



**Royal Commission
into the Casino Operator and Licence**

RFS-Crown-011

8 April 2021

By email: Personal Information

Andrew Maher

Partner

Allens

Personal Information

Contact

Kate Gill-Herdman Confidential

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Dear Mr Maher

**Royal Commission into the Casino Operator and Licence (Royal Commission)
Request for Statement – Responsible Gaming**

The Royal Commission would be assisted by a statement addressing the issues identified in the Schedule to this letter.

The Royal Commission asks that your clients nominate the proposed witness or witnesses, including details of their positions and titles, who have the most direct relevant personal knowledge of the matters set out in the Schedule and could address these matters in evidence.

The Royal Commission notes that there is no issue with receiving numerous statements from your clients.

The Royal Commission's expectation is that the statement or statements will be prepared by the proposed witness or witnesses and not prepared by legal counsel, or with the assistance of legal counsel.

The Royal Commission requests that your clients communicate with the Royal Commission in relation to the identities of the nominated proposed witness or witnesses by **14 April 2021** and provides the statements of those witnesses by **5 May 2021**. We would be grateful if you would refer a proposed witness to the information on the Royal Commission's website regarding provision of documents to the Royal Commission.



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If there are any difficulties in this regard please contact Kate Gill-Herdman.

Yours sincerely

Corrs Chambers Westgarth

Corrs Chambers Westgarth
Solicitors Assisting the Royal Commission



SCHEDULE

Responsible Gaming statement: Proposed witnesses of Crown Melbourne / Crown Resorts

In this Schedule:

“**Affected Persons**” means persons who have had responsible gaming interactions with Crown Melbourne, as recorded in Crown Melbourne’s responsible gaming register.

“**Casino**” means the casino operated by Crown Melbourne. For the avoidance of doubt, a reference to Casino means only the gaming floor, and not the broader complex in which the gaming floor is situated.

“**Crown Melbourne**” means Crown Melbourne Limited.

“**Crown Resorts**” means Crown Resorts Limited.

“**VIP**” means Very Important Persons and includes high rollers, whales, rolling chip players, and rebate players, but does not include persons who are VIPs solely because they participate in a loyalty program.

In addressing the topics set out in this Schedule, please ensure that relevant documents are referred to and annexed to the statement wherever possible.

Statement

Committees – Crown Melbourne

- 1 Identify any committees whether of the Board or otherwise that perform any function or hold any responsibility for the performance of tasks in relation to the responsible service of gambling at Crown Melbourne (Crown Melbourne Committee)?
- 2 In respect of each Crown Melbourne Committee:
 - (a) identify those functions;
 - (b) identify the current members;



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- (c) state when each current member was appointed;
 - (d) describe the qualifications of each current member.
- 3 In respect of each Crown Melbourne Committee:
- (a) identify the members (other than current members) in the last five years, and the period(s) for which they were members of a committee;
 - (b) describe the qualifications of those members.
- 4 In respect of each Crown Melbourne Committee, identify the officers and staff members who have reported to or undertook work relevant to the committees' functions or responsibilities over the last five years.

Committees – Crown Resorts

- 5 Provide the same information as sought in paragraphs 1 to 4 in relation to those committees of Crown Resorts that perform any function or hold any responsibility for the performance of tasks in relation to the responsible service of gambling.

Marketing

- 6 In the last five years, how has Crown Melbourne encouraged, enticed or marketed to people to attend the Casino to gamble? In addressing this question please specify all methods of reaching potential customers, from advertising campaigns to the general public, to programs which might include enticements to individuals.
- 7 In your answer provide details of:
- (a) the marketing efforts employed by Crown Melbourne, and their cost;
 - (b) the enticements, benefits, and/or other perks (including travel and accommodation) offered or provided by Crown Melbourne, and their cost.
- 8 In your answer set out how Crown Melbourne has encouraged the following categories of persons to gamble at the Casino:
- (a) residents of Australia, other than VIPs;
 - (b) residents of other countries, other than VIPs;
 - (c) loyalty program members broken down by categories or tiers of membership;
 - (d) VIPs;



(e) Affected Persons.

