

# NORTHERN TERRITORY RACING COMMISSION

## Reasons for Decision

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<b>Complainant:</b>	Mr W
<b>Licensee:</b>	Entain Group Pty Ltd (Ladbrokes)
<b>Proceedings:</b>	Gambling Dispute for determination by Northern Territory Racing Commission (pursuant to section 85(2) of the <i>Racing and Betting Act 1983</i> )
<b>Heard Before: (on papers)</b>	Mr Alastair Shields (Presiding Member) Mr James Pratt Ms Amy Corcoran
<b>Date of Decision:</b>	5 August 2022

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### Background

1. On 31 March 2017, pursuant to section 85(2) of the *Racing and Betting Act 1983* (the Act), the complainant lodged a gambling dispute with the Commission against the licensed sports bookmaker, Ladbrokes.
2. Information was gathered from the parties involved by Licensing NT officers appointed as betting inspectors by the Commission and provided to the Commission, which determined that there was sufficient information before it to consider the gambling dispute on the papers.
3. The substance of the gambling dispute is that the complainant submits that he used the Ladbrokes betting app on his mobile telephone device to check the odds and possible return on a four leg multi-bet with a stake of \$50,018, but he did not confirm the bet, and the betting app froze before he could delete it. The complainant therefore submits that the bet in question was not properly placed.
4. Ladbrokes submits that the complainant's bet was properly placed and confirmed by the complainant.

### Consideration of the Issues

5. Section 85 of the Act provides the Commission with the jurisdiction to determine all disputes between a sports bookmaker and its customer regarding lawful betting. In this respect, section 85 sets out the decision making regime for the making of a determination by the Commission as to whether the disputed bet is lawful, and provides that a person may take legal proceedings to recover monies payable on a winning lawful bet or for the recovery of monies owed by a bettor on account of a lawful bet made and accepted.
6. The complainant's betting activity statement held by Ladbrokes indicates that, at 19:47 on 30 March 2017, the complainant placed a four leg multi bet with a stake of \$50,018 at odds of \$4.01, and that the multi bet lost when the first leg of the multi bet lost (Brisbane Broncos to beat Canterbury Bulldogs in an NRL match on 30 March).

7. While the NRL match was being played, the complainant rang the Ladbrokes telephone betting service. A partial transcript of that telephone call is set out below:

C = Complainant

LB (Ladbrokes) = First Ladbrokes representative

LBD (Ladbrokes) = Second Ladbrokes representative

LB: What can I do for you?

C: Hey um, are you guys having some problems at the moment, I'm unable to log into my account.

LB: Oh, let me just have a look.

C: I've been trying to get in on my phone, I've been out in the rain and my phone got wet. And I'm trying to work out whether it's you guys or.

LB: What username are you logging in with there?

C: [Complainant provides user-ID].

LB: Yeah that's correct, it doesn't come up with there's any incorrect log ins um on your account.

C: Oh OK.

LB: Um let me have a look. Do you mind...mmm....yeah we have not been having any issues there.

C: OK

LB: Um. Are you using your mobile app or are you using the web app.

C: Yeah I am, yeah no I'm using the mobile app.

LB: Um maybe give it a go on the web browser and see if it works, you might just be having an issue with your app.

C: Yep, yeah I'm not...oh OK use the web browser on the phone.

LB: Give that a go and see if it works, because you're using the right log in and everything. Like the right username and everything. And it's not coming up that there's any incorrect log in attempts on your account from our end.

C: Oh OK alright cool.

LB: Yeah

C: Yeah I just didn't know if it's the phone, because my phone got a bit wet and I just wasn't sure if it was...

LB: Yeah, I mean it could be.

C: Yeah if there's something wrong with your website.

LB: Yeah it could be...um give that a go and get back to us if you're still having any issues, we can always help you out.

C: Cool can I place bets over the phone still, or.

LB: Yeah totally, um what did you want to bet on.

C: Um there's a tennis game I was looking at later. Um Federer and....and aagh, I can't think who he's playing now. Um. I had it in my bet slip. I was looking at a multi bet, but I didn't go for it because a, yeah nah.

LB: Yep

C: Aagh I can't think of what it was. Um I'll have to have a look. Do I have to.

