
TRANSCRIPT OF PROCEEDINGS

COMMISSIONER: HON. RAY FINKELSTEIN AO QC

**IN THE MATTER OF A ROYAL COMMISSION
INTO THE CASINO OPERATOR AND LICENCE**

MELBOURNE, VICTORIA

10.08 AM, THURSDAY, 10 JUNE 2021

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09:10 1 COMMISSIONER: Good morning, everyone. I just wanted to
10:08 2 do my usual sound check to make sure that I can be heard
10:08 3 and everybody else likewise can be heard.
10:08 4
10:08 5 Mr Borsky, I take it you can be heard?
10:08 6
10:08 7 MR BORSKY: Yes.
10:08 8
10:08 9 COMMISSIONER: Ms Siegers, are you online?
10:08 10
10:08 11 WITNESS: Yes.
10:08 12
10:08 13 COMMISSIONER: Let's continue where we left off yesterday.
10:08 14
10:08 15
10:08 16 **MS ANNE JANINE MICHELLE SIEGERS, ON PRIOR**
10:09 17 **AFFIRMATION**
10:09 18
10:09 19
10:09 20 **CROSS-EXAMINATION BY MS NESKOVCIN,**
10:09 21 **CONTINUED**
10:09 22
10:09 23
10:09 24 MS NESKOVCIN: Good morning, Ms Siegers.
10:09 25
10:09 26 A. Good morning.
10:09 27
10:09 28 Q. You will recall that yesterday Mr Borsky took you to the
10:09 29 timeline of risk enhancements?
10:09 30
10:09 31 A. Yes.
10:09 32
10:09 33 Q. The Commissioner scrolled through that and I could see
10:09 34 that there were a couple of entries towards the end of the timeline
10:09 35 for March and April 2021.
10:09 36
10:09 37 A. Yes.
10:09 38
10:09 39 Q. In my opening I said that we would explore some of the
10:09 40 enhancements that have been made to the risk management
10:09 41 framework since the Deloitte review.
10:09 42
10:09 43 A. Yes.
10:09 44
10:09 45 Q. I just want to pick up on that by going to the March 2021
10:09 46 Risk Management Committee meeting pack, if I might.
10:09 47

10:09 1 A. Yes.
10:09 2
10:09 3 Q. If the operator could please call up CRW.512.004.0001.
10:09 4 Do you see this is a meeting pack for the Risk Management
10:10 5 Committee meeting on 25 March 2021?
10:10 6
10:10 7 A. Yes.
10:10 8
10:10 9 Q. You've obviously seen this document before?
10:10 10
10:10 11 A. Yes.
10:10 12
10:10 13 Q. Operator, if you could go to the next page. It sets out the
10:10 14 agenda items for the meeting, items 1 to 6 and, operator, on the
10:10 15 next page there are some further items. Now, I just want to jump
10:10 16 forward to page 0065, please, operator.
10:10 17
10:10 18 This is a memorandum you prepared on 15 March 2021,
10:10 19 Ms Siegers, regarding the compliance culture framework.
10:10 20
10:10 21 A. Yes.
10:10 22
10:10 23 Q. As I read this memorandum, what you were doing was
10:10 24 recommending to the committee that they resolve to approve
10:10 25 a new risk and compliance culture measurement framework; is
10:11 26 that correct?
10:11 27
10:11 28 A. Yes, that's the case.
10:11 29
10:11 30 Q. What was the purpose of that framework?
10:11 31
10:11 32 A. So the purpose of this document is to articulate how we are
10:11 33 going to measure the risk and compliance elements of our
10:11 34 culture, and it is to further elaborate on the section in the risk
10:11 35 management strategy document that was introduced in the June
10:11 36 2020 update.
10:11 37
10:11 38 Q. I see. And if we could go to page 0067, please, operator.
10:11 39 This is the risk and compliance culture framework that was
10:11 40 recommended for approval; is that correct?
10:11 41
10:11 42 A. Yes. I believe that's the case. I'm not sure about the
10:11 43 version, but, yes, that looks like it.
10:11 44
10:11 45 Q. Thank you. If we could go to page 0074, please, operator.
10:12 46 This is an example of a risk and compliance culture report as at
10:12 47 March 2021; do you see that, Ms Siegers?

- 10:12 1
10:12 2 A. Yes, I do.
10:12 3
10:12 4 Q. What was the purpose of this document?
10:12 5
10:12 6 A. Well, the document I was asking the board --- the
10:12 7 committee to approve had an element of theory to it. I wanted to
10:12 8 provide to them an example of what this would mean in practice.
10:12 9
10:12 10 Q. I see.
10:12 11
10:12 12 A. So they would understand the concepts I was articulating.
10:12 13
10:12 14 Q. Under the objective it says:
10:12 15
10:12 16 *The purpose of this report is to present a view of what the*
10:12 17 *Risk and Compliance culture of Crown looks like in*
10:12 18 *practice, and to support the assessment of areas that*
10:12 19 *require enhancement or consideration. The report is*
10:12 20 *structured on the principles articulated in the Risk and*
10:12 21 *Compliance Culture framework.*
10:12 22
10:12 23 As I read this report, Ms Siegers, it was actually identifying how
10:13 24 you were going to go about assessing embedment of the risk and
10:13 25 compliance culture framework and other areas of enhancement
10:13 26 that have been contemplated at the time of writing this report; is
10:13 27 that a fair summary?
10:13 28
10:13 29 A. I'm sorry, could you repeat that. I'm not sure I
10:13 30
10:13 31 Q. I just wanted to summarise for the Commissioner the
10:13 32 purpose of the report, and I thought it had two aspects: the first
10:13 33 was to identify that you were putting in place ways to measure
10:13 34 the embedment of the risk and compliance cultural framework;
10:13 35 that is correct?
10:13 36
10:13 37 A. That's one of the consideration but not the main one, yes.
10:13 38
10:13 39 Q. What would you describe as the main one?
10:13 40
10:13 41 A. The main one is to gather data that provides insight for the
10:13 42 executive and the board to see where our culture may have ---
10:14 43 there may be trends or elements that require focus and
10:14 44 consideration.
10:14 45
10:14 46 Q. And the second point I was trying to make was that as I
10:14 47 read the report it was also identifying areas of further

10:14 1 enhancement that were required in order to complete this process
10:14 2 for assessing embedment; is that correct?
10:14 3
10:14 4 A. The reason I'm hesitating is your word "embedment".
10:14 5 I think that's the word I'm not too sure how to interpret and work
10:14 6 with. If I can rephrase with my words, would you ---
10:14 7
10:14 8 Q. Please do.
10:14 9
10:14 10 A. --- would that be acceptable?
10:14 11
10:14 12 Q. (Nods head).
10:14 13
10:14 14 A. Culture is quite an intangible concept so I cannot give it ---
10:14 15 it is incredibly difficult to measure, and there is no one measure
10:14 16 that will tell you whether it is good or bad. It has to be a sum of
10:15 17 a number of elements. What I'm trying to do with this process is
10:15 18 give the board and the executive a range of perspectives on
10:15 19 culture that have risk and compliance dimensions to them and
10:15 20 that will help us see whether or not we have a healthy risk and
10:15 21 compliance focus as part of our culture. And in order for me to
10:15 22 do that, there are three elements that I've contemplated. Three
10:15 23 different dimensions: one is, and that is where the word
10:15 24 "embeddedness" trips me a little bit. How well, first of all, we
10:15 25 are articulating those risk and compliance requirements, and how
10:15 26 well we are communicating them to the business, because it is
10:15 27 very hard to assess the business against those principles if we're
10:16 28 not communicating them. So that's the first element.
10:16 29
10:16 30 Then the second part, as it says here in 1, 2, 3, where I can gather
10:16 31 quantitative data, data that exists across the organisation but that,
10:16 32 if looked through the lens of risk and compliance, will give me
10:16 33 insights into the risk and compliance behaviours.
10:16 34
10:16 35 And then the third element is that qualitative piece and at this
10:16 36 stage I do not yet have enough data to provide a fulsome view,
10:16 37 but a lot of the work that we are working on the risk culture ---
10:16 38 sorry, on the culture assessment with Deloitte should help us get
10:16 39 that first baseline of a qualitative element. So the sum of those
10:16 40 three different views, I believe, will help us get insights into how
10:17 41 well or culture considers and addresses risk and compliance.
10:17 42
10:17 43 COMMISSIONER: I think, Ms Siegers, if I could stop you for
10:17 44 a minute, I think the film, the picture has now frozen. Well ---
10:17 45
10:17 46 A. Yes, it is on my part. I hear you, but I do not see you move.
10:17 47

10:17 1 COMMISSIONER: You can't see either. Hang on a second.
10:17 2
10:17 3 A. No, you are back.
10:17 4
10:17 5 MS NESKOVCIN: Sorry, I'm not sure what happened.
10:17 6 A technical glitch. Sorry, Ms Siegers. Thank you for the
10:17 7 explanation. I was going to ask the operator to go to page 0075.
10:17 8
10:17 9 On this page, Ms Siegers, are you setting out some of the
10:17 10 assessment factors that you wanted to try and capture to put in
10:18 11 place measurement processes for the matters that you've just
10:18 12 described, and are you also identifying areas of enhancement that
10:18 13 you are currently working on?
10:18 14
10:18 15 A. Absolutely. I mean, I have a general philosophy, that
10:18 16 nothing is ever perfect. We are in a continuous improvement
10:18 17 environment. So even when something is in place, I would
10:18 18 expect to continuously be looking at it and looking for ways to
10:18 19 enhance it. Even though something is in place, doesn't mean,
10:18 20 from my perspective, that it is finished and I will never look at it
10:18 21 again. It just means that we've set it up, we have it, and I will,
10:18 22 therefore, continuously enhancement as part of my program. But,
10:18 23 yes, there are, in this section, so how well we articulate the
10:18 24 requirements of risk and compliance and how well we
10:19 25 communicate them, which I think is an important part of
10:19 26 assessing our culture, this is trying to identify all the elements we
10:19 27 have for articulation of those requirements, and then
10:19 28 communication of them.
10:19 29
10:19 30 Q. If the operator could please scroll down, the Commissioner
10:19 31 will see that there are some categories which are shaded in
10:19 32 a salmon or yellow colour, depending how the colours come up
10:19 33 on your screen, Ms Siegers.
10:19 34
10:19 35 A. Yes.
10:19 36
10:19 37 Q. They are actually identifying the areas of enhancement
10:19 38 where it is a work in progress; is that correct?
10:19 39
10:19 40 A. Absolutely.
10:19 41
10:19 42 Q. While we are on this document, could I also ask the
10:19 43 operator to go to 0141. You see that that is the risk management
10:20 44 strategy. And if we could go over to the next page, and we look
10:20 45 at the table at the bottom of the page, you will see that is the
10:20 46 document history and you will see in red underlined writing that
10:20 47 it appears that this document was provided to the Risk

10:20 1 Management Committee at the March 2021 meeting with some
10:20 2 recommended changes which were highlighted in red; do you see
10:20 3 that?

10:20 4
10:20 5 A. Yes.

10:20 6
10:20 7 Q. For context, are you able to assist by identifying that these
10:20 8 are the changes that were proposed apropos the plain English
10:20 9 speaking amendments?

10:20 10
10:20 11 A. No, that was not.

10:20 12
10:20 13 Q. Would you please explain what the purpose of these
10:20 14 amendments were?

10:20 15
10:20 16 A. So we had two versions of this report proposed. So the first
10:20 17 one --- the first focus I had at that stage was to reflect some
10:21 18 organisational structural changes we had had. So I needed to
10:21 19 reflect in the report, particularly around the roles and
10:21 20 responsibilities, how those roles had changed. So that was the
10:21 21 first focus. The second was at the request of the chair of the Risk
10:21 22 Management Committee who wanted to extract and articulate
10:21 23 more explicitly the AML appetite --- risk appetite thresholds in
10:21 24 table 7. Following that, though, there was a further conversation
10:21 25 at the committee where we wanted to add that plain English
10:21 26 articulation of the appetite. So that was worked on and added
10:21 27 into the version that was then approved by the board.

10:21 28
10:22 29 Q. Thank you for clarifying that.

10:22 30
10:22 31 I didn't have anything further on that document, unless there is
10:22 32 something you wanted to point out to the Commissioner,
10:22 33 Ms Siegers.

10:22 34
10:22 35 A. I don't think so.

10:22 36
10:22 37 Q. Thank you. We'll move on to a slightly different topic,
10:22 38 Ms Siegers.

10:22 39
10:22 40 What do you understand recourse analysis to mean from a risk
10:22 41 management perspective?

