
TRANSCRIPT OF PROCEEDINGS

COMMISSIONER: HON. RAY FINKELSTEIN AO QC

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

MELBOURNE, VICTORIA

09.32 AM, FRIDAY, 02 JULY 2021

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Counsel for Crown Resorts Limited	MS CATHERINE BUTTON QC
Counsel for Victorian Commission for Gambling and Liquor Regulation	MR PETER ROZEN QC MR JUSTIN BRERETON MS SARALA FITZGERALD
Counsel for Consolidated Press Holdings	MR OREN BIGOS QC
Counsel for the State of Victoria	MR PETER GRAY QC MR GLYN AYRES MS GEORGIE COLEMAN MS HELEN TIPLADY

1 **HEARING IN CAMERA**
2
09:16 3 **COMMISSIONER:** Good morning. Sit down, please.
09:32 4
09:32 5 **MS NESKOVCIN:** Commissioner, I understand Dr Bigos has
09:32 6 an application.
09:32 7
09:32 8 **COMMISSIONER:** He shouldn't even be in the room.
09:33 9
09:33 10 **DR BIGOS:** I know you are surprised to see me.
09:33 11
09:33 12 **COMMISSIONER:** Never, Dr Bigos.
09:33 13
09:33 14 **DR BIGOS:** We apply for leave to cross-examine
09:33 15 Ms Williamson briefly on the CUP issue. We understand there
09:33 16 won't be any examination on that issue by Counsel Assisting, but
09:33 17 we just have a few questions on that issue.
09:33 18
09:33 19 **COMMISSIONER:** Does that mean you propose to leave the
09:33 20 hearing room until it is time to ask questions and you will come
09:33 21 back in and ask questions?
09:33 22
09:33 23 **DR BIGOS:** I think I have no other choice.
09:33 24
09:33 25 **COMMISSIONER:** I'm trying to work out how it's going to go,
09:33 26 that's all.
09:33 27
09:33 28 **DR BIGOS:** Yes, we are content to leave for the substantive
09:33 29 examination and then come back, and hopefully someone will let
09:33 30 us know when it is time to return by text message.
09:33 31
09:33 32 **COMMISSIONER:** 50/50 chance! That will work. Will you be
09:33 33 around or ---
09:34 34
09:34 35 **DR BIGOS:** We can hang around here depending on how
09:34 36 long - if it takes half a day we might go back to chambers.
09:34 37
09:34 38 **MS NESKOVCIN:** I think we will be at least 1.5 to two hours.
09:34 39
09:34 40 **DR BIGOS:** We can hang around here.
09:34 41
09:34 42 **COMMISSIONER:** Well, why don't you go away till 11.30 and
09:34 43 come back at 11.30-ish or maybe 15 minutes before, maybe
09:34 44 11.15. If it means waiting, I think there is a couple of coffee
09:34 45 shops nearby, that might be the best thing. There is no point in
09:34 46 hanging around for a couple of hours.
09:34 47

09:34 1 DR BIGOS: Sure, and presumably when we do appear, we will
09:34 2 have Zoom access for our instructing solicitors so that they can
09:34 3 attend the hearing by Zoom?
09:34 4
09:34 5 COMMISSIONER: Yes.
09:34 6
09:34 7 DR BIGOS: The other thing is that I would like to raise briefly is
09:34 8 that we renew our application for urgent access to the Arzadon
09:34 9 brief materials. We really want to have ---
09:34 10
09:34 11 COMMISSIONER: I will find out. The comment is you got
09:35 12 access last night. Somebody got access last night.
09:35 13
09:35 14 DR BIGOS: We got access to some of the documents but not all
09:35 15 the materials she has been briefed with, as I understand it. We
09:35 16 can check again, but is this on the portal? We will check again.
09:35 17
09:35 18 COMMISSIONER: Okay.
09:35 19
09:35 20 DR BIGOS: Thank you.
09:35 21
09:35 22 MS NESKOVCIN: Commissioner, if Dr Bigos is going to be
09:35 23 cross-examining, it raises an issue ---
09:35 24
09:35 25 COMMISSIONER: Cross-examining is the wrong word. Why
09:35 26 don't we just use the word asking questions or examining.
09:35 27
09:35 28 MS NESKOVCIN: Perhaps we need to notify the other parties
09:35 29 that that will occur and I expect all of that will be live streamed?
09:35 30
09:35 31 COMMISSIONER: Yes, Dr Bigos's questions will be live
09:35 32 streamed. Yes.
09:35 33
09:35 34 MS NESKOVCIN: Yes. I will ask my instructors to do that.
09:35 35
09:35 36 COMMISSIONER: And tell them it will be approximately
09:35 37 11.15, 11.30.
09:35 38
09:35 39 MS NESKOVCIN: Thank you, Commissioner.
09:35 40
09:35 41 COMMISSIONER: All right. I take it, before you go, Dr Bigos,
09:36 42 I take it there is no reason for private hearings for the questions
09:36 43 that you will be asking?
09:36 44
09:36 45 DR BIGOS: Correct.
09:36 46
09:36 47 COMMISSIONER: Okay, thanks.

09:36 1
09:36 2 MS BUTTON: Nothing to say on that matter, Commissioner.
09:36 3
09:36 4 COMMISSIONER: Thanks very much. We will get the witness
09:36 5 sworn in.
09:36 6
09:36 7 MS NESKOVCIN: Commissioner, the next witness is
09:36 8 Jan Williamson.
09:36 9
09:36 10
09:36 11 **MS JAN WILLIAMSON, SWORN**
09:36 12
09:36 13
09:36 14 **EXAMINATION-IN-CHIEF BY MS NESKOVCIN**
09:37 15
09:37 16
09:37 17 COMMISSIONER: We normally have a break every hour or so.
09:37 18
09:37 19 MS NESKOVCIN: Ms Williamson, will you still state your full
09:37 20 name.
09:37 21
09:37 22 A. Jan Williamson.
09:37 23
09:37 24 Q. And your current business address?
09:37 25
09:37 26 A. 8 Whiteman Street, Southbank.
09:37 27
09:37 28 Q. I understand you are a legal practitioner?
09:37 29
09:37 30 A. I am.
09:37 31
09:37 32 Q. Ms Williamson, you prepared a statement in response to
09:37 33 a Request for Statement and you are here under a Notice to
09:37 34 Attend; correct?
09:37 35
09:37 36 A. Correct.
09:37 37
09:37 38 Q. Commissioner, Ms Williamson's statement is
09:37 39 CRW.998.001.0433.
09:37 40
09:37 41 You don't seem to have a copy of your statement with you,
09:37 42 Ms Williamson ---
09:37 43
09:37 44 A. No, I don't.
09:37 45
09:37 46 Q. --- but you recall the statement to which I refer?
09:37 47

09:37 1 A. Yes.
09:37 2
09:37 3 Q. To the best of your knowledge, is that statement true and
09:37 4 correct?
09:37 5
09:37 6 A. Yes.
09:37 7
09:37 8 MS NESKOVCIN: Commissioner, we will tender that document
09:37 9 and I will seek to tender any other documents I take
09:37 10 Ms Williamson to that are not already in the court book or in the
09:37 11 tender book, and we will prepare a list at the end of the day.
09:38 12
09:38 13 COMMISSIONER: All right. Thank you.
09:38 14
09:38 15 MS NESKOVCIN: For the transcript, Ms Williamson, we are
09:38 16 providing you with a copy of the transcript with the document ID
09:38 17 that I just mentioned. That is the statement to which you were
09:38 18 referring?
09:38 19
09:38 20 A. Yes, it is.
09:38 21
09:38 22 Q. Ms Williamson, I understand you are currently the General
09:38 23 Manager of legal at Crown Melbourne?
09:38 24
09:38 25 A. Yes, I am.
09:38 26
09:38 27 Q. When did you assume that role?
09:38 28
09:38 29 A. 1 March 2021.
09:38 30
09:38 31 Q. I understand that was as a result of an organisational
09:38 32 restructure?
09:38 33
09:38 34 A. Yes.
09:38 35
09:38 36 Q. Prior to that you actually joined Crown as an in-house
09:38 37 lawyer in 2001; is that correct?
09:38 38
09:38 39 A. Yes.
09:38 40
09:38 41 Q. You've held various positions as in-house legal counsel and
09:38 42 various titles over that time?
09:38 43
09:38 44 A. I started as senior legal counsel, that is the only title I've
09:39 45 had. We might have changed it from lawyer to counsel but that's
09:39 46 the only title I've had.
09:39 47

09:39 1 Q. Until?
09:39 2
09:39 3 A. Until 1 March.
09:39 4
09:39 5 Q. Thank you. Your responsibilities as General Manager of
09:39 6 legal include responsibility for local and international business?
09:39 7
09:39 8 A. Yes, although there is no international business at the
09:39 9 moment.
09:39 10
09:39 11 Q. Thank you. Major litigation?
09:39 12
09:39 13 A. Yes.
09:39 14
09:39 15 Q. And VIP international?
09:39 16
09:39 17 A. Yes, but again there is no VIP international business unit at
09:39 18 the moment.
09:39 19
09:39 20 Q. And you also have other areas of responsibility which I
09:39 21 don't mean to mention but if there is anything you would like to
09:39 22 mention, please do.
09:39 23
09:39 24 A. Human resources, public liability claims managements,
09:39 25 assisting in workers comp, we are self-insured, liquor licensing
09:39 26 and many other areas, but they are the ones that spring to mind.
09:39 27
09:39 28 Q. Thank you, Ms Williamson. You currently report to
09:39 29 Ms Ivanoff; is that correct?
09:39 30
09:40 31 A. Yes.
09:40 32
09:40 33 Q. Ms Ivanoff recently joined the organisation?
09:40 34
09:40 35 A. Yes, two weeks ago.
09:40 36
09:40 37 Q. Previously you have reported at various times to Ms Debra
09:40 38 Tegoni?
09:40 39
09:40 40 A. Yes.
09:40 41
09:40 42 Q. Mr Joshua Preston?
09:40 43
09:40 44 A. Yes.
09:40 45
09:40 46 Q. And Ms Mary Manos?
09:40 47

09:40 1 A. Yes.
09:40 2
09:40 3 Q. Can you assist us by explaining at what points the reporting
09:40 4 line might have changed, please?
09:40 5
09:40 6 A. I reported to Debra Tegoni when she started approximately
09:40 7 2007/2008 but I may have the years wrong. And then when she
09:40 8 left in end of June 2017, my recollection serves me correctly, I
09:40 9 then reported to Joshua Preston who was made the Chief Legal
09:40 10 Officer of the resorts, being Melbourne and Perth properties.
09:40 11
09:40 12 Q. What about Ms Manos?
09:40 13
09:40 14 A. Sorry, when Mr Preston left, then I reported to Ms Manos
09:40 15 as Group General Counsel for the group.
09:40 16
09:41 17 Q. Can you assist us by approximately when did Mr Preston
09:41 18 leave?
09:41 19
09:41 20 A. Approximately the end of last year. There has been a lot of
09:41 21 change so the dates are difficult.
09:41 22
09:41 23 Q. I understand.
09:41 24
09:41 25 I want to run through a few of the committees that you are either
09:41 26 a member of or you attend meetings regularly. I understand you
09:41 27 are a member of the Persons of Interest Committee?
09:41 28
09:41 29 A. No, the Persons of Interest Committee has been reformed
09:41 30 and I'm no longer a member of that.
09:41 31
09:41 32 Q. What has it become now?
09:41 33
09:41 34 A. It is still called the Persons of Interest Committee from
09:41 35 recollection, but it has been restructured just to have group -
09:41 36 sorry, CEOs of the properties and various senior managers.
09:41 37 There were many people that used to attend the POI Committee.
09:41 38
09:41 39 Q. So you were a member of that committee until late 2020; is
09:41 40 that correct?
09:41 41
09:41 42 A. The restructure I think occurred earlier.
09:41 43
09:42 44 Q. Are you currently a member of the AML Committee or are
09:42 45 you a regular invitee to those meeting?
09:42 46
09:42 47 A. I haven't been to an AML Committee meeting, if any has

09:42 1 been had, for at least a year or two years, to be honest.
09:42 2
09:42 3 Q. Are you a regular ---
09:42 4
09:42 5 A. Again that was restructured, AML is being restructured as
09:42 6 well.
09:42 7
09:42 8 Q. Thank you. Are you a regular invitee to the Executive Risk
09:42 9 and Compliance Committee for Crown Melbourne Ltd?
09:42 10
09:42 11 A. I am now. I have attended two or three. As the
09:42 12 minute-taker.
09:42 13
09:42 14 Q. Ms Williamson, when did you become aware of potential
09:42 15 liability arising out of Crown's treatment of bonus jackpots and
09:42 16 the deduction of certain items for the purposes of calculating
09:42 17 gross gaming revenue?
09:42 18
09:42 19 A. I became aware of the notion bonus jackpots, to the best of
09:43 20 my recollection, 1 March this year. It was something, and a term
09:43 21 I was not familiar with. It was raised in a meeting that Xavier
09:43 22 Walsh called.
09:43 23
09:43 24 Q. Who was at that meeting?
09:43 25
09:43 26 A. From recollection, Mr Walsh, obviously, Michelle Fielding,
09:43 27 perhaps Alan McGregor, Chris Reilly, that is the best of my
09:43 28 recollection but I may have missed a couple.
09:43 29
09:43 30 Q. Was the purpose of the meeting to discuss the bonus
09:43 31 jackpots issue or to discuss a variety of issues?
09:43 32
09:43 33 A. No, the calendar entry was taxation matters. So until I
09:43 34 attended the meeting I didn't know really what it was about other
09:43 35 than taxation matters.
09:43 36
09:43 37 Q. Thank you. Prior to that meeting - I withdraw that. You
09:43 38 are aware that MinterEllison provided some advice in relation to
09:44 39 the bonus jackpots issue in 2018?
09:44 40
09:44 41 A. I am now.
09:44 42
09:44 43 Q. When did you first become aware of that advice?
09:44 44
09:44 45 A. Around about - I was aware that MinterEllison had
09:44 46 provided advice around about early March, but I hadn't read the
09:44 47 advices.

09:44 1
09:44 2 Q. You have not?
09:44 3
09:44 4 A. No.
09:44 5
09:44 6 Q. To this day you have not read the advices?
09:44 7
09:44 8 A. Now I have.
09:44 9
09:44 10 Q. Can you assist us by when ---
09:44 11
09:44 12 A. After 7 June, after Mr Mackay's evidence. Just recently.
09:44 13
09:44 14 Q. Thank you. You are also aware that MinterEllison
09:44 15 provided some advice in November 2019?
09:44 16
09:44 17 A. I am now.
09:44 18
09:44 19 Q. So can you assist me with when you became aware of the
09:44 20 advice and when you first read it?
09:44 21
09:44 22 A. I became aware that MinterEllison had provided advices,
09:44 23 that was possibly in the 1 March meeting or one of the meetings
09:44 24 following that. As far as when I read the advices, it is possibly
09:44 25 a week ago.
09:44 26
09:44 27 Q. Again after Mr Mackay's evidence?
09:44 28
09:45 29 A. After Mr Mackay's evidence, yes, correct.
09:45 30
09:45 31 Q. And you are aware that Ms Tegoni provided some advice
09:45 32 on the issue in March 2012?
09:45 33
09:45 34 A. I am now.
09:45 35
09:45 36 Q. When did you become aware of the existence of that
09:45 37 advice?
09:45 38
09:45 39 A. About the same time as the MinterEllison advices.
09:45 40
09:45 41 Q. And when did you first read the advice?
09:45 42
09:45 43 A. About the same time as I read the MinterEllison advices.
09:45 44
09:45 45 Q. Thank you.
09:45 46
09:45 47 When you read the advices you understood, didn't you, that the

09:45 1 effect of the advice was that the deductions on account of the
09:45 2 gaming food program were not deductible?
09:45 3
09:45 4 A. That was certainly - MinterEllison advice said it was
09:45 5 certainly arguable that it may not be.
09:45 6
09:45 7 Q. Do you wish to make a distinction over Ms Tegoni's
09:45 8 advice?
09:45 9
09:45 10 A. Ms Tegoni's advice, from recollection said, and I'm
09:46 11 paraphrasing it without being taken to it, they may have been
09:46 12 deductible but there was a possible risk they may not.
09:46 13
09:46 14 Q. Thank you. And when you became aware of the potential
09:46 15 liability arising out of the treatment of bonus jackpots on 1 March
09:46 16 2021, at about that time did you also learn that there was
09:46 17 a concern that the matter had not been disclosed to the VCGLR?
09:46 18
09:46 19 A. Could I just correct the 1 March. The issue was - there
09:46 20 was an issue about bonus jackpots. I didn't really understand
09:46 21 what the bonus jackpot issue was. I attended a meeting.
09:46 22 A number of things were discussed in the meeting, none of which
09:46 23 I had ever come across and didn't really understand them. So, I'm
09:46 24 sorry, can you ask your question again.
09:46 25
09:47 26 Q. Yes, I understand what you are saying.
09:47 27
09:47 28 A. So, sorry, post-7 June, then I gained, when I read the
09:47 29 advices and also the board were seeking urgent advice in relation
09:47 30 to this matter after Mr Mackay's evidence.
09:47 31
09:47 32 Q. So going back to 1 March when you were informed about
09:47 33 an issue about bonus jackpots but you didn't know exactly what
09:47 34 the issue was, did you know at that time that there was a concern
09:47 35 about the fact that the bonus jackpots issue had not been
09:47 36 disclosed to the VCGLR?
09:47 37
09:47 38 A. Perhaps later in March. It wouldn't have been at the 1
09:47 39 March meeting, perhaps later in March and possibly at the
09:47 40 meeting with Allens' Mr Maher on 17 March.
09:47 41
09:47 42 Q. We'll come to that. Thank you.
09:47 43
09:47 44 I do want to take you through the advices partly to get some
09:47 45 context and partly to assist your understanding of the issue.
09:48 46
09:48 47 First of all, the advices will be shown on the screen there. If you

09:48 1 need time to go through them or are finding it difficult to navigate
09:48 2 the screen, do let us know.
09:48 3
09:48 4 A. Thank you.
09:48 5
09:48 6 Q. This is Ms Tegoni's advice.
09:48 7
09:48 8 Operator, CRW.512.117.0047.
09:48 9
09:48 10 You recognise this advice from Ms Tegoni in March 2012,
09:48 11 Ms Williamson?
09:48 12
09:48 13 A. Yes.
09:48 14
09:48 15 Q. As I understand the evidence you just gave, you didn't read
09:48 16 this advice until after 7 June but you became aware of the
09:48 17 existence of it sometime in March 2021?
09:48 18
09:48 19 A. Correct.
09:48 20
09:48 21 Q. Operator, could we please go to page 0049. I will just give
09:49 22 you a moment to read to yourself from paragraph 12. Just
09:49 23 familiarise yourself with what is on the bottom half of that page,
09:49 24 please, Ms Williamson.
09:49 25
09:49 26 A. All right. Can they stop scrolling so I can read it, thank
09:49 27 you.
09:49 28
09:49 29 Q. Yes.
09:49 30
09:49 31 A. Yes.
09:49 32
09:49 33 Q. A moment ago you said that you understood from reading
09:49 34 Ms Tegoni's advice that the Gaming Machine Food Program
09:49 35 costs may not be deductible, but she had some arguments or
09:50 36 points that she made either way?
09:50 37
09:50 38 A. Yes.
09:50 39
09:50 40 Q. You agree with me, don't you, that the tenor of her advice
09:50 41 was that Crown was not in a strong position?
09:50 42
09:50 43 A. Sorry, I missed your question.
09:50 44
09:50 45 Q. The tenor of Ms Tegoni's advice was that Crown was not in
09:50 46 a strong position?
09:50 47

09:50 1 A. Possibly.
09:50 2
09:50 3 Q. I want to show you another document from around this
09:50 4 period when you first saw this document. It is a presentation
09:50 5 regarding the Gaming Machine Food Program.
09:50 6
09:50 7 Operator, could you please call up CRW.512.117.0019. Flick to
09:51 8 the next page, please, operator.
09:51 9
09:51 10 Ms Williamson, I don't want to keep flicking through pages in
09:51 11 case it makes you feel a bit giddy, it does make me feel a bit
09:51 12 giddy.
09:51 13
09:51 14 A. It's all right.
09:51 15
09:51 16 Q. Do you recognise this document or would you like to see
09:51 17 another page?
09:51 18
09:51 19 A. I recognise this document. I briefly scanned over it after
09:51 20 Mr Mackay's evidence.
09:51 21
09:51 22 Q. I see. Was that the first time you saw the document after
09:51 23 Mr Mackay's evidence?
09:51 24
09:51 25 A. Yes. I briefly - I saw these documents in the folder, I had
09:51 26 a copy - I was given a copy of the folder given to Mr Maher.
09:51 27
09:51 28 Q. So you just mentioned the folder to Mr Maher ---
09:51 29
09:51 30 A. Allens on 17 March.
09:51 31
09:51 32 Q. Did you see that folder before ---
09:51 33
09:51 34 A. No. Sorry.
09:51 35
09:51 36 Q. So insofar as you are referring to the folder, was it a folder
09:51 37 separately compiled for you to look at after 7 June?
09:51 38
09:52 39 A. I asked for a copy of it.
09:52 40
09:52 41 Q. But prior to the meeting with Allens on 18 March, or
09:52 42 shortly after that meeting, did you not see this folder that you are
09:52 43 referring to?
09:52 44
09:52 45 A. No.
09:52 46
09:52 47 Q. Operator, could you please go to page 0030.

09:52 1
09:52 2 I will give you a moment to read that page to yourself,
09:52 3 Ms Williamson.
09:52 4
09:52 5 A. Yes.
09:52 6
09:52 7 Q. When you read this, you must have been concerned about
09:52 8 the message or impression that the words on this page conveyed;
09:52 9 do you agree with me?
09:52 10
09:52 11 A. Yes.
09:52 12
09:52 13 Q. Because what it suggested was that potential attempt to
09:52 14 hide the issue or not disclose it to the VCGLR?
09:53 15
09:53 16 A. Yes.
09:53 17
09:53 18 Q. I'm just doing this in sequence. The next document I want
09:53 19 to take you to is a document in 2013.
09:53 20
09:53 21 Operator, could you please call up CRW.512.156.1047.
09:53 22 Operator, please stop scrolling it.
09:53 23
09:54 24 This is a file note that Ms Tegoni prepared on some date in April
09:54 25 2013. You see the subject heading "Gaming Machines Tax
09:54 26 Initiatives - round 2"?
09:54 27
09:54 28 A. Yes.
09:54 29
09:54 30 Q. After 7 June when you familiarised yourself with the
09:54 31 advices, you mentioned that the Board asked for some advice.
09:54 32 I'm not asking you to talk about the advice. Did you go back and
09:54 33 look at Crown's records to see what was on its files in relation to
09:54 34 the bonus jackpots issue?
09:54 35
09:54 36 A. Yes, by this time I think we had a Notice to Produce.
09:54 37
09:54 38 Q. This document was included in the Notice to Produce; is
09:54 39 that correct?
09:54 40
09:54 41 A. I couldn't say. There were many documents being
09:54 42 produced, I'm sorry.
09:54 43
09:54 44 Q. No doubt you had people to assist you to compile the
09:54 45 documents?
09:54 46
09:54 47 A. Yes.

