NORTHERN TERRITORY WAGERING COMMISSION

DECISION NOTICE AND REASONS FOR DECISION

MATTER:	Complaint for determination by the Northern Territory Wagering Commission (pursuant to section 224 of the *Racing and Wagering Act 2024)*
COMPLAINANT:	Mr G (**Complainant)**
LICENSEE:	Hillside (Australia New Media) Pty Ltd trading as bet365
HEARD BEFORE: (on papers)	Mr Alastair Shields (Presiding Member) Ms Cindy Bravos Mr Ian Curnow
DATE OF DECISION:	23 June 2026

DECISION

1. This decision is issued by the Northern Territory Wagering Commission (**Commission**), formerly known as the Northern Territory Racing and Wagering Commission, following commencement of the *Racing and Wagering Amendment Act 2026* on 22 June 2026. Any preliminary findings, correspondence or other documents previously issued in relation to this matter under the name Northern Territory Racing and Wagering Commission continue to have effect and should be read as references to the Northern Territory Wagering Commission.

2. For the reasons set out below, the decision of the Commission is that Hillside (Australia New Media) Pty Ltd **(the Licensee),** in relation to its dealings with the Complainant, acted in compliance with its obligations under the *Racing and Wagering Act 2024* (**the Act**)**,** its licence conditions and the Northern Territory Code of Practice for the Responsible Service of Online Gambling 2019 (**the Code**) that was in effect at the time of the events which are the subject of this complaint.

3. The Commission finds that the wagers made between the Complainant and the Licensee are valid and that the losses sustained by the Complainant do not in themselves indicate a breach of the Licensee's regulatory obligations.

REASONS

The Licensee

4. The Licensee is authorised by the Commission to conduct the business of a sports bookmaker and to operate a digital wagering platform under the branding of bet365. The Commission renewed the licence to conduct the business of a sports bookmaker operator on 11 July 2025 pursuant to section 140 of the Act.

5. For ease of reference, the Commission will refer to the Licensee as bet365 throughout this decision notice.

The Complaint

6. On 18 March 2025, the Complainant lodged a complaint with the Commission in relation to his dealings with bet365. In that complaint, the Complainant alleged that bet365 had failed to

appropriately identify and respond to indicators that the Complainant was experiencing gambling-related harm from July 2024 until his account closure on 11 March 2025.

7. As a specific example, the Complainant pointed to 9 March 2025, where he submits that rapid and escalating deposits totalling over $40,000.00 were made within approximately 90 minutes, alongside high value wagering and repeated losses.

8. The Complainant is seeking acknowledgement that bet365 failed to act despite clear signs of harmful wagering and a refund of the losses he sustained.

Jurisdiction and Procedure

9. The complaint was investigated by the Director of Racing and Wagering (**Director**) on behalf of the Commission in accordance with section 222(1) of the Act. Following completion of the investigation and after consideration of the submissions received under section 222(4), the Director prepared a report in accordance with section 223. The report summarises the findings of the investigation, includes the parties' submissions and relevant evidence obtained during the investigation and sets out the recommendations made in relation to the complaint. The report was provided to the Commission.

10. The Commission has considered the complaint, the Director's report, the submissions of both the Complainant and bet365 and the evidence obtained during the investigation. This decision records the Commission's consideration of those matters.

11. As a matter of procedural fairness to bet365 and the Complainant, a draft of the Commission's determinations was supplied to both parties for comment. The Complainant did not provide a response, and bet365 responded in support of the draft determination.

Account Activity

12. The Complainant opened an account with bet365 on 13 August 2021, with the last activity occurring on 9 March 2025, followed by the account being closed as a self-excluded account on 11 March 2025. Over the lifetime of the account, total deposits made into the account were $78,028.96 with withdrawals of $56,402.16, resulting in a net loss to the Complainant of $21,626.80.

13. On 13 August 2021 when the account was opened, the Complainant made an initial deposit of $10.00. The account then remained inactive until the end of October 2023.