10:22 42
10:22 43 A. From a risk management perspective, it is looking at
10:22 44 an event, understanding what caused that event, so that you can
10:22 45 understand whether it was a failure --- what failure led to the
10:22 46 event.
10:22 47

10:22 1 Q. You recall being asked some questions in the NSW Inquiry
10:22 2 about whether or not you thought it was necessary or desirable to
10:22 3 undertake a root cause analysis into the failures that led to the
10:22 4 China arrests; do you remember that?
10:23 5
10:23 6 A. I think I was asked repeatedly whether I should have done
10:23 7 that review. Not whether I thought a review was required.
10:23 8
10:23 9 Q. I see.
10:23 10
10:23 11 A. So ---
10:23 12
10:23 13 Q. And you said you hadn't done the review; correct?
10:23 14
10:23 15 A. Me, personally, no.
10:23 16
10:23 17 Q. There has been no root cause analysis into the China
10:23 18 arrests, has there?
10:23 19
10:23 20 A. I cannot tell because I was not there at the time. What I
10:23 21 articulated in the ILGA Inquiry is that by the time I joined
10:23 22 Crown, many of the factors, people, individuals, were no longer
10:23 23 in place and, therefore, it was not --- it was too late for me to do
10:23 24 a root cause analysis.
10:23 25
10:23 26 Q. I see. But you are aware that Ms Coonan gave evidence
10:23 27 that she thought that there may be a role to have a good look back
10:23 28 and make sure Crown hadn't missed something. She made the
10:24 29 comment that there are lessons to be learned from the past; do
10:24 30 you recall her evidence to that effect?
10:24 31
10:24 32 A. I believe there is always lessons to be learned from the past,
10:24 33 yes.
10:24 34
10:24 35 Q. In her report, I'm happy to take you to it if you would like
10:24 36 me to, but in her report, the Honourable Patricia Bergin SC said
10:24 37 that the contrast in approach between yourself and Ms Coonan
10:24 38 was something that she believed needed to be resolved, and
10:24 39 a firm message sent from the Board, one way or another, about
10:24 40 whether or not Crown should undertake a root cause analysis and
10:24 41 learn some lessons from the past.
10:24 42
10:24 43 A. I don't know that we have diverging views on this. I agree
10:24 44 that root cause analysis is important.
10:24 45
10:24 46 Q. I see. So you had the same view. Has anyone asked you,
10:24 47 after the ILGA Inquiry, to undertake that root cause analysis?

10:25 1
10:25 2 A. On the particular ILGA --- the China risks?
10:25 3
10:25 4 Q. Yes.
10:25 5
10:25 6 A. No.
10:25 7
10:25 8 Q. I want to ask you some questions about the junket due
10:25 9 diligence process review.
10:25 10
10:25 11 A. Yes.
10:25 12
10:25 13 Q. You are aware of the Deloitte process re --- sorry, I
10:25 14 withdraw that. You are aware of the Deloitte review into the
10:25 15 junket due diligence approval process, are you not?
10:25 16
10:25 17 A. I am.
10:25 18
10:25 19 Q. You are aware that that was commissioned in response to
10:25 20 the Crown Board resolving in February 2020 to approve a review
10:25 21 of key business procedures, which included the junket program?
10:25 22
10:25 23 A. I believe that was the trigger, yes.
10:25 24
10:25 25 Q. You were effectively the primary contact for Deloitte in
10:26 26 relation to the Deloitte junket process review?
10:26 27
10:26 28 A. I was.
10:26 29
10:26 30 Q. And you are obviously familiar with the report?
10:26 31
10:26 32 A. I am. And you became responsible for implementing some
10:26 33 changes in response to the Deloitte report; didn't you?
10:26 34
10:26 35 A. For coordinating their implementation, yes.
10:26 36
10:26 37 Q. And I take it that that process was put on hold after August
10:26 38 2020 when the board announced that it would cease operations
10:26 39 with junkets?
10:26 40
10:26 41 A. I don't know if August was --- yes. Part of the
10:26 42 recommendations that related directly to the junkets were put on
10:26 43 hold. Those that were still timely and appropriate were
10:26 44 implemented.
10:26 45
10:26 46 Q. And what is the status now? Are you in the process of
10:26 47 doing anything about those recommendations or is that also on

10:27 1 hold?

10:27 2

10:27 3 A. So every recommendation that related to the Person of

10:27 4 Interest process, or POI process, have been implemented.

10:27 5 Everything that relates to junkets has been put on hold at this

10:27 6 stage relatively --- I do not have a date for when we will resume

10:27 7 that activity because the organisation does not have any intent to

10:27 8 resume relationships with junkets.

10:27 9

10:27 10 Q. Thank you, Ms Siegers.

10:27 11

10:27 12 Can I just go back a step. You recall the media allegations that

10:27 13 led to the ILGA Inquiry, which included allegations that Crown

10:27 14 had partnered with junket operators that had links to organised

10:27 15 crime? Do you recall that?

10:27 16

10:27 17 A. I recall those allegations, yes.

10:27 18

10:27 19 Q. Do you recall Crown's response to the allegations in

10:27 20 relation to junket operators?

10:27 21

10:27 22 A. If you are referring to the media ---

10:27 23

10:27 24 Q. Yes.

10:27 25

10:27 26 A. --- advertisement, yes, that was the board response.

10:27 27

10:28 28 Q. And specifically the board response in relation to the aspect

10:28 29 of the media allegations that concerned junkets was that Crown

10:28 30 has robust processes for vetting junket operators with whom it

10:28 31 deals, and undertakes regular ongoing reviews of these operators

10:28 32 in the light of new or additional information that comes to its

10:28 33 attention, do you recall that?

10:28 34

10:28 35 A. I don't recall that exact wording but I trust your recollection

10:28 36 of it.

10:28 37

10:28 38 Q. Please assume that that was the response and bear in mind

10:28 39 it focused, I suggest to you, on the statement that Crown has

10:28 40 robust processes. That was the message it wanted to convey.

10:28 41

10:28 42 A. Yes.

10:28 43

10:28 44 Q. You are aware, aren't you, that in early August 2019

10:28 45 MinterEllison on behalf of Crown engaged FTI Consulting to

10:28 46 review aspects of Crown's junket due diligence program?

10:28 47

10:28 1 A. Yes.
10:28 2
10:28 3 Q. You were also the primary contact for FTI in relation to
10:29 4 that engagement?
10:29 5
10:29 6 A. I was the contact assisting them with obtaining information
10:29 7 and having access to people.
10:29 8
10:29 9 Q. Yes. I was trying to emphasise at Crown because the
10:29 10 engagement was through MinterEllison.
10:29 11
10:29 12 A. That's what I was trying to convey as well.
10:29 13
10:29 14 Q. Great. We are on the same page then.
10:29 15
10:29 16 Operator, could you please call up MEM.5002.0009.5026. I want
10:29 17 to go to the bottom half of the page, please, operator, if you can
10:29 18 enlarge that.
10:29 19
10:29 20 You see, Ms Siegers, this is an email that Richard Murphy of
10:29 21 MinterEllison sent to Dawna Wright --- sorry, sent to Murray
10:30 22 Lawson who at that time was at FTI Consulting; you recall that?
10:30 23
10:30 24 A. I recall that Murray was at FTI Consulting, yes.
10:30 25
10:30 26 Q. And copied to Dawna Wright of FTI Consulting and
10:30 27 Mr Ward at MinterEllison. After the salutation it says:
10:30 28
10:30 29 *Thank you again for your proposal.*
10:30 30
10:30 31 *In the first instance, we would like to engage you on*
10:30 32 *Crown's behalf to undertake a review of Crown's current*
10:30 33 *in-house process, in order that we can advise Crown on*
10:30 34 *how defensible the process is and how it might be*
10:30 35 *improved.*
10:30 36
10:30 37 You understood that to be FTI Consulting's instructions in
10:30 38 relation to the engagement?
10:30 39
10:30 40 A. This is the first time I've seen the email and I never saw the
10:30 41 scope of the review nor the report.
10:30 42
10:30 43 Q. All right. I will take you to the proposal that FTI provided
10:31 44 and see if you recognise this.
10:31 45
10:31 46 I will tender this.
10:31 47

10:31 1 COMMISSIONER: Email from Richard Murphy --- no, that's the
 10:31 2 end of the email chain. I think we only need the email from
 10:31 3 Richard Murphy to Murray Lawson, 9 August 2019. That will be
 10:31 4 Exhibit 190.

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11

10:31 12 MS NESKOVCIN: Operator, could we please go to
 10:31 13 CRW.709.024.5675. This is a proposal for MinterEllison from
 10:32 14 FTI Consulting, you see the logo of FTI Consulting in the
 10:32 15 left-hand corner, and you note the date of August 2019? Do you
 10:32 16 see that, Ms Siegers?

10:32 17

10:32 18 A. I note those items, yes.

10:32 19

10:32 20 Q. Operator, could we go to page 5676 and blow up the first
 10:32 21 half of the page, it says:

10:32 22

10:32 23 *You have requested FTI Consulting provide a proposal to*
 10:32 24 *assist you in providing legal advice to Crown regarding*
 10:32 25 *the review of the effectiveness and defensibility of its due*
 10:32 26 *diligence procedures, in relation to a number of Junket*
 10:32 27 *Operators and Premium Players with which it*
 10:32 28 *maintains relationships.*

10:32 29

10:32 30 You see that?

10:32 31

10:32 32 A. I see that.

10:32 33

10:32 34 Q. Is this the first time you've seen this document, Ms Siegers?

10:32 35

10:32 36 A. It is.

10:32 37

10:32 38 Q. You see that in the next paragraph it says:

10:32 39

10:32 40 *You have further requested that this proposal include two*
 10:32 41 *distinct phases of work*

10:32 42

10:33 43 The first phase was to be an initial advice and the second ---
 10:33 44 sorry, Mr Borsky has popped up.

10:33 45

10:33 46 MR BORSKY: This is the first time I personally have seen this
 10:33 47 document as well, and I do note that it bears a note at its top that

10:33 1 it is said to be, or has in the past been said to be a wholly
10:33 2 privileged document.
10:33 3
10:33 4 COMMISSIONER: I was looking at the top of the document,
10:33 5 Ms Borsky.
10:33 6
10:33 7 MR BORSKY: I apologise. Given the remote work
10:33 8 arrangements I'm not able to immediately obtain instructions for
10:33 9 whether a claim for privilege is maintained over this document.
10:33 10 I'm sorry, I just don't know one way or the other, but I've sought
10:33 11 those instructions urgently and in the interim I would respectfully
10:33 12 request that arrangements are put in place that this is not
10:34 13 displayed on the public stream and its contents are not disclosed
10:34 14 in the open hearing.
10:34 15
10:34 16 COMMISSIONER: As far as I can tell, this is not being screened
10:34 17 publicly. It is screened to all of the people with leave to appear to
10:34 18 represent their respective clients. Just let me check to make sure
10:34 19 that is 100 per cent right so there is no slip-up, but I think your
10:34 20 position is protected.
10:34 21
10:34 22 MR BORSKY: Thank you.
10:34 23
10:34 24 COMMISSIONER: Yes, I'm right to this extent: the documents
10:34 25 themselves, or this particular document, is not being broadcast
10:34 26 publicly, but when we are speaking, that is.
10:34 27
10:34 28 MR BORSKY: Yes, and so, look, I do apologise. It may be that
10:34 29 we don't maintain a claim any longer and this may be
10:34 30 an unnecessary interruption for that reason, but at least for the
10:35 31 next few minutes, if the Commission pleases, may I respectfully
10:35 32 request that Counsel Assisting not read the contents into the
10:35 33 public record.
10:35 34
10:35 35 COMMISSIONER: We'll see how we go.
10:35 36
10:35 37 MS NESKOVICIN: I'm content with that. I'm not going beyond
10:35 38 this page and I can ask Ms Siegers some questions in a general
10:35 39 way.
10:35 40
10:35 41 MR BORSKY: We'd be grateful. I will certainly inform the
10:35 42 Commission immediately if I receive instructions that there is no
10:35 43 longer a claim for privilege in respect of this document.
10:35 44
10:35 45 COMMISSIONER: Thank you, Mr Borsky.
10:35 46
10:35 47 MS NESKOVICIN: Ms Siegers, you see that the initial scope in

