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TRANSCRIPT OF PROCEEDINGS

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**COMMISSIONER: HON. RAY FINKELSTEIN AO QC**

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

**MELBOURNE, VICTORIA**

**09.30 AM, FRIDAY, 21 MAY 2021**

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<b>Counsel for the State of Victoria</b>	<b>MR PETER GRAY QC MR GLYN AYRES</b>
<b>Deloitte (Gilbert + Tobin)</b>	<b>MR RICHARD HARRIS</b>

09:06 1 COMMISSIONER: Thank you. Good morning, everyone. Sit  
09:31 2 down.  
09:31 3  
09:31 4 MS NESKOVCIN: Good morning, Commissioner. We are  
09:31 5 continuing with Mr Stokes this morning.  
09:31 6  
09:31 7  
09:31 8 **MR NICHOLAS ST AUBYN STOKES, PREVIOUSLY**  
09:31 9 **AFFIRMED**  
09:31 10  
09:31 11 **EXAMINATION-IN-CHIEF BY MS NESKOVCIN, CONTINUED**  
09:31 12  
09:31 13  
09:31 14 MS NESKOVCIN: Good morning, Mr Stokes.  
09:31 15  
09:31 16 A. Good morning.  
09:31 17  
09:31 18 Q. Just to recap, yesterday you told us that you  
09:31 19 started in your role at Crown in December 2019. You  
09:31 20 replaced Ms Louise Lane; is that correct?  
09:31 21  
09:31 22 A. That's correct.  
09:31 23  
09:31 24 Q. Ms Lane finished in October 2019?  
09:31 25  
09:31 26 A. I believe so.  
09:31 27  
09:31 28 Q. So I take it that you didn't have a handover from  
09:31 29 Ms Lane?  
09:31 30  
09:31 31 A. No, I didn't.  
09:31 32  
09:31 33 Q. Were you given any documents that Ms Lane had  
09:31 34 prepared in relation to recommendations that she thought  
09:31 35 needed to be made to the AML program and the junkets  
09:31 36 program and other matters of that kind?  
09:31 37  
09:31 38 A. Not in the sense of a handover, no.  
09:31 39  
09:31 40 Q. But did you later come ---  
09:31 41  
09:31 42 A. I later came across a document, correct.  
09:31 43  
09:32 44 Q. So are you talking about a document, singular?  
09:32 45  
09:32 46 A. That's correct.  
09:32 47

09:32 1 Q. What is it you are referring to?  
09:32 2  
09:32 3 A. It is a document which I've now --- was produced  
09:32 4 yesterday. It was called 100 day plan.  
09:32 5  
09:32 6 Q. I see. We'll call this up just to confirm that this  
09:32 7 is the document you mean. It is CRW.0004.022.6540. Is  
09:32 8 that the document to which you are referring?  
09:32 9  
09:32 10 A. The document I saw yesterday was the one that I now  
09:32 11 recall having seen after I started, that's correct.  
09:32 12  
09:32 13 Q. Is it the document that you see on the screen?  
09:32 14  
09:32 15 A. That's correct.  
09:32 16  
09:32 17 Q. This is a draft document. Were you provided or are  
09:32 18 you aware of the final document?  
09:32 19  
09:32 20 A. I have not seen a final document, no.  
09:32 21  
09:32 22 Q. Was it reported to you that Ms Lane had any other  
09:33 23 criticisms of the AML or the junket program?  
09:33 24  
09:33 25 A. I had a number of conversations just to understand  
09:33 26 the history of what had been done and what hadn't been  
09:33 27 done.  
09:33 28  
09:33 29 Q. Conversations with whom?  
09:33 30  
09:33 31 A. Various people within the team with the head of  
09:33 32 compliance, Michelle Fielding, with Joshua Preston as  
09:33 33 well.  
09:33 34  
09:33 35 Q. And they reported to you some comments that Ms Lane  
09:33 36 had made; is that correct?  
09:33 37  
09:33 38 A. It was more about her --- I asked why did she leave.  
09:33 39 It was more context around that and how she was perceived  
09:33 40 within the organisation.  
09:33 41  
09:33 42 Q. And ---  
09:33 43  
09:33 44 A. That was the --- (speaking over) ---  
09:33 45  
09:33 46 Q. What were you told about the reasons for her  
09:33 47 leaving?

09:33 1  
09:33 2 A. That she had left to another role.  
09:33 3  
09:33 4 Q. The POI process, persons of interest process, as I  
09:33 5 understand it, it has a triaging system, if you like, of  
09:33 6 rating persons of interest; is that correct?  
09:34 7  
09:34 8 A. In terms of how patrons or customers get referred to  
09:34 9 the POI?  
09:34 10  
09:34 11 Q. Sorry, I meant in terms of persons that are referred  
09:34 12 and then they might get a high, medium or some other risk  
09:34 13 rating; is that correct?  
09:34 14  
09:34 15 A. In terms of the tool that is being used, the PDA  
09:34 16 tool?  
09:34 17  
09:34 18 Q. Perhaps I will go back to the start. Sorry, I'm  
09:34 19 trying to understand the process.  
09:34 20  
09:34 21 A. Okay.  
09:34 22  
09:34 23 Q. When a person is escalated to the POI process, have  
09:34 24 they already received some sort of AML rating?  
09:34 25  
09:34 26 A. Once they get, as of today, once they get --- the  
09:34 27 visibility that we have is when they get put on the  
09:34 28 agenda for a particular upcoming POI. And so some of  
09:34 29 them will have absolutely no, I guess, AML concerns  
09:34 30 whatsoever and some will have varying degrees of  
09:34 31 AML-related concerns.  
09:34 32  
09:34 33 Q. Thank you.  
09:34 34  
09:34 35 What is a red rating?  
09:35 36  
09:35 37 A. A red rating --- it sounds like you are referring to  
09:35 38 the significant player review rating. So that is  
09:35 39 a rating that is part of the draft Significant Player  
09:35 40 Review Policy. So how that operates is based on  
09:35 41 a threshold of theoretical spend, I guess you could say.  
09:35 42 A rolling 12-month period. Once that threshold is  
09:35 43 triggered, they will come within the realm of being  
09:35 44 called a significant player and they will be reviewed as  
09:35 45 per the requirements of that policy.  
09:35 46  
09:35 47 Q. Have you ever said to Ms Siegers that anything rated

09:35 1 red should automatically be excluded?  
09:35 2  
09:35 3 A. Have I ever made that comment?  
09:35 4  
09:35 5 Q. In Ms Siegers' presence?  
09:35 6  
09:35 7 A. I don't recall having that conversation.  
09:35 8  
09:35 9 Q. The reason I'm asking is in one of --- in the  
09:35 10 Deloitte interview of Ms Siegers --- sorry, in the  
09:36 11 Deloitte notes of Ms Siegers' interview, there is  
09:36 12 a suggestion there that you had said to her that  
09:36 13 "anything rated red we should automatically exclude" and  
09:36 14 I wondered if you'd said that and what you meant.  
09:36 15  
09:36 16 A. I don't recall that conversation, to be honest, but  
09:36 17 there have been a number of iterations of that policy.  
09:36 18 Yeah, I don't recall that specifically.  
09:36 19  
09:36 20 Q. Have there been instances where you, in your AML  
09:36 21 capacity, have said that you thought a person should be  
09:36 22 excluded but the person has not been excluded?  
09:36 23  
09:36 24 A. There may well have been a discussion within  
09:36 25 a previous POI committee where we were deliberating on  
09:36 26 the --- a person's risk to the organisation, but I would  
09:36 27 have to refresh my memory going through minutes to see  
09:36 28 whether in fact I held that view.  
09:36 29  
09:36 30 COMMISSIONER: Would you like to refresh your memory  
09:36 31 about it?  
09:36 32  
09:36 33 A. Sorry?  
09:37 34  
09:37 35 MS NESKOVCIN: I don't have a specific instance to put to  
09:37 36 Mr Stokes. I'm just to explore the issue, Commissioner.  
09:37 37  
09:37 38 Can you explain whether or not is it a voting system? So  
09:37 39 you have different people on the committee from different  
09:37 40 areas, you have compliance, Ms Fielding, you have  
09:37 41 Ms Siegers, yourself, security and surveillance ---  
09:37 42  
09:37 43 A. Right.  
09:37 44  
09:37 45 Q. Do you --- is it a majority rules process?  
09:37 46  
09:37 47 A. The position today is a little bit different. It has

09:37 1 evolved to the point where when we view, when we see  
09:37 2 an AML-related concern patron or customer on the agenda,  
09:37 3 we will take it off and we will put it through our own  
09:37 4 process, so either through the UAR process, if we feel  
09:37 5 they've hit what is called a critical risk rating, or if  
09:37 6 they are a politically exposed person, we will take it  
09:37 7 through the so-called AML process.

09:37 8

09:37 9 Q. But if they haven't been excluded through the POI  
09:37 10 process, all you are doing by taking it back to the AML  
09:38 11 process is using your own tools to monitor the player; is  
09:38 12 that correct?

09:38 13

09:38 14 A. The POI committee is monthly, and so in any given  
09:38 15 month you may have five people going up, you may have 50,  
09:38 16 you may have 100, and so what we found in a month where  
09:38 17 there were, say, 50 or 60, the notice that we had on who  
09:38 18 had been put forward wasn't sufficient for us to come to  
09:38 19 that meeting prepared with an AML view.

09:38 20

09:38 21 Q. I see.

09:38 22

09:38 23 A. So the decision that I was looking to get support for  
09:38 24 was by looking at the critical risk escalation policy,  
09:38 25 and that says critical risk customers could either go to  
09:38 26 the POI or they can go to senior management for approval.

09:38 27

09:38 28 Q. Do you believe that it is the case that on the POI  
09:38 29 committee, AML does not have a loud enough voice, and  
09:38 30 that it gets outvoted by other areas of the business  
09:39 31 which have a tendency to not exclude players that you  
09:39 32 would want to see excluded?

09:39 33

09:39 34 A. That's not been my recent experience. A lot of the  
09:39 35 patrons that get put forward with those sorts of concerns  
09:39 36 are --- receive a withdrawal of licence.

09:39 37

09:39 38 Q. It seems to me in your answer you are emphasising  
09:39 39 recent experience. Is that an experience that has  
09:39 40 changed since you started at Crown?

09:39 41

09:39 42 A. Certainly with the recommendations from the Deloitte  
09:39 43 review it's become a group POI committee with less more  
09:39 44 focused members in terms of the representation of that  
09:39 45 committee. So you mentioned security, risk, compliance,  
09:39 46 AML.

09:39 47

09:39 1 Q. I wanted to ask you about the Significant Player  
09:39 2 Review Policy by reference to this document, please,  
09:39 3 Mr Stokes. Operator, CRW.0000.0003.0062. If we could  
09:40 4 please go to 0070. Mr Stokes, this is a document which  
09:40 5 has been produced by Crown in this Commission. Did you  
09:40 6 have a role in preparing this document?  
09:40 7  
09:40 8 A. Can I be brought to the top?  
09:40 9  
09:40 10 Q. Certainly. Back to the first page, please,  
09:40 11 operator.  
09:40 12  
09:40 13 Mr Stokes, it is a document prepared by Crown identifying  
09:40 14 breaches or potential breaches of legislation ---  
09:40 15  
09:40 16 A. Oh, yes.  
09:40 17  
09:40 18 Q. --- and regulation, and this is specifically in  
09:40 19 relation to AML/CTF. You can see that in the second  
09:41 20 column.  
09:41 21  
09:41 22 A. Yes, I understand.  
09:41 23  
09:41 24 Q. Did you have a role in preparing this document?  
09:41 25  
09:41 26 A. My team did, yes.  
09:41 27  
09:41 28 Q. Have you seen it recently before you gave evidence  
09:41 29 yesterday or today?  
09:41 30  
09:41 31 A. I've seen it more recently in the past couple of  
09:41 32 days, yes.  
09:41 33  
09:41 34 Q. Operator, if you could please blow up paragraph 16,  
09:41 35 or the row with paragraph 16 in it. Page 32, sorry,  
09:41 36 operator. 32 of the actual document. Thank you very  
09:41 37 much. Page 36, thank you.  
09:41 38  
09:41 39 This is about significant player review, and you see in  
09:42 40 the second dot point in this row, the reference to the  
09:42 41 Significant Player Review Policy. The first dot point  
09:42 42 mentions that it was a new process implemented in 2020,  
09:42 43 and then the next dot point the Significant Player Review  
09:42 44 Policy is intended to support the process in development.  
09:42 45 Has the policy actually been finalised?  
09:42 46  
09:42 47 A. Not yet.

- 09:42 1  
 09:42 2 Q. So the system is in place even though the policy  
 09:42 3 isn't yet finalised and is Crown following a draft of the  
 09:42 4 policy or implementing a draft of the policy?  
 09:42 5  
 09:42 6 A. The draft continues to evolve, particularly since  
 09:42 7 Mr Blackburn joined. He expressed a view that he would  
 09:42 8 like to have significant input into the policy. So at  
 09:43 9 the moment the current draft is still in a draft form,  
 09:43 10 yes.  
 09:43 11  
 09:43 12 Q. Thank you. The third dot point:  
 09:43 13  
 09:43 14 *The ..... Review involves a review (on an ongoing*  
 09:43 15 *basis) of top-end local and domestic players*  
 09:43 16 *(determined by certain theoretical or actual revenue*  
 09:43 17 *spend thresholds during defined periods) across all*  
 09:43 18 *three ..... properties to determine whether to*  
 09:43 19 *continue to ..... deal with the patron; or .....*  
 09:43 20 *further investigation is required or to cease doing*  
 09:43 21 *business with the patron.*  
 09:43 22  
 09:43 23 That is what you were identifying just a moment ago?  
 09:43 24  
 09:43 25 A. That's right.  
 09:43 26  
 09:43 27 Q. The next dot point:  
 09:43 28  
 09:43 29 *Reviews have been undertaken across all three .....*  
 09:43 30 *properties .....* *The ..... Policy outlines a framework*  
 09:43 31 *for completing further Know Your Customer ..... in*  
 09:43 32 *accordance with the AML/CTF Rules .....*  
 09:43 33  
 09:43 34 I want to ask you about the next dot point. It says:  
 09:43 35  
 09:43 36 *Reviews completed for in excess of 1,250 top*  
 09:43 37 *customers in Melbourne and in excess of 500 Sydney*  
 09:43 38 *based customers who are expected to become Crown*  
 09:43 39 *Sydney customers. Of the customers referred to the*  
 09:44 40 *POI Committee, 90 have been issued with a Withdrawal*  
 09:44 41 *of Licence (WOL) either at the meeting or*  
 09:44 42 *subsequently for failure to provide sufficient source*  
 09:44 43 *of wealth information. A further 93 customers are*  
 09:44 44 *awaiting decision by the POI Committee.*  
 09:44 45  
 09:44 46 So, as a result of this review, you looked at 1,250  
 09:44 47 customers in Melbourne who meet the criteria that we've



09:44 1 just identified in the second dot point, and the POI  
09:44 2 committee has determined to issue a withdrawal of licence  
09:44 3 to 90 of those people; correct?  
09:44 4  
09:44 5 A. At the time this document was drafted.  
09:44 6  
09:44 7 Q. Yes, just at the time of this document.  
09:44 8  
09:44 9 A. Yes.  
09:44 10  
09:44 11 Q. Was it only on the basis of failure to provide  
09:44 12 source of wealth information or for other reasons as  
09:44 13 well?  
09:44 14  
09:44 15 A. In terms of a customer receiving a WOL?  
09:44 16  
09:44 17 Q. Yes.  
09:44 18  
09:44 19 A. There would have been other reasons as well.  
09:44 20  
09:44 21 Q. But they are not mentioned in this document?  
09:44 22  
09:44 23 A. I'm saying there potentially could have been other  
09:45 24 reasons, yes.  
09:45 25  
09:45 26 Q. Such as?  
09:45 27  
09:45 28 A. If I can speak generally to the POI ---  
09:45 29  
09:45 30 Q. Yes, please.  
09:45 31  
09:45 32 A. --- if they had provided some form of declaration as  
09:45 33 to their source of wealth, and that appeared on the face  
09:45 34 of it implausible, they would either receive a WOL  
09:45 35 through the POI process or be escalated as a critical  
09:45 36 risk customer and be exited that way.  
09:45 37  
09:45 38 Q. Mr Stokes, do you agree that it is a significant  
09:45 39 number of customers who had been issued with a WOL as a  
09:45 40 result of the implementation of this policy?  
09:45 41  
09:45 42 A. Based on what I'm looking at the moment, again,  
09:45 43 recently there have been --- a few more have been issued  
09:45 44 WOLs, so I don't have the up-to-date figures, but ---  
09:45 45  
09:45 46 Q. How was it satisfactory for Crown to be transacting  
09:45 47 with these customers prior to the implementation of the

- 09:46 1 Significant Player Review Policy?  
09:46 2
- 09:46 3 A. Sorry, could you repeat the question.  
09:46 4
- 09:46 5 Q. How was it satisfactory for Crown to be transacting  
09:46 6 with these customers prior to the implementation of the  
09:46 7 Significant Player Review Policy?  
09:46 8
- 09:46 9 A. Prior to --- well, the introduction of the  
09:46 10 Significant Review Policy was an initiative of the  
09:46 11 business, the frontline business to know their customers  
09:46 12 better. The source of wealth, or understanding the  
09:46 13 source of wealth obligation kicks in if they are rated  
09:46 14 high risk and we are conducting enhanced customer due  
09:46 15 diligence on them, and that is one of the components of  
09:46 16 what we may look at in terms of their wealth. Of course,  
09:46 17 if we are able to establish that through other means that  
09:46 18 we understand their source of wealth, they won't need to  
09:46 19 go through this process.  
09:46 20
- 09:46 21 Q. My point is, these were steps that were not being  
09:46 22 taken by Crown prior to the implementation of this  
09:46 23 policy; correct?  
09:46 24
- 09:47 25 A. That's right, this is a new process.  
09:47 26
- 09:47 27 Q. And doesn't it follow that if these players aren't  
09:47 28 satisfying the new process, Crown shouldn't have been  
09:47 29 transacting with them prior to the implementation of this  
09:47 30 policy for reasons including insufficient understanding  
09:47 31 about source of wealth, other concerns about their POI  
09:47 32 status; do you agree?  
09:47 33
- 09:47 34 A. Well, yes and no. If we had no other high risk  
09:47 35 attributes, for instance, the extent of previous SMRs  
09:47 36 filed, adverse media, law enforcement inquiries, the  
09:47 37 refusal of itself to complete a source of wealth form is  
09:47 38 something of a concern, no doubt, and only recently have  
09:47 39 we made the decision to WOL them once they trigger that  
09:47 40 threshold, so today, if they trigger the significant  
09:48 41 player review thresholds and they fail to provide  
09:48 42 a source of wealth document, that will result in  
09:48 43 an automatic withdrawal of licence.  
09:48 44
- 09:48 45 Q. And the point at which AML become involved in this  
09:48 46 policy or the implement of the policy is at the POI  
09:48 47 committee level; is that correct?

09:48 1  
09:48 2 A. The business --- if we are still talking about the  
09:48 3 significant player review process, if throughout that  
09:48 4 review there is a concern, an AML concern, the business  
09:48 5 can also submit a UAR through to the AML team to do  
09:48 6 further the investigations.  
09:48 7  
09:48 8 Q. Yes.  
09:48 9  
09:48 10 A. In terms of the investigation itself, it is quite, in  
09:48 11 a sense, thorough in terms of getting external due  
09:48 12 diligence reports, looking at land title searches,  
09:48 13 company searches to ascertain without approaching the  
09:48 14 customer to understand their source of wealth. So there  
09:48 15 is a bit of background due diligence. A significant  
09:48 16 amount of due diligence done prior to reaching out to the  
09:49 17 customer to obtain source of wealth.  
09:49 18  
09:49 19 Q. But in terms of this policy, it is the general  
09:49 20 manager of table games and electronic games that  
09:49 21 determines whether or not someone meets the criteria and,  
09:49 22 therefore, needs to be escalated to the POI committee; is  
09:49 23 that correct?  
09:49 24  
09:49 25 A. It would be based on the thresholds?  
09:49 26  
09:49 27 Q. Yes.  
09:49 28  
09:49 29 A. So either the rolling 12-month threshold or the  
09:49 30 monthly threshold. From what I understand, there is  
09:49 31 about 30 to 40 customers will fall --- will come within  
09:49 32 that review on an ongoing basis.  
09:49 33  
09:49 34 Q. And you are satisfied that is the appropriate place,  
09:49 35 namely the electronic games team and the table games team  
09:49 36 to be undertaking that review process?  
09:49 37  
09:49 38 A. They do the background in terms of the heavy lifting,  
09:49 39 so to speak. Certainly we would have, as part of the  
09:49 40 assurance program that we've drafted, we would need to do  
09:50 41 some sample checks or periodic checks to ensure that that  
09:50 42 process is being followed and that the right customer is  
09:50 43 going through the right workflows to ensure that they  
09:50 44 don't fall between the cracks, so to speak.  
09:50 45  
09:50 46 Q. Do you do that process as things currently stand?  
09:50 47

09:50 1 A. If they are put through the UAR process, absolutely.  
09:50 2 We review that customer in addition to the work that has  
09:50 3 been done by the frontline team.  
09:50 4  
09:50 5 MS NESKOVCIN: Commissioner, do you have any questions in  
09:50 6 relation to this document? I'm going to move to another  
09:50 7 topic.  
09:50 8  
09:50 9 Thank you, Mr Stokes.  
09:50 10  
09:50 11 COMMISSIONER: Just a couple on timing.  
09:50 12  
09:50 13 The schedule itself says the new process implemented in  
09:50 14 2020. Do I take it that is towards the end of 2020?  
09:50 15  
09:50 16 A. I seem to recall the process more towards  
09:50 17 August/September of last year.  
09:50 18  
09:50 19 COMMISSIONER: Was that a process, or one of the  
09:51 20 processes recommended by Deloitte's?  
09:51 21  
09:51 22 A. Not to my recollection. It was a proactive  
09:51 23 initiative by the frontline business units.  
09:51 24  
09:51 25 COMMISSIONER: Thank you.  
09:51 26  
09:51 27 MS NESKOVCIN: Mr Stokes, yesterday I asked you about  
09:51 28 whether or not you had involvement in commenting on the  
09:51 29 draft AUSTRAC report --  
09:51 30  
09:51 31 A. Yes.  
09:51 32  
09:51 33 Q. --- and you said you saw an early draft, and you  
09:51 34 provided feedback but not on the covering letter. Can I  
09:51 35 ask you to have a look at this document, please. It is  
09:51 36 CRW.005.008.3036. Was that the covering letter to which  
09:51 37 you are referring?  
09:51 38  
09:51 39 A. Yes. So after giving evidence yesterday, I went to  
09:51 40 re-read that letter and it refreshed my memory as to the  
09:51 41 level of input that myself and the team had in a prior  
09:52 42 draft, or input into the letter but not into the final  
09:52 43 draft. Yes.  
09:52 44  
09:52 45 Q. So, looking at the letter now ---  
09:52 46  
09:52 47 A. Yes.

- 09:52 1  
09:52 2 Q. --- do you recall having some input into an earlier  
09:52 3 draft of this letter?  
09:52 4  
09:52 5 A. In terms of the themes, I do recall, yes.  
09:52 6  
09:52 7 Q. But you just didn't see the final letter?  
09:52 8  
09:52 9 A. I don't recall that it was put to me to sign off on  
09:52 10 the final version, no.  
09:52 11  
09:52 12 Q. Based on your involvement in the earlier draft of  
09:52 13 the letter, was one of the themes that was coming across  
09:52 14 was that first of all Crown wanted to continue to consult  
09:52 15 with AUSTRAC?  
09:52 16  
09:52 17 A. That's evident from the tone of the letter, yes.  
09:52 18  
09:52 19 Q. And, secondly, Crown would appreciate guidance from  
09:52 20 AUSTRAC on any risk management strategies that AUSTRAC  
09:52 21 considered appropriate?  
09:52 22  
09:52 23 A. That's what I got from reading the letter, yes.  
09:52 24  
09:52 25 Q. That was the case, wasn't it, that Crown was open to  
09:53 26 receiving guidance from AUSTRAC in relation to risk  
09:53 27 management strategies arising from the junket operations  
09:53 28 review?  
09:53 29  
09:53 30 A. From what I recall of the discussions, it was the  
09:53 31 extent to which we would like to do our jobs better in  
09:53 32 terms of getting input from, for instance, law  
09:53 33 enforcement agencies if there is a concern on  
09:53 34 a particular junket operator. It also talks about  
09:53 35 offsetting and the experience of visibility that we have  
09:53 36 of offsetting because, as you can imagine, we are one  
09:53 37 part of that possible offsetting arrangement. And so it  
09:53 38 was really about getting a dialogue so that we could  
09:53 39 understand more typologies around offsetting.  
09:53 40  
09:53 41 Q. And what about guidance on things like standard  
09:53 42 operating procedures?  
09:53 43  
09:53 44 A. Guidance from AUSTRAC on standard operating  
09:53 45 procedures .....
- 09:53 46  
09:53 47 Q. Perhaps I'm using the wrong terminology. Guidance

09:54 1 from AUSTRAC on procedures that Crown could implement to  
09:54 2 improve its risk management practices from an AML  
09:54 3 perspective?

09:54 4

09:54 5 A. From what I recall, we were --- the intent was to  
09:54 6 certainly use the final version of the risk assessment to  
09:54 7 inform us as to how we should either enhance our controls  
09:54 8 and revise our procedures.

09:54 9

09:54 10 MS NESKOVICIN: The next document I'm going to take  
09:54 11 Mr Stokes to is a privileged document, so it can be shown  
09:54 12 in the room only. I will tender that letter, thank you,  
09:54 13 Commissioner. I will tender the letter and the document  
09:54 14 when I come to that as well.

09:54 15

09:54 16 COMMISSIONER: Can I just have a look at the top and date  
09:54 17 of the letter?

09:54 18

09:54 19 MS NESKOVICIN: Sorry.

09:54 20

09:54 21 COMMISSIONER: Letter or email? Email. It is an email  
09:54 22 from Crown to Ms Lewkowicz of 13 May 2020.

09:55 23

09:55 24 ASSOCIATE: RC24.

09:55 25

09:55 26 MS NESKOVICIN: Operator, the next document is  
09:55 27 CRW.008.034.778. There might be another digit which I'm  
09:55 28 missing.

09:55 29

09:57 30 Operator, could you scroll through this document. It  
09:57 31 might actually just be an attachment. That's it.

09:57 32

09:57 33 COMMISSIONER: Is that it?

09:57 34

09:57 35 MS NESKOVICIN: Yes. So when it comes to tendering ---  
09:57 36 that's all right, we'll proceed. So if we could go back  
09:57 37 to the page we were just on, please, operator.

09:57 38

09:57 39 Mr Stokes, this was the draft of the AUSTRAC report which  
09:57 40 was attached to the letter that we just saw, and this was  
09:57 41 a draft on which you provided some feedback; is that  
09:57 42 correct?

09:57 43

09:57 44 A. Myself and the team, that's correct.

09:57 45

09:57 46 Q. And if we could please go to page 26. And under  
09:58 47 "Products and services" you see:

09:58 1 Confidential  
09:58 2  
09:58 3  
09:58 4  
09:58 5  
09:58 6 It has a few points after that. I want to take you to  
09:58 7 the shaded box under that but if you want a moment to  
09:58 8 familiarise yourself with that section, please do so,  
09:58 9 Mr Stokes.  
09:58 10  
09:58 11 A. Thank you.  
09:58 12  
09:58 13 Q. Are you ready to go to the box?  
09:58 14  
09:58 15 A. Yes.  
09:58 16  
09:58 17 Q. Operator, if we could show the shaded box on the  
09:59 18 screen. This is still part of AUSTRAC's report because  
09:59 19 when we --- as I read the report, there were captions in  
09:59 20 which Crown made comments but they were also in boxes  
09:59 21 with Crown comments written at the top. As I understand  
09:59 22 it, this is still AUSTRAC's assessment, do you agree with  
09:59 23 that? Just go over the page, please, operator.  
09:59 24  
09:59 25 A. Are you referring to the December 2020 final version  
09:59 26 or?  
09:59 27  
09:59 28 Q. Well, just this document.  
09:59 29  
09:59 30 A. In terms of the draft?  
09:59 31  
09:59 32 Q. Yes, this is the draft.  
09:59 33  
09:59 34 A. Okay.  
09:59 35  
09:59 36 Q. You see where Crown embeds comments, it does it in  
09:59 37 a separate box with the heading "Crown comments"?  
09:59 38  
09:59 39 A. Yes.  
09:59 40  
09:59 41 Q. So, operator, if you could please go back. I wonder  
09:59 42 if you agree that these are AUSTRAC comments?  
09:59 43  
09:59 44 A. Yes, as far as I recall, they are.  
09:59 45  
09:59 46 Q. Thank you. And it is talking about front money.  
09:59 47 Front money provided by casino in the context of junkets

10:00 1 Confidential

10:00 2

10:00 3

10:00 4

10:00 5

10:00 6 Then the next paragraph says:

10:00 7

10:00 8 Confidential

10:00 9

10:00 10

10:00 11

10:00 12 You see that?

10:00 13

10:00 14 A. Yes.

10:00 15

10:00 16 Q. And then in the next paragraph:

10:00 17

10:00 18 Confidential

10:00 19

10:00 20

10:00 21

10:00 22

10:00 23

10:00 24

10:00 25

10:00 26

10:00 27

10:00 28

10:00 29

10:01 30

10:01 31

10:01 32

10:01 33

10:01 34

10:01 35

10:01 36

10:01 37

10:01 38 So when you read that, Mr Stokes, you understood that  
10:01 39 AUSTRAC was identifying one way in which to minimise the  
10:01 40 risks associated with junket operations, and the issue of  
10:01 41 front money, by requiring money contributed by individual  
10:01 42 players to be identify; correct?

10:01 43

10:01 44 A. That's correct.

10:01 45

10:01 46 Q. I will give you a moment to read the Crown comments.

10:01 47 I didn't want to ask any questions about that.



10:02 1  
10:02 2 A. I've read that. I understand the comments.  
10:02 3  
10:02 4 Q. I take it from what you said earlier, Mr Stokes,  
10:02 5 that if AUSTRAC made the suggestion to Crown that if  
10:02 6 it --- if Crown approached AUSTRAC as part of the  
10:02 7 consultative process to discuss risk minimisation  
10:02 8 strategies, and AUSTRAC suggested a procedure whereby  
10:02 9 Crown was required to have a procedure for identifying  
10:02 10 front money, sorry, identifying money contributed by  
10:02 11 individual players, you would be open to that?  
10:02 12  
10:02 13 A. Yes.  
10:02 14  
10:02 15 Q. And you would think it was a good idea?  
10:02 16  
10:02 17 A. Yes.  
10:02 18  
10:02 19 Q. Are you aware of the Sixth Review report?  
10:02 20  
10:02 21 A. The Sixth --- I'm aware of it, yes.  
10:02 22  
10:02 23 Q. And you are aware of the recommendations made in  
10:02 24 relation --- by the VCGLR in the Sixth Review?  
10:02 25  
10:02 26 A. Recommendation 17? That is the one that I'm aware of  
10:02 27 because it touches on AML.  
10:02 28  
10:02 29 Q. Yes.  
10:02 30  
10:02 31 A. Yes.  
10:02 32  
10:02 33 Q. Did you follow Mr Cremona's evidence the other day?  
10:03 34  
10:03 35 A. I didn't, but I have read the statement.  
10:03 36  
10:03 37 Q. You are aware that what the VCGLR were recommending  
10:03 38 was effectively the same sort of thing that you and I  
10:03 39 have been discussing, which is a process for identifying  
10:03 40 or ensuring the transparency of amounts that are  
10:03 41 contributed by junket players?  
10:03 42  
10:03 43 A. Yes.  
10:03 44  
10:03 45 Q. Were you involved in the implementation --- I  
10:03 46 withdraw that. Were you involved in responding to the  
10:03 47 VCGLR about Recommendation 17? I understand you weren't

10:03 1 there at the time of the Sixth Review report, but at the  
10:03 2 time this report was in development and you were  
10:03 3 providing feedback to AUSTRAC, there was still an ongoing  
10:03 4 dialogue with the VCGLR about Recommendation 17. Were  
10:03 5 you aware of that at the time?

10:03 6  
10:03 7 A. I was aware of --- I don't quite recall the timing  
10:03 8 but certainly after I joined I was aware of  
10:03 9 Recommendation 17.

10:03 10  
10:03 11 Q. Were you involved in any of the discussions or  
10:04 12 correspondence to the VCGLR in relation to  
10:04 13 Recommendation 17?

10:04 14  
10:04 15 A. No, I wasn't.

10:04 16  
10:04 17 Q. Were you aware that Crown, and these are my words,  
10:04 18 were pushing back on Recommendation 17?

10:04 19  
10:04 20 A. I recall reading Recommendation 17, and the only  
10:04 21 thoughts I had at the time was particularly on the point  
10:04 22 about AUSTRAC input. My automatic reaction to that was  
10:04 23 I don't think AUSTRAC will be providing input on the  
10:04 24 ICSs.

10:04 25  
10:04 26 Q. So you thought AUSTRAC would be providing input on  
10:04 27 the ICSs --- I understand what you are saying, but --- why  
10:04 28 weren't you saying to Mr Preston or someone else at Crown  
10:04 29 "Well, you know, AUSTRAC has a good point" --

10:04 30  
10:04 31 A. Yes.

10:04 32  
10:04 33 Q. --- "it is the same point that VCGLR are making, why  
10:04 34 don't we get on board with the VCGLR and do what they are  
10:04 35 asking because I think it is a good idea"?

10:05 36  
10:05 37 A. I wasn't involved in any of the correspondence or  
10:05 38 discussions on Recommendation 17 other than seeing the  
10:05 39 recommendation. I recall the recommendation due date was  
10:05 40 in June or July 2019. So I can't quite recall the  
10:05 41 context of why I was being shown the recommendation,  
10:05 42 given that it was probably at that stage 2020.

10:05 43  
10:05 44 Q. By this time, just to be clear, were you aware that  
10:05 45 there was still ongoing dialogue with the VCGLR about  
10:05 46 Recommendation 17?