09:54 1
09:54 2 Q. I forgot to ask you, Ms Williamson, I assume you do have
09:55 3 a team of people that assist you?
09:55 4
09:55 5 A. Yes, and in Allens as well, yes.
09:55 6
09:55 7 Q. Within Crown internally, who are the internal lawyers that
09:55 8 assist you and that assisted you on the tax issue?
09:55 9
09:55 10 A. Mr Meade.
09:55 11
09:55 12 Q. Anybody else?
09:55 13
09:55 14 A. No.
09:55 15
09:55 16 Q. Going back to this document then, please assume ---
09:55 17
09:55 18 A. Not lawyers. You just asked me lawyers. That's just
09:55 19 Mr Meade.
09:55 20
09:55 21 Q. Yes.
09:55 22
09:55 23 A. Mr Meade and I are solely on the Royal Commission.
09:55 24
09:55 25 Q. Thank you.
09:55 26
09:55 27 Assume, please, that this document was produced pursuant to the
09:55 28 RFS on the tax issues. Did you have a look at this document after
09:55 29 7 June when Mr Mackay gave his evidence?
09:55 30
09:56 31 A. Yes.
09:56 32
09:56 33 Q. What did you deduce from looking at this document?
09:56 34
09:56 35 A. I only looked at this document about three days ago. I don't
09:56 36 recall this document until it was provided to me as documents
09:56 37 that the Commission wanted to put to me.
09:56 38
09:56 39 Q. I see. You see in the second dot point Ms Tegoni says - it
09:56 40 seems from reading this document that someone has said to her
09:56 41 that there are aspects of the Signature Club program that will also
09:56 42 be included as a deduction from - in relation to the Gaming
09:56 43 Machines Tax and she says in the second dot point:
09:56 44
09:56 45 *Essentially it is an internal adjustment whereby the*
09:56 46 *reward, winning in terms of deduction under the Casino*
09:56 47 *Management Agreement (can be linked to play) than*

09:56 1 *a transfer price deduction will be deducted. If there is no*
09:56 2 *link to play eg silver members who are entitled to general*
09:56 3 *free car parking, Crown will in its discretion continue to*
09:57 4 *offer, as a benefit of membership, car parking. We may*
09:57 5 *be forced to defend this at some point with the Regulator*
09:57 6 *but it is agreed that it is the issue of "winnings" like the*
09:57 7 *other deductions that will potentially be an issue and also*
09:57 8 *this with an additional element of us providing a member*
09:57 9 *benefit and deducting it when it is linked to play, which*
09:57 10 *on one view is appropriate.*
09:57 11

09:57 12 Did you, on reading that, consider there were similarities between
09:57 13 what Ms Tegoni was saying on this memo and the broader
09:57 14 jackpots issue that arose in 2012?

09:57 15
09:57 16 A. Yes, I think so, yes.

09:57 17
09:57 18 Q. And so have you started to investigate whether this is also
09:57 19 a part of the same issue?

09:57 20
09:57 21 A. No.

09:57 22
09:57 23 Q. So you can't assist the Commission as to whether or not this
09:57 24 is an aspect of the bonus jackpots or a similar but different issue
09:58 25 that raises similar issues?

09:58 26
09:58 27 A. No.

09:58 28
09:58 29 Q. Operator, can you go to page 1054. At the top it says
09:58 30 "Round 2 Proposal"?

09:58 31
09:58 32 A. Yes.

09:58 33
09:58 34 Q. Are you able, even if you have to speculate, assist the
09:58 35 Commission with what round 2 might be referring to?

09:58 36
09:58 37 A. I'm really unable to assist the Commission. I don't really
09:58 38 know enough about this and the history. It was not a matter that
09:58 39 I've ever been involved in, and I've never been involved in tax
09:58 40 issues.

09:58 41
09:58 42 Q. Looking at what is on that page in terms of the staged
09:58 43 transition of additional gaming machines, loyalty benefits, did
09:58 44 you deduce any difference between Gaming Machine Food
09:59 45 Program deductions 2012 and what is set out in this page?

09:59 46
09:59 47 A. I can't assist the Commission. I can't answer that.

09:59 1
09:59 2 Q. The only thing I could deduce, Ms Williamson, was that the
09:59 3 total sum is different. In 2012 the reference was to about
09:59 4 4.1 million and in this slide it is 6.6 million; you see that?
09:59 5
09:59 6 A. I see that, yes.
09:59 7
09:59 8 Q. So, thinking back at the inquiries you have made since
09:59 9 learning about the bonus jackpots issue, did you become aware of
09:59 10 an exchange of communications between Ms Fielding and the
09:59 11 VCGLR in June 2018?
09:59 12
10:00 13 A. Yes.
10:00 14
10:00 15 Q. Can you recall at roughly what point in time you became
10:00 16 aware of those communications? Was it in March 2021 or was it
10:00 17 after Mr Mackay's evidence or at some other time?
10:00 18
10:00 19 A. March 2021.
10:00 20
10:00 21 Q. Was it the case, Ms Williamson, that after you learned
10:00 22 about the issue you went about getting together or compiling a set
10:00 23 of documents or did you ask someone else to do that for you?
10:00 24
10:00 25 A. Sorry, a set of documents for what?
10:00 26
10:00 27 Q. To educate yourself about the bonus jackpots issue.
10:00 28
10:00 29 A. Just to clarify, the set of documents that were provided to
10:00 30 Allens, I had no input in that. It wasn't until after Mr Mackay's
10:00 31 evidence that I wanted to try and understand what the issue really
10:00 32 was. We were extremely busy answering many Notices to
10:00 33 Produce and RFIs and trying to comply with Commission
10:00 34 deadline, so I honestly didn't have time to actually look at this
10:01 35 issue. Others were across the issue and they knew about the
10:01 36 issue.
10:01 37
10:01 38 Q. And by "others" you mean not people in the legal team, you
10:01 39 and Mr Meade, other people?
10:01 40
10:01 41 A. Yes, not Mr Meade and myself.
10:01 42
10:01 43 Q. So Mr Walsh, Mr McGregor, Mr Herring?
10:01 44
10:01 45 A. Yes.
10:01 46
10:01 47 Q. Anyone else?

10:01 1
10:01 2 A. Ms Fielding.
10:01 3
10:01 4 Q. What was her involvement?
10:01 5
10:01 6 A. Well, Ms Fielding had the interactions with the VCGLR but
10:01 7 I also believe that she is on some memos earlier on in 2012. I
10:01 8 listened to Ms Fielding's evidence on this as well.
10:01 9
10:01 10 Q. Having listened to her evidence, did that accord with your
10:01 11 recollection of her involvement?
10:01 12
10:01 13 A. Yes.
10:01 14
10:01 15 COMMISSIONER: The impression I get, Ms Williamson, is that
10:02 16 you really - two things: one, in your job you didn't really have
10:02 17 to worry about taxation questions?
10:02 18
10:02 19 A. Yes, Commissioner.
10:02 20
10:02 21 COMMISSIONER: I mean over the period of time, generally?
10:02 22
10:02 23 A. Yes, Commissioner, that's correct.
10:02 24
10:02 25 COMMISSIONER: And, secondly, until this year, you knew
10:02 26 nothing about this potential problem?
10:02 27
10:02 28 A. Yes, Commissioner, that's correct.
10:02 29
10:02 30 COMMISSIONER: Then can you explain to me how you got
10:02 31 called into a meeting in March with Xavier Walsh and others
10:02 32 about a topic about which you had no involvement and knew
10:02 33 nothing?
10:02 34
10:02 35 A. It was a meeting in March about taxation matters. I had
10:02 36 taken over the role as the head of Melbourne legal.
10:02 37
10:02 38 COMMISSIONER: Yeah.
10:02 39
10:02 40 A. In the past, the heads of Melbourne legal, Debra Tegoni, or
10:02 41 Mr Preston in his cross-property role, I was invited to the
10:02 42 meeting. I just went along as an invitee, so I had just become
10:03 43 General Manager. I am assuming that was the reason so I would
10:03 44 be aware of the matter if I wasn't.
10:03 45
10:03 46 COMMISSIONER: Was what explained to you at the meeting
10:03 47 and my second question was going to be, were you asked to do

10:03 1 anything. First of all, what was explained to you?

10:03 2

10:03 3 A. I was just listening because I really didn't understand what
10:03 4 everyone was talking about. Those that were in the meeting
10:03 5 knew about the issue. I didn't understand really what they were
10:03 6 talking about. I didn't even know what the term "bonus jackpots"
10:03 7 was.

10:03 8

10:03 9 COMMISSIONER: Fair enough.

10:03 10

10:03 11 A. When you are in a meeting, you listen to people talk and
10:03 12 you don't understand what they are talking about, it is very
10:03 13 difficult to understand, so I was trying to understand the issue
10:03 14 which still, today, I'm not a tax person, it's not an issue I'm deeply
10:03 15 understanding . Secondly, I wasn't asked to do anything. I was
10:03 16 there just to listen. Mr Walsh was really taking the lead on it, and
10:03 17 ---

10:03 18

10:03 19 COMMISSIONER: Although it might have been difficult to
10:03 20 understand, can you recollect, or as best you can recollect what
10:04 21 he actually said, or at least the tenor of what he said? I'm not
10:04 22 talking about exact words.

10:04 23

10:04 24 A. I'm trying as best I can, Commissioner. There has been
10:04 25 many discussions about many things at many points in time over
10:04 26 the last couple of months. It is very difficult to remember what
10:04 27 was said when and in what meeting. The - Mr Walsh - there
10:04 28 were two meetings, there was the taxation meeting internally,
10:04 29 which I've mentioned and I did make some notes to myself but
10:04 30 the notes to myself really have the heading "bonus jackpots", "Jason
10:04 31 Cremona email" and then it was about poker tax, and Michelle
10:04 32 Fielding was talking about that. The 18 March meeting with
10:04 33 Allens was again another meeting I sat there and listened to
10:04 34 Mr Walsh talk about the bonus jackpots matter, and explaining to
10:04 35 Allens and asking Allens to assist, give advice for inclusion in
10:05 36 RFI-002.

10:05 37

10:05 38 MS NESKOVCIN: We'll go through those matters in more detail
10:05 39 in a moment, Ms Williamson. I'm just trying to piece together the
10:05 40 chronology and assist you by looking at things chronologically as
10:05 41 well. I want to show you a couple of documents back from the
10:05 42 2018 period.

10:05 43

10:05 44 Operator, please call up CRW.520.010.9959. I draw your
10:05 45 attention to the - if we could go to the second page, please,
10:05 46 operator. On 31 May at 5.18 pm, Mr Cremona from the VCGLR
10:06 47 sent Ms Fielding an email asking her a number of questions

10:06 1 arising out of or relating to bonus jackpots; do you see that?

10:06 2

10:06 3 A. Yes.

10:06 4

10:06 5 Q. If we scroll up the page, you see in blue at 5.34 pm

10:06 6 Ms Fielding appears to forward Mr Cremona's email to someone

10:06 7 and the email said:

10:06 8

10:06 9 *See below matters for review.*

10:06 10

10:06 11 Do you see that?

10:06 12

10:06 13 A. Yes.

10:06 14

10:06 15 Q. And you note Mr Herring's signature details at the bottom

10:06 16 of what is the next email in the chain. Operator, if we could then

10:06 17 go to the first page at the bottom of the page, please. On 1 June,

10:07 18 the next day in the morning, Mr Herring says to Ms Fielding,

10:07 19 copied to Xavier Walsh and Joshua Preston:

10:07 20

10:07 21 *I'm at Chill today but let's discuss as there are a few*

10:07 22 *points I think we need to clarify/adjust and get some*

10:07 23 *assistance with a position before replying.*

10:07 24

10:07 25 Then on 2 June he says:

10:07 26

10:07 27 *Thanks Pete - we had better give this some attention on*

10:07 28 *Monday because he says its urgent.*

10:07 29

10:07 30 Later he says:

10:07 31

10:07 32 *No probs I've got all the info we just need to craft the*

10:07 33 *response and run it past [Xavier Walsh] and Josh.*

10:07 34

10:07 35 Then at the top Ms Fielding says:

10:07 36

10:07 37 *Sounds like a plan - talk then.*

10:07 38

10:07 39 I will show you one more email from this period, please,

10:07 40 Ms Williamson. It is CRW.512.153.0134. In the middle of the

10:08 41 page you see an email from Ms Fielding on 4 June to

10:08 42 Mr Felstead, Mr Walsh, Mr Mackay and Mr Herring and she

10:08 43 says:

10:08 44

10:08 45 *See below a DRAFT response for your review.*

10:08 46

10:08 47 You see that?

10:08 1
10:08 2 A. Yes.
10:08 3
10:08 4 Q. At the top of the page, please, operator, Ms Fielding seems
10:08 5 to then forward or send another email to Nicole Wendt, is she
10:08 6 a personal assistant for Mr Felstead and others?
10:08 7
10:08 8 A. Yes.
10:08 9
10:08 10 Q. And says:
10:08 11
10:08 12 *Alan has asked whether a brief meeting could be*
10:08 13 *convened tomorrow morning*
10:08 14
10:08 15 You see that?
10:08 16
10:08 17 A. Yes.
10:08 18
10:08 19 Q. When did you first become aware of the email that we
10:09 20 started with, the email between Ms Fielding and Mr Cremona
10:09 21 where Mr Cremona of the VCGLR raised issues in relation to the
10:09 22 bonus jackpot issues?
10:09 23
10:09 24 A. I became aware of an email between Ms Fielding and
10:09 25 Mr Cremona at the 1 March meeting because I make a note on
10:09 26 my note. I can't remember what I said, JC MF email. That was
10:09 27 the first time I became aware of the existence of an email.
10:09 28
10:09 29 Q. What did you deduce from looking at - have you seen the
10:09 30 emails I've taken you before? Sorry, the emails I've just taken
10:09 31 you to, the chain between Ms Fielding, Mr Herring and others
10:09 32 saying that we need to draft a response and then they want
10:09 33 a meeting, when did you first become aware of those emails?
10:09 34
10:09 35 A. The actual content, after 7 June, after Mr Mackay's
10:10 36 evidence.
10:10 37
10:10 38 Q. No doubt at that point you became aware that the VCGLR
10:10 39 had been provided with some information in relation to the bonus
10:10 40 jackpots issue; correct?
10:10 41
10:10 42 A. Yes.
10:10 43
10:10 44 Q. But did you get the impression that notwithstanding those
10:10 45 disclosures, Crown had not been as forthcoming as it could have
10:10 46 been in relation to the deductibility of the gaming food - sorry,
10:10 47 the Gaming Machine Food Program costs?

10:10 1
10:10 2 A. Sorry, do you mean after our response in 2018, or earlier?
10:10 3
10:10 4 Q. After the response.
10:10 5
10:10 6 A. When I read it, it seemed a fulsome response. Again, I
10:10 7 wasn't across the detail, so

10:11 8
10:11 9 Q. You recall seeing the MinterEllison's advices. I will just
10:11 10 take you to the second advice for convenience, if I might.
10:11 11
10:11 12 Operator, could you please call up MEM.5002.0009.2582.
10:11 13
10:11 14 This is the MinterEllison's advice from 2019 which you've seen.
10:11 15 In paragraph 6, do you agree that is a summary of MinterEllison's
10:11 16 earlier advice?
10:11 17
10:11 18 A. It seems to be, yes.
10:11 19
10:11 20 Q. MinterEllison's earlier advice was that the gaming machine
10:12 21 bonus jackpots program, or the costs associated with that
10:12 22 program, were not deductible?
10:12 23
10:12 24 A. I don't know that the advice was saying definitely it was
10:12 25 not deductible. I think it was raising issues that it probably was
10:12 26 not. Certain aspects.
10:12 27
10:12 28 Q. I suggest to you that the advice was that it was not
10:12 29 deductible but it was raising some arguments that might be put to
10:12 30 the contrary.
10:12 31
10:12 32 A. Yes.
10:12 33
10:12 34 Q. And certainly you understood, didn't you, from talking to
10:12 35 Ms Fielding and others in more recent times, that the impression
10:12 36 that the business had was that MinterEllison had told them that
10:12 37 they were not on strong ground in terms of the deductibility of the
10:12 38 food program costs?
10:12 39
10:12 40 A. That's what the Minters advice said.
10:12 41
10:12 42 Q. That is what you understood Ms Fielding and others
10:13 43 understood that it said? They were under the impression that
10:13 44 they were not on strong or stable legal grounds in deducting the
10:13 45 items but they decided to do it anyway.
10:13 46
10:13 47 A. That was the Minters advice, I'm not sure whether they

10:13 1 decided to do it anyway or whether they accepted the advice.
10:13 2 That is a matter that you need to put to others.
10:13 3
10:13 4 Q. But you know that they deducted the items?
10:13 5
10:13 6 A. Well, I assume they did, I haven't seen the records. I'm
10:13 7 sorry, I'm not trying to be difficult.
10:13 8
10:13 9 Q. I understand.
10:13 10
10:13 11 Do you agree with me that it is a fair inference if Crown are
10:13 12 going back to MinterEllison in 2019 with what they describe as
10:14 13 new information, the proposed technical requirements document,
10:14 14 the business was also under the impression that the earlier advice
10:14 15 in 2018 was not favourable to Crown?
10:14 16
10:14 17 A. I really can't say what the business view was at that time,
10:14 18 you really have to ask the others that were briefing MinterEllison.
10:14 19
10:14 20 Q. When you spoke to the others, Ms Fielding, Mr Walsh,
10:14 21 Mr Herring, Mr McDonald in 2021 ---
10:14 22
10:14 23 A. Sorry, Mr - who - McGregor?
10:14 24
10:14 25 Q. When you are talking to any of these individuals in early
10:14 26 2021, Ms Fielding, Mr Walsh, Mr McGregor or Mr Herring, did
10:14 27 they say anything to you to suggest that they had also considered
10:14 28 the bonus jackpots issue in late 2020?
10:15 29
10:15 30 A. Not that I recall, but my discussions were post-7 June.
10:15 31 That's not early 2021.
10:15 32
10:15 33 Q. I want to show you some documents in December 2020 to
10:15 34 see if you have any recollection, or your recollection might be
10:15 35 assisted by looking at them as to any discussions that might have
10:15 36 occurred in September or late 2020. Please call up
10:15 37 CRW.512.147.1275. This is an email from Mr Reilly to
10:16 38 Mr Walsh, Mr Herring, Mr Fielding and others on 17 September
10:16 39 2020. I know you said you weren't involved in advising on tax
10:16 40 issues, but do you recall the GST judgment was handed down on
10:16 41 September 2020?
10:16 42
10:16 43 A. If that was the date, yes.
10:16 44
10:16 45 Q. It was quite a significant matter for Crown?
10:16 46
10:16 47 A. Yes, as I understand it was, yes.

10:16 1
10:16 2 Q. Can I ask you to note Mr Reilly says in this email:
10:16 3
10:16 4 *Can we have a chat next week to go through some*
10:16 5 *outstanding and historical tax and regulatory matters to*
10:16 6 *pull together a finalised list.*
10:16 7
10:16 8 You see that?
10:16 9
10:16 10 A. Yes.
10:16 11
10:16 12 Q. CRW.520.009.9863, please, operator.
10:16 13
10:17 14 You see that on 21 September Mr Herring forwards to
10:17 15 Ms Fielding, if we scroll down a little, please, operator, what
10:18 16 appears to be MinterEllison's advice from November 2019; do
10:18 17 you see that? Assume that to be the case if you will, please,
10:18 18 Ms Williamson.
10:18 19
10:18 20 A. It is an email from Mr Ward to Ms Fielding and
10:18 21 Mr Preston.
10:18 22
10:18 23 Q. So that attaches MinterEllison's advice of 2019.
10:18 24
10:18 25 A. Well ---
10:18 26
10:18 27 Q. And the email you see at the top of the page, Ms Fielding
10:18 28 forwards it to Mr Walsh and Mr Herring, and that is at December
10:18 29 2019.
10:18 30
10:18 31 Operator, back at the top of the page. Mr Herring then forwards
10:18 32 it to Ms Fielding. I'm just asking you to note in particular, the
10:18 33 date, 21 September 2020.
10:18 34
10:19 35 A. Yes.
10:19 36
10:19 37 Q. I just want to take you to a couple more, please. Operator,
10:19 38 CRW.520.0101.1222. Also on 21 September Mr Herring forwards
10:19 39 to Ms Fielding the exchange between VCGLR and Crown in
10:19 40 2018. Operator, if you could just scroll down that page slowly.
10:19 41
10:19 42 A. Yes.
10:19 43
10:19 44 Q. You see that? Thank you. Operator, CRW.563.003.9164.
10:19 45
10:20 46 A. Excuse me, could I just move these things that are on the
10:20 47 ground under my feet?

10:20 1
10:20 2 Q. The associate will assist you, Ms Williamson.
10:20 3
10:20 4 A. Sorry, it's just where my feet go. Sorry. Thank you.
10:20 5
10:20 6 Q. Ms Fielding, could you assume for me, please, that on 21
10:20 7 September 2020 Ms Fielding also forwards to Mr Walsh
10:21 8 MinterEllison's advice of 2019.
10:21 9
10:21 10 A. Sorry, who forwards it to Mr Walsh?
10:21 11
10:21 12 Q. Ms Fielding forwards it to Mr Walsh.
10:21 13
10:21 14 A. I will take your word for it.
10:21 15
10:21 16 Q. For my learned friends, the document ID I just mentioned
10:21 17 identifies that.
10:21 18
10:21 19 Operator, if you could call up CRW.512.147.1276. You see that
10:21 20 there is a calendar invite for a meeting on 22 September 2020
10:21 21 organised by Mr Walsh. Also attending among others are
10:22 22 Mr Reilly, Mr Barton, Mr McGregor, Mr Felstead, Mr Preston,
10:22 23 Ms Fielding and Mr Preston.
10:22 24
10:22 25 A. They are the required attendees, I don't know whether they
10:22 26 attended or not.
10:22 27
10:22 28 Q. I see. Thank you. You didn't attend a meeting in
10:22 29 September 2020, did you, to discuss the bonus jackpots?
10:22 30
10:22 31 A. No.
10:22 32
10:22 33 Q. Based on what was later said to you in 2021, was there any
10:22 34 mention of a meeting in September 2020 between the individuals,
10:22 35 some or all of the individuals identified on this calendar invite, to
10:22 36 discuss, among other things, the bonus jackpots issue?
10:22 37
10:22 38 A. I can't recall.
10:22 39
10:23 40 Q. You are aware from Mr Mackay's evidence that he said at
10:23 41 around 24 February 2021, Mr Walsh asked him to prepare
10:23 42 a spreadsheet setting out calculations of potential gaming tax
10:23 43 owed by Crown?
10:23 44
10:23 45 A. That was his evidence, yes.
10:23 46
10:23 47 Q. Have you seen the spreadsheet that Mr Mackay referred to

10:23 1 in his evidence?
10:23 2
10:23 3 A. After he gave his evidence.
10:23 4
10:23 5 Q. Prior to that you had not seen the spreadsheet?
10:23 6
10:23 7 A. No.
10:23 8
10:23 9 Q. And you had no knowledge of any discussion he had with
10:23 10 Mr Walsh around the 24th or late February 2021?
10:23 11
10:23 12 A. No.
10:23 13
10:23 14 Q. When you met with Mr Walsh and others on 1 March, was
10:23 15 there any discussion about the spreadsheet or any prior meetings
10:23 16 Mr Mackay had had with Mr Herring - sorry, Mr Walsh?
10:23 17
10:23 18 A. Not that I recall. My note basically is on poker tax, there is
10:24 19 only one line on the bonus jackpots. I can't recall. And it was
10:24 20 really a note to myself, it's not a diary note of the meeting.
10:24 21
10:24 22 Q. Perhaps we could go to that file note.
10:24 23
10:24 24 CRW.512.175.0001, please, operator.
10:24 25
10:24 26 This is your file note, Ms Williamson?
10:24 27
10:25 28 A. Not to myself.
10:25 29
10:25 30 Q. Did anybody at university ever ask to borrow your lecture
10:25 31 notes at university?
10:25 32
10:25 33 A. Sorry?
10:25 34
10:25 35 Q. Did anybody at university ever ask to borrow your lecture
10:25 36 notes?
10:25 37
10:25 38 A. No, for obvious reasons.
10:25 39
10:25 40 Q. Could you assist us by going through this note, please,
10:25 41 Ms Williamson?
10:25 42
10:25 43 A. I will do my best.
10:25 44
10:25 45 *Tax bonus jackpot*
10:25 46
10:25 47 *2018 JC*

10:25 1
10:25 2 "JC" means Jason Cremona.
10:25 3
10:25 4 *MF email.*
10:25 5
10:25 6 *30 June* [I don't know what 30 June is] - *poker tax*
10:25 7
10:25 8 *MF* [Michelle Fielding] *hold not wrong* - *gaming tax*
10:25 9
10:25 10 *GGR*
10:25 11
10:25 12 *Poker not gaming if not charging competitors ---*
10:25 13 *charging fees.*
10:25 14
10:25 15 Gaming tax.
10:25 16
10:25 17 Again I can barely read my own writing, it is terrible.
10:25 18
10:25 19 Q. Operator, could you not scroll until Ms Williamson ---
10:25 20
10:25 21 A. Not too fast, thank you. "Charge fees" - it was all about
10:25 22 whether poker tax was gaming tax and charging fees went into
10:26 23 the GGR, I think, but I could be wrong. Michelle or Ms Fielding
10:26 24 was talking about.
10:26 25
10:26 26 *Admin fee - cost to put on, don't make money, buy-in*
10:26 27 *return as winnings.*
10:26 28
10:26 29 Then there's a line about GGR definition and I think that was in
10:26 30 relation to the concept that there is no definition of winnings in
10:26 31 the GGR. Again I've written down:
10:26 32
10:26 33 *Poker tax - not gaming.*
10:26 34
10:26 35 *If gaming*
10:26 36
10:26 37 Sorry, can you scroll up now, please, or down, whatever it is.
10:26 38
10:26 39 *If gaming --- had been unregulated in pubs and clubs*
10:26 40
10:26 41 *If not gaming.*
10:26 42
10:26 43 *Every 3 years.*
10:26 44
10:26 45 I'm not quite sure what that means now. Then it's something
10:26 46 about the GST decision May 2021. Expect - "PT" must be
10:26 47 poker tax - "be resolved 30 June. State not relinquishing the

10:27 1 claim." So I think that might be a reference to possibly those
10:27 2 emails you just showed me but I'm not really sure.

