

8 September 2021

Our ref: PCR GFD 50259;182367

Ms Kate Gill-Herdman, Ms Abigail Gill and Mr Craig Phillips  
 Corrs Chambers Westgarth  
 Level 25, 567 Collins Street  
 MELBOURNE VIC 3000

By email: Confidential

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Pia Rossignuolo  
 Senior Associate

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Graydon Dowd  
 Partner

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Dear Ms Gill-Herdman, Ms Gill and Mr Phillips

## Royal Commission into the Casino Operator and Licence (Victorian Royal Commission)

**Our client: Jacinta Maguire**

We confirm that we act for Jacinta Maguire.

### 1 Closing Submissions of Counsel Assisting

- 1.1 We refer to our letter dated 2 August 2021, a copy of which is **enclosed** to this letter.
- 1.2 For the avoidance of doubt, we confirm that neither we nor Ms Maguire have had the opportunity to review the Crown Resorts Remediation Plan (Mark Up) dated 30 June 2021 (**Exhibit RC0418**) since the date when our letter was sent.
- 1.3 We and Ms Maguire have now been able to review Exhibit RC1469 Crown Resorts Remediation Plan (**Exhibit 1469**), which has been published on the website of the Victorian Royal Commission, subject to a number of redactions.
- 1.4 We note that there is one reference to Ms Maguire on page 9 of Exhibit 1469, as follows:
- 'VIP Executives Roland Thielers (sic), Jacinta Maguire and Ishan Ratnam have now departed Crown.'*
- 1.5 We understand from Crown that there are words to the same effect in Exhibit RC0418 in relation to Ms Maguire. However, despite request we have not been afforded the opportunity to review Exhibit RC0418 or the unredacted portions of Exhibit 1469.

### 2 Closing Submissions of Crown Melbourne Limited

- 2.1 We now refer to the Closing Submissions of Crown Melbourne Limited dated 2 August 2021 (**Crown's Closing Submissions**) that have been published on the website of the Victorian Royal Commission.
- 2.2 We refer to the following paragraphs of Crown's Closing Submissions:

### **'Senior Management**

C.31. In addition to the changes to the Crown Resorts Board, a number of senior executives left the organisation before or shortly after the Bergin Inquiry Report was published. These include Crown's CEO & Managing Director (Ken Barton), the CEO of Australian Resorts (Barry Felstead), the Crown General Counsel (Mary Manos), and the Chief Legal Officer of Australian Resorts (Joshua Preston). Crown has replaced those executives with highly qualified persons from outside Crown, who are referred to at paragraph C.37 below.

...

C.36. The **three senior executives formerly responsible for the VIP international business** – **Ishan Ratnam, Jacinta Maguire and Roland Theiler** – are no longer with Crown. This is of particular significance in light of Commissioner Bergin's finding, as noted above, that the VIP International business operated as a separate business, with its own problematic culture that drove profit to the detriment of its staff. It was the VIP international business which had direct responsibility for Crown's operations in China in the period before October 2016 as well as for Crown's dealings with junket operators and their agents. It was also the VIP international business that first proposed the CUP process.'

(our emphasis)

- 2.3 Ms Maguire has concerns in relation to the accuracy of paragraph C.36 and the potential negative implications in respect of herself that may arise from these inaccuracies. By this letter, we are instructed to provide submissions to the Commission so that the Commission may have regard to our submissions if, and when, it refers to paragraph C.36 of Crown's Closing Submissions in preparing the Final Report.

## **3 Submissions**

- 3.1 We are instructed to submit as follows:
- (a) Paragraph C.36 implies that Ms Maguire's employment may have been terminated due to the Bergin Inquiry Report. This is not the case. Ms Maguire elected to leave Crown in around August 2020 and her employment formally ceased in January 2021 (and not in April 2021 as is stated in the Closing Submissions of Counsel Assisting the Commission).<sup>1</sup>
  - (b) For completeness, we have previously made submissions to the effect that Ms Maguire was not a '*senior Crown Executive*' in August 2012, and indeed for the period to at least 2016.<sup>2</sup>
  - (c) Paragraph C.36 tends to imply that Ms Maguire was responsible for the '*problematic culture that drove profit to the detriment of its staff*' in the VIP international business unit, together with Mr Ishan Ratnam and Mr Roland Theiler. Ms Maguire strongly rejects any such implication.

<sup>1</sup> Our letter to the Victorian Royal Commission dated 2 August 2021 provided additional submissions in respect of this point.