10:05 47

10:05 1 A. I don't --- to be honest, I don't recall why  
10:05 2 I was --- that recommendation was being discussed, and  
10:05 3 I can only assume that there was perhaps some follow-up  
10:05 4 from that recommendation, and that in some way or form  
10:05 5 that recommendation was perhaps still outstanding in some  
10:05 6 way or form. I don't --  
10:05 7  
10:05 8 COMMISSIONER: It was part of your area of  
10:05 9 responsibility, wasn't it?  
10:05 10  
10:05 11 A. Sorry?  
10:05 12  
10:05 13 COMMISSIONER: It was part of your area of  
10:05 14 responsibility?  
10:05 15  
10:05 16 A. Well, the way I read the recommendation was --- oh,  
10:05 17 in terms of ---  
10:06 18  
10:06 19 COMMISSIONER: I'm not talking about the recommendation  
10:06 20 itself. The subject matter of the recommendation, it  
10:06 21 fell under your domain?  
10:06 22  
10:06 23 A. That's correct, yes.  
10:06 24  
10:06 25 COMMISSIONER: Good. So it would be obvious to speak to  
10:06 26 you about it, it is your area of responsibility?  
10:06 27  
10:06 28 A. Yes, that's correct.  
10:06 29  
10:06 30 COMMISSIONER: Does that help you remember what was  
10:06 31 discussed?  
10:06 32  
10:06 33 A. No, it doesn't.  
10:06 34  
10:06 35 COMMISSIONER: It doesn't. All right.  
10:06 36  
10:06 37 MS NESKOVICIN: Do I take it from your answers that you  
10:06 38 weren't aware that there was resistance by Crown to the  
10:06 39 recommendations or VCGLR's interpretation of the  
10:06 40 recommendation in the middle of 2020?  
10:06 41  
10:06 42 A. What I recall is that there was some resistance to  
10:06 43 either get AUSTRAC's --- there was some resistance in  
10:06 44 being able to get AUSTRAC's input or to review the ICSs,  
10:06 45 and I do recall that Neil Jeans, or Initialism was  
10:06 46 involved in reviewing the ICSs and that it touched on the  
10:06 47 subject of the joint program.

10:06 1  
10:07 2 Q. Were you aware that there was a difference of  
10:07 3 opinion between --- I withdraw that.  
10:07 4  
10:07 5 In relation to the discussions with Mr Jeans, were you  
10:07 6 responsible for providing him with instructions in  
10:07 7 relation to the scope of his work?  
10:07 8  
10:07 9 A. In relation to ---  
10:07 10  
10:07 11 Q. The scope of Initialism's work?  
10:07 12  
10:07 13 A. Not in relation to the ICSs, no.  
10:07 14  
10:07 15 Q. Generally?  
10:07 16  
10:07 17 A. In more recent times, yes.  
10:07 18  
10:07 19 Q. Back in 2020?  
10:07 20  
10:07 21 A. Yes, that's correct.  
10:07 22  
10:07 23 Q. Can you just remind the Commissioner when Initialism  
10:07 24 was initially engaged and at what point you became  
10:07 25 involved in providing instructions?  
10:07 26  
10:07 27 A. We engaged Initialism to assist with the review of  
10:07 28 the joint --- the 2020 joint program. So Mr Jeans was  
10:07 29 engaged in that respect. Also, on an ad hoc basis, if I  
10:08 30 wanted to get advice from Mr Jeans, part of his  
10:08 31 engagement was drafted in a way in which it wasn't  
10:08 32 focused on one specific engagement, I could go to him for  
10:08 33 other consulting advice, and one example of that was he  
10:08 34 assisted with drafting a framework for our assurance  
10:08 35 program.  
10:08 36  
10:08 37 Q. Were you involved in identifying the number of  
10:08 38 matters that Initialism ought to be engaged to consider?  
10:08 39  
10:08 40 A. Josh Preston, he engaged Initialism to conduct  
10:08 41 a transaction monitoring source review, and I continued  
10:08 42 to engage with Mr Jeans on that project.  
10:08 43  
10:08 44 Q. So, just to summarise it, I take it that your  
10:08 45 evidence in relation to Recommendation 17 in the middle  
10:08 46 of 2020 was that you weren't consulted about whether or  
10:09 47 not what the VCGLR were requesting of Crown was

10:09 1 a reasonable recommendation?  
10:09 2  
10:09 3 A. I recall attending at least one meeting on  
10:09 4 Recommendation 17, but I don't recall specifically the  
10:09 5 content of that meeting.  
10:09 6  
10:09 7 Q. You said that you've read Mr Cremona's statement and  
10:09 8 you understand, from his statement, the VCGLR's position  
10:09 9 in relation to that recommendation and the construction  
10:09 10 that he put on that recommendation or interpretation?  
10:09 11  
10:09 12 A. Around the review of the ICSs for particular junket  
10:09 13 vulnerabilities, yes.  
10:09 14  
10:09 15 Q. Yes. And you agree that it was a reasonable  
10:09 16 recommendation?  
10:09 17  
10:09 18 A. I have looked at the recommendation and I would ---  
10:09 19 my view is it is reasonable, yes.  
10:09 20  
10:09 21 Q. Had you been asked at the time, you would have, I  
10:09 22 assume, suggested to Crown that it was a recommendation  
10:10 23 that they ought to adopt?  
10:10 24  
10:10 25 A. Certainly if it is touching junkets and it touches on  
10:10 26 AML, we would like to have a view and a job --- if it  
10:10 27 happened today we would certainly have input into any  
10:10 28 kind of AML-related control or control enhancement  
10:10 29 request.  
10:10 30  
10:10 31 MS NESKOVICIN: I have nothing further for Mr Stokes,  
10:10 32 Commissioner.  
10:10 33  
10:10 34 COMMISSIONER: Thank you.  
10:10 35  
10:10 36 MR BRERETON: Sir, with your leave, I have three topics I  
10:10 37 would like to explore with Mr Stokes briefly.  
10:10 38  
10:10 39 COMMISSIONER: Can you tell me what the topics are.  
10:10 40  
10:10 41 MR BRERETON: The matters arising from Mr Stokes meeting  
10:10 42 with Dr Lawson, particularly insofar as that issue  
10:10 43 concerns the (inaudible) the first issue. The second  
10:10 44 issue is the specific matter that applies in respect  
10:10 45 of --- proposed to apply in respect of Crown Sydney and  
10:10 46 the potential (inaudible) to Crown Melbourne. And the  
10:10 47 third topic is some specific questions around Crown's

10:11 1 policy on third party money transfers which is one of the  
10:11 2 topics dealt with in Mr Stokes's statement.

10:11 3

10:11 4 COMMISSIONER: All right.

10:11 5

10:11 6

10:11 7 **CROSS-EXAMINATION BY MR BRERETON**

10:11 8

10:11 9

10:11 10 MR BRERETON: Mr Stokes, my name is Brereton and I appear  
10:11 11 in this case with Mr Rozen for VCGLR. As you would have  
10:11 12 just heard, I want to ask you questions about the three  
10:11 13 lines of defence approach to risk management. That is  
10:11 14 a matter that you are familiar with, is the three lines  
10:11 15 of defence in relation to risk management?

10:11 16

10:11 17 A. Yes from, an AML perspective.

10:11 18

10:11 19 Q. I beg your pardon?

10:11 20

10:11 21 A. From an AML perspective, that is the context in which  
10:11 22 I was raising it, yes.

10:11 23

10:11 24 Q. You know that that is an approach to AML risk  
10:11 25 management that applies to casinos in the United States?

10:11 26

10:11 27 A. I do recall seeing a file note, in the file note are  
10:11 28 words to that effect, but I don't recall specifically  
10:11 29 stating that.

10:11 30

10:11 31 Q. It is a process that is applied by banks in the  
10:12 32 United States and in Europe?

10:12 33

10:12 34 A. I don't think it is limited to financial institutions  
10:12 35 but certainly it is a risk management model.

10:12 36

10:12 37 Q. Yes, sure. And is it a risk management model that  
10:12 38 in your view would be appropriate for Crown to adopt when  
10:12 39 it comes to dealing with issues of money laundering at  
10:12 40 casinos?

10:12 41

10:12 42 A. Yes. In fact it was outlining in the risk management  
10:12 43 strategy document in 2019, June 2019.

10:12 44

10:12 45 Q. Given that, just excuse me for a moment.

10:12 46

10:12 47 Given that, I want to explore with you, if I may, the

10:12 1 link between three lines of defence approach to risk  
10:12 2 management on the one hand, and the importance of culture  
10:12 3 within a business on the other.

10:12 4  
10:12 5 Now, am I correct that when one applies the three lines  
10:13 6 of defence model within a business, the first line of  
10:13 7 defence, if I can put it that way, relies upon the  
10:13 8 operational staff within the business, or those that  
10:13 9 interface with the business's customers actually  
10:13 10 identifying the risk that needs to be managed?

10:13 11  
10:13 12 A. That's one instance of it, yes.

10:13 13  
10:13 14 Q. What are the other instances?

10:13 15  
10:13 16 A. Well, it's just in terms of the risk ownership as  
10:13 17 well.

10:13 18  
10:13 19 Q. Okay.

10:13 20  
10:13 21 A. Yes.

10:13 22  
10:13 23 Q. So you characterise --- by risk ownership you mean  
10:13 24 that the risk itself, correct me if I'm wrong, the risk  
10:13 25 itself needs to be owned and identified by those  
10:13 26 operational staff?

10:13 27  
10:13 28 A. Yes, that's correct.

10:13 29  
10:13 30 Q. Yes. So, in the context of Crown, and what we are  
10:13 31 talking about in this Royal Commission, the risk is the  
10:13 32 risk of money laundering?

10:13 33  
10:13 34 A. That's correct.

10:13 35  
10:13 36 Q. So unless the operational staff on a day-to-day  
10:14 37 basis are identifying the myriad of different contexts in  
10:14 38 which money laundering can apply, there is no point  
10:14 39 having a three lines of defence process because the  
10:14 40 actual risk never gets elevated into the process in a way  
10:14 41 that means it can be managed; would you agree from that?

10:14 42  
10:14 43 A. So from a second line perspective ---

10:14 44  
10:14 45 Q. Just from a first line perspective --

10:14 46  
10:14 47 A. From a first line perspective.

10:14 1  
10:14 2 Q. --- we will come to the second line.  
10:14 3  
10:14 4 A. Okay. So yes, you would rely to a significant degree  
10:14 5 of risk to be identified and escalated through to the  
10:14 6 second line, that's right.  
10:14 7  
10:14 8 Q. Yes.  
10:14 9  
10:14 10 A. And we have that process in place today.  
10:14 11  
10:14 12 Q. And I might come to a specific incident in a minute  
10:14 13 in relation to ---  
10:14 14  
10:14 15 A. Sure.  
10:14 16  
10:14 17 Q. --- you heard me mention to the Commissioner about  
10:14 18 the third-party transactions and I will come to that  
10:14 19 example in a minute.  
10:14 20  
10:14 21 A. Sure.  
10:14 22  
10:14 23 Q. I just want to get the understanding right. If we  
10:14 24 shift focus to the second line of defence, that is  
10:14 25 effectively you and your team?  
10:14 26  
10:14 27 A. From an AML/CTF perspective, that is correct. We sit  
10:15 28 on the second line.  
10:15 29  
10:15 30 Q. And in sitting in the second line, one of the  
10:15 31 important things that you do as a second-line person, and  
10:15 32 your team, is that you develop or establish the tools and  
10:15 33 framework for the first line of defence to effectively  
10:15 34 implement in the day-to-day running of the business?  
10:15 35  
10:15 36 A. That's right. We have a role of oversight and  
10:15 37 building appropriate controls, and to look at --- and  
10:15 38 also to assess the controls on the first line as well.  
10:15 39  
10:15 40 Q. Yes, understand that. So, yesterday when you gave  
10:15 41 evidence about your conversations with Mr Preston and the  
10:15 42 extent to which he heard you out I think was what you  
10:15 43 said --  
10:15 44  
10:15 45 A. Yes.  
10:15 46  
10:15 47 Q. --- and that he took on board some of the things that



10:15 1 you said but not all of the things you said; is that  
10:15 2 right?

10:15 3

10:15 4 A. That's right.

10:15 5

10:15 6 Q. So does that mean that the framework or tools as  
10:15 7 they presently exist within Crown are not really as you  
10:16 8 would like them to be, there is other things you think  
10:16 9 could be implemented?

10:16 10

10:16 11 A. We certainly have the foundations of a robust  
10:16 12 framework from an AML/CTF control perspective. We have  
10:16 13 made an assessment of what the building blocks of  
10:16 14 a framework should be in terms of the maturity of the  
10:16 15 framework. For example, transaction monitoring is a good  
10:16 16 example where we've recently been able to switch on the  
10:16 17 automation component of that.

10:16 18

10:16 19 Q. Can I stop you there. I'm not sure you are  
10:16 20 answering my question. Are there other things in terms  
10:16 21 of the framework or tools that the operational staff  
10:16 22 might need that you think should exist within Crown at  
10:16 23 the moment that don't exist?

10:16 24

10:16 25 A. Yes. That's correct. We've had a vulnerabilities  
10:16 26 assessment performed by Promontory where we've received  
10:16 27 some additional vulnerabilities that we need to consider.  
10:16 28 Some of those vulnerabilities identified by that report  
10:17 29 have in fact already been built and some are yet to be  
10:17 30 explored or discussed and agreed upon.

10:17 31

10:17 32 Q. So can you give me some examples of those  
10:17 33 vulnerabilities?

10:17 34

10:17 35 A. Carded play versus uncarded play.

10:17 36

10:17 37 Q. Yes.

10:17 38

10:17 39 A. Another one is the ability to detect fake  
10:17 40 identification to identify patrons had a lower level than  
10:17 41 10,000, which is the existing threshold. We've had  
10:17 42 a recommendation --- I would have to look at the document  
10:17 43 to walk you through each one, but that is a flavour.

10:17 44

10:17 45 Q. There are several examples --

10:17 46

10:17 47 A. Yes, there is more than one, yes.

10:17 1  
10:17 2 Q. I am going to come to the third line of defence in  
10:17 3 a moment but before I do that, I should have asked you  
10:17 4 a question in the broader context of the third line of  
10:17 5 defence concept more generally. Whilst in this instance  
10:17 6 we are talking about it in an AML perspective, it can  
10:18 7 apply to any risk within a business, would that be a  
10:18 8 fair ---  
10:18 9  
10:18 10 A. The three lines of defence?  
10:18 11  
10:18 12 Q. Yes.  
10:18 13  
10:18 14 A. Yes, absolutely.  
10:18 15  
10:18 16 Q. So if you had, as a risk within your business, the  
10:18 17 issues associated with the safety of your staff who were  
10:18 18 operating overseas, there is no reason why the three  
10:18 19 lines of defence process couldn't apply to that?  
10:18 20  
10:18 21 A. There is no reason why it wouldn't apply.  
10:18 22  
10:18 23 Q. That would be equally dependent though, would it  
10:18 24 not, on the ability of the operational staff, those at  
10:18 25 the coalface, to feed information up so that it was  
10:18 26 properly managed?  
10:18 27  
10:18 28 A. That's right. You would hope there was an escalation  
10:18 29 mechanism.  
10:18 30  
10:18 31 Q. Yes. Are you aware that before you started at  
10:18 32 Crown, that several of Crown's staff were arrested and  
10:18 33 sentenced for gambling crimes in China?  
10:18 34  
10:18 35 A. I'm aware of that event, yes.  
10:18 36  
10:18 37 Q. So the risk of being arrested in China is the sort  
10:18 38 of thing that the three lines of defence process could  
10:18 39 have applied to?  
10:18 40  
10:19 41 A. Yes. Agreed.  
10:19 42  
10:19 43 Q. Circling back then to the relevance of the third  
10:19 44 line in this theoretical model, that third line, am I  
10:19 45 right, is the --- that's not you but that is the  
10:19 46 assurance level consideration of the risks, so that might  
10:19 47 be an internal audit function?

10:19 1  
10:19 2 A. That's right.  
10:19 3  
10:19 4 Q. Is that right? Anything else other than internal  
10:19 5 audit function?  
10:19 6  
10:19 7 A. External audit.  
10:19 8  
10:19 9 Q. At the moment within Crown, to what extent are the  
10:19 10 internal or external audit functions engaged in respect  
10:19 11 of AML risk?  
10:19 12  
10:19 13 A. We've had quite a few external audits or external  
10:19 14 reviews, as I mentioned earlier, on the transaction  
10:19 15 monitoring program. We've had input, obviously, on the  
10:19 16 vulnerabilities from Promontory. We've had Deloitte  
10:19 17 review the junket and POI process. We have had Deloitte  
10:19 18 has done a three-phase review of bank account monitoring,  
10:19 19 in particular. So phase 1 is complete. We are up to  
10:20 20 phase 2 and phase 3. I can't speak --- you did confine  
10:20 21 it to AML so those would be examples of external reviews  
10:20 22 that we have.  
10:20 23  
10:20 24 Q. That's helpful. In terms of the effectiveness of  
10:20 25 that assurance third line function, that is equally as  
10:20 26 dependent on the efficacy, if I can put it that way, of  
10:20 27 the nature of the information that the frontline staff  
10:20 28 are feeding up?  
10:20 29  
10:20 30 A. The third line, based on my experience, have their  
10:20 31 own agenda, because they report independently to an audit  
10:20 32 committee. So they would do their own risk assessment.  
10:20 33 They would in the beginning of a particular period create  
10:20 34 an audit plan for the quarter.  
10:20 35  
10:20 36 Q. Can I stop you there. I want you to focus on my  
10:20 37 question.  
10:20 38  
10:20 39 A. Sure.  
10:20 40  
10:20 41 Q. Sure, they might have their own agenda, but they  
10:20 42 have to do it by reference to something.  
10:20 43  
10:20 44 A. Yes.  
10:20 45  
10:20 46 Q. The thing they are doing it by reference to has to  
10:20 47 be, does it not, on the basis of the information that is

10:20 1 being fed up to them from that operational ---  
10:21 2  
10:21 3 A. Yes, but what I'm explaining to you is it's not just  
10:21 4 coming from one direction, it can be coming from the  
10:21 5 first lines, can be coming from the second line, it can  
10:21 6 be coming from external events as well.  
10:21 7  
10:21 8 Q. I see. Thank you.  
10:21 9  
10:21 10 Stepping out of Crown for a moment and just into  
10:21 11 a broader conceptual assessment, hypothetically, if there  
10:21 12 was a business that was --- that had a culture that was  
10:21 13 too focused on profit and generating wealth, and not  
10:21 14 focused enough on managing the risks within the business,  
10:21 15 that would be a cultural problem that would need to be  
10:21 16 addressed so that the three lines of defence risk  
10:21 17 management process could be effective?  
10:21 18  
10:21 19 A. Culture is highly relevant. When you are talking  
10:21 20 about risk culture or compliance culture, that certainly  
10:21 21 assists in the whole workings of a three lines of defence  
10:21 22 model. Yes.  
10:21 23  
10:22 24 Q. But I'm asking you in the more specific context of  
10:22 25 a culture which is prioritising wealth and profit ---  
10:22 26  
10:22 27 A. Right.  
10:22 28  
10:22 29 Q. --- over the risk management consideration.  
10:22 30  
10:22 31 A. Yeah, that would impact the other lines of defence,  
10:22 32 because there may not be enough investment into the third  
10:22 33 line or the second line potentially. In terms of  
10:22 34 resources, technology, systems, processes, yes.  
10:22 35  
10:22 36 Q. Indeed. And that is something you spoke to  
10:22 37 Dr Lawson about when you were referring to culture when  
10:22 38 you met with him; is that right?  
10:22 39  
10:22 40 A. I would have to be taken to the specific part of  
10:22 41 the ---  
10:22 42  
10:22 43 Q. You don't have any specific recollection having done  
10:22 44 that?  
10:22 45  
10:22 46 A. Of talking about culture? I do, yes.  
10:22 47

10:22 1 Q. What is it you don't have a specific recollection  
10:22 2 about, because I just asked you whether you remember --  
10:22 3

10:22 4 A. In terms of whether you were referring to a specific  
10:22 5 part of that file note or not.  
10:22 6

10:22 7 Q. I see. Operator, can I please have you bring up  
10:22 8 document DTT.0001.0002.0383. I am going to take you to  
10:23 9 two examples, Mr Stokes, and so I pinpoint \_0002, first  
10:23 10 of all. It should be the third page of that particular  
10:23 11 document.  
10:23 12

10:23 13 Mr Operator, can you see a third of the way down the  
10:23 14 page, you see the words "what do you see as the key  
10:23 15 challenges ....."  
10:23 16

10:23 17 You see there it appears --- and this is the notes of the  
10:23 18 conversation, Mr Stokes. Do you want to look at the  
10:23 19 front of that to be satisfied that that is what these  
10:23 20 are?  
10:23 21

10:23 22 A. No, I know what you are referring to, yes.  
10:23 23

10:24 24 Q. So you see there, it appears that Dr Lawson asked  
10:24 25 you the question "What do you see as key challenges or  
10:24 26 pain points to change process?" And under that:  
10:24 27

10:24 28 Nick --- it's mindset, culture.  
10:24 29

10:24 30 Does that help refresh your memory at all?  
10:24 31

10:24 32 A. It does, but I'm just trying to understand whether  
10:24 33 I was referring to, generally, change, or whether I could  
10:24 34 have been referring to both generally change requires  
10:24 35 mindset culture. But I'm just reading the lines after  
10:24 36 that.  
10:24 37

10:24 38 Yes, I've read that now.  
10:24 39

10:24 40 Q. Does it help refresh your memory at all in terms of  
10:24 41 whether the cultural change we are talking about is one  
10:24 42 of being too focused on profit and wealth?  
10:24 43

10:24 44 A. I think what I was referring to there was the  
10:24 45 appetite for change, given the discussions that we were  
10:25 46 having at the time around a multitude of things, junkets  
10:25 47 being one of them, but particularly third party payments,

10:25 1 transfers and cash, large cash.  
10:25 2  
10:25 3 Q. Okay.  
10:25 4  
10:25 5 A. And so when I did raise those concerns around what  
10:25 6 controls that we had or didn't have, it was specifically  
10:25 7 that the feedback that I got around "Well, we're not  
10:25 8 a bank, casinos have always done this level of cash, this  
10:25 9 is the way it's always been", it was along those comments  
10:25 10 that I had in mind when I talked about mindset and  
10:25 11 culture.  
10:25 12  
10:25 13 COMMISSIONER: I don't follow what you are saying.  
10:25 14  
10:25 15 A. Sorry, Commissioner?  
10:25 16  
10:25 17 COMMISSIONER: I said I don't understand what you are  
10:25 18 saying.  
10:25 19  
10:25 20 A. What I was saying?  
10:25 21  
10:25 22 COMMISSIONER: Correct. Do you want to say it again?  
10:25 23  
10:25 24 A. When I put my mind back to that particular point in  
10:25 25 time in terms of what was topical, it was the discussions  
10:25 26 around large cash third-party payments and junkets, and  
10:26 27 the comments that I had received from various people in  
10:26 28 relation to the controls that we need to introduce to  
10:26 29 manage or mitigate those risks. And those answers as I  
10:26 30 just outlined, where "We're a casino, we're not a bank,  
10:26 31 this is how the casino has always been run", and so when  
10:26 32 I refer to mindset and culture there, it was around the  
10:26 33 culture and mindset of the casino environment at the  
10:26 34 time.  
10:26 35  
10:26 36 COMMISSIONER: That's certainly one way to look at it,  
10:26 37 but if you look at the heading "What do you see as key  
10:26 38 challenges or pain points to change process?" and one of  
10:26 39 the key challenges you identify is culture.  
10:26 40  
10:26 41 A. Yes.  
10:26 42  
10:26 43 COMMISSIONER: That suggests to me that you thought, and  
10:26 44 were expressing the view that, there was a problem about  
10:26 45 changing internal processes because of the culture that  
10:26 46 existed at Crown.  
10:26 47

10:26 1 A. Yes, that's likely what I was thinking as well.  
10:26 2  
10:26 3 COMMISSIONER: That's what it says --  
10:26 4  
10:26 5 A. Yes.  
10:26 6  
10:26 7 COMMISSIONER: --- you were saying.  
10:26 8  
10:27 9 A. Commissioner, in all fairness, this is not  
10:27 10 a transcript. It had notes taken ---  
10:27 11  
10:27 12 COMMISSIONER: You are the second person to make the  
10:27 13 observation about the danger. I know that Dr Lawson  
10:27 14 didn't like it and you don't like it. I understand that.  
10:27 15  
10:27 16 A. Okay.  
10:27 17  
10:27 18 MR BRERETON: Thank you, Commissioner.  
10:27 19  
10:27 20 Can I take you to another example in this note if I may,  
10:27 21 Mr Stokes. Operator, it is at the same document \_0004,  
10:27 22 which should be two pages on in the PDF from what we are  
10:27 23 currently looking at. In the middle of the page, if you  
10:27 24 can blow it up, about a third of the way down is  
10:27 25 Mr Stokes' Christian name, you see "Nick". Stop there,  
10:27 26 thank you. Sorry, scroll down slightly, operator, if you  
10:27 27 please. And again.  
10:27 28  
10:27 29 You see there, Mr Stokes, that towards the top of the  
10:28 30 page it appears the question was put to yourself and  
10:28 31 Mr Sutherland, "currently DD [for due diligence] sits  
10:28 32 alongside commercial relationship/credit", and that is  
10:28 33 something my learned friend (inaudible).  
10:28 34  
10:28 35 A. (Nods head).  
10:28 36  
10:28 37 Q. If you look further down then you will see the first  
10:28 38 two paragraphs that are referencing Mr Sutherland, and  
10:28 39 then there is a reference to your Christian name and  
10:28 40 a range of text, but I'm interested in the bold paragraph  
10:28 41 that you see down there which records the words:  
10:28 42  
10:28 43 *Too focused on wealth and not enough on risk.*  
10:28 44 *Process doesn't get right people around table to form*  
10:28 45 *a holistic view on risk. Role for AML definitely*  
10:28 46 *needs to be strengthened. Looking at reps is such*  
10:28 47 *a glaring gap.*

10:28 1  
10:28 2 Do you have a recollection of having said that to  
10:28 3 Dr Lawson when you met with him?  
10:28 4  
10:28 5 A. I have a recollection of those themes, not  
10:29 6 necessarily in those words, but, yes.  
10:29 7  
10:29 8 Q. The broad concept of being too focused on wealth?  
10:29 9  
10:29 10 A. I don't recall specifically that comment, but I do  
10:29 11 recall discussions around the holistic view of risk and  
10:29 12 AML's role in looking at that.  
10:29 13  
10:29 14 Q. Might it have been Mr Sutherland who said the words  
10:29 15 that Crown was too focused on wealth?  
10:29 16  
10:29 17 A. I think it could be the case that some comments were  
10:29 18 attributed to him and some to me, but I feel, generally  
10:29 19 speaking, the themes are themes that I would have  
10:29 20 discussed during that discussion, yes.  
10:29 21  
10:29 22 Q. Do you think Crown's culture is that they are too  
10:29 23 focused on wealth?  
10:29 24  
10:29 25 A. Today?  
10:29 26  
10:29 27 Q. Yes.  
10:29 28  
10:29 29 A. No, I don't believe that.  
10:29 30  
10:29 31 Q. But you may have believed it at the time that you  
10:29 32 met with Dr Lawson?  
10:29 33  
10:29 34 A. Certainly I may have believed that, yes.  
10:29 35  
10:30 36 Q. Thank you.  
10:30 37  
10:30 38 COMMISSIONER: Did you actually believe it? In other  
10:30 39 words, you may or may not have, I understand that, but  
10:30 40 did you believe that Crown was too focused on wealth and  
10:30 41 not enough on risks associated with money laundering?  
10:30 42  
10:30 43 A. I was looking at more of the fact that there wasn't  
10:30 44 enough focus on risk management.  
10:30 45  
10:30 46 COMMISSIONER: I didn't ask that question.  
10:30 47



10:30 1 A. Yes.  
10:30 2  
10:30 3 COMMISSIONER: I said did you believe that Crown was too  
10:30 4 focused on wealth rather than the risks associated with  
10:30 5 money laundering?  
10:30 6  
10:30 7 A. I cannot say with any certainty that I actually had  
10:30 8 thought about it in that way.  
10:30 9  
10:30 10 COMMISSIONER: Does that mean you are reluctant to answer  
10:30 11 the question?  
10:30 12  
10:30 13 A. I'm not reluctant to answer the question, I just  
10:30 14 don't have a recollection of putting it in the way that  
10:30 15 it is described here about, too focused on wealth but not  
10:30 16 enough ---  
10:30 17  
10:30 18 COMMISSIONER: This is not a conversation that happened  
10:30 19 10 years ago.  
10:30 20  
10:30 21 A. I appreciate that.  
10:30 22  
10:30 23 COMMISSIONER: And it was an important conversation.  
10:30 24  
10:30 25 A. I was ---  
10:30 26  
10:30 27 COMMISSIONER: And you don't remember it?  
10:30 28  
10:31 29 A. I don't remember it.  
10:31 30  
10:31 31 COMMISSIONER: All right.  
10:31 32  
10:31 33 MR BRERETON: Mr Stokes, sorry to jump around, but there  
10:31 34 is one thing I forgot to ask you about. I asked you  
10:31 35 about the things you talked about with Mr Preston, and  
10:31 36 certain things did happen and certain things didn't  
10:31 37 happen. Did you talk to Mr Preston specifically about  
10:31 38 the things that you thought needed to happen insofar as  
10:31 39 AML and issues of junket probity are concerned?  
10:31 40  
10:31 41 A. We talked a lot about resourcing. We talked a lot  
10:31 42 about risks that I was --- or casino practices as I was  
10:31 43 becoming more familiar with the casino environment. So  
10:31 44 there was an ongoing dialogue on various matters relating  
10:31 45 to the program which I was in charge of implementing.  
10:31 46 But there were multiple discussions around the AML  
10:31 47 framework.

10:31 1  
10:31 2 Q. Do you have any specific ideas in relation to junket  
10:32 3 probity and AML that you put to Mr Preston that were  
10:32 4 ruled out by him?  
10:32 5  
10:32 6 A. He asked me to prepare a table on what I saw the  
10:32 7 junket vulnerabilities to be, which I did submit to him.  
10:32 8 What I don't recall is to what extent we had  
10:32 9 a conversation thereafter specifically on that table that  
10:32 10 I had submitted to him. Those certainly were focused on  
10:32 11 junket vulnerabilities.  
10:32 12  
10:32 13 Q. So ---  
10:32 14  
10:32 15 A. Including probity.  
10:32 16  
10:32 17 Q. Was there any particularly important parts of that  
10:32 18 table that you submitted to Mr Preston?  
10:32 19  
10:32 20 A. Well, all the issues that were mentioned in this file  
10:32 21 note around the junket reps, the corporate --- the junket  
10:32 22 operator as a corporate entity and understanding what  
10:32 23 sits behind the junket, the amount of large cash  
10:32 24 third-party transfers, the amount of due diligence and  
10:32 25 AML's involvement, those were the typical issues that  
10:32 26 were being discussed.  
10:32 27  
10:33 28 Q. So generally the level of rigour that needed to be  
10:33 29 brought to the assessments of junket probity when it  
10:33 30 comes to matters of AML?  
10:33 31  
10:33 32 A. Yes, I just felt it was very hard to understand the  
10:33 33 whole flows of funds into and out of the casino;  
10:33 34 mid-program there were cash withdrawals. You had cash  
10:33 35 being deposited in by third parties, you had transfers  
10:33 36 going out to third parties. To me it was very risky.  
10:33 37  
10:33 38 Q. Yes. I will come to third party transfers in  
10:33 39 a moment, that is a convenient segue, but before I do  
10:33 40 that, are you aware there has been discussions between  
10:33 41 Crown and the NSW regulator about the possibility of the  
10:33 42 future Sydney casino becoming a cashless environment?  
10:33 43  
10:33 44 A. I'm involved in a digital wallet working group. So  
10:34 45 I have some visibility around a cashless product looking  
10:34 46 to be introduced.  
10:34 47

- 10:34 1 Q. Is the purpose of the --- sorry, I want to get this  
10:34 2 right, digital wallet, what did you call it?  
10:34 3
- 10:34 4 A. Digital wallet or an e-wallet.  
10:34 5
- 10:34 6 Q. Yes, so and is the purpose of the digital wallet or  
10:34 7 e-wallet designed to assist you in managing the risk of  
10:34 8 money laundering within any future Sydney casino?  
10:34 9
- 10:34 10 A. I think there is a recognition around the prevalence  
10:34 11 of cash in society, particularly during COVID, and  
10:34 12 certainly I was involved --- or I was invited to have  
10:34 13 input into that product from an AML perspective around  
10:34 14 how the wallet would be funded, particularly if --- the  
10:34 15 risks around the product's features and functionality.  
10:34 16
- 10:34 17 Q. Reducing the amount of cash in a casino would  
10:34 18 significantly assist you from an AML point of view, would  
10:34 19 it not, to have the type of data available to you that  
10:34 20 you would need to do your work?  
10:34 21
- 10:34 22 A. That's correct. Yes, I agree.  
10:34 23
- 10:34 24 Q. So the AML issue is one of the considerations,  
10:35 25 leaving aside COVID and so forth, that is perhaps  
10:35 26 a driver for the e-wallet process that is being proposed  
10:35 27 by Crown in Sydney?  
10:35 28
- 10:35 29 A. Yes.  
10:35 30
- 10:35 31 Q. Is there any reason why the e-wallet type of  
10:35 32 arrangement couldn't be applied to other casinos that  
10:35 33 Crown operates?  
10:35 34
- 10:35 35 A. I can't see why there would be an impediment to  
10:35 36 introducing it elsewhere, no.  
10:35 37
- 10:35 38 Q. So there would be no reason why a similar overture  
10:35 39 that has been made to the NSW regulator couldn't be made  
10:35 40 to my client in the way my client ---  
10:35 41
- 10:35 42 A. I don't have any visibility of whether that's been  
10:35 43 discussed --  
10:35 44
- 10:35 45 Q. I asked you whether there was any reason from your  
10:35 46 point of view, not whether it has been discussed.  
10:35 47

10:35 1 A. Sorry, no reason.  
10:35 2  
10:35 3 Q. So the final topic that I just want to ask you  
10:35 4 about ---  
10:35 5  
10:35 6 COMMISSIONER: Before you leave that.  
10:35 7  
10:35 8 Am I right to think that your view is there is no  
10:35 9 impediment to introducing cashless transactions, say, at  
10:36 10 the Melbourne casino?  
10:36 11  
10:36 12 A. I'm not an expert of the Casino Control Act, I  
10:36 13 understand that ---  
10:36 14  
10:36 15 COMMISSIONER: I don't mean it from a legislative point  
10:36 16 of view. I mean from a physical ---  
10:36 17  
10:36 18 A. No. I think from an AML perspective it would help us  
10:36 19 considerably, being able to track all transactions above  
10:36 20 a certain threshold. So let's say the cashless product  
10:36 21 was set at \$1,000 or \$2,000 ---  
10:36 22  
10:36 23 COMMISSIONER: Yes.  
10:36 24  
10:36 25 A. --- if you were able to track that through the  
10:36 26 monitoring processes, all those ins and outs and flow  
10:36 27 process, and create rules, as we have today, over that  
10:36 28 data, it would give us a significantly critical picture  
10:36 29 of where risk may manifest itself.  
10:36 30  
10:36 31 COMMISSIONER: It might do more than that, mightn't  
10:36 32 it ---  
10:36 33  
10:36 34 A. It reduces the vulnerability of the casino as well.  
10:36 35  
10:36 36 COMMISSIONER: Well, and that's because you would  
10:36 37 probably reduce ---  
10:36 38  
10:36 39 A. The attractiveness, potentially ---  
10:36 40  
10:37 41 COMMISSIONER: --- the attractiveness of a casino as  
10:37 42 a money laundering institution.  
10:37 43  
10:37 44 A. Yes.  
10:37 45  
10:37 46 COMMISSIONER: That makes sense. Would you, as a matter  
10:37 47 of practicality, I think you said "threshold" and you

10:37 1 said \$2,000 or \$3,000 or something like that, would  
10:37 2 something like that be reasonable, like a \$2,000 or  
10:37 3 \$3,000 below which you can bring in cash and do what you  
10:37 4 like ---

10:37 5  
10:37 6 A. In my personal view I think it would be reasonable,  
10:37 7 because you would allow for casual play to continue.

