

NORTHERN TERRITORY RACING COMMISSION

DECISION NOTICE AND REASONS FOR DECISION

MATTER:	Gambling Dispute for determination by the Northern Territory Racing Commission (pursuant to section 85(2) of the <i>Racing and Betting Act 1983</i>)
COMPLAINANT:	Mr G
LICENSEE:	Sportsbet Pty Ltd trading as Sportsbet
HEARD BEFORE: (on papers)	Mr Alastair Shields (Presiding Member) Mr Kristopher Evans Mr James Pratt
DATE OF DECISION:	20 November 2023

DECISION

1. For the reasons set out below, the Northern Territory Racing Commission (**the Commission**) is satisfied that Sportsbet Pty Ltd (**Sportsbet**) has, in relation to its dealings with the Complainant, acted in compliance with the regulatory environment imposed on it by the *Racing and Betting Act 1983* (**the Act**), its licence conditions and the terms and conditions that were in effect at the time of the events subject of this gambling dispute.
2. The Commission has further determined that the wagers subject of this dispute were appropriately voided by Sportsbet in accordance with the relevant terms and conditions.

REASONS

Background

3. The Commission has granted a licence to Sportsbet Pty Ltd in January 1993 to conduct the business of an online sports bookmaker pursuant to section 90 of the Act. Sportsbet's current licence is due to expire on 30 June 2025.
4. As noted in many previous Commission decisions, all sports bookmakers licensed by the Commission are required to blazon a comprehensive set of terms and conditions for wagering which both parties are bound by when an account is opened and each time a bet is struck. These terms and conditions operate to ensure legislative compliance and the commercial efficacy of the business model of a sports bookmaker.

The Complaint

5. On 8 April 2022, the Complainant lodged a complaint with the Commission in relation to his dealings with Sportsbet. In the complaint, the Complainant alleged that Sportsbet voided a number of 'Same Game Multi' bets on Round 4 of the AFL over the weekend of 8-10 April 2022 using the Complainant's 'Bet With Mates' account.
6. A Same Game Multi involves a punter making multiple selections on different elements of the same game. In order to be a winning bet, each element or 'leg' of the bet must succeed.

7. The Complainant states that six of the wagers placed were winning bets, and that he should be paid \$34,772.50 in winnings for those bets. The Complainant raised the issue with Sportsbet in an attempt to resolve the dispute but was not satisfied with the outcome.
8. In response, Sportsbet has stated that all of the Complainant's Same Game Multis placed on Round 4 of the AFL were voided, and the stakes returned, on the basis of a material error in the odds that were offered on the Highest Scoring Quarter and utilised by the Complainant in placing the Same Game Multi wagers in dispute.
9. Sportsbet stated that the error was identified at around 1:00am on Friday 8 April 2022, approximately 15 hours prior to the first match, the bets were voided and refunded at about 15:00 that same day and the Complainant was notified of this at 17:02 that day.

Consideration of the Issues

10. Pursuant to section 85(4) of the Act, the Commission determined to investigate the matter and hear the dispute in absence of the parties, and make its determinations based on the written material before it.
11. The issue for consideration by the Commission in determining this dispute is whether the Complainant's bet should stand or be declared void as a bet made in circumstances where there is material error. The relevant clause of Sportsbet's terms and conditions is set out below, which the Complainant has consented to, when conducting betting with the licenced operator:

1.13 Errors

1.13.1. Sportsbet endeavours to ensure that no errors are made in setting markets including but not limited to errors in prices offered, available selections offered, bets accepted on an Account or any errors in exclusions for certain selections. However, we reserve the right to correct errors and to void any bets prior to or after an event in circumstances where a bet has been accepted and where there has been a material technical, human or other error in setting a market and/or in accepting a bet.

1.13.2. Where a bet is voided by Sportsbet prior to an event commencing, Sportsbet will endeavour to contact the Member by email promptly to inform them that the bet has been voided.

1.13.3. For the purposes of 1.13.1,2 an error in setting a market or accepting a bet will be material in any of the following circumstances:

- i. the price struck for a bet is materially greater than a price historically offered on the same or a similar market by Sportsbet or a competitor bookmaker;
- ii. there is an error in the price of at least one selection which forms part of a multiple bet; the combined effect of which results in a materially erroneous price;
- iii. the available selection(s) on a market are so different from the selection(s) historically offered on the same or a similar market by Sportsbet or a competitor bookmaker; or
- iv. a person with a good understanding of wagering would reasonably understand that there was an error in a relevant market or in the acceptance of the bet.

12. Because the relationship between the various different elements of a Same Game Multi is not independent, the odds are not simply determined by multiplying the odds for each element of the bet. Instead, the odds are calculated by a computer software pricing scheme, which takes

into account each selection made by a punter. In this particular case, Sportsbet provided information to the Commission that there was an error in its software caused by an inadvertent overwriting of values in the code when the software was being fine-tuned.

13. In order to establish the material error, Sportsbet has provided information showing odds offered by competitive bookmaker Ladbrokes on the same market. For the Essendon vs Adelaide market, Sportsbet advised that the correct Same Game Multi odds for the events wagered on by the Complainant ranged from \$4.25 to \$8.75, while the incorrect odds ranged from \$1,401.00 to \$301.00, and the Ladbrokes odds on offer ranged from \$4.67 to \$9.79.
14. Sportsbet stated that the Complainant placed 106 Same Game Multis that were affected by the error. Sportsbet has calculated that, due to the error, the Complainant would have made a profit on the bets made, irrespective of which team won or which quarter was the highest scoring. Sportsbet submitted that this is further evidence in support of the proposition that the error was material and justified the voiding of all 106 bets and return of the stakes to the Complainant.
15. The Commission's regulatory role when determining gambling disputes is to impartially assess whether the sports bookmaker has acted in compliance with the relevant legal framework, being the Act, its licence conditions and the applicable Codes of Practice that were in effect at the time of the events in question. The Commission's objective is to ensure fairness, transparency and adherence to the established regulations within the Northern Territory online wagering industry.
16. Following the Commission's investigation into this gambling dispute, the Commission is satisfied on the weight of evidence before it that Sportsbet has properly voided the wagers subject of the dispute on the basis of a material error, in accordance with the relevant terms and conditions that were in place at the time.

NOTICE OF RIGHTS

17. Section 85(6) of the Act provides that a determination by the Commission of a dispute referred to it pursuant to section 85 of the Act shall be final and conclusive as to the matter in dispute.



Alastair Shields
Chairperson
Northern Territory Racing Commission

17 November 2023

On behalf of Commissioners Shields, Evans and Pratt