

Please quote: FRN216247
 Contact officer: Patrick Jensen
 Contact telephone: (07) 3872 0806



Office of Liquor and Gaming Regulation

Department of
 Justice and Attorney-General

The Directors
 Brisbane Broncos Leagues Club Limited
 98 Fulcher Road
 RED HILL QLD 4059

Dear Sir/Madam

As you may be aware, the Office of Liquor and Gaming Regulation (OLGR) has received a complaint regarding an incident where it is alleged a patron suffered a fall in the gaming machine area of the Brisbane Broncos Leagues Club (premises) on 13 August 2018 after being supplied liquor for an extended period. The complaint also included concerns relating to general gaming practices at the premises, operating under a gaming machine licence issued to Brisbane Broncos Leagues Club Limited (Club). The OLGR subsequently commenced an investigation into the matter.

On 7 March 2019, OLGR Investigators met with Mr Joe Kelly, Chief Executive Officer. Mr Kelly provided the following information regarding electronic gaming machines (EGMs) and gaming practices at the premises:

- The premises has a rewards program in which members who turnover more than \$30,000 in gaming in a month become part of a VIP program for the following month.
- Members of the VIP program receive \$500 credit for that month to spend on food and beverages at the premises which may include the purchase of alcohol.
- The premises provides a drink service to patrons in the EGM area, including to patrons who are playing EGMs.
- Patrons can request drink service at an EGM by pressing an 'attendant call button' located on the EGM. Alcohol can be ordered through this drink service.
- Members of the VIP program can use their \$500 credit to purchase alcohol to be served to them whilst playing EGMs.

The *Gaming Machine Act 1991* (Act) regulates the operation of EGMs in Queensland. A main objective of the Act is to achieve a balance between the social and economic benefits of gambling by minimising the potential for harm. This is supported by the voluntary Queensland Responsible Gambling Code of Practice (Code) and the Queensland Responsible Gambling Resource Manual – Clubs (Manual) which represents best practice in the provision of the responsible service of gambling (RSG).

Whilst I acknowledge commitment to the Code and supporting Manual is voluntary, from the information provided, concerns exist that some practices engaged by the Club are not in line with the Code and Manual.

I draw your attention to the Code and Manual, in particular the following sections of the Manual which state:

- Section 4.3 (Hospitality services) – “...Do not provide drink service in the designated gaming areas, instead requiring patrons to obtain drinks from the nearest bar...”
- Section 4.8 (Breaks in play) – “...Encourage patrons to take breaks from play using a range of strategies such as requiring them to obtain drinks from either the bar, self-service tea and coffee station or from a water dispenser...”
- Section 6.10 (Irresponsible trading practices) – “Ensure gambling advertising and promotions, including player loyalty/rewards programs, if applicable, do not contain messages designed to persuade patrons to gamble in an excessive and irresponsible manner (who in the absence of such encouragement would not have otherwise) such as: ...
 - not offering inducements that would result in a substantial alteration to the person’s normal betting stake or activity
 - not offering free or discounted alcohol for gambling patrons only...”
- Section 6.11 (Consumption of alcohol) – “Ensure gambling advertising and promotions, including player loyalty/rewards programs, if applicable, do not show consumption of alcohol as an acceptable behaviour while engaged in the activity of gambling. This includes:
 - avoiding references to the offer of free alcohol as a reward for gambling at the club...”

As such, to assist the OLGR with its enquiries, the Club is requested to provide a written response outlining how it is providing and promoting RSG practices at the premises whilst considering the Code and Manual. The Club is requested to provide the written response to the OLGR by 5.00pm on Friday 3 May 2019.

If you require any further information in relation to this matter, please contact Investigator Patrick Jensen, OLGR, Department of Justice and Attorney-General on (07) 3872 0806 or at patrick.jensen@justice.qld.gov.au.

Yours sincerely



for

BRIAN BAUER
A/Executive Director
11 / 04 / 2019

cc: Joe Kelly – Chief Executive Officer
joekelly@broncosleagues.com.au

Please quote: FRN216780 & FRN216247
Contact officer: Patrick Jensen
Contact telephone: (07) 3738 8416



Office of Liquor and Gaming Regulation

Department of
Justice and Attorney-General

The Directors
Brisbane Broncos Leagues Club Limited
98 Fulcher Road
RED HILL QLD 4059

Dear Directors

As you are aware, the Office of Liquor and Gaming Regulation (OLGR) received a complaint on 29 January 2019 regarding an incident where it is alleged a patron suffered a fall in the gaming machine area of the Brisbane Broncos Leagues Club (premises) on 13 August 2018 after being supplied liquor for an extended period. The complaint also included concerns relating to general gaming practices at the premises, operating under a gaming machine licence issued to Brisbane Broncos Leagues Club Limited (licensee).

During the investigation, further information has been provided about the alleged incident from the licensee's Chief Executive Officer, Mr Joe Kelly and the licensee's legal representative, Mullins Lawyers.

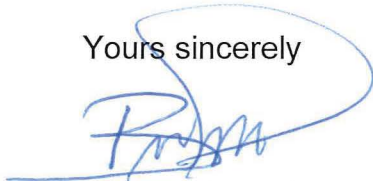
I wish to advise that OLGR has now finalised its investigation into the matter and no further action will be taken at this time.

I wish to take the opportunity to remind the licensee of their obligations under section 156 of the *Liquor Act 1992* (liquor prohibited to unduly intoxicated persons).

I also wish to take the opportunity to remind the licensee of the matters outlined in the Queensland Responsible Gambling Code of Practice (Code) and Queensland Responsible Gambling Resource Manual – Clubs (Manual). I acknowledge that the Code and Manual are voluntary in nature, however strongly request and recommend that gaming practices at the premises remain in line with the Code and Manual, specifically section 4.3 (Hospitality services), section 4.8 (Breaks in play), section 6.10 (Irresponsible trading practices) and section 6.11 (Consumption of alcohol) of the Manual.

If you require any further information in relation to this matter, please contact A/Senior Investigator Patrick Jensen, OLGR, Department of Justice and Attorney-General on (07) 3738 8416 or at Patrick.Jensen@justice.qld.gov.au

Yours sincerely



Michael Sarquis
Executive Director
8/1/20

cc: Mr Joe Kelly – Chief Executive Officer
joekelly@broncosclub.com.au

Our Ref: CMS:129585
Contact: Curt Schatz [redacted]
Email: cschatz@mullinslawyers.com.au



14 June 2019

Office of Liquor and Gaming Regulation
Patrick.Jensen@justice.qld.gov.au

By email

Dear Sir/Madam

Response to OLGR - Brisbane Broncos Leagues Club
Reference: FRN216247

We confirm that we act on behalf of Brisbane Broncos Leagues Club Limited, the Licensee of the Brisbane Broncos Leagues Club.

We refer to your correspondence of 24 May 2019 requesting that further detail be provided regarding the Club's VIP Program and practice of providing a drink service to patrons in the gaming machine area. Our client's response is outlined below for your consideration.

Recent changes to VIP Program

We note that the Club's original VIP Program, which was discussed with OLGR Investigators directly, was not established by the current CEO of the Club and was inherited from the previous manager when the role changed hands.

At the direction of the present CEO, [redacted] Sch [redacted] the Club's VIP Program has recently been revised to ensure that the rewards system reflects the Club's position on responsible service of gaming and alcohol, while maintaining its commercial competitiveness and practices in line with the nearby pubs and clubs that offer similar rewards program for patrons and members.

Please see **attached** an updated copy of the VIP Program terms and conditions for your reference.

An additional review of the rewards program will take place in line with the Club's current building program.

Details of VIP Program

The Brisbane Broncos Leagues Club's VIP Program allows members to have access to promotions, exclusive offers, rewards and special events by earning "Broncos Bucks".

Broncos Bucks can be earned by patrons through using their Membership Card when purchasing Food and Beverages at the Club or by using the Gaming Lounge. The VIP Program offers different accrual rates of *Broncos Bucks* within its tiered loyalty levels.

This is similar to a number of loyalty programs run in many other community clubs, pubs and casinos across Queensland that the licensee is aware of.

However, unlike other club's which offer unlimited accumulation of credits for food and beverages, the Club has imposed a capped total reward amount of \$500 for spend on food and beverages at the Club. This amount resets monthly to a zero dollar amount, and will not be carried over from month to month.

Our client acknowledges the stance of the voluntary Queensland Responsible Gambling Code of Practice (Code) and Queensland Responsible Gambling Resource Manual - Clubs (Manual) on loyalty programs. As above, the Club will conduct an additional review of the rewards program in line with its current building program.

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LAWYERS ADVISORS PARTNERS

MULLINSLAWYERS.COM.AU

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File01

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MORE THAN LAW

Food and Beverage credits at the Club are just one of the rewards available through the VIP Program. Our client has advised that the redemption of this reward is not often used to purchase liquor at the Club, and members generally use their credits on a meal at one of the various outlets available, if at all.

Gaming room food and beverage service

Like the majority of commercially competitive clubs, pubs and casinos in Queensland, the Club serves food and beverages to patrons in the gaming room when requested.

At the Club, this service is carried out by trained staff members who approach patrons to take orders, similar to any table service or other personalised service available at licensed venues.

These staff are trained in the responsible service of alcohol, and while attending to patrons who request to purchase food or beverages, the staff members actively monitor and assess patrons for signs of intoxication. Through this training, our client confirms that the service of food and beverage to patrons in the gaming room is in line with its procedures and policies in relation to the responsible service of liquor and responsible conduct of gaming.

There is a self-service water station available in the gaming lounge which encourages patrons to take breaks from playing the gaming machines. Our client has recently installed an additional water station to ensure that the stations are visible from the gaming machines. Staff also serve tea and coffee to patrons in the gaming room on request, or via the bar.

Staff members patrol the gaming room and monitor patrons in the gaming room at all times to ensure that players are not becoming intoxicated.

Acknowledgment of voluntary code and manual

Our client acknowledges the Code and Manual and notes that they are voluntary in nature.

Our client is compliant with the provisions of the *Liquor Act 1992*, *Gaming Machine Act 1991*, and accompanying regulations. In addition to this, our client confirms that it will continue to use the Code and Manual as a guide only, noting the fact that the Code and Manual are non-compulsory.

Given the nature of the Club and its policies and procedures, our client considers that it has the ability to monitor patrons and ensure responsible service of liquor and gaming more effectively than other premises that do not have the same resources and governance controls.

Additionally as a larger, and well established club, our client ensures that it engages adequate staff on the floor at all times to monitor patrons and ensure responsible service of liquor and gaming effectively.

In this regard, our client confirms that it has a comprehensive Responsible Service of Gambling Policy, Compliance Program Document and Risk Assessed Management Plan in place. Additionally, our client confirms that it makes sure that there is extra staff at the Club during busy periods, to ensure that the service of liquor and gaming remains responsible.

The Brisbane Broncos Leagues Club strives to minimise the potential for harm at all times and ensures that patrons are provided with a safe environment. The Club's VIP Program and food and beverage service are heavily monitored and regulated to ensure that the principles of responsible service and gambling are upheld.

As an overall comment in relation to the loyalty program and other practices raised by the OLGR, we highlight the prevalence of these practices within the industry, and the need for our client to continue with its usual operations so that it can remain commercially competitive with other clubs, pubs and casinos.

If you require any further information in relation to the above, please contact us.

Yours faithfully



Curt Schatz
Managing Partner

I believe, on reasonable grounds, the named documents to be relevant to the administration or enforcement of the *Liquor Act 1992*, specifically in relation to liquor being prohibited to certain persons.

The named documents are required to be produced to me, Patrick Jensen, Investigator, OLGR, the issuer of this notice, at the Office of Liquor and Gaming Regulation Office, 63 George Street, Brisbane by 5:00pm on Wednesday 11 September 2019.



PATRICK JENSEN
A/Senior Investigator (No. 429)
28 / 08 / 2019

N.B. Pursuant to section 183AA(3) of the *Liquor Act 1992*, a person must not, without reasonable excuse, fail to comply with a requirement made under section 183AA(1) to produce the named documents. A failure to comply with a requirement is an offence under the *Liquor Act 1992*, with a maximum penalty of 50 penalty units.

However, pursuant to section 183AA(4) of the *Liquor Act 1992*, it is a reasonable excuse for a person to fail to produce a document, other than a document required to be kept by the person under the *Liquor Act 1992*, if producing the document might tend to incriminate the person.

Pursuant to section 183AA(5) of the *Liquor Act 1992*, an investigator may examine the documents produced pursuant to this Notice and:

- (a) make copies of, or take extracts from, the document; or
- (b) if the investigator considers, on reasonable grounds, it is necessary to remove the document to examine or copy it, remove the document from the person's possession or control.

Pursuant to section 231A(1) of the *Liquor Act 1992*, a person must not give a document for the *Liquor Act 1992* containing information the person knows is false, misleading or incomplete in a material particular. A maximum penalty of 100 penalty units or six months imprisonment may be imposed by a Court for this offence.

However, section 231A(1) of the *Liquor Act 1992* does not apply to a person who, when giving the document, informs the person to whom the document is given, to the best of his or her ability, how it is false, misleading or incomplete, and if the person giving the document has, or can reasonably obtain, the correct information, he or she gives the correct information.

Please quote: FRN216247
Contact officer: Patrick Jensen
Contact telephone: (07) 3872 0806

The Directors
Brisbane Broncos Leagues Club Limited
98 Fulcher Road
RED HILL QLD 4059

Dear Sir/Madam

As you may be aware, the Office of Liquor and Gaming Regulation (OLGR) has received a complaint regarding an incident where it is alleged a patron suffered a fall in the gaming machine area of the Brisbane Broncos Leagues Club (premises) on 13 August 2018 after being supplied liquor for an extended period. The complaint also included concerns relating to general gaming practices at the premises, operating under a gaming machine licence issued to Brisbane Broncos Leagues Club Limited (Club). The OLGR subsequently commenced an investigation into the matter.

On 7 March 2019, OLGR Investigators met with Mr Joe Kelly, Chief Executive Officer. Mr Kelly provided the following information regarding electronic gaming machines (EGMs) and gaming practices at the premises:

- The premises has a rewards program in which members who turnover more than \$30,000 in gaming in a month become part of a VIP program for the following month.
- Members of the VIP program receive \$500 credit for that month to spend on food and beverages at the premises which may include the purchase of alcohol.
- The premises provides a drink service to patrons in the EGM area, including to patrons who are playing EGMs.
- Patrons can request drink service at an EGM by pressing an 'attendant call button' located on the EGM. Alcohol can be ordered through this drink service.
- Members of the VIP program can use their \$500 credit to purchase alcohol to be served to them whilst playing EGMs.