10:27 3

10:27 4

10:27 5

10:27 6

10:27 7

10:27 8

10:27 9

10:27 10

10:27 11

10:27 12

10:27 13

10:27 14

10:27 15

10:27 16

10:27 17

10:27 18

10:27 19

10:27 20

10:27 21

10:27 22

10:27 23 Q. Operator, could we go back to the first page, please.

10:27 24

10:28 25 So your evidence was that you were just listening, you didn't
10:28 26 really understand what the bonus jackpot issue was. You were
10:28 27 invited there, having taken on the new role as General Manager
10:28 28 of legal. You see at the top of the page there is a mention of the
10:28 29 2018 JCMF email?

10:28 30

10:28 31 A. Yes.

10:28 32

10:28 33 Q. Do you now understand that to be the email between
10:28 34 Ms Fielding and Mr Cremona that we went to a moment ago in
10:28 35 2018?

10:28 36

10:28 37 A. Yes. Yes.

10:28 38

10:28 39 Q. What was resolved in terms of the outcome of the meeting
10:28 40 in terms of action items, what would happen next?

10:28 41

10:28 42 A. I don't know. I was just listening. I can't recall.

10:28 43

10:28 44 Q. Did you have anything to do after this meeting?

10:28 45

10:28 46 A. No because if I had action items I would have made a note
10:28 47 to myself about what the action items were but I had no action

10:28 1 items.
10:28 2
10:29 3 Q. And was there any discussion about talking to the regulator
10:29 4 about the bonus jackpots or talking to the Board about the bonus
10:29 5 jackpots?
10:29 6
10:29 7 A. I can't recall.
10:29 8
10:29 9 MS NESKOVICIN: Commissioner, I'm about to move to the next
10:29 10 meeting.
10:29 11
10:29 12 COMMISSIONER: Have a break for 10 minutes. Adjourn for
10:29 13 10 minutes.
10:29 14
10:29 15
10:29 16 **ADJOURNED** [10.29AM]
10:40 17
10:40 18
10:40 19 **RESUMED** [10.40AM]
10:40 20
10:40 21
10:40 22 MS NESKOVICIN: Thank you, Ms Williamson.
10:40 23
10:40 24 You will recall on 10 March 2021 this Commission wrote to
10:40 25 Crown Melbourne Ltd and asked it to provide information as to
10:40 26 conduct that would or might breach any provision of the *Casino*
10:40 27 *Control Act, the Casino (Management Agreement) Act* and other
10:40 28 pieces of legislation?
10:40 29
10:40 30 A. Yes.
10:40 31
10:40 32 Q. Eight days later on 18 March you attended a meeting with
10:41 33 Allens?
10:41 34
10:41 35 A. Yes.
10:41 36
10:41 37 Q. Was the purpose of the meeting to discuss the disclosures
10:41 38 or breaches that might be - might need to be disclosed to this
10:41 39 Commission?
10:41 40
10:41 41 A. I think it was specifically in relation to bonus jackpots in
10:41 42 the context of RFI-002.
10:41 43
10:41 44 Q. Thank you.
10:41 45
10:41 46 You attended that meeting along with Mr Walsh, Mr McGregor
10:41 47 and Mr Herring?

10:41 1
10:41 2 A. Yes. And Mr Meade was there?
10:41 3
10:41 4 Q. I beg your pardon?
10:41 5
10:41 6 A. Mr Meade was there.
10:41 7
10:41 8 Q. And Mr Meade, thank you.
10:41 9
10:41 10 What discussions did you have with Mr Walsh, Mr McGregor,
10:41 11 Mr Herring or Mr Meade before going into the meeting with
10:41 12 Allens?
10:41 13
10:41 14 A. I had no discussions that I recall. Mr Meade had only just
10:41 15 commenced employment with Crown three days earlier.
10:41 16
10:41 17 Q. So what was your understanding about why the meeting
10:42 18 was called, if it was called to discuss bonus jackpots?
10:42 19
10:42 20 A. It was to raise the issue with Allens, to brief Allens on it
10:42 21 with - to look at including it in RFI-002.
10:42 22
10:42 23 Q. As a breach or potential breach?
10:42 24
10:42 25 A. As a breach or potential breach, yes.
10:42 26
10:42 27 Q. So going into the meeting you understood that there was at
10:42 28 least a view internally at Crown by one of the individuals or
10:42 29 someone else that it might need to be disclosed as a breach or
10:42 30 potential breach?
10:42 31
10:42 32 A. We were taking a very broad view of responses to RFI-002
10:42 33 so this was just a matter, along with other matters that we were
10:42 34 discussing about going into RFI-002.
10:42 35
10:42 36 Q. I see.
10:42 37
10:42 38 A. Mr Walsh called the meeting.
10:42 39
10:42 40 Q. Do you have an independent recollection of what was
10:42 41 discussed at the meeting?
10:43 42
10:43 43 A. Not specifically, no. But Mr Walsh was doing most of the
10:43 44 talking and with Mr McGregor and briefing Mr Maher.
10:43 45
10:43 46 Q. And you were listening?
10:43 47

10:43 1 A. Yes.
10:43 2
10:43 3 Q. Did you take notes at the meeting?
10:43 4
10:43 5 A. No, I did not, there was a notetaker there, Mr Yiannakou
10:43 6 from Allens and I believe Mr Meade may have taken a note or
10:43 7 two. Probably a note, sorry.
10:43 8
10:43 9 Q. Have you since had a look at Mr Yiannakou's note of the
10:43 10 meeting?
10:43 11
10:43 12 A. Yes, I have.
10:43 13
10:43 14 Q. Does it broadly accord with your recollection of the
10:43 15 meeting?
10:43 16
10:43 17 A. Probably some things that I don't recall being said. There
10:43 18 was quite a few typos in it. I would like to have a look at the note
10:43 19 again, if that's all right.
10:43 20
10:43 21 Q. CRW.0000.0003.0895, please, operator.
10:44 22
10:44 23 COMMISSIONER: That won't help a lot.
10:44 24
10:44 25 MS NESKOVCIN: I think something magical can happen and
10:44 26 that black box can go away.
10:44 27
10:44 28 A. I think the meeting took place on 18 March, not 19 March.
10:44 29
10:44 30 Q. I think it is agreed that is a typographical error and the
10:44 31 meeting took place on 18 March. My learned friend has a copy.
10:45 32
10:45 33 COMMISSIONER: I think we have it up now.
10:45 34
10:45 35 MS NESKOVCIN: Would you prefer to work off a hard copy?
10:45 36
10:45 37 A. No, this is fine.
10:45 38
10:45 39 Q. I won't take you through all of it unless you want to go to
10:45 40 a particular part, Ms Williamson. I wanted to start two-thirds of
10:45 41 the way of the page down. If you want a moment to read
10:45 42 anything, do let me know.
10:45 43
10:45 44 A. Okay, that's fine.
10:45 45
10:45 46 Q. If you could show the bottom one-third of the page, please,
10:45 47 operator. You see three lines from the top there is a note:

10:45 1
10:45 2 *XW: things I'm worried about being explored. When we*
10:45 3 *calculate gaming tax - deduct amounts as winnings.*
10:45 4 *Difference between collection and paying out. Over the*
10:46 5 *journey add ones to that in terms of what we deduct.*
10:46 6 *Typically items we have sought approval for --- goes to*
10:46 7 *VCGLR and approved --- but they've approve the*
10:46 8 *program, not necessarily the deduction.*
10:46 9
10:46 10 Do you see that?
10:46 11
10:46 12 A. Yes.
10:46 13
10:46 14 Q. Do you agree that was the gist of what Mr Walsh said in
10:46 15 relation to the matters said out in that paragraph of the note?
10:46 16
10:46 17 A. I think you would have to ask Mr Walsh. I'm not really
10:46 18 quite sure about the last piece to be honest.
10:46 19
10:46 20 Q. About approval?
10:46 21
10:46 22 A. No, approval and not necessarily the deduction. I really
10:46 23 think it is a matter you need to ask Mr Walsh because I've had so
10:46 24 many meetings about so many things that I'm not confident that
10:46 25 that accurately reflects what he said ---
10:46 26
10:46 27 Q. I see.
10:46 28
10:46 29 A. And it is not for me to say because I don't have the
10:46 30 recollection.
10:46 31
10:46 32 Q. So you can't recall him saying VCGLR approved, but
10:46 33 they've approved program, not necessarily the deduction?
10:46 34
10:46 35 A. I recall him talking about VCGLR approval. What the
10:47 36 program meant, I wasn't really sure. At this time I didn't know
10:47 37 what we were talking about in any detail, and I can't comment
10:47 38 about the rest of the sentence.
10:47 39
10:47 40 Q. All right. He then said that it gets audited. I will leave you
10:47 41 to read that paragraph to yourself, please.
10:47 42
10:47 43 A. I remember Mr Walsh saying about auditing.
10:47 44
10:47 45 Q. Do you remember, looking at the next paragraph, do you
10:47 46 remember him saying that in "2012, the company realised we
10:47 47 could deliver through our systems the ability to award customers

- 10:47 1 things like hotel rooms, carpark or meals"?
- 10:47 2
- 10:47 3 A. Possibly. Again, you would have to ask Mr Walsh.
- 10:47 4
- 10:47 5 Q. You understand those three items comprise the jackpot
- 10:47 6 issue that Mr Walsh was addressing in this meeting?
- 10:47 7
- 10:47 8 A. I understand that now, not at the time.
- 10:47 9
- 10:47 10 Q. He said, according to this note:
- 10:47 11
- 10:47 12 *Idea is --- you play so much --- you get a free meal. We*
- 10:48 13 *have the ability to do that through the system approved.*
- 10:48 14
- 10:48 15 Do you see that?
- 10:48 16
- 10:48 17 A. Yes.
- 10:48 18
- 10:48 19 Q. Do you recall that being discussed?
- 10:48 20
- 10:48 21 A. I don't recall.
- 10:48 22
- 10:48 23 Q. Then he said, according to this note:
- 10:48 24
- 10:48 25 *Internal legal advice as to whether we needed approval*
- 10:48 26 *or not, and also whether constitutes winnings paid out.*
- 10:48 27 *No definition on winnings paid out in the act. Universally*
- 10:48 28 *in the world --- get winnings gets paid out. Food, hotels*
- 10:48 29 *and car parks potentially different though.*
- 10:48 30
- 10:48 31 At the time when he referred to internal legal advice, did you
- 10:48 32 know what he was referring to?
- 10:48 33
- 10:48 34 A. I'm assuming it must have been Ms Tegoni's advice because
- 10:48 35 I certainly didn't give any advice but, again, it was just --- I do
- 10:48 36 remember him saying he talked about internal legal advice, but
- 10:49 37 that is about it.
- 10:49 38
- 10:49 39 Q. You hadn't seen the advice at that stage --
- 10:49 40
- 10:49 41 A. No.
- 10:49 42
- 10:49 43 Q. --- but based on what he said, did it leave you with the
- 10:49 44 impression that the legal advice was to the effect that it is
- 10:49 45 a difficult argument for Crown because there is no definition of
- 10:49 46 winnings paid out in the *Casino Control Act* or the *Casino*
- 10:49 47 *(Management Agreement) Act?*

10:49 1
10:49 2 A. I don't know that I got the impression that it was a difficult
10:49 3 argument. It was just stating that there was no definition of
10:49 4 winnings, and I didn't have any other view on it. Again, as I said,
10:49 5 I really didn't know in any detail what we were talking about.
10:49 6 I was really listening to try to understand the matter.
10:49 7
10:49 8 Q. Thank you, Ms Williamson. In the next paragraph
10:49 9 according to the note Mr Walsh said:
10:49 10
10:49 11 *A business preso and the legal advice with senior execs in*
10:49 12 *2012, eg Ken Barton, Rowan Craigie, Greg Hawkins,*
10:50 13 *word to the effect --- given economic movements, VCGLR*
10:50 14 *won't notice. Gives impression we won't inform VCGLR.*
10:50 15 *That we wouldn't tell them --- in the slide deck and also*
10:50 16 *internal legal advice initially.*
10:50 17
10:50 18 Do you see that?
10:50 19
10:50 20 A. Yes.
10:50 21
10:50 22 Q. Do you recall words to this effect or substance being said
10:50 23 by Mr Walsh?
10:50 24
10:50 25 A. I recall something about a presentation in 2012. I recall
10:50 26 Mr Walsh talking about Mr Barton, Mr Craigie and possibly
10:50 27 Mr Hawkins. I do recall something about the VCGLR and again
10:50 28 internal legal advice has already been mentioned. That's the best
10:50 29 of my recollection.
10:50 30
10:50 31 Q. But at this point in the meeting, in light of what Mr Walsh
10:50 32 said, did it raise alarm bells for you that there was a suggestion
10:50 33 that there were internal documents giving the impression that
10:50 34 Crown wouldn't inform VCGLR and VCGLR won't notice?
10:50 35
10:51 36 A. Yes, that did concern me if that was the case, but I didn't
10:51 37 know.
10:51 38
10:51 39 Q. But you heard that at the meeting and you didn't know if it
10:51 40 was the case, but you agree that would have concerned you if that
10:51 41 was the case?
10:51 42
10:51 43 A. Yes.
10:51 44
10:51 45 Q. Over the page, please, operator.
10:51 46
10:51 47 *2012 --- took the deduction, went into the reports.*

10:51 1

10:51 2 *Late 2017 --- Wilkie announcements.*

10:51 3

10:51 4 What were the Wilkie announcements?

10:51 5

10:51 6 A. Mr Wilkie went out into the media in relation to pokies,
10:51 7 Crown, blanking plates, and there was a few others that I just
10:51 8 can't recall. So it was quite a number of things that Mr Wilkie
10:51 9 went out into the media about gaming or anti-gambling, poker
10:51 10 machines and then Crown.

10:51 11

10:51 12 Q. According to the note, after that report, Mr Felstead asked
10:52 13 "What else is there?"; do you recall Mr Felstead asking Crown to

10:52 14 ---

10:52 15

10:52 16 A. No, I wasn't at that meeting, whatever meeting they are
10:52 17 talking about there. I don't go to Board meetings.

10:52 18

10:52 19 Q. But leaving aside the Board meetings, was there a message
10:52 20 from Mr Felstead or anyone on his behalf at that time saying he
10:52 21 wanted to know and Crown wanted to know what else there was
10:52 22 along the lines of the sorts of things that Mr Wilkie was raising
10:52 23 and embarrassing --- that was embarrassing to Crown
10:52 24 reputationally?

10:52 25

10:52 26 A. You would have to ask Mr Walsh. I wasn't at whatever
10:52 27 meeting we are talking about here.

10:52 28

10:52 29 Q. According to the note, Mr Walsh said, "someone said bonus
10:52 30 jackpots" in response to Mr Felstead; do you see that?

10:52 31

10:52 32 A. Yes.

10:52 33

10:52 34 Q. So you understood at that time it had been raised internally
10:52 35 in 2017?

10:53 36

10:53 37 A. If the note is an accurate note of what Mr Walsh said, but
10:53 38 I think you really need to ask Mr Walsh.

10:53 39

10:53 40 Q. Thank you. And then towards the end of that line:

10:53 41

10:53 42 *Then asked for Minters advice.*

10:53 43

10:53 44 Can we assume that is the 2018 advice?

10:53 45

10:53 46 A. Yes, I remember Minter's advice.

10:53 47

- 10:53 1 Q. You remember that being mentioned?
10:53 2
- 10:53 3 A. I remember Minter's advice being mentioned.
10:53 4
- 10:53 5 Q. And the note says:
10:53 6
10:53 7 *Glen Ward said should have been got it approved --- but*
10:53 8 *overriding question is whether winnings anyway.*
10:53 9
10:53 10 *And no clear definition on that.*
10:53 11
10:53 12 *But he said think you're on unstable ground since didn't*
10:53 13 *get it approved.*
10:53 14
- 10:53 15 Do you recall that being the substance of what was said in
10:53 16 relation to Mr Ward's advice?
10:53 17
- 10:53 18 A. Possibly, but since reading the advice, my recollection may
10:53 19 be polluted. Again you will need to ask Mr Walsh, but something
10:53 20 along those lines was said.
10:53 21
- 10:54 22 Q. Thank you. But doing the best you can to recall what was
10:54 23 said at the meeting, do you recall after hearing Mr Walsh discuss
10:54 24 Mr Ward's advice in 2018, that the impression that you got was
10:54 25 that Mr Ward had said that Crown was on unstable ground?
10:54 26
- 10:54 27 A. Possibly, yes.
10:54 28
- 10:54 29 Q. So that would have concerned you to hear that?
10:54 30
- 10:54 31 A. Yes.
10:54 32
- 10:54 33 Q. If you go down a few lines, you see the reference:
10:54 34
10:54 35 *XW: pete and michelle talked to him about it, then*
10:54 36 *Michelle spelled it out in an email*
10:54 37
- 10:54 38 Sorry, we will go back for context. The fourth line says:
10:54 39
10:55 40 *We got advice in 2018 from Minters.*
10:55 41
10:55 42 *Jason Cremona [who you know is now at the VCGLR]*
10:55 43 *He was asking about it, said he was asked to look into it.*
10:55 44
10:55 45 *[Mr Maher]: hence someone had spoken to him about it.*
10:55 46
10:55 47 *XW: pete and michelle talked to him about it, then*

10:55 1 *michelle spelled it out in an email. While avoiding being*
10:55 2 *forthcoming initially, we then spelled it out.*

10:55 3

10:55 4 Do you see that?

10:55 5

10:55 6 A. Yes.

10:55 7

10:55 8 Q. Again that was another reference about alluding to the issue
10:55 9 about disclosure to the VCGLR?

10:55 10

10:55 11 A. Yes, back in 2012.

10:55 12

10:55 13 Q. You now know - yes, I see. AM ---

10:55 14

10:55 15 A. Sorry, that is Mr Maher.

10:55 16

10:55 17 Q. Thank you.

10:55 18

10:55 19 *AM: Back to 2012?*

10:55 20

10:55 21 *XW: I think just said this is how we do it.*

10:55 22

10:55 23 *June 4 2018.*

10:55 24

10:56 25 I take it, or would you agree with me that what Mr Maher was
10:56 26 asking about was whether it had been disclosed back to 2012
10:56 27 when Mr Walsh said that we, what Pete and Michelle spelt out to
10:56 28 the VCGLR was how we do it?

10:56 29

10:56 30 A. Yes, they are referring to the email.

10:56 31

10:56 32 Q. Yes, thank you. And then the next paragraph:

10:56 33

10:56 34 *The issue that made it difficult --- needed approval and*
10:56 35 *didn't seek it. Approved by system change but*
10:56 36 *questionable.*

10:56 37

10:56 38 Do you see that?

10:56 39

10:56 40 A. Yes.

10:56 41

10:56 42 Q. What do you understand that to be a reference to?

10:56 43

10:56 44 A. Something to do with the technical requirements
10:56 45 documents but again I didn't really know what we were talking
10:56 46 about and I don't know who raised that, whether that was
10:56 47 Mr Walsh or that was Mr Herring making ---

10:56 1
10:56 2 Q. I see.
10:56 3
10:56 4 Operator, can you scroll down so that the line that says, "Pete",
10:57 5 can we have that at the top of the page.
10:57 6
10:57 7 Ms Williamson, can you read the rest of that page to yourself,
10:57 8 please. The reference to "Pete" is a reference to Mr Herring?
10:57 9
10:57 10 A. Yes.
10:57 11
10:57 12 Q. I will come back to what Mr Herring might have said in
10:58 13 that meeting in a moment, but in the last two lines, Mr Maher
10:58 14 says:
10:58 15
10:58 16 *where they [presumably the Commission] ask actual and*
10:58 17 *potential misconduct --- if legal advice received, and said*
10:58 18 *not needed, this might fall into potential category.*
10:58 19
10:58 20 Do you see that?
10:58 21
10:58 22 A. Yes.
10:58 23
10:58 24 Q. Do you recall Mr Maher saying something to the effect that
10:58 25 from based on what he heard it might be necessary to disclose the
10:58 26 bonus jackpots issue in the category - by way of a potential
10:58 27 breach?
10:58 28
10:58 29 A. We were talking - Mr Maher was talking about the
10:58 30 breadth of RFI-002, actual or possible, I haven't got RFI-002 in
10:58 31 front of me, so - and Crown was taking a very broad view to
10:58 32 respond to that, so I think Mr Maher was saying that we might
10:58 33 need to disclose it, but he hadn't formed any view yet because he
10:59 34 really didn't ---
10:59 35
10:59 36 Q. He was a bit like you, he hadn't heard of it before, he hadn't
10:59 37 seen any documents in relation to that?
10:59 38
10:59 39 A. Yes, he was a bit like me but probably grasped it a little bit
10:59 40 better than I was.
10:59 41
10:59 42 Q. Over the page, please, operator. I want to ask you about the
10:59 43 line that says:
10:59 44
10:59 45 *XW: \$40mil issue.*
10:59 46
10:59 47 If you want to read before that, please do.