14. The following timeline is a summary of the activity on the account from October 2023 until it was closed by bet365 on 11 March 2025:

30 October 2023 – February 2024

- the Complainant deposited an average of $207.00 per month during this four month period; and

- by February 2024, the account was in profit in the amount of $421.86.

10 March 2024

- bet365 records show that the Complainant acknowledged receiving a generic in-app pop-up reminder regarding the use of deposit limits;

- no deposit limit was set by the Complainant; and

- as there had been no wagering activity on the account since 22 February 2024, the account remained in profit in the amount of $421.86.

14 March - May 2024

- the Complainant:
    - deposits a total of $1,019.00 through 17 separate deposits; and
    - withdraws $604.94 through three separate withdrawals.

  The account showed a profit of $7.80.

June 2024

- **2 June**, the Complainant:
    - deposits a total of $400.00; and
    - withdraws a total of $811.00.

  The account showed a profit of $418.80.

- **7 June**, the Complainant:
    - deposits $180.00.

  The account showed a profit of $238.80.

- **8 June**, the Complainant:
    - deposits a total of $1,150.00 through three separate deposits; and
    - wagers $1,150.00 through a series of escalating stakes.

  The account showed a loss of $911.20.

- **9 June,** the Complainant:
    - deposits a total of $6,520.00 through three separate deposits of $20.00, $1,500.00 and $5,000.00 (the $5,000.00 deposit was withdrawn without being wagered);
    - wagers:
        - $20.00 which returned winnings of $42.00 which was restaked and returned winnings of $80.22 which was withdrawn; and
        - $1,500.00 which returned winnings of $2,865.00 which was withdrawn through two separate withdrawals.

  The account showed a profit of $514.02.

  Bet365 records show that the Complainant was sent a generic automated in-app Responsible Service of Gambling (**RSG**) web message, drawing attention to a recent increase in deposit activity, and encouraging the use of deposit limit tools. The web message included links to gambling support services and bet365's Responsible Gambling page.

- **16 - 28 June,** the Complainant continues wagering, with:
  - nine deposits totalling $180.00; and
  - withdrawals of $10.00.

  The account showed a profit of $344.02.

- **29 - 30 June,** the Complainant:
  - deposits a total of $2,005.00 including a single deposit of $1,000.00; and
  - withdraws $2,160.00 (predominantly being the winnings resulting from a $1,000.00 wager).

  The account showed a profit of $499.02.

July 2024 - October 2024, the Complainant continues wagering as follows:

  - July 2024 – three deposits totalling $210.00 and a withdrawal of $126.40;
  - August 2024 – 11 deposits totalling $1,060.00 and four withdrawals totalling $1,057.23;
  - September 2024 – 25 deposits totalling $2,153.00 and nine withdrawals of $3,065.95; and
  - October 2024 – 25 deposits totalling $3,140.00 (including a single deposit of $1,100.00) and seven withdrawals totalling $2,579.36.

  By 30 October 2024, the account showed a profit of $764.96.

November 2024

- **1 – 23 November**, the Complainant continues wagering, with:
  - 22 deposits totalling $1,344.96 and ten withdrawals totalling $1,036.07.

  The account showed a profit of $456.07.

- **24 November,** the Complainant:
  - deposits a total of $2,300.00 through five separate deposits including a single deposit of $1,250.00; and
  - withdraws a total of $2,195.00.

  The account showed a profit of $351.07.

- **25 – 30 November,** the Complainant continues wagering with:
  - eight deposits totalling $685.00 and four withdrawals totalling $936.37.

  The account showed a profit of $602.44.

- **30 November,** bet365 records show that the Complainant was sent the same generic in-app RSG web message (as was sent in June 2024), drawing attention to a recent increase in deposit activity and encouraging the use of deposit limit tools.

December 2024 – January 2025, the Complainant continues wagering with:

- eight deposits totalling $180.00 and three withdrawals totalling $180.00.

The account continued to show a profit of $602.44.

February 2025

- **1 – 7 February 2025,** the Complainant continued wagering with:
    - five deposits totalling $260.00 and four withdrawals totalling $458.00.

The account showed a profit of $800.44.