The *Gaming Machine Act 1991* (Act) regulates the operation of EGMs in Queensland. A main objective of the Act is to achieve a balance between the social and economic benefits of gambling by minimising the potential for harm. This is supported by the voluntary Queensland Responsible Gambling Code of Practice (Code) and the Queensland Responsible Gambling Resource Manual – Clubs (Manual) which represents best practice in the provision of the responsible service of gambling (RSG).

Whilst I acknowledge commitment to the Code and supporting Manual is voluntary, from the information provided, concerns exist that some practices engaged by the Club are not in line with the Code and Manual.

I draw your attention to the Code and Manual, in particular the following sections of the Manual which state:

- Section 4.3 (Hospitality services) – “...Do not provide drink service in the designated gaming areas, instead requiring patrons to obtain drinks from the nearest bar...”
- Section 4.8 (Breaks in play) – “...Encourage patrons to take breaks from play using a range of strategies such as requiring them to obtain drinks from either the bar, self-service tea and coffee station or from a water dispenser...”
- Section 6.10 (Irresponsible trading practices) – “Ensure gambling advertising and promotions, including player loyalty/rewards programs, if applicable, do not contain messages designed to persuade patrons to gamble in an excessive and irresponsible manner (who in the absence of such encouragement would not have otherwise) such as: ...
 - not offering inducements that would result in a substantial alteration to the person’s normal betting stake or activity
 - not offering free or discounted alcohol for gambling patrons only...”
- Section 6.11 (Consumption of alcohol) – “Ensure gambling advertising and promotions, including player loyalty/rewards programs, if applicable, do not show consumption of alcohol as an acceptable behaviour while engaged in the activity of gambling. This includes:
 - avoiding references to the offer of free alcohol as a reward for gambling at the club...”

As such, to assist the OLGR with its enquiries, the Club is requested to provide a written response outlining how it is providing and promoting RSG practices at the premises whilst considering the Code and Manual. The Club is requested to provide the written response to the OLGR by 5.00pm on Friday 3 May 2019.

If you require any further information in relation to this matter, please contact Investigator Patrick Jensen, OLGR, Department of Justice and Attorney-General on (07) 3872 0806 or at patrick.jensen@justice.qld.gov.au.

Yours sincerely



for

BRIAN BAUER
A/Executive Director
11 / 04 / 2019

cc: Joe Kelly – Chief Executive Officer
joekelly@broncosleagues.com.au

Please quote: FRN216247
Contact officer: Patrick Jensen
Contact telephone: (07) 3872 0806

Mr Curt Schatz
Managing Partner
Mullins Lawyers
cschatz@mullinslawyers.com.au

Dear Mr Schatz

I acknowledge that you act on behalf of the Brisbane Broncos Leagues Club Limited (Club), the gaming machine licence holder at the Brisbane Broncos Leagues Club (premises).

Thank you for your response dated 3 May 2019 to the Office of Liquor and Gaming Regulation's (OLGR) letter dated 11 April 2019 regarding an investigation into general gaming practices at the premises.

The response has been reviewed and I note your advice regarding how the Club provides and promotes responsible gaming practices at the premises whilst also considering the voluntary Queensland Responsible Gambling Code of Practice (Code) and the Queensland Responsible Gambling Resource Manual – Clubs (Manual).

Notwithstanding the above, a review of the information provided in the response has identified that further detail is requested to be provided by the Club regarding the Club's VIP Program and the practice of providing a drink service to patrons in the gaming machine area.

As stated in OLGR's letter dated 11 April 2019, Mr Joe Kelly, Chief Executive Officer, advised OLGR Investigators that the Club has a VIP Program, in which members of the VIP Program receive \$500 credit for that month to spend on food and beverages at the premises which may include the purchase of alcohol. Mr Kelly further advised that the Club provides a drink service to patrons in the gaming area, in which patrons can press an 'attendant call button' on the electronic gaming machine (EGM) and order alcohol which is then served to the patron at the EGM.

Whilst I acknowledge commitment to the Code and supporting Manual is voluntary, concerns exist that these practices engaged by the Club are not in line with the Code and Manual.

I again draw your attention to the Code and Manual, in particular the following sections of the Manual which state:

- Section 4.3 (Hospitality services) – "...Do not provide drink service in the designated gaming areas, instead requiring patrons to obtain drinks from the nearest bar..."
- Section 4.8 (Breaks in play) – "...Encourage patrons to take breaks from play using a range of strategies such as requiring them to obtain drinks from either the bar, self-service tea and coffee station or from a water dispenser..."

- Section 6.10 (Irresponsible trading practices) – “Ensure gambling advertising and promotions, including player loyalty/rewards programs, if applicable, do not contain messages designed to persuade patrons to gamble in an excessive and irresponsible manner (who in the absence of such encouragement would not have otherwise) such as:
 - ...
 - not offering inducements that would result in a substantial alteration to the person's normal betting stake or activity
 - not offering free or discounted alcohol for gambling patrons only...”
- Section 6.11 (Consumption of alcohol) – “Ensure gambling advertising and promotions, including player loyalty/rewards programs, if applicable, do not show consumption of alcohol as an acceptable behaviour while engaged in the activity of gambling. This includes:
 - avoiding references to the offer of free alcohol as a reward for gambling at the club...”

As such, to further assist the OLGR with its enquires, the Club is requested to provide a written response in relation to the following points:

1. Full and specific details of the VIP Program at the premises, and any documentation, policies or procedures that relate to the VIP program;
2. Full and specific details of the ‘drink service’ provided in the gaming machine area in which patrons can order and receive alcoholic beverages whilst playing EGMs, and any documentation, policies or procedures that relate to this practice, including how the Club monitors the supply and consumption of alcohol, and breaks in play for patrons who engage in this practice;
3. Provide advice on the Club's position regarding the apparent non-compliance with the abovementioned sections of the Manual; and
4. Other than changes mentioned in your letter dated 3 May 2019, has the Club made any other changes, or does the Club intend to make any further changes in relation to the VIP Program and/or ‘drink service’.

The Club is requested to provide the written response to the OLGR by 5.00pm on Friday 14 June 2019.

If you require any further information in relation to this matter, please contact Investigator Patrick Jensen, OLGR, Department of Justice and Attorney-General on (07) 3872 0806 or at patrick.jensen@justice.qld.gov.au.

Yours sincerely

BEVAN McCARRICK
 Director - Investigations
 / /

☐ Approved ☐ Not Approved

Comments:

Bevan McCARRICK
Director – Investigations

/ /

From: [Frances Kelly](#)
To: [Patrick Jensen](#)
Cc: [Curt Schatz; Liquor and Gaming Licensing](#)
Subject: Brisbane Broncos Leagues Club (Reference: FRN216247) [MLAW-Matters.FID535826]
Date: Friday, 3 May 2019 4:20:37 PM
Attachments: [imageb6343c.GIF](#)
[imagebaeb70.GIF](#)
[Letter to OI GR - Brisbane Broncos Leagues Club 3.5.19.pdf](#)

Dear Patrick

We confirm that we act on behalf of Brisbane Broncos Leagues Club Limited, the Licensee of the Brisbane Broncos Leagues Club. We refer to your correspondence of 11 April 2019 and **attach** our client's response for your consideration.

If you have any questions, please contact us.

Regards

FRANCES KELLY
SOLICITOR



D 07 3224 0387 **E** fkelly@mullinslawyers.com.au
P 07 3224 0222 **L** [Linkedin.com/franceskelly](https://www.linkedin.com/franceskelly)
F 07 3224 0333 **A** Level 21, Riverside Centre, 123 Eagle Street, Brisbane Q 4000
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From: [Wayne Mortensen](#)
To: [Patrick Jensen](#)
Cc: [Ray Mantell](#)
Subject: Broncos gaming room observations
Date: Sunday, 18 August 2019 2:58:21 AM
Attachments: [image001.png](#)
[image003.png](#)
[image004.png](#)

Hi Patrick

Please find below our observations from the Broncos tonight:

- Make observations of the 'drink service' being provided in the gaming machine area.
 - Are patrons ordering liquor from staff whilst sitting at EGMs? **Yes**
 - Are drinks being served to patrons who are sitting at EGMs? **Yes**
 - How are patrons paying for liquor if ordering whilst sitting at EGMs? **Drinks are paid via a cashless card inserted into the EGM. The patron hits the attendant call button, and a staff member comes over, takes the order, and once the drink is prepared, delivers it to the patron. The patron does not leave their seat, nor interrupt gaming (other than to place their order, which only takes a few seconds). All drink orders observed appeared to have been done this way, with no portable EFTPOS machines observed.**
 - Is this practice prevalent? (How many patrons are engaging in this practice and how often is it occurring?) **It was evident, but not rife. Upon arrival at 21:30 there were approx. 100 gaming patrons; this dropped to approx. 70 patrons by 22:30, and perhaps 10-15% of patrons were engaging in this practice. COs observed maybe two or three beers delivered via this method (no spirits noted) but most deliveries were coffees in disposable cups. There were a couple of deliveries of water. At least one of the deliveries (coffee) was a repeat delivery to the same patron. COs noted a delivery perhaps every ten minutes.**
- Is food being served to patrons at EGMs? **Upon arrival, a staff member in the gaming room was observed carrying a tray of snacks, but COs were unable to observe where he took it. No other food was observed in the gaming room.**
- How many staff are located in the gaming machine area and what are their duties? **4 staff, with one stationed behind the bar at all times and the other 3 generally performing walkthroughs, collecting empty drink cups/glasses/pots, straightening chairs, making (one) payout, and delivering drinks.**
- Are EGM players taking breaks in play? **There was some patron movement between machines and to the bar, but otherwise, not a lot of breaks in gaming. Two individual patrons remained at their respective EGMs for almost an hour.**
- What has been implemented to encourage breaks in play? **Clocks on the wall, and a lounge area with a large TV showing the football. Otherwise, not much else.**
- How are intoxication levels being monitored in the gaming machine area, and across the premises?
 - Are staff regularly patrolling the gaming machine area? **Yes, there was a fairly continual movement of staff through the room.**
 - Are staff engaging with patrons when supplying liquor to monitor intoxication levels, and if so, how? **There was engagement, but only minimal in the observed cases. Intox in general was very low and consumption minimal, so it would be fair to say that the engagement may have been adequate for the circumstances.**

Happy to discuss further on Monday.

Kind regards

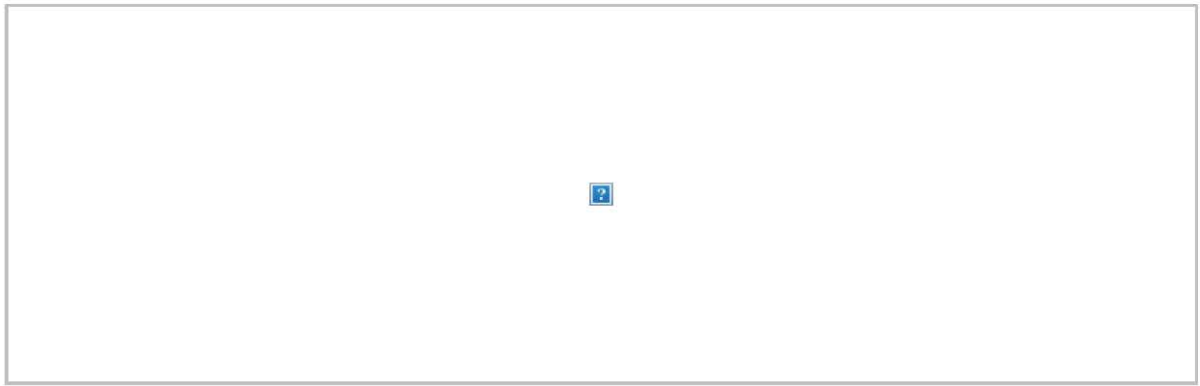
Wayne Mortensen
Senior Compliance Officer
Office of Liquor and Gaming Regulation
Department of Justice and Attorney-General

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Customer Call Centre 13 QGOV (13 74 68) www.olgr.qld.gov.au

The Office of Liquor and Gaming Regulation is committed to providing you with quality service. If you would like to provide feedback on the service you have received, please email feedback@justice.qld.gov.au



From: [Patrick Jensen](#)
To: [Bevan McCarrick](#)
Cc: [Shelley Tofilau](#)
Subject: Broncos Leagues Club - Gaming practices
Date: Friday, 14 June 2019 1:45:00 PM
Attachments: [20190614130732714.pdf](#)
[image001.png](#)

Hi Bevan

As you are aware, I have been corresponding with the Broncos Leagues Club (club) regarding gaming practices at the club which aren't in line with the QLD Responsible Gambling Code of Practice or accompanying QLD Resource Manual – Clubs.

There are two practices at the club which are of concern:

- A VIP Program in which patrons who spend over \$30,000 per month in gaming receive \$500 credit the following month to spend on food and beverage, which includes liquor; and
- A drink service in the gaming machine area in which patrons can order and receive liquor at the gaming machine without having to leave the gaming machine.

I have attached correspondence received today from Mullins Lawyers who is representing the club in the matter. I have highlighted points which I feel are important, but would also like to draw your attention to the second page which states:

"Our client acknowledges the Code and Manual and notes that they are voluntary in nature. Our client is compliant with the provisions of the Liquor Act 1992, Gaming Machine Act 1991, and accompanying regulations. In addition to this, our client confirms that it will continue to use the Code and Manual as a guide only, noting the fact that the Code and Manual are non-compulsory."

As we discussed, I will await your advice prior to progressing this matter.

Kind regards
Pat



Patrick Jensen
A/Senior Investigator
Investigations Branch – Compliance Division
Office of Liquor and Gaming Regulation
Department of Justice and Attorney-General
Level 2, 63 George Street, Brisbane Qld 4000
Locked Bag 180, City East Qld 4002
t: 07 3872 0806 e: patrick.jensen@justice.qld.gov.au

From: [Annabelle Efsthatis](#)
To: [Patrick Jensen](#)
Cc: [Matthew Bradford](#); [Curt Schatz](#); [Frances Kelly](#)
Subject: Broncos Leagues Club Limited (Reference: FR216247) [MLAW-Matters.FID553786]
Date: Friday, 14 June 2019 12:54:28 PM
Attachments: [image090d4e.GIF](#)
[image3d8dbc.GIF](#)
[Letter to OI GR. BBI C.14.06.19.pdf](#)
[Terms and Conditions Broncos Rewards - Brisbane Broncos Leagues Club.pdf](#)

Dear Patrick

I am assisting Curt Schatz and Frances Kelly with the above matter Sch 4/3/3

We refer to your letter dated 24 May 2019 in relation to the Brisbane Broncos Leagues Club and **attach** our client's response for your consideration.

