



Victorian Commission for
Gambling and Liquor Regulation

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23 August 2018

Our ref:
Your ref: RMD 1147099

Mr Richard Murphy
Partner
Minter Ellison
Level 23, Rialto Towers
525 Collins Street
MELBOURNE VIC 3000

By email: [REDACTED]

Dear Mr Murphy

VCGLR China Investigation – Detention of Crown group staff in China

Thank you for your letter dated 7 June 2018. I confirm receipt of the most recent disclosure of documents by Crown on 7 and 8 June 2018, in response to notices issued by the Victorian Commission for Gaming and Liquor Regulation (VCGLR) for the purposes of the investigation into the circumstances regarding the arrest and convictions on 26 June 2017 of Crown employees in the Shanghai Baoshan District Court, Peoples Republic of China.

Provision of further information

The VCGLR has reviewed the materials provided by Crown to the VCGLR to date, including the most recent material received on 7 and 8 June 2018, and considers that further information and records are required.

For the purposes of providing information and producing records in response to this notice, the VCGLR will accept the information and copies of documents being provided to the VCGLR in electronic form.

In accordance with powers under Part 4 of the *Victorian Commission for Gambling and Liquor Regulation Act 2011* and pursuant to section 26(1) of the *Casino Control Act 1991* I require Crown Resorts Limited and/or Crown Melbourne Limited and/or any company within the Crown group of companies (hereafter referred to as "Crown") to provide the following information and/or produce the following records by **5pm on Friday 21 September 2018**:

1. Information prior to detention in October 2016

1.1 *External advice documentation between November 2015 to October 2016*

All documentation and records of any communication between Crown and/or Crown staff (including executives and directors) and any external advisers or consultants or contractors (save for Universal Aviation) in the period 1 November 2015 – 13 October 2016 regarding Crown's activities in China.

1.2 *Chinese authorities contact with Mr Jerry Xuan*

All documentation and records of any communication between Crown staff (including executives and directors) in relation to Mr Jerry Xuan being contacted by Chinese authorities in June- July 2015. This request includes any records regarding communication with other staff in China or Australia about the contact between Mr Jerry Xuan and Chinese authorities.

1.3 *Governance over VIP International department*

Please provide information that describes in detail, for the period 1 June 2014 to 13 October 2016:

- (a) All executive management committees (hereafter referred to as executive management committees) that considered and discussed the performance and operations of the VIP department, including the marketing operations in China;
- (b) The membership of the executive management committees above, and dates of meetings, and whether they were held in person, videoconference or teleconference.
- (c) The types and nature of reports and/or papers (including financial, performance, marketing initiatives, sales targets and performance etc) provided to the executive management committees in relation to the VIP International department.
- (d) Whether each of the executive management committees had charters;
- (e) The nature and frequency of any meetings (whether in person, videoconference or teleconference) between Mr Michael Chen and Mr Jason O'Connor and/or Mr Barry Felstead;
- (f) The frequency and types of reports and/or papers provided to the Crown Resorts Ltd Board and/or its sub-committees regarding the VIP International Department operations and performance, including (but not limited to) any information regarding performance, targets, budgets, business planning, marketing strategies, external advice and future market outlook.
- (g) The frequency and types of reports and/or papers provided to the Crown Melbourne Limited Board and/or its subcommittees regarding the VIP International Department's operations and performance, including (but not limited to) any information regarding performance, targets, budgets, business planning, marketing strategies, external advice and future market outlook.
- (h) The frequency and nature of written reports/papers provided by Mr Chen to Mr O'Connor and/or Mr Felstead regarding the VIP International Marketing department operations and performance, including (but not limited to) any information regarding performance, targets, budgets, business planning, marketing strategies, future market outlook and external advice.

1.4 *Targets*

All documentation and records regarding the targets for:

- (a) the VIP International Department;
- (b) the International Marketing division of the VIP International department; and
- (c) the executives and staff of the International Marketing Division of the VIP International department

for each financial year from FY 2013 to FY2018, including (but not limited to) any turnover targets, sales targets or profitability targets to be achieved by VIP International Department, VIP International marketing team (either collectively or individually) and any reporting against those targets.