10:35 1 paragraphs 1 and 2 of this document contemplated the steps set
10:35 2 out in those paragraphs? I will ask you to read them to yourself.
10:36 3
10:36 4 A. Yes, I have read, thank you.
10:36 5
10:36 6 Q. Can you confirm that the initial scope in paragraph 1 was
10:36 7 required over a very short period of time?
10:36 8
10:36 9 A. I actually cannot. I was not part of the engagement, I was
10:36 10 only brought in at a certain point in time to assist with
10:36 11 information gathering and coordination of access to individuals. I
10:36 12 really have no insight into the scope, the timeframe, the content,
10:36 13 it was just a coordination assistance role from me.
10:36 14
10:36 15 Q. Thank you, Ms Siegers.
10:36 16
10:36 17 Commissioner, the documents will speak for themselves. I just
10:36 18 wanted to see if that was consistent with Ms Siegers's
10:36 19 understanding.
10:36 20
10:36 21 In relation to the second paragraph, Ms Siegers, can you confirm
10:36 22 from your understanding and reading of the final report that the
10:36 23 scope there was narrowed from 70 to 7?
10:37 24
10:37 25 A. I actually did not see the final report. I do not have
10:37 26 visibility over the outcomes.
10:37 27
10:37 28 Q. Okay. Thank you.
10:37 29
10:37 30 I will tender that document, Commissioner.
10:37 31
10:37 32 COMMISSIONER: I will refer to it as the FTI Consulting
10:37 33 proposal to Crown, August 2019. Exhibit 191.
10:37 34
10:37 35
10:37 36 **EXHIBIT #RC0191 - FTI CONSULTING PROPOSAL TO**
10:37 37 **CROWN DATED AUGUST 2019**
10:37 38
10:37 39
10:37 40 MS NESKOVCIN: Can I now ask the operator to call up the
10:37 41 following document, FTI.0001.0001.3087. You see the FTI
10:37 42 Consulting logo in the right-hand corner ---
10:37 43
10:37 44 A. I do, yes.
10:37 45
10:37 46 Q. --- and it says:
10:37 47

10:38 1 Review of due diligence procedures for operators and
10:38 2 *premium players*
10:38 3 *Crown Resorts Ltd*
10:38 4
10:38 5 *Draft report*
10:38 6 *Tuesday 10 September 2019*
10:38 7
10:38 8 Do you see that?
10:38 9
10:38 10 A. I see that.
10:38 11
10:38 12 MS NESKOVCIN: Commissioner, as I understand it, Crown
10:38 13 does not claim privilege over this report, but Mr Borsky might
10:38 14 not be in a position to confirm that if he doesn't have instructions.
10:38 15
10:38 16 COMMISSIONER: The document is headed --- it bears the
10:38 17 traditional "privileged and confidential" notation on the top
10:38 18 left-hand page.
10:38 19
10:38 20 MS NESKOVCIN: It does, but my recollection is that the
10:38 21 instructions are that Crown does not claim privilege. Unless
10:38 22 Mr Borsky can confirm that, I think it is safest that we proceed
10:38 23 without showing the document on the public screen.
10:38 24
10:38 25 COMMISSIONER: Yes.
10:38 26
10:38 27 Mr Borsky, can you add that to your list of questions to your
10:38 28 instructors?
10:39 29
10:39 30 MR BORSKY: Yes, I can. Again, we are grateful for that
10:39 31 interim approach and I will inform the Commission immediately
10:39 32 if we are in a position to confirm that no privilege claim is made.
10:39 33 I do note this document appears on its face to be in a different
10:39 34 category because it bears an FTI code, so it is a document that
10:39 35 would have been produced to the Commission by FTI, we infer,
10:39 36 whereas the previous document was a Crown production, it was
10:39 37 CRW. But in any event, we will on the fly check the status of
10:39 38 each of these two and any other documents that arise and we will
10:39 39 inform the Commission if no privilege claim is pressed.
10:39 40
10:39 41 COMMISSIONER: Thanks.
10:39 42
10:39 43 MS NESKOVCIN: Thank you, Ms Siegers.
10:39 44
10:39 45 Do you recall seeing this report?
10:39 46
10:39 47 A. I have not seen this report.

10:39 1
10:39 2 Q. Do I take it from that answer and the previous answers
10:39 3 you've given, you have not at any stage seen a draft or final
10:39 4 version of the FTI Consulting report?
10:39 5
10:40 6 A. I have not.
10:40 7
10:40 8 Q. Who has?
10:40 9
10:40 10 A. I'm afraid I can't answer that question. I --- I do not know.
10:40 11
10:40 12 Q. So you knew this report had been obtained; correct?
10:40 13
10:40 14 A. I did not know --- I assumed there would be a report
10:40 15 following the work, but I had no visibility over to when it was
10:40 16 issued, to whom, or what it contained.
10:40 17
10:40 18 Q. Okay. You knew FTI Consulting was doing some work;
10:40 19 correct?
10:40 20
10:40 21 A. I did.
10:40 22
10:40 23 Q. And you assumed there would be some sort of report or
10:40 24 presentation or something provided to Crown in return for that
10:40 25 work; correct?
10:40 26
10:40 27 A. The report was prepared by MinterEllison, so I actually did
10:40 28 not know who the report would be provided to.
10:40 29
10:40 30 Q. In your experience at Crown where MinterEllison was
10:41 31 involved in retaining experts or consultants to assist it to provide
10:41 32 advice to Crown, reports would tend to be generated or
10:41 33 something in writing would tend to be generated; correct?
10:41 34
10:41 35 A. I do not know. I'm not part of the legal function and so I
10:41 36 would not know their normal process.
10:41 37
10:41 38 Q. I see. I appreciate you haven't seen this report so please
10:41 39 bear with me and I'm not going to take you through the entirety of
10:41 40 the report. I just want to bring a couple of matters to your
10:41 41 attention.
10:41 42
10:41 43 Operator, could we go to page 3090, and could I ask you to note
10:41 44 the second paragraph under "Background" and the similarity --- I
10:41 45 don't want to read it out --- the similarity that it bears to the email
10:42 46 that I shows you a moment ago and the FTI proposal, particularly
10:42 47 in relation to the scope of the review.

10:42 1
10:42 2 A. The initial phase?
10:42 3
10:42 4 Q. Correct, thank you.
10:42 5
10:42 6 A. Yes.
10:42 7
10:42 8 Q. You note that the assessment as to effectiveness and
10:42 9 defensibility is referenced in FTI's understanding of the scope of
10:42 10 its engagement?
10:42 11
10:42 12 A. Yes.
10:42 13
10:42 14 Q. Operator, please go to page 3092. If Ms Siegers could see,
10:43 15 first of all, the entire page on the screen and then I will ask for
10:43 16 part of it to be enlarged.
10:43 17
10:43 18 You see that this page is headed "Executive Summary",
10:43 19 Ms Siegers?
10:43 20
10:43 21 A. I do.
10:43 22
10:43 23 Q. The first heading under "Executive Summary" is "The
10:43 24 Crown Junket Operator On-Boarding & Due Diligence Process"?
10:43 25
10:43 26 A. I do see that.
10:43 27
10:43 28 Q. Halfway down the page there are some "observations"; do
10:43 29 you see that?
10:43 30
10:43 31 A. I see that.
10:43 32
10:43 33 Q. I want to take you to the first dot point at the end of the
10:43 34 page.
10:43 35
10:43 36 Ms Siegers, if you need it further enlarged at any time so you can
10:43 37 see it comfortably, please let us know ---
10:43 38
10:43 39 A. Thank you, I'm okay, I have my glasses, I'm good!
10:43 40
10:44 41 Q. --- (overspeaking) --- challenged!
10:44 42
10:44 43 A. Yes.
10:44 44
10:44 45 Q. I don't have any questions about that. If we could go over
10:44 46 the next page, please, operator, and blow up the first part of the
10:44 47 page. Please look at the first dot point, Ms Siegers.

10:44 1
10:44 2 A. Yes, I see that.
10:44 3
10:44 4 Q. That bears a strong similarity to the conclusion made on
10:44 5 that topic in the Deloitte report, does it not?
10:44 6
10:44 7 A. I believe it does, yes, that we should expand the scope of
10:44 8 the people to whom we do due diligence on, yes.
10:44 9
10:45 10 Q. If you then have a look at the next dot point, that dot point
10:45 11 concerns an improvement to the process to include declarations
10:45 12 from the operator; do you see that?
10:45 13
10:45 14 A. Yes, I see that.
10:45 15
10:45 16 Q. That also bears some similarity to the same topic covered in
10:45 17 the Deloitte report in August 2020; correct?
10:45 18
10:45 19 A. It does from recollection, yes.
10:45 20
10:45 21 Q. The next dot point, please, you will be pleased I won't take
10:45 22 you to every dot point, but just the next one, please.
10:45 23
10:45 24 A. Yes, I recognise the nature of the recommendation.
10:45 25
10:46 26 Q. You recognise the similarity of the recommendation to that
10:46 27 which appears on this topic in the Deloitte report in August
10:46 28 2020?
10:46 29
10:46 30 A. I do.
10:46 31
10:46 32 Q. I'm happy for you to read the next dot point. I didn't want
10:46 33 to raise anything --- actually, I do. Have a look at the next dot
10:46 34 point. I'm sorry. It's about the DICJ.
10:46 35
10:46 36 A. Yes. I see that.
10:46 37
10:46 38 Q. As I understood it, one of the processes that Crown had in
10:46 39 place for the onboarding or due diligence of junket operators was
10:46 40 to have regard to its status as a junket operator in Macau if it was
10:47 41 a junket operator in Macau; correct?
10:47 42
10:47 43 A. I believe that was the case, yes.
10:47 44
10:47 45 Q. It took some comfort from the DRCJ process in Macau in
10:47 46 order to feel comfortable about its own on boarding process, yes?
10:47 47

10:47 1 A. I believe it did, yes.
10:47 2
10:47 3 Q. The effect of what FTI Consulting is saying here is that
10:47 4 according to its sources, the DICJ collects information but little
10:47 5 of it is independently verified by the DICJ; do you see that?
10:47 6
10:47 7 A. I see that.
10:47 8
10:47 9 Q. Is that the first time you've heard that comment?
10:47 10
10:47 11 A. It's the first time I read this particular report and this
10:47 12 sentence, but I believe, when I started work with the credit team
10:47 13 around the design of the process, they were looking to reduce
10:48 14 their reliance on the DICJ process.
10:48 15
10:48 16 Q. When did you start work with the credit team to review
10:48 17 their processes?
10:48 18
10:48 19 A. My timeline will be a little bit --- I'm sorry, COVID has
10:48 20 really created havoc with my assessment of my timeline. It was
10:48 21 either late 2019 or early 2020.
10:48 22
10:48 23 Q. I see. Thank you. Operator, could we pass over the next
10:48 24 dot point, which begins "Throughout the due diligence process"
10:48 25 and, Ms Siegers, if you look at the dot point that says "We note in
10:48 26 several instances", do you see that sentence where that red dot is?
10:48 27
10:48 28 A. Yes.
10:48 29
10:48 30 Q. Could you read the first sentence to reduce the volume of
10:48 31 reading for you.
10:48 32
10:49 33 A. I see that.
10:49 34
10:49 35 Q. Deloitte made a similar observation in its report in August
10:49 36 2020, didn't it?
10:49 37
10:49 38 A. I believe Deloitte recommended we enhance the
10:49 39 documentation of all of our process, yes.
10:49 40
10:49 41 Q. If you could look at the next dot point, begins "In reviewing
10:49 42 the third-party information".
10:49 43
10:49 44 A. Yes, I see that.
10:49 45
10:49 46 Q. Again, that is similar to the observation on that point that
10:49 47 Deloitte made in its August 2020 report; correct?