- **8 February 2025,** the Complainant:
    - deposits a total of $4,160.00 through 12 separate deposits, including individual deposits of $500.00, $800.00 and $2,000.00; and five withdrawals totalling $4,412.00.

The account showed a profit of $1,052.44.

Bet365 records show that the Complainant was again sent the same generic in-app RSG web message (as per June 2024 and November 2024), drawing attention to an increase in deposit activity and encouraging the use of deposit limit tools.

- **9 – 21 February 2025**, the Complainant continues wagering with:
    - four deposits totalling $375.00 and three withdrawals totalling $617.86.

The account showed a profit of $1,295.30.

- **22 February 2025,** the Complainant:
    - deposits a total $3,965.00 through 18 separate deposits including individual deposits of $1,000.00, and $2,000.00; and
    - withdraws a total of $4,106.05.

The account showed a profit of $1,436.35.

- **23 – 28 February 2025,** the Complainant continues wagering with:
    - four deposits totalling $160.00 and three withdrawals totalling $555.78.

The account showed a profit of $1,832.13.

March 2025

- **1 March** 2025, the Complainant:
    - deposits a total of $3,387.00 through 15 separate deposits including an individual deposit of $1,627.00; and
    - withdraws a total of $3,708.30.

The account showed a profit of $2,153.43.

Bet365 records show that the Complainant was sent a different generic in-app RSG web message to those sent previously, highlighting that the Complainant made frequent deposits into his account and encouraging the use of deposit limits, reality checks, short breaks and self-exclusions.

The web message also suggested completing a 'Self-Assessment' to assist the Complainant in considering *"whether [he has] a problem."*

Bet365 submits that a further pop-up message was generated alongside the web message and shown during the session or at next login. Bet365 records show that the in-app RSG Self-Assessment was completed by the Complainant on 1 March 2025 and that the Complainant responded 'no' to all eight RSG Self-Assessment questions indicating no reported gambling concerns.

- **2 March 2025,** the Complainant:

  - deposited $275.00 through five individual deposits and withdrew $480.00 through two withdrawals.

  The account showed a profit of $2,358.43.

  There was no activity on the account between 3 – 6 March 2025.

- **7 March 2025,** the Complainant:

  - deposits a total of $200.00 through two deposits and withdraws $235.00.

  The account showed a profit of $2,393.43.

  The Complainant does not wager on 8 March 2025.

- **9 March 2025,** the Complainant:

  - commences wagering with series of deposit-matched losing wagers of $35.00, $75.00, $150.00, $300.00, $600.00 and $1,400.00, followed by larger deposits of $3,000.00, $6,000.00 and $10,000.00 that were also fully lost;
  - deposits $20,000.00 through two separate deposits of $10,000.00 and after a voided wager of $960.00 and three wagers of $960.00 each of which one was a winning wager and returned $1,550.77, the account balance remained largely intact at $17,614.77;
  - withdraws that remaining balance of $17,614.77, representing the majority of the $20,000.00 deposited earlier, leaving an account balance of zero, meaning most of the $20,000.00 deposited was ultimately withdrawn rather than wagered; and
  - deposits a final deposit of $50.00, places a wager to the same value which is later voided and withdraws this amount, again leaving an account balance of zero.

  By the end of the day, the account showed a lifetime loss of $21,626.80.

  The Complainant has provided evidence that he registered with BetStop (Australia's National Self-Exclusion Register) for a 12-month period on the same day.

  Bet365 submits that it also identified on the same day that the Complainant had registered with BetStop and as a result, a permanent closure was applied to the Complainant's account.

- **10 March 2025**
  - the Complainant lodges a complaint with bet365 via email alleging that between July 2024 and March 2025, bet365 failed to intervene despite clear problem gambling indicators including escalating wagers up to $10,000.00 to recover losses, and requests an account review, explanation for lack of intervention and refund of losses, with a potential to escalate the complaint to the Commission if his complaint is not addressed satisfactorily.
- **11 March 2025**
  - bet365 advised the Complainant that it had identified that he was now registered on BetStop and that it had permanently closed the Complainant's account.

