

Royal Commission into the Casino Operator and Licence**STATEMENT OF NICK KALDAS**

Name: Naguib 'Nick' Kaldas
Address: C/O P.O. Box 875 Concord, NSW 2137
Occupation: Managing Director, Kaldas and Associates
Date: 21 April 2021

1. I make this statement in response to the Royal Commission's Request for Statement – RFS-Crown-004.

Describe the services you have been engaged to provide to Crown.

Provide a copy of your services agreement or a document that evidences the terms on which you have been engaged by Crown.

2. I have been engaged as consultant to Crown to provide the following services, broadly:
- Independent advice, strategy and information to the Crown Board on issues related to integrity, trans-national crime, and insights /links into the attitudes and decision-making processes of law enforcement.
 - Assist Crown in developing and strengthening relationships and partnerships with law enforcement and regulatory bodies, as well as the intelligence community across Australia and overseas.
 - Intelligence to support Crown's existing robust Anti-Money Laundering and Counter terrorism Financing processes and providing another level of assurance that Crown is meeting its obligations to Austrac.
 - Advice on Crown's physical security systems and related risk procedures.
 - Advice on the structure and functioning of various integrity related committees within Crown, such as the fraud, whistle-blower, fraud and anti-bribery committees, and
 - Development of Crown's new initiative of an Australian Casino Integrity Group, particularly with respect to engaging with and encouraging law enforcement and

regulatory agencies to participate.

My Service Agreement is attached at **Annexure A (Ref. CRW.512.030.0097)**

3. This is the only current Service Agreement between Crown and myself. Previously I had been in a business partnership in a company called Stratium Global, and a previous contract, almost identical, with Stratium Global, was in place. I have resigned from all roles with that company, and that contract is obviously no longer current. That contract is attached at **Annexure B. (Ref. CRW.512.030.0136)**
4. Additionally, at one point of time, at Crown's request, through my contacts, I had engaged a money laundering expert, Mr. Nick McTaggart, a former AFP officer, to assist Crown. At that time the CEO of Crown, Mr. Ken Barton felt it was best if Mr. McTaggart was engaged through my company, Kaldas and Associates and reported through me. A contract for Mr. McTaggart's services **is attached at Annexure C. (Ref. CRW.512.030.00117)**. That arrangement has now ceased, and the contract is no longer active. Mr. McTaggart now answers directly to Crown, and I am not involved.

Please set out briefly your employment history and professional qualifications.

5. I have attached my CV (at **Annexure D, Ref. CRW.512.030.0001**) which sets out fully my background, however, in short, I served as NSW Police officer for almost 35 years, the last 9.5 years as the senior Deputy Commissioner.
6. I have also served in a number of executive roles in the United Nations and internationally, including as Director of Internal Oversight in UNRWA one of the largest United Nations bodies. I hold a Masters' Degree in Public Policy and Administration, and an Honorary Doctorate of Letters from Western Sydney University.
7. I have completed numerous executive courses, nationally and with the FBI, as well as the Australian Institute of Company Directors' Program.
8. I am currently the Managing Director of Kaldas and Associates, a consulting company based in Sydney.

What steps, if any, have been taken by Crown since January 2020 to develop relationships and put in place information sharing protocols with law enforcement and regulatory

agencies concerning JTOs and JTRs and/or criminal associations with the Melbourne Casino?

9. Since January 2020 Crown have sought to establish protocols and Memoranda of Understanding with law enforcement and intelligence agencies and sought my assistance in doing so.
10. In essence these were efforts at establishing transparent intelligence sharing protocols, however, it should be noted that these efforts were not restricted to, nor focussed solely on, JTOs and JTRs but were aimed more broadly in relation to all intelligence matters.
11. Below is an outline of the efforts so far that I have been involved in, specific to each Agency that has been approached. Essentially, having identified the need for structured formal agreements between Crown and law enforcement, I have endeavoured to connect Crown with the appropriate senior officers in the various jurisdictions and facilitate the commencement of negotiations for MOUs. As appropriate, Crown are then continuing the contact with those agencies and progressing the process, not necessarily with my involvement.

Did any such information sharing protocols exist beforehand?

12. As far as I'm aware only one formal Memorandum of Understanding exists currently and that is in WA, with WA Police, and is attached below **Annexure E, (Ref. CRW.512.030.0006)**. However there may have been other arrangements that I'm not aware of.

If yes, prior to the decision made by Crown in November 2020 to cease dealings with JTOs, what was the nature of any such information sharing protocols.

13. As stated above the only arrangement or formal protocol I am aware of is the WA Police MOU. Please see the attached MOU with WA Police, which is self explanatory.

Discussions with ACIC

Summarise your discussions with ACIC in respect of the development of an MOU and/or information sharing protocol.

Please attach copies of any draft or proposed MOU and/or information sharing protocol.

What is the status of implementation of any such MOU and/or information sharing protocol?

Describe the various regulatory matters which affect the implementation of any such MOU and/or information sharing protocol.

14.

[REDACTED] I was also of the view that the Australian Crime and Intelligence

Commission (ACIC), being a national body, with access to most if not all data bases from around the country, would be an ideal agency to commence this dialogue.

15. It is my view that while agreements with States where Crown have a presence were to be pursued (NSW, WA, Victoria), an agreement with the ACIC would alleviate the need for Crown to have agreements with agencies in every state as the ACIC can cover information required from States such as Tasmania and South Australia.

