

# NORTHERN TERRITORY RACING AND WAGERING COMMISSION

## DECISION NOTICE AND REASONS FOR DECISION

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<b>MATTER:</b>	Gambling Dispute for determination by the Northern Territory Racing and Wagering Commission (pursuant to section 224(2) of the <i>Racing and Wagering Act (2024)</i> ("the Act")
<b>COMPLAINANT:</b>	Mr W
<b>LICENSEE:</b>	Hillside (Australia New Media) Pty Limited trading as bet365
<b>HEARD BEFORE: (on papers)</b>	Scott Perrin (Presiding Member) Rachael Shanahan Ian Curnow
<b>DATE OF DECISION:</b>	16 November 2025

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### DECISION

1. For the reasons set out below, the Northern Territory Racing and Wagering Commission (the Commission) is satisfied that Hillside (Australia New Media) Pty Limited trading as bet365 has, in relation to its dealings with the Complainant, acted in compliance with the regulatory environment imposed on it by the *Racing and Wagering Act 2024 (the Act)*, its licence conditions and the relevant Code of Practice that was in effect at the time of the events which are the subject of this gambling dispute.
2. The Commission is satisfied that the bets made between the Complainant and bet365 between 27 September and 29 September 2024 are valid and as such has decided not to apply its powers under section 209 of the Act.

### REASONS

#### Background

3. The Commission renewed Hillside (Australia New Media) Pty Limited's licence to conduct the business of a sports bookmaker operator on 11 July 2025 pursuant to section 140 of the Act.
4. Hillside (Australia New Media) Pty Limited operates its sports bookmaker business under the trading name of bet365. For ease of reference, the Commission will refer to the licensee as bet365 throughout this Decision Notice.

#### The Complaint

5. On 14 October 2024, the Complainant lodged a complaint with the Commission in relation to his dealings with bet365. In that complaint, the Complainant stated that bet365 had failed to recognise a change in his betting behaviour and should not have allowed him to bet in the amounts and manner that he did between 27 and 29 September 2024.
6. The Commission granted leave for the Complainant to file the complaint late by virtue of section 221(3)(b) of the Act.

7. The Complainant claims to have been the holder of a account with bet365 for some time on an inactive basis before making two deposits totalling \$350 on 16 and 19 August 2024. Bet365 cannot find any previous account for the Complainant prior to opening his account with them on 16 August 2024. Whether the Complainant's account was inactive before 16 August 2024 or whether it was a new account is irrelevant as only the betting of the Complainant on and from 19 August 2024 is relevant to and relied upon by the Complainant for this Complaint. The only relevant action in this period is the Complainant changing his daily deposit limit from \$250 to unlimited on 19 August 2024. Despite this change in limit the Complainant does not make another deposit until 27 September 2024. Changes in deposit limits during wagering periods can be an indication of changing betting habits. In this case the change was made well before any subsequent deposit.
8. Between 19 August and 27 September 2024, the Complainant had over 100 bets usually in amounts of around \$10 or \$20, occasionally higher, but not exceeding \$100. During this period the Complainant (after allowing for bonus bets) lost around \$100 of the \$350 that he had initially deposited ("The initial betting period").
9. On 27 September 2024 the Complainant deposited \$10,000 then 3 minutes later bet the \$10,000 on a horse race. That bet resulted in his stake being returned several minutes later, upon which he then bet the \$10,000 on another horse race some 7 minutes after the stake was returned. That bet was unsuccessful so that the Complainant lost the \$10,000.
10. Over the following hour the Complainant received winnings from bets previously made by him in the initial betting period, including a winning horse race bet and two other bets on Rugby League.
11. Around 9 hours after making the first \$10,000 deposit the Complainant made a second \$10,000 deposit which he then bet on another horse race which was also unsuccessful.
12. During the next 30 minutes after the horse race referred to in paragraph 9 the Complainant received two resulted bets from earlier betting on Rugby League in his initial betting period, before depositing a third \$10,000, approximately 40 minutes after his second \$10,000 deposit.
13. The Complainant then proceeded to place 7 bets over approximately the following ten hours on horse races utilising the third \$10,000 deposit commencing 20 minutes after the deposit. These 7 bets varied from \$800 to \$5,000 and resulted in a loss overall of around \$500.
14. Still on 27 September 2024 and three minutes after the result of the last horse racing bet referred to in paragraph 11, the Complainant over the next two hours placed five bets on American Baseball, Tennis and Basketball for a combined stake of \$10,420. Only one of these bets was successful, returning \$420, so that the balance of the Complainants account was under \$40.
15. There has now been 24 hours from the first deposit of \$10,000 to the Complainant's last bet referred to in paragraph 12 which utilised the balance of the third deposit of \$10,000 made during that period. This includes a period of more than ten hours where the Complainant did not place any bets.
16. On 29 September 2024, four hours after his last bet, the Complainant makes two \$10,000 deposits approximately ten minutes apart and proceeds to have six bets on European and American Soccer all within ten minutes of making the two deposits for bets of around \$3,000 to \$3,500 each.
17. These are the last bets that the Complainant had with bet365, with 5 of the 6 bets winning and returning a net result for the last 6 bets of \$25,000 after including the two \$10,000 deposits. (Concluding the "second" betting period).