10:37 8  
10:37 9 COMMISSIONER: Yes, somebody's at a local restaurant,  
10:37 10 wants to come in and have a game, and has a few hundred  
10:37 11 dollars. So you wouldn't want to catch or stop those  
10:37 12 people.

10:37 13  
10:37 14 A. No, they may not have the inclination to line up and  
10:37 15 join a program and apply for a card. They may not want  
10:37 16 to have their play tracked, not for any other nefarious  
10:37 17 reasons, but just because, yes.

10:37 18  
10:37 19 COMMISSIONER: So the way that you would do it physically  
10:37 20 is, above a certain limit, anybody who wants to gamble  
10:38 21 above X dollars, whatever the X dollars might be, has to  
10:38 22 have some card which will then be used for transfers of  
10:38 23 funds into and out of the casino?

10:38 24  
10:38 25 A. Yes, but that is the design of the e-wallet. We want  
10:38 26 to have it limited to an account in the patron's name ---

10:38 27  
10:38 28 COMMISSIONER: Of course, rather than a third party name.

10:38 29  
10:38 30 A. That's right, yes.

10:38 31  
10:38 32 COMMISSIONER: Understand.

10:38 33  
10:38 34 A. And also that would track play which at the moment  
10:38 35 we're not capturing all play, it depends on whether  
10:38 36 someone is playing carded or uncarded.

10:38 37  
10:38 38 COMMISSIONER: True. True. Can I have a rough idea of  
10:38 39 how many people who come to the casino, a percentage  
10:38 40 assessment would do, are people who have a patron's card  
10:38 41 as opposed to people who come in off the street with  
10:38 42 cash?

10:38 43  
10:38 44 A. Commissioner, I don't have that information in front  
10:38 45 of me but ---

10:38 46  
10:38 47 COMMISSIONER: Roughly?

10:39 1  
10:39 2 A. To be honest I couldn't give you even a rough figure,  
10:39 3 but do I believe that information is contained in either  
10:39 4 the junket risk assessment or the casino risk assessment  
10:39 5 that we've provided --- information provided back to  
10:39 6 AUSTRAC. I think that data is available.  
10:39 7  
10:39 8 COMMISSIONER: I will have that. Thank you. Sorry.  
10:39 9  
10:39 10 MR BRERETON: Thank you, Commissioner. One or two things  
10:39 11 arising from that.  
10:39 12  
10:39 13 Presumably this cashless technology isn't particularly  
10:39 14 new, it been around for a while?  
10:39 15  
10:39 16 A. I would assume so. I'm not in that space.  
10:39 17  
10:39 18 Q. Okay. I won't press that any further then. In fact  
10:39 19 I should have asked you the same question in respect of  
10:39 20 the three lines of defence model I was asking you about  
10:39 21 before. You obviously have considerable experience in  
10:39 22 respect of the application of that three lines of defence  
10:39 23 model. That too is not something that is particularly  
10:39 24 new or revolutionary in the context of risk management,  
10:39 25 is it?  
10:39 26  
10:39 27 A. I don't believe so.  
10:39 28  
10:39 29 Q. Has it been around about as long as you have been  
10:39 30 an AML practitioner?  
10:39 31  
10:39 32 A. Yes.  
10:39 33  
10:40 34 Q. And how long is that?  
10:40 35  
10:40 36 A. 20 years.  
10:40 37  
10:40 38 Q. Thank you.  
10:40 39  
10:40 40 So there is no reason why, in the last 20 years, the  
10:40 41 three lines of defence model couldn't have been  
10:40 42 implemented; correct?  
10:40 43  
10:40 44 A. I don't believe so, no.  
10:40 45  
10:40 46 Q. The last topic that I just want to move to, if I  
10:40 47 may, Mr Stokes, and just excuse me for a moment --

10:40 1 Mr Operator, this is a confidential exhibit so can you  
10:40 2 please call it up only in the hearing room. It is  
10:40 3 an attachment to Mr Stokes's witness statement, which is  
10:40 4 Exhibit RC0023, but the document identification number is  
10:40 5 CRL.742.001.0101.

10:40 6  
10:40 7 You will recognise this document, Mr Stokes?

10:40 8  
10:40 9 A. Yes.

10:40 10  
10:40 11 Q. Your document, or you approved it?

10:40 12  
10:41 13 A. Yes.

10:41 14  
10:41 15 Q. And it is designed, is it not, to deal with the  
10:41 16 specific risks associated with money laundering insofar  
10:41 17 as it concerns the particular types of transactions that  
10:41 18 are referred to there at paragraphs 1.1(a) and (b)?

10:41 19  
10:41 20 A. That's correct.

10:41 21  
10:41 22 Q. It sets out a process by which again the operational  
10:41 23 staff at Crown are charged with the responsibility of  
10:41 24 identifying the specific instances of these type of  
10:41 25 transactions?

10:41 26  
10:41 27 A. That's right.

10:41 28  
10:41 29 Q. Then that operational staff report that matter up to  
10:41 30 the second line of defence, which is you and your team?

10:41 31  
10:41 32 A. In terms of whether a customer or patron request to  
10:41 33 do a third-party transfer, do you mean?

10:41 34  
10:41 35 Q. Yes.

10:41 36  
10:41 37 A. That's right. There is a process if there is going  
10:41 38 to be an approval of an exception to the policy, yes.

10:41 39  
10:42 40 Q. Once it gets reported up to you in the second line  
10:42 41 of defence and your team, I don't mean you directly, but  
10:42 42 you and/or members of your team undertake a process by  
10:42 43 which you seek to assess the bona fides of the proposed  
10:42 44 type of transaction?

10:42 45  
10:42 46 A. That's right.

10:42 47

10:42 1 Q. And, in doing that, if you can scroll down, please,  
10:42 2 Mr Operator, to the heading "Procedure" --- that  
10:42 3 paragraph is setting out a set of criteria that your team  
10:42 4 will assess for determining the bona fides or otherwise  
10:43 5 of the proposing transaction?

10:43 6  
10:43 7 A. That's correct.

10:43 8  
10:43 9 Q. Of course it requires certain information to be  
10:43 10 obtained, but when it comes to the actual assessment as  
10:43 11 distinct from the information that needs to be obtained,  
10:43 12 what criteria is applied by your team to assess that  
10:43 13 information?

10:43 14  
10:43 15 A. What criteria is outlined in the procedure?

10:43 16  
10:43 17 Q. Let me put it differently. What test is applied by  
10:43 18 your team to satisfy themselves that a particular  
10:43 19 transaction is or is not evidence of money laundering?

10:43 20  
10:43 21 A. It is around predominantly the transactions leading  
10:43 22 up to, if any, if applicable, to that request. If it is  
10:43 23 an outgoing transfer, that is. In the case of  
10:43 24 an outgoing transfer, were the funds winnings, is one  
10:43 25 test they would look at. The relationship between the  
10:43 26 patron and the third party. Was the third party known or  
10:44 27 unknown would be another test, another critical thing to  
10:44 28 look at. Where the funds are going as well.

10:44 29  
10:44 30 Q. Am I right to say there is a degree of subjectivity  
10:44 31 in the assessment that your team are asked to undertake?

10:44 32  
10:44 33 A. Subjectivity in terms of, like ---

10:44 34  
10:44 35 Q. They can apply their own personal view of the  
10:44 36 material?

10:44 37  
10:44 38 A. Probably in the initial assessment there would always  
10:44 39 be some subjectivity around, but it is the work that gets  
10:44 40 done, it is factual. Is it winnings, where are the funds  
10:44 41 going, is there a relationship, "yes" or "no" so I don't  
10:44 42 think that part is particularly subjective. It is  
10:44 43 factual.

10:44 44  
10:44 45 Q. Let me ask that a different way. Have your staff  
10:44 46 been trained specifically in relation to this issue  
10:44 47 insofar as it concerns the assessment they are being



10:44 1 asked to undertake pursuant to 3.2 of this document?  
10:44 2  
10:44 3 A. The team that would be looking at this are doing this  
10:44 4 on a day-to-day basis in terms of investigations. So I  
10:45 5 would confidently say that they are more than qualified  
10:45 6 to make an assessment for me to look at as the next step  
10:45 7 in the process.  
10:45 8  
10:45 9 Q. Yes, but they are doing that in an environment, are  
10:45 10 they not, where, culturally, profit is being prioritised  
10:45 11 over compliance?  
10:45 12  
10:45 13 A. You mean historically?  
10:45 14  
10:45 15 Q. Let's say historically to begin with.  
10:45 16  
10:45 17 A. This well, process, I think I've mentioned in my  
10:45 18 statement, has happened once or twice in the last six to  
10:45 19 nine months, so it's not as if we get a lot of these  
10:45 20 requests.  
10:45 21  
10:45 22 Q. But one of them got missed, didn't they?  
10:45 23  
10:45 24 A. That's correct. We picked it up.  
10:45 25  
10:45 26 Q. So you are only running at a 50 per cent strike rate  
10:45 27 at the moment?  
10:45 28  
10:45 29 A. Well, it was --- as I said, we haven't really had  
10:45 30 enough volume of these to --- 50 per cent is probably  
10:45 31 accurate, but as you can see from the volume, it's not  
10:46 32 a huge risk at the moment. We don't generally approve  
10:46 33 these third-party payments.  
10:46 34  
10:46 35 Q. Yes, I see. There is another part to the approval  
10:46 36 process that this document sets out. Operator, can you  
10:46 37 take me over the page.  
10:46 38  
10:46 39 A. I might add, the risk appetite to these kind of  
10:46 40 payments has been narrowed considerably to the point  
10:46 41 where casino-to-casino transfers have now been switched  
10:46 42 off, so the only potential third-party payment --- well,  
10:46 43 in terms of the operational staff looking to see whether  
10:46 44 it was a third-party payment would be to a joint bank  
10:46 45 account.  
10:46 46  
10:46 47 Q. I see.

10:46 1  
10:46 2 A. So, yeah.  
10:46 3  
10:46 4 Q. Returning to this issue of the next level of check  
10:46 5 that needs to occur, your team do their checks and they  
10:46 6 decide whether or not to make a recommendation as to  
10:46 7 whether or not the particular transaction should be  
10:47 8 approved or not?  
10:47 9  
10:47 10 A. That's correct.  
10:47 11  
10:47 12 Q. And if the recommendation is that the particular  
10:47 13 transaction should be approved, then there is an extra  
10:47 14 check and balance in the sense that there is  
10:47 15 a recommendation gets elevated to the property ---  
10:47 16  
10:47 17 A. It goes to me first.  
10:47 18  
10:47 19 Q. Oh, okay. So it comes through you, and as the  
10:47 20 gatekeeper then, if you approve the recommendation it  
10:47 21 then goes to the property CEO?  
10:47 22  
10:47 23 A. That's correct.  
10:47 24  
10:47 25 Q. Even though this is COO --- (speaking over) ---  
10:47 26  
10:47 27 A. Well, at the time --- --- (speaking over) --- yes,  
10:47 28 correct.  
10:47 29  
10:47 30 Q. The property CEOs, what specific training have they  
10:47 31 had in respect of their obligations under this policy?  
10:47 32  
10:47 33 A. They are looking at from the perspective of business  
10:47 34 risk. So they would be looking all the information that  
10:47 35 is being given by my team, including, although highly  
10:47 36 unlikely, my recommendation to process a third-party  
10:47 37 transfer.  
10:47 38  
10:47 39 Q. Yes. Has there ever been any instances where the  
10:48 40 property CEO or COO has refused to approve any of the  
10:48 41 recommendations that have been made by you or your team?  
10:48 42  
10:48 43 A. No. But can I please remind you that we've only had  
10:48 44 one or two, and the one that did get through at the first  
10:48 45 instance was --- the circumstances were a husband and  
10:48 46 wife were in front of a business --- a cage employee, and  
10:48 47 there was an error in judgment around whether because

10:48 1 that particular patron had previously --- or on a prior  
10:48 2 occasion sent funds to a joint bank account.

10:48 3

10:48 4 Q. Are you aware, Mr Stokes, that late last month,  
10:48 5 27 April, the VCGLR reached a decision in respect of some  
10:48 6 disciplinary action that was dealing with issues of  
10:48 7 junket probity? Do you know about that?

10:48 8

10:48 9 A. I have some brief information about that, yes.

10:48 10

10:49 11 Q. So you haven't had cause to read the reasons of the  
10:49 12 Commission, for example, in respect of that?

10:49 13

10:49 14 A. I have been preoccupied with a number of other issues  
10:49 15 at the moment and I haven't had a chance to read that,  
10:49 16 no.

10:49 17

10:49 18 Q. So you don't know, for example, that one of the  
10:49 19 primary concerns of the Commission in the context of that  
10:49 20 case was the people who are ultimate decision-makers when  
10:49 21 it came to Crown had no training when it came to  
10:49 22 precisely what it was they were being asked to approve  
10:49 23 that.

10:49 24

10:49 25 A. I understand that.

10:49 26

10:49 27 Q. You understand that?

10:49 28

10:49 29 A. Yes.

10:49 30

10:49 31 Q. I would suggest to you that when it comes to perhaps  
10:49 32 this particular policy statement, that this policy  
10:49 33 statement that presently exists in Crown suffers from  
10:49 34 exactly the same criticism: the CEOs have no specific  
10:49 35 training in relation to specific (inaudible)?

10:49 36

10:49 37 A. I don't quite agree with that. The CEOs do have ---  
10:49 38 have attended face-to-face training. AML --- they have  
10:50 39 had specific AML training. They also complete an online  
10:50 40 module, which is very admittedly the bare bones of AML.  
10:50 41 I have conversations, we have monthly meetings with the  
10:50 42 CEOs, where we converse --- of different types of risks  
10:50 43 and issues. They ask questions and we have a discussion,  
10:50 44 and I would consider that to be an ongoing program of  
10:50 45 awareness. And we also have various committees where we  
10:50 46 discuss issues as well.

10:50 47

- 10:50 1 Q. Let me put that slightly differently, though. It is  
10:50 2 important that you are involved in the process because  
10:50 3 you are an AML practitioner of 20 years' standing and you  
10:50 4 are somebody who knows a lot about this area.  
10:50 5
- 10:50 6 A. (Nods head).  
10:50 7
- 10:50 8 Q. That can be contrasted, can it not, with the CEOs in  
10:50 9 the business who are not AML practitioners and in fact  
10:50 10 are just receiving what, with respect to me, based on  
10:50 11 that answer, sounds like the most superficial of training  
10:50 12 that could occur in the context of a casino environment.  
10:50 13
- 10:51 14 A. I don't see that as being superficial training, no.  
10:51 15
- 10:51 16 Q. Are they taught about the specific risk associated  
10:51 17 with third-party transfers and why it is that third-party  
10:51 18 transfers are particularly susceptible to money  
10:51 19 laundering risk?  
10:51 20
- 10:51 21 A. Well, that was the genesis of the rule back in  
10:51 22 March/April of 2020 where the former Resorts CEO, after  
10:51 23 having that explanation put to him, decided or confirmed  
10:51 24 his view that third-party payments should be prohibited.  
10:51 25
- 10:51 26 Q. That is a very convenient segue, because I was going  
10:51 27 to ask you, the genesis of this policy statement, it  
10:51 28 seems it has existed in one form or another ---  
10:51 29
- 10:51 30 A. Yes.  
10:51 31
- 10:51 32 Q. --- for a little while. How long?  
10:51 33
- 10:51 34 A. Since April 2020.  
10:51 35
- 10:51 36 Q. Since April 2020.  
10:51 37
- 10:51 38 A. There was an Executive Office memorandum dated  
10:51 39 8 April, yes.  
10:51 40
- 10:52 41 Q. And prior to that, Crown had no policy in respect of  
10:52 42 third-party --- I withdraw that. The types of  
10:52 43 transactions that are referred to in this particular  
10:52 44 document?  
10:52 45
- 10:52 46 A. Third-party payments were allowed.  
10:52 47

10:52 1 Q. Yes. Notwithstanding the significant risk they  
10:52 2 presented from an anti-money laundering perspective?

10:52 3

10:52 4 A. That's certainly third-party payments are a risk, not  
10:52 5 just within a casino but within any environment, yes.

10:52 6

10:52 7 Q. So, quite apart from any risk that might exist in  
10:52 8 relation to junkets and junket probity and the extent to  
10:52 9 which it has been suggested in this Commission, since the  
10:52 10 start of this Commission, I should say, that junkets may  
10:52 11 be used as a cover to launder money, the issue of  
10:52 12 laundering money through third-party payments within  
10:52 13 Crown's casinos has persisted because those transactions  
10:52 14 have been allowed, at least up until April of 2020?

10:53 15

10:53 16 A. In terms of third-party --- third-party payments,  
10:53 17 there was some due diligence done on third-party payments  
10:53 18 to the extent where, if the relationship was not known,  
10:53 19 that was investigated and a suspicious matter was filed.

10:53 20

10:53 21 Q. I see. One final thing, Mr Stokes. If you had  
10:53 22 a blank canvas sitting there now, what changes would you  
10:53 23 make to the way Crown manages the risk of money  
10:53 24 laundering at its casino?

10:53 25

10:53 26 A. I think I would continue with the work that we've  
10:53 27 done. Build on the foundations where we are looking to  
10:53 28 take on or at least explore some of the recommendations.  
10:53 29 We'll also look at every recommendation from Promontory,  
10:53 30 but lowering the threshold in which we identify customers  
10:53 31 and patrons, how to we can better record the  
10:53 32 transactions. So the cash product, I think, is  
10:53 33 definitely one we should continue to explore. We've  
10:53 34 already turned off third-party payments considerably,  
10:54 35 we've discussed that today. And really explore the  
10:54 36 vulnerabilities that we are getting from those consulting  
10:54 37 reports and continue to further enhance the program based  
10:54 38 on those external views.

10:54 39

10:54 40 MR BRERETON: Commissioner, I have no further questions.

10:54 41

10:54 42 COMMISSIONER: Thank you, Mr Brereton.

43

44

45 **CROSS-EXAMINATION BY MS BUTTON**

46

47

1 MS BUTTON: Just a few matters, Commissioner.  
2  
3 Could the operator go to the previous page of this  
4 document.  
5  
10:54 6 Can you see there, Mr Stokes, if the operator could blow  
10:54 7 up under heading 3, "Procedure".  
10:54 8  
10:54 9 A. Yes.  
10:54 10  
10:54 11 Q. The first step in the procedure is for the team to  
10:54 12 come up with what is then defined as a third party  
10:54 13 transfer recommendation; you see that?  
10:54 14  
10:54 15 A. Yes.  
10:54 16  
10:54 17 Q. Can the operator then go to the next page of this  
10:54 18 document, the part Mr Brereton was asking you about. If  
10:54 19 the operator could blow up 3.4. It says there:  
10:54 20  
10:55 21 *Where the Third Party Transfer Recommendation*  
10:55 22 *recommends that the proposed transfer not proceed*  
10:55 23 *.....*  
10:55 24  
10:55 25 *In all other cases, the third party transfer*  
10:55 26 *recommendation should be provided to the property COO*  
10:55 27 *.....*  
10:55 28  
10:55 29 Could you explain whether it is the case that the CEO or  
10:55 30 the COO, would they ever receive anything if it had not  
10:55 31 begun through your team and yourself recommending that  
10:55 32 the transfer be allowed?  
10:55 33  
10:55 34 A. No, they wouldn't approve a third-party payment or  
10:55 35 transfer unless it has gone through AML and myself, yes.  
10:55 36 That's right.  
10:55 37  
10:55 38 Q. Not only gone through yourself but been approved by  
10:55 39 yourself?  
10:55 40  
10:55 41 A. That's correct.  
10:55 42  
10:55 43 Q. You were asked earlier this morning questions by  
10:55 44 counsel assisting, and you said something to the effect  
10:55 45 of if there is a matter on the POI agenda which has  
10:56 46 an AML focus, it would be subject to the UAR process. Do  
10:56 47 you recall explaining that?

10:56 1  
10:56 2 A. Yes.  
10:56 3  
10:56 4 Q. And Counsel Assisting then put something to you to  
10:56 5 the effect of then the AML process would really only  
10:56 6 monitor what was happening. I want you to explain the  
10:56 7 UAR process and how patrons come to the attention of the  
10:56 8 UAR process, and what that process involves, including  
10:56 9 what the endpoint options of that process are, so far as  
10:56 10 whether it is ongoing monitoring, as was suggested to you  
10:56 11 by Counsel Assisting, or what other endpoints might  
10:56 12 result from that process. So if you could start with how  
10:56 13 does someone come into the UAR process?  
10:56 14  
10:56 15 A. Yeah, practically anyone can submit what's called  
10:56 16 an unusual activity report through the AML portal. It  
10:56 17 has now been digitised, and so within that, if I could  
10:57 18 call it, as I explained yesterday around the three  
10:57 19 levels, so level 1 consists of the unusual activity  
10:57 20 report, so it is an escalation to the AML team. That  
10:57 21 report contains a number of red flags relating to money  
10:57 22 laundering, potential money laundering. The person who  
10:57 23 is submitting that form could come from the business, it  
10:57 24 could come from the AML team itself or from security or  
10:57 25 surveillance. So that is the escalation part of the  
10:57 26 process.  
10:57 27  
10:57 28 Once that is submitted to AML, it gets looked at ---  
10:57 29  
10:57 30 Q. Sorry, Mr Stokes, can I stop you there.  
10:57 31  
10:57 32 A. Sure.  
10:57 33  
10:57 34 Q. Do you get UARs through transaction monitoring, do  
10:57 35 they connect?  
10:57 36  
10:57 37 A. They do, yes.  
10:57 38  
10:57 39 Q. So that is a second source of getting information  
10:57 40 into a UAR process?  
10:57 41  
10:57 42 A. That's correct.  
10:57 43  
10:57 44 Q. Does significant player review process connect with  
10:57 45 the UAR process?  
10:57 46  
10:58 47 A. It does, yes.

10:58 1

10:58 2 Q. How?

10:58 3

10:58 4 A. So when someone is reviewing a significant player, if  
10:58 5 they can, for whatever reason, based on the red flags or  
10:58 6 --- submit a UAR through the same process. So source of  
10:58 7 wealth concerns, implausibility, other risks that they've  
10:58 8 detected through that process, adverse media, law  
10:58 9 enforcement inquiries, they are the typical escalation  
10:58 10 processes.

10:58 11

10:58 12 Q. So we have three streams going into a UAR, and I  
10:58 13 interrupted you when you were going to explain what then  
10:58 14 happens when there is a UAR.

10:58 15

10:58 16 A. Another stream, if I may add, is the law enforcement  
10:58 17 inquiries as well, may lead to a UAR. Once they go into  
10:58 18 a UAR phase, phase 1, they get triaged in terms of  
10:58 19 whether they present a high, medium or low inherent risk,  
10:58 20 So in terms of the nature of the escalation, for priority  
10:58 21 in terms of investigation. Once the assessment is done  
10:59 22 on that priority, it stays in the queue and is taken up  
10:59 23 by an investigator. The high risk ones get priority, and  
10:59 24 then medium and low risk. So it goes through quite  
10:59 25 a significant investigation process where the team looks  
10:59 26 at the available information on that customer or patron  
10:59 27 around their KYC details, Know Your Customer details.  
10:59 28 They will look at the gaming activity, they will look at  
10:59 29 previous SMRs filed, adverse media, any law enforcement  
10:59 30 inquiries. They will look at information potentially  
10:59 31 from other departments, from credit, if they hold due  
10:59 32 diligence information from a credit file, and they make  
10:59 33 an assessment based on all the information in front of  
10:59 34 them to whether that will go through to what is called  
10:59 35 a level 3.

10:59 36

10:59 37 So, in fact, they will be recommending at level 3 an SMR  
10:59 38 through to a decision-maker.

10:59 39

40 Q. Which team within Crown has custody of this UAR  
41 process?

42

43 A. The financial crime team.

44

45 Q. Your team.

46

47 A. My team.



1  
11:00 2 Q. How does that connect with the critical risk  
11:00 3 escalation policy?  
11:00 4  
11:00 5 A. If a customer goes through the AML process, within  
11:00 6 that process there will be a need to assess or re-look at  
11:00 7 the current risk assessment, the risk rating of  
11:00 8 a customer. If the assessor or investigator feels that  
11:00 9 risk rating needs to be elevated to a higher risk, so  
11:00 10 high risk or critical risk, certain workflows will result  
11:00 11 from that where the team will submit a critical risk  
11:00 12 escalation form to me for my endorsement before I send  
11:00 13 that through to the property CEO, and the default  
11:00 14 position on critical risk is the customer is to be exited  
11:00 15 unless that risk can be managed or mitigated, and I have  
11:00 16 to endorse that management or mitigation plan.  
11:00 17  
11:01 18 Q. Are there customers that have gone through that  
11:01 19 process that have been exited?  
11:01 20  
11:01 21 A. They have been exited, correct.  
11:01 22  
11:01 23 Q. As far as you are aware, there is no customer that  
11:01 24 has gone through that process and not been exited?  
11:01 25  
11:01 26 A. That's correct.  
11:01 27  
11:01 28 MS BUTTON: Thank you, Mr Stokes.  
11:01 29  
11:01 30 A. Thank you.  
11:01 31  
11:01 32 MS NESKOVICIN: Before Mr Stokes leaves, Commissioner, two  
11:01 33 matters. I didn't tender the last document to which I  
11:01 34 took Mr Stokes, that was the comments on the AUSTRAC  
11:01 35 assessment. Can I tender it as part of a letter with the  
11:01 36 attachment, so if we go back to the letter and if you  
11:01 37 perhaps now in the narration include with the attachment,  
11:01 38 and I will provide the associate with a different  
11:01 39 document ID, which I will just read into the transcript,  
11:02 40 CRW.005.008.3036.  
11:02 41  
11:02 42 COMMISSIONER: Is that the letter of 13 May?  
11:02 43  
11:02 44 MS NESKOVICIN: Yes.  
11:02 45  
11:02 46 COMMISSIONER: From Crown to Ms Lewkowicz? I've lost  
11:02 47 track.

11:02 1  
11:02 2 MS NESKOVCIN: Second matter.  
11:02 3  
11:02 4 ASSOCIATE: Exhibit 24.  
11:02 5  
11:02 6  
11:02 7 **EXHIBIT #RC0024 - EMAIL FROM CROWN TO MS ANNA**  
11:02 8 **LEWKOWICZ DATED 13 MAY 2020 WITH ATTACHMENTS**  
11:02 9  
11:02 10  
11:02 11 MS NESKOVCIN: The second matter. Documents have been  
11:02 12 recently produced to the Commission and we are expecting  
11:02 13 further documents. There was a document arising from  
11:02 14 Mr Stokes evidence yesterday which we haven't been able  
11:02 15 to locate yesterday in documents produced so far. It may  
11:02 16 be necessary to recall Mr Stokes, so he could be excused  
11:02 17 today.  
11:02 18  
11:02 19  
11:02 20 **QUESTIONS BY THE COMMISSIONER**  
11:02 21  
11:02 22  
11:02 23 COMMISSIONER: I will excuse Mr Stokes for the time  
11:02 24 being, but I have a couple of questions as well. I want  
11:02 25 to pick up on something I think you might have mentioned  
11:02 26 yesterday, not today ---  
11:02 27  
11:02 28 A. Sure.  
11:02 29  
11:02 30 COMMISSIONER: --- which was a shift from manual to  
11:03 31 automated ---  
11:03 32  
11:03 33 A. Yes.  
11:03 34  
11:03 35 COMMISSIONER: --- processing. Can I assume that is in  
11:03 36 relation to money movements via the bank accounts, or was  
11:03 37 the manual checking which you were speaking about  
11:03 38 something checking other than going through bank  
11:03 39 statements or bank records?  
11:03 40  
11:03 41 A. The manual to automation is referring to the  
11:03 42 transaction monitoring that the team does. So  
11:03 43 historically we've monitored, manually, transactions.  
11:03 44 And we've recently been able to fully automate 24 rules  
11:03 45 in our transaction monitoring system.  
11:03 46  
11:03 47 COMMISSIONER: And the transactions are a reference to

11:03 1 banking transactions or is it broader than that?  
11:03 2  
11:03 3 A. There are two parts to that: there is also a bank  
11:03 4 account --- a recently developed bank account monitoring  
11:04 5 process. That is under what is called user acceptance  
11:04 6 testing at the moment. We are looking to go to  
11:04 7 automation probably in the next month or so.  
11:04 8  
11:04 9 COMMISSIONER: That checks bank transactions to see  
11:04 10 whether there are five on one day from nearby deposits to  
11:04 11 see whether they are all \$9,999 or ---  
11:04 12  
11:04 13 A. Yeah, the bank account statements will be looking at  
11:04 14 cash deposits into the Crown ANZ account, third-party  
11:04 15 payments and company payments and remittor payments, or  
11:04 16 payments --- or electronic funds transfers with  
11:04 17 misleading descriptions. The broader transaction  
11:04 18 monitoring will cover, as you just pointed out, instances  
11:04 19 of red flags or typologies that we would like to monitor  
11:04 20 in the casino management system.  
11:04 21  
11:04 22 COMMISSIONER: So the way it would work in an automated  
11:04 23 fashion is you would have a computer program which would  
11:05 24 be programmed to identify specific kinds of transactions  
11:05 25 that you are looking for ---  
11:05 26  
11:05 27 A. That's right.  
11:05 28  
11:05 29 COMMISSIONER: --- and then you will kick them out and  
11:05 30 it will be a much more efficient way than the way it was  
11:05 31 done previously.  
11:05 32  
11:05 33 A. That's right, so rather than flick through pages and  
11:05 34 pages and try and look for certain exceptions, the rules  
11:05 35 have been designed and built to detect certain activity.  
11:05 36 So the threshold activity, for instance, a transaction  
11:05 37 over a certain amount or with certain attributes. For  
11:05 38 instance, between a buy-in of 5,000 to 9,999, two more  
11:05 39 buy-ins within a certain period of time with no  
11:05 40 corresponding rate of play, for instance. Or it could be  
11:05 41 large cash transactions. So the system ingests data from  
11:05 42 the casino management system and then that gets alerted  
11:05 43 on a dashboard and the team then looks on the alerts and  
11:05 44 investigates thereafter.  
11:06 45  
11:06 46 COMMISSIONER: And these are, I don't know about  
11:06 47 well-used, but these are off the shelf products that you

11:06 1 can buy and tailor to your own needs to look for what you  
11:06 2 are after?

11:06 3

11:06 4 A. In a banking environment, majority, yes, I would  
11:06 5 agree with that statement that they are bought off the  
11:06 6 shelf and they are configured. In the case of Crown, all  
11:06 7 the rules have been built in-house.

11:06 8

11:06 9 COMMISSIONER: Thank you.

11:06 10

11:06 11 MR NESKOVCIN: If Mr Stokes can be excused today?

11:06 12

11:06 13 COMMISSIONER: You might be free forever, but we will let  
11:06 14 you know if that happens.

11:06 15

11:06 16 A. Thank you, Commissioner.

11:06 17

11:06 18

11:06 19 **THE WITNESS STOOD DOWN**

11:06 20

11:06 21

11:06 22 MR NESKOVCIN: Commissioner, we are now going into  
11:06 23 private hearing.

11:06 24

11:06 25 COMMISSIONER: All right. I will adjourn for 10 minutes.  
11:06 26 Come back at 10.15.

11:06 27

11:06 28 MS NESKOVCIN: Thank you very much.

11:07 29

11:07 30

11:07 31 **ADJOURNED**

**[11:07 A.M.]**

### **Index of Exhibits and MFIs**

EXHIBIT #RC0024 - EMAIL FROM CROWN TO MS ANNA  
LEWKOWICZ DATED 13 MAY 2020 WITH ATTACHMENTS

P-469

11:29 37 **HEARING IN CAMERA**

11:29 38

11:29 39

11:29 40 COMMISSIONER: Mr Borsky, welcome back.

11:29 41

11:29 42 MR BORSKY: Thank you.