LB: Was it for a game you wanted to bet on.

C: Yeah

LB: Let me just have a quick look at that for you.....um do you have a balance in your account already?

C: Yeah Fifty Thousand and Eight dollars or Eighteen dollars or something like that.

LB: Oh, that's already been placed on a multi bet that one. It has gone through.

C: Oh I didn't put a multi bet on, I was looking at one, but I didn't confirm it though.

LB: Let me just have a look.

C: I was looking at the odds to see what the return would be on what I had in my account ...

LB: Right

C: But um...I definitely haven't confirmed it.

LB: Um am I able to put you on hold while I have a look at something?

C: Yeah sure, yep sure.

.....On hold from 03:22 - 04:51.....

LBD: G'day [Complainant's Christian name] are you there matey?

C: Hey how you doing?

LBD: Good mate your speaking with [Second Ladbroke's Representative's Christian name] from Ladbrokes, I'm sorry to change you up there mate. I just want to investigate this a little further for you.

C: Sure

LBD: So we're just having a look at your account, now the multi bet you were looking at originally, so we've got up. Richel um Hogenkamp home game vs Belinda Bencic, um then you've got the Federer match, you got um Wozniacki and then you've got the doggies instead of broncos. Now that was placed at odds of a dollar..um..four dollars and one. You had fifty, basically your balance so fifty thousand and eighteen dollars on that particular event. Um, now that was placed, um probably about two hours ago now.

C: Oh no, I didn't confirm that.

LBD: You would have had to matey because it was like, we've got a two-step process to confirm bets when you place a bet through as you're probably more than aware of.

C: Yeah, yeah, yeah

LBD: Um and so you obviously placed the legs in and then you um.

C: And then you've got to reconfirm.

LBD: Yeah so you place bet and um confirm the bet. Um in all honesty mate....

C: But I haven't been able to get into your app...um since I don't know. I was out in the rain and I thought you guys were having an issue that's why I'm ringing up, I haven't been able to get in.

8. The second Ladbrokes representative then advised the complainant that he was going to put the complainant on hold, so that he could refer the matter to his supervisor because of the size of the bet. The representative subsequently advised the complainant that as far as Ladbrokes was concerned, the bet had been correctly accepted and, because one of the legs (the NRL match mentioned above) was almost completed, the bet must stand and could not be cancelled and refunded.
9. Ladbrokes has advised that a bet is not capable of being struck in their system until the customer has firstly added a selection or selections to their betting slip, then selected "place bet", and then subsequently selected "confirm bet". At that point, a "Bet Acceptor Log" is created, and it logs all actions that take place in respect of that bet, including acceptance of the bet by Ladbrokes. In the case of the bet in question, this log indicates that the bet was accepted in full by Ladbrokes after it was placed and confirmed in the Ladbrokes app.
10. All sports bookmakers licensed in the Northern Territory are required to have a secure audit log of all betting transactions, and to provide access to this audit log to the Commission. Licensing NT staff, on behalf of the Commission, have confirmed that the audit log contains a record of the bet being placed and accepted as described above.
11. The Commission has noted that in the week prior to the placement of the bet in question, the complainant placed a number of multi bets with similar stakes. These bets include: a bet of \$40,000 on 25 March, a bet of \$21,016 on 29 March, and a bet of \$30,000 on 31 March (the same day as the disputed bet).
12. The Commission is satisfied, on the balance of probabilities, that the bet in question was properly placed on the app on the complainant's mobile telephone device. Whether the bet was placed and confirmed as a deliberate act by the complainant, and he has subsequently sought to cancel the bet when it became apparent that the Broncos were unlikely to win the first leg of the multi bet, or whether the "confirm bet" was accidentally pressed, for example when the complainant put the phone in his pocket, is immaterial for the purpose of determining this dispute.

## Decision

13. The Commission has determined that the multi bet placed on the complainant's account was a lawful bet. As a result, the outcome of the bet (the loss of the stake of \$51,018) was properly recorded by Ladbrokes.

## Review of Decision

14. 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.

A handwritten signature in black ink that reads "Alastair Shields". The signature is written in a cursive, flowing style.

Alastair Shields  
Chairperson  
Northern Territory Racing Commission

5 August 2022