Harm from gambling

- 9 How many people visited the Casino in each of the last five calendar years?
- 10 How does Crown Melbourne define problem gambling? To the extent it differs from the current definition, how has Crown Melbourne defined problem gambling over the last five years?
- 11 How many people have been identified as having a gambling problem in each of the last five calendar years? In addressing this topic, please make clear the number of persons who voluntarily identify themselves as having a gambling problem.
- 12 By what means does Crown Melbourne currently identify whether its patrons have a gambling problem? To the extent it differs from current practice, by what means were patrons with a gambling problem identified over the last five years?
- 13 Identify the steps taken by Crown Melbourne and Crown Resorts to deal with problem gambling at the Casino. In addressing this topic, deal separately with the steps taken for persons who voluntarily identify themselves as having a gambling problem, and those persons who do not identify themselves as having a gambling problem.
- 14 How many staff members are on the gaming floor at the Casino to deal with problem gambling? To the extent the answer differs depending on the day of the week and/or time of the day, provide those details. Provide the same information for each of the last five years.
- 15 Over the last five years, what objective data has been captured or collected by Crown Melbourne to identify whether the steps taken to minimise problem gambling have been successful or unsuccessful?
- 16 How much has Crown Melbourne spent on minimising problem gambling at the Casino in each of the last five calendar years? Provide a detailed breakdown of the expenditure with as much detail as possible. If that information is not available for the last five calendar years, then provide the information for the last five financial years.
- 17 Over the last five years, what policies or programs are - or have been - in place to minimise problem gambling? In addressing that question, explain in detail how each of the following operates (and has operated over the last five years):



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- (a) any self exclusion program and/or third party exclusion program;
- (b) programs dealing with pre-commitment (including YourPlay and the Play Safe Limits);
- (c) processes and rules for the distribution of player activity statements;
- (d) any gaming resumption program;
- (e) any break in play policies or programs;
- (f) any use of data analytics and / or data analytics tools.

Training

- 18 For each of the last five years, set out how many staff members have received training to identify the observable signs of problem gambling (as defined in Crown Melbourne's Responsible Gaming Code of Conduct). What was the nature of that training and by whom was it provided? If the training changed over that five year period, explain the nature of the change and from when it began? Provide, as the confidential exhibit to a statement, the names and contact details of those persons.
- 19 For each of the last five calendar years, set out how many staff members have received training in relation to Crown Melbourne's responsible gambling obligations? What was the nature of the training undertaken by those persons? If the training changed over that five year period, explain the nature of the change and from when it began?
- 20 In addressing training, distinguish between (to the extent applicable):
- (a) initial training and refresher/ongoing training;
 - (b) basic and more advanced training.

Responsible Gaming Support Centre

- 21 How much has Crown Melbourne spent on the Responsible Gaming Support Centre (RGSC) in each of the last five calendar years? If that information is not available for the last five calendar years, then provide the information for each of the last five financial years.
- 22 In each of the last five years, how many people worked in the RGSC, or otherwise provided services for the RGSC? What tasks did, and do, those persons perform? Provide specific details of the work performed and tasks undertaken for each person



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- 23 For each person working in the RGSC specify:
- (a) the hours worked each week by each person in each of the last five years;
 - (b) the date each person commenced and ceased (if applicable) working or providing services for the RGSC.
- 24 In each of the last five calendar years, how many patrons of the Casino voluntarily made contact with the RGSC?
- 25 In each of the last five calendar years, how many patrons of the Casino have been referred to the RGSC?
- 26 In each of the last five years, what have been the main areas of activity for the RGSC?
- 27 In each of the last five calendar years, describe in detail the outcomes of the RGSC's work and activities (e.g. referrals to external persons, exclusion orders put in place, appointments made with medical practitioners etc)?