If you have any questions, please do not hesitate to contact us.

Regards

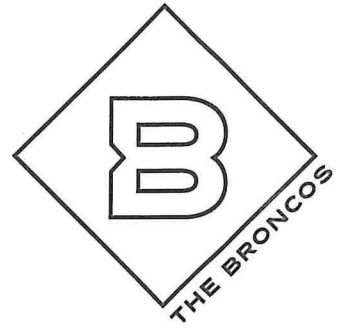
ANNABELLE EFSTATHIS
SOLICITOR



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September 4 2019

Mr. Brian Bauer
A/Executive Director
OLGR
c/- Patrick.Jensen@justice.qld.gov.au

REF: FRV216780

Dear Sir,

In response to your Notice dated August 28 2019, I provide the following information:

1. I have attached the records requested;
2. We have reviewed the footage and we are unable to identify the patrons in the footage;

3. Sch 4/3/3

4.

Yours faithfully

JOE KELLY
CEO

From: [Patrick Jensen](#)
To: ["joekelly@brontosleagues.com.au"](mailto:joekelly@brontosleagues.com.au)
Subject: FRN216247 - Fall incident and gaming practices - Brisbane Broncos Leagues Club
Date: Thursday, 11 April 2019 3:36:00 PM
Attachments: [20190411 - Correspondence to Brisbane Broncos Leagues Club.pdf](#)
[image001.png](#)

Good afternoon Mr Kelly

Please find attached correspondence in relation to gaming practices and an alleged fall incident at the Broncos Leagues Club on 13 August 2018.

This correspondence has also been sent via post on today's date.

Kind regards



Patrick Jensen

Investigator – Investigations Branch
Office of Liquor and Gaming Regulation
Department of Justice and Attorney-General
Level 3, 63 George Street, Brisbane Qld 4000
Locked Bag 180, City East Qld 4002
t: +61 7 3872 0806 f: +61 7 3224 7314
e: patrick.jensen@justice.qld.gov.au

From: [Patrick Jensen](#)
To: cschatz@mullinslawyers.com.au
Subject: FRN216247 - Gaming practices - Brisbane Broncos Leagues Club
Date: Friday, 24 May 2019 11:37:00 AM
Attachments: [image001.png](#)
[Letter to Mullins Lawyers - Brisbane Broncos Leagues Club - 24 May 2019.pdf](#)

Dear Mr Curt Schatz

Please see attached correspondence regarding your letter dated 3 May 2019.

Kind regards



Patrick Jensen
A/ Senior Investigator
Investigations Branch – Compliance Division
Office of Liquor and Gaming Regulation
Department of Justice and Attorney-General
Level 2, 63 George Street, Brisbane Qld 4000
Locked Bag 180, City East Qld 4002
t: 07 3872 0806 e: patrick.jensen@justice.qld.gov.au

From: [Patrick Jensen](#)
To: [Shelley Tofilau](#)
Subject: FRN216247 - Gaming practices at Broncos Leagues Club
Date: Tuesday, 18 June 2019 10:53:00 AM
Attachments: [image001.png](#)

Good morning Shelley

During our meeting with Bevan yesterday regarding the Broncos Leagues Club (club), he requested that I send you a summary of my investigation findings.

My investigation regarding allegations of unacceptable gaming practices at the club identified the following:

- The club has a rewards program in which members who turnover more than \$30,000 in gaming in a month become part of a VIP Program for the following month.
- Members of the VIP program receive \$500 credit for that month to spend on food and beverages at the premises, which may include the purchase of liquor.
- The club provides a 'drink service' to patrons in the electronic gaming machine (EGM) area to patrons playing EGMs.
- Patrons can request the drink service at their EGM by pressing an 'attendant call button' located on the EGM.
- Liquor can be ordered by patrons and supplied to patrons through this drink service without having to leave the EGM.
- Members of the VIP program can use their \$500 credit to purchase liquor through the drink service.

As you are aware, these practices are not in line with the QLD Responsible Gambling Code of Practice (Code) and QLD Gambling Manual – Clubs (Manual), however the club has indicated they will continue these practices regardless.

As no legislative breaches have been identified, and as the Code and Manual are voluntary and non-compulsory, I will look to finalise this investigation pending the outcome of a covert inspection at the club.

Kind regards

Pat



Patrick Jensen
A/Senior Investigator
Investigations Branch – Compliance Division
Office of Liquor and Gaming Regulation
Department of Justice and Attorney-General
Level 2, 63 George Street, Brisbane Qld 4000
Locked Bag 180, City East Qld 4002
t: 07 3872 0806 e: patrick.jensen@justice.qld.gov.au

From: [Patrick Jensen](#)
To: [Bevan McCarrick](#)
Cc: [Shelley Tofilau](#)
Subject: FRN216780 - Broncos League Club (liquor investigation)
Date: Thursday, 22 August 2019 5:22:00 PM
Attachments: [image001.png](#)

Hi Bevan

I met with Shelley and Danielle this afternoon and reviewed the Broncos Leagues Club liquor investigation which included watching the CCTV footage.

Shelley and Danielle both supported the recommendation and conclusion that there was insufficient evidence to substantiate that the complainant had been supplied, or was allowed to consume liquor whilst unduly intoxicated, and such evidence was unlikely to be obtained.

Notwithstanding, to ensure completeness of the investigation it has been determined that I will make further enquiries regarding the matter prior to making a final recommendation on the outcome. Those enquiries include:

- Obtain records from the licensee showing the number of drinks supplied to the complainant during his attendance;
- Obtain details of witnesses observed in the CCTV footage who were present during the complainant's fall and obtain a version of events from those witnesses;
- Speak with the Approved Manager [Sch 4/3/3](#) and obtain her version of events;
- Speak with Crowd Controller [\[redacted\]](#) (Security provider licence [\[redacted\]](#)) and obtain his version of events; and
- Obtain entry/exit camera footage as required to be kept for 1 year under the Act for the incident.

I will provide a further update once these enquiries have been completed.

Kind Regards

Pat



Patrick Jensen
Acting Senior Investigator
Investigations Branch – Compliance Division
Office of Liquor and Gaming Regulation
Department of Justice and Attorney-General
Level 2, 63 George Street, Brisbane Qld 4000
Locked Bag 180, City East Qld 4002
t: 07 3738 8416 e: patrick.jensen@justice.qld.gov.au

From: [Patrick Jensen](#)
To: [Bevan McCarrick](#); [Shelley Toftau](#)
Subject: FW: Broncos gaming room observations
Date: Monday, 19 August 2019 2:24:00 PM
Attachments: [image001.png](#)
[image003.png](#)
[image002.png](#)
[image004.png](#)

Hi Bevan and Shelley

Please see the below email regarding the covert inspection at Broncos Leagues Club conducted over the weekend.

I have booked a meeting for us on Wednesday afternoon to discuss this further regarding the next steps for my matter.

Kind Regards
Pat



Patrick Jensen
Acting Senior Investigator
Investigations Branch – Compliance Division
Office of Liquor and Gaming Regulation
Department of Justice and Attorney-General
Level 2, 63 George Street, Brisbane Qld 4000
Locked Bag 180, City East Qld 4002
t: 07 3738 8416 e: patrick.jensen@justice.qld.gov.au

From: Wayne Mortensen
Sent: Sunday, 18 August 2019 2:58 AM
To: Patrick Jensen <Patrick.Jensen@justice.qld.gov.au>
Cc: Ray Mantell <Ray.Mantell@justice.qld.gov.au>
Subject: Broncos gaming room observations

Hi Patrick

Please find below our observations from the Broncos tonight:

- Make observations of the 'drink service' being provided in the gaming machine area.
 - Are patrons ordering liquor from staff whilst sitting at EGMs? **Yes**
 - Are drinks being served to patrons who are sitting at EGMs? **Yes**
 - How are patrons paying for liquor if ordering whilst sitting at EGMs? **Drinks are paid via a cashless card inserted into the EGM. The patron hits the attendant call button, and a staff member comes over, takes the order, and once the drink is prepared, delivers it to the patron. The patron does not leave their seat, nor interrupt gaming (other than to place their order, which only takes a few seconds). All drink orders observed appeared to have been done this way, with no portable EFTPOS machines observed.**
 - Is this practice prevalent? (How many patrons are engaging in this practice and how often is it occurring?) **It was evident, but not rife. Upon arrival at 21:30 there were approx. 100 gaming patrons; this dropped to approx. 70 patrons by 22:30, and perhaps 10-15% of patrons were engaging in this practice. COs observed maybe two or three beers delivered via this method (no spirits noted) but most deliveries were coffees in disposable cups. There were a couple of deliveries of water. At least one of the deliveries (coffee) was a repeat delivery to the same patron. COs noted a delivery perhaps every ten minutes.**
- Is food being served to patrons at EGMs? **Upon arrival, a staff member in the gaming room was observed carrying a tray of snacks, but COs were unable to observe where he took it. No other food was observed in the gaming room.**
- How many staff are located in the gaming machine area and what are their duties? **4 staff, with one stationed behind the bar at all times and the other 3 generally performing walkthroughs, collecting empty drink cups/glasses/pots, straightening chairs, making (one) payout, and delivering drinks.**
- Are EGM players taking breaks in play? **There was some patron movement between machines and to the bar, but otherwise, not a lot of breaks in gaming. Two individual patrons remained at their respective EGMs for almost an hour.**
- What has been implemented to encourage breaks in play? **Clocks on the wall, and a lounge area with a large TV showing the football. Otherwise, not much else.**
- How are intoxication levels being monitored in the gaming machine area, and across the premises?
 - Are staff regularly patrolling the gaming machine area? **Yes, there was a fairly continual movement of staff through the room.**
 - Are staff engaging with patrons when supplying liquor to monitor intoxication levels, and if so, how? **There was engagement, but only minimal in the observed cases. Intox in general was very low and consumption minimal, so it would be fair to say that the engagement may have been adequate for the circumstances.**

Happy to discuss further on Monday.

Kind regards

Wayne Mortensen
Senior Compliance Officer
Office of Liquor and Gaming Regulation
Department of Justice and Attorney-General

t: +61 7 3738 8423 f: +61 7 3738 8455
wayne.mortensen@justice.qld.gov.au

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Customer Call Centre 13 QGOV (13 74 68) www.olgr.qld.gov.au

The Office of Liquor and Gaming Regulation is committed to providing you with quality service. If you would like to provide feedback on the service you have received, please email feedback@justice.qld.gov.au



Pat



Patrick Jensen

Investigator

Investigations Branch – Compliance Division

Office of Liquor and Gaming Regulation

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e: patrick.jensen@justice.qld.gov.au

Customer Call Centre 13 QGOV (13 74 68) www.business.qld.gov.au/liquor-gaming.

The Office of Liquor and Gaming Regulation is committed to providing you with quality service. If you would like to provide feedback on the service you have received, please email

feedback@justice.qld.gov.au.

Please quote: FRN216247
 Contact officer: Patrick Jensen
 Contact telephone: (07) 3872 0806



Office of Liquor and Gaming Regulation

Department of
 Justice and Attorney-General

Mr Curt Schatz
 Managing Partner
 Mullins Lawyers
cschatz@mullinslawyers.com.au

Dear Mr Schatz

I acknowledge that you act on behalf of the Brisbane Broncos Leagues Club Limited (Club), the gaming machine licence holder at the Brisbane Broncos Leagues Club (premises).

Thank you for your response dated 3 May 2019 to the Office of Liquor and Gaming Regulation's (OLGR) letter dated 11 April 2019 regarding an investigation into general gaming practices at the premises.

The response has been reviewed and I note your advice regarding how the Club provides and promotes responsible gaming practices at the premises whilst also considering the voluntary Queensland Responsible Gambling Code of Practice (Code) and the Queensland Responsible Gambling Resource Manual – Clubs (Manual).

Notwithstanding the above, a review of the information provided in the response has identified that further detail is requested to be provided by the Club regarding the Club's VIP Program and the practice of providing a drink service to patrons in the gaming machine area.

As stated in OLGR's letter dated 11 April 2019, Mr Joe Kelly, Chief Executive Officer, advised OLGR Investigators that the Club has a VIP Program, in which members of the VIP Program receive \$500 credit for that month to spend on food and beverages at the premises which may include the purchase of alcohol. Mr Kelly further advised that the Club provides a drink service to patrons in the gaming area, in which patrons can press an 'attendant call button' on the electronic gaming machine (EGM) and order alcohol which is then served to the patron at the EGM.

Whilst I acknowledge commitment to the Code and supporting Manual is voluntary, concerns exist that these practices engaged by the Club are not in line with the Code and Manual.

I again draw your attention to the Code and Manual, in particular the following sections of the Manual which state:

- Section 4.3 (Hospitality services) – "...Do not provide drink service in the designated gaming areas, instead requiring patrons to obtain drinks from the nearest bar..."
- Section 4.8 (Breaks in play) – "...Encourage patrons to take breaks from play using a range of strategies such as requiring them to obtain drinks from either the bar, self-service tea and coffee station or from a water dispenser..."

- Section 6.10 (Irresponsible trading practices) – “Ensure gambling advertising and promotions, including player loyalty/rewards programs, if applicable, do not contain messages designed to persuade patrons to gamble in an excessive and irresponsible manner (who in the absence of such encouragement would not have otherwise) such as:
...
 - not offering inducements that would result in a substantial alteration to the person’s normal betting stake or activity
 - not offering free or discounted alcohol for gambling patrons only...”
- Section 6.11 (Consumption of alcohol) – “Ensure gambling advertising and promotions, including player loyalty/rewards programs, if applicable, do not show consumption of alcohol as an acceptable behaviour while engaged in the activity of gambling. This includes:
 - avoiding references to the offer of free alcohol as a reward for gambling at the club...”