10:49 1
10:49 2 A. I believe, yes, it is.
10:49 3
10:49 4 Q. In the next dot point about open search --- research skills,
10:49 5 et cetera ---
10:49 6
10:49 7 A. Yes.
10:49 8
10:49 9 Q. Do you ---
10:49 10
10:49 11 A. I recognise that recommendation as well.
10:49 12
10:49 13 Q. Thank you very much. Finally on that page, there are
10:49 14 references to third-party providers, and if you could read what is
10:49 15 on the page there.
10:50 16
10:50 17 A. Yes, I see that.
10:50 18
10:50 19 Q. Did you watch or listen to or read Dr Lawson's evidence to
10:50 20 this Commission a couple of weeks ago?
10:50 21
10:50 22 A. I did not.
10:50 23
10:50 24 Q. All right.
10:50 25
10:50 26 Commissioner, in my submission Dr Lawson gave evidence
10:50 27 about the issue about aggregation of information. You might
10:50 28 recall that evidence in response to some questions you had,
10:50 29 Commissioner.
10:50 30
10:50 31 Over the page, finally, Ms Siegers, it is one more dot point at the
10:50 32 top. I ask you to read that to yourself.
10:50 33
10:50 34 A. Do you want me to read the top sentence or the dot point?
10:50 35
10:50 36 Q. If you wish, it is finishing off that point.
10:50 37
10:51 38 A. I have read it.
10:51 39
10:51 40 Q. Thank you. And, again, that is a similar point that was
10:51 41 covered in the Deloitte report in August 2020?
10:51 42
10:51 43 A. Yes, I believe pretty much, yes.
10:51 44
10:51 45 Q. I appreciate you haven't seen this report before, but would
10:51 46 you please take it from me that in addition to that general
10:51 47 overview, FTI Consulting was provided with the due diligence

10:51 1 file in relation to three junket operators, one of whom was
10:51 2 Mr Chau Cheok Wa otherwise known as Alvin Chau,
10:51 3 associated with the Suncity junket. Thank you, Ms Siegers. If
10:51 4 the operator could go to page 3116. As I understand it,
10:52 5 Ms Siegers, part of the due diligence process is for Crown to
10:52 6 undertake Dow Jones or Factiva searches which operate to
10:52 7 highlight recent media allegations or public information so that
10:52 8 Crown can become aware of it and investigate any allegations it
10:52 9 considers to be material to the integrity of the junket operator. Is
10:52 10 that correct?
10:52 11
10:52 12 A. Other than the word "recent", I don't know how far back it
10:52 13 goes.
10:52 14
10:52 15 Q. So it's like a Media Monitors?
10:52 16
10:52 17 A. Yes, it is.
10:52 18
10:52 19 Q. But otherwise it is an important part of the process that
10:52 20 Crown relies upon to assess recent material to see whether it
10:53 21 needs to review decisions in relation to junket operators; correct?
10:53 22
10:53 23 A. I believe it is, yes.
10:53 24
10:53 25 Q. You see that in relation to the file review for Chau Cheok Wa,
10:53 26 what they were noting was there were no searches under
10:53 27 Mr Chau's name using the Chinese characters.
10:53 28
10:53 29 A. I see the record, yes.
10:53 30
10:53 31 Q. For completeness, if we scroll down, operator, you will see
10:53 32 another reference to Mr Chau there. I will have you read that to
10:53 33 yourself, Ms Siegers.
10:54 34
10:54 35 A. I see that.
10:54 36
10:54 37 Q. Over the page, please, operator. If you could blow up the
10:54 38 first half of the box on "Observations", I will ask you to read that
10:54 39 from the heading "Observations" down to the heading
10:54 40 "Recommendations", please, Ms Siegers.
10:54 41
10:54 42 A. I have read the information.
10:54 43
10:54 44 Q. And the conclusion that FTI made on the basis of that
10:54 45 search was a Dow Jones search had not been conducted for
10:54 46 Mr Chau ---
10:54 47

10:54 1 A. Yes.
10:54 2
10:54 3 Q. --- and they were therefore not able to reasonably consume
10:54 4 that Dow Jones searches were always conducted on operators; do
10:55 5 you see that?
10:55 6
10:55 7 A. I see that.
10:55 8
10:55 9 Q. That is a failure to follow Crown's own processes; is that
10:55 10 a fair assessment?
10:55 11
10:55 12 A. On the face of what you are showing me, I would assume,
10:55 13 but I do not know what the process was at the time, so I cannot
10:55 14 really comment.
10:55 15
10:55 16 Q. I appreciate you haven't seen the report, but you agree with
10:55 17 me that the report bears a number of similarities, unless in the
10:55 18 observation section to the report that Crown obtained from
10:55 19 Deloitte in August 2020; correct?
10:55 20
10:55 21 A. There are a number of similarities, yes.
10:55 22
10:55 23 Q. On the basis of what I've shown you, FTI was signalling to
10:55 24 Crown that its due diligence process for onboarding junkets was
10:55 25 not defensible?
10:55 26
10:55 27 A. I cannot make that --- really, I'm not in a position to
10:56 28 comment on that. This report was to MinterEllison, not to
10:56 29 Crown. I actually don't know how to answer your question. I
10:56 30 think what the report tells is that there were gaps, that we could
10:56 31 do better.
10:56 32
10:56 33 Q. But there were significant gaps, weren't there?
10:56 34
10:56 35 A. This particular one you are showing me does indicate a gap.
10:56 36
10:56 37 Q. Not just in relation to Mr Chau, but in relation to not
10:56 38 including junket operators, having the process dealt with by
10:56 39 credit, at this time, having no AML involvement, they are
10:56 40 significant gaps in the due diligence process; don't you agree?
10:56 41
10:56 42 A. At the time of the report, I would agree.
10:56 43
10:56 44 Q. And to your knowledge was this report, and I know you
10:57 45 haven't seen this report so please bear with me when I ask you
10:57 46 these questions, was this report ever provided to the Risk
10:57 47 Management Committee?

10:57 1
10:57 2 A. Not that I have seen, but that does not mean it was not. It
10:57 3 could have been provided in a form where I was not involved.
10:57 4
10:57 5 Q. Well, we have checked the meeting packs for Risk
10:57 6 Management Committee meetings from August 2019 to August
10:57 7 2020. We could not find any reference to the FTI report or any
10:57 8 discussion or any reference on any agenda. Are you in a position
10:57 9 to agree with that?
10:57 10
10:57 11 A. I believe I am, yes. Of all the packs I have seen, I have not
10:57 12 seen this report or I would have seen it before today. Yes.
10:57 13
10:57 14 Q. I see. To your knowledge, was this report ever provided to
10:57 15 the board of Crown Resorts or Crown Melbourne?
10:58 16
10:58 17 A. Again, I'm not in a position to say. I was not receiving the
10:58 18 board packs so I could not comment on their content.
10:58 19
10:58 20 Q. Certainly you have never prepared a report for the board in
10:58 21 relation to this report because you've not seen it?
10:58 22
10:58 23 A. No, I absolutely have not, yes.
10:58 24
10:58 25 Q. All right. The Deloitte report was obtained in August 2020,
10:58 26 following the February Board decision that I mentioned
10:58 27 a moment ago to review some of the business procedures,
10:58 28 including the junket procedures. And you certainly saw the
10:58 29 Deloitte report?
10:58 30
10:58 31 A. I did.
10:58 32
10:58 33 Q. It wasn't raised with you at the time that Mr Lawson ---
10:58 34 sorry, Dr Lawson, had effectively done the same review almost
10:58 35 12 months prior, when he was at FTI Consulting?
10:58 36
10:58 37 A. I knew that he had done a piece of work obviously since I
10:59 38 had assisted him in obtaining documents and coordination, but
10:59 39 because I had not seen the content of the report, nor the scope, I
10:59 40 wasn't exactly sure how different or similar that review was.
10:59 41
10:59 42 Q. I see. Can I take you to a report that you did prepare on the
10:59 43 Deloitte due diligence --- sorry, a report that you did prepare for
10:59 44 the Risk Management Committee on the Deloitte junket review
10:59 45 report in August 2020, please.
10:59 46
10:59 47 COMMISSIONER: Before you leave that, I don't know whether

10:59 1 this report --- draft report has been tendered.
10:59 2
10:59 3 MS NESKOVCIN: No, thank you, Commissioner. Can I please
10:59 4 tender that?
10:59 5
10:59 6 COMMISSIONER: All right. It is the FTI Review of due
10:59 7 diligence procedures draft report, 10 September 2019. That will
11:00 8 be Exhibit 192. Sorry to interrupt.
11:00 9
11:00 10
11:00 11 **EXHIBIT #RC0192 - FTI REVIEW OF DUE DILIGENCE**
11:00 12 **PROCEDURES - DRAFT REPORT - DATED 10**
11:00 13 **SEPTEMBER 2019**
11:00 14
11:00 15
11:00 16 MS NESKOVCIN: Thank you.
11:00 17
11:00 18 MR BORSKY: And, Commissioner, I have just a moment ago
11:00 19 received instructions that Crown does not maintain a claim for
11:00 20 privilege over this draft report. So there is no need ---
11:00 21
11:00 22 COMMISSIONER: What about the earlier one?
11:00 23
11:00 24 MR BORSKY: The earlier document bearing the CRW code?
11:00 25
11:00 26 COMMISSIONER: Yes --- don't know yet?
11:00 27
11:00 28 MR BORSKY: I'm not in a position to make that statement in
11:00 29 respect of that document yet, but this FTI draft report does not
11:00 30 need to be tendered confidentially.
11:00 31
11:00 32 COMMISSIONER: Okay, thank you. Thank you, Mr Borsky.
11:00 33
11:00 34 MS NESKOVCIN: Operator, can we please go to
11:01 35 CRW.507.005.2809.
11:01 36
11:01 37 Ms Siegers, you recognise this as the pack for the Risk
11:01 38 Management Committee meeting on 12 August 2020?
11:01 39
11:01 40 A. Yes.
11:01 41
11:01 42 Q. Operator, could we please go over the page.
11:01 43
11:01 44 You see item 3 on the agenda is the junket process review?
11:01 45
11:01 46 A. Yes.
11:01 47

- 11:01 1 Q. If we could please go to page 2823.
11:01 2
11:01 3 Ms Siegers, this is a Memorandum to the Risk Management
11:01 4 Committee that you prepared on 7 August 2020 headed "Junket
11:01 5 Review Update".
11:01 6
11:01 7 A. Yes.
11:01 8
11:01 9 Q. The first paragraph we note is the context of the February
11:01 10 Board meeting, when management were asked to undertake
11:01 11 a review of the process to onboard new junkets; you see that?
11:01 12
11:01 13 A. Yes.
11:01 14
11:01 15 Q. There's then a reference to an internal review driven by
11:02 16 yourself, with the collaboration of AML, Compliance and Credit
11:02 17 teams?
11:02 18
11:02 19 A. Yes.
11:02 20
11:02 21 Q. That internal review, is that the one that you were
11:02 22 mentioning a moment ago, you couldn't recall whether it was
11:02 23 late two thousand nine ---
11:02 24
11:02 25 A. Yes. So it was that one.
11:02 26
11:02 27 Q. Thank you. And you say then that:
11:02 28
11:02 29 *The internal review focused on confirming the existing*
11:02 30 *process in place and proposing some enhancements.*
11:02 31
11:02 32 And then it refers to the work that you've done with the Persons
11:02 33 of Interest (POI) Committee. Do you see that?
11:02 34
11:02 35 A. Yes, I do.
11:02 36
11:02 37 Q. I will just give you an opportunity to read the next couple
11:02 38 of paragraphs referencing the Deloitte work, thank you.
11:02 39
11:03 40 A. Yes.
11:03 41
11:03 42 Q. Obviously no reference there to the FTI report; correct?
11:03 43
11:03 44 A. No.
11:03 45
11:03 46 Q. And, do you agree with me that the sequence of events after
11:03 47 this Memorandum --- so this is 7 August 2020, you recall that on

11:03 1 10 August 2020, the Board of Crown Resorts resolved to cease
11:03 2 operations with junkets?
11:03 3
11:03 4 A. Yes.
11:03 5
11:03 6 Q. As far as we could tell from the review of the Risk
11:03 7 Management Committee meetings, this was the first time in 2020
11:03 8 when the junket review process was specifically tabled or
11:03 9 mentioned as an agenda item in the Risk Management Committee
11:03 10 meetings; do you agree with that?
11:03 11
11:03 12 A. I'm referring --- (audio distorted) --- to the February one
11:03 13 where the request was made. I think the request was made at the
11:03 14 Board, not at the Risk Management Committee --
11:03 15
11:03 16 Q. Yes.
11:03 17
11:03 18 A. --- so yes, I would agree with that.
11:03 19
11:04 20 Q. And the Deloitte report was provided in draft at this stage;
11:04 21 correct?
11:04 22
11:04 23 A. I believe it was.
11:04 24
11:04 25 Q. Take it from me that the report is dated 26 August 2020 ---
11:04 26
11:04 27 A. The final one, yes.
11:04 28
11:04 29 Q. You had seen a draft at this stage; correct?
11:04 30
11:04 31 A. Yes, I had.
11:04 32
11:04 33 Q. Do you know if a draft report had been shared with any
11:04 34 member of the Board at this stage?
11:04 35
11:04 36 A. Prior to this meeting?
11:04 37
11:04 38 Q. Around the time of this meeting.
11:04 39
11:04 40 A. I cannot recall, actually.
11:04 41
11:04 42 Q. Certainly the members of the Risk Management
11:04 43 Committee, who are also Board members, were aware of the
11:04 44 report; correct?
11:04 45
11:04 46 A. Absolutely, yes.
11:04 47

11:04 1 Q. And insofar as the Deloitte report identified, that there
11:04 2 were, as you say, "gaps" with the due diligence process, it was
11:04 3 also highlighting an important risk management or material risk
11:04 4 for Crown; correct?

11:05 5
11:05 6 A. I believe it did, yes.

11:05 7
11:05 8 Q. Because you understood, didn't you, that the robustness of
11:05 9 the process for ensuring the ongoing probity of junket operators
11:05 10 was a requirement of the Junket Internal Control Statement?

11:05 11
11:05 12 A. I don't know that I necessarily refer to the internal control
11:05 13 statement, but I understand it, for the good operations of Crown
11:05 14 that, yes, that was an important part of our processes.