Loyalty Program

- 28 Explain how the loyalty program at the Casino operates, including (to the extent not covered in paragraph (c) above) the incentives provided to members of the program.
- 29 What is total revenue and profit generated from loyalty program members in each of the last five calendar or financial years? What is that revenue and profit as a percentage of the total revenue and profit derived from Casino gambling in each of those years?
- 30 What research (if any) has been undertaken by Crown Melbourne or Crown Resorts to ascertain the effect the loyalty program has on problem gambling?

Excluded persons

- 31 To the extent not covered by paragraph (a) above, please explain how the excluded persons regime operates at the Casino. In so doing, please address the following matters:
- (a) the categories of persons that can be excluded from the Casino;
 - (b) how a person is excluded from the Casino;
 - (c) how third persons (such as family members) are able to raise concerns about persons who have a gambling problem and who should be excluded from the Casino, and how those concerns are actioned;



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- (d) the number of persons currently excluded from the Casino, grouped by reference to the reason for their exclusion;
- (e) how Crown Melbourne ensures compliance with section 78B of the Casino Control Act 1991 (Vic);
- (f) the steps, if any, that are in place to facilitate short term exclusions;
- (g) the steps that have been taken since June 2018 to make it easier for patrons to voluntarily exclude themselves from the Casino.

32 In each of the last five calendar years:

- (a) how many persons have been excluded from the Casino (irrespective of how the exclusion was implemented), including the reasons for the exclusions (if possible, by category); and
- (b) how many exclusions were revoked, and the reasons for the revocation (if possible, by category)?

Facial recognition

33 Has Crown Melbourne implemented facial recognition at the Casino and for what purpose(s)? If so, when did it first do so? Currently, how widespread is the use of facial recognition?

34 When was the use of facial recognition at the Casino first raised with each of the board of Crown Melbourne and the board of Crown Resorts?

35 What plans (if any) exist for the future use of facial recognition at the Casino?

Sixth Review

36 What steps have been taken to address the concerns raised in, and recommendations of, the Sixth Review of the Casino Operator and Licence June 2018, undertaken by the Victorian Commission for Gambling and Liquor Regulation, regarding the responsible service of gambling and the Responsible Gambling Code of Conduct? How have the recommendations been implemented since June 2018 until the date of this request? What reports or other materials has Crown Melbourne or Crown Resorts relied upon to inform the steps taken to implement the recommendations?

Board



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- 37 Please identify (by title and date) each report considered at a meeting of the board of Crown Melbourne or Crown Resorts over the last five years dealing with the responsible service of gambling, including persons identified as having a gambling problem and the work of the RGSC. Please attach a copy of each report to your statement.

Research

- 38 Over the last ten years, identify and provide details of:
- (a) any request made of Crown Resorts or a subsidiary to facilitate a person undertaking research in relation to problem gambling;
 - (b) Crown Melbourne's and/or Crown Resort's response to each request, including the reason for each response;
 - (c) any research undertaken or sponsored in any way by Crown Resorts or a subsidiary in relation to problem gambling;
 - (d) payments made by Crown Resorts or a subsidiary, over the last ten years, to fund research into problem gambling, including (in respect of each payment):
 - (i) the amount of the payment;
 - (ii) the name(s) of the researcher(s) who had the benefit of the payment; and
 - (iii) the work(s) undertaken and/or published using any part of the payment.

EGMs

- 39 Explain the difference between electronic gaming machines (**EGM**) that operate in restricted and unrestricted mode. What, if any, requirements are imposed on Casino patrons who wish to use an EGM that operates in unrestricted mode? In each of the last three calendar or financial years, what was the average revenue of each EGM that operated in restricted mode at the Casino? In each of the last three calendar or financial years, what was the average revenue of each EGM that operated in unrestricted mode at the Casino? What is the fixed rate of return to players on EGMs at the Casino that operate in unrestricted mode? What is the fixed rate of return to players on EGMs at the Casino that operate in restricted mode?