As such, to further assist the OLGR with its enquires, the Club is requested to provide a written response in relation to the following points:

1. Full and specific details of the VIP Program at the premises, and any documentation, policies or procedures that relate to the VIP program;
2. Full and specific details of the ‘drink service’ provided in the gaming machine area in which patrons can order and receive alcoholic beverages whilst playing EGMs, and any documentation, policies or procedures that relate to this practice, including how the Club monitors the supply and consumption of alcohol, and breaks in play for patrons who engage in this practice;
3. Provide advice on the Club’s position regarding the apparent non-compliance with the abovementioned sections of the Manual; and
4. Other than changes mentioned in your letter dated 3 May 2019, has the Club made any other changes, or does the Club intend to make any further changes in relation to the VIP Program and/or ‘drink service’.

The Club is requested to provide the written response to the OLGR by 5.00pm on Friday 14 June 2019.

If you require any further information in relation to this matter, please contact Investigator Patrick Jensen, OLGR, Department of Justice and Attorney-General on (07) 3872 0806 or at patrick.jensen@justice.qld.gov.au.

Yours sincerely


BEVAN McCARRICK
Director - Investigations

24/5/19

3 May 2019

Office of Liquor and Gaming Regulation
Patrick.Jensen@justice.qld.gov.au

By email

R

Dear Sir/Madam

Response to OLGR - Brisbane Broncos Leagues Club
Reference: FRN216247

We confirm that we act on behalf of Brisbane Broncos Leagues Club Limited, the Licensee of the Brisbane Broncos Leagues Club. We refer to your correspondence of 11 April 2019 detailing a complaint which included concerns about the general gaming practices at the Brisbane Broncos Leagues Club.

The Brisbane Broncos Leagues Club has a history steeped in tradition and community involvement. The Club plays a large role in the community, not only through its sponsorship of the Brisbane Broncos but also through its support of a large number of schools, charities, community groups and sporting organisations. The Club's Chief Executive Officer, Joe Kelly, has been involved in the management of many licensed clubs over the years, including as the General Manager of the Arana Leagues Club and Cowboys Leagues Club.

We note that you have requested that our client provide you with a response outlining how the Club provides and promotes responsible gaming practices while also considering the voluntary Code and Manual. We now outline our client's response below:

Consumption of Alcohol and Hospitality Services

The Club ensures that the provision of hospitality services in areas where gambling is provided is managed in such a way as to encourage customers to get up from the machines to take a break. The Club takes the responsible service of alcohol very seriously and does not allow unduly intoxicated people to start or continue playing gaming machines or continue to be served alcohol.

To ensure that no patrons within the gaming area are becoming intoxicated, the Club has advised that it will place a dedicated staff member within the gaming area to monitoring the patrons and machines at all times. In addition to this, the Club has proposed to install an additional water station in the gaming area away from the machines to encourage patrons to leave the machine to take a break and slow the consumption of alcohol.

Breaks in Play

Currently, there are a number of measures that have been adopted by the Club to ensure that patrons are discouraged from participating in extended, intensive and repetitive play. To encourage breaks in play every machine is fitted with Max's Ezybreak and MyCash features.

Additionally, the majority of the gaming machines have Ticket In Ticket Out (TITO) technology so that patrons can quickly remove their credits from the machines to have a break in play rather than waiting for a staff member to cash their credits. The Club also has two CRT's to enable patrons to collect their money conveniently whenever they choose to stop playing.

These measures allow for patrons to quickly cease playing rather than waiting in the gaming room, which in turn encourages breaks in play.

Passage of Time

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R

The Club has implemented practices to ensure that patrons are made aware of the passage of time. This includes the installation of newer machines which have the time displayed on the screen. Additionally, the Club has installed clocks in clear view of patrons in the gaming room so that they are aware of the time of day or night.

The gaming room has also been designed to provide more natural light than a typical gaming room which also increases awareness of the passage of time.

Provision of Information

Information about the potential risks associated with gambling and where to get help for problem gambling is prominently displayed in the gaming area and throughout the venue generally, including near cash out facilities which service the area and in the toilets adjacent to the gaming room.

The gaming room has all required signage including the Rules Ancillary to Gaming, Odds of Winning, a Responsible Gaming Statement, the Gambling Checklist.

Advertising and Promotions

The Club ensures that any of its marketing material that has any reference to gaming also has a responsible gambling message to correspond. This also includes click throughs on emails and the website. The Club also ensures that its marketing material never has any more than one third of specifically gaming related content.

All major promotions at the Club include food and beverage entries as well as gaming to ensure that patrons who do not play gaming machines can benefit from the promotions. The Club confirms that there are gambling free promotions running constantly, including its membership draws which occur every week.

Responsible Service of Gaming

Mechanisms have been established within the Club to ensure that appropriate and ongoing responsible gaming training is provided to staff who provide gambling products to patrons. All gaming, reception, Keno and TAB staff are appropriately trained in the responsible service of gaming and any new staff member must also undertake a police check.

The Club arranges for annual refresher courses to be given to staff at internal staff meetings when required. Additionally, all staff are continuously reminded of their RSA, RSG and AML/CTF responsibilities at every staff meeting held, which is generally bi-monthly.

Each of the Duty Managers and Gaming Supervisors are trained as Customer Liaison Officers to perform the following duties:

1. be available during approved opening gaming hours;
2. provide appropriate information to assist patrons with gambling-related problems;
3. support staff in providing assistance to those patrons;
4. provide assistance with exclusion from gambling providers;
5. provide assistance to staff with gambling-related problems; and
6. develop linkages with local community groups.

The Club is also active within the Responsible Gambling Network and hosted an event on 28 October 2018.

Cashing of Cheques and Payment of Winnings

The Club has established a cash limit of \$5000, above which all winnings are paid by cheque. The balance of the cheques will be not be cashed until the next trading day and any cheques over \$5000 will not be cashed at all on the premises. Additionally, it does not allow any other cheques to be cashed at the Club even by prior arrangement.

Credit betting is prohibited at the Club and under no circumstance is credit betting or the lending of money between patrons tolerated.

R

Minors

In relation to minors at the Club, best efforts are made to minimise exposure to areas where gambling activities are conducted. For this reason, minors are prohibited from gambling or entering the gaming area at all times.

Community Liaison

In order to support early intervention and prevention strategies, the Club organises to catch up with a gambling help provider on an annual basis. The Club has recently reached out to Relationships Australia and will be attending a meeting within the next month.

The Brisbane Broncos Leagues Club strives to minimise the potential for harm at all times and ensures that patrons are provided with a safe environment as demonstrated through the above measures. The Club understands the risk and responsibility that comes with operating a licensed venue and actively engages in activities and practices to mitigate these risks where possible.

If you require any further information in relation to the above, please contact us.

Yours faithfully



Curt Schatz
Managing Partner

14 June 2019

Office of Liquor and Gaming Regulation
Patrick.Jensen@justice.qld.gov.au

By email

Dear Sir/Madam

Response to OLGR - Brisbane Broncos Leagues Club
Reference: FRN216247

We confirm that we act on behalf of Brisbane Broncos Leagues Club Limited, the Licensee of the Brisbane Broncos Leagues Club.

We refer to your correspondence of 24 May 2019 requesting that further detail be provided regarding the Club's VIP Program and practice of providing a drink service to patrons in the gaming machine area. Our client's response is outlined below for your consideration.

Recent changes to VIP Program

We note that the Club's original VIP Program, which was discussed with OLGR Investigators directly, was not established by the current CEO of the Club and was inherited from the previous manager when the role changed hands.

At the direction of the present CEO, Sch 4/3/3 the Club's VIP Program has recently been revised to ensure that the rewards system reflects the Club's position on responsible service of gaming and alcohol, while maintaining its commercial competitiveness and practices in line with the nearby pubs and clubs that offer similar rewards program for patrons and members.

Please see **attached** an updated copy of the VIP Program terms and conditions for your reference.

An additional review of the rewards program will take place in line with the Club's current building program.

Details of VIP Program

The Brisbane Broncos Leagues Club's VIP Program allows members to have access to promotions, exclusive offers, rewards and special events by earning "*Broncos Bucks*".

Broncos Bucks can be earned by patrons through using their Membership Card when purchasing Food and Beverages at the Club or by using the Gaming Lounge. The VIP Program offers different accrual rates of *Broncos Bucks* within its tiered loyalty levels.

This is similar to a number of loyalty programs run in many other community clubs, pubs and casinos across Queensland that the licensee is aware of.

However, unlike other club's which offer unlimited accumulation of credits for food and beverages, the Club has imposed a capped total reward amount of \$500 for spend on food and beverages at the Club. This amount resets monthly to a zero dollar amount, and will not be carried over from month to month.

Our client acknowledges the stance of the voluntary Queensland Responsible Gambling Code of Practice (**Code**) and Queensland Responsible Gambling Resource Manual – Clubs (**Manual**) on loyalty programs. As above, the Club will conduct an additional review of the rewards program in line with its current building program.

7730636v1

R

Food and Beverage credits at the Club are just one of the rewards available through the VIP Program. Our client has advised that the redemption of this reward is not often used to purchase liquor at the Club, and members generally use their credits on a meal at one of the various outlets available, if at all.

Gaming room food and beverage service

Like the majority of commercially competitive clubs, pubs and casinos in Queensland, the Club serves food and beverages to patrons in the gaming room when requested.

At the Club, this service is carried out by trained staff members who approach patrons to take orders, similar to any table service or other personalised service available at licensed venues.

These staff are trained in the responsible service of alcohol, and while attending to patrons who request to purchase food or beverages, the staff members actively monitor and assess patrons for signs of intoxication. Through this training, our client confirms that the service of food and beverage to patrons in the gaming room is in line with its procedures and policies in relation to the responsible service of liquor and responsible conduct of gaming.

There is a self-service water station available in the gaming lounge which encourages patrons to take breaks from playing the gaming machines. Our client has recently installed an additional water station to ensure that the stations are visible from the gaming machines. Staff also serve tea and coffee to patrons in the gaming room on request, or via the bar.

Staff members patrol the gaming room and monitor patrons in the gaming room at all times to ensure that players are not becoming intoxicated.

Acknowledgment of voluntary code and manual

Our client acknowledges the Code and Manual and notes that they are voluntary in nature.

Our client is compliant with the provisions of the *Liquor Act 1992*, *Gaming Machine Act 1991*, and accompanying regulations. In addition to this, our client confirms that it will continue to use the Code and Manual as a guide only, noting the fact that the Code and Manual are non-compulsory.

Given the nature of the Club and its policies and procedures, our client considers that it has the ability to monitor patrons and ensure responsible service of liquor and gaming more effectively than other premises that do not have the same resources and governance controls.

Additionally as a larger, and well established club, our client ensures that it engages adequate staff on the floor at all times to monitor patrons and ensure responsible service of liquor and gaming effectively.

In this regard, our client confirms that it has a comprehensive Responsible Service of Gambling Policy, Compliance Program Document and Risk Assessed Management Plan in place. Additionally, our client confirms that it makes sure that there is extra staff at the Club during busy periods, to ensure that the service of liquor and gaming remains responsible.

The Brisbane Broncos Leagues Club strives to minimise the potential for harm at all times and ensures that patrons are provided with a safe environment. The Club's VIP Program and food and beverage service are heavily monitored and regulated to ensure that the principles of responsible service and gambling are upheld.

As an overall comment in relation to the loyalty program and other practices raised by the OLGR, we highlight the prevalence of these practices within the industry, and the need for our client to continue with its usual operations so that it can remain commercially competitive with other clubs, pubs and casinos.

If you require any further information in relation to the above, please contact us.

Yours faithfully



Curt Schatz
Managing Partner

From: [Patrick Jensen](#)
To: [Joe Kelly](#)
Subject: OLGR - FRN216780 & 216247 - Brisbane Broncos Leagues Club
Date: Tuesday, 21 January 2020 4:56:00 PM
Attachments: [20200108 - Finalisation correspondence \(Broncos Leagues Club\).pdf](#)
[image001.png](#)

Good afternoon Mr Kelly

Please find attached correspondence in relation to the Office of Liquor and Gaming Regulation's investigation regarding an alleged incident at the Broncos Leagues Club on 13 August 2018.

If you require any further information in relation to this matter, please contact me on (07) 3738 8416 or at Patrick.Jensen@justice.qld.gov.au

Kind regards



Patrick Jensen
Acting Principal Investigator
Investigations Unit – Compliance Division
Office of Liquor and Gaming Regulation
Department of Justice and Attorney-General
Level 2, 63 George Street, Brisbane Qld 4000
Locked Bag 180, City East Qld 4002
t: 07 3738 8416 e: Patrick.Jensen@justice.qld.gov.au

VoIP Email Signature EXT



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e: patrick.jensen@justice.qld.gov.au

Customer Call Centre 13 QGOV (13 74 68) www.business.qld.gov.au/liquor-gaming.

The Office of Liquor and Gaming Regulation is committed to providing you with quality service. If you would like to provide feedback on the service you have received, please email feedback@justice.qld.gov.au.

*

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*

From: [Bevan McCarrick](#)
To: [Patrick Jensen](#)
Cc: [Shelley Tofilau](#)
Subject: RE: FRN216780 - Broncos League Club (liquor investigation)
Date: Friday, 23 August 2019 3:25:20 PM
Attachments: [image001.png](#)

Patrick and Shelley

Thanks for carrying out the further investigations in respect to this matter.

I have discussed with the General Manager the issues of this investigation and facts –

- There is no evidence in respect to the supply of liquor to an unduly intoxicated patron with the review of the CCTV;
- I note that further enquiries will be made in respect to the liquor sold and consumed.

Once you have finalised your enquiries from the RSA perspective – please draft a letter to the Club, under the hand of the ED, to address the issues of non-compliance with the Code of Practice. We should focus on the points in the Code that they were not compliant with only. We need to note that it is voluntary and we would request they reconsider their practices to a process of complying with the Code

That then young man, should put it to bed

Thank you

Regards

Bevan McCarrick
Director
Investigations Branch
Telephone – 3738 8389
Fax - 3224 7314
E: Bevan.McCarrick@justice.qld.gov.au

The Office of Liquor and Gaming Regulation is committed to providing you with quality service. If you would like to provide feedback on the service you have received please email feedback@justice.qld.gov.au

From: Patrick Jensen
Sent: Thursday, 22 August 2019 5:23 PM
To: Bevan McCarrick <Bevan.McCarrick@justice.qld.gov.au>
Cc: Shelley Tofilau <Shelley.Tofilau@justice.qld.gov.au>
Subject: FRN216780 - Broncos League Club (liquor investigation)

Hi Bevan

I met with Shelley and Danielle this afternoon and reviewed the Broncos Leagues Club liquor investigation which included watching the CCTV footage.