11:29 43

11:29 44 COMMISSIONER: Just a couple of housekeeping matters. As

11:29 45 you know, but I want to record this so there is a formal

11:30 46 record of it, I made non-publication orders which I hope

11:30 47 you have been given, and will explain to each of the

11:30 1 relevant employee witnesses what they mean and what their  
11:30 2 effect is. I thought, maybe rightly or wrongly, that it  
11:30 3 would be better explained by those who are instructing  
11:30 4 you rather than me, because if there is any questions  
11:30 5 they can deal with them perhaps more effectively and  
11:30 6 efficiently than I would be able to in a public forum  
11:30 7 like this.  
11:30 8  
11:30 9 MR BORSKY: Yes.  
11:30 10  
11:30 11 COMMISSIONER: I hope that has been done, or will be done  
11:30 12 for each witness as and when they --- and I think there  
11:30 13 was a request that there be some changes made to the  
11:30 14 orders, and I've made, I think, the changes that have  
11:31 15 been requested. I hope there is no others, but if there  
11:31 16 is any other issue that arises from the form of order,  
11:31 17 just let me know and I can recall orders made and replace  
11:31 18 them or amend or something like that.  
11:31 19  
11:31 20 MR BORSKY: Thank you.  
11:31 21  
11:31 22 COMMISSIONER: I tried to work out what was the necessary  
11:31 23 carveouts from the restriction to make sure that it works  
11:31 24 from your side.  
11:31 25  
11:31 26 MR BORSKY: Yes, thank you. And that has been explained  
11:31 27 to us and the one carveout was to ---  
11:31 28  
11:31 29 COMMISSIONER: In-house lawyers?  
11:31 30  
11:31 31 MR BORSKY: --- in-house lawyers have been added to the  
11:31 32 list of persons to whom information may be disclosed.  
11:31 33  
11:31 34 COMMISSIONER: I have made that change. And I have  
11:31 35 included, obviously, family members.  
11:31 36  
11:31 37 MR BORSKY: You had already included that, yes, we were  
11:31 38 grateful. The order that has been made in that form has  
11:31 39 already been explained to the first employee witness who  
11:31 40 is sitting behind me in the hearing room at present and  
11:31 41 is ready when convenient to give his confidential  
11:32 42 evidence.  
11:32 43  
11:32 44 COMMISSIONER: Yes.  
11:32 45  
11:32 46 MR BORSKY: It certainly will be explained to each of the  
11:32 47 other five employees who are due to give evidence today,

11:32 1 several of whom are waiting patiently outside.  
11:32 2  
11:32 3 COMMISSIONER: The last thing is, as far as I can tell,  
11:32 4 most of the people in the room are permitted people, but  
11:32 5 you just satisfy yourself that everybody who is here is  
11:32 6 allowed to be here.  
11:32 7  
11:32 8 I think the answer is we're all okay.  
11:32 9  
11:32 10 MR BORSKY: Yes, I agree and someone will contradict me  
11:32 11 if I've missed something.  
11:32 12  
11:32 13 COMMISSIONER: Okay, thank you, Mr Borsky.  
11:32 14  
11:32 15 MR BORSKY: We've had some discussions with our friends  
11:32 16 and Solicitors Assisting and Commission staff as well  
11:32 17 about the maintenance of the confidentiality. We  
11:32 18 received a letter from Solicitors Assisting the  
11:33 19 Commission some days ago providing a regime whereby there  
11:33 20 will be the name of the employee and the address for the  
11:33 21 record handed to the witness and ---  
11:33 22  
11:33 23 COMMISSIONER: They can verify it?  
11:33 24  
11:33 25 MR BORSKY: Verified and tendered to the Commission.  
11:33 26  
11:33 27 COMMISSIONER: I have a list where I have the name of  
11:33 28 each employee and their designation as 1 through 6.  
11:33 29  
11:33 30 MR BORSKY: Yes, and I expect and sincerely hope that it  
11:33 31 corresponds to my list, but we have checked the bits of  
11:33 32 paper so I'm sure it will move as smoothly as it can in  
11:33 33 the circumstances.  
11:33 34  
11:33 35 COMMISSIONER: Thank you.  
11:33 36  
11:33 37 MR BORSKY: If it is convenient, I would call Employee 1  
11:33 38 now to the box.  
11:33 39  
11:33 40 COMMISSIONER: Thank you very much.  
11:33 41  
11:33 42  
11:33 43 **EMPLOYEE 1, CALLED**  
11:33 44  
11:33 45  
11:34 46 MR BORSKY: Sir, do you have before you a piece of paper  
11:34 47 headed NTA034?

11:34 1  
11:34 2 WITNESS: Yes.  
11:34 3  
11:34 4 MR BORSKY: Does it have your name on the piece of paper?  
11:34 5  
11:34 6 WITNESS: Yes.  
11:34 7  
11:34 8 MR BORSKY: Does it have your business address on the  
11:34 9 piece of paper too?  
11:34 10  
11:34 11 WITNESS: Yes.  
11:34 12  
11:34 13 MR BORSKY: Thank you. Now you wish to make an oath,  
11:34 14 sir?  
11:34 15  
11:34 16 WITNESS: Yes.  
11:34 17  
11:34 18 MR BORSKY: All right. The associate will assist you  
11:34 19 with that.  
11:34 20  
11:34 21  
11:34 22 **WITNESS SWORN**  
11:34 23  
11:34 24  
11:34 25 MR BORSKY: We tender that piece of paper that has been  
11:34 26 verified as a confidential exhibit.  
11:35 27  
11:35 28 COMMISSIONER: Does that have just Witness 1's name or  
11:35 29 everybody's name?  
11:35 30  
11:35 31 MR BORSKY: Just Witness 1.  
11:35 32  
11:35 33 COMMISSIONER: We will give it a separate tender.  
11:35 34 I think we are up to 25.  
11:35 35  
11:35 36 ASSOCIATE: 25.  
11:35 37  
11:35 38 COMMISSIONER: Confidential Exhibit 25, yes, thank you.  
11:35 39  
40  
41 **EXHIBIT #RCPH0025 - WITNESS IDENTIFICATION**  
42 **DOCUMENT NTA034 (CONFIDENTIAL)**  
43  
44  
45 **EXAMINATION-IN-CHIEF BY MR BORSKY**  
46  
47



11:35 1 MR BORSKY: Are you currently a food and beverage  
11:35 2 attendant in the **Confide** Bar at Crown?  
11:35 3  
11:35 4 A. Yes.  
11:35 5  
11:35 6 Q. When did you start working at Crown?  
11:35 7  
11:35 8 A. 10 December 2007.  
11:35 9  
11:35 10 Q. Throughout the 13 or 14 years you've been at Crown,  
11:35 11 have you always been in the food and beverage department?  
11:35 12  
11:35 13 A. Yes.  
11:35 14  
11:35 15 Q. What training have you received during your time at  
11:35 16 Crown?  
11:35 17  
11:35 18 A. A lot of training modules I've done.  
11:35 19  
11:35 20 Q. You say "a lot of training modules".  
11:36 21  
11:36 22 A. Yes.  
11:36 23  
11:36 24 Q. Is that online or in person?  
11:36 25  
11:36 26 A. Both.  
11:36 27  
11:36 28 Q. Could you give the Commissioner some examples of the  
11:36 29 subject matter of those training modules, please?  
11:36 30  
11:36 31 A. RSA, RSG, health and safety, money laundering. They  
11:36 32 are the ones that come to mind.  
11:36 33  
11:36 34 Q. You mentioned RSA and RSG. Could you tell the  
11:36 35 Commissioner what RSA is about?  
11:36 36  
11:36 37 A. Responsible Service of Alcohol.  
11:36 38  
11:36 39 Q. What is that about? What have you learned in your  
11:36 40 training about the Responsible Service of Alcohol?  
11:36 41  
11:36 42 A. Not to serve intoxicated patrons. Yeah.  
11:36 43  
11:36 44 Q. Is that an issue that comes up often in your work as  
11:36 45 a food and beverage attendant?  
11:36 46  
11:36 47 A. Yes.

11:36 1  
11:36 2 Q. How often would you say?  
11:37 3  
11:37 4 A. On weekends, all the time, especially the timeframe,  
11:37 5 we work from 10 at night to early mornings.  
11:37 6  
11:37 7 Q. How do you handle that when it arises?  
11:37 8  
11:37 9 A. If a patron is intoxicated?  
11:37 10  
11:37 11 Q. Yes.  
11:37 12  
11:37 13 A. We will inform them that they are showing signs of  
11:37 14 intoxication and give them a glass of water, and then  
11:37 15 I will notify my management and they will go to the RSA  
11:37 16 offices, and while they do that I communicate to the  
11:37 17 other bar staff behind the bar that this patron is  
11:37 18 showing signs and can't have any more alcohol for the next  
11:37 19 24 hours.  
11:37 20  
11:37 21 Q. You mentioned RSG as well. What is RSG about?  
11:37 22  
11:37 23 A. Responsible Service of Gaming.  
11:37 24  
11:37 25 Q. What have you learned about Responsible Service of  
11:37 26 Gaming?  
11:37 27  
11:37 28 A. Just if they are showing signs that they are  
11:37 29 agitated, if they've been there all hours and, like, you  
11:38 30 finish your shift and you come back your next shift and  
11:38 31 they are still there, there are signs they have problems  
11:38 32 of gaming.  
11:38 33  
11:38 34 Q. What do you do if you observe those sorts of signs?  
11:38 35  
11:38 36 A. I will notify my management and they will take it on  
11:38 37 from there.  
11:38 38  
11:38 39 Q. In your role as a food and beverage attendant at the  
11:38 40 **Confide** Bar, is RSG an issue that you often encounter in  
11:38 41 your work?  
11:38 42  
11:38 43 A. No.  
11:38 44  
11:38 45 MR BORSKY: Mr Kozminsky, who is Counsel Assisting the  
11:38 46 Commissioner, will ask you questions now, sir.  
11:38 47

11:38 1  
11:38 2 **CROSS-EXAMINATION BY MR KOZMINSKY**  
11:38 3  
11:38 4  
11:38 5 MR KOZMINSKY: Good morning.  
11:38 6  
11:38 7 A. Morning.  
11:38 8  
11:38 9 Q. I will ask you a few questions. Let me know if you  
11:38 10 can't hear me or if you don't understand one of my  
11:38 11 questions.  
11:38 12  
11:38 13 A. Yes.  
11:38 14  
11:38 15 Q. Could I ask you this before we get going. Has  
11:38 16 anyone spoken to you about the questions you might be  
11:38 17 asked today?  
11:39 18  
11:39 19 A. No, not like --- how do you mean?  
11:39 20  
11:39 21 Q. Has anyone spoken to you about what I might ask you  
11:39 22 today?  
11:39 23  
11:39 24 A. No.  
11:39 25  
11:39 26 Q. No?  
11:39 27  
11:39 28 A. No.  
11:39 29  
11:39 30 Q. Have you got any documents? Has anyone provided you  
11:39 31 any documents to help you prepare for today?  
11:39 32  
11:39 33 A. No.  
11:39 34  
11:39 35 Q. Thank you. You said your current role is food and  
11:39 36 beverage in the **Confide** Bar?  
11:39 37  
11:39 38 A. Yes.  
11:39 39  
11:39 40 Q. What hours do you work?  
11:39 41  
11:39 42 A. It's a 24-hour roster so we do our rosters every six  
11:39 43 weeks and one week I will be doing mornings, next,  
11:39 44 afternoons, next graveyards, so, yeah.  
11:39 45  
11:39 46 Q. Eight-hour shifts, 12-hour shifts?  
11:39 47

11:39 1 A. 8 to 10.  
11:39 2  
11:39 3 Q. How many shifts a week?  
11:39 4  
11:39 5 A. I'm part-times too, but I will do three to five  
11:39 6 shifts a week.  
11:39 7  
11:40 8 Q. And the **Confiden** Bar, that is on the main gaming  
11:40 9 floor?  
11:40 10  
11:40 11 A. Yes.  
11:40 12  
11:40 13 Q. From the **Confide** Bar, you can obviously what's in  
11:40 14 front of you, the bar and the patrons, and then you can  
11:40 15 see pokie machines and table games and things like that?  
11:40 16  
11:40 17 A. Yes.  
11:40 18  
11:40 19 Q. Obviously you work different shifts, so you have  
11:40 20 your graveyard shift and then you have Saturday night and  
11:40 21 sometimes it's quieter than others and sometimes it is  
11:40 22 busier than others?  
11:40 23  
11:40 24 A. Yes.  
11:40 25  
11:40 26 Q. On a Friday night, for example, or a Saturday night,  
11:40 27 especially pre-COVID, lots of people on the main gaming  
11:40 28 floor?  
11:40 29  
11:40 30 A. Yes.  
11:40 31  
11:40 32 Q. Packed?  
11:40 33  
11:40 34 A. Yes.  
11:40 35  
11:40 36 Q. From where you are standing, I know you are  
11:40 37 primarily pouring drinks and food, but you can see people  
11:40 38 out in front of you gamble?  
11:40 39  
11:40 40 A. Generally if you look for it, yes.  
11:40 41  
11:40 42 Q. Mr Borsky asked you some questions about this, but  
11:41 43 I was hoping if, in your own words, you could tell me  
11:41 44 what observable signs are.  
11:41 45  
11:41 46 A. Signs for RSA?  
11:41 47

11:41 1 Q. Are you familiar with the term "observable signs"?  
11:41 2 Is that a term that you are familiar with?  
11:41 3  
11:41 4 A. No.  
11:41 5  
11:41 6 Q. Okay. Can I ask you this: in your own words, are  
11:41 7 you able to explain to the Commissioner what Crown's Play  
11:41 8 Periods Policy is?  
11:41 9  
11:41 10 A. Can you repeat that?  
11:41 11  
11:41 12 Q. Sure. Crown has a policy. It is called "Play  
11:41 13 Periods". That is the name of the policy. Are you  
11:41 14 familiar with that policy?  
11:41 15  
11:41 16 A. Vaguely. I think it is part of the RSG.  
11:41 17  
11:41 18 Q. Right. That's the training you've had, the RSG  
11:41 19 training?  
11:41 20  
11:41 21 A. Yes.  
11:41 22  
11:41 23 Q. Are you able to tell the Commissioner what that  
11:41 24 policy is about, what it says?  
11:41 25  
11:41 26 A. I can't remember, sorry.  
11:41 27  
11:41 28 Q. Thank you.  
11:41 29  
11:42 30 Q. Can you tell me how long does it take to walk from  
11:42 31 the **Confide** Bar where you are to the Responsible Gaming  
11:42 32 Centre?  
11:42 33  
11:42 34 A. Probably two minutes.  
11:42 35  
11:42 36 Q. Do you know where that centre is?  
11:42 37  
11:42 38 A. From memory it is downstairs in the Las Vegas room.  
11:42 39  
11:42 40 Q. In the Las Vegas room you think it is?  
11:42 41  
11:42 42 A. Yes.  
11:42 43  
11:42 44 Q. Okay. And have you been there before?  
11:42 45  
11:42 46 A. No.  
11:42 47

11:42 1 Q. If I told you it wasn't in the Las Vegas room, would  
11:42 2 that shock you?  
11:42 3  
11:42 4 A. No.  
11:42 5  
11:42 6 Q. There are 12 Responsible Gambling Advisors. I don't  
11:42 7 know if you knew that. Do you know any of their names?  
11:42 8  
11:42 9 A. No.  
11:42 10  
11:42 11 Q. When was last you spoke to a Responsible Gaming  
11:42 12 Advisor?  
11:42 13  
11:42 14 A. I never have.  
11:42 15  
11:42 16 Q. When was the last time you suggested to a customer,  
11:42 17 if at all, that they visit the Responsible Gaming Centre?  
11:43 18  
11:43 19 A. I got my manager to get one, one time.  
11:43 20  
11:43 21 Q. One time in 13 years?  
11:43 22  
11:43 23 A. Yes.  
11:43 24  
11:43 25 Q. I imagine, being there for 13 years, you take your  
11:43 26 job pretty seriously?  
11:43 27  
11:43 28 A. Yes.  
11:43 29  
11:43 30 Q. And your main job when you are working is to make  
11:43 31 sure, when people get to the bar, they are getting served  
11:43 32 their drinks?  
11:43 33  
11:43 34 A. Yes.  
11:43 35  
11:43 36 Q. On busy nights that's a pretty hard job, lots to do?  
11:43 37  
11:43 38 A. It can be, yes.  
11:43 39  
11:43 40 Q. In say the last three months, how many times have  
11:43 41 you stopped what you are doing at the bar to go and check  
11:43 42 on a customer who might have been showing signs of  
11:43 43 distress from gambling?  
11:43 44  
11:43 45 A. Never.  
11:43 46  
11:43 47 Q. What did you do the last time --- I perhaps don't

11:43 1 need to ask you these questions. There is only one time  
11:43 2 you suggested to your manager that someone should be  
11:44 3 spoken to?

11:44 4

11:44 5 A. Yes.

11:44 6

11:44 7 Q. When you are standing at work and looking around at  
11:44 8 the electronic gaming machines and pokies, do you ever  
11:44 9 see someone sitting in between two machines playing both  
11:44 10 of them?

11:44 11

11:44 12 A. I've never seen that.

11:44 13

11:44 14 Q. Never seen that. Okay.

11:44 15

11:44 16 If I come in on a Saturday night with my friends and I  
11:44 17 buy some beers, can I get cash out at the same time?

11:44 18

11:44 19 A. Can you repeat that?

11:44 20

11:44 21 Q. Can I get cash out from you, EFTPOS?

11:44 22

11:44 23 A. After you make a purchase, yes.

24

25 Q. I can?

26

27 A. Yes.

28

11:44 29 Q. Just to be clear about this, the **Confide** Bar is on  
11:44 30 the main gaming floor?

11:44 31

11:44 32 A. Yes.

11:44 33

11:44 34 MR KOZMINSKY: Commissioner, unless you have any further  
11:44 35 questions for this witness, that is all from me. Thank  
11:44 36 you very much. Unless Mr Borsky wants to ask you ---

11:44 37

11:44 38 COMMISSIONER: We haven't finished yet.

11:44 39

11:44 40 MR KOZMINSKY: I don't think there has been  
11:44 41 any application for leave to appear from the regulator,  
11:44 42 and I am particularly concerned about time. These  
11:44 43 witnesses have come along today. They are all waiting.  
11:45 44 We are a long way behind schedule; if there is going to  
11:45 45 be a broad brush examination we are not going to get  
11:45 46 through the witnesses today.

11:45 47

11:45 1 COMMISSIONER: Five minutes?  
11:45 2  
11:45 3 MR ROZEN: Even less.  
11:45 4  
11:45 5 COMMISSIONER: Done deal.  
11:45 6  
11:45 7  
11:45 8 **CROSS-EXAMINATION BY MR ROZEN**  
11:45 9  
11:45 10  
11:45 11 MR ROZEN: Thank you, Commissioner. Thank you, Counsel  
11:45 12 Assisting.  
11:45 13  
11:45 14 I represent the VCGLR, the Victorian Commission for  
11:45 15 Gambling and Liquor Regulation, the regulator.  
11:45 16  
11:45 17 You told Mr Borsky you have training in relation to the  
11:45 18 responsible service of gambling, RSG. Do you recall  
11:45 19 saying that earlier?  
11:45 20  
11:45 21 A. Yes.  
11:45 22  
11:45 23 Q. When was the last time you received training in  
11:45 24 relation to RSG?  
11:45 25  
11:45 26 A. From memory, December, last December.  
11:45 27  
11:45 28 Q. December last year?  
11:45 29  
11:45 30 A. Yes.  
11:45 31  
11:45 32 Q. Thank you. And prior to that, do you remember?  
11:45 33  
11:45 34 A. Sorry?  
11:45 35  
11:45 36 Q. Prior to December of last year, when was the  
11:45 37 previous?  
11:45 38  
11:45 39 A. After COVID. I lost track of time, to be honest,  
11:45 40 yes.  
11:45 41  
11:45 42 Q. Perhaps I will ask it another way. Is it provided  
11:46 43 to you once a year or once every two years?  
11:46 44  
11:46 45 A. Once every year.  
11:46 46  
11:46 47 Q. And that training that you did in December of last



11:46 1 year, was that online?

11:46 2

11:46 3 A. Yes.

11:46 4

11:46 5 Q. Are you able to tell the Commissioner how long it

11:46 6 took you to complete the training?

11:46 7

11:46 8 A. From memory, 15 questions. You have to get

11:46 9 100 per cent. So between 45 minutes and an hour it took

11:46 10 me.

11:46 11

11:46 12 MR ROZEN: Thank you. That's all.

11:46 13

11:46 14 COMMISSIONER: Thank you. Mr Borsky?

11:46 15

11:46 16 MR BORSKY: No questions in re-examination, but in case

11:46 17 it assists you or our friends, to spare some of the

11:46 18 witnesses a memory test, we can make available and

11:46 19 produce to the Commission an employee record for each of

11:46 20 the witnesses which records precisely what online

11:46 21 training modules they completed when. If there are going

11:46 22 to be questions like that.

11:47 23

11:47 24 COMMISSIONER: Okay, that will help.

11:47 25

11:47 26 MR BORSKY: That might cut through some of it.

11:47 27

11:47 28 COMMISSIONER: Thank you very much.

11:47 29

11:47 30 A. Thank you.

11:47 31

11:47 32 COMMISSIONER: The ordeal is over.

11:47 33

11:47 34 A. Thank you very much.

35

36

37 **THE WITNESS WITHDREW**

38

39

11:47 40 MR BORSKY: Our instructor is bringing in Employee 2.

11:47 41

11:47 42 COMMISSIONER: While we are waiting for the witness to

11:47 43 come in.

11:47 44

11:47 45 Mr Rozen, if we get what Mr Borsky said will be available

11:47 46 for each witness, will that mean you won't need to ask

11:47 47 that set of questions of the witness?

11:47 1  
11:47 2 MR ROZEN: I've learnt over the years to be a little  
11:47 3 sceptical of these training records, but it probably will  
11:47 4 obviate the need. I don't mean in relation to Crown, but  
11:47 5 in a general sense.  
11:47 6  
11:47 7 COMMISSIONER: Generally, yes.  
11:47 8  
11:47 9 MR ROZEN: It should obviate the need to do that.  
11:48 10  
11:48 11 COMMISSIONER: Thank you.  
11:49 12  
11:49 13 MR BORSKY: I apologise for the delay. I can see the  
11:49 14 witness coming in now, Commissioner.  
11:49 15  
11:49 16  
11:49 17 **EMPLOYEE 2, CALLED**  
11:49 18  
11:49 19  
11:49 20  
11:49 21 MR BORSKY: Good morning, sir. Do you have a piece of  
11:49 22 paper in front of you which has the heading NTA033 on it?  
11:50 23  
11:50 24 WITNESS: Yes.  
11:50 25  
11:50 26 MR BORSKY: I ask you not to read it out, but does it  
11:50 27 also have your name on the piece of paper?  
11:50 28  
11:50 29 WITNESS: Yes.  
11:50 30  
11:50 31 MR BORSKY: And your business address at Crown?  
11:50 32  
11:50 33 WITNESS: Do you want me to read that out?  
11:50 34  
11:50 35 MR BORSKY: No, that is not necessary. Thank you, sir.  
11:50 36  
11:50 37 WITNESS: Yes.  
11:50 38  
11:50 39 MR BORSKY: Can you confirm for the Commissioner that is  
11:50 40 your business address?  
11:50 41  
11:50 42 WITNESS: Yes, it is.  
11:50 43  
11:50 44 MR BORSKY: Thank you very much.  
11:50 45  
11:50 46 COMMISSIONER: Separate confidential exhibit?  
11:50 47

11:50 1 MR BORSKY: Yes.  
11:50 2  
11:50 3 COMMISSIONER: I think we will refer to them as witness  
11:50 4 identification document, confidential.  
11:50 5  
11:50 6 MR BORSKY: You wish to make an affirmation; is that  
11:50 7 correct?  
11:50 8  
11:50 9 WITNESS: Yes, please.  
11:50 10  
11:50 11  
11:51 12 **WITNESS AFFIRMED**  
11:51 13  
11:51 14  
11:51 15 COMMISSIONER: We will give that a number.  
11:51 16  
11:51 17 ASSOCIATE: RC26.  
11:51 18  
11:51 19 COMMISSIONER: Confidential.  
11:51 20  
11:51 21 ASSOCIATE: Confidential.  
11:51 22  
11:51 23  
11:51 24 **EXHIBIT #RCPH0026 - WITNESS IDENTIFICATION**  
11:51 25 **DOCUMENT NTA033 (CONFIDENTIAL)**  
11:51 26  
27  
28  
29 **EXAMINATION-IN-CHIEF BY MR BORSKY**  
30  
31  
11:51 32 MR BORSKY: Did you commence employment with Crown in  
11:51 33 2016?  
11:51 34  
11:51 35 A. Correct.  
11:51 36  
11:51 37 Q. What role did you commence in at Crown?  
11:51 38  
11:51 39 A. I started as a food and beverage attendant.  
11:51 40  
11:51 41 Q. What role do you currently hold at Crown?  
11:51 42  
11:51 43 A. I'm a food and beverage supervisor.  
11:51 44  
11:51 45 Q. Are you a food and beverage manager in the **Confi**  
11:51 46 Room? **dentia**  
11:51 47

- 11:51 1 A. **Conf** Room, so I look after the bar and restaurant.  
11:51 2  
11:51 3 Q. Can you explain, please, to the Commission your  
11:51 4 responsibilities in that role?  
11:51 5  
11:51 6 A. My responsibilities are both administrative and  
11:51 7 operations, so I look after the staff and operations of  
11:52 8 the outlet.  
11:52 9  
11:52 10 Q. Do you receive training on a regular basis as part  
11:52 11 of your employment at Crown?  
11:52 12  
11:52 13 A. Yes. Me and all my staff receive training that we  
11:52 14 have to complete by a certain date. This includes most  
11:52 15 recently was AML, our RSA refreshers, our gaming  
11:52 16 refreshers, and many more.  
11:52 17  
11:52 18 Q. RSA is Responsible Service of Alcohol?  
11:52 19  
11:52 20 A. Correct.  
11:52 21  
11:52 22 Q. Is that an issue that arises for you in the course  
11:52 23 of your work on a fairly regular basis?  
11:52 24  
11:52 25 A. Sorry, can you explain again?  
11:52 26  
11:52 27 Q. Yes. Is it common for you in your work to have to  
11:52 28 deal with RSA issues in the **Conf** Room?  
11:52 29  
11:52 30 A. It does happen on a daily basis but it isn't a big  
11:53 31 issue, no.  
11:53 32  
11:53 33 Q. You say it happens reasonably often but it's not  
11:53 34 a big issue?  
11:53 35  
11:53 36 A. Correct.  
11:53 37  
11:53 38 Q. And what about RSG, Responsible Service of Gaming?  
11:53 39  
11:53 40 A. In my five years being in Crown I haven't dealt with  
11:53 41 a single case.  
11:53 42  
11:53 43 MR BORSKY: Thank you. Mr Kozminsky will ask you some  
11:53 44 questions now for the Commission.  
11:53 45  
11:53 46  
11:53 47 **CROSS-EXAMINATION BY MR KOZMINSKY**

11:53 1  
11:53 2  
11:53 3 MR KOZMINSKY: Good morning.  
11:53 4  
11:53 5 A. Good morning.  
11:53 6  
11:53 7 Q. I'm Counsel Assisting. I will ask you a few  
11:53 8 questions today. Let me know if you can't hear me or  
11:53 9 can't understand something. Just shout out and I will  
11:53 10 repeat it.  
11:53 11  
11:53 12 Can I ask briefly, when you got your Notice to Appear,  
11:53 13 did anyone ever give you any documents to help you  
11:53 14 prepare for today?  
11:53 15  
11:53 16 A. No.  
11:53 17  
11:53 18 Q. You didn't get any documents from anyone?  
11:54 19  
11:54 20 A. (Nods head).  
11:54 21  
11:54 22 Q. You said you are a supervisor in the **Confi** Room.  
11:54 23 What hours do you work?  
11:54 24  
11:54 25 A. I work shift work.  
11:54 26  
11:54 27 Q. How long are your shifts?  
11:54 28  
11:54 29 A. 8.5 hours.  
11:54 30  
11:54 31 Q. How many shifts a week?  
11:54 32  
11:54 33 A. About five.  
11:54 34  
11:54 35 Q. All different times?  
11:54 36  
11:54 37 A. No, we try to keep it consistent.  
11:54 38  
11:54 39 Q. And in your previous roles, similar sort of hours?  
11:54 40  
11:54 41 A. Previous roles, as a food and beverage attendant  
11:54 42 there's different types of shifts. So it does vary.  
11:54 43 There are split shifts, there are long hours, but you  
11:54 44 will work less days. There are shorter shifts but you  
11:54 45 will work more days.  
11:54 46  
11:54 47 Q. So about the same number of hours you were working?

11:54 1  
11:54 2 A. Correct, yes.  
11:54 3  
11:54 4 Q. The **Conf** Room is a VIP room; is that right?  
11:54 5  
11:54 6 A. Correct.  
11:54 7  
11:54 8 Q. So black cardholders can get in?  
11:54 9  
11:54 10 A. Correct.  
11:54 11  
11:54 12 Q. And platinum?  
11:54 13  
11:54 14 A. Correct.  
11:54 15  
11:55 16 Q. Silver --- sorry, gold, can gold get in?  
11:55 17  
11:55 18 A. Yes, sir.  
11:55 19  
11:55 20 Q. Can silver get in or not?  
11:55 21  
11:55 22 A. Silver can come in, but they need to come in with  
11:55 23 a member of gold, platinum or black tier.  
11:55 24  
11:55 25 Q. So black, platinum, gold members have a right to go  
11:55 26 into the **Conf** Room but they can bring guests in?  
11:55 27  
11:55 28 A. Yes, sir.  
11:55 29  
11:55 30 Q. And your job is to look after the VIP patrons?  
11:55 31  
11:55 32 A. From a food and beverage perspective, yes.  
11:55 33  
11:55 34 Q. Yes, and make sure they are happy?  
11:55 35  
11:55 36 A. Yes.  
11:55 37  
11:55 38 Q. I understand. In your role, are you --- normally  
11:55 39 when you are at work, standing behind the bar, in the  
11:55 40 restaurant or are you walking around the entire **Conf**  
11:55 41 Room?  
11:55 42  
11:55 43 A. I'm walking around.  
11:55 44  
11:55 45 Q. So when you walk around shift after shift, day after  
11:55 46 day, you see people gambling?  
11:55 47

11:55 1 A. Yes.  
11:55 2  
11:55 3 Q. Sometimes it will be busy on a Saturday night and  
11:55 4 other times it will be quieter?  
11:55 5  
11:55 6 A. Yes.  
11:55 7  
11:55 8 Q. Before COVID, on a Friday or Saturday night, would  
11:56 9 the **Conf** Room be as busy as the main gaming floor, would  
11:56 10 it be packed, would it be a little less busy because of  
11:56 11 restricted access?  
11:56 12  
11:56 13 A. Sorry, can you repeat the question?  
11:56 14  
11:56 15 Q. Sure. On a Saturday night, the main gaming floor is  
11:56 16 probably packed. Is it also packed in a Saturday night  
11:56 17 on the **Conf** Room or is it less busy because it is  
11:56 18 an access-only room?  
11:56 19  
11:56 20 A. I'm not too sure. So when it is busy on a Saturday  
11:56 21 night, I will be with my team helping them out. I don't  
11:56 22 go out on the gaming floor to have a look.  
11:56 23  
11:56 24 Q. Are there a lot of people in the Saturday night in  
11:56 25 the **Conf** Room?  
11:56 26  
11:56 27 A. Generally, yes.  
11:56 28  
11:56 29 Q. Would it be right to say it is packed in the **Conf**  
11:56 30 Room on a Saturday night pre-COVID? **ident**  
11:56 31  
11:56 32 A. You could say that.  
11:56 33  
11:56 34 Q. Just very briefly, are you familiar with the phrase  
11:56 35 "observable signs"?  
11:56 36  
11:56 37 A. Sorry?  
11:56 38  
11:56 39 Q. Are you familiar with the phrase "observable signs"?  
11:56 40  
11:56 41 A. No, sir.  
11:56 42  
11:57 43 Q. That's all right.  
11:57 44  
11:57 45 Are you familiar with a policy Crown has called Play  
11:57 46 Periods? Is that a policy you are familiar with?  
11:57 47

11:57 1 A. It was something I was taught in induction when I  
11:57 2 started at Crown, from memory, but not something I have  
11:57 3 revised recently.  
11:57 4  
11:57 5 Q. I think you said you started 2017, so four years  
11:57 6 ago.  
11:57 7  
11:57 8 A. 2016, sorry.  
11:57 9  
11:57 10 Q. Five years ago. And you haven't heard of it since;  
11:57 11 is that right?  
11:57 12  
11:57 13 A. I have heard of it, but I haven't done my research on  
11:57 14 it again.  
11:57 15  
11:57 16 Q. That's all right. Are you able to tell me anything  
11:57 17 about that policy?  
11:57 18  
11:57 19 A. To my understanding, there is a certain amount ---  
11:57 20 there is a certain period that we encourage patrons to  
11:57 21 play for, so whether they have been playing too long,  
11:57 22 whether they have taken any breaks, gone to the toilet,  
11:57 23 eaten any food.  
11:57 24  
11:57 25 Q. Sure. And how long is that, can you remember?  
11:57 26  
11:57 27 A. No, sir.  
11:57 28  
11:58 29 Q. That's all right. You don't need to call me "sir".  
11:58 30  
11:58 31 The Responsible Gaming Centre. Can you tell me how many  
11:58 32 minutes it takes to walk from the **Conf** Room to the  
11:58 33 Responsible Gaming Centre?  
11:58 34  
11:58 35 A. No.  
11:58 36  
11:58 37 Q. You've never walked it before?  
11:58 38  
11:58 39 A. (Nods head).  
11:58 40  
11:58 41 Q. Do you know where it is, out of curiosity?  
11:58 42  
11:58 43 A. I can't remember.  
11:58 44  
11:58 45 Q. There are 12 Responsible Gaming Advisors at the  
11:58 46 moment at Crown. Do you know any of their names?  
11:58 47



11:58 1 A. (Nods head). No.  
11:58 2  
11:58 3 Q. When was the last time you spoke to a Responsible  
11:58 4 Gaming Advisor?  
11:58 5  
11:58 6 A. I can't remember.  
11:58 7  
11:58 8 Q. Could the Commissioner assume you haven't spoken to  
11:58 9 a Responsible Gaming Advisor in the last five, six years?  
11:58 10  
11:58 11 A. I have spoken to one, but I can't remember --- it was  
11:58 12 a while ago.  
11:58 13  
11:59 14 Q. Okay. And once, has it happened once or more than  
11:59 15 once or you can't remember?  
11:59 16  
11:59 17 A. Probably a couple of times.  
11:59 18  
11:59 19 Q. Maybe a couple of times in five years?  
11:59 20  
11:59 21 A. (Nods head).  
11:59 22  
11:59 23 Q. Okay. I think you said to ---  
11:59 24  
11:59 25 COMMISSIONER: What did you speak to them about?  
11:59 26  
11:59 27 A. It was a long time ago, sir, so I'm not too sure.  
11:59 28  
11:59 29 COMMISSIONER: Okay.  
11:59 30  
11:59 31 MR KOZMINSKY: I think you said to Mr Borsky you've  
11:59 32 never --- I can't remember the precise phrase you used  
11:59 33 and I don't want to misquote you, but you hadn't really  
11:59 34 done anything in your six years on the floor on  
11:59 35 responsible service of gambling?  
11:59 36  
11:59 37 A. I haven't had any issues brought to my attention,  
11:59 38 yes.  
11:59 39  
11:59 40 Q. I'm just trying to do the maths in my head because  
11:59 41 my maths is pretty poor, but you would have worked  
11:59 42 thousands of hours on the gambling floor?  
11:59 43  
11:59 44 A. Yes, sir.  
11:59 45  
11:59 46 Q. At the **Conf** Room, do you ever see someone playing on  
12:00 47 two machines? Have you ever seen that happen?