18. The Complainant says his wagering activity was not controlled, was out of character and asks for his losses during the second betting period to be voided and returned to him, which he says are \$49,300.
19. The actual losses of the Complainant for the second betting period are in fact \$23,278.

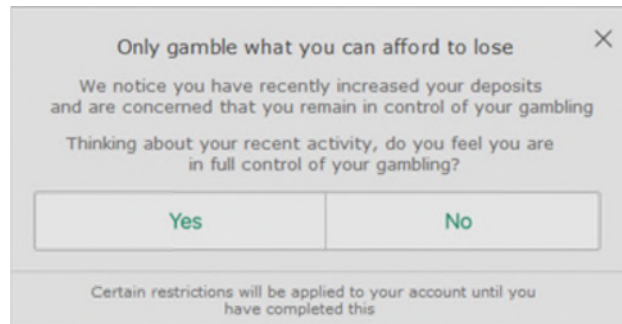
### **Commission Hearing**

20. Pursuant to section 16(h) of the Act, the Commission determined to investigate the matter and hear the dispute in the absence of the parties, and make its determinations based on the written material before it.
21. As a matter of procedural fairness to both bet365 and the Complainant, a draft of the Commission's determinations and proposed disciplinary action was also supplied to both parties for comment. Both bet365's and the Complainant's comments have been considered during the finalisation of this Decision Notice.

### **Consideration of the Issues**

22. The Commission accepts that the amount(s) deposited and size of the bets by the Complainant varies substantially between the initial and second betting periods. The average bet for the initial period is around \$25 and for the second period varies between \$800 and \$10,000 with a mean of around \$3,500.
23. The deposits and losses of the Complainant for the second betting period can be broken into three periods. Firstly a \$10,000 deposit on 27 September 2024 which was utilized for one bet of \$10,000 which lost. Secondly, and ten hours after the bet in the first period a \$10,000 deposit for a \$10,000 bet which lost, then a deposit of another \$10,000 some 30 minutes after the first deposit for 12 bets made over 12 hours. The third period saw two \$10,000 deposits only a short time apart, and around four hours after the last bet in the second period. The Complainant made 6 bets almost immediately with the \$20,000 deposited which resulted in a net win for the Complainant in this third period.
24. During the initial betting period the Complainant would often bet for extended periods (with his average bet of less than \$25). This included over eight hours on 21 September 2024, 7 hours on 23 September 2024 and 16 hours on 26 September 2024 where he placed 39 bets. Placing 39 bets in a day and more than a dozen bets a day in the initial betting period is inconsistent with the Complainant's claim that "I would usually put bets on once a day or every second day". The sports bet on during this initial betting period were similar to the sports bet on in the second betting period and for not dissimilar betting periods.
25. In response to the substantial deposit increases and the size of betting activity between the initial and second betting period, bet365 says that it took the actions set out in paragraphs 26 to 35. The Complainant says that he does not agree and or recall that all or any of the interactions between him and bet365 referred to in paragraphs 25 to 34 took place. In considering this decision it is important to establish whether the interactions in fact took place, and in the manner and times stated. The Commission is satisfied that the interactions took place in the manner and times provided by bet365. In reaching this conclusion the Commission relied upon the recorded discussions between the Complainant and bet365, which the Complainant said either didn't occur, or didn't recall or was vague and unreliable as to their detail and context. Further, the Commission has reached the view that the logs and material as to online interactions with the Complainant are reliable and the Complainant's suggestion that they either didn't occur or he didn't recall to be unreliable.