This request includes (but is not limited to) any documents and records of any targets accepted, endorsed, approved or set by the Crown Resorts Ltd Board. This request includes (but is not limited to) documentation and records of targets accepted, endorsed, approved or set by Mr Chen for VIP international staff, including those persons the subject of the Chinese criminal proceedings on 26 June 2017 in China.

1.5 *VIP International staff remuneration*

- (a) Please provide the unredacted contracts of employment for Mr Jerry Xuan, Mr Alfreed Gomez, Mr Michael Chen and Mr Jason O'Connor with the annual salary included.
- (b) Please produce all records of the annual salary and any bonus payments in each financial year from FY2013 to FY2018 made to all persons the subject of the criminal proceedings by Chinese authorities on 26 June 2017, including Mr Alfreed Gomez, Ms Jane Pan, Mr Jason O'Connor, Mr Xiong Bin and Mr Jerry Xuan.

I note Mr Chen referred to the introduction of the new remuneration arrangements (including uncapped bonuses) for VIP International staff when he was interviewed by VCGLR inspectors on 10 May 2018 (see pages 54- 56 and p17 of the transcript).

- (c) Please produce all documents and records pertaining to the new remuneration arrangements introduced for VIP international staff, including any policies, procedures, new remuneration arrangements, emails to staff concerning the remuneration arrangements, and approvals for the new remuneration arrangements.
- (d) Please also provide information as to the date of introduction of these new remuneration arrangements and the name of the most senior person(s) in Crown who approved the new remuneration arrangement for VIP International staff.

1.6 *Information for staff in China between 1 June 2012 and 13 October 2016*

Please provide any policies, procedures, instructions, protocols, advice, guidelines or other records issued in the period 1 June 2012 to 13 October 2016 to Crown

staff in China or who travelled to China regarding how to perform their role and/or how conduct to themselves in China. This request for documents and records includes (but is not limited to) any documents giving instructions to Crown staff if questioned or approached by government authorities. The VCGLR acknowledges that Crown has already provided a small number of documents that fall within the scope of this request.

1.7 Roadshows

- (a) Please provide information detailing the dates and locations of roadshows by Crown in mainland China in FY15, FY16 and FY17;
- (b) Please produce a copy of the documents and records of the presentations and/or information provided to persons at the roadshows (translated in English).

1.8 Office in China

I note that Ms Pan in her interview on 7 March 2018 (at q 107) stated there was an office set up in the China South region before 2013 and was still operative until October 2016. Although, in a letter dated 27 November 2017 from Crown, it was noted that Crown did not have an office in mainland China. In the recent disclosure of documents by Crown the documentation indicates that in February 2015 the plan to establish a China office was deferred. We wish to clarify if Crown did have any offices in China in the period 1 January 2015 to 13 October 2016.

Please provide the following information:

- (a) Were there any Crown office(s) established or maintained or closed in mainland China in the period 1 January 2015 to 13 October 2016?
 - (i) If yes to 1.8(a), where was the office(s) located and how many staff worked at the office(s)?
 - (ii) If yes to 1.8(a), did other staff in mainland China work from home also? If so, how many staff worked from home?
 - (iii) If yes to 1.8(a), when was the office closed, and why?
 - (iv) If no to 1.8(a), why was there no office in mainland China?
 - (v) If no to 1.8(a), did staff working in mainland China work from home? If so, how many staff worked from home?
- (b) Why did Crown decide to defer the plan to establish an office in China in February 2015?

1.9 Letters to Chinese authorities

Please provide the following information:

- (a) Between 1 June 2014 and 13 October 2016 were any letters, statements, declarations or other documents provided by Crown Melbourne Ltd, Crown Resorts Ltd, Crown Resorts Pte Ltd or their employees or directors to any employee(s), contractors or agents providing any information as to their employment or association with a Crown business for the purposes of giving to any agency (including law enforcement) of the People's Republic of China?
- (b) If yes to 1.9(a), please describe the circumstances in which those documents were created?
- (c) If yes to 1.9(a), please produce those documents.