12:00 1  
12:00 2 A. No.  
12:00 3  
12:00 4 Q. Never?  
12:00 5  
12:00 6 A. (Nods head).  
12:00 7  
12:00 8 Q. What about people using picks? Have you ever seen  
12:00 9 in the **Conf**Room someone use a pick to hold down an EGM?  
12:00 10  
12:00 11 A. No.  
12:00 12  
12:00 13 Q. Are you familiar with the YourPlay system?  
12:00 14  
12:00 15 A. My play system?  
12:00 16  
12:00 17 Q. The YourPlay system, is that something you are  
12:00 18 familiar with?  
12:00 19  
12:00 20 A. No.  
12:00 21  
12:00 22 MR KOZMINSKY: Mr Commissioner, unless you have any  
12:00 23 further questions I don't have any further questions for  
12:00 24 this witness.  
12:00 25  
12:00 26 COMMISSIONER: No, okay.  
12:00 27  
12:00 28 MR BORSKY: If I may, one matter in re-examination.  
12:00 29  
12:00 30 COMMISSIONER: Sure.  
12:00 31  
12:00 32  
12:00 33 **RE-EXAMINATION BY MR BORSKY**  
12:00 34  
12:00 35  
12:00 36 MR BORSKY: A number of the questions you were just asked  
12:00 37 referred to your work on the gaming floor, or the gaming  
12:00 38 section of the **Conf**Room. Do you work on the gaming  
12:00 39 floor of the **Conf**Room or in the food and beverage  
12:01 40 section?  
12:01 41  
12:01 42 A. Food and beverage.  
12:01 43  
12:01 44 Q. Thank you.  
12:01 45  
12:01 46 COMMISSIONER: I do have a question. You said earlier  
12:01 47 that part of your job is --- the transcript is not

12:01 1 working. We'll just wait.  
12:01 2  
12:01 3 Technical hitch. Hang on a second.  
12:03 4  
12:03 5 COMMISSIONER: The audio is going through to the centre  
12:03 6 wherever it goes through. We will get the transcript, it  
12:03 7 will just be delayed. I take it nobody cares about that?  
12:03 8  
12:03 9 MR BORSKY: We make no objection to proceeding.  
12:03 10  
12:03 11 COMMISSIONER: Okay, good. (Pause.)  
12:03 12  
12:03 13 I was going to ask some questions, so as long as everyone  
12:03 14 else is right, I will have a go.  
12:03 15  
12:03 16  
12:03 17 **QUESTIONS BY THE COMMISSIONER**  
12:03 18  
12:03 19  
12:03 20 COMMISSIONER: I was going to ask you, when you said  
12:03 21 earlier that you walk around the food and beverage area  
12:03 22 to look after your staff and make sure that everything is  
12:03 23 in order, does that walk around also take you through  
12:04 24 where the gaming machines are or the gaming tables are?  
12:04 25  
12:04 26 A. Yes.  
12:04 27  
12:04 28 COMMISSIONER: So you will walk reasonably close by people  
12:04 29 playing either the electronic gaming machines or playing  
12:04 30 on one or other of the tables?  
12:04 31  
12:04 32 A. Not always.  
12:04 33  
12:04 34 COMMISSIONER: Sure, not always, but often enough?  
12:04 35  
12:04 36 A. Not particularly. When I'm traversing between  
12:04 37 different areas we are encouraged to hug the wall as to  
12:04 38 not disturb the patrons.  
12:04 39  
12:04 40 COMMISSIONER: Effectively to stay away from them?  
12:04 41  
12:04 42 A. Not stay away from them, but hug along the walls  
12:04 43 because sometimes staff are carrying heavy objects and we  
12:04 44 don't want to cause any incidents where we bump into  
12:04 45 a patron.  
12:04 46  
12:04 47 COMMISSIONER: Is that when you are going from one part

12:05 1 of the casino to another part of the casino, or when you  
12:05 2 are patrolling your area of the casino?

12:05 3

12:05 4 A. Patrolling --- when I'm patrolling the area I will  
12:05 5 walk through the **Confi** floor and pass by tables and  
12:05 6 machines.

12:05 7

12:05 8 COMMISSIONER: Yes, okay. Thanks. I just wanted to  
12:05 9 clarify that.

12:05 10

12:05 11 A. My apologies.

12:05 12

12:05 13 COMMISSIONER: Thank you very much. You are free to go.  
12:05 14 Thank you very much for coming here this morning.

12:05 15

12:05 16

12:05 17 **THE WITNESS WITHDREW**

12:05 18

12:05 19

12:05 20 MR BORSKY: The third employee is making his way into the  
12:05 21 hearing room. He has requested, and I'm instructed that  
12:05 22 arrangements have been made accordingly for a Cantonese  
12:06 23 interpreter to assist him in giving his evidence.

12:06 24

12:06 25 COMMISSIONER: Is the interpreter in the room or coming  
12:06 26 in with the witness?

12:06 27

12:06 28 (Pause due to technical logistics.)

12:06 29

12:06 30

12:06 31 **EMPLOYEE 3, CALLED**

12:06 32

12:06 33

12:06 34 MR BORSKY: Good afternoon. Do you have before you  
12:06 35 a piece of paper headed NT031?

12:07 36

12:07 37 WITNESS: Yes.

12:07 38

12:07 39 MR BORSKY: Does that piece of paper have your name on  
12:07 40 it?

12:07 41

12:07 42 WITNESS: Yes.

12:07 43

12:07 44 MR BORSKY: Does it have your business address at Crown?

12:07 45

12:07 46 WITNESS: Yes.

12:07 47

12:07 1 COMMISSIONER: I will give it an Exhibit number after the  
12:07 2 witness is sworn in.  
12:07 3  
12:07 4 MR BORSKY: Do you wish to make an oath?  
12:07 5  
12:07 6 WITNESS: Oath.  
12:07 7  
12:07 8  
12:07 9 **WITNESS SWORN**  
12:07 10  
12:07 11  
12:08 12 COMMISSIONER: This witness identification will be  
12:08 13 Exhibit 27, confidential.  
12:08 14  
12:08 15  
12:08 16 **EXHIBIT #RCPH0027 - WITNESS IDENTIFICATION**  
12:08 17 **DOCUMENT NT031 (CONFIDENTIAL)**  
12:08 18  
12:08 19  
12:08 20 **EXAMINATION-IN-CHIEF BY MR BORSKY**  
12:08 21  
12:08 22  
12:08 23 MR BORSKY: Are you a part-time employee at Crown?  
12:08 24  
12:08 25 A. Yes.  
12:08 26  
12:08 27 Q. Are you employed part-time as a dealer?  
12:08 28  
12:08 29 A. Yes.  
12:08 30  
12:08 31 Q. You've worked part-time at Crown since 2013?  
12:08 32  
12:08 33 A. Yes.  
12:08 34  
12:08 35 MR BORSKY: Thank you. The Commission now will ask you  
12:09 36 a few questions.  
12:09 37  
12:09 38  
12:09 39 **CROSS-EXAMINATION BY MR KOZMINSKY**  
12:09 40  
12:09 41  
12:09 42 MR KOZMINSKY: Good morning. I will ask you a few  
12:09 43 questions. If you don't understand, just tell me and  
12:09 44 I will repeat the question. Okay?  
12:09 45  
12:09 46 A. Okay.  
12:09 47

- 12:09 1 Q. Whereabouts do you deal in the casino; in which  
12:09 2 room?  
12:09 3  
12:09 4 A. It is mainly in poker room and the main floor.  
12:09 5  
12:09 6 Q. What games do you deal?  
12:09 7  
12:09 8 A. Poker and roulette.  
12:09 9  
12:09 10 Q. Poker and roulette. And what limit tables do you  
12:09 11 deal for poker?  
12:09 12  
12:09 13 A. 1/3, 2/5, 1/2. That is the main tables, yeah.  
12:09 14  
12:09 15 Q. All no limit? You deal no limit?  
12:09 16  
12:09 17 A. Some limit. Limit (inaudible) something like that,  
12:09 18 yes --  
12:09 19  
12:09 20 Q. And roulette, what table stakes on roulette?  
12:10 21  
12:10 22 A. At the minimum, usually \$2.50 and \$5 tables.  
12:10 23  
12:10 24 Q. \$2.50 and \$5 tables?  
12:10 25  
12:10 26 A. Yep.  
12:10 27  
12:10 28 Q. I know you are part-time, but how many shifts do you  
12:10 29 do a week?  
12:10 30  
12:10 31 A. I do an average of one shift a week.  
12:10 32  
12:10 33 Q. How long is your shift normally?  
12:10 34  
12:10 35 A. Eight hours.  
12:10 36  
12:10 37 Q. Is it the same shift each week or do you have  
12:10 38 different times every week?  
12:10 39  
12:10 40 A. Different times every week.  
12:10 41  
12:10 42 Q. Has that been the case since 2013?  
12:10 43  
12:10 44 A. Yes.  
12:10 45  
12:10 46 Q. So one shift a week since 2013?  
12:10 47

- 12:10 1 A. Yes, on average one shift a week. Yeah.  
12:10 2
- 12:11 3 Q. Sure. And when you are either in the poker room or  
12:11 4 the main gaming floor, you are seeing the people in front  
12:11 5 of you who are gambling on the table you are running?  
12:11 6 You can see them gambling?  
12:11 7
- 12:11 8 A. Yes.  
12:11 9
- 12:11 10 Q. And you can see, if you look up you will see other  
12:11 11 people gambling?  
12:11 12
- 12:11 13 A. Yes.  
12:11 14
- 12:11 15 Q. Is it right to say if you are on a shift on  
12:11 16 a Saturday night or a Friday night, it is very busy in  
12:11 17 the poker room?  
12:11 18
- 12:11 19 A. Yes.  
12:11 20
- 12:11 21 Q. There is a long list of people waiting to play on  
12:11 22 the tables, isn't there?  
12:11 23
- 12:11 24 A. Yes.  
12:11 25
- 12:11 26 Q. It is also busy on the main gaming floor?  
12:11 27
- 12:11 28 A. Yes.  
12:11 29
- 12:11 30 Q. Especially at the lower limit tables, you have lots  
12:11 31 of people trying to put bets on?  
12:11 32
- 12:11 33 A. Yes.  
12:11 34
- 12:11 35 Q. And it is a hard job because you are spinning the  
12:11 36 roulette wheel and have to make sure people don't put  
12:12 37 bets on after you say "no more bets", and there are lots  
12:12 38 of chips on the table, so it is a hard job, you have to  
12:12 39 concentrate?  
12:12 40
- 12:12 41 A. Yes.  
12:12 42
- 12:12 43 Q. During your 8-hour shift, do you have breaks?  
12:12 44
- 12:12 45 A. Yes.  
12:12 46
- 12:12 47 Q. How often do you have a break?

12:12 1  
12:12 2 A. Usually every hour you deal for an hour and 20  
12:12 3 minutes, and then you have a 20-minute break. And then  
12:12 4 you keep doing that for another hour and 20 minutes.  
12:12 5  
12:12 6 Q. So an hour and 20 minutes and then you have a break?  
12:12 7  
12:12 8 A. Yes.  
12:12 9  
12:12 10 Q. When you have a break, do you go back to the same  
12:12 11 table or do you go to different tables?  
12:12 12  
12:12 13 A. Different tables.  
12:12 14  
12:12 15 Q. Just so I understand, if you are in the poker room  
12:12 16 dealing poker on a shift, will you rotate to different  
12:12 17 tables only on the poker room that shift, or might you go  
12:12 18 to the main gaming floor during the same shift?  
12:13 19  
12:13 20 A. Usually all poker tables, but sometimes they could be  
12:13 21 on the roulette table in the main gaming floor.  
12:13 22  
12:13 23 Q. So during a shift you might do three or four poker  
12:13 24 rounds and then go up to the roulette floor and do  
12:13 25 a roulette round and finish up somewhere else, upstairs  
12:13 26 or downstairs?  
12:13 27  
12:13 28 A. Sometimes, but not very often.  
12:13 29  
12:13 30 Q. You are in the same room?  
12:13 31  
12:13 32 A. Yes, same room.  
12:13 33  
12:13 34 Q. I am wondering if you have heard of an "observable  
12:13 35 sign". Is that a phrase you are familiar with?  
12:13 36  
12:13 37 A. (Inaudible).  
12:13 38  
12:13 39 Q. I've just wondering if you've heard the words  
12:13 40 before. Put to one side what they mean; have you heard  
12:13 41 the words or the phrase "observable sign" before?  
12:14 42  
12:14 43 A. No.  
12:14 44  
12:14 45 Q. And Crown has a policy, maybe just move that  
12:14 46 microphone next to you, I'm hoping we won't need much of  
12:14 47 the interpreter.



12:14 1  
12:14 2 Crown has a policy, it's called Play Periods. Are you  
12:14 3 able to explain that policy to the Commissioner?  
12:14 4  
12:14 5 A. No.  
12:14 6  
12:14 7 Q. How long does it take to get from the poker room to  
12:14 8 the Responsible Gaming Centre?  
12:14 9  
12:14 10 A. I can't remember.  
12:14 11  
12:14 12 Q. Have you ever been to the Responsible Gaming Centre?  
12:14 13  
12:14 14 A. I think during training, I've been there once, when  
12:14 15 I was doing training.  
12:15 16  
12:15 17 Q. Right. But otherwise you have never been there  
12:15 18 during the course of your employment?  
12:15 19  
12:15 20 A. I can't remember.  
12:15 21  
12:15 22 Q. Can't remember ever having been there?  
12:15 23  
12:15 24 A. I've been there once but I can't remember. I might  
12:15 25 have been there one other time, but I can't remember  
12:15 26 when.  
12:15 27  
12:15 28 Q. There are 12 people who have a job at Crown. They  
12:15 29 are called Responsible Gaming Advisors. Do you know any  
12:15 30 of their names?  
12:15 31  
12:15 32 A. No.  
12:15 33  
12:15 34 Q. When was the last time you spoke to a Responsible  
12:15 35 Gaming Advisor?  
12:15 36  
12:15 37 A. I can't remember.  
12:15 38  
12:15 39 Q. Just so I'm clear, you can't remember ever having  
12:15 40 spoken to one?  
12:16 41  
12:16 42 A. No. Haven't spoken to one.  
12:16 43  
12:16 44 Q. When was the last time you suggested to a customer  
12:16 45 that they visit the Responsible Gaming Centre?  
12:16 46  
12:16 47 A. Never. Usually my manager do this.

12:16 1  
12:16 2 Q. Manager does this. Okay. I will come back to that  
12:16 3 in a moment. Actually, I will come back to it now. When  
12:16 4 was the last time you told your manager that he should  
12:16 5 send a customer to the Responsible Gaming Centre?  
12:16 6  
12:16 7 A. Never.  
12:16 8  
12:16 9 Q. Never. Okay. So when you said that it is your  
12:16 10 manager's job, am I right in saying you are assuming that  
12:17 11 is something your manager would do?  
12:17 12  
12:17 13 A. Yes.  
12:17 14  
12:17 15 Q. Because it is not your responsibility to do it?  
12:17 16  
12:17 17 A. Yes. Not --- yeah.  
12:17 18  
12:17 19 Q. Because your job is, we've discussed, on a Saturday  
12:17 20 night, the roulette table is packed, and all you are  
12:17 21 trying to do is make sure people are playing by the rules  
12:17 22 and you can pay them out after each spin?  
12:17 23  
12:17 24 A. Yes.  
12:17 25  
12:17 26 MR KOZMINSKY: In light of that evidence,  
12:17 27 Mr Commissioner, I don't think I have anything further  
12:17 28 for this witness.  
12:17 29  
12:17 30 COMMISSIONER: Okay.  
12:17 31  
12:17 32 Thank you very much for attending this afternoon. Thank  
12:17 33 you.  
12:17 34  
12:17 35 A. Thank you.  
12:17 36  
12:17 37  
12:19 38 **THE WITNESS WITHDREW**  
12:19 39  
12:19 40  
12:19 41 **EMPLOYEE 4, CALLED**  
12:19 42  
12:19 43  
12:19 44 MR BORSKY: Good afternoon sir, can you see a piece of  
12:19 45 paper in front of you that has NTA044 at the top of it?  
12:19 46  
12:19 47 WITNESS: Yes.

12:19 1  
12:19 2 MR BORSKY: Does it also have your name printed on it?  
12:19 3  
12:19 4 WITNESS: Yes.  
12:19 5  
12:19 6 MR BORSKY: And your business address at Crown?  
12:19 7  
12:19 8 THE WITNESS: Yes.  
12:19 9  
12:19 10 MR BORSKY: You wish to make an affirmation before giving  
12:19 11 your evidence; correct?  
12:19 12  
12:19 13 WITNESS: Yes.  
12:19 14  
12:19 15 MR BORSKY: We will do that now.  
12:19 16  
12:19 17  
12:19 18 **WITNESS AFFIRMED**  
12:19 19  
12:19 20  
12:19 21 COMMISSIONER: I will mark this witness as --- witness  
12:20 22 information sheet, I think we are up to 28.  
12:20 23  
24  
25 **EXHIBIT #RCPH0028 - WITNESS IDENTIFICATION**  
26 **DOCUMENT NTA044 (CONFIDENTIAL)**  
27  
28  
29 **EXAMINATION-IN-CHIEF BY MR BORSKY**  
12:20 30  
12:20 31  
12:20 32 MR BORSKY: You began working at Crown in 2007; is that  
12:20 33 right?  
12:20 34  
12:20 35 A. Yes, that's correct.  
12:20 36  
12:20 37 Q. When you started working at Crown, did you start  
12:20 38 work as a dealer?  
12:20 39  
12:20 40 A. Yes.  
12:20 41  
12:20 42 Q. Are you still a dealer at Crown?  
12:20 43  
12:20 44 A. Yes.  
12:20 45  
12:20 46 Q. Do you deal in the poker room?  
12:20 47

- 12:20 1 A. Yes. Most of the time, yes.  
12:20 2  
12:20 3 Q. Where else do you deal from time to time?  
12:20 4  
12:20 5 A. Sometime I deal blackjack and roulette, but mainly it  
12:20 6 is in poker room.  
12:20 7  
12:20 8 Q. Have you received any training during your time at  
12:20 9 Crown?  
12:20 10  
12:20 11 A. Yes. There is a lot, yes.  
12:20 12  
12:20 13 Q. Sorry, I couldn't hear you.  
12:20 14  
12:20 15 A. There is a lot of them. There is a lot of training.  
12:20 16  
12:21 17 Q. A lot of training. Training in person face-to-face,  
12:21 18 or training online, or both?  
12:21 19  
12:21 20 A. Both.  
12:21 21  
12:21 22 Q. Could you tell the Commissioner what that training  
12:21 23 has been about, what some of the topics covered?  
12:21 24  
12:21 25 A. The one on face-to-face or online?  
12:21 26  
12:21 27 Q. Let's start with face-to-face.  
12:21 28  
12:21 29 A. Yes, face to-face, I got trained as a dealer, so  
12:21 30 before I start, they train me with the procedure, what is  
12:21 31 the rule of the games for five weeks, and then after that  
12:21 32 I go to the floor and someone shadowing me, someone watch  
12:21 33 me for one day, and after that I work as a normal dealer,  
12:21 34 and from time to time there is some changing in the  
12:21 35 procedure so I still have to go to the college to update  
12:21 36 and train again.  
12:21 37  
12:22 38 And for the one online, about every six months I have to  
12:22 39 do about three or four modules online, which is about the  
12:22 40 gambling rules, procedure, the emergency awareness,  
12:22 41 safety, about RSA, responsible alcohol service. And  
12:22 42 about money laundering, some suspicious activity,  
12:22 43 something like that. So every six months I have to do it  
12:22 44 again and I need to pass a test at the end.  
12:22 45  
12:22 46 Q. Could you explain what the RSA, the responsible  
12:22 47 service training is about?

12:22 1  
12:22 2 A. So as a dealer, I need to monitor the player. I need  
12:22 3 to watch the player behaviour because if --- when they  
12:23 4 drink, if I feel that, like, sort of intoxicated, I need  
12:23 5 to let my manager know, and then my manager gonna deal  
12:23 6 with it. Yep, so .....

12:23 7  
12:23 8 Q. So it is your responsibility to watch the players or  
12:23 9 the patrons and let your manager know ---  
12:23 10

12:23 11 A. Yes.  
12:23 12

12:23 13 Q. --- if you see an issue?  
12:23 14

12:23 15 A. Yes.  
12:23 16

12:23 17 Q. Is it your responsibility to deal with it or is it  
12:23 18 then your manager's responsibility to deal with any  
12:23 19 issue?  
12:23 20

12:23 21 A. It is the manager deal with the issue. But my  
12:23 22 responsibility to watch and let them know because I'm the  
12:23 23 one who directly see the patrons. But the one deal with  
12:23 24 it is the manager, not me.  
12:23 25

12:23 26 Q. Do you know what RSG is, sir?  
12:23 27

12:23 28 A. RSG?  
12:23 29

12:23 30 Q. RSG?  
12:23 31

12:23 32 A. Responsible Service of Gaming, I think.  
12:23 33

12:24 34 Q. Do you know what that means?  
12:24 35

12:24 36 A. No, I'm not sure. No.  
12:24 37

12:24 38 Q. When you are watching your patrons or customers, are  
12:24 39 you only watching to see whether they are intoxicated or  
12:24 40 are you looking for anything else?  
12:24 41

12:24 42 A. There's a few things. For example, if someone can  
12:24 43 let someone else borrow money. For example, if I see  
12:24 44 someone give money to a person, that is not allowed. And  
12:24 45 if someone change too much money, I need to let my  
12:24 46 manager know as well, like 10,000 or above. And some  
12:24 47 suspicious activity, like change money but they don't

12:24 1 play, I need to let my manager know as well. Some people  
12:25 2 just come in and change 5,000 and then they walk away  
12:25 3 without playing anything. Or they do several smaller  
12:25 4 transactions. For example, exchange 2,000 and later on  
12:25 5 they come back and change 2,000 again. That is kind of  
12:25 6 suspicious so I need to let my manager know about all  
12:25 7 these things.

12:25 8

12:25 9 Q. Have you ever seen examples like that before in your  
12:25 10 work?

12:25 11

12:25 12 A. No. Because I mainly deal in poker, so the money is  
12:25 13 quite small. It is never reach to few thousand. Usually  
12:25 14 they go to the cage to buy the chips in poker room. They  
12:25 15 don't change directly in the table, so I haven't seen one  
12:25 16 yet for my 14 years, no.

12:25 17

12:25 18 Q. How long do people spend at the table where you are  
12:25 19 dealing in the poker room?

12:25 20

12:25 21 A. How long?

12:25 22

12:25 23 Q. How long?

12:25 24

12:25 25 A. Probably most of them ---

12:26 26

12:26 27 Q. Sorry, how long can a person play for at your table?

12:26 28

12:26 29 A. Same as my shift, six to eight hours. They stay  
12:26 30 there six to eight hours. Yep.

12:26 31

12:26 32 MR BORSKY: Thank you.

12:26 33

12:26 34

12:26 35 **CROSS-EXAMINATION BY MR KOZMINSKY**

12:26 36

12:26 37

12:26 38 MR KOZMINSKY: Good morning.

12:26 39

12:26 40 A. Good morning.

12:26 41

12:26 42 Q. I'm Counsel Assisting and I am going to ask you  
12:26 43 a few questions. If you don't understand, let me know  
12:26 44 and I will ask the question again, okay?

12:26 45

12:26 46 A. Okay, yep.

12:26 47

12:26 1 Q. I want to go to something that Mr Borsky was asking  
12:26 2 you about, which is how long people are on the poker  
12:26 3 tables for.  
12:26 4  
12:26 5 It is right, isn't it, that sometimes people pay poker  
12:26 6 for long periods of time, isn't it?  
12:26 7  
12:26 8 A. Yes, usually it's a bit longer than blackjack. Yes.  
12:26 9  
12:26 10 Q. But you see people gambling at poker, someone will  
12:26 11 buy in on a Saturday night at 7 o'clock, and you will  
12:26 12 come along for your shift and they will gamble to the end  
12:26 13 of your shift, and they have --- especially if they have  
12:27 14 a stack in front of them, they will keep gambling, won't  
12:27 15 they?  
12:27 16  
12:27 17 A. Sorry, can you say it again?  
12:27 18  
12:27 19 Q. Sure. On a Saturday night ---  
12:27 20  
12:27 21 A. Yes.  
12:27 22  
12:27 23 Q. --- you often see people gambling through your whole  
12:27 24 shift?  
12:27 25  
12:27 26 A. Yes.  
12:27 27  
12:27 28 Q. And when you get up to leave after eight hours, you  
12:27 29 might see people who you have dealt with who have a big  
12:27 30 stack because they have been running well on the poker  
12:27 31 table; yes?  
12:27 32  
12:27 33 A. Yes.  
12:27 34  
12:27 35 Q. In your experience, when people are running well  
12:27 36 like that, they might stay for more than eight hours at  
12:27 37 the poker table?  
12:27 38  
12:27 39 A. No, not in poker. Most of the time, when they win  
12:27 40 a bit, not even big, they move --- that is different with  
12:27 41 blackjack. Usually they win, they run away, in poker.  
12:27 42  
12:27 43 Q. What about when they are losing, do they stay for  
12:27 44 long periods of time at the poker table?  
12:27 45  
12:27 46 A. They losing and they may go to the ATM and get some  
12:27 47 cash, come back, but not long, because from what I know

12:27 1 is the ATM only let them withdraw certain amount of  
12:28 2 money. So usually they come --- most of the time the  
12:28 3 buy-in is 200, so they get out and they get another 200  
12:28 4 but after that, no more.  
12:28 5  
12:28 6 Q. Do you deal 1/2 ---  
12:28 7  
12:28 8 A. 1/3 most of the time --  
12:28 9  
12:28 10 Q. Do you see people at the poker table who are there  
12:28 11 when you start your shift and are still there when you  
12:28 12 leave your shift?  
12:28 13  
12:28 14 A. --- most of them --- my shift is eight hours. Most of  
12:28 15 them, I say, about five to six hours. But occasionally,  
12:28 16 rare, but yes, some I seen, yep, some.  
12:28 17  
12:28 18 Q. When you see someone who has gambled the whole way  
12:28 19 through your shift, you won't know when they have  
12:28 20 started, will you?  
12:28 21  
12:28 22 A. Correct. Because when I go there I don't know.  
12:28 23  
12:28 24 Q. So when you see someone, you don't know when they've  
12:28 25 started but you know they've gambled for at least eight  
12:28 26 hours in a row, is that something you would tell your  
12:29 27 manager?  
12:29 28  
12:29 29 A. Because ---  
12:29 30  
12:29 31 Q. It's not a trick question, is it yes or no,  
12:29 32 something you tell your manager?  
12:29 33  
12:29 34 A. Because for poker it is a bit hard, because we change  
12:29 35 table around. Because if I see someone is still there,  
12:29 36 probably I will let my manager know though.  
12:29 37  
12:29 38 Q. Pardon me?  
12:29 39  
12:29 40 A. I will probably let my manager know that he stay  
12:29 41 there the whole of my shift.  
12:29 42  
12:29 43 Q. You will let your manager know?  
12:29 44  
12:29 45 A. (Nods head).  
12:29 46  
12:29 47 Q. When was the last time you let your manager know



12:29 1 something like that?  
12:29 2  
12:29 3 A. I remember I only told once.  
12:29 4  
12:29 5 Q. Once since 2007?  
12:29 6  
12:29 7 A. Yep.  
12:29 8  
12:29 9 Q. Okay. During your shift, either when you are poker  
12:29 10 or I think you said you also deal blackjack, how long do  
12:29 11 you deal for at a table before you have a break?  
12:30 12  
12:30 13 A. One --- usually 1 hour 20 minutes.  
12:30 14  
12:30 15 Q. Do you go back to the same table or a different  
12:30 16 table?  
12:30 17  
12:30 18 A. Different table.  
12:30 19  
12:30 20 Q. How long is your break?  
12:30 21  
12:30 22 A. 20 minute.  
12:30 23  
12:30 24 Q. Do you sometimes go to a different part of the  
12:30 25 casino? Will you sometimes go to deal blackjack on the  
12:30 26 main game floor?  
12:30 27  
12:30 28 A. Yes, sometimes, yes.  
12:30 29  
12:30 30 Q. Right. And on a Saturday night it is pretty busy?  
12:30 31  
12:30 32 A. Yes.  
12:30 33  
12:30 34 Q. When you are there on a Saturday night dealing  
12:30 35 blackjack or poker, is your focus mostly on the game you  
12:30 36 are dealing?  
12:30 37  
12:30 38 A. Yes. I focus on the game I'm dealing because there  
12:30 39 is a lot of people. I need to make sure that I do my job  
12:30 40 properly so, yes, I need to concentrate.  
12:30 41  
12:31 42 Q. What limits at the blackjack table do you deal?  
12:31 43  
12:31 44 A. Normally \$15, \$20. Sometimes \$50, but most of the  
12:31 45 time it is \$15, \$20.  
12:31 46  
12:31 47 Q. And on the Saturday night at the lower level --- is

12:31 1 blackjack also pontoon, do you mean you also deal  
12:31 2 pontoon?  
12:31 3  
12:31 4 A. Really rare --- I got pontoon, but we don't have many  
12:31 5 pontoon tables, so --- yeah.  
12:31 6  
12:31 7 Q. So when you are dealing those lower level games,  
12:31 8 especially on a Saturday night, you can't really  
12:31 9 concentrate on anything other than you are making sure  
12:31 10 you deal the game properly and paying out properly; is  
12:31 11 that right?  
12:31 12  
12:31 13 A. Yes.  
12:31 14  
12:31 15 Q. Crown say that people have 13 observable signs; is  
12:31 16 that a phrase that you've ever heard before?  
12:31 17  
12:32 18 A. I have a bad memory, but when on the training, on the  
12:32 19 assessment that I mention before ---  
12:32 20  
12:32 21 Q. Yes.  
12:32 22  
12:32 23 A. --- there is the sign of --- different sign of what  
12:32 24 I can't remember right now.  
12:32 25  
12:32 26 Q. Can't remember?  
12:32 27  
12:32 28 A. Yes, but I remember I seen it a lot.  
12:32 29  
12:32 30 Q. I interrupted you.  
12:32 31  
12:32 32 A. Every six months I need to do it again to make sure I  
12:32 33 remember.  
12:32 34  
12:32 35 Q. Sorry?  
12:32 36  
12:32 37 A. That's it.  
12:32 38  
12:32 39 Q. So can you tell me six observable signs?  
12:32 40  
12:32 41 A. I can't remember, but I remember there is a green  
12:32 42 zone, there is a yellow, there is amber zone and there is  
12:32 43 red zone, so like sometimes, for RSA for alcohol, yes,  
12:32 44 but when the green zone, it mean like someone drink but  
12:33 45 they just have fun, there is no sign of different  
12:33 46 behaviour or aggressive, something that is green zone is  
12:33 47 fine. And then I remember there is amber zone, so when

12:33 1 they start to get a bit loud and a bit tipsy, yes, that  
12:33 2 is when I need to let my manager know. That is amber  
12:33 3 zone, and if it is red zone my manager will deal with it.  
12:33 4

12:33 5 Q. I understand. That is the Responsible Service of  
12:33 6 Alcohol, you remember the zones?  
12:33 7

12:33 8 A. I remember the three zones, yes.  
12:33 9

12:33 10 Q. Is an observable sign part of the Responsible  
12:33 11 Service of Alcohol; is that what you are telling me?  
12:33 12

12:33 13 A. Yes.  
12:33 14

12:33 15 Q. Okay. Thank you.  
12:33 16

12:33 17 Crown has a policy called Play Periods. I don't know if  
12:33 18 you are familiar with it.  
12:33 19

12:33 20 A. Yes.  
12:33 21

12:33 22 Q. Can you explain to the Commissioner in your own  
12:33 23 words what the Play Period policy is?  
12:33 24

12:33 25 A. From what my understand, player period is mean  
12:34 26 someone can't stay at Crown continuously for 24 hours.  
12:34 27 So they can't stay more than 24 hours. They need to  
12:34 28 leave, that's what I understand about player period.  
12:34 29

12:34 30 Q. So your understanding is someone can't stay at Crown  
12:34 31 and gamble for more than 24 hours?  
12:34 32

12:34 33 A. Correct.  
12:34 34

12:34 35 Q. Have you ever --- well, I think you have answered  
12:34 36 this question. You said once since 2007 you raised  
12:34 37 an issue about someone gambling --  
12:34 38

12:34 39 A. That was only eight hours, because after I eight  
12:34 40 hours I go home, so I don't know if they stay 24 hours or  
12:34 41 more. So yes --- that one, one time is only for eight  
12:34 42 hours, the whole of my shift only.  
12:34 43

12:34 44 Q. So one time. And the problem of course is if  
12:34 45 someone was there for your whole shift and there is new  
12:34 46 dealers coming on, they don't know when they start and  
12:35 47 there is no one dealing for 24 hours straight, is there?

12:35 1  
12:35 2 A. No. No one.  
12:35 3  
12:35 4 Q. How long does it take you to walk from the poker  
12:35 5 room to the Responsible Gaming Centre?  
12:35 6  
12:35 7 A. Very quick. About two minutes, because I walk right  
12:35 8 at the --- near where the office is, where the responsible  
12:35 9 gambling is.  
12:35 10  
12:35 11 Q. You park right there, do you?  
12:35 12  
12:35 13 A. No, I just go up one level so I say two minutes.  
12:35 14 It's right on top of the room --  
12:35 15  
12:35 16 Q. So you go past there on your way to and from work,  
12:35 17 is that what you are saying?  
12:35 18  
12:35 19 A. Yes.  
12:35 20  
12:35 21 Q. You don't park in the car park downstairs?  
12:35 22  
12:35 23 A. No.  
12:35 24  
12:35 25 Q. You park somewhere else and come down the escalator,  
12:35 26 past it, down the escalator again and into the poker  
12:35 27 room?  
12:35 28  
12:35 29 A. Yep.  
12:35 30  
12:35 31 Q. When was the last time you went into the Responsible  
12:35 32 Gaming Centre?  
12:35 33  
12:35 34 A. I never.  
12:35 35  
12:35 36 Q. Never.  
12:35 37  
12:35 38 There are 12 Responsible Gambling Advisors, or Gaming  
12:36 39 Advisors. Do you know what their names are?  
12:36 40  
12:36 41 A. No.  
12:36 42  
12:36 43 Q. Have you ever spoken to one?  
12:36 44  
12:36 45 A. Have I ever spoken to who?  
12:36 46  
12:36 47 Q. A Responsible Gaming Advisor.