10:59 1
10:59 2 A. Sorry?
10:59 3
10:59 4 Q. I want to go to the ninth line but if you want to take
10:59 5 a moment to read what's before it, please do.
10:59 6
10:59 7 A. Yes, okay.
10:59 8
10:59 9 Q. At one point Mr Walsh says:
10:59 10
10:59 11 *\$40 mil issue, around \$4 mil per year. Gives the*
10:59 12 *impression didn't raise as we didn't want a response. In*
10:59 13 *email and slide deck.*
10:59 14
11:00 15 Do you recall Mr Walsh saying it was a potential \$40 million
11:00 16 issue?
11:00 17
11:00 18 A. I honestly can't recall whether he said that or not. Possibly,
11:00 19 I'm sorry I can't do better than that. I'm thinking that if this is
11:00 20 a diary note that Mr Yiannakou took, apart from typos and the
11:00 21 wrong day, et cetera, possibly Mr Walsh did talk about the
11:00 22 40 million issue.
11:00 23
11:00 24 Q. That issue is significant in itself, but prior to this meeting
11:00 25 you didn't know about Mr Mackay's spreadsheet?
11:00 26
11:00 27 A. Correct.
11:00 28
11:00 29 Q. And you didn't know that there was a potential liability on
11:00 30 another view of up to \$160 million?
11:00 31
11:01 32 A. Correct.
11:01 33
11:01 34 Q. But when Mr Walsh said, "gives the impression didn't raise
11:01 35 it as we didn't want a response", what do you think he was saying
11:01 36 there?
11:01 37
11:01 38 A. I don't recall him saying that, you will have to ask
11:01 39 Mr Walsh.
11:01 40
11:01 41 Q. According to the note, there was a reference then to the
11:01 42 email and the slide deck. Do you think he was talking about the
11:01 43 presentation and the other internal documents that suggested that
11:01 44 they didn't want to raise it and the VCGLR wouldn't notice?
11:01 45
11:01 46 A. Again you will have to ask Mr Walsh.
11:01 47

11:01 1 Q. At this point, did you have any understanding that
11:01 2 Mr Walsh had some historical experience in the bonus jackpots
11:01 3 issue?
11:01 4

11:01 5 A. Mr Walsh and Mr McGregor were both speaking as if they
11:01 6 knew something about the matter.
11:01 7

11:01 8 Q. You didn't know that they had known something about the
11:01 9 matter since at least June 2018 or the end of, say, October 2018?
11:02 10

11:02 11 A. I don't know when they became aware of the matter. At the
11:02 12 time I didn't know.
11:02 13

11:02 14 Q. But you assumed that they had some prior involvement in
11:02 15 the matter?
11:02 16

11:02 17 A. Well, some prior understanding or knowledge of the matter.
11:02 18

11:02 19 Q. Did anything they say give you the impression that they had
11:02 20 been part of the decision-making body as to how to proceed with
11:02 21 the bonus jackpots issue?
11:02 22

11:02 23 A. No. My impression was it was contrary. It was a matter
11:02 24 that was historically under the old regime, for want of a better
11:02 25 word, an old firm of management, and it was a historical matter
11:02 26 that needed to be addressed.
11:02 27

11:02 28 Q. When you say that it was an historical issue, and historical
11:02 29 management, Mr Walsh and Mr McGregor are historical
11:02 30 management, aren't they? They are not people that have recently
11:02 31 been brought in as part of Crown's transformational reform
11:03 32 program?
11:03 33

11:03 34 A. No, I was referring to Mr Craigie, Mr - well, Felstead
11:03 35 obviously, Mr Craigie, Mr Hawkins, the people mentioned in
11:03 36 2012. Mr Walsh didn't start at Crown until 2013. I'm unsure as
11:03 37 to when Mr McGregor started.
11:03 38

11:03 39 Q. Mr Walsh, prior to becoming the CEO, he was the CFO?
11:03 40

11:03 41 A. COO, I think.
11:03 42

11:03 43 Q. I beg your pardon. He was the Chief Operations Officer?
11:03 44

11:03 45 A. I think that's correct.
11:03 46

11:03 47 Q. That's a very senior position at Crown Melbourne?

11:03 1
11:03 2 A. Yes.
11:03 3
11:03 4 Q. Mr McGregor was the Chief Financial Officer at the time of
11:03 5 this meeting?
11:03 6
11:03 7 A. Yes.
11:03 8
11:03 9 Q. And he held that position for a while? I can't assist you
11:03 10 with for how long, but it had been a while?
11:03 11
11:03 12 A. A while, yes, there has been a lot of changes in titles and
11:03 13 moves, so

11:04 14
11:04 15 Q. But did you get the impression that Mr Walsh was trying to
11:04 16 downplay the issue to Allens?
11:04 17
11:04 18 A. No. I got the impression Mr Walsh was very concerned
11:04 19 about it and wanted to be open and transparent with the
11:04 20 Commission.
11:04 21
11:04 22 Q. What about Mr Herring? I asked you a moment ago to
11:04 23 have a look at what Mr Herring was reported as having said at the
11:04 24 meeting, and you recall that he was essentially suggesting that he
11:04 25 disagreed with the Minters advice and whether or not Crown
11:04 26 needed approval, and he was making a number of points about
11:04 27 how the gaming machine deductions worked.
11:04 28
11:04 29 A. Mr Herring is the technical expert. This, to me, was a very
11:04 30 technical matter of which I didn't understand. Mr Herring has the
11:04 31 technical knowledge and the history. That was my view of what
11:04 32 Mr Herring was saying, that - and was running the technical
11:05 33 arguments.
11:05 34
11:05 35 Q. So you weren't sceptical about whether or not they were
11:05 36 trying to protect their own position by downplaying it to Allens?
11:05 37
11:05 38 A. No, absolutely not.
11:05 39
11:05 40 Q. So you left the meeting on the understanding that Mr Walsh
11:05 41 was very concerned; correct?
11:05 42
11:05 43 A. Yes.
11:05 44
11:05 45 Q. He wanted to be open; correct?
11:05 46
11:05 47 A. Yes.

11:05 1
11:05 2 Q. And that it was a very serious issue?
11:05 3
11:05 4 A. Correct. It was an issue that he wanted Allens to look at
11:05 5 and provide advice, yes.
11:05 6
11:05 7 Q. But you also must have left the meeting with the
11:05 8 impression that it was more likely than not that this issue, the
11:05 9 bonus jackpots tax issue would need to be disclosed in Crown's
11:05 10 response to RFI-002?
11:05 11
11:05 12 A. Yes.
11:05 13
11:05 14 Q. And you were involved in reviewing drafts of the response
11:05 15 to RFI-002, Ms Williamson?
11:05 16
11:05 17 A. Yes.
11:05 18
11:05 19 Q. There were numerous drafts, I assume?
11:05 20
11:05 21 A. There have been numerous responses and tranches to
11:06 22 RFI-002.
11:06 23
11:06 24 Q. I see. The first response was submitted on about 24 March
11:06 25 2021?
11:06 26
11:06 27 A. Correct.
11:06 28
11:06 29 Q. And you reviewed that response?
11:06 30
11:06 31 A. Yes.
11:06 32
11:06 33 Q. Do you want to have a look - operator, please call up
11:06 34 CRW.0000.0003.0013.
11:06 35
11:06 36 Ms Williamson, does that assist you to the context of the date of
11:06 37 Crown's first response to RFI-002?
11:06 38
11:06 39 A. Crown actually wrote to the Commission on 22 March
11:06 40 about its proposed way it was going to respond to a very broad
11:06 41 and wide and RFI-002 went back for 10 years. Very - so Crown
11:07 42 wrote to the Commission and indicated on 22 March that Crown
11:07 43 was proposing to do the responses in tranches, and explained the
11:07 44 process that it was going to adopt, and that the first response to
11:07 45 RFI-002, being this one, would, as set out in the letters, in this
11:07 46 letter, be responsive to the matters that it had directly in its
11:07 47 records from compliance and regulatory department. They were

11:07 1 the things that we could easily, I suppose, put our hands on, send
11:07 2 to Allens to put in the drafts for the response.

11:07 3

11:07 4 Q. I see. So do you regard the bonus jackpots issue as not
11:07 5 falling within the intended scope of the response provided on 24
11:07 6 March because it wasn't a regulatory and compliance department
11:07 7 matter?

11:07 8

11:07 9 A. No, what I'm saying is it was a matter that had been given
11:07 10 to Allens to address, firstly whether it was responsive to RFI-002
11:08 11 and to provide advice on it. It was - my own personal view was
11:08 12 that it was going to go into RFI-002, but possibly not the first
11:08 13 tranche, possibly more likely the second tranche.

11:08 14

11:08 15 Q. I see. So when you reviewed the response that was
11:08 16 submitted in the letter of 24 March you noticed, didn't you, that it
11:08 17 didn't include the bonus jackpots issue?

11:08 18

11:08 19 A. Yes. There was a group of us that sat in the meeting room
11:08 20 and reviewed the schedules. There were two schedules: one was
11:08 21 the AML schedule and the other one I will call the Casino
11:08 22 Agreement schedule. The group sat there and went through the
11:08 23 response and, yes, I noted it wasn't there, and I can recall
11:08 24 Michelle Fielding saying - raising poker tax and bonus jackpots,
11:08 25 and I have a recollection of saying we are looking at saying we
11:09 26 are looking at probably putting in the second tranche.

11:09 27

11:09 28 Q. I see. Did you give instructions on the response that was
11:09 29 given with this 24 March letter?

11:09 30

11:09 31 A. After the tables were approved by those in the working
11:09 32 group, and then the Board, and then I think possibly ABL on
11:09 33 behalf of the directors. Once everyone was comfortable with the
11:09 34 content as we'd laid out to the Commission earlier as to how we
11:09 35 were progressing these responses, I approved the letter and the
11:09 36 schedule.

11:09 37

11:09 38 Q. I see. And you said that there were subsequent discussions
11:09 39 and the drafting of a subsequent notice. You are aware, from the
11:09 40 response to the subsequent notice and the evidence that has since
11:10 41 been given in this Commission, that the bonus jackpots issue was
11:10 42 not disclosed in the subsequent response to RFI-002?

11:10 43

11:10 44 A. Yes, it wasn't disclosed in the 21 April response.

11:10 45

11:10 46 Q. What explanation do you have for that, Ms Williamson?

11:10 47

11:10 1 A. I raised it at the time with Allens and the response was - I
11:10 2 can't remember what their response was, but it was going to go
11:10 3 into a later tranche. They were still working on it.

11:10 4

11:10 5 Q. I see.

11:10 6

11:10 7 A. I can't remember exactly what Allens said, but I did raise it
11:10 8 at the time we did RFI-002 second tranche.

11:10 9

11:10 10 Q. Have you seen the statements that Mr Maher from Allens
11:10 11 has given in this Commission in relation to the meeting on 18
11:10 12 March and the disclosure of the bonus jackpots issue?

11:10 13

11:10 14 A. Yes.

11:10 15

11:11 16 Q. Do you recall in his second statement, and I can show it to
11:11 17 you if you wish, he said that he had been informed by one of his
11:11 18 colleagues that you, Ms Williamson, and Mr Meade, had
11:11 19 followed up Allens' consideration of the bonus jackpots tax issue
11:11 20 for inclusion in Crown's response to RFI-002 with Mr McCarthy
11:11 21 and another colleague during a conference call on an unknown
11:11 22 date in April 2021.

11:11 23

11:11 24 A. Yes.

11:11 25

11:11 26 Q. Is that the discussion you are referring to?

11:11 27

11:11 28 A. Yes, one of them, but that wasn't the only one.

11:11 29

11:11 30 Q. There were more, were there?

11:11 31

11:11 32 A. Yes.

11:11 33

11:11 34 Q. We haven't received unredacted copies of the file notes that
11:11 35 apparently record these discussions, so can you assist us as best
11:11 36 you can from your memory with what discussions occurred and
11:11 37 when they occurred?

11:11 38

11:11 39 A. There are no file notes of these discussions. We were
11:11 40 having many, many discussions with Allens over many days over
11:11 41 RFI-002 responses, Notice to Produce. There was a lot of work
11:12 42 going on. If we took notes of every conversation we'd never be
11:12 43 able to achieve the actual production. So in retrospect it would
11:12 44 have been helpful if I'd had notes, but I don't. My recollection
11:12 45 is that I raised it, as I've given evidence, on 21 March. I also
11:12 46 consulted Mr Meade as to whether he separately had raised this
11:12 47 with Allens and Mr Meade advised me that he had on one or two

11:12 1 occasions, not in my presence. The one I referred to earlier after
11:12 2 21 April, I think Mr Meade was there. And then Mr Meade also
11:12 3 informed me that sometime after his birthday in [Personal] which was
11:12 4 [Personal] of which I forgot, that he had also raised it again. So [Personal]
11:12 5 [Personal Information] So that is my recollections and I've also asked
11:13 6 Mr Meade his recollections.

11:13 7
11:13 8 Q. So by the time of Mr Mackay's - having regard to your
11:13 9 evidence about the discussions in March and April, by the time it
11:13 10 came to Mr Mackay's evidence on 7 June, what was your
11:13 11 understanding about the status of the bonus jackpots issue and
11:13 12 responding to RFI-002?

11:13 13
11:13 14 A. It would be going into the next response, which - that was
11:13 15 my understanding at the time before Mr Mackay's evidence,
11:13 16 which wasn't really about bonus jackpots. His evidence was in
11:13 17 relation to other matters but that was my understanding, the next
11:13 18 response, whenever that was, it was going in that one.

11:13 19
11:13 20 Q. Has there been a next response?

11:13 21
11:13 22 A. Yes, there has been two or three.

11:13 23
11:13 24 Q. I see. I'm sorry I cannot assist you with the dates with
11:13 25 them, but that's not what I was after. What I was really getting at
11:14 26 is what is the explanation for the non-disclosure to the
11:14 27 Commission, because you are aware that by the time Mr Mackay
11:14 28 gave his evidence on 7 June it had still not been disclosed?

11:14 29
11:14 30 A. Yes, I was aware of that.

11:14 31
11:14 32 Q. Yes, and what is the explanation for the non-disclosure?

11:14 33
11:14 34 A. The explanation is that I probably didn't follow-up as
11:14 35 forcefully as I should have with Allens. It should have gone in the
11:14 36 21 April response. It was going into the next response. I take
11:14 37 personal responsibility that I didn't quite follow it up as forcefully
11:14 38 as I normally would. But as I said, it was definitely going in. It
11:14 39 was never not going in, in my view.

11:14 40
11:14 41 COMMISSIONER: The working group that you spoke about
11:14 42 earlier looked at each of the later responses as well?

11:14 43
11:14 44 A. Yes, Commissioner.

11:14 45
11:14 46 COMMISSIONER: That was the working group's task?

11:14 47

11:14 1 A. Yes.
11:14 2
11:15 3 COMMISSIONER: To go over the draft that had come in from
11:15 4 Allens to see what was there, whether it was described properly,
11:15 5 and so on?
11:15 6
11:15 7 A. Yes, Commissioner.
11:15 8
11:15 9 COMMISSIONER: You would have noticed that on more than
11:15 10 one occasion that this issue wasn't dealt with?
11:15 11
11:15 12 A. Pardon, I missed the last ---
11:15 13
11:15 14 COMMISSIONER: Sorry, you would have noticed on more than
11:15 15 one occasion that the particular issue we are now talking about,
11:15 16 the tax issue, was not the subject of a disclosure in any of the
11:15 17 later responses or schedules?
11:15 18
11:15 19 A. It went in the covering letter. There was a covering letter
11:15 20 to, I think the 24 June, but I could be wrong on my dates.
11:15 21 Because there were two schedules and then there was a third
11:15 22 schedule which was an RSG schedule. So there was what I call
11:15 23 the Casino Agreement schedule, AML schedule and then later
11:15 24 there was an RSG schedule. So the schedules were constantly
11:15 25 being updated and things were being added. As far as the bonus
11:15 26 jackpots issue, it went in the covering letter with an explanation
11:16 27 to the Commission.
11:16 28
11:16 29 COMMISSIONER: I know that. Yeah, I was very unclear. I
11:16 30 meant before 7 June there were more schedules that were
11:16 31 prepared and sent which your working group would have looked
11:16 32 at and noticed that the item was missing?
11:16 33
11:16 34 A. Yes. The - there was only the 21 April schedule, which I
11:16 35 mentioned and said that I had asked about it --
11:16 36
11:16 37 COMMISSIONER: Yes.
11:16 38
11:16 39 A. --- and then Mr Mackay gave his evidence and then
11:16 40 subsequent schedules after the evidence. The schedules were
11:16 41 a work in progress. We're also doing mammoth document
11:16 42 productions as well as Commission work - everyone was
11:16 43 working very, very hard around the clock.
11:16 44
11:16 45 COMMISSIONER: Our end too.
11:16 46
11:16 47 A. Exactly right, Commissioner.

11:16 1
11:16 2 MS NESKOVCIN: Ms Williamson, can you assist us with
11:16 3 a discussion that you had with Mr Meade and Mr Reilly on 7
11:17 4 June, please. Document CRW.512.160.0001.
11:17 5
11:17 6 Is this Mr Meade's handwritten file note of a discussion he had
11:17 7 with you and Mr Reilly on 7 June 2021?
11:17 8
11:17 9 A. Yes, it is.
11:17 10
11:17 11 Q. Do you recall this discussion?
11:17 12
11:17 13 A. Yes, I do.
11:17 14
11:17 15 Q. What can you tell the Commission about what was
11:17 16 discussed?
11:17 17
11:17 18 A. Mr Reilly came around to my office. Mr Meade had the
11:17 19 office next to him so I called Mr Meade in as well because
11:17 20 Mr Reilly wanted to discuss what had happened in the hearings
11:17 21 today.
11:17 22
11:17 23 Q. Sorry to interrupt, Ms Williamson. What is Mr Reilly's
11:17 24 position?
11:17 25
11:17 26 A. Corporate affairs or - I haven't got his actual title, I'm
11:17 27 sorry.
11:17 28
11:17 29 Q. That assists.
11:17 30
11:17 31 A. What's in a name or titles, he will be offended that I've got
11:18 32 it wrong, but never mind.
11:18 33
11:18 34 Q. It is a closed hearing.
11:18 35
11:18 36 A. Yes, I know, but I might have to - anyway. So he came
11:18 37 round to my office, as I said. This diary note that Mr Meade took
11:18 38 is - accurately reflects the conversation.
11:18 39
11:18 40 Q. Can you take us through it, please.
11:18 41
11:18 42 A. Do you want me to read it? Well, as I said, after
11:18 43 Mr Mackay's evidence, Mr Reilly came around to my office. I
11:18 44 brought Mr Meade into my office. Mr Reilly talked about the
11:18 45 conversation and a meeting he had with Barry Felstead and
11:18 46 Joshua Preston in 2018. And then talked about this presentation
11:18 47 and concerns about disclosure of the tax matter to the VCGLR.

11:18 1 Then Mr Felstead suggested that after seven years the documents
11:18 2 be destroyed. Mr Preston refused and Mr Reilly, that's Chris,
11:18 3 advised, if owed, pay the tax.
11:18 4

11:19 5 Q. What was he talking about?
11:19 6

11:19 7 A. He was talking about the bonus jackpots issue.
11:19 8

11:19 9 Q. And you advised, "we had the presentation, Chris grateful
11:19 10 for confirmation"?

11:19 11

11:19 12 A. Yes, Mr Reilly wanted to know if we had the folder and I
11:19 13 said that we had the folder, it was in Mr Meade's office but we'd
11:19 14 only just received it.
11:19 15

11:19 16 COMMISSIONER: Was it a surprise to you that Mr Felstead
11:19 17 said that we should destroy the documents? Is that sort of thing
11:19 18 - is that a surprise to you?
11:19 19

11:19 20 A. I think I understand what Mr Felstead was saying ---
11:19 21

11:19 22 COMMISSIONER: Getting rid of evidence, I understand that ---
11:19 23

11:19 24 A. No, no, no, sorry, Commissioner, no. There is a provision
11:19 25 in the *Casino Control Act* that Crown is only required to keep
11:19 26 casino records for seven years.
11:19 27

11:19 28 COMMISSIONER: I know that, under the tax legislation and so
11:19 29 on, it is quite universal. But he is not talking about complying
11:19 30 here with legislation, he is here talking about destruction of
11:19 31 records which were going to have to be produced, right?
11:19 32

11:20 33 A. Well, this conversation took place in 2018. This is
11:20 34 Mr Reilly in 7 June 2021 talking about a conversation he had
11:20 35 with Mr Felstead and Mr Preston some time in 2018.
11:20 36

11:20 37 COMMISSIONER: I see. He wanted the documents destroyed
11:20 38 back then ---
11:20 39

11:20 40 A. Yes, and Mr Preston said, "no", so Mr Reilly was coming
11:20 41 around to tell us about this discussion.
11:20 42

11:20 43 COMMISSIONER: Okay.
11:20 44

11:20 45 A. But that discussion and the records destruction is 2018.
11:20 46 Nothing to do with the Commission. Three years earlier.
11:20 47

11:20 1 COMMISSIONER: They wouldn't have been hidden from the
11:20 2 Commission, they would have been hidden from the regulator.
11:20 3
11:20 4 A. Well, that was a reference to the destruction. Yes.
11:20 5
11:20 6 COMMISSIONER: To hide it from the regulator?
11:20 7
11:20 8 A. I don't know, you would have to ask Mr Felstead. I'm
11:20 9 assuming ---
11:20 10
11:20 11 COMMISSIONER: This is being relayed to you.
11:20 12
11:21 13 A. Yes.
11:21 14
11:21 15 COMMISSIONER: You are part of the conversation, I'm asking
11:21 16 you what you understood from the conversation. I should ask you
11:21 17 because you were there at this meeting.
11:21 18
11:21 19 A. I understood that was what Mr Reilly was conveying to me
11:21 20 as to what occurred in his conversation with Mr Felstead and
11:21 21 Mr Preston.
11:21 22
11:21 23 COMMISSIONER: Okay.
11:21 24
11:21 25 MS NESKOVCIN: I am going to move to another topic now.
11:21 26
11:21 27 I want to talk about Crown's overseas operations. I note what you
11:21 28 said a moment ago that there are none presently, so we are talking
11:21 29 about historically. Crown had a number of offices - prior to the
11:21 30 end of 2020, Crown had an office in Hong Kong?
11:21 31
11:21 32 A. Correct.
11:21 33
11:21 34 Q. And an office in New Zealand?
11:21 35
11:21 36 A. Correct.
11:21 37
11:21 38 Q. It also had representatives in other jurisdictions in Asia?
11:21 39
11:21 40 A. Not at 2020.
11:21 41
11:22 42 Q. Representatives?
11:22 43
11:22 44 A. The VIP operating model restructure was to have all
11:22 45 operations from the Hong Kong office. The people in the Hong
11:22 46 Kong office were located in the Hong Kong office but may have
11:22 47 travelled around various parts of Asia. Prior to that there were

11:22 1 offices in certain jurisdictions in Asia, but post the detentions, the
11:22 2 offices were closed, March 2017, and the employees in those
11:22 3 offices were made redundant.
11:22 4
11:22 5 Q. We'll go to some detail about that in a moment, thank you.
11:22 6 Are you also responsible, or are you responsible for Aspinalls in
11:22 7 London?
11:22 8
11:22 9 A. No.
11:22 10
11:22 11 Q. The questions that I ask you about overseas operations, can
11:23 12 we just assume that they relate to Asia, whether you had an office
11:23 13 there or people there, from early 2017 to mid-2020.
11:23 14
11:23 15 A. Yes. Excluding I'm assuming New Zealand ---
11:23 16
11:23 17 Q. I said Asia.
11:23 18
11:23 19 A. Yes.
11:23 20
11:23 21 Q. We'll come to New Zealand at the end.
11:23 22
11:23 23 Having regard to the activity that Crown staff were engaging in in
11:23 24 Asia between early 2017 and mid-2020, did you have
11:23 25 an understanding of a concept called above-the-line advertising
11:23 26 or promotion?
11:23 27
11:23 28 A. Yes.
11:23 29
11:23 30 Q. Did you understand that to mean a broad-based
11:23 31 promotional activity targeted at the general public?
11:23 32
11:24 33 A. Yes.
11:24 34
11:24 35 Q. I will show you a document. Is this the sort of advertising
11:24 36 that would constitute above the line promotion? Operator, could
11:24 37 you please call up CRW.510.050.0364. You see this is the
11:24 38 Aussie Millions Poker Championship 2019?
11:24 39
11:24 40 A. Yes.
11:24 41
11:24 42 Q. Do you agree that that is a type of above-the-line
11:24 43 advertising that could be directed to the general public?
11:24 44
11:24 45 A. Yes.
11:24 46
11:24 47 Q. What did that mean in practical terms, Ms Williamson; did

11:24 1 it mean Crown could leave these pamphlets at the airport or mail
11:24 2 them out to anybody?