1.10 Risk documentation

Please produce the following records:

- (a) Crown Melbourne Ltd F15 Risk Management Plan
- (b) Crown Resorts Ltd Risk Profiles for F2014 and F2015

1.11 Information regarding events in China to the Board, sub-committees or directors

Please produce all records (documents, papers, reports, media clippings etc) provided in the period 1 July 2014 to 13 October 2016 to the:

- (a) Crown Resorts Ltd Board; and/or
- (b) Crown Melbourne Ltd Board; and/or
- (c) the subcommittees of the Crown Resorts Ltd board; and/or
- (d) the subcommittees of the Crown Melbourne Ltd board; and/or
- (e) the directors of the Crown Resorts Board; and/ or
- (f) the directors of the Crown Melbourne Ltd Board

that refer to any of the following matters:

- (i) The Chinese authorities' crackdown on corruption;
- (ii) The Chinese authorities' crackdown on the transfer of funds from mainland China to other countries and/or territories (including Macau);
- (iii) The Chinese authorities' crackdown on foreign casinos; or
- (iv) The detention, arrest, charging or sentencing of South Korean casino staff in mainland China.

2. Information relating to current Crown arrangements in China

2.1 Current personnel in China

Please provide the following information:

- (a) Has Crown had any employees/contractors/agents working in China in the period 1 January 2018 to the date of this notice?
 - (i) If yes to 2.1(a), how many persons and in what locations in China?
 - (ii) If yes to 2.1(a), what is their job title, and provide a detailed outline of the nature of their duties?
 - (iii) If yes to 2.1(a), what are the remuneration arrangements for these employees/agents/contractors?
- (b) Since 1 January 2018 have any Crown personnel (including agents/contractors/employees/executives/directors) travelled to mainland China for business purposes?
 - (i) If yes to 2.1(b), how many persons have travelled, how often and for what specific business purposes? What was the duration of their travel?

Please provide the following record:

- (c) If yes to 2.1(a), please provide the applicable position descriptions for any persons working in China and provide a copy of contracts/agency agreement for any persons working in China.

2.2 *Guidance to Crown personnel*

- (a) Please provide information describing in detail the guidelines, policies, training, processes, instructions, protocols or advisory or other documents that have been given to Crown employees/contractors/agents in relation to how to conduct themselves in China since August 2017 until the date of this notice?
- (b) Please provide a copy of the documents described in response to 2.2(a).

2.3 *Crown staff marketing to mainland Chinese patrons*

- (a) Please provide information as to the number of Crown staff working in Hong Kong or Australia which have duties (in full or in part) which include marketing engagement with persons in China in the period 1 January 2018 to the date of this notice?
- (b) Please describe the nature, frequency and volume of this marketing activity.

Please note these requests for information in 2.3(a) and (b) include requests for information about persons engaged in marketing Australian resorts, Australian educational facilities, general tourism travel to Melbourne or any other marketing to persons to travel to Australia.

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- (c) Please provide information as to how Crown currently attracts premium players from China and attracts junkets with players from mainland China to Crown properties in Australia? Please describe how this is different (if any) to marketing activity prior to 13 October 2016?

2.4 Compliance officer

Please provide the following information:

- (a) Does Crown have a person employed as a compliance officer in the Hong Kong office?
- (b) If yes to 2.4(a), please provide:
- (i) Information about what is the role of the compliance officer in Hong Kong? Who do they report to? How often?

Please provide the following records:

- (c) If yes to 2.4(a), please provide:
- (i) a copy of the position description for the compliance officer position; and
- (ii) a copy of the three most recent written reports by the compliance officer to their supervisor.

2.5 External advisers

Please provide the following information:

- (a) Since 12 August 2017 has Crown sought advice from external advisers or consultants (including risk, due diligence and/ or government relations advisers, such as Mintz) regarding Crown's activities in mainland China?
- (b) If yes to 2.5(a):
- (i) from whom is the advice sought and on what dates?
- (ii) who in Crown is responsible for seeking external advice and to whom is any external advice circulated?
- (c) What is the latest external advice that Crown has received regarding enforcement by Chinese authorities of anti-gambling laws against foreign casinos?