12:36 1  
12:36 2 A. No.  
12:36 3  
12:36 4 Q. Have you ever suggested that someone should go and  
12:36 5 visit the Responsible Gaming Centre?  
12:36 6  
12:36 7 A. No. I never seen one. If I seen one I will suggest,  
12:36 8 but I never seen anyone that need.  
12:36 9  
12:36 10 Q. You've never seen anyone that might need to go  
12:36 11 there?  
12:36 12  
12:36 13 A. No. In my eyes, in my opinion.  
12:36 14  
12:36 15 Q. Yes. I don't think I asked you this. How many  
12:36 16 shifts do you work a week?  
12:36 17  
12:36 18 A. Not much. Two to three days a week.  
12:36 19  
12:36 20 Q. How long are your shifts?  
12:36 21  
12:36 22 A. Eight hours.  
12:36 23  
12:36 24 Q. Are they the hours you've worked since 2007?  
12:36 25  
12:37 26 A. Sorry?  
12:37 27  
12:37 28 Q. You said you started at Crown in 2007?  
12:37 29  
12:37 30 A. Yes, 2007.  
12:37 31  
12:37 32 Q. Have you worked longer hours than that since 2007 or  
12:37 33 always two or three days?  
12:37 34  
12:37 35 A. Only at the start. When I start, I work about four  
12:37 36 days a week, but now I busy with my kids so two or three  
12:37 37 times now.  
12:37 38  
12:37 39 Q. I understand. And how long were you working four  
12:37 40 nights a week for?  
12:37 41  
12:37 42 A. How long?  
12:37 43  
12:37 44 Q. Yeah ---  
12:37 45  
12:37 46 A. About half a year only at the start.  
12:37 47

- 12:37 1 Q. Since then, two or three nights?  
12:37 2
- 12:37 3 A. (Nods head).  
12:37 4
- 12:37 5 Q. Okay. If someone is gambling at a table where you  
12:37 6 are dealing, say, poker, and you deal for 1 hour and 20  
12:37 7 minutes, the poker room is a reasonable size, say you  
12:37 8 move to another end of the room, back in the corner. You  
12:37 9 know the corner I'm talking about? Opposite the cage in  
12:38 10 the back corner there, you might go to a table back  
12:38 11 there?  
12:38 12
- 12:38 13 A. Yes.  
12:38 14
- 12:38 15 Q. And you are dealing on the other side of the poker  
12:38 16 room. And after 1 hour and 20 on that table you take  
12:38 17 a break, and then you go to another table and you see the  
12:38 18 same person, you don't know, do you, if they have had  
12:38 19 a break or not? You have no way of knowing?  
12:38 20
- 12:38 21 A. Okay, so you say is after I deal this table I jump to  
12:38 22 the next table, and when I have a break I go back my old  
12:38 23 table and I still see someone there?  
12:38 24
- 12:38 25 Q. And you have no idea if they have had a break?  
12:38 26
- 12:38 27 A. That's correct, yes.  
12:38 28
- 12:38 29 Q. On blackjack tables, if people are gambling,  
12:38 30 sometimes they go from one blackjack table to another  
12:38 31 blackjack table, don't they?  
12:38 32
- 12:38 33 A. Yep.  
12:38 34
- 12:38 35 Q. They might then go downstairs because there are  
12:38 36 blackjack tables in the poker room; is that right?  
12:38 37
- 12:38 38 A. Yes.  
12:38 39
- 12:38 40 Q. And there is blackjack tables on the main game  
12:38 41 floor?  
12:38 42
- 12:38 43 A. Main game floor, yes.  
12:38 44
- 12:39 45 Q. And you can't see from one side of the main game  
12:39 46 floor to the other, can you?  
12:39 47

12:39 1 A. No, of course I can't see, no.  
12:39 2  
12:39 3 Q. It is very big. So you don't really know if  
12:39 4 customers are having a break or not, do you?  
12:39 5  
12:39 6 A. No. But usually you can see from their behaviour. I  
12:39 7 mean, like, if someone stay there for five hours, even if  
12:39 8 I don't if they have a break or not, usually when you  
12:39 9 look at them you should be able to tell because they  
12:39 10 tired. Especially when I deal there long, usually I can  
12:39 11 tell.  
12:39 12  
12:39 13 Q. But you've only ever had one issue since 2007?  
12:39 14  
12:39 15 A. Yes.  
12:39 16  
12:39 17 Q. That's what you said. So do you agree with me that  
12:39 18 if it was easy to tell, and you've been doing it since  
12:39 19 2007, it is surprising there is only one person?  
12:39 20  
12:39 21 A. Because, like I said, that is just in my opinion,  
12:39 22 because the way I tell people might be different from  
12:39 23 you. But I see people, they --- only one time that I see  
12:40 24 them really, really tired. Most of the time, like I  
12:40 25 said, I don't know if they have a break or not but they  
12:40 26 still look normal, still act normal. That is to my  
12:40 27 opinion. Everyone have different point of view, but in  
12:40 28 my eyes, if I see someone, of course I want to tell my  
12:40 29 manager that "I saw him at my table six hours ago and he  
12:40 30 looked very tired. He can't even sit straight." I will  
12:40 31 definitely let my manager but only happen once.  
12:40 32  
12:40 33 Q. Only once.  
12:40 34  
12:40 35 A. Because most of the time I see they okay, so I assume  
12:40 36 they have break.  
12:40 37  
12:40 38 Q. Can I ask you this.  
12:40 39  
12:40 40 A. Yup.  
12:40 41  
12:40 42 Q. Do you think --- you told me beforehand that when  
12:40 43 you are busy on a Saturday night and there is lots of  
12:40 44 people betting, you have a focus on making sure the game  
12:40 45 is dealt properly and you pay out. Do you think that  
12:40 46 might mean that because you are concentrating hard on the  
12:40 47 game --- you agree you are concentrating hard when you are

12:41 1 dealing --  
12:41 2  
12:41 3 A. Yes.  
12:41 4  
12:41 5 Q. --- that you might not be concentrating on a whole  
12:41 6 lot of other things around you?  
12:41 7  
12:41 8 A. Possible. But on my table, I still can. For  
12:41 9 example, my table have about five players. Even I  
12:41 10 concentrate on the game, I still because whenever I ask  
12:41 11 them I look at their face so I still be able to tell the  
12:41 12 behaviour of the player at my table.  
12:41 13  
12:41 14 Q. Are you able to tell me what you did the last time  
12:41 15 you saw a customer who got angry or upset when they were  
12:41 16 gambling?  
12:41 17  
12:41 18 A. Sorry, can you say again?  
12:41 19  
12:41 20 Q. What did you do the last time you saw a customer who  
12:41 21 got angry or upset when they lost their hand?  
12:41 22  
12:41 23 A. I just try to comfort then. I say, "it's just the  
12:41 24 cards, sir. Hopefully the next one is better".  
12:41 25  
12:41 26 Q. Hopefully the next one is better?  
12:41 27  
12:41 28 A. Yeah.  
12:41 29  
12:41 30 Q. And what did you do the last time you saw a customer  
12:41 31 who might have been blaming the casino for losing?  
12:41 32  
12:41 33 A. You mean blaming me, blaming the dealer?  
12:42 34  
12:42 35 Q. Yeah, blaming you.  
12:42 36  
12:42 37 A. I just say, "Unlucky day". I can't do anything about  
12:42 38 it.  
12:42 39  
12:42 40 Q. Next time ---  
12:42 41  
12:42 42 A. I just say, "Stop, come back next time".  
12:42 43  
12:42 44 Q. "Come back next time, maybe it will be better next  
12:42 45 time"?  
12:42 46  
12:42 47 A. I just try to make them more happy, happier.



12:42 1  
12:42 2 MR KOZMINSKY: I understand. You try to make them  
12:42 3 happier.  
12:42 4  
12:42 5 Mr Commissioner, unless you have any questions, nothing  
12:42 6 further from me.  
12:42 7  
12:42 8 COMMISSIONER: No, I don't.  
12:42 9  
12:42 10 MR ROZEN: Two very brief matters, if I may.  
11  
12 COMMISSIONER: All right.  
13  
14  
15 **CROSS-EXAMINATION BY MR ROZEN**  
16  
17  
12:42 18 MR ROZEN: Sir, you explained earlier about the green  
12:42 19 zones, the amber zones and the red zones for levels of  
12:42 20 intoxication.  
12:42 21  
12:42 22 A. Yes.  
12:42 23  
12:42 24 Q. Do you recall that? What do you do if someone is in  
12:43 25 the red zone?  
12:43 26  
12:43 27 A. The red zone?  
12:43 28  
12:43 29 Q. Yes.  
12:43 30  
12:43 31 A. Because in the amber zone I have already let my  
12:43 32 manager know. So my manager will keep eye on them, on  
12:43 33 that patron. If red zone my manager will notify someone  
12:43 34 higher. Someone from the RSA department.  
12:43 35  
12:43 36 Q. Yes.  
12:43 37  
12:43 38 A. Yep.  
12:43 39  
12:43 40 Q. How often would you notify your manager of a patron  
12:43 41 being in the amber zone? Would that happen once a week,  
12:43 42 once a month, once a year, how often would you do that?  
12:43 43  
12:43 44 A. Probably one a year or two years. One a year.  
12:43 45  
12:43 46 Q. One a year, maybe two a year?  
12:43 47

12:43 1 A. Maybe one or two a year because I don't work much.  
12:43 2 Like I said, I don't see people in the amber zone.  
12:43 3  
12:43 4 Q. I understand.  
12:43 5  
12:43 6 The other question I wanted to ask you about is the  
12:43 7 responsible gambling advisors. You said you didn't know  
12:44 8 any of their names; do you recall saying that earlier,  
12:44 9 the 12 responsible gambling advisors.  
12:44 10  
12:44 11 A. Yes. I said I can't remember that.  
12:44 12  
12:44 13 Q. No, you don't know their names; is that right?  
12:44 14  
12:44 15 A. No, no, I don't know.  
12:44 16  
12:44 17 Q. Do they wear a uniform that is different to the  
12:44 18 uniform that you wear at Crown? Do you know?  
12:44 19  
12:44 20 A. Different. I think they wear grey suit. They  
12:44 21 different. Different uniform.  
12:44 22  
12:44 23 Q. Right. So you've seen them on the floor?  
12:44 24  
12:44 25 A. I'm not sure if they is the one but I seen someone  
12:44 26 from that department on the gaming floor. Yes. A lot of  
12:44 27 time. But I'm not sure, is that the one that you refer  
12:44 28 to?  
12:44 29  
12:44 30 Q. Perhaps you tell me. Which department are these  
12:45 31 people from that you see?  
12:45 32  
12:45 33 A. Responsible gaming and responsible alcohol and  
12:45 34 service. Those people. They on the floor a lot. A lot  
12:45 35 of time.  
12:45 36  
12:45 37 Q. And both of them, the responsible gambling and the  
12:45 38 response service of alcohol people, as you understand it,  
12:45 39 they wear a grey ---  
12:45 40  
12:45 41 A. I think they wear the same, yep. Wear the same  
12:45 42 colour. Different with us, different with the table  
12:45 43 games ---  
12:45 44  
12:45 45 Q. Yes.  
12:45 46  
12:45 47 A. --- but they wear the same.

12:45 1  
12:45 2 Q. You are wearing a black suit, are you?  
12:45 3  
12:45 4 A. Yes, they wear grey. Light grey.  
12:45 5  
12:45 6  
12:45 7 **RE-EXAMINATION BY MR BORSKY**  
12:45 8  
12:45 9  
12:45 10 MR BORSKY: If I may.  
12:45 11  
12:45 12 When you deal poker, do your players often register their  
12:45 13 card, their Crown Rewards card?  
12:45 14  
12:45 15 A. Sorry, can you say again?  
12:45 16  
12:45 17 Q. Do your players in poker, use a Crown Rewards card?  
12:45 18  
12:45 19 A. They do.  
12:45 20  
12:45 21 Q. They do?  
12:45 22  
12:45 23 A. Yep.  
12:45 24  
12:45 25 Q. Usually?  
12:46 26  
12:46 27 A. Because that is where the register booth is. So when  
12:46 28 they go there, they need to get they ticket from the  
12:46 29 register booth, not at the table. So, as the dealer, I  
12:46 30 can't answer this question.  
12:46 31  
12:46 32 MR ROZEN: Thank you. You are not sure. All right.  
12:46 33 Thank you.  
12:46 34  
12:46 35 COMMISSIONER: That's it. Thank you very much. You are  
12:46 36 free to go now.  
12:46 37  
12:46 38 A. Thank you.  
39  
40  
41 **THE WITNESS WITHDREW**  
42  
43  
12:46 44 COMMISSIONER: How many ---  
12:46 45  
12:46 46 MR BORSKY: Two more for today. We are back on schedule,  
12:46 47 pleasingly. So they were both asked to come after lunch.

12:46 1 One was asked to come at 2 and the other at 3.30. But we  
 12:46 2 will --  
 12:46 3  
 12:46 4 COMMISSIONER: Can you get the other ---  
 12:46 5  
 12:46 6 MR BORSKY: Steps are already under way to get them both  
 12:46 7 here by 2 o'clock.  
 12:46 8  
 12:47 9 COMMISSIONER: Okay. We will adjourn to 2.00.  
 12:47 10  
 11 MR BORSKY: If that's convenient.  
 12  
 13 COMMISSIONER: I'm sure it is. I will adjourn until  
 14 2.00 pm.  
 15  
 16  
 12:47 17 **ADJOURNED** [12:47P.M.]  
 14:06 18  
 14:06 19  
 14:06 20 **RESUMED** [2:06P.M.]  
 14:06 21  
 14:06 22  
 14:06 23 MR BORSKY: Commissioner, if I may propose a further  
 14:06 24 carveout to your non-publication order in the schedule.  
 14:07 25 I've discussed it with our friends. The addition which  
 14:07 26 we would seek would be Benestar, B-E-N-E-S-T-A-R. It is  
 14:07 27 an external employee support agency which Crown retains  
 14:07 28 for the benefit of some of its employees, and there has  
 14:07 29 been, I'm instructed, a request from at least one of the  
 14:07 30 witnesses who gave evidence confidentially this morning  
 14:07 31 to have some counselling from that service.  
 14:07 32  
 14:07 33 COMMISSIONER: What I will do, but when we finish here,  
 14:07 34 I will recall orders, redo them, and add Benestar to the  
 14:07 35 list.  
 14:07 36  
 14:07 37 MR BORSKY: Thank you. I'm sorry about that.  
 14:07 38  
 14:07 39 COMMISSIONER: No, that's all right.  
 14:07 40  
 14:07 41 MR BORSKY: Now, if the Commission pleases, the fifth  
 14:07 42 employee witness is in the hearing room and ready to give  
 14:07 43 her evidence.  
 44  
 45  
 46 **EMPLOYEE 5, CALLED**  
 47

1  
14:08 2 MR BORSKY: Good afternoon. Do you have a piece of paper  
14:08 3 in front of you that says NTA029 at the top of it?  
14:08 4  
14:08 5 WITNESS: Yes.  
14:08 6  
14:08 7 MR BORSKY: Does it also have your name printed on it?  
14:08 8  
14:08 9 WITNESS: Yes.  
14:08 10  
14:08 11 MR BORSKY: Does it have your business address at Crown  
14:08 12 on it?  
14:08 13  
14:08 14 WITNESS: Yes.  
14:08 15  
14:08 16 COMMISSIONER: That will be witness identification  
14:08 17 I think it is Exhibit 29. Confidential.  
14:08 18  
14:08 19  
14:08 20 **EXHIBIT #RCPH0029 - WITNESS IDENTIFICATION**  
14:08 21 **DOCUMENT NTA029 (CONFIDENTIAL)**  
14:08 22  
14:08 23 MR BORSKY: You wish to make an affirmation, I  
14:08 24 understand?  
14:08 25  
14:08 26 WITNESS: Yup.  
14:08 27  
14:08 28  
14:09 29 **WITNESS AFFIRMED**  
14:09 30  
14:09 31  
14:09 32 **EXAMINATION-IN-CHIEF BY MR BORSKY**  
14:09 33  
14:09 34  
14:09 35 COMMISSIONER: Thank you.  
14:09 36  
14:09 37 MR BORSKY: Madam, you've been an employee of Crown since  
14:09 38 2013; is that right?  
14:09 39  
14:09 40 A. Yes.  
14:09 41  
14:09 42 Q. Could you tell the Commissioner your current role at  
14:09 43 Crown, please?  
14:09 44  
14:09 45 A. I am a gaming machine service host.  
14:09 46  
14:09 47 Q. When you began your employment at Crown did you

14:09 1 begin in the food and beverage area?  
14:09 2  
14:09 3 A. Yes.  
14:09 4  
14:09 5 Q. You've had a number of roles as a food and beverage  
14:09 6 attendant during the period 2013 to 2015; correct?  
14:09 7  
14:09 8 A. Yes.  
14:09 9  
14:09 10 Q. And then you moved into the service area?  
14:09 11  
14:09 12 A. Yes.  
14:09 13  
14:09 14 Q. Have you received training from Crown in the course  
14:10 15 of your employment?  
14:10 16  
14:10 17 A. Yes, all the time.  
14:10 18  
14:10 19 Q. What are some of the subjects you've received  
14:10 20 training on, please?  
14:10 21  
14:10 22 A. RSA, RSG, responsible each other, the lately one will  
14:10 23 be AML.  
14:10 24  
14:10 25 Q. I'm not sure I heard you clearly, madam, did you say  
14:10 26 RSG in your answer?  
14:10 27  
14:10 28 A. Yes, RSG.  
14:10 29  
14:10 30 Q. Can you tell the Commissioner what RSG is?  
14:10 31  
14:10 32 A. Responsible Service of Gaming.  
14:10 33  
14:10 34 Q. What do you understand to be some of the  
14:10 35 requirements of Responsible Service of Gaming?  
14:10 36  
14:10 37 A. So if you notice any customer have a gaming sign, and  
14:10 38 we should report to the manager, manager report to the  
14:10 39 relevant department.  
14:10 40  
14:10 41 Q. Have you noticed any customers with any of those  
14:10 42 signs in the course of your work at Crown?  
14:11 43  
14:11 44 A. Yes, I do.  
14:11 45  
14:11 46 Q. How often, approximately, do you notice customers  
14:11 47 with any of those signs?

14:11 1  
14:11 2 A. Will be every few months, I believe, because I'm not  
14:11 3 working like all the time there, and then --- I am based  
14:11 4 in office, occasionally on the floor. If I'm on the  
14:11 5 floor, I see the signs, I must report to my manager.  
14:11 6  
14:11 7 Q. Do you do that when you see the signs when you are  
14:11 8 on the floor?  
14:11 9  
14:11 10 A. Yes. Yes, straight away.  
14:11 11  
14:11 12 Q. Without naming the manager, could you explain what  
14:11 13 role the manager has at Crown?  
14:11 14  
14:11 15 A. Service manager, which is my direct manager.  
14:11 16  
14:11 17 Q. Service manager in the gaming machines area?  
14:11 18  
14:11 19 A. Yes.  
14:11 20  
14:11 21 Q. You mentioned that you spend some time working on  
14:11 22 the floor and some time working in the office; is that  
14:11 23 correct?  
14:11 24  
14:11 25 A. Most of the time in the office and occasionally on  
14:12 26 the floor.  
14:12 27  
14:12 28 Q. What are your responsibilities in the office?  
14:12 29  
14:12 30 A. So, in the office, because I'm only looking after  
14:12 31 local gaming machine member, and in the office every day  
14:12 32 we just answer all the general inquiry from Crown  
14:12 33 Rewards, and we do restaurant booking, hotel booking and  
14:12 34 we organise the footy tickets, like AFL, NRL, the sports  
14:12 35 tickets to the patrons, and like they have dining offer  
14:12 36 or they have group dinner, we just organise that for  
14:12 37 them.  
14:12 38  
14:12 39 Q. What are your responsibilities when you are on the  
14:12 40 floor?  
14:12 41  
14:12 42 A. On the floor we just kind of talk to the customer.  
14:12 43 If they see us on the floor, they can find us straight  
14:12 44 away to make the restaurant booking, or if they wish to  
14:12 45 go to the event, they can express interest to us. It's  
14:13 46 more like presentation on the floor. So we are --  
14:13 47 because we are not the operations staff, so on the floor

14:13 1 is like in-person to meet them, got more chance for me to  
14:13 2 meet them because I'm looking after 500 member, so not  
14:13 3 all the member necessary will meet me every day.

14:13 4  
14:13 5 Q. Did you say you look after 500 members?

14:13 6  
14:13 7 A. Yes, 500 partner members.

14:13 8  
14:13 9 Q. You only look after platinum members?

14:13 10  
14:13 11 A. Yes.

14:13 12  
14:13 13 Q. What areas of the casino do you work in when you  
14:13 14 work on the floor?

14:13 15  
14:13 16 A. The whole casino gaming area. So Mahogany, Teak,  
14:13 17 main gaming floor.

14:13 18  
14:13 19 MR BORSKY: Thank you. You will be asked some questions  
14:13 20 now by Counsel Assisting the Commission.

14:13 21  
14:13 22

14:13 23 **CROSS-EXAMINATION BY MR KOZMINSKY**

14:13 24  
14:13 25

14:13 26 MR KOZMINSKY: Good afternoon.

14:13 27  
14:13 28 A. Good afternoon.

14:13 29  
14:14 30 Q. I will ask you some questions. If you can't hear me  
14:14 31 or understand me, just let me know.

14:14 32  
14:14 33 A. Yes.

14:14 34  
14:14 35 Q. Could I just start by asking you, you sent through  
14:14 36 an email, which I think you called an objection --

14:14 37  
14:14 38 A. Yes.

14:14 39  
14:14 40 Q. --- you sent that through a couple of days ago.

14:14 41  
14:14 42 A. Yes.

14:14 43  
14:14 44 Q. I might bring it up, it's COM.0011 --- it's up.

14:14 45  
14:14 46 MR BORSKY: Confidential.

14:14 47



14:14 1 MR KOZMINSKY: How do we do that?  
14:14 2  
14:14 3 MR BORSKY: I'm sorry to interrupt my friend, just if the  
14:14 4 operator could please ensure that this is only brought up  
14:14 5 visibly within the room.  
14:14 6  
14:14 7 COMMISSIONER: I think the whole proceeding is limited to  
14:14 8 us here.  
14:14 9  
14:14 10 MR BORSKY: I'm not certain of that, Commissioner.  
14:14 11  
14:14 12 MR KOZMINSKY: Commissioner, another issue might be it  
14:14 13 has the name of the witness on it, so I might ask the  
14:14 14 associate to give a hard copy. I think Mr Borsky has  
14:15 15 a hard copy. I have a hard copy. Sorry about this.  
14:15 16  
14:15 17 COMMISSIONER: For the record also, this is not being  
14:15 18 broadcast live. It is only to people who are the subject  
14:15 19 of exemption from the confidentiality ---  
14:15 20  
14:15 21 MR KOZMINSKY: Yes.  
14:15 22  
14:15 23 COMMISSIONER: --- and I think Commission staff who are  
14:15 24 not necessarily in this room but ---  
14:15 25  
14:15 26 MR BORSKY: Yes. And I'm instructed it is able to be  
14:15 27 viewed by some other representatives of or those  
14:15 28 assisting others of the parties. It is certainly not  
14:15 29 being broadcast to the world at large as we understand  
14:15 30 it.  
14:15 31  
14:15 32 COMMISSIONER: Correct.  
14:15 33  
14:15 34 MR KOZMINSKY: I think --- do you have a copy? I think  
14:16 35 the witness needs a copy. I think you have two there.  
14:16 36 Sorry about that.  
14:16 37  
14:16 38  
14:16 39 A. Yes.  
14:16 40  
14:16 41 MR KOZMINSKY: Thank you. I take it everything in here  
14:16 42 when you wrote it was honest and truthful?  
14:16 43  
14:16 44 A. (Nods head). Yes.  
14:16 45  
14:16 46 Q. Yes?  
14:16 47

14:16 1 A. (Nods head).  
14:16 2  
14:16 3 Q. You can't nod because it doesn't get picked up on  
14:16 4 the transcript, you have to answer, sorry.  
14:16 5  
14:16 6 A. Yes.  
14:16 7  
14:16 8 Q. I want to take you to the paragraph that says "the  
14:16 9 responsibility for my position"; do you see that? It is  
14:16 10 the third paragraph. "The responsibility for my  
14:16 11 position", it says:  
14:16 12  
14:16 13 The responsibility for my position is to provide  
14:16 14 *basic customer service to local gaming machine*  
14:16 15 *customers.*  
14:16 16  
14:16 17 That's right?  
14:16 18  
14:16 19 A. Yes.  
14:16 20  
14:16 21 Q. Then also you talk about the Crown Rewards program,  
14:17 22 which you spoke to Mr Borsky about, booking dinners and  
14:17 23 restaurants?  
14:17 24  
14:17 25 A. Yes.  
14:17 26  
14:17 27 Q. And general Crown Rewards Club inquiries.  
14:17 28  
14:17 29 A. Yep.  
14:17 30  
14:17 31 Q. Am I right in saying that is a comprehensive  
14:17 32 explanation of what your responsibilities are at work?  
14:17 33  
14:17 34 A. What do you mean "comprehensive"?  
14:17 35  
14:17 36 Q. That is the totality of what you are doing. When  
14:17 37 you go to work, that is what it is that you do.  
14:17 38  
14:17 39 A. That is my duty.  
14:17 40  
14:17 41 Q. Okay.  
14:17 42  
14:17 43 Can we tender that, Mr Commissioner, on a confidential  
14:17 44 basis? It will need to be confidential.  
14:17 45  
14:17 46 COMMISSIONER: I describe it as Notice of Objection by  
14:17 47 the witness made on 18 May 2021 will be Exhibit 30,

14:17 1 confidential.  
14:17 2  
14:17 3  
14:17 4 **EXHIBIT #RCPH0030 - NOTICE OF OBJECTION DATED 18**  
14:17 5 **MAY 2021 (CONFIDENTIAL)**  
14:17 6  
14:17 7  
14:17 8 MR ROZEN: Commissioner, I wonder if we could see a copy  
14:18 9 if that is possible.  
14:18 10  
14:18 11 COMMISSIONER: Is there a problem with that?  
14:18 12  
14:18 13 MR BORSKY: There may be number of problems with this  
14:18 14 tender, in fact. I'm holding a copy which I was handed  
14:18 15 a few moments before the hearing commenced. Neither I  
14:18 16 nor am I instructed that any of the lawyers for Crown had  
14:18 17 seen it previously. It was written by the witness  
14:18 18 personally. It refers to a number of potentially  
14:18 19 sensitive matters, particularly in the penultimate  
14:18 20 substantive paragraph. We're not seeing any conceivable  
14:18 21 relevance, to be frank.  
14:18 22  
14:18 23 COMMISSIONER: What I might do, I think you are not  
14:18 24 prejudiced in any way if you don't get it, and I think I  
14:18 25 might recall the exhibit. The easiest thing is to just  
14:18 26 read --- I will take as read --- no, it might be better  
14:18 27 to read the third paragraph into the transcript and  
14:18 28 forget the rest of the communication. I think that is  
14:19 29 probably the best way to deal with that.  
14:19 30  
14:19 31 MR BORSKY: As the Commissioner pleases.  
14:19 32  
14:19 33 MR KOZMINSKY: I will read that in.  
14:19 34  
14:19 35 COMMISSIONER: Please.  
14:19 36  
14:19 37 MR KOZMINSKY:  
14:19 38  
14:19 39 The responsibility for my position is to only provide  
14:19 40 *basic customer service to local gaming machine*  
14:19 41 *customers and I'm not involved into any level of*  
14:19 42 *operational management and only part of the Crown*  
14:19 43 *Rewards program offering benefits to patrons such as*  
14:19 44 *dinner vouchers, invitation to group dinners,*  
14:19 45 *restaurants and hotel bookings, tickets to sporting*  
14:19 46 *events, including AFL, NRL, A-League and cricket*  
14:19 47 *whilst also providing assistance with general Crown*

14:19 1           *Reward Club inquiries.*  
14:19 2  
14:19 3       COMMISSIONER: Thank you.  
14:19 4  
14:19 5       I will recall the exhibit.  
14:19 6  
14:19 7  
14:19 8       **EXHIBIT #RCPH0030 - NOTICE OF OBJECTION DATED 18**  
14:19 9       **MAY 2021 (CONFIDENTIAL) - EXHIBIT WITHDRAWN**  
14:19 10  
14:19 11  
14:19 12       MR KOZMINSKY: Can I ask, did you do any preparation for  
14:19 13       today?  
14:19 14  
14:19 15       A. Preparation?  
14:19 16  
14:19 17       Q. Yes. Did you speak to anyone about what you might  
14:19 18       be asked for look at any documents?  
14:20 19  
14:20 20       A. With my --- my husband knows.  
14:20 21  
14:20 22       Q. But not with anyone else?  
14:20 23  
14:20 24       A. You mean this document?  
14:20 25  
14:20 26       Q. No, I mean coming in today.  
14:20 27  
14:20 28       A. Coming --- nobody know except my Crown lawyer and my  
14:20 29       core team and HR.  
14:20 30  
14:20 31       Q. Did your Crown lawyer or anyone else give you any  
14:20 32       documents to read before you came in today?  
14:20 33  
14:20 34       A. No.  
14:20 35  
14:20 36       Q. Thank you. You said when you spoke to Mr Borsky  
14:20 37       that your supervisor was a service manager, EGMs. Do you  
14:20 38       report at all or have any interaction with  
14:20 39       Peter Lawrence?  
14:20 40  
14:20 41       A. No, I'm not Peter Lawrence department. I'm gaming  
14:20 42       machine only.  
14:20 43  
14:20 44       Q. Okay. Could you tell us the hours you work at the  
14:21 45       moment? So how many shifts a week and long the shift  
14:21 46       goes for?  
14:21 47

- 14:21 1 A. My shift hour is 10 hours per shift, and then it all  
14:21 2 rotates, sometimes five days straight, and three or four  
14:21 3 days off, sometimes four days, it's like --- because we  
14:21 4 salaried as long as we have the enough legal hours. So  
14:21 5 it is not necessary every week we are the same, sometimes  
14:21 6 four days, sometimes five days.  
14:21 7
- 14:21 8 Q. I just wanted to understand something. You said to  
14:21 9 Mr Borsky that you are a host for 500 platinum customers,  
14:21 10 is that right?  
14:21 11
- 14:21 12 A. Roughly 500.  
14:21 13
- 14:21 14 Q. Pardon me?  
14:21 15
- 14:21 16 A. About 500.  
14:21 17
- 14:21 18 Q. There are different types of hosts at the casino; is  
14:21 19 that right?  
14:21 20
- 14:21 21 A. Yes.  
14:21 22
- 14:21 23 Q. Can you just briefly explain to us so we can  
14:21 24 understand the different types of hosts there are in the  
14:21 25 casino?  
14:21 26
- 14:21 27 A. I can only say in local gaming machines. We have two  
14:21 28 teams, so I am the service host, we have another team  
14:22 29 it's called executive host, which is they looking after  
14:22 30 black member.  
14:22 31
- 14:22 32 Q. Right, so some hosts look after black members who  
14:22 33 play EGMs?  
14:22 34
- 14:22 35 A. Yes. It's all gaming machines.  
14:22 36
- 14:22 37 Q. Right, and you look after platinum?  
14:22 38
- 14:22 39 A. Platinum. Yes.  
14:22 40
- 14:22 41 Q. I understand. And the 500 or so members, platinum  
14:22 42 members that you look after, could you recognise them by  
14:22 43 face?  
14:22 44
- 14:22 45 A. Some of them.  
14:22 46
- 14:22 47 Q. Most of them? I'm trying to understand.

