

RE: POI Out of meeting action - FOR APPROVAL ONLY - IF COMMITTEE APPROVES NOT FOR IMMEDIATE ACTIONING UNTIL FURTHER ADVISED - legally privileged and confidential [CM-LEGAL.FID32757]

From: Joshua Preston [REDACTED]
To: Craig Walsh <[REDACTED]>, Jan Williamson [REDACTED], Sean Counihan [REDACTED], POICommittee-MEL [REDACTED]
Date: Wed, 14 Aug 2019 15:56:47 +1000
Attachments: Unnamed Attachment (67.06 kB)

Thanks Craig, I appreciate the detailed comments.

I have considered the matters (including the position other Committee members have expressed), and discussed them with senior management, and we remain of the view that taking into account the new information that has come to hand, together with Mr Pan's on property behaviour, which he was recently barred for, he should be barred.

Whilst I acknowledge that he has not (to our knowledge) been charged with any offence, overall there is sufficient information now at hand for us to take this action.

I note that Mr Pan can, if he so chooses, write to us to explain his position and, like other matters that we have considered in times past, we will assess it and put it to the Committee.

Please note that, a staff member that knows Mr Pan will be delivering the WOL to him. Accordingly, can the documentation please be sent to me and I will forward it on.

Please call me if you, or anyone else on the Committee, wishes to discuss.

Cheers
JP

Joshua Preston
Chief Legal Officer – Australian Resorts



[W crownresorts.com.au](http://www.crownresorts.com.au)

From: Craig Walsh [REDACTED]
Sent: Friday, 2 August 2019 11:19 AM
To: Jan Williamson <[REDACTED]>; Sean Counihan [REDACTED], POICommittee-MEL <[REDACTED]>
Subject: RE: POI Out of meeting action - FOR APPROVAL ONLY - IF COMMITTEE APPROVES NOT FOR IMMEDIATE ACTIONING UNTIL FURTHER ADVISED - legally privileged and confidential [CM-LEGAL.FID32757]

Hi Jan,

As discussed I don't know Pan and have had no dealings with him other than issuing him a WOL earlier this year. That said I don't support the recommendation for the following reasons:

- Pan has never been charged let alone convicted of any criminal offences;
- The business he runs at 39 Tope Street is a legitimate business properly licensed under state law;
- The 'suspected' people trafficking matter occurred 11 years ago and Pan wasn't charged or even interviewed over the matter – and it's not clear that anyone else associated with the address was interviewed, charged or convicted of any associated offences;
- It appears Pan was never interviewed, charged or convicted in relation to the money laundering which apparently occurred at his business address in 2015 – other than the uncorroborated record of interview comments quoted in the media article what other evidence are we relying upon to suggest that Pan was complicit in the offences? In

my experience if there is any evidence at all involving Pan he would have been at least interviewed if not charged in relation to the offences;

- If we are simply going to rely on Pan's place of business being somewhere where money laundering took place as a reason to ban him – there are many businesses throughout the state/country where offences occur that don't necessarily involve the business owner including banks, finance institutions, real estate agencies and the list goes on.... If the owners of the business are involved in committing the offences then I don't have any problems with WOL'ing them – as per above in this case it's not clear if Pan was ever interviewed about the matter;
- I'm happy to be proven wrong however as I understand it Pan taking a percentage of the sex worker's earnings is industry standard and not illegal as is sourcing workers for his largely Asian brothel via an Asian intermediary;
- What evidence do we have that 'policing agencies have repeatedly filed documents in court identifying Mr Pan as owning brothels involved in serious criminal activity and suspected human trafficking and as having alleged deep ties to organised criminals'. Is that simply something trotted out by the media? Have we been able to verify any part of that statement?
- What 'evidence' was aired in court that implicated Pan as having links to serious criminal activity? Is that another media statement we are relying on? Do we know what cases this related to and how long ago? Do we know what court was involved?
- One thing we potentially could rely on would be the VCAT matter quoted in your email – however we would need more than mere supposition to inform our opinions. This particular issue probably raises more questions than answers for me at the moment – what were the circumstances of the matter before VCAT? Was the human trafficking relied upon the matter from 2008 or was the prosecution alleging new facts and circumstances? What were the conditions imposed upon his licence? What were the original charges? etc. etc.....
- By banning Pan now based on a paucity of credible information/evidence are we not confirming the media's recent accusations about Crown's dealings with Pan?

As you know I rarely (if ever) defend someone at the POI Committee I think shouldn't be in the property for reasons involving criminal behaviour or criminal association however if we are going to start banning people based on rumour, innuendo or supposition where do we stop? Other members of the committee would probably know far better than me of the numbers of people we hear things about that can't be substantiated even though we think they may be probably true.

If we had more detail in regard to the VCAT matter I would be far more comfortable. Have we considered interviewing Pan regarding the matters we are relying upon to better inform our opinions prior to issuing a WOL?

Kind Regards,

Craig Walsh

Executive Director | Security & Surveillance
Crown Melbourne Limited

Web: www.crownmelbourne.com.au



Please consider our environment before printing this email.

From: Jan Williamson

Sent: Thursday, 1 August 2019 6:19 PM

To: Sean Counihan; POICommittee-MEL

Subject: RE: POI Out of meeting action - FOR APPROVAL ONLY - IF COMMITTEE APPROVES NOT FOR IMMEDIATE ACTIONING UNTIL FURTHER ADVISED - legally privileged and confidential [CM-LEGAL.FID32757]

Importance: High

Dear All

You will no doubt be aware of recent media reporting concerning Simon Pan (Zhou Pan [REDACTED])

Attached is an out of POI meeting summary which includes recent further due diligence undertaken. As a result of further due diligence and after consideration of the new information, legal is of the opinion that we should ban Mr Pan due to him being the sole director, secretary and shareholder of a company with its principal place of business located at 39 Tope Street South Melbourne where money laundering occurred (2015 County Court matter DPP v Kim & Ors) and the comments of law enforcement in those matters (which we were not aware of until now).

Could each member of the Committee provide their view as to whether they support the view of legal to ban this patron.

If the Committee agree to ban this patron, **PLEASE DO NOT ACTION OR PLACE STOP CODES ON HIS ACCOUNT UNTIL FURTHER ADVISED by legal.**

Can each member of the Committee provide your response as soon as possible.

Thanking you in anticipation.

Regards

Jan Williamson | Senior Legal Counsel | Crown Melbourne Limited
8 Whiteman Street, Southbank VIC 3006, Australia



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