Shelley and Danielle both supported the recommendation and conclusion that there was insufficient evidence to substantiate that the complainant had been supplied, or was allowed to consume liquor whilst unduly intoxicated, and such evidence was unlikely to be obtained.

Notwithstanding, to ensure completeness of the investigation it has been determined that I will make further enquiries regarding the matter prior to making a final recommendation on the outcome. Those enquiries include:

- Obtain records from the licensee showing the number of drinks supplied to the complainant during his attendance;
- Obtain details of witnesses observed in the CCTV footage who were present during the complainant's fall and obtain a version of events from those witnesses;
- Speak with the Approved Manager Sch 4/3/3 and obtain her version of events;
- Speak with Crowd Controller Security provider licence No. and obtain his version of events; and
- Obtain entry/exit camera footage as required to be kept for 1 year under the Act for the incident.

I will provide a further update once these enquiries have been completed.

Kind Regards

Pat



Patrick Jensen

Acting Senior Investigator

Investigations Branch – Compliance Division

Office of Liquor and Gaming Regulation

Department of Justice and Attorney-General

Level 2, 63 George Street, Brisbane Qld 4000

Locked Bag 180, City East Qld 4002

t: 07 3738 8416 e: patrick.jensen@justice.qld.gov.au

Hi Jason

A couple of things in relation to this matter:

1. Out of scope

2. I've had a quick look at Pat's summary and a skim read of the investigation report. I am interested as to what discussions if any occurred with the Club as to how they manage RSA when serving patrons at gaming machines and providing them with free liquor. I am interested in what measures they use to assess intoxication in the absence of the patron having to move from their chair and also whether they have a dedicated management plan in place or have the equivalent strategies in their RAMP in relation to this practice/promotion – in line with our guideline that backs up section 142ZZ. Was this assessed as part of the investigation.

Happy to discuss.

Cheers



Paul Ryan

General Manager Compliance

Office of Liquor and Gaming Regulation

Department of Justice and Attorney-General

Level 2, 63 George Street, Brisbane Qld 4000

Locked Bag 180, City East Qld 4002

t: +61 7 373 88370 f: +61 7 322 47314

e: paul.e.ryan@justice.qld.gov.au

Customer Call Centre 13 QGOV (13 74 68) www.business.qld.gov.au/liquor-gaming.

From: Bevan McCarrick

Sent: Sunday, 9 February 2020 9:55 AM

To: Paul Ryan (OLGR Compliance) <Paul.Ryan@justice.qld.gov.au>; Jason Tews
<Jason.Tews@justice.qld.gov.au>

Subject: FW: Summary - Liquor and Gaming investigation - Broncos Leagues Club

Paul

of Practice (Code) and Queensland Responsible Gambling Resource Manual – Clubs (Manual).

- On 7 March 2019, Principal Investigator Sue Hayes and myself attended the Club and spoke with Chief Executive Officer Joe Kelly. Mr Kelly advised the Club has a rewards program in which members who turn over more than \$30,000 in a month become part of a VIP Program the following month in which the member receives a \$500 credit to spend on food and beverage at the premises, including liquor. Mr Kelly also confirmed the practice of a drink service in the gaming machine area in which members can order liquor at EGMs and have the liquor delivered to them without having to leave the EGM.

Liquor Investigation

-
- Requisition notices were issued to the licensee which resulted in the licensee producing documents and CCTV footage in relation to the incident. Due to the complainant's delay in reporting the incident to OLGR, the only CCTV footage available was of the fall incident itself, and five minutes either side of the fall incident.
- After reviewing CCTV footage and documentation, there was insufficient evidence to substantiate that the complainant was served liquor, or allowed to consume liquor whilst unduly intoxicated.
- In August 2019, a meeting was held between the Manager Investigations Shelley Tofilau, Principal Investigator Danielle Lincoln and myself to discuss the resolution of the investigation. During this meeting, it was determined further enquiries should be made with witnesses to the incident, including the Approved Manager and Crowd Controller working at the time of the incident.
- Those further inquiries were made however failed to produce any evidence that proved an offence had been committed by the licensee under the Liquor Act.
- There were no other offences identified during the investigation under the Liquor Act against the licensee.

Gaming Investigation

-
- After reviewing all information and evidence, no breaches of the Gaming Machine Act were identified.
- However, concerns existed over some gaming practices engaged by the licensee at the Club as they were not in line with the voluntary Code and Manual. As a result, between April 2019 and June 2019, numerous items of correspondence were exchanged between OLGR and the licensee's legal representative regarding those practices.
- After reviewing all correspondence from the licensee's legal representative, the licensee appeared to acknowledge gaming practices at the Club weren't in line with the Code or Manual, however stated these practices were prevalent in the gaming industry. The licensee also advised they would "continue to use the Code and Manual as a guide only" and highlighted the need to continue their operations as normal to remain commercially competitive.
- As the Code and Manual are voluntary in nature only, no enforcement action was taken against the licensee for these matters.

If you have any further questions regarding this investigation, please don't hesitate to ask.

Kind Regards

Pat



Patrick Jensen

Acting Principal Investigator

Investigations Unit – Compliance Division

Office of Liquor and Gaming Regulation

Department of Justice and Attorney-General

Level 2, 63 George Street, Brisbane Qld 4000

Locked Bag 180, City East Qld 4002

t: 07 3738 8416 e: Patrick.Jensen@justice.qld.gov.au

From: [Joe Kelly](#)
To: [Patrick Jensen](#)
Subject: REF: FRV216780 - Brisbane Broncos Leagues Club
Date: Thursday, 5 September 2019 1:57:55 PM
Attachments: [image050301.jpg](#)
[image289506.jpg](#)
[doc00362520190905133210.pdf](#)

Dear Sir

Please find attached a response to the Notice we received. The original has been posted.

Regards,

Joe Kelly
Chief Executive Officer

T: (07) 3858 9001

M: [Sch 4/3/3](#)

E: joekelly@broncosclub.com.au



Brisbane Broncos Leagues Club Limited – Notice – The information contained in this email is confidential. It is intended for the named addressee only. Any views expressed in this communication are those of the individual sender, except where the sender specifically states that the views or opinions are those of Brisbane Broncos Leagues Club Ltd. If you receive this email by mistake please inform us by reply email or phone 07 3858 9000 and then delete the email and destroy any printed copy.

Joe Kelly
Chief Executive Officer

T: (07) 3858 9001

M: [Sch 4/3/3](#)

E: joekelly@broncosclub.com.au



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Jason Tews

A/Director Investigations

Office of Liquor and Gaming Regulation

Department of Justice and Attorney-General

T 07 3738 8389 M Sch 4/3/3 E jason.tews@justice.qld.gov.au

Locked Bag 180, City East, Brisbane QLD 4002 **Customer Call Centre** 13 74 68

From: Paul Ryan (OLGR Compliance)

Sent: Monday, 10 February 2020 1:27 PM

To: Jason Tews <Jason.Tews@justice.qld.gov.au>

Subject: FW: Summary - Liquor and Gaming investigation - Broncos Leagues Club

Hi Jason

A couple of things in relation to this matter:

1.

Out of scope
2. I've had a quick look at Pat's summary and a skim read of the investigation report. I am interested as to what discussions if any occurred with the Club as to how they manage RSA when serving patrons at gaming machines and providing them with free liquor. I am interested in what measures they use to assess intoxication in the absence of the patron having to move from their chair and also whether they have a dedicated management plan in place or have the equivalent strategies in their RAMP in relation to this practice/promotion – in line with our guideline that backs up section 142ZZ. Was this assessed as part of the investigation.

Happy to discuss.

Cheers



Paul Ryan

General Manager Compliance

Office of Liquor and Gaming Regulation

Department of Justice and Attorney-General

Level 2, 63 George Street, Brisbane Qld 4000

Locked Bag 180, City East Qld 4002

t: +61 7 373 88370 f: +61 7 322 47314

e: paul.e.ryan@justice.qld.gov.au

From: Bevan McCarrick
Sent: Sunday, 9 February 2020 9:55 AM
To: Paul Ryan (OLGR Compliance) <Paul.Ryan@justice.qld.gov.au>; Jason Tews <Jason.Tews@justice.qld.gov.au>
Subject: FW: Summary - Liquor and Gaming investigation - Broncos Leagues Club

Paul

As requested, a summary of the investigation relating to Broncos by Patrick is below.
Attached fyi is the investigation report.

Out of scope

Regards

Bevan McCarrick
Director
Investigations Branch
Telephone – 3738 8389
Fax - 3224 7314
E: Bevan.McCarrick@justice.qld.gov.au

The Office of Liquor and Gaming Regulation is committed to providing you with quality service.
If you would like to provide feedback on the service you have received please email feedback@justice.qld.gov.au

From: Patrick Jensen
Sent: Friday, 7 February 2020 1:54 PM
To: Bevan McCarrick <Bevan.McCarrick@justice.qld.gov.au>
Cc: Shelley Tofilau <Shelley.Tofilau@justice.qld.gov.au>; Jason Tews <Jason.Tews@justice.qld.gov.au>
Subject: Summary - Liquor and Gaming investigation - Broncos Leagues Club

Hi Bevan

As requested, below is a summary of the Broncos Leagues Club investigation.

Please note that the liquor aspect was captured under FRN216780 and the gaming aspect was captured under FRN216247.

Club as they were not in line with the voluntary Code and Manual. As a result, between April 2019 and June 2019, numerous items of correspondence were exchanged between OLGR and the licensee's legal representative regarding those practices.

- After reviewing all correspondence from the licensee's legal representative, the licensee appeared to acknowledge gaming practices at the Club weren't in line with the Code or Manual, however stated these practices were prevalent in the gaming industry. The licensee also advised they would "continue to use the Code and Manual as a guide only" and highlighted the need to continue their operations as normal to remain commercially competitive.
- As the Code and Manual are voluntary in nature only, no enforcement action was taken against the licensee for these matters.

If you have any further questions regarding this investigation, please don't hesitate to ask.

Kind Regards

Pat



Patrick Jensen

Acting Principal Investigator

Investigations Unit – Compliance Division

Office of Liquor and Gaming Regulation

Department of Justice and Attorney-General

Level 2, 63 George Street, Brisbane Qld 4000

Locked Bag 180, City East Qld 4002

t: 07 3738 8416 e: Patrick.Jensen@justice.qld.gov.au

BRONCOS REWARDS



WELCOME TO THE BRONCOS.

Our Broncos Rewards delivers special offers, rewards and recognition for being part of the rich heritage and vibrant future of the iconic Broncos.

Become a member of The Broncos for only \$2 and you will automatically register for Broncos Rewards. Start earning Broncos Bucks instantly and have access to members-only promotions, exclusive offers, bonus rewards and special events.

BRONCOS EARN

By using your Broncos Membership Card within the club, you can earn and redeem Broncos Bucks instantly and enjoy the many other benefits of being a Broncos Member. By continuing to use your card at the club's Food and Beverage outlets or in the Gaming Lounge, you can unlock the special privileges and benefits associated with being a Broncos VIP.

Here's how easy it is to start earning:

- ❖ Present your card to staff at any of the Broncos' bars and restaurants to earn Broncos Bucks
- ❖ Insert your card into any gaming machine before play

BRONCOS REDEEM

When you are ready to treat yourself, present your card and use your Broncos Bucks to pay (or subsidise) when you:

- ❖ Indulge in a dining experience at the 88 Café & Restaurant or Broncos Buffet
- ❖

Or to redeem for cash when you:

- ❖ Swipe your card at a Member Kiosk and present voucher to our gaming staff

BRONCOS BENEFITS

As a Broncos Member, you have many benefits and privileges to enjoy such as exclusive offers and promotions, discount prices on food and beverages, complimentary food or beverages, birthday coupons and access to Broncos game-day ticket offers and exclusive corporate box events.

BRONCOS REWARDS

The
Broncos

| BENEFIT | BRONCOS MEMBER VIP TIER^^ | BRONCOS MEMBER ENTRY LEVEL TIER |
|--|------------------------------|------------------------------------|
| Earn Broncos Bucks in Club* | √ | √ |
| Redeem Broncos Bucks for Cash** | √ | √ |
| Use Broncos Bucks to purchase food & beverages | √ | √ |
| Member prices on Food & Beverage | √ | √ |
| Access to Members-Only Promotions | √ | √ |
| Complimentary Tea & Coffee for Gaming Customers^ | √ | √ |
| Special Birthday Offers | √ | √ |
| Receive instant Bonus Broncos Bucks when playing Gaming Machines | Double Broncos Bucks# | |
| Broncos Bucks Monthly Account for Food & Beverage | Up to \$500 | |
| Access to VIP-Only Promotions | √ | |
| Special Occasion Gifts | √ | |
| Exclusive Offers to Events | √ | |
| Personalised service from a Host | √ | |

*Earn 1 point for every \$1 spent on food & beverage or \$6 turnover in gaming. 100pts = \$1. Excludes spend in TAB, Keno and Raffles.

**Minimum 1,000 points applies.

^Excludes barista-made hot beverages from our 88 Restaurant & Café.

^^VIP Status applies when member reaches 40,000 Rating Credits, accumulated over the previous three (3) months.

#Benefit applies when member reaches a threshold of 200,000 Rating Credits, accumulated from the previous three (3) months and up to the day of the current month.

TERMS & CONDITIONS:

1. The Broncos Rewards program is only available to financial members of Broncos Leagues Club (BLC).
2. The rewards or offers associated with this promotion cannot be transferred or assigned to any other person other than the eligible member.
3. To accumulate Broncos Bucks and be eligible for Broncos Rewards, a member must meet one or more of the following criteria: (a) Have their membership card inserted and reading correctly in the Gaming Machine during play; (b) Present their membership card when making purchases at the Point of Sale terminals where Broncos Bucks can be earned.