11:05 15
11:05 16 Q. And if you weren't complying with the internal control
11:05 17 statement, then it was potentially a breach of the Casino Control
11:05 18 Act; correct?

11:05 19
11:05 20 A. A breach of --- I --- yes, I believe can lead to breaches of
11:05 21 the Casino Control Act. Yes.

11:05 22
11:05 23 Q. Well, you saw that this year with the disciplinary action by
11:05 24 the VCGLR; correct?

11:05 25
11:05 26 A. Yes.

11:05 27
11:05 28 Q. And so it's an important --- it's an important risk matter;
11:06 29 correct?

11:06 30
11:06 31 A. It is.

11:06 32
11:06 33 Q. You might not be in a position to say, but you had assumed
11:06 34 the Deloitte report somehow informed the Board's decision, in
11:06 35 relation to the August decision to cease operating on --- cease its
11:06 36 operations with junket operators; correct?

11:06 37
11:06 38 A. I'm not in a position to comment on that.

11:06 39
11:06 40 Q. But certainly you agree that it highlighted some important
11:06 41 matters to take into account from a risk point of view?

11:06 42
11:06 43 A. It did.

11:06 44
11:06 45 Q. Does it highlight to you, having seen --- me having now
11:06 46 shown you the FTI report 12 months ago, and having obtained
11:06 47 a very similar report 12 months later in August 2020, following

11:06 1 which the Board made a decision to cease operating with junkets,
11:06 2 potentially for a range of reasons, does that sequence of events
11:07 3 not highlight to you that there was some risk management failing
11:07 4 on the part of Crown?

11:07 5

11:07 6 A. Not having seen the first --- as soon as I had carriage of this
11:07 7 review and the implementation, I made sure that we were across
11:07 8 them and we were implementing them. Not having known what
11:07 9 was happening with the FTI report prior, I actually do not know
11:07 10 who had visibility of that report. If a number of people, including
11:07 11 senior management of the Board, had visibility of the report, but
11:07 12 I think you indicated they did not ---

11:07 13

11:07 14 Q. No, I don't think I did indicate that, but please continue.

11:07 15

11:07 16 A. So if the Board never saw the FTI report, and then there
11:07 17 was nothing for us to know exactly what to action and when. If
11:07 18 somebody, which would not have been me as I indicated that, had
11:07 19 the report and did not action, yes, it would have been a failing.

11:07 20

11:08 21 Q. Well, so can I just explore that a little bit.

11:08 22

11:08 23 As you just, I think, demonstrated in your answer, once you had
11:08 24 the August 2020 report from Deloitte, you seized it, you took
11:08 25 responsibility for it, you appropriately raised it with the Risk
11:08 26 Management Committee, you no doubt had your antenna --- your
11:08 27 risk management antenna up for everything that it involved, and
11:08 28 you raised it with the Risk Management Committee
11:08 29 appropriately.

11:08 30

11:08 31 A. Yes.

11:08 32

11:08 33 Q. You did not have the opportunity to do that with the FTI
11:08 34 report. And if you assume that there are similarities between the
11:08 35 FTI report and the Deloitte report, doesn't that identify to you
11:08 36 a problem --- a breakdown in the risk management processes
11:08 37 somewhere because you did not have the opportunity, and it did
11:08 38 not come before the Risk Management Committee?

11:08 39

11:09 40 A. I don't know how to answer this one because I --- the report
11:09 41 was requested by MinterEllison for MinterEllison. I don't know
11:09 42 how widely it was communicated and provided within Crown.
11:09 43 So if that report was widely communicated or even to a few
11:09 44 individuals, then yes, I would agree with your statement. If it was
11:09 45 not, then not having the content of the report, it would have been
11:09 46 incredibly difficult for anyone to action it.

11:09 47

11:09 1 Q. Yes. Well --- now I just want to change the landscape
11:09 2 a little.
11:09 3
11:09 4 You recall the Brand Committee?
11:09 5
11:09 6 A. Yes.
11:09 7
11:09 8 Q. And the Brand Committee was established shortly after the
11:09 9 media allegations; correct?
11:09 10
11:09 11 A. It was.
11:09 12
11:09 13 Q. And it became non-active in January 2020; correct?
11:09 14
11:10 15 A. I believe that is the time frame.
11:10 16
11:10 17 Q. I'm actually putting to you some propositions that I read
11:10 18 from a statement that Ms Halton gave in the Bergin Inquiry.
11:10 19
11:10 20 A. Okay.
11:10 21
11:10 22 Q. She said that the task of the Committee initially was to
11:10 23 oversee matters which related to or responded to the Nine Media
11:10 24 allegations; was that consistent with your understanding?
11:10 25
11:10 26 A. Yes.
11:10 27
11:10 28 Q. According to Ms Halton, the focuses of the Committee was
11:10 29 essentially, as its name suggests, brand and reputation matters.
11:10 30
11:10 31 A. Yes.
11:10 32
11:10 33 Q. And it appears, Ms Siegers, that the FTI report was actually
11:10 34 mentioned by Mr Preston at a meeting of the Brand
11:11 35 Committee --- I'm struggling to find the date. Would you just
11:11 36 bear with me and I will just get some instruction.
11:11 37
11:11 38 Ms Siegers, could you please assume that the report was
11:11 39 mentioned to the Brand Committee in September or October
11:11 40 2019.
11:11 41
11:11 42 A. I will --- take your word on it.
11:11 43
11:11 44 Q. Unfortunately, we don't have fully unredacted portions of
11:11 45 the minutes for me to show you. So --- but please assume that
11:11 46 that's the case. Please assume the FTI report was either
11:11 47 mentioned or tabled at a meeting of the Brand Committee in

11:11 1 September or October 2019 and, therefore, the report did come to
11:11 2 the attention of at least some Board members at that time.
11:11 3

11:12 4 So do you agree with me that that having occurred, the sequence
11:12 5 of events that we've been through today demonstrate that there
11:12 6 was a failing in the risk management process at Crown in respect
11:12 7 of the FTI report?
11:12 8

11:12 9 A. I can't quite make that statement without knowing exactly
11:12 10 what was discussed with the Board. If the --- what was discussed
11:12 11 with --- in the Brand and Reputation Committee was the fact that
11:12 12 there was --- that FTI had done a review, and that there was the
11:12 13 existence of a report that was not to us but to MinterEllison, and
11:12 14 that is the extent of what was provided to the Board, then I don't
11:12 15 believe the Board had much to go on. If the report was actually
11:12 16 tabled and the enhancements were actually visible to the Board,
11:12 17 then I would agree that there was a failing there.
11:12 18

11:12 19 Q. Okay.
11:12 20

11:12 21 A. Failing to respond.
11:12 22

11:12 23 Q. And, specifically, because I want to suggest to you that the
11:13 24 Brand Committee was, at the time, focused on reputational and
11:13 25 brand issues; correct?
11:13 26

11:13 27 A. They were.
11:13 28

11:13 29 Q. And there is a deeper issue here about the integrity of the
11:13 30 due diligence process; correct?
11:13 31

11:13 32 A. That is what the subject of the report is, yes.
11:13 33

11:13 34 Q. And that is a legal and compliance issue; correct?
11:13 35

11:13 36 A. It can be, yes.
11:13 37

11:13 38 Q. And it requires, at least in this instance, prompt response
11:13 39 from the Board, an approach to the regulator; would you agree?
11:13 40

11:13 41 A. I think I would temper my response with two elements.
11:13 42 The first one again is about how much detail they had. The
11:13 43 second is a broader issue around --- a consultant giving you
11:14 44 insights into how to do better doesn't necessarily mean that what
11:14 45 you are doing is bad.
11:14 46

11:14 47 It can mean that --- so there's a range or --- one difference

11:14 1 between being bad and being perfect. Somewhere along the way
11:14 2 is good, and depending on the advice an external consultant will
11:14 3 give you --- are they giving you advice to move from good to
11:14 4 perfect, or are they assessing that you are bad and that you need
11:14 5 to move to good? So, again, I'm missing a little bit of context to
11:14 6 give you ---

11:14 7
11:14 8 Q. Of course.

11:14 9
11:14 10 A. --- the full assessment of whether or not the range of their
11:14 11 recommendations were because the process was bad, or whether
11:14 12 it was not perfect. So, I --- I'm not in a position to really answer
11:14 13 your question. Thank you.

11:14 14
11:14 15 Q. Would you please assume that the outcome of the review is
11:14 16 that it identifies that the process is not robust, as required by the
11:14 17 internal control statement on junkets. Do you agree that requires
11:15 18 intervention from the Board, and then an approach to the
11:15 19 regulator?

11:15 20
11:15 21 A. If that is the conclusion, I don't know who exactly should
11:15 22 respond, but I would expect a response, yes.

11:15 23
11:15 24 MS NESKOVICIN: Thank you.

11:15 25
11:15 26 Commissioner, I didn't have anything further for Ms Siegers.

11:15 27
11:15 28 Thank you, Ms Siegers.

11:15 29
11:15 30 COMMISSIONER: Thank you.

11:15 31
11:15 32 I have a couple of questions --- a bit unrelated. I'm just trying to
11:15 33 work out a process. Oh no --- before I do that, the minutes, the
11:15 34 Risk Management Committee meeting minutes ---

11:15 35
11:15 36 MS NESKOVICIN: Yes, please.

11:15 37
11:15 38 COMMISSIONER: I'll mark --- if I get the front page, then I can
11:15 39 get the date.

11:15 40
11:15 41 MS NESKOVICIN: The minutes of the Risk Management
11:15 42 Committee on 12 August 2020.

11:15 43
11:15 44 COMMISSIONER: 12 August 2020. Thank you. That will be
11:15 45 Exhibit 193.

11:16 46
47

1 **EXHIBIT #RC0193 - MINUTES OF THE RISK**
2 **MANAGEMENT COMMITTEE DATED 12 AUGUST 2020**

3

4

5 **QUESTIONS BY THE COMMISSIONER**

6

7

8 COMMISSIONER: Sorry about that.

9

11:16 10 The minutes that I've been looking at, the reports that I've seen,
11:16 11 are minutes of meetings of Crown Resorts rather than Crown
11:16 12 Melbourne. And I think most of the discussion between you and
11:16 13 counsel has been in a sense --- and correct me if I'm wrong --- in
11:16 14 relation to work done by you at Crown Resorts level. Is that fair
11:16 15 comment?

11:16 16

11:16 17 A. No, not necessarily, because the vast majority of Crown's
11:16 18 operation are within the properties, so Melbourne, Perth and now
11:16 19 Sydney. So the work that myself and my team do is across the
11:16 20 Crown Resorts and the three properties.

11:17 21

11:17 22 COMMISSIONER: Yes, that's what I was getting at.

11:17 23

11:17 24 So would it be fair to say --- as an organisational concept, this is
11:17 25 effectively all done at head office for the purposes of head office
11:17 26 affairs and its subsidiary operations' affairs?

11:17 27

11:17 28 We've broken down. That must have been my question. We'll
11:17 29 just wait a minute and see if we can reconnect. It usually fixes
11:17 30 itself up in a minute. Although it's more often than not
11:17 31 an intervention by some person that has to open the door.

11:17 32

11:18 33 Maybe, Mr Borsky, you can exercise your powers --- back on air,
11:18 34 thank you.

11:18 35

11:18 36 MR BORSKY: No doubt Counsel Assisting will re-appear
11:18 37 shortly. Yes, there she is.

11:18 38

11:18 39 COMMISSIONER: Yes.

11:18 40

11:18 41 MR BORSKY: Albeit on mute. Sorry, is that better?

11:18 42

11:18 43 MS NESKOVCIN: I think Ms Siegers is still on mute as well.

11:18 44

11:18 45 COMMISSIONER: Can the person who is in your room ---

11:18 46

11:18 47 MS NESKOVCIN: There we go.