11:24 3

11:24 4 A. Crown has a database of poker players. This is a major
11:24 5 poker championship that is known throughout the world. There
11:24 6 are dedicated poker sites that talk about Aussie millions. There is
11:25 7 also ESPN that televises the Aussie millions and other major
11:25 8 poker tournaments held throughout the world. So there were
11:25 9 a number of ways for people, I'm not sure how long Aussie
11:25 10 Millions has gone on for, I can't remember, but it is a major,
11:25 11 worldwide event known by the general public and around the
11:25 12 world.

11:25 13

11:25 14 Q. So this brochure could be put on a website?

11:25 15

11:25 16 A. As far as distribution of this, that would have been done by
11:25 17 the marketing team and the poker team --- obviously by invite. It
11:25 18 is an invitation-type tournament but there are also satellite
11:25 19 tournaments that you could qualify for. So the poker team, as I
11:26 20 said, there are players on the database that would obviously be
11:26 21 sent invites to participate in the next year's Aussie Millions. It is
11:26 22 an annual event. Well, it was pre-COVID.

11:26 23

11:26 24 As far as - I don't think we leave it at the airports or anything like
11:26 25 that. Possibly, but I don't really know, whether it was distributed
11:26 26 by the international offices because poker is different to, really,
11:26 27 VIP international. This is not a VIP international event. Poker is
11:26 28 different to what VIP international relates to, VIP gaming and
11:26 29 junket and premium players.

11:26 30

11:26 31 Q. Is this the sort of promotional material that your staff in
11:26 32 Hong Kong would have available to them to distribute to
11:26 33 customers and potential customers?

11:26 34

11:26 35 A. I'm unsure. As I said, poker is not a VIP international
11:27 36 tournament. It is a separate workstream that the poker team
11:27 37 would do the distribution. It's not something as I understood it
11:27 38 that the VIP international team would do.

11:27 39

11:27 40 Q. Okay. So leaving aside poker, was there other
11:27 41 above-the-line promotional material available for the VIP
11:27 42 international team to distribute to customers and potential
11:27 43 customers?

11:27 44

11:27 45 A. In accordance with the operating protocols.

11:27 46

11:27 47 Q. I see. Thank you. Did you understand below the line

11:27 1 promotional marketing to involve encouraging or providing
11:27 2 support for targeted smaller audiences or individuals?
11:27 3
11:27 4 A. Yes, usually individuals on our database.
11:27 5
11:27 6 Q. I will show you an example of promotional material.
11:27 7 Operator, could you please call up CRW.510.050.0412, please,
11:28 8 operator. I take it the line in the middle of the page is like
11:28 9 a perforated line and you would fold the card; am I correct in
11:28 10 that?
11:28 11
11:28 12 A. It appears so.
11:28 13
11:28 14 Q. Because the writing is upside down at the top of the page.
11:28 15
11:28 16 Could we go to the next page, please, operator.
11:28 17
11:28 18 That would be inside the cards, so that's looking at the reverse
11:28 19 side of the first page?
11:28 20
11:28 21 A. I assume so.
11:28 22
11:28 23 Q. And this is almost - it's not personalised, but it's like
11:28 24 an invitation to a particular event, say the baccarat tournament in
11:28 25 the Pearl Room at Crown Perth on 1 May 2014?
11:28 26
11:28 27 A. Yes.
11:28 28
11:28 29 Q. Did you understand this sort of promotional material to be
11:28 30 available to staff in Hong Kong for distribution to customers and
11:29 31 potential customers?
11:29 32
11:29 33 A. Yes. Well, more likely existing customers, not potential
11:29 34 customers. Again, this is quite a targeted tournament for
11:29 35 particular high-end players.
11:29 36
11:29 37 Q. I see. But there would be similar types of invitations, not
11:29 38 personalised, sent to individuals to promote a particular gambling
11:29 39 event?
11:29 40
11:29 41 A. I assume so. This is 2014.
11:29 42
11:29 43 Q. One of your responsibilities includes the international
11:29 44 business?
11:29 45
11:29 46 A. The HR side of the international business.
11:29 47

11:29 1 Q. Operator, could you please call up CRW.507.005.6116.
11:29 2 Can we please go to 6213.
11:29 3
11:30 4 Do you recognise this document?
11:30 5
11:30 6 A. Yes. Yes.
11:30 7
11:30 8 Q. This is a record of all international staff members, meaning
11:30 9 when it refers to international, meaning VIP international staff
11:30 10 members?
11:30 11
11:30 12 A. Yes.
11:30 13
11:30 14 Q. So it is staff members who work in the VIP international
11:30 15 business; is that correct?
11:30 16
11:30 17 A. Well, no. Partly, staff that work in the VIP international
11:30 18 business as per the VIP international business unit. The other
11:30 19 one, there was another department, international gaming
11:30 20 machines was not part of VIP international business unit --
11:30 21
11:30 22 Q. I see.
11:30 23
11:30 24 A. --- it was part of gaming machines. And where we go VIP
11:31 25 international, that is the VIP international business unit. The
11:31 26 other one is gaming machines.
11:31 27
11:31 28 Q. Oh, I see. Thank you. I understand.
11:31 29
11:31 30 The purpose of this document is that in late 2020, so
11:31 31 October/November 2020, Crown was embarking on a review of
11:31 32 the VIP international business; correct?
11:31 33
11:31 34 A. Again, yes.
11:31 35
11:31 36 Q. And management was proposing a restructure?
11:31 37
11:31 38 A. Yes.
11:31 39
11:31 40 Q. Which was going to involve closing all international offices
11:31 41 and running all VIP international business from Crown
11:31 42 Melbourne?
11:31 43
11:31 44 A. Yes, there was only two offices, the Hong Kong office, and
11:31 45 then New Zealand, which is not part of ---
11:31 46
11:31 47 Q. Thank you.

11:31 1
11:31 2 Could we go to the next page, please, operator.
11:31 3
11:31 4 Do you see the reference to New Zealand there?
11:32 5
11:32 6 A. Yes.
11:32 7
11:32 8 Q. As at the date of this document, which take it from me is
11:32 9 November 2020, Crown had three staff in New Zealand?
11:32 10
11:32 11 A. New Zealand-based, yes.
11:32 12
11:32 13 Q. Why do you say New Zealand-based? Isn't that the same
11:32 14 thing as in New Zealand?
11:32 15
11:32 16 A. Yes.
11:32 17
11:32 18 Q. And what is it they were doing?
11:32 19
11:32 20 A. They were not doing anything. They were stood down on
11:32 21 gardening leave.
11:32 22
11:32 23 Q. What were they doing before they were on gardening
11:32 24 leave?
11:32 25
11:32 26 A. What they were doing, they were having relationship
11:32 27 meetings with customers, not promoting gambling, keeping up
11:32 28 a relationship. As I understand it, and as I've been told from the
11:32 29 business, it is very important to maintain relationships with
11:32 30 customers. It is a very competitive business. So we had an office
11:32 31 in New Zealand where these employees would maintain the
11:33 32 business relationship with the customer, but would not engage in
11:33 33 any gaming discussions or other type discussions. If a customer
11:33 34 wanted to come to Crown, they would have to liaise with the
11:33 35 Melbourne team in Australia.
11:33 36
11:33 37 Q. So the whole point of having people in New Zealand is to
11:33 38 attract them to the casino to gamble; correct?
11:33 39
11:33 40 A. No, it is also to attract them to the hotels and Crown
11:33 41 generally.
11:33 42
11:33 43 Q. But the primary purpose is to attract them for gambling,
11:33 44 correct?
11:33 45
11:33 46 A. One of the purposes, yes.
11:33 47

11:33 1 Q. Well, Crown wants people to come and gamble more than
11:33 2 it wants people to come and stay at the hotel and eat out at the
11:33 3 restaurants; correct?
11:34 4
11:34 5 A. Well, the gaming machines and table games department,
11:34 6 probably, but the hotel department might disagree.
11:34 7
11:34 8 Q. You are very careful in saying that the staff were engaging
11:34 9 in essentially non-gaming related activities and promotions. Are
11:34 10 you not a little sceptical about whether or not that was (a)
11:34 11 realistic and (b) happening?
11:34 12
11:34 13 A. They were trained in protocols, in New Zealand they had
11:34 14 protocols for what you could and couldn't do in New Zealand.
11:34 15 The staff were trained in it, and there were refresher training.
11:34 16 And if they breached those protocols they would be subject to
11:34 17 disciplinary action, up to and leading to possible termination of
11:34 18 employment.
11:34 19
11:34 20 COMMISSIONER: What did they actually do?
11:34 21
11:34 22 A. Sorry?
11:34 23
11:34 24 COMMISSIONER: What did they actually do in New Zealand?
11:34 25
11:34 26 A. Met customers, took them out to dinner.
11:34 27
11:34 28 COMMISSIONER: You are talking about customers. Who are
11:34 29 the customers?
11:34 30
11:34 31 A. The customers on our database. New Zealand-based
11:34 32 customers.
11:34 33
11:34 34 COMMISSIONER: On your database for what, staying at the
11:35 35 hotel or playing at the casino?
11:35 36
11:35 37 A. Probably both, Commissioner.
11:35 38
11:35 39 COMMISSIONER: And in your database it has a separate
11:35 40 category of clients who just stay at the hotel?
11:35 41
11:35 42 A. The gaming teams have a database of gaming patrons,
11:35 43 marketing team has a database, as I understand it, hotel has
11:35 44 a database, but there is also I think a larger database. I'm not very
11:35 45 good on databases.
11:35 46
11:35 47 COMMISSIONER: Okay, neither am I, but the people who were

11:35 1 working in New Zealand, they would have had names of patrons
11:35 2 who played at the casino?
11:35 3
11:35 4 A. Yes.
11:35 5
11:35 6 COMMISSIONER: So I'm asking what they did with them.
11:35 7
11:35 8 A. My understanding was they took them out to dinners and
11:35 9 maintained relationships with them.
11:35 10
11:35 11 COMMISSIONER: I understand, but I'm asking what did they
11:35 12 actually do? I understand taking a person out for dinner. Good.
11:35 13 What else, apart from taking a person out to dinner, did these
11:36 14 people do?
11:36 15
11:36 16 A. As I said, maintain the relationship as a social type
11:36 17 relationship.
11:36 18
11:36 19 COMMISSIONER: How?
11:36 20
11:36 21 A. How?
11:36 22
11:36 23 COMMISSIONER: How?
11:36 24
11:36 25 A. Going out to dinner, meeting them, having coffee, chats,
11:36 26 whatever you do as a salesperson to maintain your business
11:36 27 relationship with the person. Actually I agree 100 per cent. They are
11:36 28 a salesperson.
11:36 29
11:36 30 COMMISSIONER: What are they selling?
11:36 31
11:36 32 A. Well, they are a Crown employee in New Zealand
11:36 33 selling - well, not selling -
11:36 34
11:36 35 COMMISSIONER: Asking people to come to Crown?
11:36 36
11:36 37 A. Keeping up the relationship with existing people on the
11:36 38 database. We're not really ---
11:36 39
11:36 40 COMMISSIONER: You used in an unguarded moment, "selling".
11:36 41
11:36 42 A. Well, selling ---
11:36 43
11:36 44 COMMISSIONER: They are selling Crown, aren't they?
11:36 45
11:36 46 A. Yes, but not the gaming part of Crown. These people are
11:36 47 already on the database as gaming customers, Commissioner, so
11:37 48 they maintain the business relationship with the customer,
11:37 49 because it is all about keeping Crown forefront in the customer's

11:37 1 mind, otherwise they will go to SkyCity or they will go to Star or
11:37 2 they will go somewhere else.
11:37 3
11:37 4 COMMISSIONER: I understand that. How do these people, the
11:37 5 New Zealanders, get paid? Were they on a Commission or
11:37 6 a bonus?
11:37 7
11:37 8 A. No, everyone is paid a salary.
11:37 9
11:37 10 COMMISSIONER: Straight salary?
11:37 11
11:37 12 A. Straight salary.
11:37 13
11:37 14 COMMISSIONER: Nothing on top of the salary?
11:37 15
11:37 16 A. At this time, no.
11:37 17
11:37 18 COMMISSIONER: What is this time?
11:37 19
11:37 20 A. I'm talking about 2020.
11:37 21
11:37 22 COMMISSIONER: Let's go back two, three years.
11:37 23
11:37 24 A. I'm unsure about New Zealand ---
11:37 25
11:37 26 COMMISSIONER: You are in charge of HR?
11:37 27
11:37 28 A. No, I'm not in charge of HR. I assist HR. I do HR work.
11:37 29 I'm not in charge of HR, I don't look at their bonus ---
11:37 30
11:37 31 COMMISSIONER: If I go back three years before 2020, were
11:37 32 these people on bonuses?
11:37 33
11:37 34 A. Possibly. We all have a bonus structure.
11:38 35
11:38 36 COMMISSIONER: How were these people's bonuses
11:38 37 calculated?
11:38 38
11:38 39 A. 2020?
11:38 40
11:38 41 COMMISSIONER: No, three years before, forget 2020.
11:38 42
11:38 43 A. I honestly can't say, Commissioner.
11:38 44
11:38 45 COMMISSIONER: What are the possibilities?
11:38 46
11:38 47 A. Possibility is based on visitation, to Crown. Yes. Overall

11:38 1 we all have a bonus structure where ultimately profitability, the
11:38 2 profit of the whole group, et cetera, it is sort of a short-term
11:38 3 incentive plan, some people are on that. Others, it is visitation ---
11:38 4
11:38 5 COMMISSIONER: It will be one of two things ---
11:38 6
11:38 7 A. Yep.
11:38 8
11:38 9 COMMISSIONER: --- either their customers over there, if
11:38 10 enough of them come to Melbourne, they will get a bonus, or it
11:38 11 might depend on how much money they spend, the customer
11:38 12 spends, when they come to Melbourne to determine a bonus.
11:38 13
11:38 14 A. Yes, correct.
11:38 15
11:38 16 COMMISSIONER: Okay. So in order to get full wages or full
11:38 17 pay, the New Zealand staff had to get people to come to
11:39 18 Melbourne?
11:39 19
11:39 20 A. No, their salary is their salary. We're talking about an
11:39 21 insignificant ---
11:39 22
11:39 23 COMMISSIONER: In order to get their bonus, they had to get
11:39 24 ---
11:39 25
11:39 26 A. A bonus, which is a discretionary payment. They always
11:39 27 get their salary.
11:39 28
11:39 29 COMMISSIONER: To be eligible for the bonus they had to get
11:39 30 the New Zealand customers to come to Melbourne?
11:39 31
11:39 32 A. Correct.
11:39 33
11:39 34 COMMISSIONER: Okay.
11:39 35
11:39 36 MS NESKOVICIN: Wasn't it the case, Ms Williamson, that for
11:39 37 a considerable period of time, staff in overseas offices or working
11:39 38 overseas earned a bonus based on overall VIP revenue?
11:39 39
11:39 40 A. Turnover, yes.
11:39 41
11:39 42 Q. Turnover. And that includes gambling?
11:39 43
11:39 44 A. Yes.
11:39 45
11:39 46 Q. I think what the Commissioner is suggesting is that
11:39 47 incentivises people overseas to get patrons to come to Australia

11:39 1 to gamble?
11:39 2
11:39 3 A. Yes.
11:39 4
11:39 5 Q. Are they not then incentivised to promote gambling at
11:39 6 Crown's casinos?
11:40 7
11:40 8 A. There are, as I said, there were procedures in place as to
11:40 9 how they did that and what was legal and what wasn't legal for
11:40 10 them to do.
11:40 11
11:40 12 Q. You mentioned that if they didn't follow those procedures,
11:40 13 disciplinary action would be taken?
11:40 14
11:40 15 A. Correct.
11:40 16
11:40 17 Q. Was disciplinary action ever taken in relation to any of the
11:40 18 overseas-based staff?
11:40 19
11:40 20 A. I think so, yes, there was a number of ---
11:40 21
11:40 22 COMMISSIONER: For breaching the protocol rather than for
11:40 23 doing something else improper?
11:40 24
11:40 25 A. Protocols - off the top of my head, Commissioner, I can't
11:40 26 recall one way or another, sometimes it is tied to behaviours,
11:40 27 normal HR, or I can recall one that was gambling in the casino,
11:40 28 which is our own casino, a no-no. I honestly can't recall,
11:40 29 Commissioner. I'm sorry.
11:40 30
11:40 31 MS NESKOVICIN: And just one other question, VIP customers,
11:40 32 were they not often offered complimentary accommodation at the
11:41 33 casino?
11:41 34
11:41 35 A. Yes. It's part of the program.
11:41 36
11:41 37 Q. Going back to the document on the screen, can we please
11:41 38 go to the next page, please, operator.
11:41 39
11:41 40 This is as at 13 November 2020. I understand that they are on
11:41 41 gardening leave but you had someone in China, it wasn't
11:41 42 an office, it was a representative that was in Macau; correct?
11:41 43
11:41 44 A. Sorry, where are you looking at?
11:41 45
11:41 46 Q. The first line. Personal Information
11:41 47

11:41 1 A. [Personal Information] was a hotel person. Working purely for the hotels
11:41 2 side of the business. [Personal Information] was a Chinese citizen and lived in
11:41 3 China.

11:41 4
11:41 5 Q. I see. If we look under Hong Kong, there are four people
11:41 6 on that page; do you see that?

11:41 7
11:41 8 A. Yes.

11:41 9
11:41 10 Q. Go to the next page, please, operator.

11:41 11
11:42 12 There are five people on that page?

11:42 13
11:42 14 A. Yes.

11:42 15
11:42 16 Q. Next page, please, operator.

11:42 17
11:42 18 Two people there. So I calculate 11 people in Hong Kong?

11:42 19
11:42 20 A. I'll take your word for it, yes.

11:42 21
11:42 22 Q. Are they actually in the Hong Kong office?

11:42 23
11:42 24 A. Yes. Most of them live in Hong Kong.

11:42 25
11:42 26 Q. You see there that there are two people in Malaysia?

11:42 27
11:42 28 A. Yes.

11:42 29
11:42 30 Q. I asked you about representatives a moment ago and you
11:42 31 said all of the offices were closed in 2017.

11:42 32
11:42 33 A. No, what I said was the model was rejigged, we only had
11:42 34 two offices - well, Hong Kong hub. These people aren't in
11:42 35 an office.

11:42 36
11:42 37 Q. No.

11:42 38
11:42 39 A. This again was, we revised the VIP operating protocols in
11:42 40 relation to Malaysia, and which provided that Malaysian people
11:43 41 could live in country, live in Malaysia, but they weren't to
11:43 42 promote gaming in Malaysia. They could keep up their
11:43 43 relationships with the Malaysian customers, but any
11:43 44 gaming-related discussions was either via Hong Kong or out of
11:43 45 Australia.

11:43 46
11:43 47 Q. But these two individuals on this sheet were based and

11:43 1 working out of Malaysia?
11:43 2
11:43 3 A. Yes, from their homes.
11:43 4
11:43 5 Q. And they could have non-gaming related discussions with
11:43 6 customers?
11:43 7
11:43 8 A. Yes.
11:43 9
11:43 10 Q. And they did?
11:43 11
11:43 12 A. I don't know. I can't answer that. Because they are also in
11:43 13 here - you know, COVID has hit. So that was another overlay
11:43 14 to what is happening.
11:43 15
11:43 16 Q. That's why I want to talk mostly about prior to - that's
11:43 17 why I asked you to assume these questions were 2017 to
11:43 18 mid-2020. The individuals in Malaysia could also promote the
11:44 19 integrated resort?
11:44 20
11:44 21 A. Yes, but I think COVID had already hit by - that was the
11:44 22 problem. COVID had hit. No one was working ---
11:44 23
11:44 24 Q. Prior to 2020 you had at least two individuals working in
11:44 25 Malaysia for Crown; correct?
11:44 26
11:44 27 A. Yes, they are on the page.
11:44 28
11:44 29 Q. And they were having non-gaming related discussions and
11:44 30 meetings with patrons and potential patrons?
11:44 31
11:44 32 A. Yes.
11:44 33
11:44 34 Q. They were also promoting the integrated resort to patrons
11:44 35 and potential patrons?
11:44 36
11:44 37 A. In accordance with the VIP operating protocols, yes.
11:44 38
11:44 39 Q. I want to ask you about the Hong Kong office now from
11:44 40 early 2017 to the end of 2019. Ignore 2020 because it is
11:44 41 COVID-affected. You had a number of staff there, we have
11:44 42 counted 11 on this table. I take it that people in Hong Kong were
11:45 43 not engaging in above-the-line promotion; was that something
11:45 44 that they were instructed not to do?
11:45 45
11:45 46 A. No, under the VIP operating protocols, marketing could be
11:45 47 sent from Australia or from Hong Kong, subject to jurisdictions

11:45 1 that - who distribute it, and not into China.
11:45 2
11:45 3 Q. I see. So staff in Hong Kong between 2017 and 2019 could
11:45 4 be engaging in above-the-line promotions?
11:45 5
11:45 6 A. Possibly.
11:45 7
11:45 8 Q. Provided it excluded nationals and citizens from the
11:45 9 People's Republic of China?
11:45 10
11:45 11 A. And provided it was in accordance with the protocols.
11:45 12
11:45 13 Q. And they could also be engaging in below-the-line
11:45 14 promotions?
11:45 15
11:45 16 A. Yes, in accordance with the protocols.
11:45 17
11:45 18 Q. And they could have gaming and non-gaming discussions
11:46 19 with patrons and potential patrons provided they weren't citizens
11:46 20 or nationals of the PRC?
11:46 21
11:46 22 A. Yes, in accordance with the protocols, yes.
11:46 23
11:46 24 Q. And you understand gaming discussions to include things
11:46 25 like the different types of games that could be played, table
11:46 26 games or electronic gaming machines?
11:46 27
11:46 28 A. Yes.
11:46 29
11:46 30 Q. And it could also include terms of play?
11:46 31
11:46 32 A. Yes.
11:46 33
11:46 34 Q. And credit arrangements?
11:46 35
11:46 36 A. Yes.
11:46 37
11:46 38 Q. Staff in Hong Kong could also telephone customers in other
11:46 39 jurisdictions provided they weren't PRC customers?
11:46 40
11:46 41 A. From recollection, yes.
11:46 42
11:46 43 Q. They could have one-on-one meetings and dinners in small
11:46 44 groups with customers and potential customers in Hong Kong?
11:46 45
11:46 46 A. Yes, from recollection, yes.
11:46 47

11:46 1 Q. And at those one-on-one meetings or dinners they could
11:46 2 have gaming-related discussions?
11:46 3
11:46 4 A. Yes.
11:46 5
11:46 6 Q. And hand out promotional material?
11:47 7
11:47 8 A. Yes.
11:47 9
11:47 10 Q. And you mention in accordance with the protocols, can I
11:47 11 show you this document, please.
11:47 12
11:47 13 Operator, could you please call up CRW.510.050.0420. This is
11:47 14 a VIP international protocol as at April 2017; do you see that?
11:47 15
11:47 16 A. "Procedure", sorry.
11:47 17
11:47 18 Q. "Procedures", I beg your pardon.
11:47 19
11:47 20 Operator, could we scroll or flick to the next page. You see that
11:47 21 is the contents page. Can we go to the next page, please. There
11:47 22 is an overview. There are a number of pages that are not relevant
11:47 23 to the discussion we are having about what was within and
11:47 24 outside the scope, so I will take you to this page, please,
11:48 25 Ms Williamson, 0426.
11:48 26
11:48 27 So when you say "in accordance with operating protocols", this is
11:48 28 a type of operating protocol where you get a tick to indicate what
11:48 29 is a permissible activity and a red circle with an arrow to indicate
11:48 30 what is an impermissible activity; correct?
11:48 31
11:48 32 A. Correct.
11:48 33
11:48 34 Q. Could we go to the next page, please, operator.
11:48 35
11:48 36 The same with the activities on this page, Ms Williamson?
11:48 37
11:48 38 A. Correct.
11:48 39
11:48 40 Q. This is April 2017. There were various versions of this
11:48 41 document between 2017 and the end of 2019. Are you familiar
11:48 42 with those?
11:48 43
11:48 44 A. Yes.
11:48 45
11:48 46 Q. They didn't change significantly, I suggest to you; do you
11:48 47 agree with that?