14:22 1  
14:22 2 A. I think about 200, roughly.  
14:22 3  
14:22 4 Q. You'd be able to recognise their face?  
14:22 5  
14:22 6 A. Yes.  
14:22 7  
14:22 8 Q. Now, you mentioned to Mr Borsky that you sometimes  
14:22 9 see signs, and when you see signs you report it to your  
14:22 10 manager?  
14:22 11  
14:22 12 A. Yes, occasionally if I'm on the floor.  
14:22 13  
14:23 14 Q. If you are on the floor, I think you said every few  
14:23 15 months?  
14:23 16  
14:23 17 A. Yes.  
14:23 18  
14:23 19 Q. So maybe two or three times a year, something like  
14:23 20 that?  
14:23 21  
14:23 22 A. Yes, possibly. Could be.  
14:23 23  
14:23 24 Q. I'm just wondering, can you tell me some of the  
14:23 25 signs, please?  
14:23 26  
14:23 27 A. They --- like from the phrase expression, I got one  
14:23 28 time was my customer, and told me he lost all the money  
14:23 29 for today, and then I report to the manager. That's what  
14:23 30 my account, because he looks really depression or a bit  
14:23 31 unhappy, so I report to them. If they saying something  
14:23 32 like that to me.  
14:23 33  
14:23 34 Q. Are there any other signs that you know about or is  
14:23 35 it just if someone says something to you like they are  
14:23 36 depressed --  
14:23 37  
14:23 38 A. The other side is I learn from RSG, but if my  
14:23 39 personally, it is just the people normally telling me  
14:23 40 they lost the money because --- yeah.  
14:23 41  
14:24 42 Q. So, just so we are all --- I just understand, what  
14:24 43 you look out for is if someone comes along and says to  
14:24 44 you, "I've lost all my money and I'm depressed or upset  
14:24 45 or sad", that is what you report?  
14:24 46  
14:24 47 A. Yes, I report in straight away because I think there

14:24 1 is a RG problem. That's a sign.  
14:24 2  
14:24 3 Q. And do you know any other signs or not?  
14:24 4  
14:24 5 A. I know. So from the training, if they bang the  
14:24 6 machine, or they start maybe crying or showing depression  
14:24 7 or anxiety, or maybe they might come up to say, "I don't  
14:24 8 have any money to eat", that is a sign as well.  
14:24 9  
14:24 10 Q. And those signs, Crown calls them observable signs?  
14:24 11  
14:24 12 A. Yes.  
14:24 13  
14:24 14 Q. When was last time you spoke to someone about  
14:24 15 observable signs, what they are, what they mean?  
14:25 16  
14:25 17 A. Last time could be --- because we lockdown for  
14:25 18 eight months, so could be before that, because since we  
14:25 19 open I don't have something like that happen to me, come  
14:25 20 across like could be like before lockdown, but I can't  
14:25 21 recall exactly what time. It is just the patron come to  
14:25 22 me, say they lost all the money. And then that person, I  
14:25 23 know him, and usually he won't say anything like that, so  
14:25 24 I think I will have to report to the manager and wanted  
14:25 25 to maybe relay or pass on to the RSG department.  
14:25 26  
14:25 27 Q. Just so I understand, of the two or three times  
14:25 28 a year you might do that, when you see someone with some  
14:25 29 of these signs ---  
14:25 30  
14:25 31 A. Yes.  
14:25 32  
14:25 33 Q. --- are all of those people in your group of  
14:26 34 500 customers?  
14:26 35  
14:26 36 A. Yes.  
14:26 37  
14:26 38 Q. I understand. Thank you. Crown also has a policy  
14:26 39 called Play Periods. I'm wondering if you are familiar  
14:26 40 with it?  
14:26 41  
14:26 42 A. YourPlay. Is that you refer to?  
14:26 43  
14:26 44 Q. I will speak about YourPlay soon. I'm asking about  
14:26 45 something a bit different, it is called Play Periods and  
14:26 46 I'm wondering if you know about it?  
14:26 47

14:26 1 A. So you talking about if they play for longer than 12  
14:26 2 hours, 14 hours, 18 hours, they have to leave the  
14:26 3 property, that one?  
14:26 4

14:26 5 Q. In your own words, can you explain it to the  
14:26 6 Commissioner? Can you explain to him how it operates?  
14:26 7

14:26 8 A. I believe the play period is more related to RSG  
14:26 9 officer, but I'm not specialised for that, but as I know,  
14:26 10 the information taught by my manager, it should be now  
14:26 11 changed to 12 hours, 14 hours, 16 hours, 18 hours. So if  
14:26 12 12 hours come to the limit, RSG officer will go on the  
14:27 13 floor to talk to the customer, and then to tell them "you  
14:27 14 reach the play limit so you have to go at some time", and  
14:27 15 if they --- I try to memory because I'm not specialise  
14:27 16 for that. I try to memorise. Because it's not part of  
14:27 17 my duty.  
14:27 18

14:27 19 Q. Not part of your role?  
14:27 20

14:27 21 A. No.  
14:27 22

14:27 23 Q. So it's not part of your job, if you see someone  
14:27 24 playing for a long time ---  
14:27 25

14:27 26 A. No, it's not my job.  
14:27 27

14:27 28 Q. Can I ask, and I don't mean to pry, but the money  
14:27 29 you get paid, do you get paid just a wage or a wage and  
14:27 30 a bonus?  
14:27 31

14:27 32 A. Is that one related to this topic today or I have to  
14:27 33 answer? I'm not too sure I should ---  
14:27 34

14:27 35 Q. I will --- do you get bonuses at work or not?  
14:27 36

14:27 37 A. I do.  
14:27 38

14:27 39 Q. And, I'm just wondering, are your bonuses linked to  
14:28 40 how much money your 500 platinum members turn over?  
14:28 41

14:28 42 A. No.  
14:28 43

14:28 44 Q. What are your bonuses based on?  
14:28 45

14:28 46 A. It's based on the whole department. So you know the  
14:28 47 department I'm talking about is refer to the whole gaming



14:28 1 machine, even the whole Crown, if they meet the budget,  
14:28 2 we will have that bonus.  
14:28 3  
14:28 4 Q. So your bonus is linked to the turnover of all EGMs?  
14:28 5  
14:28 6 A. Not turnover. I think --- because I don't have that  
14:28 7 bonus for a while already, so from my memory, if I didn't  
14:28 8 say anything wrong, from my memory, it's depends on the  
14:28 9 visitation, not turnover.  
14:28 10  
14:28 11 Q. On visitation?  
14:28 12  
14:28 13 A. Yes. But not truly visitation. Visitation only  
14:28 14 maybe 7 per cent from my memory, because I don't have a  
14:29 15 bonus for a while, so I'm not too sure now is the same or  
14:29 16 not the same, so.  
14:29 17  
14:29 18 Q. When it was visitation, do you mean, by  
14:29 19 "visitation", number of times people came to play at the  
14:29 20 casino? Is that what you mean by visitation?  
14:29 21  
14:29 22 A. No. Not necessary. Visitation, even if they come to  
14:29 23 the restaurant or the carpark, or even they just come to  
14:29 24 see a movie. As long as they insert the car into the  
14:29 25 carpark, yeah.  
14:29 26  
14:29 27 Q. So your bonuses within the department and the  
14:29 28 department's bonuses are based on the number of times  
14:29 29 people come into the complex?  
14:29 30  
14:29 31 A. Yes, because it is basically it's not up to me. Not  
14:29 32 turnover or nothing related.  
14:29 33  
14:29 34 Q. You deal with platinum only. To become a platinum  
14:29 35 tier member, what does someone need to do?  
14:30 36  
14:30 37 A. They needs to be --- because we have the lifestyle  
14:30 38 points or gaming points, so as long as they achieve 100,  
14:30 39 between 100 status credit to 499 status credit, they can  
14:30 40 be a platinum member. So they can spend on hotel,  
14:30 41 restaurants. Not only gaming.  
14:30 42  
14:30 43 Q. So, depending on what someone spends at the casino,  
14:30 44 they get credits, and then if they get enough credits or  
14:30 45 points they become a platinum member? That is how it  
14:30 46 works?  
14:30 47

- 14:30 1 A. Yes. So if gaming 500 points, in gaming you can get  
14:30 2 one status credit.  
14:30 3
- 14:30 4 Q. Sorry, could you repeat that again for me? If you  
14:30 5 get?  
14:30 6
- 14:30 7 A. If you get 500 points, equal to one status credit in  
14:30 8 gaming.  
14:30 9
- 14:30 10 Q. And how many status credits do you need to be  
14:30 11 a platinum member?  
14:30 12
- 14:30 13 A. 100. But you can earn from lifestyle. Lifestyle is  
14:31 14 100 --- no, 1,500 lifestyle points equal to one status  
14:31 15 credit if nothing changed.  
14:31 16
- 14:31 17 Q. Put to one side lifestyle for a moment, you said 500  
14:31 18 points gives you 1 status credit and 100 status credits  
14:31 19 makes you a platinum member. Is that right?  
14:31 20
- 14:31 21 A. Yes.  
14:31 22
- 14:31 23 Q. How much do you need to turnover to get one point?  
14:31 24
- 14:31 25 A. I don't know.  
14:31 26
- 14:31 27 Q. Do you know, the people that you are dealing with,  
14:31 28 the platinum members, what amounts are they gambling? In  
14:31 29 terms of time or turnover, do you have a feel for what  
14:31 30 amounts they gamble?  
14:31 31
- 14:31 32 A. I don't know, because I only provide the service for  
14:31 33 them.  
14:31 34
- 14:31 35 Q. Okay. Just running through the benefits that  
14:31 36 a platinum member gets, am I right they get valet  
14:31 37 parking?  
14:31 38
- 14:31 39 A. Yes.  
14:31 40
- 14:31 41 Q. And free food and drinks in the Mahogany Room or  
14:31 42 other VIP rooms?  
14:32 43
- 14:32 44 A. Yeah, they get complimentary drink in the VIP rooms.  
14:32 45
- 14:32 46 Q. They get free accommodation sometimes at Crown?  
14:32 47

- 14:32 1 A. Yes.  
14:32 2  
14:32 3 Q. Platinum members can access to all the rooms,  
14:32 4 including the Mahogany Room?  
14:32 5  
14:32 6 A. Yes.  
14:32 7  
14:32 8 Q. Are platinum members allowed to participate in cash  
14:32 9 draws? Are there cash draws for platinum members?  
14:32 10  
14:32 11 A. Yes.  
14:32 12  
14:32 13 Q. Can you explain to the Commissioner what a cash draw  
14:32 14 is?  
14:32 15  
14:32 16 A. The cash draw is for invited members, and then they  
14:32 17 can participate into the cash draw. The cash draw is the  
14:32 18 cocktail style, so you will come in, so you will get  
14:32 19 a chance to win a draw.  
14:32 20  
14:32 21 Q. Sorry, so we understand a little bit more about it,  
14:32 22 is the idea you come in and you go to a room, and there  
14:32 23 are drinks and food in the room; is that right?  
14:32 24  
14:33 25 A. Yes, we provide --- it is cocktail style at the  
14:33 26 moment.  
14:33 27  
14:33 28 Q. And then you put your name into some barrel  
14:33 29 or machine ---  
14:33 30  
14:33 31 A. No, not name, it just purely the number.  
14:33 32  
14:33 33 Q. Number.  
14:33 34  
14:33 35 A. Yes.  
14:33 36  
14:33 37 Q. And then there is a draw. If your number gets  
14:33 38 pulled out you win some money?  
14:33 39  
14:33 40 A. Yes, points.  
14:33 41  
14:33 42 Q. Points.  
14:33 43  
14:33 44 A. Yes.  
14:33 45  
14:33 46 Q. And how many points do you receive? What sort of  
14:33 47 range are we talking about?

14:33 1  
14:33 2 A. It depends. Because platinum member is only, I would  
14:33 3 say, \$3,000.  
14:33 4  
14:33 5 Q. \$3,000.  
14:33 6  
14:33 7 A. Yes, at the most.  
14:33 8  
14:33 9 Q. So that is \$3,000 but in points on the person's  
14:33 10 loyalty card?  
14:33 11  
14:33 12 A. Yes.  
14:33 13  
14:33 14 Q. Then they can take that loyalty card and go to the  
14:33 15 machine and start gambling with the \$3,000; is that the  
14:33 16 idea?  
14:33 17  
14:33 18 A. They can spend on hotel or restaurant as well.  
14:33 19  
14:33 20 Q. But can they spend it on the gambling machines or  
14:33 21 the pokie machines at the casino?  
14:33 22  
14:33 23 A. They can.  
14:33 24  
14:33 25 Q. Thank you. How often are you in contact with your  
14:34 26 platinum members?  
14:34 27  
14:34 28 A. Do you mean how often because ---  
14:34 29  
14:34 30 Q. Take your 500 members. We'll do it a bit  
14:34 31 differently. Of those 500, some gamble more and some  
14:34 32 gamble less; is that right?  
14:34 33  
14:34 34 A. I only look at their status credit.  
14:34 35  
14:34 36 Q. So some have more status credits and some have less  
14:34 37 status credits?  
14:34 38  
14:34 39 A. Yes.  
14:34 40  
14:34 41 Q. So those that have more status credits are spending  
14:34 42 more money at the casino?  
14:34 43  
14:34 44 A. Not necessarily.  
14:34 45  
14:34 46 Q. Not necessarily, but usually, if someone has more  
14:34 47 status credits, usually they are spending more money at

14:34 1 the casino?  
14:34 2  
14:34 3 A. Common sense you can say that. Yeah.  
14:34 4  
14:34 5 Q. Let's talk about the people who have the most status  
14:34 6 credits in your group of 500, the top 10, the top 20,  
14:35 7 whatever it might be. How often might you message them  
14:35 8 or all them or have interaction with them?  
14:35 9  
14:35 10 A. Once per month.  
14:35 11  
14:35 12 Q. Once a month?  
14:35 13  
14:35 14 A. Yes.  
14:35 15  
14:35 16 Q. I understand. And do you normally call them or  
14:35 17 message them or what do you do?  
14:35 18  
14:35 19 A. Depends on individual preference. Call or text.  
14:35 20  
14:35 21 Q. When you call or text, are you just checking in to  
14:35 22 see how they are?  
14:35 23  
14:35 24 A. No.  
14:35 25  
14:35 26 Q. What ---  
14:35 27  
14:35 28 A. So we will have the sports ticket offer. So if they  
14:35 29 been selected, and then they will got the offer, then I  
14:35 30 contact them.  
14:35 31  
14:35 32 Q. Sorry, can you repeat that? I didn't catch that.  
14:35 33 If you've got an offer ---  
14:35 34  
14:35 35 A. Yes, so if I got offer for them, like sports tickets,  
14:35 36 then I will contact them to ask them whether they want to  
14:35 37 attend the sport event.  
14:35 38  
14:35 39 Q. So when someone gets a ticket or you offer someone  
14:36 40 a ticket, say, to the football, do they come into the  
14:36 41 Crown complex to pick up the ticket? Do they come to you  
14:36 42 and get the ticket from you? Is that how it works?  
14:36 43  
14:36 44 A. It's from electronic.  
14:36 45  
14:36 46 Q. You email tickets out, do you?  
14:36 47

14:36 1 A. Yeah, or text, because it's all go from the Ticketek.  
14:36 2  
14:36 3 Q. I understand when people have dinner at the casino,  
14:36 4 do they come to the restaurants at the casino; that is  
14:36 5 the idea? Do you give them dinners at Rockpool and Nobu,  
14:36 6 those restaurants at the casino?  
14:36 7  
14:36 8 A. Yes, they come to have the dinner there.  
14:36 9  
14:36 10 Q. I understand. And why does --- I put it to you this  
14:36 11 way; is the idea of having people come to the restaurant  
14:36 12 because when they come to the restaurant they are next to  
14:36 13 the gambling floor and so after they go and eat they  
14:37 14 normally go and gamble, is that the idea?  
14:37 15  
14:37 16 A. Can you repeat that again?  
14:37 17  
14:37 18 Q. Sure. If I'm one of your clients, and you know I  
14:37 19 gamble a lot and you say to me "come for dinner at Nobu",  
14:37 20 often if I come for dinner at Nobu and I'm a gambler,  
14:37 21 after I finish dinner or before dinner I will gamble. Is  
14:37 22 that the idea?  
14:37 23  
14:37 24 A. No.  
14:37 25  
14:37 26 Q. That's not the idea?  
14:37 27  
14:37 28 A. That's not our service idea.  
14:37 29  
14:37 30 Q. So why is it that Crown provides free meals at the  
14:37 31 casino and free cash draws at the casino for its members?  
14:37 32  
14:37 33 A. I think it is the same concept as you are the member  
14:37 34 of Myer. Myer do always offer me \$10, and then I go to  
14:37 35 buy the stuff or I have --- because I'm the gold member  
14:37 36 Myer, so I will have more discount on the special, or I  
14:37 37 will got preference or priority to get to the VIP sale.  
14:37 38 It is the same concept. Because we kind of --- Myer is  
14:37 39 a reward card, because we want to reward the member.  
14:37 40  
14:38 41 Q. So at Myers, they give you a discount, and when they  
14:38 42 give you a discount, they think if you get a \$10 discount  
14:38 43 at Myer you will go to Myer and buy something, because  
14:38 44 you get a discount.  
14:38 45  
14:38 46 A. Yes.  
14:38 47

- 14:38 1 Q. And when you get free money in the cash draw at  
14:38 2 a casino, you are going to go spend it at the casino.  
14:38 3
- 14:38 4 A. I can't answer you that because I don't know.  
14:38 5
- 14:38 6 Q. Let's go through the possibilities. One  
14:38 7 possibility ---  
14:38 8
- 14:38 9 A. I can't get any possibility because I'm not  
14:38 10 specialised.  
14:38 11
- 14:38 12 Q. I'm not asking you to guess. You might give people  
14:38 13 free meals at the casino and free money at the casino so  
14:38 14 they come to the complex. That's one possibility?  
14:38 15
- 14:38 16 A. Free money is the cash draw, is not I authorise. The  
14:38 17 base level, so that one, instructing by marketing. Just  
14:38 18 part of my duty to invite people.  
14:38 19
- 14:39 20 Q. No, I'm not being critical of you. I understand it  
14:39 21 is your duty. I'm just trying to understand, when you  
14:39 22 invite someone to a restaurant at the casino ---  
14:39 23
- 14:39 24 A. Yes.  
14:39 25
- 14:39 26 Q. --- and you give them free money at the casino, one  
14:39 27 possibility is that they will come in and they will use  
14:39 28 the money and they will gamble. That is a possibility.  
14:39 29 You accept that?  
14:39 30
- 14:39 31 A. You can say that.  
14:39 32
- 14:39 33 Q. I'm just trying to work out if there is any other  
14:39 34 possibilities as to why that might happen in that way  
14:39 35 that you can think of.  
14:39 36
- 14:39 37 A. What do you mean --  
14:39 38
- 14:39 39 Q. Is there any other reason why you give someone money  
14:39 40 free money at a casino other than to encourage them to  
14:39 41 gamble?  
14:39 42
- 14:39 43 A. You mean why I offer them?  
14:39 44
- 14:39 45 Q. Is there any reason Crown, that you can think of,  
14:39 46 offers people free money at a casino other than to  
14:39 47 encourage them to gamble?

14:39 1  
14:40 2 A. Because that is part of the rewards benefits. So it  
14:40 3 is the same as the other reward cards. If you spend  
14:40 4 money, so of course you will got some benefit out of it.  
14:40 5 It's the same as --- that's what I think. Because that's  
14:40 6 why I work in the service department.  
14:40 7  
14:40 8 Q. Yes, I understand. I won't go over it again.  
14:40 9  
14:40 10 Can I turn to self-exclusions. So you look after  
14:40 11 500 customers; is that right?  
14:40 12  
14:40 13 A. Yeah, about that.  
14:40 14  
14:40 15 Q. And you've been doing that for how long?  
14:40 16  
14:40 17 A. Three to four years.  
14:40 18  
14:40 19 Q. So is it the same 500 customers over that three or  
14:40 20 four years or are they different?  
14:40 21  
14:40 22 A. They are different.  
14:40 23  
14:40 24 Q. And at least some of them are gambling significant  
14:40 25 amounts because they are platinum cardholders, which is  
14:40 26 the second top tier at Crown, that's right, isn't it?  
14:41 27  
14:41 28 A. I can't answer that because I don't know how much  
14:41 29 they spend. Only status credit.  
14:41 30  
14:41 31 Q. But you know that platinum members are the second  
14:41 32 highest tier of members at the casino?  
14:41 33  
14:41 34 A. Yes.  
14:41 35  
14:41 36 Q. And there are tiers below that, silver and gold, and  
14:41 37 then platinum?  
14:41 38  
14:41 39 A. Yes.  
14:41 40  
14:41 41 Q. And how many platinum members are there?  
14:41 42  
14:41 43 A. You mean in total?  
14:41 44  
14:41 45 Q. In total.  
14:41 46  
14:41 47 A. I'm not sure the other area. It is local gaming



14:41 1 machines. I think we have about 3,000, 2 or 3,000.  
14:41 2  
14:41 3 Q. 2 or 3,000?  
14:41 4  
14:41 5 A. I don't know because I only look after my portfolio.  
14:41 6 Just I guessing by the employee number. I'm not the  
14:41 7 manager.  
14:41 8  
14:41 9 Q. No, I understand. But there's not tens of thousands  
14:41 10 or hundreds of thousands of platinum members?  
14:41 11  
14:41 12 A. No. It is every six months the memberships.  
14:41 13  
14:42 14 Q. And you keep in monthly contact with at least some  
14:42 15 of your 500 or so platinum members? You said to us  
14:42 16 earlier you message or call them once a month when you  
14:42 17 have offers?  
14:42 18  
14:42 19 A. Yep. Yep.  
14:42 20  
14:42 21 Q. Okay. And you recognise at least some of them by  
14:42 22 face?  
14:42 23  
14:42 24 A. Yes.  
14:42 25  
14:42 26 Q. Have any of them ever told you, for example, they  
14:42 27 might be gambling too much or struggling financially?  
14:42 28  
14:42 29 A. No. If --- that's the one I told you before, they  
14:42 30 have the gaming sign, I already report to my manager.  
14:42 31  
14:42 32 Q. Yes, you said to me about three or three times  
14:42 33 a year someone might tell you they lost everything and  
14:42 34 they were depressed --  
14:42 35  
14:42 36 A. Not as --- different wording but they just say they  
14:42 37 lost money.  
14:42 38  
14:42 39 Q. Just lost money?  
14:42 40  
14:42 41 A. Yes.  
14:42 42  
14:42 43 Q. Have you ever seen any of your 500 customers on the  
14:42 44 gambling floor get upset and hit the machine or something  
14:43 45 like that?  
14:43 46  
14:43 47 A. I didn't.

14:43 1  
14:43 2 Q. You've never seen that. Have you ever suggested to  
14:43 3 any of your customers that they should self-exclude  
14:43 4 because they are gambling too much?  
14:43 5  
14:43 6 A. Not part of my duty.  
14:43 7  
14:43 8 Q. Not part of your duty. Okay. Let's say somebody  
14:43 9 was gambling in the casino and they had lost a lot of  
14:43 10 money in a night, whatever a lot might be for them,  
14:43 11 10,000, 100,000, and they then don't come in for one  
14:43 12 month, two months, whatever it might be, are you still  
14:43 13 contacting them after they've had a big loss?  
14:43 14  
14:43 15 A. Because I don't know they have lost. Before they  
14:43 16 contact, I don't know.  
14:43 17  
14:43 18 Q. So you don't know if one of your customers has had  
14:43 19 a loss or a win at the casino?  
14:43 20  
14:43 21 A. No. It is purely from the invitation lists.  
14:43 22  
14:43 23 Q. Who generates the invitation lists?  
14:44 24  
14:44 25 A. Marketing team.  
14:44 26  
14:44 27 Q. Marketing team. Okay. Has anyone ever said to you  
14:44 28 they are thinking about self-excluding?  
14:44 29  
14:44 30 A. Do you mean do I know?  
14:44 31  
14:44 32 Q. Yes, has one of your customers over the last three  
14:44 33 or four years come up to you and said, "I'm thinking  
14:44 34 about self-excluding"?  
14:44 35  
14:44 36 A. No.  
14:44 37  
14:44 38 Q. So, you walk, you said, to Mr Borsky, you walk the  
14:44 39 floor and also in an admin office; is that right?  
14:44 40  
14:44 41 A. Yes, I'm in the office. Based in the office.  
14:44 42  
14:44 43 Q. Where is the office?  
14:44 44  
14:44 45 A. Level two of Crown Towers.  
14:44 46  
14:44 47 Q. When you walk the floor, what areas are you walking

14:44 1 in? The main gaming room, the Teak Room, the Mahogany  
14:44 2 Room, where are you walking around when you are on the  
14:44 3 floor?

14:44 4  
14:44 5 A. The whole casino, wherever is the gaming machine  
14:44 6 area.

14:44 7  
14:45 8 Q. I know it is hard to estimate, but about what  
14:45 9 percentage of your time are you walking around in the  
14:45 10 casino on the gaming floor and what percentage of time  
14:45 11 are you in the office?

14:45 12  
14:45 13 A. Depends on how busy I am, because most of the time  
14:45 14 I'm in the office, sometimes I'm outside, let's say I'm  
14:45 15 attending the event outside, we have lots of events, like  
14:45 16 we just have the Dior event at Chadstone, and we have the  
14:45 17 sports event. I will say maybe 5 per cent to at least --  
14:45 18 at the most 10 per cent. It is different every day.

14:45 19  
14:45 20 Q. 5 to 10 per cent on the floor and the rest of the  
14:45 21 time in the office?

14:45 22  
14:45 23 A. Yes.

14:45 24  
14:45 25 Q. So, from your office, how long does it take you to  
14:45 26 walk to the Responsible Gaming Centre?

14:45 27  
14:45 28 A. About, depends on how quick you are? For me maybe 5  
14:46 29 to 10 minutes. 10 minutes.

14:46 30  
14:46 31 Q. When was last time you visited the centre? That is  
14:46 32 to say when you visited for work purposes?

14:46 33  
14:46 34 A. Maybe five years ago when I was still on reception.

14:46 35  
14:46 36 Q. Pardon?

14:46 37  
14:46 38 A. Five years ago. About that. About that.

14:46 39  
14:46 40 Q. Why did you go?

14:46 41  
14:46 42 A. Because they need a translation.

14:46 43  
14:46 44 Q. I see. Thank you.

14:46 45  
14:46 46 There are 12 Responsible Gaming Advisors. Do you know  
14:46 47 any of their names?

14:46 1  
14:46 2 A. I know, yes.  
14:46 3  
14:46 4 Q. Can you tell me?  
14:46 5  
14:46 6 A. Personal Information  
14:46 7  
14:46 8 Q. When was last time you spoke to one of them?  
14:47 9  
14:47 10 A. What you mean, spoke to them? You mean spoke to  
14:47 11 them, just say hi or just tell them ---  
14:47 12  
14:47 13 Q. Tell them something to do with work?  
14:47 14  
14:47 15 A. You mean ask them how is the work or actually I have  
14:47 16 the case to pass on to them?  
14:47 17  
14:47 18 Q. An issue, yeah.  
14:47 19  
14:47 20 A. An issue.  
14:47 21  
14:47 22 Q. A case to pass on, something like that. Or them  
14:47 23 speaking to you about a gambler?  
14:47 24  
14:47 25 A. As I say, maybe before lockdown because I haven't  
14:47 26 come across any of the sign to me, so I mentioned it to  
14:47 27 you before.  
14:47 28  
14:47 29 Q. How long before lockdown, do you think?  
14:47 30  
14:47 31 A. I --- you mean talk to them?  
14:47 32  
14:47 33 Q. (Nods head).  
14:47 34  
14:47 35 A. I didn't talk to them for a long time because I  
14:47 36 report to my manager first. My manager already report to  
14:47 37 them. I just kind of, if they walk past, I just for  
14:47 38 follow-up, "have you receive manager email regarding to  
14:47 39 this patron?"  
14:47 40  
14:47 41 Q. So you would never suggest to a customer that they  
14:47 42 go to a Responsible Gaming Centre, that is something for  
14:48 43 the manager to do?  
14:48 44  
14:48 45 A. I believe so, because I'm only provide service. So  
14:48 46 if I see the signs, I will report to the manager, manager  
14:48 47 will pass on or maybe manager can talk to them.

14:48 1  
14:48 2 Q. But you've not done it before; is that right?  
14:48 3  
14:48 4 A. I didn't.  
14:48 5  
14:48 6 Q. Can I ask you about YourPlay. Are you familiar with  
14:48 7 YourPlay?  
14:48 8  
14:48 9 A. Yes, I did the training before.  
14:48 10  
14:48 11 Q. Can you explain to the Commissioner in your own  
14:48 12 words what YourPlay is?  
14:48 13  
14:48 14 A. The YourPlay is comes from the Government. It is not  
14:48 15 compulsory for the customer, so it's not only for Crown,  
14:48 16 it is for all the Victoria gaming area, the patron can  
14:48 17 register either online or at the counter, they can set  
14:48 18 the time limits or --- and the spend limit, and it is  
14:48 19 beneficial for them to check on how much they spent.  
14:48 20  
14:49 21 Q. Right. So a customer can set a time limit or  
14:49 22 a spend limit on an EGM, is that right, on a pokie  
14:49 23 machine, using YourPlay?  
14:49 24  
14:49 25 A. Yes.  
14:49 26  
14:49 27 Q. When someone hits their time limit or their spend  
14:49 28 limit, they are able to keep gambling, aren't they?  
14:49 29  
14:49 30 A. I'm not on the floor, but I try to remember for you,  
14:49 31 for the chairman. I believe in the system they can  
14:49 32 choose to continue, after the warning sentence. Yes.  
14:49 33  
14:49 34 Q. And in your time on the floor and when you were  
14:49 35 a food and beverage officer, at any stage you have been  
14:49 36 working at Crown, have you ever gone to a customer who  
14:49 37 has reached their time or spend limit and decided to keep  
14:49 38 gambling to suggest to them they should take a break?  
14:49 39  
14:49 40 A. You mean when I was a F&B attendant?  
14:49 41  
14:49 42 Q. Ever, at Crown, in any job at any time.  
14:49 43  
14:50 44 A. You mean tell them "you reach your limit"?  
14:50 45  
14:50 46 Q. Tell them "you have reached your limit, maybe you  
14:50 47 should have a break".

14:50 1  
14:50 2 A. Never happen to me.  
14:50 3  
14:50 4 Q. Have you ever seen anyone at Crown ever approach  
14:50 5 anyone in those circumstances?  
14:50 6  
14:50 7 A. Why they approach to, or?  
14:50 8  
14:50 9 Q. I'm asking, have you ever seen any Crown staff  
14:50 10 member. Not you. Have you seen someone else, another  
14:50 11 Crown staff member, go up to someone when they've reached  
14:50 12 a limit, time or money and say to them that maybe they  
14:50 13 should have a break?  
14:50 14  
14:50 15 A. They don't know they reach the limit unless the  
14:50 16 customer tell you. Because we are not always behind the  
14:50 17 machine to watch them play.  
14:50 18  
14:50 19 Q. Of course you are not always behind, but there are  
14:50 20 lots of people, lots of staff members at Crown. I'm  
14:50 21 trying to work out if you've ever seen it happen.  
14:50 22  
14:51 23 A. I saw one time I working in the reception, it is  
14:51 24 actually the patron come in to say why their card is not  
14:51 25 working, then my colleague advise them, "because you  
14:51 26 reach the limit".  
14:51 27  
14:51 28 Q. That is the closest you've seen anyone suggesting to  
14:51 29 someone to have a break when they set a limit? Other  
14:51 30 than that example you gave, you've never seen anyone from  
14:51 31 Crown tell a customer that you have reached your limit  
14:51 32 maybe you should take a break?  
14:51 33  
14:51 34 A. Yes, we do, if the customer come to reception and say,  
14:51 35 "my card is not working", then we tell them, "you reached  
14:51 36 the limit, yeah maybe it's the time to take a break."  
14:51 37  
14:51 38 Q. Sorry, you do that? I'm trying to understand, so I  
14:51 39 asked you if you have ever done it.  
14:52 40  
14:52 41 A. When I was in the reception, I didn't, I just heard  
14:52 42 my colleague say that.  
14:52 43  
14:52 44 Q. You said to me you've never done it. And I'm asking  
14:52 45 you if you have seen anyone else do it. And you said  
14:52 46 when you were at the reception. Where did you see it  
14:52 47 happen? Which reception?

14:52 1  
14:52 2 A. Teak.  
14:52 3  
14:52 4 Q. So at the reception of the Teak Room, you saw or  
14:52 5 heard it happen once, is that right?  
14:52 6  
14:52 7 A. Not once. Because it's like, you know, the reception  
14:52 8 is generally the customer come in to ask why our card not  
14:52 9 working, because the card not working is related to many  
14:52 10 issue, so one of the issue could be the YourPlay, they  
14:52 11 reached the YourPlay limit. So once in a while, I will  
14:52 12 hear my colleagues say that. But never happen to me  
14:52 13 because the patron come to me, the card is not working,  
14:52 14 is for the other issue, maybe PIN number, it only happen  
14:52 15 to me.  
14:52 16  
14:52 17 Q. Just so I'm clear though, when we started this  
14:52 18 conversation I asked you whether or not you were able to  
14:52 19 keep gambling when you reach a limit, and you said "yes".  
14:52 20 Do you remember that?  
14:52 21  
14:53 22 A. There is a button. You can press continue. That's  
14:53 23 how YourPlay is set up.  
14:53 24  
14:53 25 Q. Yes, so how would the card be broken or not working  
14:53 26 if you reach a limit?  
14:53 27  
14:53 28 A. Because they didn't say yes or they didn't press the  
14:53 29 continue button. That's why they stop.  
14:53 30  
14:53 31 Q. Okay.  
14:53 32  
14:53 33 A. Sorry, because I'm not working in reception for a  
14:53 34 long time. I just try to remember to you.  
14:53 35  
14:53 36 Q. So you think you might have heard it a few times  
14:53 37 when you were working at reception?  
14:53 38  
14:53 39 A. Yes.  
14:53 40  
14:53 41 Q. How long did you work at reception for?  
14:53 42  
14:53 43 A. One year to 1.5 years.  
14:53 44  
14:53 45 Q. Are we talking about one or two times, three times,  
14:53 46 how many times?  
14:53 47

14:53 1 A. I don't have the number for you. It is quite  
14:53 2 a common issue. Card issue.  
14:53 3  
14:54 4 Q. Card issue.  
14:54 5  
14:54 6 A. Like fixing the membership cards.  
14:54 7  
14:54 8 Q. Okay. Are you able to recall --- I will leave that.  
14:54 9  
14:54 10 Can I ask you this: do you know with a YourPlay card that  
14:54 11 you are able to set --- is it right that you are able to  
14:54 12 set a 24-hour limit and a \$9,999,999 limit; is that  
14:54 13 right?  
14:54 14  
14:54 15 A. Yes, you can. That's how the system is set up.  
14:54 16  
14:54 17 Q. Have you ever seen someone gamble at more than one  
14:54 18 pokie machine at a time?  
14:54 19  
14:54 20 A. I didn't see that but I heard that.  
14:54 21  
14:54 22 Q. And, based on what you've heard, does it happen  
14:54 23 often?  
14:54 24  
14:54 25 A. Not often, because that's not allowed, you play more  
14:54 26 than one machine.  
14:54 27  
14:54 28 Q. Have you ever seen anyone using a pick or a card to  
14:54 29 hold down the play button on a pokie machine?  
14:54 30  
14:55 31 A. No.  
14:55 32  
14:55 33 Q. And have you ever heard about it?  
14:55 34  
14:55 35 A. I heard about it. And normally it's the floor staff,  
14:55 36 if they notice them, they will take the credit card or  
14:55 37 the pick straight away, because it's not allowed.  
14:55 38  
14:55 39 Q. They will take it straight away?  
14:55 40  
14:55 41 A. Yes.  
14:55 42  
14:55 43 Q. Has that always been the case since you've been  
14:55 44 working at the casino?  
14:55 45  
14:55 46 A. I'm not too sure back when I'm F&B attendant. I'm  
14:55 47 not too sure at that time because I'm not gaming then.