BRONCOS REWARDS

The
Broncos

4. It is the responsibility of the member to ensure their membership card is properly inserted in the gaming machine, or that their card is swiped at POS terminals, and that Broncos Rewards are accruing appropriately.
5. Broncos Rewards offers different accrual rates of Broncos Bucks within its tiered loyalty levels.
6. Broncos Bucks rewards points that are earned must be redeemed by the end of the BLC Financial Year on June 30 at precisely 11.59pm.
7. Redemption of Broncos Bucks or any other prize or reward offered must be done in person by the member with their assigned membership card presented. Photo ID may be requested.
8. Prizes or rewards associated with this program must be taken as stated and can only be exchanged or redeemed for alternate prizes at the absolute discretion of BLC Management.
9. BLC will not be liable for any unauthorised use of a membership card, including lost or stolen cards, and the subsequent accumulation or redemption of Broncos Rewards.
10. BLC reserves the right to correct any rewards or offers associated with Broncos Rewards resulting from system malfunction, operator error, fraud or other causes, and will do so at its sole and absolute discretion.
11. BLC Management reserves the right to amend the various promotions and benefits offered through its Broncos Rewards program and to use its sole and absolute discretion in making those offers to members.
12. Broncos Bucks rewards points and any outstanding offers associated with the Broncos Rewards program remain the property of BLC in circumstances of deceased members.
13. BLC is not responsible for any loss, damage or injury suffered or claimed (including, but not limited to, indirect or consequential loss or damage, personal injury or death, and direct or indirect loss or damage due to negligence or technical or mechanical malfunction) by a member in relation to participating in Broncos Rewards or taking or using the rewards offered (except that which cannot be excluded by law) except where that loss, damage or injury was caused by breach of these Terms and conditions by BLC or the wilful or negligent acts or omissions of BLC. To avoid any doubt, BLC shall not be liable for loss caused by technical and mechanical malfunction which is outside the control of BLC.
14. Participation in Broncos Rewards indicates acceptance of the governing Terms and Conditions.
15. Members can opt out of Broncos Rewards at any time by providing written notice to the club, by which such action will be taken to exclude the member's participation in the program and any associated promotional activity.
16. If the Broncos Rewards ceases to operate, all benefits will be cancelled within 30 days of issuing notice to BLC members.

BRONCOS REWARDS

The
Broncos

17. BLC is committed to ensuring the collection of personal information from members and bonafide guests will be conducted as per our Privacy Policy available for download at broncosleagues.com.au. By participating in Broncos Rewards, a member consents to the use and disclosure of information as outlined in this policy.



Happy to discuss further if required

Cheers
Rob

From: Bevan McCarrick
Sent: Friday, 25 January 2019 4:55 PM
To: Robert Grimmond <Robert.Grimmond@justice.qld.gov.au>
Subject: FW: Gaming machine spend disclosure
Importance: High

Rob
Can you see me about this on Tuesday early please

Thanks Rob

Regards

Bevan McCarrick
Director
Investigations Branch
Telephone – 3872 0807
Fax - 3224 7314
E: Bevan.McCarrick@justice.qld.gov.au

The Office of Liquor and Gaming Regulation is committed to providing you with quality service.
If you would like to provide feedback on the service you have received please email feedback@justice.qld.gov.au

From: Rod Brough
Sent: Friday, 25 January 2019 12:31 PM
To: Bevan McCarrick <Bevan.McCarrick@justice.qld.gov.au>
Cc: Robert Grimmond <Robert.Grimmond@justice.qld.gov.au>; Rod Oaten <Rod.Oaten@justice.qld.gov.au>
Subject: FW: Gaming machine spend disclosure
Importance: High

Good afternoon Bevan,

I provide the below in response to the query Rob Grimmond received Wednesday and will require response through Media & Communications (directly below which I have placed in italics).

I am seeking advice if Queensland venues holding a gaming licence are compelled by legislation/regulation to disclose on request advice of an individual's spend on gaming machines in its premises.

I have confirmed with the venue's IT service provider this historical individual gaming spend information is able to be obtained by the venue.

However, the licensed venue I am a member of has refused to disclose to me advice of my spend through its on-premises gaming machines.

Would you please be so kind as to clarify the matter?

Please do not hesitate to contact me should you require any additional information regarding my request for information. I look forward to your advice.

In response I can provide the following information.

- ➔ For the individual players spend to be captured the player who need to be gambling using card-based gaming (gaming via the use of a card based system rather than the use of notes and coins or the Ticket in Ticket out TITO system).
- ➔ Provided directly below is a link to the Card based Minimum Technical Requirements from Queensland Government publications.

<https://publications.qld.gov.au/dataset/card-based-gaming-minimum-technical-requirements>

- ➔ Relevant area to the query would come under Section 4.9 Account Transaction Statements. These read:
- ➔ 4.9.1 Account transaction statements must be provided to the player on request by the player. These statements must include sufficient information to allow the player to, as far as is reasonably possible, to reconcile the statement against their own records of deposits and withdrawals since the last issued statement.
- ➔ 4.9.2 Account transaction statements must also include details of the total amount of money bet on gaming. The data presented must be informative, showing at a minimum: Account Balances and transactions performed over a specified period.
- ➔ Also relevant to the query, as to how I read it, would be Sections 6.6 Recordable Events and 6.7 Audit Trail.

Sch 4/3/2 4/3/3

The question we need to clarify, from my perspective, is the venue Licensee obliged to provide the information (I can see no good reason why the licensee would not provide, if the request is by the relevant individual).



This task has sparked the thought, if the onus is on the Gaming licensee to provide player spend information upon request, the OLGR should provide education to peak bodies and include this matter as a potential RG question at audit.

If you have any queries regarding this matter, please do not hesitate to contact me.



Best Wishes,
Rod Brough
Senior Compliance Officer

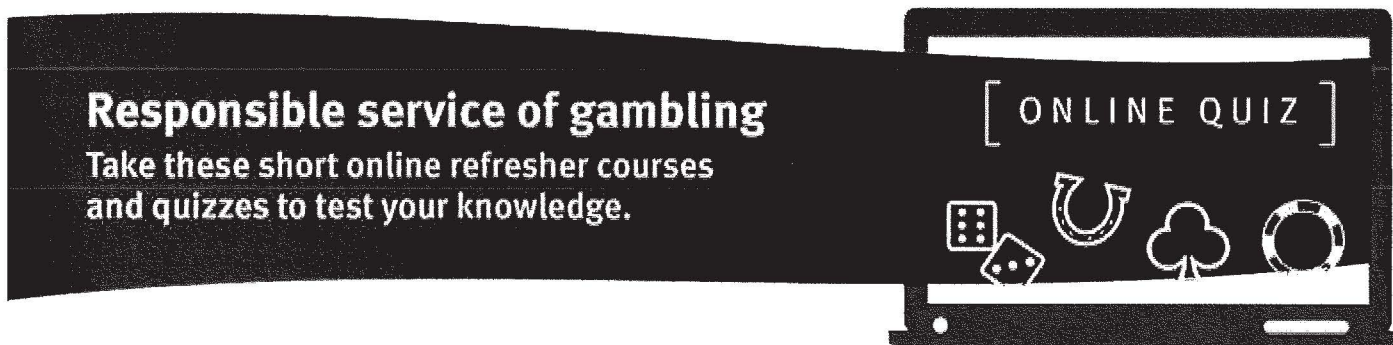
Office of Liquor and Gaming Regulation
63 George Street
BRISBANE QLD 4000
Locked Bag 180
CITY EAST QLD 4002

Telephone +61 7 7 3222 2846
Facsimile +61 7 3224 7314
Email rod.brough@justice.qld.gov.au
Website www.business.qld.gov.au/liquor-gaming
ABN 13 846 673 994

Customer Call Centre 13 QGOV (13 74 68)
www.business.qld.gov.au/liquor-gaming

The Office of Liquor and Gaming Regulation is committed to providing you with quality service. If you would like to provide feedback on the service you have received, please email feedback@justice.qld.gov.au

Responsible service of gambling - Hyperlink <https://www.business.qld.gov.au/industries/hospitality-tourism-sport/liquor-gaming/liquor/training/gaming/rsg-refreshers>



From: Robert Grimmond
Sent: Wednesday, 23 January 2019 5:54 PM
To: mikesopinski@gmail.com
Subject: FW: Gaming machine spend disclosure
Importance: High

Good afternoon Mr Sopinski.

Thank you for your email dated 22 January 2019 regarding requirements about disclosure of gaming machine expenditure.

The Office of Liquor and Gaming Regulation will respond to your enquiry as soon as practicable.

Kind regards



Queensland
Government

Rob Grimmond
Regional Manager - Brisbane
Office of Liquor and Gaming Regulation
Department of Justice and Attorney-General

P 07 3224 7389 M 0405440635 F 07 3872 0827
robert.grimmond@justice.qld.gov.au

Level 2, 63 George Street, Brisbane QLD 4000
Locked Bag 180, City East, QLD 4002

Customer Call Centre 13 QGOV (13 74 68)
www.business.qld.gov.au/liquor-gaming

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From: Mike Sopinski [<mailto:mikesopinski@gmail.com>]
Sent: Tuesday, 22 January 2019 6:40 PM
To: Gaming Compliance <gamingcompliance@justice.qld.gov.au>
Subject: Gaming machine spend disclosure

Good afternoon,

I am seeking advice if Queensland venues holding a gaming licence are compelled by legislation/regulation to disclose on request advice of an individual's spend on gaming machines in its premises.

I have confirmed with the venue's IT service provider this historical individual gaming spend information is able to be obtained by the venue.

However, the licensed venue I am a member of has refused to disclose to me advice of my spend through its on-premises gaming machines.

Would you please be so kind as to clarify the matter?

Please do not hesitate to contact me should you require any additional information regarding my request for information. I look forward to your advice.

Mike

Kind regards

Mike Sopinski
MJS Media & Communications
Mob: 0421 052 598
mikesopinski@gmail.com
ABN: 38 946 068 866

Happy to discuss further if required

Cheers
Rob

From: Bevan McCarrick
Sent: Friday, 25 January 2019 4:55 PM
To: Robert Grimmond <Robert.Grimmond@justice.qld.gov.au>
Subject: FW: Gaming machine spend disclosure
Importance: High

Rob
Can you see me about this on Tuesday early please

Thanks Rob

Regards

Bevan McCarrick
Director
Investigations Branch
Telephone – 3872 0807
Fax - 3224 7314
E: Bevan.McCarrick@justice.qld.gov.au

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From: Rod Brough
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To: Bevan McCarrick <Bevan.McCarrick@justice.qld.gov.au>
Cc: Robert Grimmond <Robert.Grimmond@justice.qld.gov.au>; Rod Oaten <Rod.Oaten@justice.qld.gov.au>
Subject: FW: Gaming machine spend disclosure
Importance: High

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However, the licensed venue I am a member of has refused to disclose to me advice of my spend through its on-premises gaming machines.

Would you please be so kind as to clarify the matter?

Please do not hesitate to contact me should you require any additional information regarding my request for information. I look forward to your advice.



Queensland
Government

Office of Liquor and Gaming Regulation
LIQUOR ACT 1992

NOTICE FOR PRODUCTION OF DOCUMENTS
Section 183AA of the Liquor Act 1992

TO: Brisbane Broncos Leagues Club Limited

PREMISES: Brisbane Broncos Leagues Club Limited

PREMISES ADDRESS: Broncos Leagues Club
92 Fulcher Road
RED HILL QLD 4059

ISSUED BY: Patrick Jensen

ISSUED VIA: In-person

I, Patrick Jensen, an Investigator under the *Liquor Act 1992*, require you, **Brisbane Broncos Leagues Club Limited**, pursuant to section 183AA of the *Liquor Act 1992*, to produce to me the following documents which I believe, on reasonable grounds, you to have possession or control of, and to be relevant to the administration or enforcement of the *Liquor Act 1992*:

1. A copy of Closed Circuit Television (CCTV) of an incident that occurred at approximately 12.10am on Monday 13 August 2018, in which it's alleged a male patron suffered a fall in the gaming machine area of the premises.

Please include CCTV footage showing the incident, the patron for the entire time he was on the premises, and any staff interactions with the patron, including all CCTV footage of the patron purchasing and consuming liquor.

For your reference, it's believed the patron arrived at the premises at approximately 4.15pm on Sunday 12 August 2018 and departed the premises about 12.20am on Monday 13 August 2018.

2. A document containing the identities of all staff at the premises who had interactions with the patron between 4.15pm on Sunday 12 August 2018 and 12.20am on Monday 13 August 2018, including their contact details and what duties they were performing.

Please provide copies of Training Course Certificates (RSA Certificates) for all staff detailed above.


3. Information detailing the identity of the person(s) employed by the licensee as an Approved Manager working at the premises between 4.15pm on Sunday 12 August 2018 and 12.20am on Monday 13 August 2018.

Please provide a copy of the Approved Manager's current licence and current licensee's course certificate (RMLV certificate) held for each approved manager identified above.

4. Copies of all incident registers, crowd controller registers or reports (including reports by security providers, crowd controllers, managers, staff, and any other similar documents) used at the premises between 4.15pm on Sunday 12 August 2018 and 12.20am on Monday 13 August 2018.

I believe, on reasonable grounds, the named documents to be relevant to the administration or enforcement of the *Liquor Act 1992*, specifically in relation to liquor being prohibited to certain persons.

The named documents are required to be produced to me, Patrick Jensen, Investigator, OLGR, the issuer of this notice, at the Office of Liquor and Gaming Regulation Office, 63 George Street, Brisbane by 5:00 pm on Friday 29 March 2019.

Signature 
Patrick Jensen
Investigator 429

Date 07 / 03 / 2019

N.B. Pursuant to section 183AA(3) of the *Liquor Act 1992*, a person must not, without reasonable excuse, fail to comply with a requirement made under section 183AA(1) to produce the named documents. A failure to comply with a requirement is an offence under the *Liquor Act 1992*, with a maximum penalty of 50 penalty units.

However, pursuant to section 183AA(4) of the *Liquor Act 1992*, it is a reasonable excuse for a person to fail to produce a document, other than a document required to be kept by the person under the *Liquor Act 1992*, if producing the document might tend to incriminate the person.

Pursuant to section 183AA(5) of the *Liquor Act 1992*, an investigator may examine the documents produced pursuant to this Notice and:

- (a) make copies of, or take extracts from, the document; or
- (b) if the investigator considers, on reasonable grounds, it is necessary to remove the document to examine or copy it, remove the document from the person's possession or control.

Pursuant to section 231A(1) of the *Liquor Act 1992*, a person must not give a document for the *Liquor Act 1992* containing information the person knows is false, misleading or incomplete in a material particular. A maximum penalty of 100 penalty units or six months imprisonment may be imposed by a Court for this offence.

However, section 231A(1) of the *Liquor Act 1992* does not apply to a person who, when giving the document, informs the person to whom the document is given, to the best of his or her ability, how it is false, misleading or incomplete, and if the person giving the document has, or can reasonably obtain, the correct information, he or she gives the correct information.