Please provide the following records:

- (d) If yes to 2.5(a):
- (i) please provide a copy of the most recent external advice received by Crown regarding its activities in mainland China?

- (e) A copy of the records documenting the latest advice that Crown has received regarding enforcement by Chinese authorities of anti-gambling laws against foreign casinos.

2.6 *Organisational structure*

Please provide the following information:

- (a) a current organisational structure for the VIP International department, including listing the key executives;
- (b) Details of the organisational structure (including line management reporting arrangements) for staff involved in marketing for Crown (including any educational, tourism, resorts marketing or other marketing) to persons in China.

2.7 *Risk policy, framework and documentation*

Please provide the following information:

- (a) A detailed description of any strategies and/or changes that Crown has implemented since October 2016 to minimise the risk that Crown employees/contractors/agents are detained in China for breaches of Chinese criminal gambling laws. For example, did the risk framework, risk documents change as a result of detentions in China?
 - (i) If yes to 2.7(a), how and when were they changed and who authorised the changes and/or strategies?

Please provide the following records:

- (b) Please provide the relevant documentary material evidencing these strategies and/or changes described in response to 2.7(a) above.

2.8 *Current reporting of VIP International activities*

Please provide the following information:

- (a) the current reporting arrangements to the senior executives and/or the Crown Melbourne Ltd and/or Crown Resorts Ltd boards and/or sub-committees regarding VIP International department operations, including (but not limited to) any reporting regarding sales performance and marketing activities to persons in China?

Please provide the following records:

- (b) a copy of the latest internal reporting documents to executive management and/or to the Crown Melbourne Limited and/or Crown Resorts Limited boards and/or subcommittees regarding the VIP International Department.

2.9 *Current Performance*

Please provide the following information:

- (a) What are the current targets of the VIP International department?
- (b) What are the current targets of the International Marketing division of the VIP International department?
- (c) Who authorised these targets in (a) and (b)?
- (d) For what periods do the targets apply?

2.10 Prevention Strategies

Please provide the following information:

- (a) The strategies, initiatives, policies and/or procedures has Crown implemented since October 2016 to mitigate against Crown employees/ contractors or agents being detained in China for breaches of Chinese criminal gambling laws.

2.11 Review

Please provide the following records:

- (a) A copy of any papers(s), report(s) or other documentation prepared for /or by the senior executive management and/or Crown Resorts Board setting out any analysis of the circumstances that resulted in the detention and subsequent convictions against 19 Crown staff on 26 June 2017 in the Shanghai Baoshan District Court, Peoples Republic of China.
- (b) A copy of any paper(s), report(s) or other documentation prepared for/or by the senior executive management and/or Crown Resorts Board making recommendations to implement new or revised arrangements, policies, procedures, strategies or other initiative (including organisational structure, office location, travel, staffing, training, business planning, marketing etc) in response to the detention and subsequent convictions against 19 Crown staff on 26 June 2017 in the Shanghai Baoshan District Court, Peoples Republic of China.

Previous notices requiring the provision of information

Since July 2017, the VCGLR has issued several notices to Crown requesting the provision of various information for the purposes of the investigation. On 16 February 2018, Mr Joshua Preston, on behalf of Crown, notified the VCGLR that Crown is in the process of restoring a number of back up tapes, which may contain materials that are required to be discovered in the class action against Crown and this will take a considerable period of time (months). Mr Preston also noted that in that restoration process Crown may identify further materials that fall within the various notices issued by the VCGLR.

On 17 May 2018, you advised the VCGLR that the documents that the VCGLR had reviewed in the course of the investigation "*constitute a minute proportion of the overall email and documentary records of Crown during the period under consideration (and of the many media reports seen daily by senior Crown management in this period), such that viewing them in isolation may give a misleading impression about the context and significance of past events and the reporting of them*". Although, on 23 May 2018 Crown (Mr Preston) stated in its

correspondence that Crown as at that date, in the course of reviewing materials for the purposes of making Tranche 1 discovery in the class action, had not identified any additional documents that fall within the parameters of earlier requests made by the VCGLR.