<sup>2</sup> Our letter to the Victorian Royal Commission dated 14 July 2021 provided detailed submissions in respect of this point, in relation to the inclusion of Ms Maguire's name with other junior level executives referred to in Exh bit RC0268 Final memorandum of Advice - Crown Resorts, CUP process and transfers by associates of customers - 1 June 2021,

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- (d) For the reasons that follow, Ms Maguire does not agree that she should be held out or recorded as being an executive (senior or otherwise) responsible for the VIP international business unit:
- (i) It seems illogical to suggest that three people can each be executives of a business unit, in circumstances where each individual has their own agenda, risk tolerance, morals and values. To Ms Maguire's knowledge, every other business unit at Crown has one accountable executive. Furthermore, Ms Maguire was the most junior of the three people.
  - (ii) There were numerous committees at Crown where the VIP international business unit was not represented. When Ms Maguire queried why the business unit was not represented and expressed concern about the lack of information flow, she was informed that Mr Barry Felstead represented the VIP International business unit.
  - (iii) Ms Maguire was not involved in the overall decision making for the VIP international business unit. By way of example, Mr Felstead made decisions such as paying discretionary bonuses to selected VIP International team members despite Ms Maguire's views to the contrary.
  - (iv) After the incarceration of Mr Jason O'Connor in China in October 2016, Ms Maguire spoke to Mr Felstead on a number of occasions about appointing someone to the EGM role to give the team the support and direction it needed. Her requests were not actioned.
  - (v) Ms Maguire made a number of requests for change in the VIP international business unit and for matters of concern to be investigated. Her requests were not agreed to. Ms Maguire considers that if she was an executive responsible for the culture of the VIP international business unit, her requests would have been taken more seriously.
  - (vi) Ms Maguire did not receive any executive privileges; for example Long Term Incentives.
  - (vii) Ms Maguire was not a member of the Executive Committee for either Melbourne or Perth.
  - (viii) Ms Maguire was not a member of the Executive Risk and Compliance Committee (ERCC) for either Melbourne or Perth.
  - (ix) Ms Maguire was not a member of the Persons of Interest (POI) committee for either Melbourne or Perth.
  - (x) Ms Maguire was not a member of the Data Governance Steering committee for either Melbourne or Perth.
- (e) Although Ms Maguire acknowledges that there were cultural issues within the VIP international business unit, she strongly denies that she was in any way responsible for this. Ms Maguire elected to leave Crown in large part due to her dissatisfaction with the way in which issues she raised were not addressed.
- (f) It is understandable in the circumstances that paragraph C.36 of Crown's Closing Submissions should cause Ms Maguire significant concern.

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- 3.2 We reiterate our request that these matters be considered if, and when, the Commission refers to paragraph C.36 of Crown's Closing Submissions in preparing the Final Report.
- 3.3 Should the Commission require any further information regarding any of the above, please let us know.

Please contact Graydon Dowd or Pia Rossignuolo with any queries.

Yours faithfully

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**Hall & Wilcox**

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2 August 2021

Our ref: PCR GFD 50259;182367

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Dear Ms Gill-Herdman, Ms Gill and Mr Phillips

## Royal Commission into the Casino Operator and Licence (Victorian Royal Commission)

Our client: **Jacinta Maguire**

### 1 Closing Submissions

- 1.1 We refer to your letter dated 25 July 2021 which enclosed updated Closing Submissions of Counsel Assisting the Commission (**Closing Submissions**).
- 1.2 We provided a copy of the Closing Submissions to our client Ms Maguire on a confidential basis for the purpose of preparing any responsive submissions. Ms Maguire has not disclosed the Closing Submissions to any third party.

### 2 Comments in response to the Closing Submissions

- 2.1 Ms Maguire has identified a factual inaccuracy at page 370 of the Closing Submissions, namely that Ms Maguire departed from her role at Crown in April 2021. The document that apparently supports this is Exhibit RC0418 (CRW.512.196.0053) at .0060, being Crown Resorts Remediation Plan (Mark Up) dated 30 June 2021 (**Exhibit RC0418**).
- 2.2 Ms Maguire elected to leave Crown in August 2020 and her employment ceased in January 2021, not in April 2021 as is stated.
- 2.3 We understand that Exhibit RC0418 is not publicly available. Neither we nor Ms Maguire have had the opportunity to review it at present.

### 3 Request to correct statement

- 3.1 Ms Maguire is concerned that the incorrect April 2021 date may infer that her employment was terminated following the release of the Bergin Inquiry report, which was not the case.
- 3.2 Accordingly, if it is intended that the Final Report is to include a statement regarding when Ms Maguire departed Crown, we respectfully request that the factually correct date as set out in paragraph 2.2 above is used, rather than the incorrect date of April 2021.



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- 3.3 We also request that any copy of Exhibit RC418 not be published until Ms Maguire has had the opportunity to review the document and has addressed any factual inaccuracies contained in it.
- 3.4 Should the Commission require any documentation confirming any of the above, Ms Maguire can provide records of relevant correspondence upon request.

Please contact Graydon Dowd or Pia Rossignuolo with any queries.

Yours faithfully

Confidential

**Hall & Wilcox**