Please quote: FRN216247
Contact officer: Patrick Jensen
Contact telephone: (07) 3872 0806



Office of Liquor and Gaming Regulation

Department of
Justice and Attorney-General

Mr Curt Schatz
Managing Partner
Mullins Lawyers

Sch

4

/3/3

Dear Mr Schatz

I acknowledge that you act on behalf of the Brisbane Broncos Leagues Club Limited (Club), the gaming machine licence holder at the Brisbane Broncos Leagues Club (premises).

Thank you for your response dated 3 May 2019 to the Office of Liquor and Gaming Regulation's (OLGR) letter dated 11 April 2019 regarding an investigation into general gaming practices at the premises.

The response has been reviewed and I note your advice regarding how the Club provides and promotes responsible gaming practices at the premises whilst also considering the voluntary Queensland Responsible Gambling Code of Practice (Code) and the Queensland Responsible Gambling Resource Manual – Clubs (Manual).

Notwithstanding the above, a review of the information provided in the response has identified that further detail is requested to be provided by the Club regarding the Club's VIP Program and the practice of providing a drink service to patrons in the gaming machine area.

As stated in OLGR's letter dated 11 April 2019 [redacted] Chief Executive Officer, advised OLGR Investigators that the Club has a VIP Program, in which members of the VIP Program receive \$500 credit for that month to spend on food and beverages at the premises which may include the purchase of alcohol [redacted] further advised that the Club provides a drink service to patrons in the gaming area, in which patrons can press an 'attendant call button' on the electronic gaming machine (EGM) and order alcohol which is then served to the patron at the EGM.

Whilst I acknowledge commitment to the Code and supporting Manual is voluntary, concerns exist that these practices engaged by the Club are not in line with the Code and Manual.

I again draw your attention to the Code and Manual, in particular the following sections of the Manual which state:

- Section 4.3 (Hospitality services) – "...Do not provide drink service in the designated gaming areas, instead requiring patrons to obtain drinks from the nearest bar..."
- Section 4.8 (Breaks in play) – "...Encourage patrons to take breaks from play using a range of strategies such as requiring them to obtain drinks from either the bar, self-service tea and coffee station or from a water dispenser..."

- Section 6.10 (Irresponsible trading practices) – “Ensure gambling advertising and promotions, including player loyalty/rewards programs, if applicable, do not contain messages designed to persuade patrons to gamble in an excessive and irresponsible manner (who in the absence of such encouragement would not have otherwise) such as:
...
 - not offering inducements that would result in a substantial alteration to the person’s normal betting stake or activity
 - not offering free or discounted alcohol for gambling patrons only...”
- Section 6.11 (Consumption of alcohol) – “Ensure gambling advertising and promotions, including player loyalty/rewards programs, if applicable, do not show consumption of alcohol as an acceptable behaviour while engaged in the activity of gambling. This includes:
 - avoiding references to the offer of free alcohol as a reward for gambling at the club...”

As such, to further assist the OLGR with its enquires, the Club is requested to provide a written response in relation to the following points:

1. Full and specific details of the VIP Program at the premises, and any documentation, policies or procedures that relate to the VIP program;
2. Full and specific details of the ‘drink service’ provided in the gaming machine area in which patrons can order and receive alcoholic beverages whilst playing EGMs, and any documentation, policies or procedures that relate to this practice, including how the Club monitors the supply and consumption of alcohol, and breaks in play for patrons who engage in this practice;
3. Provide advice on the Club’s position regarding the apparent non-compliance with the abovementioned sections of the Manual; and
4. Other than changes mentioned in your letter dated 3 May 2019, has the Club made any other changes, or does the Club intend to make any further changes in relation to the VIP Program and/or ‘drink service’.

The Club is requested to provide the written response to the OLGR by 5.00pm on Friday 14 June 2019.

If you require any further information in relation to this matter, please contact Investigator Patrick Jensen, OLGR, Department of Justice and Attorney-General on (07) 3872 0806 or at patrick.jensen@justice.qld.gov.au.

Yours sincerely


BEVAN McCARRICK
Director - Investigations

24/5/19

I believe, on reasonable grounds, the named documents to be relevant to the administration or enforcement of the *Liquor Act 1992*, specifically in relation to liquor being prohibited to certain persons.

The named documents are required to be produced to me, Patrick Jensen, Investigator, OLGR, the issuer of this notice, at the Office of Liquor and Gaming Regulation Office, 63 George Street, Brisbane by 5:00pm on Wednesday 11 September 2019.



PATRICK JENSEN
A/Senior Investigator (No. 429)
28 / 08 / 2019

N.B. Pursuant to section 183AA(3) of the *Liquor Act 1992*, a person must not, without reasonable excuse, fail to comply with a requirement made under section 183AA(1) to produce the named documents. A failure to comply with a requirement is an offence under the *Liquor Act 1992*, with a maximum penalty of 50 penalty units.

However, pursuant to section 183AA(4) of the *Liquor Act 1992*, it is a reasonable excuse for a person to fail to produce a document, other than a document required to be kept by the person under the *Liquor Act 1992*, if producing the document might tend to incriminate the person.

Pursuant to section 183AA(5) of the *Liquor Act 1992*, an investigator may examine the documents produced pursuant to this Notice and:

- (a) make copies of, or take extracts from, the document; or
- (b) if the investigator considers, on reasonable grounds, it is necessary to remove the document to examine or copy it, remove the document from the person's possession or control.

Pursuant to section 231A(1) of the *Liquor Act 1992*, a person must not give a document for the *Liquor Act 1992* containing information the person knows is false, misleading or incomplete in a material particular. A maximum penalty of 100 penalty units or six months imprisonment may be imposed by a Court for this offence.

However, section 231A(1) of the *Liquor Act 1992* does not apply to a person who, when giving the document, informs the person to whom the document is given, to the best of his or her ability, how it is false, misleading or incomplete, and if the person giving the document has, or can reasonably obtain, the correct information, he or she gives the correct information.

☒ Approved ☐ Not Approved

Comments:

Agree with recommendation


Bevan McCARRICK
Director – Investigations

8/1/20



Please quote: FRN216780 & FRN216247
Contact officer: Patrick Jensen
Contact telephone: (07) 3738 8416



1

Office of Liquor and Gaming Regulation

Department of
Justice and Attorney-General

The Directors
Brisbane Broncos Leagues Club Limited
98 Fulcher Road
RED HILL QLD 4059

Dear Directors

As you are aware, the Office of Liquor and Gaming Regulation (OLGR) received a complaint on 29 January 2019 regarding an incident where it is alleged a patron suffered a fall in the gaming machine area of the Brisbane Broncos Leagues Club (premises) on 13 August 2018 after being supplied liquor for an extended period. The complaint also included concerns relating to general gaming practices at the premises, operating under a gaming machine licence issued to Brisbane Broncos Leagues Club Limited (licensee).

During the investigation, further information has been provided about the alleged incident from the licensee's Chief Executive Officer, Mr Joe Kelly and the licensee's legal representative, Mullins Lawyers.

I wish to advise that OLGR has now finalised its investigation into the matter and no further action will be taken at this time.

I wish to take the opportunity to remind the licensee of their obligations under section 156 of the *Liquor Act 1992* (liquor prohibited to unduly intoxicated persons).

I also wish to take the opportunity to remind the licensee of the matters outlined in the Queensland Responsible Gambling Code of Practice (Code) and Queensland Responsible Gambling Resource Manual – Clubs (Manual). I acknowledge that the Code and Manual are voluntary in nature, however strongly request and recommend that gaming practices at the premises remain in line with the Code and Manual, specifically section 4.3 (Hospitality services), section 4.8 (Breaks in play), section 6.10 (Irresponsible trading practices) and section 6.11 (Consumption of alcohol) of the Manual.

If you require any further information in relation to this matter, please contact A/Senior Investigator Patrick Jensen, OLGR, Department of Justice and Attorney-General on (07) 3738 8416 or at Patrick.Jensen@justice.qld.gov.au

Yours sincerely



Michael Sarquis
Executive Director

8/11/20

cc: Mr Joe Kelly – Chief Executive Officer
joekelly@broncosclub.com.au

Please quote: FRN216247
Contact officer: Patrick Jensen
Contact telephone: (07) 3872 0806



4

Office of Liquor and Gaming Regulation

Department of
Justice and Attorney-General

The Directors
Brisbane Broncos Leagues Club Limited
98 Fulcher Road
RED HILL QLD 4059

Dear Sir/Madam

As you may be aware, the Office of Liquor and Gaming Regulation (OLGR) has received a complaint regarding an incident where it is alleged a patron suffered a fall in the gaming machine area of the Brisbane Broncos Leagues Club (premises) on 13 August 2018 after being supplied liquor for an extended period. The complaint also included concerns relating to general gaming practices at the premises, operating under a gaming machine licence issued to Brisbane Broncos Leagues Club Limited (Club). The OLGR subsequently commenced an investigation into the matter.

On 7 March 2019, OLGR Investigators met with [Sch 4/3/3] Chief Executive Officer. [redacted] provided the following information regarding electronic gaming machines (EGMs) and gaming practices at the premises:

- The premises has a rewards program in which members who turnover more than \$30,000 in gaming in a month become part of a VIP program for the following month.
- Members of the VIP program receive \$500 credit for that month to spend on food and beverages at the premises which may include the purchase of alcohol.
- The premises provides a drink service to patrons in the EGM area, including to patrons who are playing EGMs.
- Patrons can request drink service at an EGM by pressing an 'attendant call button' located on the EGM. Alcohol can be ordered through this drink service.
- Members of the VIP program can use their \$500 credit to purchase alcohol to be served to them whilst playing EGMs.

The *Gaming Machine Act 1991* (Act) regulates the operation of EGMs in Queensland. A main objective of the Act is to achieve a balance between the social and economic benefits of gambling by minimising the potential for harm. This is supported by the voluntary Queensland Responsible Gambling Code of Practice (Code) and the Queensland Responsible Gambling Resource Manual – Clubs (Manual) which represents best practice in the provision of the responsible service of gambling (RSG).

Whilst I acknowledge commitment to the Code and supporting Manual is voluntary, from the information provided, concerns exist that some practices engaged by the Club are not in line with the Code and Manual.

I draw your attention to the Code and Manual, in particular the following sections of the Manual which state:

- Section 4.3 (Hospitality services) – "...Do not provide drink service in the designated gaming areas, instead requiring patrons to obtain drinks from the nearest bar..."
- Section 4.8 (Breaks in play) – "...Encourage patrons to take breaks from play using a range of strategies such as requiring them to obtain drinks from either the bar, self-service tea and coffee station or from a water dispenser..."
- Section 6.10 (Irresponsible trading practices) – "Ensure gambling advertising and promotions, including player loyalty/rewards programs, if applicable, do not contain messages designed to persuade patrons to gamble in an excessive and irresponsible manner (who in the absence of such encouragement would not have otherwise) such as: ...
 - o not offering inducements that would result in a substantial alteration to the person's normal betting stake or activity
 - o not offering free or discounted alcohol for gambling patrons only..."
- Section 6.11 (Consumption of alcohol) – "Ensure gambling advertising and promotions, including player loyalty/rewards programs, if applicable, do not show consumption of alcohol as an acceptable behaviour while engaged in the activity of gambling. This includes:
 - o avoiding references to the offer of free alcohol as a reward for gambling at the club..."

As such, to assist the OLGR with its enquiries, the Club is requested to provide a written response outlining how it is providing and promoting RSG practices at the premises whilst considering the Code and Manual. The Club is requested to provide the written response to the OLGR by 5.00pm on Friday 3 May 2019.

If you require any further information in relation to this matter, please contact Investigator Patrick Jensen, OLGR, Department of Justice and Attorney-General on (07) 3872 0806 or at patrick.jensen@justice.qld.gov.au.

Yours sincerely



for

BRIAN BAUER
A/Executive Director
11 / 04 / 2019

cc: Joe Kelly – Chief Executive Officer
joekelly@broncosleagues.com.au



Our Ref: CMS:129585
Contact: Curt Schatz | 07 3224 0230
Email: cschatz@mullinslawyers.com.au



5

3 May 2019

Office of Liquor and Gaming Regulation
Patrick.Jensen@justice.qld.gov.au

By email

Dear Sir/Madam

Response to OLGR - Brisbane Broncos Leagues Club
Reference: FRN216247

We confirm that we act on behalf of Brisbane Broncos Leagues Club Limited, the Licensee of the Brisbane Broncos Leagues Club. We refer to your correspondence of 11 April 2019 detailing a complaint which included concerns about the general gaming practices at the Brisbane Broncos Leagues Club.

The Brisbane Broncos Leagues Club has a history steeped in tradition and community involvement. The Club plays a large role in the community, not only through its sponsorship of the Brisbane Broncos but also through its support of a large number of schools, charities, community groups and sporting organisations. The Club's Chief Executive Officer, Joe Kelly, has been involved in the management of many licensed clubs over the years, including as the General Manager of the Arana Leagues Club and Cowboys Leagues Club.

We note that you have requested that our client provide you with a response outlining how the Club provides and promotes responsible gaming practices while also considering the voluntary Code and Manual. We now outline our client's response below:

Consumption of Alcohol and Hospitality Services

The Club ensures that the provision of hospitality services in areas where gambling is provided is managed in such a way as to encourage customers to get up from the machines to take a break. The Club takes the responsible service of alcohol very seriously and does not allow unduly intoxicated people to start or continue playing gaming machines or continue to be served alcohol.

To ensure that no patrons within the gaming area are becoming intoxicated, the Club has advised that it will place a dedicated staff member within the gaming area to monitor the patrons and machines at all times. In addition to this, the Club has proposed to install an additional water station in the gaming area away from the machines to encourage patrons to leave the machine to take a break and slow the consumption of alcohol.

Breaks in Play

Currently, there are a number of measures that have been adopted by the Club to ensure that patrons are discouraged from participating in extended, intensive and repetitive play. To encourage breaks in play every machine is fitted with Max's Ezybreak and MyCash features.

Additionally, the majority of the gaming machines have Ticket In Ticket Out (TITO) technology so that patrons can quickly remove their credits from the machines to have a break in play rather than waiting for a staff member to cash their credits. The Club also has two CRT's to enable patrons to collect their money conveniently whenever they choose to stop playing.

These measures allow for patrons to quickly cease playing rather than waiting in the gaming room, which in turn encourages breaks in play.

Passage of Time

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The Club has implemented practices to ensure that patrons are made aware of the passage of time. This includes the installation of newer machines which have the time displayed on the screen. Additionally, the Club has installed clocks in clear view of patrons in the gaming room so that they are aware of the time of day or night.

