reality the viability of the gambling industry is completely dependant on consumer losses and claims such as, 'Their secret to become winners was to buy lots of tickets' is close to unconscionable. Examples of advertising materials, which contain the above words, are enclosed.

Much of this type of advertising appears to be in breach of Federal and State consumer affairs legislation. For example the following sections of the ACT Fair Trading Act 1992:

Section 12	Misleading or deceptive conduct
Section 14	False or misleading representations
Section 25	Misleading representations about certain business activities

In amongst the thousands of words and images of encouragement, there is rarely anything about the 'odds of winning' - let alone the 'odds of losing'. Any *fine-print* information associated with gambling promotional material - inevitably involves promoter-protection relating to ticket-purchase or ticket-redemption issues.

When you take up this matter, gambling promoters might respond in the following manner:

1 *We are selling fantasies and dreams*

If you accept this type of claim, advertisers of (say) holidays, cars, fashion, etc etc should be entitled the same defence.

2 *Everyone knows the claims are excessive or We make big claims to catch people's attention*

If accepted, similarly you would have to give the same latitude to (say) advertisements for used cars, real estate, emu-farms, investments etc etc

3 *People don't really believe these advertisements*

Then why advertise.

4 *Business advertising does not necessarily emphasise 'negative' aspects of products*

While this claim has some merit, a much fairer balance is needed. Currently the advertisements are typically unbalanced and contain wildly unrealistic claims, which would not be tolerated for any other industry.

The time has come to do something about this situation as:

- there are people, families and particularly young people badly hurting because they are influenced by those promotions, which are simply deceptive and
- as a basic principle within a civilised society, advertising should be fair and honest.

It is appreciated there are government-ownership and government-revenue issues involved, but the fact remains, something needs to be done. If you do not act, you weaken your own position.

The Australian Christian Coalition can provide further information regarding the significant negative consequences for Australian society arising from gambling.

In terms of what should be done, the gambling industry needs to:

- balance its claims for each type of 'gaming-product', with success-probability information
- provide information on how it distributes its income and
- moderate its excessive claims.

Finally, it would be a very beneficial contribution if consumer affairs agencies provided publicly available information on the probability-of-loss in easy-to-understand and relative terms.

Yours faithfully

John E Miller
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