On 28 May 2018, I expressed my concern regarding your statement in the letter dated 17 May 2018 (above) and requested that you contact the Commission with urgency if there is further information in Crown's possession which meets the scope of the various VCGLR notices that had been issued.

On 29 May 2018, Minter Ellison replied and again referred to the restoration process and that in the course of the review of the restored documents for the class action, further documents had been identified that fall within the VCGLR notices. Subsequently on 7 and 8 June 2018 the VCGLR received from Minter Ellison further batches of documents that fall within the previous VCGLR notices.

On 12 June 2018, you advised that the documents produced on 7 and 8 June 2018 "*is the final production [of documents], subject to anything further being found in the course of dealing with the class action.*"

As you appreciate, the ongoing provision of documents by Crown has affected the ability of the Commission to conclude its investigation. Crown has now been aware of the investigation for over 12 months and has had a substantial period to locate and identify all relevant historical documents that are relevant to the notices issued by the VCGLR.

To assist Crown in complying with all previous VCGLR notices, I have set out in Schedule A a list of previous notice requests that Crown has not yet responded to at all or Crown advised that it was unable to locate any documents falling within the scope of the notice as at the date of the response.

I request that Crown review all its materials to assess whether it has now identified any further material that falls within the scope of any previous notices. For example, any documents received or prepared by Crown Resort Pte Ltd (Hong Kong) or its staff pertaining to risk assessment of operating in mainland China (see notice dated 2 February 2018).

In the circumstances, in accordance with powers under Part 4 of the *Victorian Commission for Gambling and Liquor Regulation Act 2011* and pursuant to section 26(1) of the *Casino Control Act 1991* I require Crown Resorts Limited and/or Crown Melbourne Limited, and/or any company within the Crown group of companies to **provide all outstanding information and produce all outstanding records** that fall within the scope of all previous VCGLR notices issued under its statutory powers since 24 July 2017 by **5pm on Friday 21 September 2018**.

Redacted material

Section 26 of the *Casino Control Act* requires persons the subject of the notice to provide all the information and produce all the records, including where compliance might tend to incriminate the person (section 26(2)). We consider that the only ground on which information can be redacted is legal professional privilege. Where a claim is made by Crown to redact documents or not provide documents on the grounds of legal professional privilege, Crown should identify to the VCGLR each document the subject of such a claim and the basis upon which the privilege is claimed.

Accordingly, Crown is required to provide the information and/or produce the records that have previously been redacted on other grounds (such as relevance or commercial confidentiality) by **5pm on Friday 21 September 2018**.

Similarly, in responding to this notice, please ensure Crown provides all information and produces all documents in unredacted form, save for any material the subject of a claim of legal professional privilege which is documented and the basis explained.

Previous legal professional privilege claim made by Crown

I note that on 4 January 2018 the VCGLR required Crown to produce the following records - *"any written Court record or materials including:- verdicts, reasons for decisions, briefs of evidence, pleas, admissions, Court transcript and findings, statements made, details of fines paid and any undertakings made to the Court regarding the court matter heard at the Shanghai Baoshan District Court."* In response, on 19 January 2018, Crown replied, in summary, that Crown is not in a position to produce these documents referring to Crown's lawyers obtaining copies of some of these documents from local legal representatives of individual Crown staff members and the documents are subject to legal professional privilege. The VCGLR does not understand the basis for Crown not producing the required documents on the grounds that they are the subject of legal professional privilege.

Therefore, I request that you review the legal professional privilege claim and explain why Crown refused production of the documents on the basis of legal professional privilege by 5pm on **Monday 3 September 2018**. If, after further consideration of this matter, you consider that the requested documents are not subject to legal professional privilege or alternatively Crown decide to waive privilege, please produce these documents by 5pm on **Monday 3 September 2018**.

Invitation to Crown to provide further information

I confirm the VCGLR has received your submissions dated 17 May 2018, 6 June 2018 and draft response to the draft investigation report dated 26 June 2018. In your draft response dated 26 June 2018 you requested that Crown is given an opportunity to bring forward such evidence and make submissions as Crown considers appropriate in light of the proposed findings or commentary and the full context.