11:18 1
11:18 2 A. My apologies. I'm not sure if it was on our end.
11:18 3
11:18 4 COMMISSIONER: I won't blame you just yet.
11:18 5
11:18 6 A. Okay.
11:18 7
11:18 8 COMMISSIONER: What I was trying to get at is whether risk
11:18 9 management culture or the work that you do has effectively been
11:19 10 centralised at head office, rather than being done at the level of
11:19 11 the operating subsidiaries.
11:19 12
11:19 13 A. No, I am definitely present at the Crown Resorts level,
11:19 14 being part of the C-suite and the Executive team, particularly in
11:19 15 my role as Chief Risk Officer.
11:19 16
11:19 17 But prior to December, I actually reported to the Australian
11:19 18 Resorts CEO and therefore, my role was incredibly focused on
11:19 19 what happened within the properties? And still today, it does.
11:19 20
11:19 21 COMMISSIONER: So within the ---
11:19 22
11:19 23 A. I have a team embedded in the properties so I --- my team
11:19 24 is --- my work is all levels, both resorts and within the properties.
11:19 25
11:19 26 COMMISSIONER: By the "properties", you mean each one
11:19 27 separately, Melbourne, Sydney, Perth ---
11:19 28 A. Melbourne, Sydney and Perth, yes.
11:20 29
11:20 30 COMMISSIONER: And do you look after the other subsidiaries
11:20 31 as well, in London and elsewhere?
11:20 32
11:20 33 A. I support them. They have their own team. They are much
11:20 34 smaller. But I provide them with support when they need it.
11:20 35
11:20 36 COMMISSIONER: And they report to you as well?
11:20 37
11:20 38 A. No, they don't.
11:20 39
11:20 40 COMMISSIONER: I see. It is only the Australian teams that
11:20 41 report to you?
11:20 42
11:20 43 A. Yes.
11:20 44
11:20 45 COMMISSIONER: And your meetings --- your committee
11:20 46 meetings, are they Crown Resorts subcommittee meetings?
11:20 47

11:20 1 A. They are a little bit of everything. I actually attend all the
11:20 2 Boards of Crown Resorts in all three properties. I attend the
11:20 3 Executive Risk and Compliance Committees of each property. I
11:20 4 attend the subcommittee of Melbourne --- so the Audit
11:20 5 Committee, which is the subcommittee of the Board that focuses
11:20 6 on Risk and Audit.
11:20 7

11:21 8 So I attend two of the Board committees at Crown Resorts level,
11:21 9 but I attend all others within each property as well.
11:21 10

11:21 11 COMMISSIONER: It still doesn't answer my question.
11:21 12

11:21 13 A. I apologise.
11:21 14

11:21 15 COMMISSIONER: Let's say you go to the Audit Committee
11:21 16 meeting in Melbourne. I've seen reference to the minutes of
11:21 17 some of those meetings, they seem to be between five seven or or
11:21 18 ten minutes. In other words, they don't transact much business.
11:21 19 The Melbourne one.
11:21 20

11:21 21 A. Not the ones I attend, I assure you!
11:21 22

11:21 23 COMMISSIONER: Do you do a lot more talking?
11:21 24

11:21 25 A. Yes, I'm very talkative and I make them talk --- no, the
11:21 26 ones I attend and have attended for the past 3.5 years are proper
11:21 27 meetings. We discuss the relevant topics.
11:21 28

11:21 29 COMMISSIONER: Well, let me ask it to you this way: Crown
11:21 30 Melbourne has said to the regulator that the kinds of functions
11:22 31 that we are talking about, risk management and so on are
11:22 32 centralised functions conducted through Crown Resorts, and
11:22 33 Crown has said that ---
11:22 34

11:22 35 A. Yes.
11:22 36

11:22 37 COMMISSIONER: --- explained that to the regulator on the
11:22 38 basis that that is the most efficient way to get consistency across
11:22 39 Crown's operations, at least Australia-wide. They've said that to
11:22 40 the regulator, and I've seen a document where they've said the
11:22 41 opposite to a firm of solicitors, that they said they are not
11:22 42 centralised and the solicitors said it is not a bad idea to centralise
11:22 43 them because that is a efficient way to operate a group business.
11:22 44 I'm trying to work out what is the true position. Are these
11:22 45 management functions centralised through Crown Resorts, the
11:22 46 head company, or are they not centralised through the head
11:22 47 company?

11:22 1
11:23 2 A. To answer your question, prior to my joining the
11:23 3 organisations, the functions were based in each property. So they
11:23 4 were separate. I think the intent of Crown in recruiting for my
11:23 5 role, and when I joined, was to create a group centralised function
11:23 6 that could bring consistency and coordination across the group.
11:23 7 Therefore, my experience in that role has been in a consolidated
11:23 8 perspective with one framework. Prior to me joining the
11:23 9 organisation, they were separate functions.

11:23 10
11:23 11 COMMISSIONER: All right. Is there a risk with centralised
11:23 12 functions, especially of the kinds of things that --- the subject
11:23 13 matter we are talking about? I'm not talking about, for example,
11:23 14 centralising accounting or audit functions or that kind of thing or
11:24 15 centralising "let's buy property" functions, we're now talking
11:24 16 about functions that deal with conduct which might be very
11:24 17 specific to a particular property ---

11:24 18
11:24 19 A. Yes.

11:24 20
11:24 21 COMMISSIONER: --- things that might happen in Melbourne
11:24 22 might not be happening in Perth, and vice versa, things that are
11:24 23 happening in Perth might not be the same as what takes place in
11:24 24 Melbourne. The problems and advantages might be different and
11:24 25 so on. I just wonder if you think it might be a bad idea for there
11:24 26 to be less centralised functions across the board so that somebody
11:24 27 like the Audit Committee or the Compliance Committee can look
11:24 28 at audit and compliance issues at their particular property, and
11:24 29 not worry about what happens in some other property. If you are
11:24 30 in Melbourne, you worry about Melbourne's licence and
11:25 31 compliance which is different from a Perth licence --- and leaving
11:25 32 aside Sydney --- if we just say Perth, different conditions in the
11:25 33 licence and legislative regimes. Similar, I get, but still different.
11:25 34 I wonder whether you think it might be preferable, for especially
11:25 35 audit and compliance, to be based, not centralised, but based in
11:25 36 the particular jurisdiction or property.

11:25 37
11:25 38 It is a long question, but I'm interested in your take on it.

11:25 39
11:25 40 A. No, I think it is a very good point and I really appreciate the
11:25 41 opportunity to discuss that. I agree with your point, which is that
11:25 42 some level of centralisation has some benefit, but you also need
11:25 43 the property-specific focus, and I hope that that is what we have
11:25 44 actually implemented. So if you look at both the audit and risk
11:25 45 team, I will comment slightly on the audit from my prior
11:26 46 experience, obviously there is a new person in the role now, but
11:26 47 there is a team --- there are risk and audit professionals in each of

11:26 1 the properties. The work has a mix of both being tailored to each
11:26 2 property, so I have a risk manager in each property. Their focus
11:26 3 is almost solely on that property. I have some roles that are
11:26 4 group. So, for example, my data manager is a group role because
11:26 5 I would like to have visibility of data across everything, not just
11:26 6 one property. But some of my roles are property-specific. I
11:26 7 personally am a member of each executive team of each property,
11:26 8 therefore I attend the executive meetings of each property. I
11:26 9 co-chair, with the head of regulatory and compliance, the
11:26 10 executive and risk and compliance committees of each property
11:26 11 where we discuss matters that are relevant to that property, both
11:27 12 in the compliance, risk, but any space that relates to a second and
11:27 13 third line. And when we report to those board, it is specific to
11:27 14 that property. We give them insight into what is happening
11:27 15 across the group so they have visibility over what could impact
11:27 16 that property, but we focus our report on the specific entity we
11:27 17 are discussing and reporting to. So we do both. Then when I
11:27 18 report up to the Crown Resorts group, I consolidate those three
11:27 19 different reports into one where I highlight if there is customer
11:27 20 themes or where there are differences, and the important elements
11:27 21 that need to be filtrated up to the Crown Resorts Board. So
11:27 22 I believe we address --- or we at least try our best to address both
11:27 23 layers, the consolidated entity and the individual entities.
11:27 24

11:27 25 COMMISSIONER: Okay. Thanks very much.

11:28 26
11:28 27 A. It's a very valid concern but I'm hoping that we have that on
11:28 28 our radar and are addressing it.

11:28 29
11:28 30 COMMISSIONER: Yes.

11:28 31
11:28 32 MS NESKOVICIN: I have nothing arising out of that,
11:28 33 Commissioner. I'm not sure if anyone wants to ---
11:28 34

11:28 35 COMMISSIONER: I will go around the room, the virtual room
11:28 36 and find out. Mr Rozen, you always go first.
11:28 37

11:28 38 MR ROZEN: Thank you, Commissioner. I have one matter that,
11:28 39 with your leave, I would like to pursue with Ms Siegers.
11:28 40

11:28 41
11:28 42 **CROSS-EXAMINATION BY MR ROZEN**
11:28 43

11:28 44
11:28 45 MR ROZEN: Ms Siegers, my name is Peter Rozen. I represent
11:28 46 the VCGLR. Can I ask you some questions about the risk
11:28 47 management process and the China arrests. Would you agree

11:28 1 with me that the arrests of the Crown employees in China
11:29 2 represent a significant failure of the Crown risk management
11:29 3 process at that time?
11:29 4
11:29 5 A. I think it was a complex event. I think there were large
11:29 6 communication failings.
11:29 7
11:29 8 Q. There were warnings in advance of the arrests, which, had
11:29 9 they been acted upon at the appropriate level in Crown, might
11:29 10 have averted the arrests? Do you agree?
11:29 11
11:29 12 A. I don't know whether we could have averted it. I'm not in
11:29 13 a position to really comment on whether it was possible for us to
11:29 14 avert the situation. A large part of it was outside our control. It
11:29 15 was about the Chinese actions and objectives which I don't know
11:30 16 we could control.
11:30 17
11:30 18 Q. What were the communication failings that you refer to?
11:30 19
11:30 20 A. I wasn't there at the time, so all of those events happened
11:30 21 before my time, so I cannot comment, really, as an expert with all
11:30 22 the facts. What I have heard from the statements provided
11:30 23 through the ILGA Inquiry, I think there were failings in
11:30 24 escalating some of the warning elements that I think you are
11:30 25 referring to the Risk Management Committee.
11:30 26
11:30 27 Q. Yes. That is the issue, really, as far as the risk management
11:30 28 process was concerned: it was bypassed. That was the problem,
11:30 29 wasn't it?
11:30 30
11:30 31 A. I don't know if "bypassed" is the word. I think --- because I
11:31 32 did not know the individuals, I think there was an element of the
11:31 33 people who were in charge at the time, and what their thought
11:31 34 process was, and what their understanding of the situation was.
11:31 35 Because I have not spoken to many of those people and have
11:31 36 never met many of them, it is difficult for me to comment on
11:31 37 them.
11:31 38
11:31 39 Q. Let's call a spade a spade, Ms Siegers. The risks of the staff
11:31 40 being arrested was managed on the ground, that's the
11:31 41 characterisation, is it not, of how the risk was managed? It was
11:31 42 managed by Mr Chen and Mr O'Connor on the ground.
11:31 43
11:31 44 A. (Nods head).
11:31 45
11:31 46 Q. You are nodding, the transcript will need a word.
11:31 47

11:31 1 A. Yes, I agree that is the concept of the first line in
11:31 2 a governance model, yes.
11:31 3
11:31 4 Q. It wasn't escalated to the appropriate level within the
11:32 5 organisation, that is essentially the problem, yes?
11:32 6
11:32 7 A. I hesitate to comment because I'm again not necessarily the
11:32 8 most informed person. But I understand there were a number of
11:32 9 individuals, including the CEO of Australian Resorts, some of the
11:32 10 Board members who may have had insight into that, but I hesitate
11:32 11 to comment further again. I'm not the person with the most
11:32 12 precise knowledge on the situation at the time. I was not at
11:32 13 Crown.
11:32 14
11:32 15 Q. I understand that. But there has been no lack of
11:32 16 investigation externally into these matters, has there?
11:32 17
11:32 18 A. There has been lights shone, but I don't know if they have
11:32 19 shown the full context.
11:32 20
11:32 21 Q. Have you read the VCGLR's report into the China arrests?
11:32 22
11:32 23 A. I have scanned it. I have spent the amount of time I need to
11:33 24 spend on it. I will do that once this section of the hearings is
11:33 25 finished.
11:33 26
11:33 27 Q. I understand you have a lot on your plate. But what I'm
11:33 28 getting at, Ms Siegers, I think you agreed with the proposition
11:33 29 that it is necessary to learn from the past and one can learn from
11:33 30 the past. Do you recall saying that?
11:33 31
11:33 32 A. I agree.
11:33 33
11:33 34 Q. Yes, and you've explained why you haven't pursued a root
11:33 35 cause analysis into the China arrests. Do I understand your
11:33 36 evidence to be that the time has now passed for that to be usefully
11:33 37 done internally at Crown?
11:33 38
11:33 39 A. I think to get an effective root cause assessment, you need
11:33 40 to do it very quickly after the events --
11:33 41
11:33 42 Q. Yes.
11:33 43
11:33 44 A. --- because a lot of that assessment has to be around talking
11:34 45 to people and what they have done. To be as effective as
11:34 46 possible, you want to do that as quickly as possible close to the
11:34 47 event so that you have the mindsets and the thought process that

11:34 1 can be captured. So I think if I do --- I could do a review ---
11:34 2 a review could be undertaken now, but we are four or five years
11:34 3 after the fact --
11:34 4
11:34 5 Q. Yes.
11:34 6
11:34 7 A. --- we would not get, I think, the full benefit of the review
11:34 8 had we done it four or five years ago.
11:34 9
11:34 10 Q. Understand, and I'm not suggesting to you that you do it,
11:34 11 just so that it is clear. What I'm getting at, Ms Siegers, is there
11:34 12 was a risk management process in place at the time, was there
11:34 13 not?
11:34 14
11:34 15 A. There was. Yes.
11:34 16
11:34 17 Q. There were documented processes, there were staff
11:34 18 identified with certain roles?
11:34 19
11:34 20 A. Yes.
11:34 21
11:34 22 Q. There were pieces of paper, in other words, dealing with
11:34 23 risk, yes?
11:34 24
11:35 25 A. Yes.
11:35 26
11:35 27 Q. Without wishing to denigrate the extensive work that you
11:35 28 have done, there are now more pieces of paper and processes and
11:35 29 committees; correct?
11:35 30
11:35 31 A. Yes, there are.
11:35 32
11:35 33 Q. But if they are not engaged in a future crisis, then been that
11:35 34 crisis won't be averted, or at least the consequences won't be
11:35 35 ameliorated; do you agree?
11:35 36
11:35 37 A. Yes, I agree. If the process is not embedded, then it's not
11:35 38 going to --- yes.
11:35 39
11:35 40 Q. Embedded and engaged. Turning to the role that this
11:35 41 Commission has, how can the Commissioner be satisfied, in light
11:35 42 of the evidence that you've given, that in a future similar crisis,
11:35 43 and it won't be the same because that's life, it will be a different
11:35 44 crisis ---
11:35 45
11:35 46 A. Yes.
11:35 47

11:35 1 Q. --- that the augmented procedures that you've spent so
11:36 2 much time and effort on will be engaged?