Consideration of the Issues

15. Clause 3.2 of the Code provides that online gambling providers must have effective policies and procedures to identify customers who are exhibiting indicators of gambling harm and must monitor and interact with those customers in a manner that is appropriate and proportionate to the circumstances.

16. In determining the Complainant's allegations, the Commission has considered:

    (a) transaction records for the Complainant's wagering account;

    (b) deposit and wagering history, including timing, frequency and amounts;

    (c) communication records between bet365 and the Complainant;

    (d) internal notes, alerts and responsible gambling monitoring records maintained by bet365;

    (e) submissions made by bet365 during the investigation of the complaint; and

    (f) information provided by the Complainant.

17. The evidence establishes that:

    (a) the Complainant maintained an account with bet365 for a period of approximately three and a half years however, the substantive wagering activity occurred over a period of 18 months between October 2023 and March 2025;

    (b) over that period, the Complainant engaged in regular wagering across numerous days, with activity characterised by cycles of deposits, wagering, winnings and withdrawals rather than a continuous loss pattern;

    (c) for extended periods up until 7 March 2025 the Complainant's wagering activity was relatively successful with net winnings of $2,393.43;

    (d) between October 2023 and May 2024, deposit levels were relatively modest and were broadly offset by withdrawals, with the account balance remaining near break-even or in small profit;

    (e) from June 2024 the Complainant's activity shows intermittent increases in deposit frequency and stake sizes, including larger single-day deposits, however, these periods were accompanied by withdrawals and the account remained mainly in profit;

(f) on some occasions, including larger amounts, deposits were withdrawn without being wagered or were largely preserved and later withdrawn (for example, the $5,000.00 deposit in June 2024 and the majority of the $20,000.00 deposited on 9 March 2025), indicating that the Complainant did not consistently risk all deposited funds;

(g) bet365 issued automated RSG communications at points where increased deposit activity was identified, drawing attention to deposit limits and other safer gambling tools. The Complainant did not set a deposit limit or take advantage of any other tools available to him following these prompts;

(h) from July 2024 to January 2025, wagering continued on a generally consistent basis, with ongoing withdrawals and the account remaining overall in profit despite fluctuations;

(i) in February 2025, the Complainant engaged in increased deposit frequency, including clusters of multiple deposits in a single day but continued to withdraw funds and maintain a positive account position;

(j) on 1 March 2025, bet365 sent a further in-app RSG message to the Complainant and issued a RSG self-assessment prompt which the Complainant completed and reported no gambling concerns;

(k) in the first week of March 2025, the Complainant continued wagering and withdrawing funds, with the account balance increasing overall;

(l) on 9 March 2025, the Complainant engaged in a high-intensity wagering session involving rapid and escalating deposits, high value wagering and significant losses within a short period of time, representing a clear escalation in both deposit size and stake size in comparison to the Complainant's usual wagering activity;

(m) during that session, the Complainant deposited substantial amounts including $20,000.00 via two deposits however, the majority of the $20,000.00 was ultimately withdrawn rather than wagered, meaning a significant portion of that deposit amount was preserved;

(n) the activity on 9 March 2025, constitutes the clearest acute indicator of elevated gambling risk on the account, but it occurred late in the account history and immediately before the Complainant excluded himself from all Australian licensed online wagering operators via BetStop;

(o) on 9 March 2025, bet365 identified that the Complainant had registered with BetStop and subsequently closed the Complainant's account in accordance with the BetStop exclusion;

(p) on 10 March 2025, the Complainant lodged a complaint with bet365 alleging that bet365 failed to appropriately identify and respond to indicators of gambling-related harm and seeking a refund of losses incurred; and

(q) on 11 March 2025, bet365 applied a permanent closure to his account.

Findings

18. The Commission finds that bet365 complied with its obligations under the Code with respect to the Complainant and his account. In making this finding the Commission has taken into account the Complainant's wagering activity, including periods of profit, regular withdrawals throughout the account's operation and occasions where deposits were not wagered but withdrawn (for example the $5,000.00 deposit in June 2024 and the majority of the $20,000.00 deposited on 9 March 2025). The Commission notes that the only clear escalation in risk occurred on 9 March

2025, which was acute but occurred over a relatively short period of 90 minutes and was not part of a sustained pattern of harm.