11:48 1
11:48 2 A. I think there was a Singapore update and a Malaysian
11:48 3 update, but overall ---
11:48 4
11:48 5 Q. The only other change I could detect was the exclusion of
11:49 6 the PRC customers was broadened in a couple of respects?
11:49 7
11:49 8 A. Yes.
11:49 9
11:49 10 MS NESKOVCIN: Perhaps it would be a good time to have
11:49 11 a break and then we can continue to lunch and hopefully we'll be
11:49 12 finished by that point.
11:49 13
11:49 14 COMMISSIONER: Okay. What can we do with Dr Bigos?
11:49 15
11:49 16 MS NESKOVCIN: I will make sure someone ---
11:49 17
11:49 18 COMMISSIONER: Somebody gets in touch with him?
11:49 19
11:49 20 MS NESKOVCIN: Yes.
11:49 21
11:49 22 COMMISSIONER: That would be good. Thanks. We'll stand
11:49 23 down for 10 minutes.
11:49 24
11:49 25
11:49 26 **ADJOURNED** [11.49AM]
12:00 27
12:00 28
12:00 29 **RESUMED** [12.00PM]
12:00 30
12:00 31
12:00 32 COMMISSIONER: Just a quick question before you proceed.
12:00 33 I'm happy to deal with it later on, but Ms Button, it is really more
12:00 34 directed to you. Apart from 10 or 15 minutes of questions, none
12:01 35 of what we have heard today is privileged and ought be open. So
12:01 36 I know that Dr Bigos is going to be open session because he
12:01 37 said - I'm just not sure at the moment, even the meetings that
12:01 38 Ms Williamson attended, she didn't attend in her capacity as
12:01 39 a lawyer to give advice or take instructions or anything like that.
12:01 40 I don't think - there may have been a little bit of privileged
12:01 41 material when Ms Neskovicin took her through the various
12:01 42 advices, but that's about the beginning and end of legal privilege
12:01 43 in the evidence she's given. We can deal with it later, but ---
12:01 44
12:01 45 MS BUTTON: Commissioner, can I suggest we proceed in this
12:01 46 way. We proceed as we planned for the day and the transcript
12:01 47 can be reviewed with a view to identifying what is privileged and

12:01 1 what could otherwise be released to other parties.
12:01 2
12:02 3 COMMISSIONER: Yes.
12:02 4
12:02 5 MS BUTTON: If that is a convenient course for the
12:02 6 Commission.
12:02 7
12:02 8 COMMISSIONER: Yes, it is. I have a particular concern about
12:02 9 it for the one piece of evidence about Mr Felstead, the reason
12:02 10 why is he's asked by the Commission to appear, and he will no
12:02 11 doubt ---
12:02 12
12:02 13 MS BUTTON: He may need to be informed of that.
12:02 14 I understand that.
12:02 15
12:02 16 COMMISSIONER: Yes. That's the thing that triggered my
12:02 17 thought about it. So I can't not give him that part of the transcript
12:02 18 and the document as well. I don't mean to him, but his lawyers.
12:02 19 That made me think how much should be confidential. I'm happy
12:02 20 to proceed on the basis that you suggested, that we will review
12:02 21 the transcript afterwards, but because of Mr Felstead's position
12:02 22 we have to do it pretty quickly. We have communications with
12:02 23 his lawyers almost on a daily basis, him wanting access to
12:03 24 evidence and documents and so on. I think at one stage we
12:03 25 passed him onto your instructing solicitors and said, "go deal
12:03 26 with Crown".
12:03 27
12:03 28 MS BUTTON: Yes. It's not for me to say, obviously, but one
12:03 29 might anticipate that as and when that matter may be brought to
12:03 30 Mr Felstead's attention he would need to elect whether to seek to
12:03 31 put any different account before the Commission, but one would
12:03 32 doubt that, given it's recorded in a file note, and Ms Williamson
12:03 33 was not party to the conversation, that Mr Felstead not being
12:03 34 notified while Ms Williamson is in the box would be prejudicial
12:03 35 to Mr Felstead.
12:03 36
12:03 37 COMMISSIONER: That's probably right. It is most likely right.
12:03 38 I'm just a bit nervous about it, that's all.
12:03 39
12:03 40 MS BUTTON: I understand that, Mr Commissioner.
12:03 41
12:03 42 COMMISSIONER: Okay, thanks.
12:03 43
12:03 44 MS NESKOVICIN: Thank you, Ms Williamson.
12:03 45
12:04 46 I want to go now to late 2020. Crown is considering
12:04 47 a re-organisation of its VIP international business. I assume that

12:04 1 was because of the COVID-related and travel related reasons?

12:04 2

12:04 3 A. And the change in the China laws.

12:04 4

12:04 5 Q. And you are there referring to the change in the Criminal
12:04 6 Law to make an offence for anyone to organise citizens of the
12:04 7 PRC to participate in gambling outside the country borders?

12:04 8

12:04 9 A. Yes. It was coming in on 1 March 2021, as I understood it.

12:04 10

12:04 11 Q. And that was the subject of some advice that Ms Manos
12:05 12 obtained from Kyle Wombolt at HSF in January 2021.

12:05 13

12:05 14 A. Yes.

12:05 15

12:05 16

12:05 17

12:05 18

12:05 19

12:05 20

12:05 21

12:05 22

12:05 23

12:05 24

12:05 25 Q. So in late 2020 when Crown is considering the
12:06 26 reorganisation of the VIP international business, Crown engaged
12:06 27 Herbert Smith Freehills in Hong Kong to undertake a risk
12:06 28 assessment; do you recall that?

12:06 29

12:06 30 A. Yes.

12:06 31

12:06 32 Q. What is the purpose of obtaining an international risk
12:06 33 assessment?

12:06 34

12:06 35 A. As it was determined and signed off by the Board that
12:06 36 Crown would close its remaining Hong Kong and New Zealand
12:06 37 offices, all gaming - everything would be in Australia, ie based
12:06 38 in Melbourne, and for any further - in relation to any
12:06 39 overseas-type work or travelling to countries to meet customers,
12:07 40 et cetera, everything would be conducted from Melbourne and
12:07 41 possibly, subject to the advices of the jurisdictions where we had
12:07 42 customers, that staff would travel to those destinations to keep the
12:07 43 relationship going.

12:07 44

12:07 45 Q. So why was a law firm being asked to provide
12:07 46 an international or risk assessment?

12:07 47

12:07 1 A. Well, I think it is broader than just a risk assessment, it was
12:07 2 a - again a second opinion or supplementing what MinterEllison
12:07 3 had done. MinterEllison had provided the advice initially in
12:07 4 relation to the VIP operating model. And then to work out going
12:07 5 forward what the business model would look like for VIP
12:07 6 international, which isn't at the moment operational.

12:07 7

12:07 8 Q. You were personally involved in the matter when
12:07 9 MinterEllison initially provided its advice on the international
12:08 10 offices and operations?

12:08 11

12:08 12 A. Yes.

12:08 13

12:08 14

Personal Information

12:08 15

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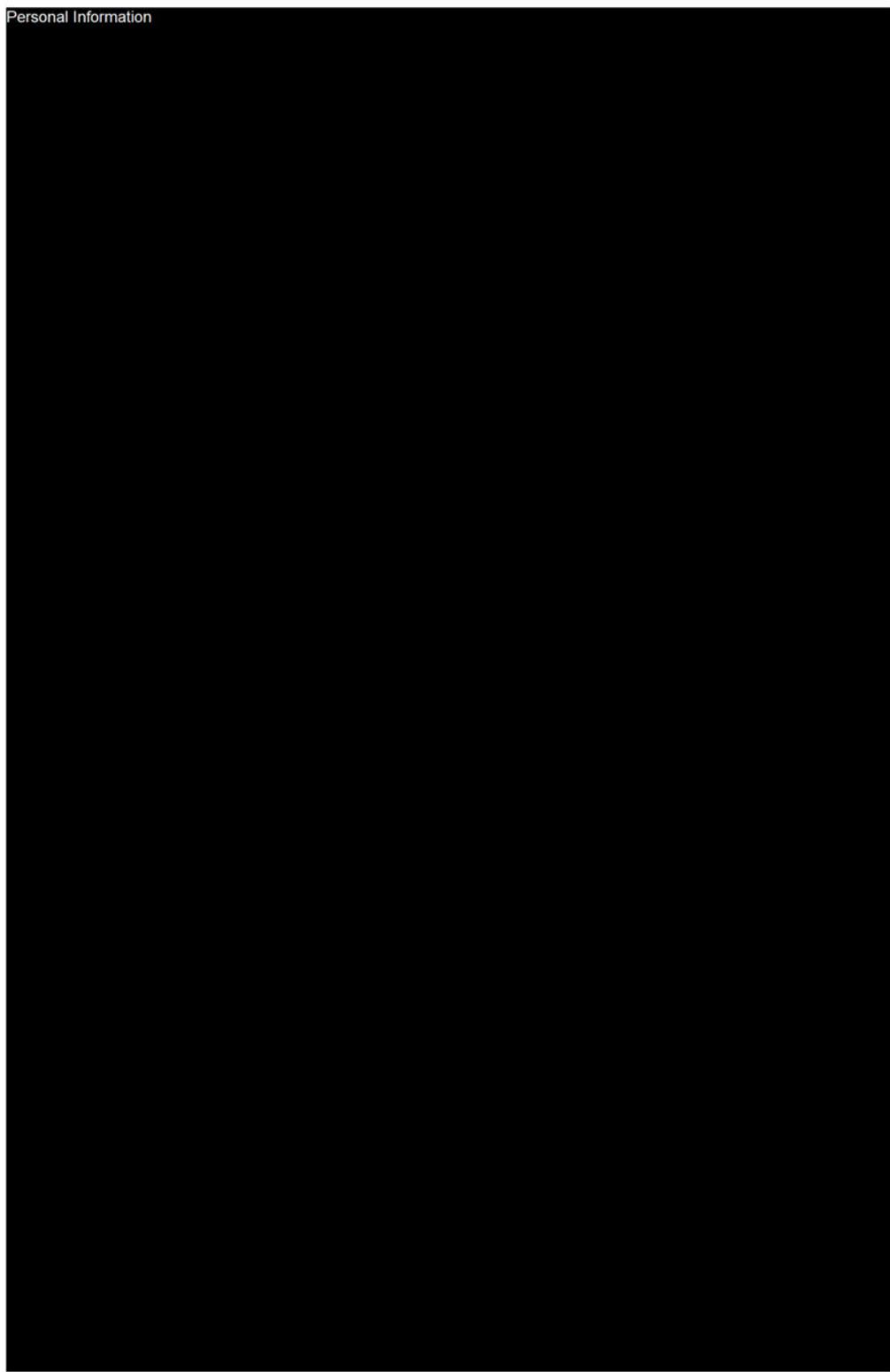
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Personal Information



MS NESKOVICIN: Can you recall what the process was in 2017 for making the business aware of the legal advice and the risks?

A. The process was that Ms Tegoni met with MinterEllison on numerous occasions. And that was Mr Murphy and Ms Macrae.

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Mr Felstead and the VIP international and the Board, or the Risk Committee or both. And then, when approved, be rolled out to the employees via training, more detailed compliance officer question and answers because this had compliance officers in Hong Kong as well. That was my understanding how it was going to work, operate the implementation.

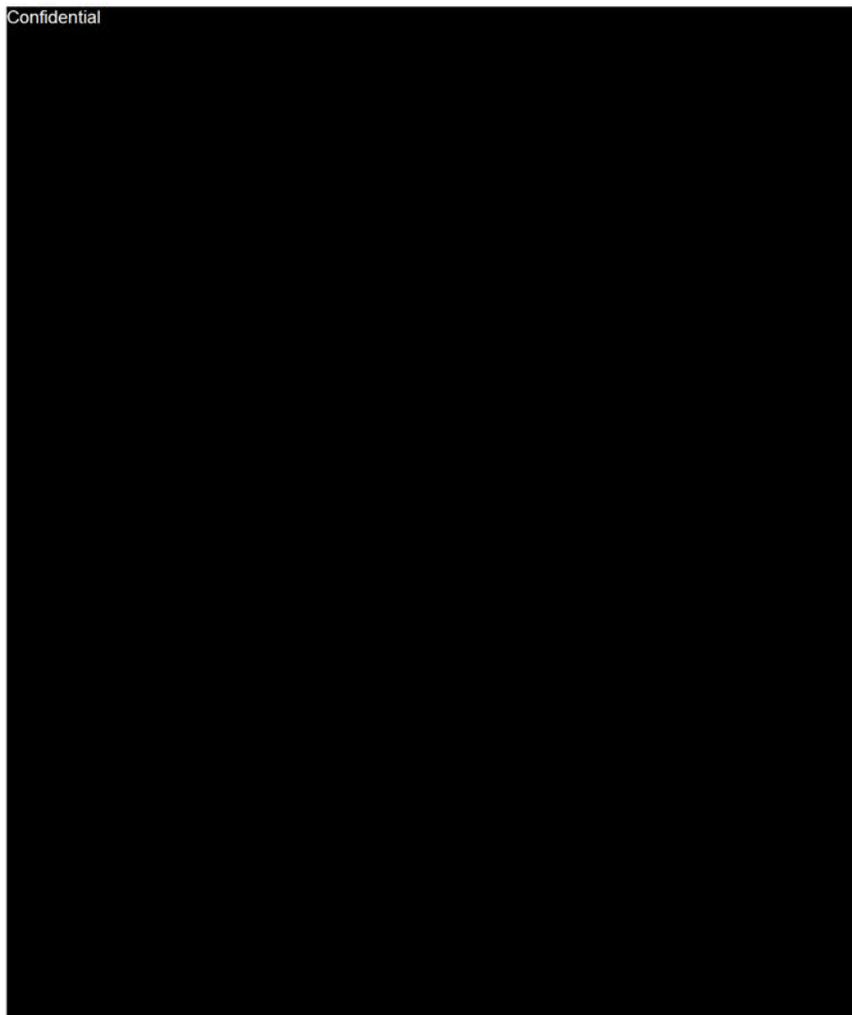
Q. And to your understanding, the Board, or at least senior management, were aware of the risks and decided to go ahead with the amended operating protocol as devised by Crown and assisted by its lawyers in early 2017?

A. I don't know because I wasn't a party, I don't attend Board meetings, I wasn't party to the Board meetings or the business meetings with the Board or the Risk Committee.

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Q. Operator, could you please call up CRW.507.001.7725.
I think I've given you the wrong starting page, operator.
CRW.507.001.7275.

Have you seen this document before, Ms Williamson?

A. Yes.

Q. Do you see the second paragraph says:

*A board paper in support of the above recommendation
[namely to permanently cease dealing with junkets]
included a financial analysis with an assumption that the
existing Hong Kong office would be closed and that the
overseas employee based sales model [would] revert to
a local Melbourne-based model.*

A. Scroll up, please.

12:33 1 Q.

12:33 2

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12:33 9

Do you see that?

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MS NESKOVCIN: Commissioner, there is only one other matter that I have for Ms Williamson and it actually concerns the China UnionPay issue which has previously been the subject of an open hearing. Given Dr Bigos wants to cross-examine or ask questions on that topic, can I suggest that Dr Button ask Ms Williamson any questions arising out of her evidence so far, then we break, have Dr Bigos join us, and I will ask some questions on another topic.

COMMISSIONER: Has somebody called Dr Bigos?

MS NESKOVCIN: He's outside with instructions not to leave.

COMMISSIONER: Ms Button, is that going to work?

RE-EXAMINATION BY MS BUTTON

MS BUTTON: Yes, thank you, Commissioner.

Ms Williamson, I want to go back to some aspects of your role so everybody understands what you do and what you don't do. Can you just explain how you, at the time that Ms Tegoni was your direct superior, how did you divide up the tasks between you, and would you be aware of and copied to advice that Ms Tegoni was giving the business?

A. Ms Tegoni was the head of the department. She would allocate the legal work within the department. She was a member of the executive. Matters that she dealt with, unless she asked you to assist, were matters that she purely dealt with. Matters that I dealt with without Ms Tegoni, I would always brief her regularly and in our updates. We had regular updates and her office was next to mine.

Q. So she would know what you were doing but you wouldn't necessarily know what she is doing?

A. Exactly. You don't necessarily know what your boss is doing, that's not really appropriate.

Q. You were asked some questions about the 1 March meeting

12:37 1 this year, which was the taxation matters meeting.

12:37 2

12:37 3 A. Yes.

12:37 4

12:37 5 Q. You were asked questions by the Commissioner about
12:37 6 potentially why you were there if you didn't deal with taxation
12:37 7 matters. Can you explain where that meeting fell between
12:37 8 Mr Preston departing and Ms Ivanoff being appointed?

12:37 9

12:38 10 A. Mr Preston had left. Ms Manos, as the General Counsel,
12:38 11 had also left. Ms Ivanoff only started two weeks ago as the
12:38 12 Group General Counsel so I was invited to this meeting as the
12:38 13 head of Melbourne legal.

12:38 14

12:38 15 Q. In your view, were you invited in your capacity as lawyer to
12:38 16 Crown?

12:38 17

12:38 18 A. I'm not sure why I was invited. Mr Walsh invited me with
12:38 19 a number of others.

12:38 20

12:38 21 Q. If either Mr Preston or Ms Ivanoff had been there, is it your
12:38 22 understanding that you would still have been invited or would
12:38 23 one of them been more likely to have been invited?

12:38 24

12:38 25 A. Mr Likely, Mr Preston. I'm not sure about Ms Ivanoff. She
12:38 26 might not have - she just started, possibly, but definitely if
12:38 27 Mr Preston was there, it would have been Mr Preston.

12:38 28

12:38 29 Q. Let me ask you a slightly different question. If the business
12:39 30 has taxation questions or issues, who do they come to within the
12:39 31 business in the legal department?

12:39 32

12:39 33 A. They don't ordinarily. In the past Ms Tegoni, as a member
12:39 34 of the executive, was the - if it was a significant matter they
12:39 35 may have gone to her. No one else in the legal department had
12:39 36 any expertise on tax, and certainly not myself. Otherwise you
12:39 37 would brief external counsel who had the expertise.

12:39 38

12:39 39 Q. Tax matters where legal advice was to be sought that
12:39 40 Ms Tegoni couldn't provide would go externally?

12:39 41

12:39 42 A. Well, yes. Tax experts.

12:39 43

12:39 44 Q. Yes. In relation to the meeting that was held that Mr Walsh
12:39 45 attended and Allens attended on 18 March this year, it was
12:40 46 suggested to you that Mr Walsh may have been downplaying the
12:40 47 significance of the issue. And you, to my note said, "he was not

12:40 1 downplaying, he was very concerned and wanted to be very open
12:40 2 and transparent". You've given evidence about Mr Walsh's
12:40 3 conduct in relation to the bonus jackpots issue at that meeting.
12:40 4 What has been your experience of his approach to disclosure to
12:40 5 this Commission and to the regulators more broadly than just that
12:40 6 meeting?

12:40 7
12:40 8 A. Mr Walsh has been a breath of fresh air. I think he's one of
12:40 9 the best CEOs in my time here that Melbourne has had. He
12:40 10 wants to be open and transparent with all the regulators, the
12:40 11 Commission, especially. I think he is a great CEO and he has
12:41 12 a new way of doing things, and open and transparent is the name
12:41 13 of the game, basically.

12:41 14
12:41 15 Q. You say he "has a new way of doing things"; can you point
12:41 16 to anything he's done to base these impressions on?

12:41 17
12:41 18 A. Just my interactions with him generally. Since the
12:41 19 Commission started, we've also tried - we're trying to work
12:41 20 through the relationship with the VCGLR. We're working closely
12:41 21 with the VCGLR, informing the VCGLR as best we can within
12:41 22 the protocols that we've got in relation to the Royal Commission.
12:41 23 He keeps the VCGLR updated and actually gives them the heads
12:41 24 up. He's constantly on the phone with them and alternatively
12:41 25 sending them correspondence.

12:41 26
12:41 27 Q. You've been taken in your evidence to some matters about
12:41 28 correspondence with the Commission about the responses to
12:41 29 RFI-002. You mentioned a letter of 22 March 2021. Could the
12:42 30 operator bring up CRW.0000.0003.1037. Are you able to
12:42 31 confirm that this is the document that you were referring to?

12:42 32
12:42 33 A. Yes, it is.

12:42 34
12:42 35 Q. If you see in the second paragraph, there is reference made
12:42 36 to the breadth of the request and towards the middle of the
12:42 37 paragraph:

12:42 38
12:42 39 *Crown Melbourne will, however, provide an initial*
12:42 40 *response by 24 March 2021. Crown Melbourne will*
12:42 41 *supplement that initial response with further responses*
12:42 42 *following additional searches for, and analysis of,*
12:42 43 *relevant documents*

12:42 44
12:42 45 You see that?

12:42 46
12:42 47 A. Yes.

- 12:42 1
12:42 2 Q. To your mind, has the Commission been informed that
12:42 3 what Crown proposed to do, in view of the breadth of the request,
12:42 4 was get in an initial tranche and then keep feeding tranches as the
12:43 5 information and analysis progressed?
12:43 6
12:43 7 A. Yes.
12:43 8
12:43 9 Q. Now, then there was the letter of 24 March. I'm not sure if
12:43 10 the operator still has that in a list of recent documents. It is
12:43 11 CRW.0000.0003.0013. You can see that letter there?
12:43 12
12:43 13 A. Yes.
12:43 14
12:43 15 Q. You see the third paragraph "the first schedule"?
12:43 16
12:43 17 A. Yes.
12:43 18
12:43 19 Q. Everyone is clear this is the covering letter going with the
12:43 20 first tranche of responses. And I think in your evidence you said
12:44 21 something about the first response was to be matters directly in
12:44 22 Crown's records, or something to that effect. Is it correct to
12:44 23 understand that the evidence you gave is referring to what is said
12:44 24 here in the third and fourth paragraphs, that the first schedule was
12:44 25 provided from an analysis of papers presented to
12:44 26 Crown's Board Compliance Committee in the period
12:44 27 2014 to date, disciplinary action register, other documents
12:44 28 maintained by its regulatory and compliance department and so
12:44 29 on, and the second schedule has been prepared following analysis
12:44 30 of papers presented to Crown's Board AML Committee in the
12:44 31 period 2017 to date.
12:44 32
12:44 33 Is that what you were referring to in the evidence about matters
12:44 34 being directly in Crown's records?
12:44 35
12:44 36 A. Yes.
12:44 37
12:45 38 Q. I want to better understand your area of responsibility so far
12:45 39 as it concerns VIP international. You were asked some questions
12:45 40 at the start of your evidence about the ambit of your role and later
12:45 41 on you gave evidence to the effect that your responsibility for
12:45 42 international business was the HR side?
12:45 43
12:45 44 A. Well, predominantly the HR side until the detentions.
12:45 45
12:45 46 Q. So what do you mean by the "HR side"?
12:45 47

12:45 1 A. The HR side was the employment of staff within the
12:45 2 jurisdictions, to ensure that their contracts complied with the
12:45 3 local laws. So it was all about the employment law within each
12:45 4 jurisdiction and the staff employment contracts. Basically that
12:45 5 was my role. And HR has a dedicated HR person for the
12:45 6 international space, as there are for other business units.