16. To that end, through my contacts, I met with the CEO of the ACIC, Mr. Mick Phelan a number of times over the past 12 months, and as a result, in-principle agreement was reached on proceeding with an MOU.

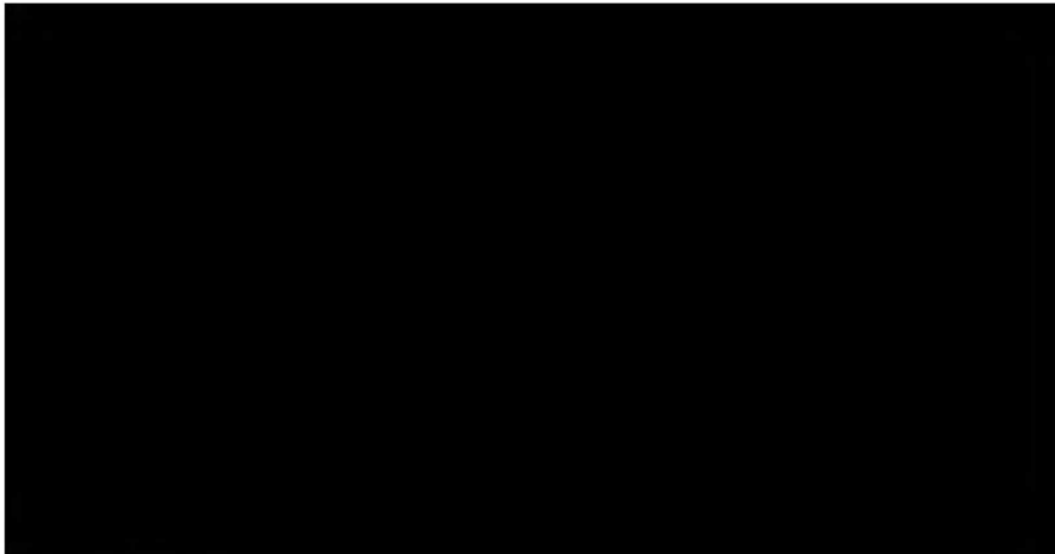
17. Ultimately, a document from the former CEO of Crown, Mr. Ken Barton to Mr. Phelan outlined the proposed process, and is attached as **Annexure F. (Ref. CRW.512.030.0018)**

18. A draft agreement had been negotiated, with legal teams on both sides, and was forwarded to the ACIC for approval at the same time as the letter mentioned above. It is attached at **Annexure G (Ref. CRW.512.030.0003).**

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MOU with Victoria Police

Summarise any discussions or contact with Victoria Police in respect of the development of a MOU and/or information sharing protocol.

Please attach copies of any draft or proposed MOU and/or information sharing protocol with Victoria Police.

What is the status of implementation of any such MOU and/or information sharing protocol?

Describe any regulatory matters which affect the implementation of any such MOU and/or information sharing protocol.

22. In relation to Victoria Police, I have made contact with a number of senior Victoria Police officers over the past 12 months, mainly by telephone due to Covid 19 and discussed a request to enter into a formal MOU. It is my view that negotiating these MOUs is difficult at the best of times, but particularly so over a phone call, or a video call. My strong preference is for a personal meeting as it is always far more effective.
23. In Victoria, I had previously discussed the matter with the Deputy Commissioner, Ross Guenther, who has command of the relevant areas for the purpose of establishing an MOU. Last week a meeting with the Deputy Commissioner was held. Unfortunately, I could not physically attend the meeting but agreement from him in-principle has now been reached to

proceed with drafting an MOU for consideration.

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MOU with NSW Police

Summarise any discussions or contact with NSW Police in respect of the development of a MOU and/or information sharing protocol.

Please attach copies of any draft or proposed MOU and/or information sharing protocol with NSW Police.

What is the status of implementation of any such MOU and/or information sharing protocol?

Describe any regulatory matters which affect the implementation of any such MOU and/or information sharing protocol.

27. In relation to NSW Police, I made contact with relevant senior police, over a period of months. Namely, Deputy Commissioner Hudson, then Detective Superintendent Fileman, Commander of Organised Crime Squad, who was nominated as the contact person. Detective Superintendent Fileman also commands the Casino Unit, within his Organised Crime Squad.

28. The progress of the MOU in NSW was delayed as the conclusion of hearings of the Bergin Inquiry was awaited, then final decisions are now expected from the Government of NSW, and ILGA on the findings and recommendations of the inquiry.

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MOU with WA Police

Summarise any discussions or contact with WA Police in respect of the development of a MOU and/or information sharing protocol.

Please attach copies of any draft or proposed MOU and/or information sharing protocol with WA Police.

What is the status of implementation of any such MOU and/or information sharing protocol?

Describe any regulatory matters which affect the implementation of any such MOU and/or information sharing protocol.

31. Regarding West Australia Police, I was unable to travel to Perth for most of 2020 due to Covid 19 restrictions, and the issue of the MOU was postponed.

32. In March 2021 for the first time in almost 12 months I was able to travel to Perth, and I have engaged with the Commissioner, Mr. Chris Dawson, and again,



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Signed: *Naguib Kaldas*

Date: 21st April 2021