19. The Complainant received four separate in-app RSG web messages from bet365 during the account's operation, including a mandatory self-assessment completed on 1 March 2025. These messages highlighted increased deposit activity and provided links to RSG tools such as deposit limits, breaks, self-exclusion tools and gambling support services. The Complainant did not set deposit limits or otherwise use the tools provided.

20. The Commission considered whether bet365 ought reasonably to have known that the Complainant was experiencing gambling-related harm. The Commission finds that the generation of repeat automated alerts placed bet365 on notice of frequent deposits, but alone, did not indicate gambling-related harm. Automated alerts are a screening mechanism, not a determination of harm, and require contextual assessment of the account activity. In this case, the account history shows intermittent wagering, withdrawals and preservation of deposits, which mitigates the indication of sustained harm prior to 9 March 2025.

21. The Commission finds that the escalation in deposits and wagering on 9 March 2025 was acted upon by bet365 in a manner that was proportionate and timely to the relevant risk, consistent with its licence obligations and the Code. While the escalation was significant in value and rapid, it was isolated rather than sustained and bet365 had previously provided multiple RSG messages, access to deposit limits, self-exclusion tools and gambling support services and the Complainant had completed a self-assessment several days earlier. Given this context, bet365 acted appropriately and in a timely manner by permanently closing the Complainant's account following his registration with BetStop and his complaint to bet365.

Precedent Consistency

22. The Commission has considered relevant decisions of the former Northern Territory Racing Commission and Northern Territory Racing and Wagering Commission, including *G v Hillside*, *Mr S v Hillside*, *Z v Hillside*, *S v Ladbrokes* and *Crossbet Pty Ltd.*

23. These precedents establish the following principles:

- the provision of automated RSG messages, self-assessment tools and access to support services may, in some circumstances constitute compliance with the Code and licence obligations. This is generally sufficient where indicators of gambling-related harm are limited or intermittent. Where strong or sustained harm indicators exist, additional or personalised engagement may be expected (*CrossBet Pty Ltd.*, *L v Hillside);*

- interventions must be proportionate and timely relative to the risk presented, with the expectation that escalating or sustained harmful behaviour may warrant faster or more direct engagement;

- timely closure of an account, including action following self-exclusion registration constitutes appropriate compliance. The licensee's actions are judged relative to the risk and timing, not absolute real-time prevention of losses;

- losses incurred by a wagering customer do not automatically trigger a refund obligation where the licensee has complied with the Code and licence obligations. The existence of RSG tools and messaging is central to this assessment; and

- where escalation is acute or indicators of harm are significant and sustained, licensees may be expected to engage actively beyond automated messages. Episodic escalation, brief high-risk behaviour or intermittent risky deposits may not alone indicate non-compliance.

24. Applying these precedents to the Complainant’s account:

- bet365 issued multiple RSG messages and provided access to RSG tools, which is consistent with precedent where risk indicators were limited or intermittent;
- the Complainant completed a RSG self-assessment on 1 March 2025;
- the account showed intermittent wagering, frequent withdrawals, periods of profit and some deposits withdrawn without wagering; and
- the only acute escalation occurred on 9 March 2025 immediately prior to registration with BetStop and the subsequent permanent closure of the account.

25. Considering the context and precedent principles, bet365’s actions being the provision of RSG messages, self-assessment, RSG tools and timely closure of the account are consistent with its obligations under the Code and its licence. There are no direct contradictions with precedent and the nuances regarding escalation and sustained risk do not alter this conclusion.

NOTICE OF RIGHTS

26. Section 239(1)(g) of the Act sets out that a decision or action by the Commission, under section 224 of the Act, is reviewable by the Northern Territory Civil and Administrative Tribunal (NTCAT). Where a right of review arises, the Complainant or bet365 may apply to NTCAT for a review of this decision within 14 days of receipt of this Decision Notice.

Alastair Shields

Alastair Shields
Chair
Northern Territory Wagering Commission

On behalf of Commissioners Shields, Bravos and Curnow.