12:45 7

12:46 8 Q. The New Zealand staff that you were taken to, were they
12:46 9 part of VIP international? You might remember you were taken
12:46 10 to a chart, maybe we can bring that up, CRW.507 ---

12:46 11

12:46 12 A. No, they are not. I gave evidence that they are part of the
12:46 13 gaming machine or table games departments.

12:46 14

12:46 15 Q. So would their remuneration have been dealt with outside
12:46 16 of the remuneration structures for VIP international?

12:46 17

12:46 18 A. Possibly, I'm not aware of their structures.

12:46 19

12:46 20 Q. I am going to ask you if you are able to shed any light on
12:46 21 this document.

12:46 22

12:46 23

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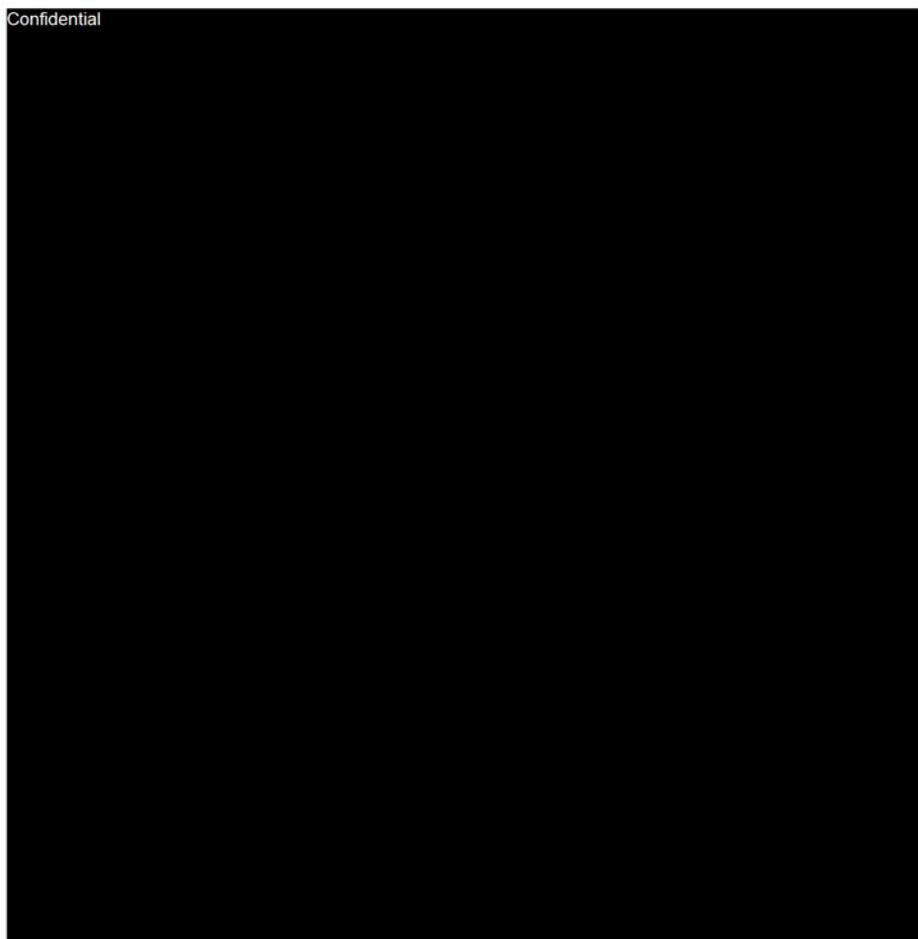
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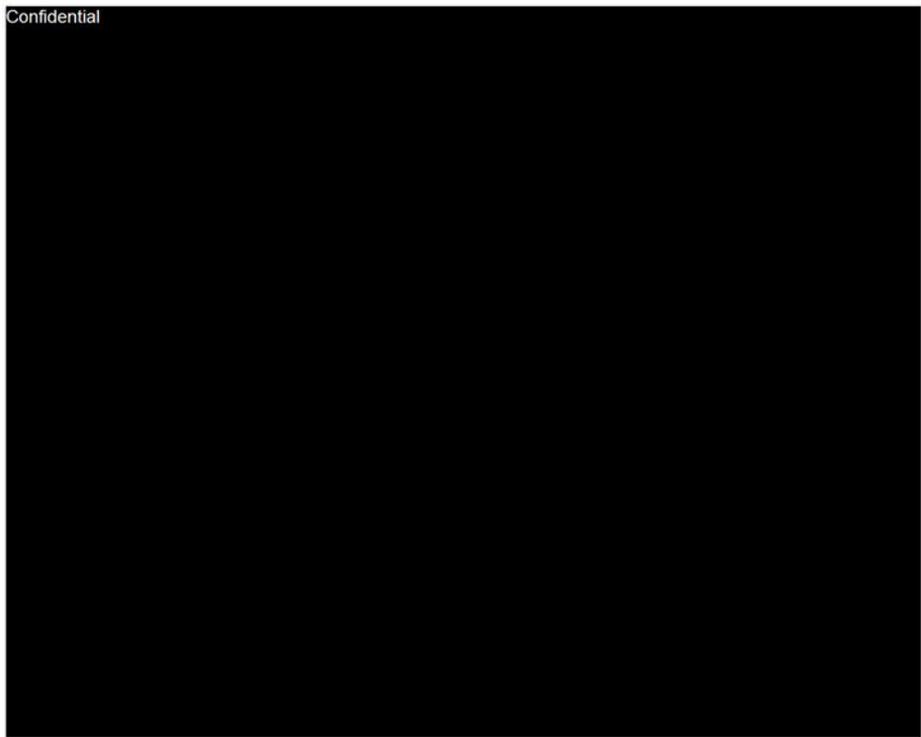
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Q. I think you said the New Zealand changes came into effect at the same time when changes were made to VIP international.

A. Yes.

Q. When were the VIP international changes made?

A. The contracts - sorry, when the new hub model was implemented, and the training, the contracts were updated to reflect the compliance requirements, and also from recollection the KPO bonusing plans.

Q. I've asked you a bit about the capacity in which you attended the 1 March meeting. I want to ask you about the capacity in which you attended the meetings with Allens about the Royal Commission, the 18 March meeting.

What is your role and what hat essentially do you wear in dealing with the Royal Commission and attending the meetings? Are you there for some purpose other than in your capacity as in-house lawyer to Crown?

A. I'm there in my capacity as in-house lawyer for Crown.

Q. Do you have carriage, I think you said with Mr Meade, who is also a lawyer ---

12:49 1
12:49 2 A. Yes.
12:49 3
12:49 4 Q. --- of managing Crown's response to the various Notices
12:49 5 that come up?
12:49 6
12:49 7 A. Yes.
12:49 8
12:49 9 Q. Do you and Mr Meade also give instructions to Allens?
12:49 10
12:49 11 A. Yes.
12:49 12
12:49 13 Q. When Mr Reilly came to see you, you said he came to see
12:49 14 you and you brought in Mr Meade?
12:49 15
12:50 16 A. Yes.
12:50 17
12:50 18 Q. Do you know why, or in what capacity Mr Reilly was
12:50 19 coming to you rather than, for example, going to somebody else
12:50 20 outside the legal department?
12:50 21
12:50 22 A. Well, he was coming to us because we are the lawyers with
12:50 23 the control - not the control, sorry, we are in charge of Crown's
12:50 24 response and coordinating Crown's response to the Royal
12:50 25 Commission. So he came to us to tell us about this diary note,
12:50 26 and meeting, to inform us about that conversation.
12:50 27
12:50 28 Q. So, to ---
12:50 29
12:50 30 A. As a result of Mr Mackay's evidence in the bonus jackpots
12:50 31 matter that came up in the evidence.
12:50 32
12:50 33 Q. So your understanding is Mr Reilly came to you because of
12:50 34 your role in connection with the Royal Commission?
12:50 35
12:50 36 A. Yes.
12:50 37
12:50 38 Q. And that is the role you have with your - as a lawyer?
12:50 39
12:50 40 A. Yes.
12:51 41
12:51 42 COMMISSIONER: But he didn't come to you asking for any
12:51 43 legal advice, did he?
12:51 44
12:51 45 A. No, no.
12:51 46
12:51 47 MS BUTTON: But he came to you to provide you with some

12:51 1 facts that he thought you needed to have ---
12:51 2
12:51 3 A. Facts.
12:51 4
12:51 5 Q. --- that he thought you needed to have in connection with
12:51 6 the Royal Commission?
12:51 7
12:51 8 A. Exactly, in my legal capacity.
12:51 9
12:51 10 COMMISSIONER: It's like a game of poker!
12:51 11
12:51 12 MS BUTTON: The house always wins! Not in poker,
12:51 13 apparently.
12:51 14
12:51 15 Confidential
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12:59 1 Confidential
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 12:59 5 Q. It is your understanding that the protocols the business
 12:59 6 adopted and the continued operation of the Hong Kong office at
 12:59 7 that time was undertaken by Crown having received advice that
 12:59 8 said what we now see it says, and under protocols that were
 12:59 9 settled by external lawyers, having taken in-jurisdiction advice?
 12:59 10
 12:59 11 A. Yes.
 12:59 12
 12:59 13 Q. Thank you.
 12:59 14
 12:59 15 COMMISSIONER: It's 1 o'clock.
 12:59 16
 12:59 17 MS NESKOVCIN: It's up to Ms Williamson as to whether we
 12:59 18 break for lunch.
 12:59 19
 12:59 20 COMMISSIONER: How long?
 12:59 21
 12:59 22 MS NESKOVCIN: I will be five minutes and Dr Bigos will be
 12:59 23 five minutes. We might need a few minutes to switch.
 12:59 24
 12:59 25 COMMISSIONER: We have a choice, Ms Williamson, and you
 12:59 26 will be the arbitrator of what do. We will either have a lunch
 12:59 27 break or a short break while we get everybody in online, get
 13:00 28 Dr Bigos in, then we will take only about 10 minutes. Otherwise
 13:00 29 you wait for 45 minutes plus the 10 minutes. Your choice.
 13:00 30
 13:00 31 A. I would rather continue, if that's all right.
 13:00 32
 13:00 33 COMMISSIONER: We will take a 10-minute break.
 13:00 34
 13:00 35 A. System up and running, I would rather continue finish this.
 13:00 36
 13:00 37 COMMISSIONER: We'll do that.
 13:00 38
 13:00 39
 13:00 40 **HEARING IN CAMERA ENDED**
 13:00 41
 13:00 42
 13:00 43 **ADJOURNED** [1.00PM]
 13:04 44
 13:09 45
 13:09 46 **RESUMED** [1.09PM]
 13:09 47

1
2 **MS JAN WILLIAMSON, SWORN**

3
4
5 **EXAMINATION-IN-CHIEF BY MS NESKOVICIN,**
6 **CONTINUED**

7
8
13:09 9 COMMISSIONER: Thank you.

13:09 10
13:09 11 MS NESKOVICIN: Thank you, Ms Williamson. I want to ask
13:09 12 you a few questions regarding the China Union Pay issue which
13:09 13 you understand has arisen in the course of these Commission
13:09 14 hearings.

13:09 15
13:09 16 A. Yes.

13:09 17
13:09 18 Q. If the operator could please call up CRW.523.002.0355.

13:09 19
13:09 20 At the bottom of this page you see Mr Roland Theiler sent you
13:09 21 an email on 10 July 2013 and you embedded answers to questions
13:09 22 he had. You see your answers in red?

13:09 23
13:09 24 A. Mr Theiler has given me some information, some of that
13:09 25 information is what I've written in red, and he's advised me, and a
13:09 26 couple of the other things are my comments to Debra, Ms Tegoni.

13:09 27
13:10 28 Q. I see. Ms Tegoni is at the top of the email chain which we
13:10 29 just saw. Can I ask you about the first paragraph, please. The
13:10 30 questions raised with you about China UnionPay, "Are we using
13:10 31 it correctly", they say:

13:10 32
13:10 33 *Issue how we use this currently when gaming customers*
13:10 34 *use it, is recorded on hotel bill, need to chase down how it*
13:10 35 *is recorded.*

13:10 36
13:10 37 You see that?

13:10 38
13:10 39 A. Yes.

13:10 40
13:10 41 Q. What is the issue you are querying or raising at that point?

13:10 42
13:10 43 A. I'm not querying anything. I'm taking notes to pass on to
13:10 44 Ms Tegoni. Mr Theiler wanted - they are his questions.

13:10 45
13:10 46 Q. Yes. I see.

13:10 47

13:10 1 A. He's giving me information and I'm passing it on - in
13:10 2 other words, I'm typing his responses.

13:10 3

13:10 4 Q. The response that he raised with you as recorded in that
13:10 5 first sentence raised a question as to when gaming customers
13:11 6 could use it?

13:11 7

13:11 8 A. His issue. These are his questions. She wanted to meet,
13:11 9 didn't have the capacity to meet with him, so then he rings me up,
13:11 10 from recollection, and I said - and he just tells me these things, I
13:11 11 typed them down, and then this is - because I'm going to send it
13:11 12 to Ms Tegoni because she was the one that was handling the
13:11 13 China Union Pay matter. So I was merely being a conduit to
13:11 14 enable Mr Theiler, because he couldn't get on to Ms Tegoni, to
13:11 15 answer his questions.

13:11 16

13:11 17 Q. But did you understand what he was asking you or raising
13:11 18 with you that there was an issue about how it was currently used
13:11 19 when gaming customers use it, because it might not just be used
13:11 20 by customers there who have a hotel stay, he had gaming
13:11 21 customers who could literally come over to the Crown Towers
13:11 22 reception desk where the terminal was located, and use the China
13:12 23 UnionPay in the way we've seen it come to be used.

13:12 24

13:12 25 A. I had no idea what he was talking about.

13:12 26

13:12 27 Q. I see.

13:12 28

13:12 29 COMMISSIONER: Can I ask you a question about this email.
13:12 30 He emails you:

13:12 31

13:12 32 *Hi Jan*

13:12 33

13:12 34 *Below is a summary of the issues I would like to briefly*
13:12 35 *discuss with you today.*

13:12 36

13:12 37 Presumably you talk to him on the first day and the first issue is
13:12 38 the China UnionPay, "are we using it correctly", that is
13:12 39 a question.

13:12 40

13:12 41 A. Yes.

13:12 42

13:12 43 COMMISSIONER: Are you telling me that he rings you and
13:12 44 then he gives you the answers to the questions he is asking you?

13:12 45

13:12 46 A. No.

13:12 47

13:12 1 COMMISSIONER: Take for example number 3. He said he
 13:12 2 wanted to discuss with you the CBA brochure, "Draft CBA
 13:12 3 brochure attached", why would he ask you when he's got - isn't
 13:12 4 your recollection faulty? Isn't this a document where he asks you
 13:13 5 a series of questions and you answer them?

13:13 6
 13:13 7 A. No. Mr Theiler used to send - this is headed "legal
 13:13 8 issues" - a summary of issues he wanted to discuss with legal.
 13:13 9 There is a previous email to this chain, he emailed me possibly
 13:13 10 a week earlier or something. I couldn't address any of these
 13:13 11 issues, but some of the matters I was actually dealing with, others
 13:13 12 I weren't. So I'm giving him a response, particularly down to
 13:13 13 number 5, "will liaise with Scott", mortgage security, this is
 13:13 14 where it's at, because some of these matters I'm dealing with.
 13:13 15 The ones that I'm dealing with, I'm telling him I'm dealing with it,
 13:13 16 are we using it correctly, I didn't know what he was talking about.
 13:13 17 So I am asking - he is explaining to me. This is the way we
 13:13 18 often worked, Mr Theiler and I. When he couldn't get on to
 13:14 19 Debra, he would give me a shopping list of things he wanted
 13:14 20 legal to look at. Some of the shopping list, so to speak, were
 13:14 21 matters that I was handling. So 5, liaise with Scott. Thai lawyer,
 13:14 22 I said I would handle this and it relates to a deceased lawyer, I've
 13:14 23 dealt with it before. Taiwan, regarding Stefan and handling, do
 13:14 24 not need any input, assistance.

13:14 25
 13:14 26 But this is him telling me, I have no idea what China UnionPay
 13:14 27 was and I had no idea what he was talking about. Then I say -
 13:14 28 Roland was just sending through emails, so I wouldn't have
 13:14 29 known, for example, it is a CPH initiative. I had no idea. He's
 13:14 30 telling me this.

13:14 31
 13:14 32 Then, there I'm telling Debra:

33
 34 *Roland was to send through emails on this but has not as*
 35 *yet. But I note in your office as I worked past in your*
 36 *work files near the window is a folder headed China Union*
 37 *Pay. So need to discuss. It would appear, although could*
 13:14 38 *be wrong VIP is using a scatter gun approach and*
 13:14 39 *thereby wasting our time with duplicated effort*

13:14 40
 13:14 41 Which they often used to do.

13:14 42
 13:14 43 COMMISSIONER: So some of that paragraph is not dictated to
 13:15 44 you but you are telling him what you know?

13:15 45
 13:15 46 A. Yes, some of it is stuff I'm handling. So the stuff I'm
 13:15 47 handling for him, I'm giving him an update. But China UnionPay

13:15 1 was not a matter I was handling, so I didn't know what the issue
13:15 2 was. So I'm typing down what he's telling me, and then I'm
13:15 3 telling Debra, "Roland will send through emails on this but not as
13:15 4 yet". Then I'm telling her she has the China UnionPay near her
13:15 5 window, so she needs to deal with it.
13:15 6
13:15 7 COMMISSIONER: The second sentence:
13:15 8
13:15 9 *Currently I believe it is done via CBA*
13:15 10
13:15 11 A. Well, I think that is him telling me it's done via CBA, but
13:15 12 he wants a suggestion to go with NAB as cheaper - this is what
13:15 13 he's telling me. "Currently, I believe", as Roland told me, I
13:15 14 probably should have said ---
13:15 15
13:15 16 COMMISSIONER: So when you wrote "I", it's not you ---
13:15 17
13:15 18 A. No, it's Mr Theiler has told ---
13:15 19
13:15 20 COMMISSIONER: When you wrote down, "Currently I believe",
13:15 21 you mean currently he believes?
13:15 22
13:15 23 A. Yes, correct.
13:15 24
13:15 25 COMMISSIONER: Doesn't really ---
13:15 26
13:15 27 A. Probably not as precise.
13:15 28
13:15 29 COMMISSIONER: Pardon?
13:15 30
13:15 31 A. Probably not as precise as I could have been, but it's done
13:15 32 very quickly because I was doing other matters.
13:16 33
13:16 34 COMMISSIONER: Depending on when it actually happened it
13:16 35 might be quite precise.
13:16 36
13:16 37 A. I'm sorry? Pardon?
13:16 38
13:16 39 COMMISSIONER: Nothing.
13:16 40
13:16 41 MS NESKOVCIN: You see where you have recorded it is a CPH
13:16 42 initiative, you then say:
13:16 43
13:16 44 *Apparently in China UnionPay [there] are conditions*
13:16 45 *about not to be used for gaming purposes.*
13:16 46
13:16 47 A. Again, he's telling me this.

13:16 1
13:16 2 Q. But you understood that at the time?
13:16 3
13:16 4 A. That's what he's telling me.
13:16 5
13:16 6 Q. Did you understand that at the time?
13:16 7
13:16 8 A. I didn't know what gaming purposes was, what it was being
13:16 9 used for.
13:16 10
13:16 11 Q. Did you know what your credit provider terms and
13:16 12 conditions were, the CBA?
13:16 13
13:16 14 A. No.
13:16 15
13:16 16 Q. Did you know that the use of the China UnionPay might be
13:16 17 outside the terms of the card issuer?
13:16 18
13:16 19 A. No. Because I didn't deal with the CBA card issue.
13:16 20
13:16 21 COMMISSIONER: Look at paragraph 3. He wants to discuss
13:16 22 with you the CBA brochure?
13:16 23
13:16 24 A. (Nods head).
13:16 25
13:16 26 COMMISSIONER: And when you record:
13:16 27
13:16 28 *Draft CBA brochure I have not had a chance to look*
13:17 29 *at.....*
13:17 30
13:17 31 The "I" there is you?
13:17 32
13:17 33 A. Yes.
13:17 34
13:17 35 COMMISSIONER: So you knew about the CBA brochure?
13:17 36
13:17 37 A. Well, there was a CBA brochure that was an attachment but
13:17 38 I hadn't read it.
13:17 39
13:17 40 COMMISSIONER: Attached to what?
13:17 41
13:17 42 A. I'm assuming this email, that's what I'm saying there.
13:17 43
13:17 44 COMMISSIONER: Draft CBA, you are responding. It is not
13:17 45 attached in the email, is it?
13:17 46
13:17 47 A. There was a previous email.

13:17 1
13:17 2 COMMISSIONER: There was, was it?
13:17 3
13:17 4 A. I believe there was a previous email to this.
13:17 5
13:17 6 COMMISSIONER: Another email?
13:17 7
13:17 8 A. Or I'm sending - no, sorry. This is, "draft CBA attached I
13:17 9 have not had a chance to look at" - this is my comments back to
13:17 10 Debra. So there must have been a CBA brochure that was
13:17 11 sent ---
13:17 12
13:17 13 COMMISSIONER: How did you know what CBA brochure
13:17 14 was?
13:17 15
13:17 16 A. I don't. I can't tell by looking at it here.
13:17 17
13:17 18 COMMISSIONER: Any CBA brochure that is lying around?
13:17 19
13:17 20 A. I don't know. I didn't read it. I said I didn't look at it.
13:17 21
13:17 22 COMMISSIONER: You have attached a CBA brochure. Where
13:17 23 did you get it from?
13:17 24
13:17 25 A. I think Roland must have sent it to me.
13:17 26
13:17 27 COMMISSIONER: Okay.
13:18 28
13:18 29 MS NESKOVCIN: You were interviewed, weren't you,
13:18 30 Ms Williamson, recently, by counsel who had been engaged by
13:18 31 the Board of Crown Resorts Ltd to provide some advice in
13:18 32 relation to the China UnionPay issue?
13:18 33
13:18 34 A. Yes.
13:18 35
13:18 36 Q. That interview or meeting occurred on 26 April 2021?
13:18 37
13:18 38 A. Yes.
13:18 39
13:18 40 Q. Have you seen recently a file note of that meeting?
13:18 41
13:18 42 A. Yes.
13:18 43
13:18 44 Q. Operator, could we please call up CRW.900.004.0010.
13:18 45
13:18 46 This is the minutes or notes of the meeting, Ms Williamson?
13:18 47

13:18 1 A. Yes.
13:18 2
13:18 3 Q. There was a person there taking notes as the meeting was
13:18 4 progressing?
13:18 5
13:18 6 A. Yes.
13:18 7
13:18 8 Q. When did you see these notes, please?
13:18 9
13:18 10 A. When they were provided to me as part of the pack to
13:19 11 review for my evidence.
13:19 12
13:19 13 Q. I see. And you agree that the notes broadly record the
13:19 14 matters that you discussed and the comments that you made
13:19 15 during the meeting?
13:19 16
13:19 17 A. I don't recall with all the comments.
13:19 18
13:19 19 Q. But do you agree that they broadly reflect the matters that
13:19 20 were discussed?
13:19 21
13:19 22 A. They broadly reflect the matters that were discussed, yes.
13:19 23
13:19 24 Q. Operator, could we go to 0012.
13:19 25
13:19 26 Please have a look at paragraph 17, Ms Williamson.
13:19 27
13:19 28 A. Yes.
13:19 29
13:19 30 Q. When did you first become aware of the China UnionPay
13:19 31 card issue and that it was potentially being used in contravention
13:19 32 of legislation?
13:19 33
13:19 34 A. That's two or three questions in that question. When did I
13:19 35 come aware of the China UnionPay. Obviously I have an email
13:20 36 back in 2013 about China UnionPay, but I didn't know what the
13:20 37 process was. Still didn't know what the process was here.
13:20 38
13:20 39 Q. When you say "here" ---
13:20 40
13:20 41 A. When I'm talking about it here, in 2018 or 2019. This is -
13:20 42 I'm reflecting post the detentions. Unfortunately, a recollection
13:20 43 of time periods because what you know now and what you knew
13:20 44 then are a little bit difficult to sometimes recall, but I'm talking
13:20 45 about here, post the detentions, Joshua Preston is the head of the
13:20 46 legal department, whenever that came in effect. It's probably
13:20 47 2018, possibly. Didn't know what the China UnionPay process

13:20 1 was, and again, that is what I said in the interview. But Josh had
13:20 2 mentioned to me - Mr Preston, I should say - that VIP wanted
13:21 3 to bring back the China UnionPay process. I didn't really know
13:21 4 what he's talking about. And then Josh said, "It's not happening,
13:21 5 we have to maintain it, so don't let them come and say it is okay".