I invite you to provide to the VCGLR by **5pm on Friday 21 September 2018** any further evidence and submissions that Crown wishes to rely on for the purposes of the investigation for the VCGLR to take into consideration as part of the investigation.

Mr Xuan statement and information from MGM

I note that you have indicated that Crown wishes to examine the evidence upon which any findings are made for the purposes of the investigation. The VCGLR has taken into consideration primarily information provided by Crown to the VCGLR. During the course of the investigation the VCGLR has received a statement from Mr Jerry Xuan and investigating officers also spoke with an MGM representative who spoke with the VCGLR on the basis of confidentiality being maintained. Please find enclosed a copy of the statement from Mr Xuan (with telephone number redacted) and the redacted file record of the discussion with an officer at MGM. If you wish to make any submissions in relation to this information please do so by **5 pm on Friday 21 September 2018**.

Investigation Process

I am aware that, on 8 June 2018, the Chief Executive Officer of the Commission sent Crown a copy of the draft investigation report for your comment. As you would be aware, due to the recent late disclosures made by Crown in June 2018, the Commission determined not to conclude its investigation, and to continue the investigation. The investigation will proceed to assess the most recent documents provided, including your draft response dated 26 June 2018 to the draft investigation report, and any other information that is provided in response to this notice on or before 21 September 2018.

After the consideration of the further materials provided by Crown in response to this notice, I will advise what further steps (if any) will be taken in the investigation.

Yours sincerely



Stephen Berriman
Director
Compliance

cc: Mr Josh Preston
Chief Legal Officer - Australian Resorts
Crown Resorts

Schedule A

Date of Notice	Information required	Crown response
24 July 17	Performance reviews for Gomez, Xuan and Pan	No performance assessment data has provided for Gomez, Xuan and Pan
4 Jan 18	Correspondence and material between Australian Department of Foreign Affairs and Trade and Crown regarding the arrest and conviction of Crown employees in China in June 2017.	Crown responded stating Crown has documents in its possession all of which constitute confidential communications with a Federal Agency. Crown were awaiting DFAT response to supplying these documents. Crown offered that these documents that is available for inspection. Please produce these documents.
4 Jan 18	Crown's Premium Gaming Strategy from 2014 - 2017	<p>Crown replied that it does not have a "premium Gaming Strategy" document. Crown commented that "we assume your request is directed towards reports that were made to the board of Crown Resorts Ltd concerning the strategy for the VIP International business. re strategy for the VIP International business. The exact documents that Crown was referring to were not described although the USB provided included copies of the following redacted reports: Crown Resorts Ltd financial plans for – F18 - 21 (June 17), F16 – 19 (May 2015), F15 – 18 (May 14)</p> <p>Crown Melbourne Ltd financial plans – F17 -20 (May 16), F16 – 19 (May 15),</p> <p>Crown Ltd financial plan for F15 – 18 (May 14), F 14 – F17 (July 13)</p> <p>If these documents do constitute the Premium Gaming Strategy – then there appears to be documents missing. For example, the Crown Resorts Ltd Financial Plan for F17 – F20.</p> <p>Please note: The VCGLR made the request for the Premium Gaming strategy as the Crown Melbourne Ltd risk management plan for F16 states that a treatment in respect of Foreign Political policy risk was a review of the Premium Gaming strategy.</p>
4 Jan 18	August 2015 presentation of Crown Melbourne's corporate risk profile presented to Crown Resorts Ltd Board	<p>Crown advised that it been unable to locate any such documents falling within this category. In the response it was noted that the Crown Resorts Ltd Board did meet in August 2015, but there was no agenda item on risk and no board document provided to the board presenting the Risk profile.</p> <p>Please note: The VCGLR made this request based on information in the Crown Melbourne Risk Management Plan F17 after heading 4 noted that in August 2016 there was a change to the material risk ratings following</p>