11:36 3

11:36 4 A. When I joined the organisation, despite me not doing
11:36 5 an investigation into the events that had taken place prior to me
11:36 6 joining, looking solely at the risk processes that were in place,
11:36 7 and with the view to enhance them for the future, which I'm
11:36 8 always looking at the future. I obviously learn from the past, but
11:36 9 I'm always focused on enhancing the future. There were
11:36 10 a number of elements that were evident to me requiring of
11:36 11 enhancements. And two of them in particular, actually, three, the
11:36 12 three main ones were very relevant to the events that had
11:36 13 transpired around China. The first one is the risk appetite, and
11:36 14 my opinion on this, and it is just my opinion, is that there was
11:36 15 a shift in the appetite of the organisation that was triggered by the
11:37 16 China arrest. It was a traumatic event for the organisation. It was
11:37 17 not a trivial or underestimated event, it was absolutely traumatic.
11:37 18 And that shifted the appetite of the organisation towards doing
11:37 19 business in certain areas and I think it focused the appetite of the
11:37 20 organisation towards more focus on risk management and
11:37 21 compliance. So when I joined the organisation, my experience of
11:37 22 the organisation was that it was an organisation that was already
11:37 23 focused on risk management and compliance. Now, I needed to
11:37 24 translate that into the risk framework. So that was the first one.

11:37 25

11:37 26 The second one is, I think, a good risk management framework
11:37 27 enhances the focus on escalation and communication and
11:37 28 transparency of communication. There was room for me to
11:38 29 improve that dramatically, and I did.

11:38 30

11:38 31 The third one was the quality of the reporting of the information
11:38 32 we were provided to the Board, and that is a fair amount of work
11:38 33 I have done on.

11:38 34

11:38 35 So these three elements were evident to me because of my
11:38 36 professional experience and expertise, when I looked at the
11:38 37 framework that I had, it wasn't broken but it needed material
11:38 38 enhancements, so I focused on those enhancements. And those
11:38 39 three elements were quite critical elements that contributed,
11:38 40 I think, to the lack of communication and application of or
11:38 41 implementation of the risk framework at the time of the event.

11:38 42

11:38 43 Q. Thank you.

11:38 44

11:38 45 A. Does that answer your question?

11:38 46

11:38 47 Q. Well, it's not me you have to convince, Ms Siegers. Thank

11:38 1 you.
11:38 2
11:38 3 A. So what I have done is focus on ensuring we have
11:38 4 communication, we have escalation, and that the appetite of the
11:38 5 board is properly identified and communicated across the
11:39 6 processes of the organisation.
11:39 7
11:39 8 MR ROZEN: Thank you, Ms Siegers. Thank you,
11:39 9 Commissioner. They are my questions.
11:39 10
11:39 11 COMMISSIONER: Thank you, Mr Rozen.
11:39 12
11:39 13 Mr Gray?
11:39 14
11:39 15 MR GRAY: I have no questions for Ms Siegers. Thank you,
11:39 16 Commissioner.
11:39 17
11:39 18 COMMISSIONER: Thank you. Mr Borsky.
11:39 19
11:39 20
11:39 21 **RE-EXAMINATION BY MR BORSKY**
11:39 22
11:39 23
11:39 24 MR BORSKY: Yes, thank you, Commissioner.
11:39 25
11:39 26 Ms Siegers, yesterday you were asked some questions about
11:39 27 Deloitte's scope (audio distorted) of the VCGLR?
11:39 28
11:39 29 A. The risk management framework review that Deloitte
11:39 30 performed?
11:39 31
11:39 32 Q. Yes, and relevantly to Recommendation 3 of the VCGLR --
11:39 33
11:39 34 A. Yes.
11:39 35
11:39 36 Q. --- the Sixth Review. You explained why you disagreed that
11:39 37 Deloitte's scope of work was inconsistent with Recommendation
11:39 38 3 of the VCGLR; you recall that?
11:39 39
11:40 40 A. I don't know that I said it was inconsistent ---
11:40 41
11:40 42 Q. No, I will interrupt you there. It was put to you that
11:40 43 Deloitte's scope of work was inconsistent --
11:40 44
11:40 45 A. Yes. Thank you.
11:40 46
11:40 47 Q. --- with Recommendation 3, and you explained why you

11:40 1 disagreed with that proposition. Do you recall?
11:40 2
11:40 3 A. I recall.
11:40 4
11:40 5 Q. The VCGLR saw the Deloitte report, didn't it?
11:40 6
11:40 7 A. Yes, it did.
11:40 8
11:40 9 Q. Crown provided the VCGLR with a copy of Deloitte's
11:40 10 report in September 2019; correct?
11:40 11
11:40 12 A. It did.
11:40 13
11:40 14 Q. Can I call up, please, CRW.510.029.1745. You recognise
11:40 15 this as a 13 September 2019 letter sent by Mr Preston to the chair
11:41 16 of the VCGLR in relation to Recommendation 3?
11:41 17
11:41 18 A. I do.
11:41 19
11:41 20 Q. You gave evidence about this letter yesterday. I think you
11:41 21 indicated you had some hand in its content.
11:41 22
11:41 23 A. Yes.
11:41 24
11:41 25 Q. We see in the third paragraph that Crown had, by this time
11:41 26 on 13 September, sought to release the report to the VCGLR
11:41 27 from Deloitte?
11:41 28
11:41 29 A. Yes.
11:41 30
11:41 31 Q. And, on that day, 13 September, had received Deloitte's
11:41 32 approval to release the report and accordingly provided the report
11:41 33 to the VCGLR on that day; is that correct?
11:41 34
11:41 35 A. I believe so, yes.
11:41 36
11:41 37 Q. Do you remember how long a period had elapsed between
11:42 38 Crown's submission to the VCGLR on 1 July 2019 that Crown
11:42 39 had implemented Recommendation 3, and the VCGLR then
11:42 40 requesting to see a copy of the Deloitte report?
11:42 41
11:42 42 A. I think the request from the VCGLR came in early
11:42 43 September.
11:42 44
11:42 45 Q. Thank you. Could I have this document shown, please.
11:42 46 CRW.510.029.1861.
11:42 47

11:42 1 This is a letter from the Chair, Mr Kennedy, the Chair of the
11:43 2 VCGLR to Mr Preston, dated 3 September 2019. In the
11:43 3 penultimate sentence of the letter, the Commission requests the
11:43 4 Deloitte report be provided to it. Do you see that, Ms Siegers?

11:43 5
11:43 6 A. Yes, I can see that.

11:43 7
11:43 8 MR BORSKY: If the Commission pleases, we would tender this
11:43 9 letter.

11:43 10
11:43 11 COMMISSIONER: It's a letter dated 3 September 2019 from
11:43 12 VCGLR to Joshua Preston, Australian Resorts. I will call it
11:43 13 Crown Melbourne I think, to Crown Melbourne Ltd Exhibit 194.

11:43 14

15

16 **EXHIBIT #RC0194 - LETTER FROM VCGLR to CROWN**
17 **MELBOURNE DATED 3 SEPTEMBER 2019**

18

19

11:43 20 MR BORSKY: Now, the next document I want to show you,
11:43 21 Ms Siegers, is CRW.510.029.1855. This is another letter from
11:44 22 Mr Kennedy, the chair of the VCGLR to Mr Preston. This one is
11:44 23 dated 9 January 2020. Do you see?

11:44 24

11:44 25 A. I see.

11:44 26

11:44 27 Q. This letter related to Recommendation 15, which is
11:44 28 irrelevant for our present purposes, and also Recommendation 3;
11:44 29 do you see that?

11:44 30

11:44 31 A. Yes.

11:44 32

11:44 33 Q. Mr Kennedy refers to Crown's letter of 13 September 2019,
11:44 34 which we've seen just recently and to Recommendation 3, and
11:44 35 advises Crown that in December 2019, the Commission had
11:44 36 considered Crown's submissions and concluded that Crown had
11:44 37 implemented Recommendation 3. Do you see that?

11:44 38

11:45 39 A. I think --- yes, I do. Yes, I do.

11:45 40

11:45 41 Q. It is the first bullet point in the letter and the text preceding
11:45 42 it, Ms Siegers. Take your time.

11:45 43

11:45 44 A. Yes, I see it, thank you.

11:45 45

11:45 46 Q. That was after the VCGLR had considered the Deloitte
11:45 47 report which Crown had provided; correct?

11:45 1
11:45 2 A. Yes.
11:45 3
11:45 4 Q. So the chronology was Crown made a submission on 1 July
11:45 5 contending that it had complied with Recommendation 3 ---
11:45 6
11:45 7 A. Yes.
11:45 8
11:45 9 Q. --- over two months elapsed and the VCGLR requested
11:45 10 a copy of the Deloitte report to assess that submission; correct?
11:45 11
11:45 12 A. Yes.
11:45 13
11:45 14 Q. About 10 days later the report was provided to the VCGLR
11:45 15 on 13 September?
11:45 16
11:45 17 A. Yes.
11:45 18
11:46 19 Q. And then another, well, over three months elapses, and then
11:46 20 the Commission meets to consider the submission and having the
11:46 21 benefit of the Deloitte report, the VCGLR concludes that Crown
11:46 22 had implemented Recommendation 3?
11:46 23
11:46 24 A. Yes.
11:46 25
11:46 26 MR BORSKY: I tender that letter too, if the Commission
11:46 27 pleases.
11:46 28
11:46 29 COMMISSIONER: Letter, 9 January 2020 from VCGLR to
11:46 30 Crown Melbourne Exhibit 195.
11:46 31
11:46 32
11:46 33 **EXHIBIT #RC0195 - LETTER FROM VCGLR TO CROWN**
11:46 34 **MELBOURNE DATED 9 JANUARY 2020**
11:46 35
11:46 36
11:46 37 MR BORSKY: Thank you.
11:46 38
11:46 39 Now, I want to change topics, Ms Siegers, and ask you about a
11:46 40 tracker spreadsheet which you gave some evidence about, that
11:46 41 being your tracker document tracking progress of implementation
11:46 42 of Deloitte's recommendations in its report about which you have
11:46 43 been giving evidence?
11:46 44
11:46 45 A. Yes.
11:46 46
11:46 47 Q. You were shown CRW.512.026.0006 yesterday.