13:21 6
13:21 7 Q. He said you've got to let them maintain and let them come
13:21 8 ---
13:21 9

13:21 10 A. Maintain the stance against them.

13:21 11
13:21 12 Q. I see. So after the China arrests, Mr Preston was asked by
13:21 13 the business, the VIP business to bring back the China UnionPay
13:21 14 process; correct?

13:21 15
13:21 16 A. Well after the China arrests. At least a year or two years
13:21 17 later.

13:21 18
13:21 19 Q. I see, 2018/2019?

13:21 20
13:21 21 A. Possibly.

13:21 22
13:21 23 Q. He spoke to you about those requests?

13:21 24
13:21 25 A. He may have mentioned that they want to bring back China
13:21 26 UnionPay.

13:21 27
13:21 28 Q. And he told you the answer was "no"?

13:21 29
13:21 30 A. No, maintain the stance against them.

13:21 31
13:21 32 Q. Did you look into what the issues were at the time and what
13:21 33 the reasons might be for refusing that request?

13:21 34
13:21 35 A. No.

13:21 36
13:21 37 Q. Did Mr Preston inform you what the issues were and the
13:21 38 reasons for refusing the requests?

13:22 39
13:22 40 A. Not that I recall.

13:22 41
13:22 42 Q. Had you, prior to speaking to Mr Preston in 2008 or 2019,
13:22 43 had any discussions with Ms Tegoni about the China UnionPay
13:22 44 process?

13:22 45
13:22 46 A. Not that I recall, no.

13:22 47

- 13:22 1 Q. We've seen in a note or some evidence that Ms Tegoni told
13:22 2 Ms Fielding to stay well clear of it; did she have a similar
13:22 3 discussion with you?
13:22 4
- 13:22 5 A. No.
13:22 6
- 13:22 7 Q. We were just on an email that you sent to Ms Tegoni after
13:22 8 discussing, after receiving some queries from Mr Theiler in 2013.
13:22 9 Did you have a subsequent discussion with Ms Tegoni in 2013
13:22 10 about the China UnionPay issue?
13:22 11
- 13:22 12 A. No.
13:22 13
- 13:22 14 Q. You just left that with her?
13:23 15
- 13:23 16 A. She was handling it. And I know she was going to
13:23 17 Ms Fielding about it.
13:23 18
- 13:23 19 Q. But what was the thing that needed to be handled?
13:23 20
- 13:23 21 A. No, it was - she - China UnionPay was a matter that she
13:23 22 was handling. I know now that she gave advice, she had a file in
13:23 23 her office, so I don't know what the issue was. I just said, "you
13:23 24 have the file. I see it is what you are working on, here is what
13:23 25 Roland has asked", and I left it with her.
13:23 26
- 13:23 27 Q. I see. Looking at the note of the meeting again, it says that:
13:23 28
- 13:23 29 *JW [you] advised that they refused because of "what it*
13:23 30 *was" and because it was "on the nose".*
13:23 31
- 13:23 32 Do you recall saying something to that effect in your interview
13:23 33 with counsel?
13:23 34
- 13:23 35 A. I wouldn't - I've never - I would never use the words "on
13:23 36 the nose".
13:23 37
- 13:23 38 Q. Did you convey something to give the impression that what
13:23 39 you and Mr Preston had advised the VIP business back in 2018
13:23 40 and 2019 that it was to be refused because it wasn't acceptable?
13:24 41
- 13:24 42 A. I don't recall what was said. I wouldn't have said it was, "on
13:24 43 the nose", that is not a phrase I would use. But it was Mr Preston who
13:24 44 indicated, "If they came to you, to maintain the stance against
13:24 45 them". And I remember that.
13:24 46
- 13:24 47 Q. You didn't ever - did anyone approach you personally to

13:24 1 try and persuade you to bring back the China UnionPay process
13:24 2 or advocate for that to Mr Preston?
13:24 3
13:24 4 A. Yes.
13:24 5
13:24 6 Q. Who?
13:24 7
13:24 8 A. From recollection, it was possibly Mr Ratnam.
13:24 9
13:24 10 Q. Do you remember when that was?
13:24 11
13:24 12 A. '18 or '19, I can't recall.
13:24 13
13:24 14 Q. And what was your response?
13:24 15
13:24 16 A. I said, "no". "I've been instructed 'no'". You take it up with
13:24 17 Josh, Mr Preston."
13:25 18
13:25 19 COMMISSIONER: Looking at paragraphs 17 and 18 of the note,
13:25 20 including part of the note that quotes you, I take it the bits there
13:25 21 in quotes are attributed directly to your speech, what parts of 17
13:25 22 and 18 are inaccurate and to what extent are they inaccurate?
13:25 23
13:25 24 A. "On the nose" is not a phrase that I would use.
13:25 25
13:25 26 COMMISSIONER: I know. What about "maintain the stance
13:25 27 against them"?
13:25 28
13:25 29 A. I've said that I can recall ---
13:25 30
13:25 31 COMMISSIONER: I want you to look at the whole of 17 and 18
13:25 32 and tell me what parts of the note you contend are not an accurate
13:25 33 record of what you said.
13:25 34
13:25 35 A. This is based on recollections, but as I predicated my
13:26 36 interview with ABL, that my memory was polluted about what I
13:26 37 knew when and how ---
13:26 38
13:26 39 COMMISSIONER: I get that, and it is going back some years.
13:26 40
13:26 41 A. And because now, I was aware of the process because I had
13:26 42 seen the invoices around about the time of the interview, I'd never
13:26 43 seen them before so I understood a little bit more about what it
13:26 44 was about, my answers were polluted by that.
13:26 45
13:26 46 COMMISSIONER: I understand. All I want to know is what
13:26 47 part of these notes that record this part of the interview, what part

13:26 1 of the notes are inaccurate? That's all.
13:26 2
13:26 3 A. Perhaps not, "on the nose", but "maintain the stance against
13:26 4 them", Josh was adamant about it. I couldn't recall they asked me
13:26 5 if it was necessary due to AML concerns and I couldn't recall.
13:26 6 That's correct. I said that Josh is the AML officer. So, probably,
13:27 7 that was correct.
13:27 8
13:27 9 COMMISSIONER: Do you remember being asked what you
13:27 10 meant by the expression, "on the nose"? Even though you didn't
13:27 11 use them, were you asked about them?
13:27 12
13:27 13 What about the next sentence ---
13:27 14
13:27 15 A. Well, I ---
13:27 16
13:27 17 COMMISSIONER: --- "advised that there were currency
13:27 18 restrictions on getting funds out of China and the process
13:27 19 wasn't within the new VIP operating protocols"; in other words,
13:27 20 you knew what the problem was, at that stage at least, 2018?
13:27 21
13:27 22 A. I knew about the restrictions because the Chinese
13:27 23 Government had put out a thing about China UnionPay, that was
13:27 24 post the detentions, 2017 I think it might have been, that China
13:27 25 UnionPay was no longer to be used for gambling purposes. It
13:27 26 was something that went out on one of the - I can recall ---
13:27 27
13:27 28 COMMISSIONER: And you spoke against reusing the China
13:28 29 UnionPay process?
13:28 30
13:28 31 A. Yes, and also the China UnionPay, Bank of China limited it
13:28 32 to 50,000 a year.
13:28 33
13:28 34 COMMISSIONER: That rather suggests you knew enough about
13:28 35 the process to know that it was taking money out of China. At
13:28 36 least you knew that?
13:28 37
13:28 38 A. Well, China UnionPay is a debit or credit card.
13:28 39
13:28 40 COMMISSIONER: You knew, didn't you, that the China
13:28 41 UnionPay process was used to take funds out of China in excess
13:28 42 of \$50,000? And that's the reason why you said you can't do it
13:28 43 again?
13:28 44
13:28 45 A. No. I reject that. China UnionPay, it is a debit or credit
13:28 46 card as I understood it in my simplistic way of understanding it. I
13:28 47 could go to the hotel and use my debit card. It was possibly

13:28 1 patrons' own money on their debit card.
13:28 2
13:28 3 COMMISSIONER: Might have been patrons' own money, but if
13:28 4 they are paying a hotel bill, what do you care, what is the
13:29 5 problem with it if it is just a hotel bill? But here you are talking
13:29 6 about \$50,000 currency restriction. I'm trying to work out what
13:29 7 you really told the lawyers during the course of this interview ---
13:29 8
13:29 9 A. See, well, again ---
13:29 10
13:29 11 COMMISSIONER: --- and whether they got it completely
13:29 12 wrong.
13:29 13
13:29 14 A. Again, I probably have it completely wrong in the sense
13:29 15 that my memory - I now know what it was. I'm being
13:29 16 interviewed about something that at the time my recollection was,
13:29 17 I didn't know what it was, but I'm now being interviewed about
13:29 18 something that as a result of the surveillance report, as soon as we
13:29 19 received that, we escalated the matter and started investigating it.
13:29 20 Now my memory or recollection, these are just things that I
13:29 21 recalled. In isolation or together, I'm not really sure. It is very
13:29 22 difficult to put all this together when you are now confronted
13:29 23 with what it was, is, and what it was at the time what I knew.
13:29 24
13:29 25 COMMISSIONER: It just looks like you knew what it was, at
13:30 26 least in 2018.
13:30 27
13:30 28 A. Well, I knew it was something that Josh had said we
13:30 29 weren't going back to.
13:30 30
13:30 31 COMMISSIONER: And you knew why you weren't going back
13:30 32 to it.
13:30 33
13:30 34 A. Well, it may have been something to do with currency
13:30 35 restrictions, I did mention the currency restrictions. But I didn't
13:30 36 know how it operated or what the process was.
13:30 37
13:30 38 MS NESKOVICIN: Ms Williamson, were you asked to give any
13:30 39 advice in 2018 or 2019 in relation to the China UnionPay?
13:30 40
13:30 41 A. I'm sorry?
13:30 42
13:30 43 Q. Were you asked to give any advice in 2018 or 2019 ---
13:30 44
13:30 45 A. No.
13:30 46
13:30 47 Q. --- in relation to the China UnionPay cards?

13:30 1
13:30 2 A. No.
13:30 3
13:30 4 MS NESKOVCIN: I have nothing further for Ms Williamson.
13:30 5
13:30 6 COMMISSIONER: Thank you.
13:30 7
13:30 8 Dr Bigos.
13:30 9
13:30 10
13:30 11 **CROSS-EXAMINATION BY DR BIGOS**
13:30 12
13:30 13
13:30 14 DR BIGOS: Ms Williamson, I only have a couple of questions
13:30 15 for you.
13:30 16
13:30 17 You personally had very little involvement in the CUP issue; is
13:30 18 that correct?
13:30 19
13:30 20 A. Correct.
13:30 21
13:30 22 Q. And you don't have personal knowledge of how the CUP
13:30 23 process came about or whose initiative it was; is that correct?
13:31 24
13:31 25 A. No.
13:31 26
13:31 27 Q. Is the answer to my question "correct"?
13:31 28
13:31 29 A. Well, in fact, it is possibly not correct. I ---
13:31 30
13:31 31 Q. I'm asking about your personal knowledge.
13:31 32
13:31 33 A. Well, my personal knowledge from records.
13:31 34
13:31 35 Q. Yes.
13:31 36
13:31 37 A. The VIP operational meeting records, from recollection,
13:31 38 may have said that when I was redacting them for the purposes of
13:31 39 ILGA.
13:31 40
13:31 41 Q. You said in the note, at paragraph 19 of the note on the
13:31 42 screen in the second sentence:
13:31 43
13:31 44 *She expects that the original China UnionPay process*
13:31 45 *came out of the VIP Working Group but wasn't involved*
13:31 46 *in it herself.*
13:31 47

13:31 1 Is that correct?
13:31 2
13:31 3 A. Yes.
13:31 4
13:31 5 Q. So at the highest, it is an expectation, you didn't actually
13:31 6 know?
13:31 7
13:31 8 A. No.
13:31 9
13:31 10 Q. Thank you.
13:31 11
13:32 12 If the witness can be shown the memorandum of advice which is
13:32 13 CRW.900.002.0001. That's the memorandum of advice prepared
13:32 14 by the counsel.
13:32 15
13:32 16 COMMISSIONER: Page number?
13:32 17
13:32 18 DR BIGOS: If you turn to page 11 of the advice. It has a 012 at
13:32 19 the top. Paragraph 45.
13:32 20
13:32 21 I don't know whether you have that in front of you,
13:32 22 Ms Williamson.
13:32 23
13:32 24 A. Yes.
13:32 25
13:32 26 Q. The heading at paragraph 45 is, "Commencement of CUP
13:32 27 process". I might just let you read paragraphs 45 to 48. It
13:32 28 describes how the CUP process commenced. Let us know once
13:33 29 you've had a chance to read those paragraphs.
13:33 30
13:33 31 A. Scroll down a bit more, please, operator. Thank you.
13:33 32
13:33 33 Yes.
13:33 34
13:33 35 Q. You don't have any reason to doubt the accuracy of those
13:33 36 paragraphs, do you?
13:33 37
13:33 38 A. Sorry?
13:33 39
13:33 40 Q. You don't have any reason to doubt the accuracy of those
13:33 41 paragraphs?
13:33 42
13:33 43 A. That's the advice. I didn't draft them.
13:33 44
13:34 45 Q. No, but looking at the contents of paragraphs 45 to 48, do
13:34 46 you agree you don't have any reason to doubt their accuracy?
13:34 47

13:34 1 COMMISSIONER: There are certain facts in those paragraphs,
13:34 2 like certain things happened on particular days by reference to
13:34 3 particular people. He's asking whether you know one way or
13:34 4 another whether they are accurate.
13:34 5
13:34 6 A. No, I don't. I don't. I don't.
13:34 7
13:34 8 DR BIGOS: Thank you.
13:34 9
13:34 10 A. Apologies for misunderstanding.
13:34 11
13:34 12 COMMISSIONER: It can be very confusing.
13:34 13
13:34 14 MS BUTTON: Commissioner, did you have a question?
13:34 15
13:34 16 COMMISSIONER: I only have one question. You sort of only
13:34 17 half explained, and maybe were interrupted, when you spoke
13:34 18 about the source of the credit card usage. You said that you
13:34 19 looked at some documents which indicated they came from the
13:35 20 VIP people. Can you tell me what the documents were and what
13:35 21 you were reading in those documents?
13:35 22
13:35 23 A. I could be mistaken but that's what I thought. The VIP
13:35 24 Working Group minutes of meetings; a reference in one of them
13:35 25 possibly about CUP process and bringing it back and whether the
13:35 26 CPH initiative came from there or the CPH initiative came from
13:35 27 what Mr Theiler told me.
13:35 28
13:35 29 COMMISSIONER: Okay. Thanks.
13:35 30
13:35 31 DR BIGOS: Sorry, can I ask one further question?
13:35 32
13:35 33 COMMISSIONER: I will only allow you to ask one question.
13:35 34
13:35 35 DR BIGOS: You said just then from what Mr Theiler had told
13:35 36 you, if you look at the advice, paragraph 79, page 0020. Look at
13:36 37 paragraph 79, it refers to the email you sent on 18 July 2013 to
13:36 38 Ms Tegoni that we've looked at with your comments, which you
13:36 39 said in interview with the counsel contained information gleaned
13:36 40 from conversation with Mr Theiler.
13:36 41
13:36 42 A. Yes.
13:36 43
13:36 44 Q. And that included the comment, "CPH initiative". Do you
13:36 45 agree it is information that was gleaned rather than told to you by
13:36 46 Mr Theiler?
13:36 47

13:36 1 A. Well, that's not my word, "gleaned"; I don't know what
13:36 2 gleaned means, to be honest. Mr Theiler either told me or he
13:36 3 didn't. And I would never write something like that unless I had
13:36 4 been informed by Mr Theiler. So I would say that Mr Theiler
13:36 5 told me, rightly or wrongly, whether it was the case. "Gleaned",
13:37 6 I don't know what that means.

13:37 7

13:37 8 DR BIGOS: Thank you.

13:37 9

13:37 10

13:37 11 **FURTHER RE-EXAMINATION BY MS BUTTON**

13:37 12

13:37 13

13:37 14 MS BUTTON: It's been a very long 10 minutes for you,
13:37 15 Ms Williamson. I will ask you a couple of things on that note
13:37 16 you sent to Ms Tegoni. CRW.523.002.0355, please, operator.

13:37 17

13:37 18 You've relayed that you got the shopping list from Mr Theiler.
13:37 19 Are we to understand that the initial shopping list you got
13:37 20 included items one to eight but only the blue type?

13:37 21

13:37 22 A. Could we just go down to the next page, operator, if that's
13:37 23 all right. Correct.

13:37 24

13:37 25 Q. Now the red typing is your typing?

13:37 26

13:37 27 A. Yes.

13:37 28

13:37 29 Q. If we go back to the previous page and go down a bit, thank
13:38 30 you. You've got the shopping list from Mr Theiler, item 1. What
13:38 31 did you know about item 1 when you first got the email from
13:38 32 Mr Theiler?

13:38 33

13:38 34 A. I had no recollection of knowing anything about item 1.

13:38 35

13:38 36 Q. Mr Theiler rang you or you rang him?

13:38 37

13:38 38 A. He probably rang me because I hadn't responded to his
13:38 39 email.

13:38 40

13:38 41 Q. When you spoke to Mr Theiler, what did you ask him to
13:38 42 explain to you about this first issue?

13:38 43

13:38 44 A. I'm not sure. When I spoke to him, it is so long ago I
13:38 45 honestly can't remember. I probably already knew that Debra had
13:38 46 the file in her room so I was asking him to explain to me what he
13:38 47 wanted Debra to do. But this was also an update on everything

13:38 1 that Roland had on his shopping list. So I sent all of this to
13:39 2 Debra. This is what Roland's shopping list is and Mr Theiler
13:39 3 would often have a shopping list of things he wanted legal to look
13:39 4 at.

13:39 5
13:39 6 Q. Now, when you spoke to Mr Theiler, where did you record
13:39 7 your notes of what he was telling you?

13:39 8
13:39 9 A. I was typing them in the email.

13:39 10
13:39 11 Q. In this email?

13:39 12
13:39 13 A. Yes.

13:39 14
13:39 15 Q. So when you have used, "currently I believe", you were
13:39 16 typing that when Mr Theiler is speaking to you; is that correct?

13:39 17
13:39 18 A. Yes, correct.

13:39 19
13:39 20 Q. And did you, after finishing your conversation with
13:39 21 Mr Theiler, go on and complete effectively the parts of this that
13:39 22 are your notes to Ms Tegoni?

13:39 23
13:39 24 A. Yes, Roland was to send through, et cetera.

13:39 25
13:39 26 Q. So there is a mixture of what he told you that you have
13:39 27 typed contemporaneously, and your commentary to Ms Tegoni
13:39 28 about who is doing what and what the next steps are?

13:39 29
13:39 30 A. That's my recollection. A new paragraph would have
13:40 31 helped.

13:40 32
13:40 33 Q. Yes. And I think you've given evidence in answer to
13:40 34 a question from Counsel Assisting that having passed that topic
13:40 35 back to Ms Tegoni, or passed that information to Ms Tegoni, you
13:40 36 didn't have a further discussion with her about it?

13:40 37
13:40 38 A. Correct.

13:40 39
13:40 40 Q. So when did you learn what the CUP process involved in
13:40 41 the degree of detail that you set out - that is referred to in the
13:40 42 note of your minute of your meeting with Arnold Bloch Leibler
13:40 43 and counsel?

13:40 44
13:40 45 A. Just prior to that meeting, just after the surveillance -
13:40 46 daily operations report, or whatever it was called, was sent to
13:40 47 Mr Meade and myself. Mr Meade started collecting information

13:40 1 about it and he showed me the hotel invoices. So, within about
13:40 2 three or four days of whatever date the surveillance daily report
13:40 3 was that started the investigation.
13:40 4

13:40 5 Q. So the daily surveillance report came in. What did
13:41 6 Mr Meade do and what did you do to have that matter addressed?
13:41 7

13:41 8 A. It was a matter that had been raised. There was another
13:41 9 couple of issues in that report about an employee who was in
13:41 10 a training session. It looks like matters that we needed to look at.
13:41 11 It talked about potential AML breaches. I haven't got the thing in
13:41 12 front of me so I can't remember. But it also talked about the hotel
13:41 13 transactions issue. Again, I haven't got the memo in front of me
13:41 14 to remember. I said that we need to look into this straight away
13:41 15 so we started collecting information and then at some point it
13:41 16 became an ABL investigation, we had escalated it through, and it
13:41 17 was an independent investigation and ABL conducted the
13:41 18 investigation and wrote the report.
13:41 19

13:41 20 Q. Okay. Finally, I just want to make sure there is no
13:42 21 miscommunication between yourself and the Commissioner on
13:42 22 a point. Helpfully when my screen goes blank.
13:42 23

13:42 24 Now, at transcript P-3262 at lines 23 to 24, this is in relation to
13:42 25 the same email exchange, the Commissioner said that some of
13:42 26 that paragraph is not dictated to you and that you are telling him
13:42 27 what you know. Were you telling Mr Theiler anything that you
13:42 28 knew, that is recorded in that email?
13:42 29

13:42 30 A. No, no, this was telling - for the aim to tell Debra,
13:42 31 Ms Tegoni.
13:42 32

13:42 33 Q. What had been relayed to you by ---
13:42 34

13:42 35 A. What had been relayed to me by Mr Theiler and then some
13:42 36 additional commentary about matters that I knew about.
13:42 37

13:42 38 Q. Okay. Thank you for clarifying that. No further questions
13:42 39 for Ms Williamson.
13:42 40

13:42 41 MS NESKOVICIN: Thank you, Commissioner. Nothing further
13:42 42 for Ms Williamson. If she could be excused.
13:43 43

13:43 44 COMMISSIONER: Thank you. Sorry for keeping you here so
13:43 45 long.
13:43 46

13:43 47 A. Thank you.

13:43 1

13:43 2

13:43 3 **THE WITNESS WITHDREW**

13:43 4

13:43 5

13:43 6 COMMISSIONER: We'll adjourn until 9.30 Monday morning.

13:43 7

8

9 **HEARING ADJOURNED AT 1.43 PM UNTIL MONDAY, 5**

10 **JULY 2021 AT 9.30 AM**

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