		an August 2016 presentation of Crown Melbourne Corporate Risk profile to the Board. There appears to have been a typographical error and the VCGLR requests you provide the presentation of the Crown Melbourne's Corporate Risk Profile to the Board (which may well have been the Crown Melbourne Board) for the August 2016 meeting.
4 Jan 18	MCE risk assessment and Mitigation Report regarding employees convicted in China and any reviews conducted of its related processes	<p>Crown replied that it is unable to locate any documents that meets the description of this request</p> <p>The VCGLR made this request as the Crown Resorts Ltd Report Against Material high Risks dated 31 October 2016 noted that "The next update of the MCE Risk Assessment and Mitigation report is scheduled to be presented to the Risk Management Committee in early December, hence a formal update of risks with consideration to the detainment of Crown staff is yet to be noted by the MCE committee. As such specific risks will not be provided in this report, however it is noted that MCE Risk and Compliance is currently reviewing the related processes."</p> <p>Please provide the documents requested.</p>
2 Feb 18	Any documents received or prepared by Crown Resorts Pte Ltd (Hong Kong) or its staff pertaining to risk assessment of operating in mainland China	Crown replied that it was unable to locate any documents falling within this category.
2 Feb 18	<p>Crown Melbourne Ltd F16 - F18 internal audit plan and F17 - F19 internal audit plan re risk 19 Foreign Political Policy:</p> <p>Provide any documents (including minutes and agendas) pertinent to the assessment of risk (in relation to Crown's operation in mainland China), the assessment that they would be treated with other strategies and also the documented strategies to manage risk</p>	<p>Crown replied that it was unable to locate any documents falling within this category.</p> <p>Crown did note that for sake of completeness, following discussions with former employees of Crown who were involved in audit function at the relevant time we understand the position in relation to risk (19) - Foreign political policy was:</p> <p>(a) The possibility of a material change in foreign policy was identified as a potential risk that would warrant consideration in the course of an audit</p> <p>(b) If Crown had perceived there to be a material change in foreign political policy that might impact the business, strategies would be developed to mitigate or respond to the particular risk that has arisen</p> <p>(c) No material risk was identified, so there was accordingly no need to put strategies in place.</p>
2 Feb 18 (followed up by VCGLR on 18 and 30 April 2018)	Chen's employment details/PD, employment contracts and performance reviews/performance development plans	<p>Crown provided Mr Chen's contract dated 16.1.12 and his position description dated Nov 2011</p> <p>Crown noted it is undertaking further searches to locate additional materials falling within category 6, and will provide the VCGLR with any further documents that are located as soon as possible (or confirm if the searches do not yield any further documents).</p>

		To date the VCGLR has not received any performance assessments or reviews in relation to Mr Chen:
2 Feb 18	Any documents or materials received by Crown Melbourne Ltd, Crown Resorts Ltd, Crown Resorts Pte Ltd and/or their employees from the Peoples Republic of China (PRC) regarding Crown's activities on mainland China	<p>Crown replied that it assumed this category requires production of communications concerning activities conducted by Crown staff within China.</p> <p>Crown has been unable to locate any document that meets the description of this request.</p> <p>Crown advised for the sake of completeness</p> <p>(a) Crown engaged a Chinese company, Universal Aviation, to liaise with Chinese aviation authorities to obtain permits and permissions required for Crown jet to flown in and out of China from time to time. Crown did not deal directly with Chinese aviation authority.</p> <p>(b) Crown has in its possession copies of the passports of some current or former Crown employees who entered or exited China from time to time, and visas to permit travel.</p> <p>The VCGLR does not require the communications between Universal Aviation and PRC or copies of Crown staff passports.</p> <p>However, any communications from the PRC (including PRC government agencies), including after the detentions in October 2016 should be provided.</p>
28 Mar 18	At the interview with MR Craigie the VCGLR requested Ernst & Young reviews of Crown's risk assessment processes. A follow up email request was sent by the VCGLR on 28 March 2018.	No response received
9 April 18	Mr Xiong's Position Description at the time of his detention in China	To date Crown has only provided a template document – and noted that in the limited time available, Crown has not been able to located the Position Description provided to Mr Xiong prior to his detention in October 2016.
9 April 18	Mr Xiong's performance evaluations plans for 2014, 2015 and 2016	<p>Crown has been unable to locate any performance evaluation plans</p> <p>Please provide any performance evaluation assessment documentation in respect of Mr Xiong's performance.</p>