11:46 1
11:46 2 A. Yes.
11:46 3
11:47 4 Q. It is another Excel spreadsheet, operator. It will need to be
11:47 5 accessed in the other way.
11:47 6
11:47 7 I want to have drawn to your attention, please, in particular row
11:47 8 21, which relates to Recommendation 2.3-b.
11:47 9
11:47 10 A. Yes.
11:47 11
11:47 12 Q. Do you see that recommendation in this version of your
11:47 13 tracker spreadsheet ---
11:47 14
11:47 15 A. Yes.
11:47 16
11:47 17 Q. --- is pink or red?
11:47 18
11:47 19 A. Yes.
11:47 20
11:47 21 Q. Which indicates, doesn't it, at the time this tracker was
11:48 22 produced, the recommendation had been rejected by you or by
11:48 23 Crown?
11:48 24
11:48 25 A. It had not been implemented, absolutely.
11:48 26
11:48 27 Q. Yes. Now, you mentioned in an answer you gave to one of
11:48 28 Counsel Assisting's questions yesterday that there was an updated
11:48 29 version of this tracker document; do you recall that?
11:48 30
11:48 31 A. I did.
11:48 32
11:48 33 Q. Could I ask that this document be brought up, again it is
11:48 34 an Excel spreadsheet, operator, CRW.512.116.0001.
11:48 35
11:48 36 COMMISSIONER: While we are looking for that document,
11:48 37 Mr Borsky, I'm not sure that the letter of 13 September was
11:48 38 tendered earlier. It might not have been.
11:48 39
11:48 40 MR BORSKY: Thank you, Commissioner. I had assumed,
11:48 41 perhaps incorrectly, that it was. May I tender that then, please?
11:49 42
11:49 43 COMMISSIONER: Yes, that will be Exhibit 196, a letter dated
11:49 44 13 September ---
11:49 45
11:49 46 MR BORSKY: It is a letter dated 13 September 2019 from
11:49 47 Mr Preston to Mr Kennedy of the VCGLR, and it is document ID

11:49 1 CRW510.029.1745.

11:49 2

11:49 3 COMMISSIONER: That will be Exhibit 196.

11:49 4

5

6

**EXHIBIT #RC0196 - LETTER FROM MR JOSHUA
PRESTON TO MR ROSS KENNEDY (VCGLR) DATED 13
SEPTEMBER 2019**

8

9

10

11:49 11 MR BORSKY: In that time the operator has called up another
11:49 12 Excel spreadsheet document, and I want again your attention to
11:49 13 be drawn, please, to row 21 which relates to Recommendation
11:50 14 2.3-b.

11:50 15

11:50 16 A. Yes.

11:50 17

11:50 18 Q. I just wait for that to be shown to you, Ms Siegers.

11:50 19

11:50 20 A. I have it, yes.

11:50 21

11:50 22 Q. Now, this time, 2.3-b in row 21 is green.

11:50 23

11:50 24 A. Yes.

11:50 25

11:50 26 Q. Could you tell the Commissioner who made that change
11:50 27 and when?

11:50 28

11:50 29 A. So I made that change, because I'm the owner of that
11:50 30 tracking spreadsheet, and we made that change a little bit more
11:50 31 recently in the last couple of months, when we looked at the
11:50 32 status of all of those recommendations, or when I looked at the
11:50 33 status of all of those recommendations and actually looked at the
11:50 34 content. I discussed them with Ms Halton, and we actually
11:50 35 looked at the content and made some additional adjustments to
11:50 36 actually implement that recommendation.

11:50 37

11:51 38 Q. Okay. And were there any other changes you made to the
11:51 39 tracker recently as compared to the version you were giving
11:51 40 evidence about yesterday?

11:51 41

11:51 42 A. I think this was the main one. There may have been typos,
11:51 43 but I think in terms of content this would have been the main
11:51 44 change.

11:51 45

11:51 46 MR BORSKY: Okay.

11:51 47

11:51 1 I tender that spreadsheet, if the Commission pleases.
11:51 2
11:51 3 COMMISSIONER: How can I describe it to distinguish it from
11:51 4 the previous spreadsheet? Does it have a date on it or something
11:51 5 that allows that to be done?
11:51 6
11:51 7 MR BORSKY: It doesn't, but Ms Siegers has given evidence ---
11:51 8 perhaps I will ask her more directly.
11:51 9
11:51 10 Is this the current version of your tracker spreadsheet,
11:51 11 Ms Siegers?
11:51 12
11:51 13 A. It is.
11:51 14
11:51 15 COMMISSIONER: I will describe it as the current version.
11:52 16
11:52 17 MR BORSKY: If the Commission pleases.
11:52 18
11:52 19 COMMISSIONER: I make that Exhibit 197.
11:52 20
21
22 **EXHIBIT #RC0197 - CURRENT VERSION OF TRACKER**
23 **SPREADSHEET**
24
25
11:52 26 MR BORSKY: Okay. Finally, Ms Siegers, this morning it was
11:52 27 put to you that the FTI draft consulting report was mentioned or
11:52 28 tabled at a Brand Committee meeting; do you recall that?
11:52 29
11:52 30 A. Yes.
11:52 31
11:52 32 Q. And it was put to you that --- you were asked to assume ---
11:52 33 because the draft report was mentioned or tabled at a Brand
11:52 34 Committee meeting, it followed that the report came to the
11:52 35 attention of the Board, and that therefore there had been a failing
11:52 36 in the risk management process at Crown in respect of the FTI
11:52 37 report ; do you recall that?
11:52 38
11:52 39 A. I recall being asked that question, yes.
11:52 40
11:53 41 Q. Yes, and you didn't accede unequivocally to the proposition
11:53 42 because you identified two possibilities in the assumption you
11:53 43 were asked to make, that is, whether it was merely mentioned in
11:53 44 passing or whether it had been tabled; you recall?
11:53 45
11:53 46 A. Yes.
11:53 47

11:53 1 Q. I'm going to try to show you a document. I will read out
11:53 2 the code and we'll see if anything happens. CRW.510.068.0624.

11:53 3

11:53 4 COMMISSIONER: Nothing much is happening.

11:53 5

11:53 6 MR BORSKY: So far nothing much is happening,
11:53 7 Commissioner. I'm instructed we had taken urgent steps to
11:53 8 attempt to get this document up on to the system. It may be that
11:54 9 that hasn't been possible in the short time we've had since the
11:54 10 issue arose this morning.

11:54 11

11:54 12 COMMISSIONER: It's not on the system.

11:54 13

11:54 14 MR BORSKY: All right. Could I handle it this way, then,
11:54 15 Commissioner.

11:54 16

11:54 17 COMMISSIONER: Can you describe what the document is and
11:54 18 read slowly what you wanted Ms Siegers to look at?

11:54 19

11:54 20 A. Thank you.

11:54 21

11:54 22 MR BORSKY: On 22 August 2019 there was a meeting of the
11:54 23 Brand Committee held by teleconference, Ms Siegers.

11:54 24

11:54 25 A. Yep.

11:54 26

11:54 27 Q. Take that from me. The meeting held by teleconference
11:54 28 commenced at 8 in the morning and concluded about 8.45 in the
11:54 29 morning. Okay?

11:54 30

11:54 31 A. Yes.

11:54 32

11:54 33 Q. For the benefit of our learned friends, I've given the
11:55 34 document ID already, it's CRW.510.068.0624, we will seek in
11:55 35 due course to tender this document, but for your benefit,
11:55 36 Ms Siegers, I can tell you that there was, as recorded in those
11:55 37 minutes, a mention of ---

11:55 38

11:55 39 COMMISSIONER: I think the best thing is to read the relevant
11:55 40 part.

11:55 41

11:55 42 MR BORSKY: I will do that now, Commissioner:

11:55 43

11:55 44 *Mr Preston advised the committee that FTI Consulting*
11:55 45 *had been engaged by MinterEllison to undertake a review*
11:55 46 *of the company's current junket due diligence procedures*
11:55 47 *and details due diligence searches on Mr Chau and*

11:55 1 *Mr Song.*
11:55 2
11:55 3 That is all that the minutes record, just that, that Mr Preston
11:55 4 advised the committee that FTI Consulting had been engaged by
11:56 5 MinterEllison to undertake that work.
11:56 6
11:56 7 Now, if you assume that that is a faithful record of the discussion
11:56 8 of the 22 August 2019 meeting, and that the draft report itself was
11:56 9 not tabled at that Board committee meeting or another in late
11:56 10 2019, would you be able to comment in answer to the question
11:56 11 Counsel Assisting put to you, that is whether in your view there
11:56 12 was a failing in the risk management process at Crown in respect
11:56 13 of the FTI report?
11:56 14
11:56 15 A. Yes. So what you are indicating to me is that we were in
11:56 16 that situation where the detailed information was not provided to
11:56 17 the Board on the failings and, therefore, I do not see a failing at
11:56 18 that stage. Or at that point. I do not see a failing of the Board or
11:56 19 the committee.
11:56 20
11:56 21 COMMISSIONER: And to be fair to you, Ms Siegers, you
11:57 22 wouldn't know one way or the other whether MinterEllison
11:57 23 withheld that report from its client, who no doubt paid for it, or
11:57 24 otherwise provided that report to its client who did pay for it; you
11:57 25 just don't know?
11:57 26
11:57 27 A. I do not know. But based on the minutes that Mr Borsky
11:57 28 just read out now, yes, I would assume that they had not. Yeah.
11:57 29
11:57 30 COMMISSIONER: At that point in time?
11:57 31
11:57 32 A. At that point in time, absolutely.
11:57 33
11:57 34 COMMISSIONER: And you don't make any assumption about
11:57 35 what happens afterwards because you have no way of knowing?
11:57 36
11:57 37 A. I have no way of knowing.
11:57 38
11:57 39 COMMISSIONER: Good. Thank you.
11:57 40
11:57 41 MR BORSKY: You've reviewed minutes of the Risk
11:57 42 Management Committee and other Board committees subsequent
11:57 43 to that date, haven't you?
11:57 44
11:57 45 A. Yes. Are you asking me? Yes, I have.
11:57 46
11:58 47 Q. You gave evidence this morning that you've got no

11:58 1 knowledge of the draft report having been tabled at any of those
11:58 2 meetings?
11:58 3
11:58 4 A. I do not have knowledge.
11:58 5
11:58 6 Q. Just a final question, Ms Siegers, do you know that
11:58 7 Mr Lawson actually moved to Deloitte?
11:58 8
11:58 9 A. Yes, I do.
11:58 10
11:58 11 MR BORSKY: I have no further questions, Commissioner.
11:58 12
11:58 13 COMMISSIONER: Thank you, Mr Borsky. Ms Neskovicin?
11:58 14
11:58 15 MS NESKOVCIN: Nothing arising. We'll have a look at the
11:58 16 minutes when they are provided, the document that Mr Borsky
11:58 17 just mentioned. The difficulty --- one difficulty that we have,
11:58 18 though, Commissioner, is that redactions are still being applied to
11:58 19 the minutes, so we don't know exactly what was tabled or what
11:58 20 was mentioned. So we will in due course have to obtain
11:59 21 unredacted versions, but I expect they are matters we can take up
11:59 22 with other witnesses.
11:59 23
11:59 24 COMMISSIONER: Okay.
11:59 25
11:59 26 MS NESKOVCIN: On that basis, we are content for Ms Siegers
11:59 27 to be excused.
11:59 28
11:59 29 COMMISSIONER: Thank you.
11:59 30
11:59 31 Thank you very much, Ms Siegers. You are free to go about your
11:59 32 affairs.
11:59 33
11:59 34 MS NESKOVCIN: Thank you, Ms Siegers.
11:59 35
11:59 36 A. Thank you, Commissioner.
11:59 37
11:59 38
11:59 39 **THE WITNESS WITHDREW**
11:59 40
11:59 41
11:59 42 COMMISSIONER: Mr Borsky, once this is all sorted out, the
11:59 43 form of the document, it will just be one of the additional
11:59 44 documents you propose to tender in due course, so we don't have
11:59 45 to worry about reserving a spot for it at this point.
11:59 46
11:59 47 MR BORSKY: Thanks, Commissioner.

11:59 1
11:59 2 COMMISSIONER: All right.
11:59 3
11:59 4 MS NESKOVCIN: There are no further witnesses today.
11:59 5
11:59 6 COMMISSIONER: All right. I will adjourn now. I will have
11:59 7 published, in the next little while, the witnesses for next week.
11:59 8 I don't think that list has been finalised. No, it hasn't been
12:00 9 finalised. As soon as it is, I will let the parties know. It will be
12:00 10 published on the website. Otherwise I will adjourn for a date to
12:00 11 be fixed.
12:00 12
12:00 13 MS NESKOVCIN: Thank you, Commissioner.
12:00 14
15
16 **HEARING ADJOURNED AT 12.00 PM TO A DATE TO BE**
17 **FIXED**

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EXHIBIT #RC0194 - LETTER FROM VCGLR to CROWN MELBOURNE DATED 3 SEPTEMBER 2019	P-2042
EXHIBIT #RC0195 - LETTER FROM VCGLR TO CROWN MELBOURNE DATED 9 JANUARY 2020	P-2043
EXHIBIT #RC0196 - LETTER FROM MR JOSHUA PRESTON TO MR ROSS KENNEDY (VCGLR) DATED 13 SEPTEMBER 2019	P-2045
EXHIBIT #RC0197 - CURRENT VERSION OF TRACKER SPREADSHEET	P-2046