

MinterEllison

15 January 2020

Mr Ross Kennedy
Chair
Victorian Commission for Gambling and Liquor Regulation
Level 3, 12 Shelley Street
RICHMOND VIC 3121

Dear Mr Kennedy

Section 26 Notice - Request for information

Thank you for your letter dated 7 January 2020.

Thank you also for your indication that, at least for the time being, the VCGLR does not require anything further from Crown in relation to Categories A 2 and 3 in the VCGLR's letter dated 2 December 2019.

We confirm that Crown does not rely on any deed or other document as the basis for the asserted duty of confidentiality apart from the employment agreements and separation deeds that have been provided to the VCGLR. May we therefore take it that, at least for the time being, the VCGLR also does not press for production of Category A 1(b) in the 2 December 2019 letter?

In connection with the legal professional privilege point, we will send a separate letter shortly. We thank you for your indication that nothing further is required from Crown pending receipt and consideration of our letter on that subject.

In relation to interviews of former staff, Crown fully accepts that a representative should not be in attendance if that is the former staff member's preference.

Our experience to date has been that former staff members have preferred to have a Crown representative in attendance. We believe that the attendance of Josh Preston of Crown and our Mr Murphy at previous interviews has been conducive to their efficient and orderly conduct. If the VCGLR has a different view, could you please let us know.

For former staff members who prefer not to have a Crown representative in attendance, how does the VCGLR propose to deal with the issues of their confidentiality obligations to Crown, and whether it is in their personal interests to respond to VCGLR questions in the circumstance, including potential implications of the extant class action? Will they be told that responding to VCGLR questions is voluntary? Will they be offered the opportunity to obtain independent advice and, if so, at whose expense?

We and Crown would welcome the opportunity to meet with you and/or relevant VCGLR officers if that might assist to advance any of the above matters.

We look forward to hearing further.

Yours sincerely



A handwritten signature in blue ink, appearing to read 'R Murphy', with a large, stylized flourish at the bottom.

Richard Murphy
Partner

Contact: Richard Murphy T: [REDACTED]

[REDACTED]
OUR REF: RDM 1047099