The gaming room has also been designed to provide more natural light than a typical gaming room which also increases awareness of the passage of time.

Provision of Information

Information about the potential risks associated with gambling and where to get help for problem gambling is prominently displayed in the gaming area and throughout the venue generally, including near cash out facilities which service the area and in the toilets adjacent to the gaming room.

The gaming room has all required signage including the Rules Ancillary to Gaming, Odds of Winning, a Responsible Gaming Statement, the Gambling Checklist.

Advertising and Promotions

The Club ensures that any of its marketing material that has any reference to gaming also has a responsible gambling message to correspond. This also includes click throughs on emails and the website. The Club also ensures that its marketing material never has any more than one third of specifically gaming related content.

All major promotions at the Club include food and beverage entries as well as gaming to ensure that patrons who do not play gaming machines can benefit from the promotions. The Club confirms that there are gambling free promotions running constantly, including its membership draws which occur every week.

Responsible Service of Gaming

Mechanisms have been established within the Club to ensure that appropriate and ongoing responsible gaming training is provided to staff who provide gambling products to patrons. All gaming, reception, Keno and TAB staff are appropriately trained in the responsible service of gaming and any new staff member must also undertake a police check.

The Club arranges for annual refresher courses to be given to staff at internal staff meetings when required. Additionally, all staff are continuously reminded of their RSA, RSG and AML/CTF responsibilities at every staff meeting held, which is generally bi-monthly.

Each of the Duty Managers and Gaming Supervisors are trained as Customer Liaison Officers to perform the following duties:

1. be available during approved opening gaming hours;
2. provide appropriate information to assist patrons with gambling-related problems;
3. support staff in providing assistance to those patrons;
4. provide assistance with exclusion from gambling providers;
5. provide assistance to staff with gambling-related problems; and
6. develop linkages with local community groups.

The Club is also active within the Responsible Gambling Network and hosted an event on 28 October 2018.

Cashing of Cheques and Payment of Winnings

The Club has established a cash limit of \$5000, above which all winnings are paid by cheque. The balance of the cheques will not be cashed until the next trading day and any cheques over \$5000 will not be cashed at all on the premises. Additionally, it does not allow any other cheques to be cashed at the Club even by prior arrangement.

Credit betting is prohibited at the Club and under no circumstance is credit betting or the lending of money between patrons tolerated.



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Minors

In relation to minors at the Club, best efforts are made to minimise exposure to areas where gambling activities are conducted. For this reason, minors are prohibited from gambling or entering the gaming area at all times.

Community Liaison

In order to support early intervention and prevention strategies, the Club organises to catch up with a gambling help provider on an annual basis. The Club has recently reached out to Relationships Australia and will be attending a meeting within the next month.

The Brisbane Broncos Leagues Club strives to minimise the potential for harm at all times and ensures that patrons are provided with a safe environment as demonstrated through the above measures. The Club understands the risk and responsibility that comes with operating a licensed venue and actively engages in activities and practices to mitigate these risks where possible.

If you require any further information in relation to the above, please contact us.

Yours faithfully



Curt Schatz
Managing Partner

Please quote: FRN216247
Contact officer: Patrick Jensen
Contact telephone: (07) 3872 0806



Office of Liquor and Gaming Regulation

Department of
Justice and Attorney-General

Mr Curt Schatz
Managing Partner
Mullins Lawyers
cschatz@mullinslawyers.com.au

Dear Mr Schatz

I acknowledge that you act on behalf of the Brisbane Broncos Leagues Club Limited (Club), the gaming machine licence holder at the Brisbane Broncos Leagues Club (premises).

Thank you for your response dated 3 May 2019 to the Office of Liquor and Gaming Regulation's (OLGR) letter dated 11 April 2019 regarding an investigation into general gaming practices at the premises.

The response has been reviewed and I note your advice regarding how the Club provides and promotes responsible gaming practices at the premises whilst also considering the voluntary Queensland Responsible Gambling Code of Practice (Code) and the Queensland Responsible Gambling Resource Manual – Clubs (Manual).

Notwithstanding the above, a review of the information provided in the response has identified that further detail is requested to be provided by the Club regarding the Club's VIP Program and the practice of providing a drink service to patrons in the gaming machine area.

As stated in OLGR's letter dated 11 April 2019, Mr Joe Kelly, Chief Executive Officer, advised OLGR Investigators that the Club has a VIP Program, in which members of the VIP Program receive \$500 credit for that month to spend on food and beverages at the premises which may include the purchase of alcohol. Mr Kelly further advised that the Club provides a drink service to patrons in the gaming area, in which patrons can press an 'attendant call button' on the electronic gaming machine (EGM) and order alcohol which is then served to the patron at the EGM.

Whilst I acknowledge commitment to the Code and supporting Manual is voluntary, concerns exist that these practices engaged by the Club are not in line with the Code and Manual.

I again draw your attention to the Code and Manual, in particular the following sections of the Manual which state:

- Section 4.3 (Hospitality services) – "...Do not provide drink service in the designated gaming areas, instead requiring patrons to obtain drinks from the nearest bar..."
- Section 4.8 (Breaks in play) – "...Encourage patrons to take breaks from play using a range of strategies such as requiring them to obtain drinks from either the bar, self-service tea and coffee station or from a water dispenser..."

- Section 6.10 (Irresponsible trading practices) – "Ensure gambling advertising and promotions, including player loyalty/rewards programs, if applicable, do not contain messages designed to persuade patrons to gamble in an excessive and irresponsible manner (who in the absence of such encouragement would not have otherwise) such as:
...
 - o not offering inducements that would result in a substantial alteration to the person's normal betting stake or activity
 - o not offering free or discounted alcohol for gambling patrons only..."
- Section 6.11 (Consumption of alcohol) – "Ensure gambling advertising and promotions, including player loyalty/rewards programs, if applicable, do not show consumption of alcohol as an acceptable behaviour while engaged in the activity of gambling. This includes:
 - o avoiding references to the offer of free alcohol as a reward for gambling at the club..."

As such, to further assist the OLGR with its enquires, the Club is requested to provide a written response in relation to the following points:

1. Full and specific details of the VIP Program at the premises, and any documentation, policies or procedures that relate to the VIP program;
2. Full and specific details of the 'drink service' provided in the gaming machine area in which patrons can order and receive alcoholic beverages whilst playing EGMs, and any documentation, policies or procedures that relate to this practice, including how the Club monitors the supply and consumption of alcohol, and breaks in play for patrons who engage in this practice;
3. Provide advice on the Club's position regarding the apparent non-compliance with the abovementioned sections of the Manual; and
4. Other than changes mentioned in your letter dated 3 May 2019, has the Club made any other changes, or does the Club intend to make any further changes in relation to the VIP Program and/or 'drink service'.

The Club is requested to provide the written response to the OLGR by 5.00pm on Friday 14 June 2019.

If you require any further information in relation to this matter, please contact Investigator Patrick Jensen, OLGR, Department of Justice and Attorney-General on (07) 3872 0806 or at patrick.jensen@justice.qld.gov.au.

Yours sincerely



BEVAN MCGARRICK
Director - Investigations

24519

Our Ref: CMS:129585
Contact: Curt Schatz | 07 3224 0230
Email: cschatz@mullinslawyers.com.au

14 June 2019

7

Office of Liquor and Gaming Regulation
Patrick.Jensen@justice.qld.gov.au

By email

Dear Sir/Madam

Response to OLGR - Brisbane Broncos Leagues Club
Reference: FRN216247

We confirm that we act on behalf of Brisbane Broncos Leagues Club Limited, the Licensee of the Brisbane Broncos Leagues Club.

We refer to your correspondence of 24 May 2019 requesting that further detail be provided regarding the Club's VIP Program and practice of providing a drink service to patrons in the gaming machine area. Our client's response is outlined below for your consideration.

Recent changes to VIP Program

We note that the Club's original VIP Program, which was discussed with OLGR Investigators directly, was not established by the current CEO of the Club and was inherited from the previous manager when the role changed hands.

At the direction of the present CEO, Joe Kelly, the Club's VIP Program has recently been revised to ensure that the rewards system reflects the Club's position on responsible service of gaming and alcohol, while maintaining its commercial competitiveness and practices in line with the nearby pubs and clubs that offer similar rewards program for patrons and members.

Please see **attached** an updated copy of the VIP Program terms and conditions for your reference.

An additional review of the rewards program will take place in line with the Club's current building program.

Details of VIP Program

The Brisbane Broncos Leagues Club's VIP Program allows members to have access to promotions, exclusive offers, rewards and special events by earning "*Broncos Bucks*".

Broncos Bucks can be earned by patrons through using their Membership Card when purchasing Food and Beverages at the Club or by using the Gaming Lounge. The VIP Program offers different accrual rates of *Broncos Bucks* within its tiered loyalty levels.

This is similar to a number of loyalty programs run in many other community clubs, pubs and casinos across Queensland that the licensee is aware of.

However, unlike other club's which offer unlimited accumulation of credits for food and beverages, the Club has imposed a capped total reward amount of \$500 for spend on food and beverages at the Club. This amount resets monthly to a zero dollar amount, and will not be carried over from month to month.

Our client acknowledges the stance of the voluntary Queensland Responsible Gambling Code of Practice (**Code**) and Queensland Responsible Gambling Resource Manual – Clubs (**Manual**) on loyalty programs. As above, the Club will conduct an additional review of the rewards program in line with its current building program.

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Food and Beverage credits at the Club are just one of the rewards available through the VIP Program. Our client has advised that the redemption of this reward is not often used to purchase liquor at the Club, and members generally use their credits on a meal at one of the various outlets available, if at all.

Gaming room food and beverage service

Like the majority of commercially competitive clubs, pubs and casinos in Queensland, the Club serves food and beverages to patrons in the gaming room when requested.

At the Club, this service is carried out by trained staff members who approach patrons to take orders, similar to any table service or other personalised service available at licensed venues.

These staff are trained in the responsible service of alcohol, and while attending to patrons who request to purchase food or beverages, the staff members actively monitor and assess patrons for signs of intoxication. Through this training, our client confirms that the service of food and beverage to patrons in the gaming room is in line with its procedures and policies in relation to the responsible service of liquor and responsible conduct of gaming.

There is a self-service water station available in the gaming lounge which encourages patrons to take breaks from playing the gaming machines. Our client has recently installed an additional water station to ensure that the stations are visible from the gaming machines. Staff also serve tea and coffee to patrons in the gaming room on request, or via the bar.

Staff members patrol the gaming room and monitor patrons in the gaming room at all times to ensure that players are not becoming intoxicated.

Acknowledgment of voluntary code and manual

Our client acknowledges the Code and Manual and notes that they are voluntary in nature.

Our client is compliant with the provisions of the *Liquor Act 1992*, *Gaming Machine Act 1991*, and accompanying regulations. In addition to this, our client confirms that it will continue to use the Code and Manual as a guide only, noting the fact that the Code and Manual are non-compulsory.

Given the nature of the Club and its policies and procedures, our client considers that it has the ability to monitor patrons and ensure responsible service of liquor and gaming more effectively than other premises that do not have the same resources and governance controls.

Additionally as a larger, and well established club, our client ensures that it engages adequate staff on the floor at all times to monitor patrons and ensure responsible service of liquor and gaming effectively.

In this regard, our client confirms that it has a comprehensive Responsible Service of Gambling Policy, Compliance Program Document and Risk Assessed Management Plan in place. Additionally, our client confirms that it makes sure that there is extra staff at the Club during busy periods, to ensure that the service of liquor and gaming remains responsible.

The Brisbane Broncos Leagues Club strives to minimise the potential for harm at all times and ensures that patrons are provided with a safe environment. The Club's VIP Program and food and beverage service are heavily monitored and regulated to ensure that the principles of responsible service and gambling are upheld.

As an overall comment in relation to the loyalty program and other practices raised by the OLGR, we highlight the prevalence of these practices within the industry, and the need for our client to continue with its usual operations so that it can remain commercially competitive with other clubs, pubs and casinos.

If you require any further information in relation to the above, please contact us.

Yours faithfully


Curt Schatz
Managing Partner

Please quote: FRN216780 & FRN216247
Contact officer: Patrick Jensen
Contact telephone: (07) 3738 8416



Office of Liquor and Gaming Regulation

Department of
Justice and Attorney-General

The Directors
Brisbane Broncos Leagues Club Limited
98 Fulcher Road
RED HILL QLD 4059

Dear Directors

As you are aware, the Office of Liquor and Gaming Regulation (OLGR) received a complaint on 29 January 2019 regarding an incident where it is alleged a patron suffered a fall in the gaming machine area of the Brisbane Broncos Leagues Club (premises) on 13 August 2018 after being supplied liquor for an extended period. The complaint also included concerns relating to general gaming practices at the premises, operating under a gaming machine licence issued to Brisbane Broncos Leagues Club Limited (licensee).

During the investigation, further information has been provided about the alleged incident from the licensee's Chief Executive Officer, Mr Joe Kelly and the licensee's legal representative, Mullins Lawyers.

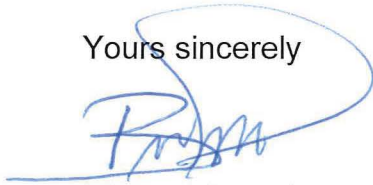
I wish to advise that OLGR has now finalised its investigation into the matter and no further action will be taken at this time.

I wish to take the opportunity to remind the licensee of their obligations under section 156 of the *Liquor Act 1992* (liquor prohibited to unduly intoxicated persons).

I also wish to take the opportunity to remind the licensee of the matters outlined in the Queensland Responsible Gambling Code of Practice (Code) and Queensland Responsible Gambling Resource Manual – Clubs (Manual). I acknowledge that the Code and Manual are voluntary in nature, however strongly request and recommend that gaming practices at the premises remain in line with the Code and Manual, specifically section 4.3 (Hospitality services), section 4.8 (Breaks in play), section 6.10 (Irresponsible trading practices) and section 6.11 (Consumption of alcohol) of the Manual.

If you require any further information in relation to this matter, please contact A/Senior Investigator Patrick Jensen, OLGR, Department of Justice and Attorney-General on (07) 3738 8416 or at Patrick.Jensen@justice.qld.gov.au

Yours sincerely



Michael Sarquis
Executive Director

8 / 1 / 20

cc: Mr Joe Kelly – Chief Executive Officer
joekelly@broncosclub.com.au