26. Upon the Complainant making his second \$10,000 deposit on 28 September 2024, bet365's Early Risk Detection System (ERDS) prompted the Complainant with a Responsible Gambling pop-up, which prevented further activity from taking place on the account until addressed. The pop-up asked whether the Complainant felt that he was in control of his gambling, as shown in the example below:



27. The Complainant selected 'Yes' in response to the question in the pop up and was then permitted to place the \$10,000 bet in the first period of betting.
28. When the Complainant made the third \$10,000 deposit, bet365 prompted him to complete a Responsible Gambling Self-Assessment (RGSA). Until the RGSA was completed, no further activity was permitted. The Complainant completed the RGSA by answering "no" to all of the following questions:
- Q1: *Do you regret the amount of money you spend gambling?*
- Q2: *Has it been necessary to increase your stakes in order to remain excited by your gambling?*
- Q3: *Do you find it difficult to stop gambling after a loss?*
- Q4: *Does your gambling cause any financial problems for you or your household?*
- Q5: *Does gambling negatively affect your personal relationships, your job or studies?*
- Q6: *Does your gambling cause you any health problems?*
- Q7: *Do you feel irritable or uneasy when you are not gambling?*
- Q8: *Do you feel that you might have a gambling problem?*
29. On 29 September 2024, the Complainant made two further \$10,000 deposits within eight minutes of each other. Bet365 says as a result of these deposits its responsible gambling team applied a suspension to the Complainant's account, pending a review of the activity and the completion of a Responsible Gambling call.
30. On 3 October 2024, the Complainant spoke with a member of bet365's Responsible Gambling team over the telephone, where he was asked about the level of his activity. The recording of that call was made available for the purposes of this Complaint.
31. The call is for a period of seven minutes and fifteen seconds and is considered by the Commission to be an important piece of the evidence in determining the Complaint. Bet365 asks a series of detailed responsible gambling questions of the Complainant. The call

provides the opportunity for an accurate and objective assessment of the Complainant and his wagering activity.

32. In this call the Complainant was asked and specifically confirmed that he could afford the total amount that he had deposited within the previous 7 days (\$50,000) and that he was in control of his gambling.
33. The Commission considers that the two automated notices sent by bet365 to the Complainant, including their specific times of delivery, his proactive responses to them, the suspension of the account subsequently and the RSG call was sufficient and proper action by bet365 to discharge its responsibilities under the Act, its licence conditions and the relevant Code of Practice that was in effect at the time.
34. Following the completion of the call on 3 October 2024, bet365 says its Responsible Gambling Team conducted a review of the Complainant's answers, and a decision was made to offer the Complainant Self-Exclusion.
35. On 5 October 2024, a member of bet365's Responsible Gambling Team spoke with the Complainant as a result of their review, and discussed a self-exclusion from wagering by the Complainant for a period of time with bet365. The recording of that call was made available for the purposes of this Complaint. In that call, the Complainant did not initially wish to be subject to a period of self-exclusion but eventually agreed to a 6-month self-exclusion.
36. The conduct of the Complainant in this second call is consistent with the prior call of 3 October 2024.
37. After considering the Complainant's responses to the two automated prompts, and to his answers and manner in the two recorded calls, the Commission is of the view that the monitoring and actions undertaken by bet365 were appropriate in the circumstances and met the requirements of the Code.

## NOTICE OF RIGHTS

38. Pursuant to section 239(4) of the Act, the Complainant or Licensee can request the Commission's decision and action be reviewed by the Northern Territory Civil and Administrative Tribunal (NTCAT) within 14 days of the date of receipt of this Decision Notice.



Scott Perrin  
Presiding member  
Northern Territory Racing and Wagering Commission

On behalf of Commissioners Perrin, Shanahan and Curnow