14:55 1 I'm not always on the floor.  
14:55 2  
14:55 3 Q. So for how long are you aware that F&B people tell  
14:55 4 or make sure customers don't do that? How long has that  
14:55 5 been going on, as far as you are aware?  
14:55 6  
14:55 7 A. You mean as F&B attendant?  
14:55 8  
14:55 9 Q. Yeah, I asked if you have ever seen anyone using  
14:55 10 picks to hold down a play button and you said to me --  
14:55 11  
14:56 12 A. I didn't.  
14:56 13  
14:56 14 Q. --- you heard F&B make sure it doesn't happen?  
14:56 15  
14:56 16 A. No. I didn't say that. F&B is not involved into any  
14:56 17 of the gaming stuff. Because I say I can't recall, when  
14:56 18 I was F&B, what's that look like, like allow or not  
14:56 19 allow.  
14:56 20  
14:56 21 Q. Sorry, you said floor staff notice them and take the  
14:56 22 pick straight away.  
14:56 23  
14:56 24 A. Yes, current. Like when I'm in gaming. Service host  
14:56 25 job, yes.  
14:56 26  
14:56 27 Q. And I'm asking how long that has been the practice  
14:56 28 at Crown.  
14:56 29  
14:56 30 A. Since I'm a gaming staff.  
14:56 31  
14:56 32 Q. What year is that, remind me?  
14:56 33  
14:56 34 A. What's that?  
14:56 35  
14:56 36 Q. What year did you become gaming staff?  
14:56 37  
14:56 38 A. What year. 2013 for 18 months ..... Only about  
14:57 39 18 months of F&B since I joined Crown.  
14:57 40  
14:57 41 Q. So you have been on the gaming floor since 2015,  
14:57 42 2016, something like that?  
14:57 43  
14:57 44 A. Yes, but I'm not always on the floor, I'm based in  
14:57 45 reception and now is office.  
14:57 46  
14:57 47 Q. I understand that, but I just want to be clear about

14:57 1 what you are telling us. Since you've been in the gaming  
14:57 2 department, the practice has been that floor staff will  
14:57 3 take away picks and not allow people to use cards to jam  
14:57 4 down the play button; is that right?  
14:57 5  
14:57 6 A. You mean since I start in the gaming area?  
14:57 7  
14:57 8 Q. Yes.  
14:57 9  
14:57 10 A. I can't remember. Like, at least I'm service host,  
14:57 11 that --- this four years I can tell you it is, but I can't  
14:57 12 remember before that exactly.  
14:57 13  
14:57 14 Q. So you don't know what the position is other than  
14:57 15 today, is that what you are saying to me?  
14:57 16  
14:58 17 A. What do you mean?  
14:58 18  
14:58 19 Q. I'm trying to understand when the practice of floor  
14:58 20 staff stopping people using picks and cards started, when  
14:58 21 it started. And you are saying to me ---  
14:58 22  
14:58 23 A. I can't remember exactly what time.  
14:58 24  
14:58 25 Q. But I've asked you, has it been the case since you  
14:58 26 were in the gaming area? It's not a trick question.  
14:58 27 Yes, no, or you don't know.  
14:58 28  
14:58 29 A. Use the credit card and the pick is not allowed.  
14:58 30  
14:58 31 Q. And it's not allowed since you've been in the gaming  
14:58 32 area, is that what you are saying?  
14:58 33  
14:58 34 A. As I remember.  
14:58 35  
14:58 36 MR KOZMINSKY: Thank you.  
14:58 37  
14:58 38 Mr Commissioner, unless you have any questions, that's  
14:58 39 all I've got.  
14:58 40  
14:58 41 COMMISSIONER: Mr Borsky?  
14:58 42  
14:58 43 MR BORSKY: Nothing, Commissioner.  
14:58 44  
14:58 45 COMMISSIONER: Thank you very much. You can go. Thank  
14:58 46 you.  
14:58 47

14:58 1 A. I leave this here. Thank you.  
14:59 2  
14:59 3  
15:00 4 **THE WITNESS WITHDREW**  
15:00 5  
15:00 6  
15:00 7 **EMPLOYEE 6, CALLED**  
15:00 8  
15:00 9  
15:00 10 MR BORSKY: Good afternoon, sir. You should find before  
15:00 11 you hopefully a piece of paper headed NTA07. Do you see  
15:00 12 that?  
15:00 13  
15:00 14 WITNESS: Yes.  
15:00 15  
15:00 16 MR BORSKY: Without reading it out, can you confirm for  
15:00 17 the Commissioner that it also has your name printed on  
15:00 18 it, please?  
15:00 19  
15:00 20 WITNESS: Yes.  
15:00 21  
15:00 22 MR BORSKY: And your business address at Crown?  
15:00 23  
15:00 24 WITNESS: Yes.  
15:00 25  
15:00 26 MR BORSKY: The witness will make an affirmation either  
15:00 27 before or after --  
15:00 28  
15:00 29 COMMISSIONER: I will just get the document first.  
15:00 30  
15:00 31 MR BORSKY: As the Commissioner pleases.  
15:00 32  
15:00 33 COMMISSIONER: That will be tendered as witness  
15:00 34 identification 31, confidential.  
15:00 35  
15:00 36  
15:00 37 **EXHIBIT #RCPH0031 - WITNESS IDENTIFICATION**  
15:00 38 **DOCUMENT NTA07 (CONFIDENTIAL)**  
15:00 39  
15:00 40  
15:00 41 MR BORSKY: You wish to make an affirmation, sir?  
15:00 42  
15:00 43 WITNESS: Correct.  
15:00 44  
15:00 45  
15:00 46 **WITNESS AFFIRMED**  
15:00 47

15:00 1  
15:01 2 **EXAMINATION-IN-CHIEF BY MR BORSKY**  
15:01 3  
15:01 4  
15:01 5 MR BORSKY: You've been employed by Crown since July  
15:01 6 2014; that's right?  
15:01 7  
15:01 8 A. That's correct.  
15:01 9  
15:01 10 Q. And you started as a casual at Crown?  
15:01 11  
15:01 12 A. Yes.  
15:01 13  
15:01 14 Q. Are you now still a casual employee?  
15:01 15  
15:01 16 A. Full-time now.  
15:01 17  
15:01 18 Q. Is your current role Mahogany executive host?  
15:01 19  
15:01 20 A. Yes.  
15:01 21  
15:01 22 Q. In your almost seven years at Crown, has your  
15:01 23 employment been concerned with the Mahogany Room  
15:01 24 principally?  
15:01 25  
15:01 26 A. Yes, all in the Mahogany Room.  
15:01 27  
15:01 28 Q. In your current role, do you have a portfolio of  
15:01 29 customers that you are responsible for hosting?  
15:01 30  
15:01 31 A. Yes.  
15:01 32  
15:01 33 Q. Approximately how many customers are in your  
15:01 34 portfolio?  
15:01 35  
15:01 36 A. 170. Roughly.  
15:01 37  
15:01 38 Q. Are they of one particular tier in terms of the  
15:01 39 Crown Rewards program or are they from a combination of  
15:02 40 a variety of tiers?  
15:02 41  
15:02 42 A. Platinum and black members.  
15:02 43  
15:02 44 Q. Approximately how many of your customers would be  
15:02 45 black members?  
15:02 46  
15:02 47 A. I have about 23 black and the rest are platinum.

- 15:02 1  
15:02 2 Q. Did you say about 23?  
15:02 3  
15:02 4 A. 23 black customers, yes.  
15:02 5  
15:02 6 Q. And almost 150 approximately platinum?  
15:02 7  
15:02 8 A. Correct.  
15:02 9  
15:02 10 Q. Each of those customers is permitted to enter the  
15:02 11 Mahogany Room?  
15:02 12  
15:02 13 A. Yes.  
15:02 14  
15:02 15 Q. Could you tell the Commissioner, please, the nature  
15:02 16 of your role and the responsibilities of your role in  
15:02 17 hosting those approximately 170 customers in the Mahogany  
15:02 18 Room?  
15:02 19  
15:02 20 A. Yes, so our main focus is to service the black and  
15:02 21 platinum customers, by that on property in the Mahogany  
15:02 22 Room. We invite them to events, for example the Spring  
15:02 23 Racing Carnival, we organise dinners and tournaments,  
15:02 24 hotel and restaurant bookings, we're just mainly there  
15:02 25 for a point of contact for the service side of things.  
15:02 26  
15:03 27 Q. Appreciating that at present Crown's international  
15:03 28 operations are in a hiatus, but pre-2019, say, did you  
15:03 29 have any responsibility for hosting any international  
15:03 30 customers?  
15:03 31  
15:03 32 A. No.  
15:03 33  
15:03 34 Q. Have you at any time had the involvement with the  
15:03 35 hosting of international customers while at Crown?  
15:03 36  
15:03 37 A. No.  
15:03 38  
15:03 39 Q. Have you done training in the course of your  
15:03 40 employment at Crown?  
15:03 41  
15:03 42 A. Yes.  
15:03 43  
15:03 44 Q. On what sort of subject areas?  
15:03 45  
15:03 46 A. AML, respecting each other, onsite training,  
15:03 47 one-on-one training with specific job title. Being

15:03 1 a Mahogany host, reception, face-to-face training for  
15:03 2 that, compliance, responsible gaming. Yeah.  
15:03 3

15:04 4 Q. And some of that training is delivered to you  
15:04 5 online?  
15:04 6

15:04 7 A. Correct.  
15:04 8

15:04 9 Q. How frequently on average would you do an online  
15:04 10 training module?  
15:04 11

15:04 12 A. I would say probably every six months.  
15:04 13

15:04 14 Q. What have you learned about AML in your training?  
15:04 15

15:04 16 A. So just the signs to look for, what we need to see,  
15:04 17 what the regulations are behind it, what to do if we  
15:04 18 notice anything suspicious.  
15:04 19

15:04 20 Q. Have you noticed anything suspicious from an AML  
15:04 21 perspective in your work at Crown?  
15:04 22

15:04 23 A. Me, personally, no.  
15:04 24

15:04 25 Q. What about RSG, what have you learned about RSG in  
15:04 26 the course of your training?  
15:05 27

15:05 28 A. Also looking for signs in regards to responsible  
15:05 29 gaming from customers perspective to see what to look  
15:05 30 for, what --- how their habits are on the gaming floor,  
15:05 31 when you have a conversation with them, you will know  
15:05 32 what sort of signs come up.  
15:05 33

15:05 34 Q. What is an example of a sign that might come up that  
15:05 35 you've been trained to look out for?  
15:05 36

15:05 37 A. Aggression, or getting angry at the table, getting  
15:05 38 upset that they've lost a certain amount of money each  
15:05 39 day they've come in.  
15:05 40

15:05 41 Q. In the course of your work as a Mahogany executive  
15:05 42 host, are you on the lookout as a matter of fact for  
15:05 43 those signs, you've been trained to try and look for in  
15:05 44 a responsible gaming context?  
15:05 45

15:05 46 A. Yes.  
15:05 47

15:05 1 Q. Have you observed, in the course of your work, those  
15:05 2 signs?

15:05 3

15:05 4 A. Yes.

15:05 5

15:05 6 Q. What have you done on those occasions?

15:06 7

15:06 8 A. I've had to speak to the customer, obviously listen  
15:06 9 to what their side and what they're thinking. I've  
15:06 10 referred them to a Responsible Gaming department and  
15:06 11 they've taken the steps from there. So I've referred it  
15:06 12 to the Responsible Gaming team and management.

15:06 13

15:06 14 Q. In your role as a Mahogany Room executive host, do  
15:06 15 you refer customers who may raise responsible gaming  
15:06 16 issues directly to the Responsible Gaming Centre or does  
15:06 17 that occur via a manager of yours?

15:06 18

15:06 19 A. I will go through management, but I will also go  
15:06 20 direct with the Responsible Gaming team.

15:06 21

15:06 22 Q. Do you visit the Responsible Gaming Centre  
15:06 23 physically yourself?

15:06 24

15:06 25 A. I have on a few occasions.

15:06 26

15:06 27 Q. For what purpose?

15:06 28

15:06 29 A. To bring the customer through to them.

15:06 30

15:07 31 MR BORSKY: Thank you, sir. You will now be asked some  
15:07 32 questions.

33

34 A. Thank you.

35

36

37 **CROSS-EXAMINATION BY MR KOZMINSKY**

15:07 38

15:07 39

15:07 40 MR KOZMINSKY: Good afternoon. I will ask you a few  
15:07 41 questions. If you don't understand something or can't  
15:07 42 hear me, just shout out.

15:07 43

15:07 44 I think you told Mr Borsky you have been at the casino  
15:07 45 for about seven years and most of that time in the  
15:07 46 Mahogany Room. I take it you didn't start as a host?

15:07 47

15:07 1 A. I started off at reception.  
15:07 2  
15:07 3 Q. Right. And how long were you at reception for?  
15:07 4  
15:07 5 A. About a year and a half.  
15:07 6  
15:07 7 Q. Then how was it that you came to become a host after  
15:07 8 being at reception for a year and a half?  
15:07 9  
15:07 10 A. I got seconded for three months, and then I went  
15:07 11 through the recruitment process.  
15:07 12  
15:07 13 Q. I see. Did someone suggest to you at Crown that you  
15:07 14 would be suitable for being a host?  
15:07 15  
15:07 16 A. My management.  
15:07 17  
15:07 18 Q. Yeah, and who was that?  
15:07 19  
15:07 20 A. I don't know exactly directly which manager it was at  
15:08 21 the time.  
15:08 22  
15:08 23 Q. Right. Who is your direct supervisor now?  
15:08 24  
15:08 25 A. My direct manager now is Perso<sub>o</sub>.  
15:08 26  
15:08 27 Q. Perso<sub>o</sub> who?  
15:08 28  
15:08 29 MR BORSKY: Sorry, do we need to identify the names for  
15:08 30 the transcript?  
15:08 31  
15:08 32 MR KOZMINSKY: I might want it for later.  
15:08 33  
15:08 34 MR BORSKY: We are content to provide the information,  
15:08 35 but in terms of reverse engineering ---  
15:08 36  
15:08 37 COMMISSIONER: Right, we will leave it off the transcript  
15:08 38 and perhaps you can write it down on a piece of paper.  
15:08 39  
15:08 40 MR KOZMINSKY: I wanted to ask the witness if there was  
15:08 41 one person he has contact with at the Mahogany Room. Am  
15:08 42 I permitted --- how do you want me to deal with that.  
15:08 43 Write the name down on a piece of paper?  
15:08 44  
15:08 45 COMMISSIONER: We can do that. You can write down on  
15:08 46 a piece of paper and ask him if he knows the person. So  
15:08 47 you can write down the name that we've just been talking



15:08 1 about, thanks.  
15:09 2  
15:09 3 COMMISSIONER: Not being secretive, we're keeping names  
15:09 4 off the transcript that's all.  
15:09 5  
15:09 6 I will look at it in a minute.  
15:09 7  
15:09 8 MR KOZMINSKY: Can you see that name?  
15:09 9  
15:09 10 A. Yes.  
15:09 11  
15:09 12 Q. Can you give that back now so the Commissioner can  
15:09 13 see. Sorry.  
15:09 14  
15:09 15 Do you have interactions with the person whose name I  
15:09 16 wrote down on a piece of paper?  
15:09 17  
15:09 18 A. Yes.  
15:09 19  
15:09 20 Q. Regularly?  
15:09 21  
15:09 22 A. On occasions, yes.  
15:09 23  
15:09 24 Q. So how often are you working?  
15:09 25  
15:09 26 A. Well, I'm five days a week.  
15:09 27  
15:09 28 Q. Shift hours?  
15:09 29  
15:09 30 A. Eight hours a day.  
15:09 31  
15:09 32 Q. So once a week you might have interaction, twice  
15:09 33 a week?  
15:09 34  
15:09 35 A. Twice a week.  
15:09 36  
15:09 37 Q. And that person who I have written down on the piece  
15:09 38 of paper, is he in charge of the Mahogany Room?  
15:10 39  
15:10 40 A. He --- yes.  
15:10 41  
15:10 42 Q. He knows what is going on at the Mahogany Room, as  
15:10 43 best you are aware?  
15:10 44  
15:10 45 A. As best I'm aware, yes.  
15:10 46  
15:10 47 Q. And you were a host for EGM players or table

15:10 1 players?  
15:10 2  
15:10 3 A. Tables.  
15:10 4  
15:10 5 Q. You said you work eight hours a day. When you are  
15:10 6 working only on the floor, the Mahogany floor, is that  
15:10 7 where you are based?  
15:10 8  
15:10 9 A. In the Mahogany Room, yes.  
15:10 10  
15:10 11 Q. Mahogany Room, my apologies. I'm right, aren't I,  
15:10 12 that in your position, even if you are not working, you  
15:10 13 know when your cohort of customers are gambling? Am I  
15:10 14 right, you get an SMS if someone swipes their card at the  
15:10 15 Mahogany Room?  
15:10 16  
15:10 17 A. Yes.  
15:10 18  
15:10 19 Q. So you know every time one of your players sits down  
15:10 20 or enters the Mahogany Room?  
15:10 21  
15:10 22 A. Yes.  
15:10 23  
15:10 24 Q. And you have a computer system that you can log in  
15:11 25 to, and you know what the casino estimates that person  
15:11 26 might have won or lost in a session, you can access that  
15:11 27 information?  
15:11 28  
15:11 29 A. Yes.  
15:11 30  
15:11 31 Q. I will come back to a bit more about that in  
15:11 32 a moment, but I just want to ask you this: you mentioned  
15:11 33 to Mr Borsky that you would look out for people who were  
15:11 34 aggressive at the gambling table. Do you remember that?  
15:11 35 You said that was a sign that someone --- I think you  
15:11 36 called it a Responsible Service of Gaming sign. Crown  
15:11 37 says there are 13. Do you know any of the others?  
15:11 38  
15:11 39 A. Can you repeat that, sorry.  
15:11 40  
15:11 41 Q. Sure. You mentioned what you said to Mr Borsky was  
15:11 42 a sign that someone might be gambling a lot. You said if  
15:11 43 they got aggressive. And I'm just trying to understand  
15:11 44 if you know any other signs.  
15:11 45  
15:11 46 A. Self-harm. Frustration.  
15:11 47

15:12 1 Q. Any others?  
15:12 2  
15:12 3 A. I'm trying to think.  
15:12 4  
15:12 5 Q. It's all right. Take your time.  
15:12 6  
15:12 7 A. Family issues.  
15:12 8  
15:12 9 Q. Can I ask you, are you familiar with Crown's Play  
15:12 10 Periods Policy?  
15:12 11  
15:12 12 A. Yes.  
15:12 13  
15:12 14 Q. Can you explain to the Commissioner what it is,  
15:12 15 please?  
15:12 16  
15:12 17 A. Are you referring to, like, the play period in  
15:12 18 regards to how long a customer can be on the floor for?  
15:12 19  
15:12 20 Q. Yes.  
15:12 21  
15:12 22 A. So we have 18 hours a player can be there, maximum.  
15:12 23 From 12 hours, we approach the customer. 15, 17, we also  
15:12 24 approach the customer, and at 18 hours. So if they leave  
15:12 25 before 18 hours, they have a minimum of eight-hour break.  
15:13 26 If they were to go after the 18 hours, minimum 24-hour  
15:13 27 break. If they were to come back within that time, it is  
15:13 28 another 24-hour break.  
15:13 29  
15:13 30 Q. And can I ask you, not when you discuss with  
15:13 31 a customer, but when you discuss with someone from Crown,  
15:13 32 when was the last time you discussed with someone from  
15:13 33 Crown play periods?  
15:13 34  
15:13 35 A. My service manager does that now. So I haven't done  
15:13 36 that in quite some time.  
15:13 37  
15:13 38 Q. I'm curious how --- when someone explained to you  
15:13 39 what the policy was, when was the last time someone  
15:13 40 explained to you what that policy was.  
15:13 41  
15:13 42 A. As in?  
15:13 43  
15:13 44 Q. You know the policy. So you must have read it.  
15:13 45  
15:13 46 A. Yes.  
15:13 47

15:13 1 Q. Or someone explained it to you.  
15:13 2  
15:13 3 A. Yes.  
15:13 4  
15:13 5 Q. Did you read it?  
15:13 6  
15:13 7 A. Yes.  
15:13 8  
15:13 9 Q. When did you last read it?  
15:13 10  
15:13 11 A. I don't recall. Recently, I suppose.  
15:13 12  
15:13 13 Q. In the last week?  
15:13 14  
15:13 15 A. Probably before that. A month or two ago.  
15:13 16  
15:14 17 Q. I think you said to Mr Borsky you have 170, about  
15:14 18 170 people in your cohort of players.  
15:14 19  
15:14 20 A. Yes.  
15:14 21  
15:14 22 Q. About 23 black and 150 platinum. And I'm right,  
15:14 23 aren't I, that your key performance indicators are based  
15:14 24 on the turnover of your individual cohort of players?  
15:14 25  
15:14 26 A. Are you referring to incentive?  
15:14 27  
15:14 28 Q. Yes.  
15:14 29  
15:14 30 A. Visitation.  
15:14 31  
15:14 32 Q. But it is the cohort, your 170-odd people?  
15:14 33  
15:14 34 A. Correct.  
15:14 35  
15:14 36 Q. I understand. And your bonuses are also linked to  
15:14 37 that --  
15:14 38  
15:14 39 A. Correct.  
15:14 40  
15:14 41 Q. --- so just so I'm clear, the way things are  
15:14 42 structured, your motivation is obviously to get people  
15:14 43 in?  
15:14 44  
15:14 45 A. Yes.  
15:14 46  
15:14 47 Q. And just focusing on black cardholders for a moment,

15:14 1 it's right, isn't it, that a black cardholder needs to  
15:15 2 turn over north of \$50 million a year?  
15:15 3  
15:15 4 COMMISSIONER: To remain a black cardholder?  
15:15 5  
15:15 6 MR KOZMINSKY: To maintain or retain the status?  
15:15 7  
15:15 8 A. Not that I can recall.  
15:15 9  
15:15 10 Q. What is the turnover necessary?  
15:15 11  
15:15 12 A. It works on status credits. How many status credits  
15:15 13 you can maintain per cycle. I'm not sure exactly what  
15:15 14 the turnover is that needs to be reached before a black  
15:15 15 cardholder member can maintain.  
15:15 16  
15:15 17 Q. So let's break it down. Per cycle, a cycle is  
15:15 18 six months?  
15:15 19  
15:15 20 A. Correct.  
15:15 21  
15:15 22 Q. And in that six-month period, people are going to  
15:15 23 earn status credits?  
15:15 24  
15:15 25 A. Correct.  
15:15 26  
15:15 27 Q. Based on how much they are gambling?  
15:15 28  
15:15 29 A. Correct.  
15:15 30  
15:15 31 Q. And you've got 23 black cardholders?  
15:15 32  
15:15 33 A. Yes.  
15:15 34  
15:15 35 Q. You know their names and faces, I don't want them,  
15:15 36 but you know their names, you know their faces, and you  
15:15 37 have an idea about what they are gambling and I want to  
15:15 38 know --- not winning or losing, but turning over tens  
15:16 39 of millions of dollars a year?  
15:16 40  
15:16 41 A. As a total, like in regards to the whole 23?  
15:16 42  
15:16 43 Q. No, individually.  
15:16 44  
15:16 45 A. Turning over how much?  
15:16 46  
15:16 47 Q. Tens of millions a year.

- 15:16 1  
15:16 2 A. Millions, yes.  
15:16 3  
15:16 4 Q. You are finished? I don't want to interrupt you.  
15:16 5  
15:16 6 A. Yes.  
15:16 7  
15:16 8 Q. Okay. Would some of them be turning over tens  
15:16 9 of millions?  
15:16 10  
15:16 11 A. Possibly.  
15:16 12  
15:16 13 Q. In terms of whether it is millions or tens of  
15:16 14 millions, people need to do --- to turnover they do two  
15:16 15 things: they have a bet size. There are two inputs,  
15:16 16 a bet size and duration. Do you agree with me?  
15:16 17  
15:16 18 A. Yes.  
15:16 19  
15:16 20 Q. So some people might gamble for shorter periods of  
15:16 21 time and have larger bet amounts?  
15:16 22  
15:16 23 A. Yes.  
15:16 24  
15:16 25 Q. And some people might bet smaller amounts and bet  
15:16 26 for longer periods?  
15:16 27  
15:16 28 A. Yes.  
15:16 29  
15:16 30 Q. Do you agree with me that people in the Mahogany  
15:16 31 Room, including your customers, gamble for periods in  
15:17 32 excess of eight hours?  
15:17 33  
15:17 34 A. Yes.  
15:17 35  
15:17 36 Q. And in excess of 10 hours?  
15:17 37  
15:17 38 A. Yes.  
15:17 39  
15:17 40 Q. And people at the Mahogany Room on occasions also  
15:17 41 gamble more than 12 hours?  
15:17 42  
15:17 43 A. Yes.  
15:17 44  
15:17 45 Q. And more than 14 hours?  
15:17 46  
15:17 47 A. Possibly, yes.

- 15:17 1  
15:17 2 Q. And they gamble more than 16 hours?  
15:17 3  
15:17 4 A. Yes.  
15:17 5  
15:17 6 Q. I think your Play Period Policy changed in December  
15:17 7 last year, but before that, so pre-COVID, your Play  
15:17 8 Period Policy was 24 hours, if I'm not mistaken.  
15:17 9  
15:17 10 A. That's correct.  
15:17 11  
15:17 12 Q. And people used to gamble in the Mahogany Room for  
15:17 13 24 hours without a substantial break; that's right, isn't  
15:17 14 it?  
15:17 15  
15:17 16 A. Yes.  
15:17 17  
15:17 18 Q. We've heard evidence of people gambling more than  
15:17 19 24 hours in a row. I know that it is hard for you to  
15:18 20 know if someone has gambled more than 24 hours in a row  
15:18 21 because you only have an eight-hour shift, but did you  
15:18 22 hear stories about people gambling more than 24 hours in  
15:18 23 a row at the casino?  
15:18 24  
15:18 25 A. Not individual stories, no.  
15:18 26  
15:18 27 Q. What ---  
15:18 28  
15:18 29 A. I don't know someone by name who has done a certain  
15:18 30 amount of hours.  
15:18 31  
15:18 32 Q. Just running through benefits for black and platinum  
15:18 33 cardholders, they get valet parking?  
15:18 34  
15:18 35 A. Yep.  
15:18 36  
15:18 37 Q. Free food and drinks in the Mahogany Room?  
15:18 38  
15:18 39 A. Yep.  
15:18 40  
15:18 41 Q. Free accommodation?  
15:18 42  
15:18 43 A. Yep.  
15:18 44  
15:18 45 Q. Some of your black cardholders get free holidays?  
15:18 46 Holidays, you might put them up at Crown in Perth?  
15:18 47

- 15:18 1 A. Yes.  
15:18 2  
15:18 3 Q. And they obviously get access to the VIP rooms?  
15:18 4  
15:18 5 A. Yes.  
15:18 6  
15:18 7 Q. And they are entitled to participate in cash draws?  
15:18 8  
15:18 9 A. Yes.  
15:18 10  
15:18 11 Q. I think the Commission is familiar with what a cash  
15:19 12 draw is, but can you briefly explain to make sure we are  
15:19 13 on the same page to make sure we understand what a cash  
15:19 14 draw is?  
15:19 15  
15:19 16 A. Cash draw, we have a certain amount of cash prizes we  
15:19 17 give out to customers who attend. It is sort of like  
15:19 18 a lucky draw where the names go into like a barrel. If  
15:19 19 your name is pulled out, you will win that certain  
15:19 20 amount, for example, one barrel might be \$3,888; if your  
15:19 21 name gets pulled out of that, you win \$3,888. And there  
15:19 22 might be one prize for that barrel. The next barrel  
15:19 23 could be 2,888; there could be five prizes for that  
15:19 24 barrel, if your name gets pulled out, you win that  
15:19 25 amount.  
15:19 26  
15:19 27 Q. And is it paid in cash, is that what it is, is it  
15:19 28 actual cash, or in chips?  
15:19 29  
15:19 30 A. No, you will get a certificate and you will head off  
15:19 31 to the cage, and they will give you cash or chips.  
15:19 32  
15:19 33 Q. So you get a certificate which entitles you to go to  
15:19 34 the cage --- can you cash in at the table?  
15:19 35  
15:20 36 A. At the cage.  
15:20 37  
15:20 38 Q. And you get chips?  
15:20 39  
15:20 40 A. Correct.  
15:20 41  
15:20 42 Q. And people use the chips to gamble?  
15:20 43  
15:20 44 A. Yes.  
15:20 45  
15:20 46 Q. Just turning to your black cardholders for a moment,  
15:20 47 am I right that you contact them two or three times



15:20 1 a week?  
15:20 2  
15:20 3 A. Yes.  
15:20 4  
15:20 5 Q. Call, message, just to check in and see how they  
15:20 6 are?  
15:20 7  
15:20 8 A. Yes.  
15:20 9  
15:20 10 Q. And you know details for your black cardholders of  
15:20 11 their family, married, kids and things like that?  
15:20 12  
15:20 13 A. Yes.  
15:20 14  
15:20 15 Q. You might even know when someone's birthday was so  
15:20 16 you can wish them happy birthday?  
15:20 17  
15:20 18 A. Yes.  
15:20 19  
15:20 20 Q. Or the wife happy birthday, maybe say to them, "why  
15:20 21 don't you come to dinner for your wife's birthday, we'll  
15:20 22 set something up at one of the restaurants"?  
15:20 23  
15:20 24 A. Yes.  
15:20 25  
15:20 26 Q. And the idea really, isn't it, is for you to form  
15:20 27 a personal relationship with these people?  
15:20 28  
15:20 29 A. Correct.  
15:20 30  
15:20 31 Q. The reason probably why you got tapped on the  
15:20 32 shoulder when you were a receptionist at the Mahogany  
15:21 33 Room is because you are personable and you are the kind  
15:21 34 of person who might be able to develop those  
15:21 35 relationships with people?  
15:21 36  
15:21 37 A. Yes.  
15:21 38  
15:21 39 Q. And, just so I'm clear, the cash draws happen at the  
15:21 40 casino complex?  
15:21 41  
15:21 42 A. Yes.  
15:21 43  
15:21 44 Q. And the dinners are at Nobu and Rockpool and  
15:21 45 Rosetta, other restaurants at the casino?  
15:21 46  
15:21 47 A. Yes.

15:21 1  
15:21 2 Q. And you will also give your customers tickets to  
15:21 3 events?  
15:21 4  
15:21 5 A. Yes.  
15:21 6  
15:21 7 Q. And generally they will come to you to pick them up?  
15:21 8  
15:21 9 A. Me or reception.  
15:21 10  
15:21 11 Q. You or reception, but they come to the casino?  
15:21 12  
15:21 13 A. Yes.  
15:21 14  
15:21 15 Q. The idea, isn't it, of coming to the casino is  
15:21 16 because black cardholders gamble a lot, and if they come  
15:21 17 to the complex they are likely to gamble?  
15:21 18  
15:21 19 A. Yes.  
15:21 20  
15:21 21 Q. We had a former host say to us, a gambler is  
15:22 22 a gambler. When they are on site, a lot of time they are  
15:22 23 not just going to come in and park their car, jump on the  
15:22 24 bus and go to the football; they are going to come back  
15:22 25 and play. That's right, isn't it?  
15:22 26  
15:22 27 A. Sometimes.  
15:22 28  
15:22 29 Q. That's the idea. Because Crown is not a charity, it  
15:22 30 is out to make a buck?  
15:22 31  
15:22 32 A. Yes.  
15:22 33  
15:22 34 Q. And in the long run it offers incentives to people  
15:22 35 and benefits to people and perks because they are hoping,  
15:22 36 Crown is hoping, you are hoping for your KPIs, that they  
15:22 37 will come and gamble?  
15:22 38  
15:22 39 A. Yes.  
15:22 40  
15:22 41 Q. So the way your incentives are structured, and the  
15:22 42 way perks are structured and the way benefits are  
15:22 43 structured, the whole idea is to get people into the  
15:22 44 complex so that they gamble?  
15:22 45  
15:22 46 A. Yes.  
15:22 47

15:22 1 Q. And because you are developing personal  
15:22 2 relationships with your customers --- I withdraw that.  
15:22 3  
15:23 4 You talked of having 170-odd customers. I'm curious, is  
15:23 5 it the same 170 each year since you became a host five  
15:23 6 years ago; is that right?  
15:23 7  
15:23 8 A. Yes.  
15:23 9  
15:23 10 Q. Has it been the same 170 all the way through or  
15:23 11 change?  
15:23 12  
15:23 13 A. No, it's changed. I might have some that have been  
15:23 14 in my portfolio since I started, but some have come  
15:23 15 through all the time. I recently had a new platinum  
15:23 16 member added to my portfolio.  
15:23 17  
15:23 18 Q. With the black, let's start with the black. Have  
15:23 19 some of your black cardholders fallen away over the  
15:23 20 years?  
15:23 21  
15:23 22 A. Yes.  
15:23 23  
15:23 24 Q. Is that because those people have lost too much and  
15:23 25 they can't afford to keep gambling at those levels?  
15:23 26  
15:23 27 A. Possibly, yes, there could be other factors as well.  
15:23 28  
15:23 29 Q. There is no doubt there could be lots of reasons,  
15:23 30 but some of the people who have fallen off, for that  
15:23 31 reason?  
15:23 32  
15:23 33 A. Yes.  
15:23 34  
15:23 35 Q. And same with the platinum people?  
15:24 36  
15:24 37 A. Yes.  
15:24 38  
15:24 39 Q. So how many customers, black and platinum, do you  
15:24 40 think you might have had over the course of your time in  
15:24 41 the Mahogany Room?  
15:24 42  
15:24 43 A. In total?  
15:24 44  
15:24 45 Q. Yes. Because you have 170 at the moment, but  
15:24 46 they've changed. I'm trying to get a feel for how many  
15:24 47 over the years.

15:24 1  
15:24 2 A. As in a maximum for the five years, or a maximum as  
15:24 3 in how many I've had in my portfolio at one time?  
15:24 4  
15:24 5 Q. No, I'm trying to work out how many individual  
15:24 6 customers you have had, who have come and stayed or come  
15:24 7 and gone over the five years. You might have had 400,  
15:24 8 500? I'm trying to get a feel for it.  
15:24 9  
15:24 10 A. It's normally 200. I've had maximum 200 in my  
15:24 11 portfolio at one time.  
15:24 12  
15:24 13 Q. Over the course of your time over five years, how  
15:24 14 many individual customers have you had, do you think?  
15:24 15  
15:24 16 A. Not too sure.  
15:24 17  
15:24 18 Q. 1,000? Would that be a fair guess, or 800?  
15:24 19 Hundreds?  
15:24 20  
15:24 21 A. Hundreds.  
15:24 22  
15:24 23 Q. More than 500?  
15:24 24  
15:24 25 A. Possibly, yes.  
15:24 26  
15:25 27 Q. So at least with the black card members am I right  
15:25 28 you would have a personal relationship? We have  
15:25 29 discussed that. Do you have a similar relationship with  
15:25 30 the platinum members but not as much?  
15:25 31  
15:25 32 A. Most of them, yes, I try to. Given we have a large  
15:25 33 selection portfolio, it is hard to obviously get in  
15:25 34 contact with every single one person on there. Numbers  
15:25 35 might not be updated in the system, we might not be able  
15:25 36 to get in contact with them, their numbers could have  
15:25 37 changed.  
15:25 38  
15:25 39 Q. So the platinum people you might be in contact with  
15:25 40 once a week, once a fortnight, what are you doing with  
15:25 41 those people?  
15:25 42  
15:25 43 A. I try to get in contact once a week or twice a week,  
15:25 44 sometimes, depending.  
15:25 45  
15:25 46 Q. Fair to say two or three times a week with the black  
15:25 47 card members, you have a good relationship personal with

15:25 1 those, and you've also got a personal relationship, but  
15:25 2 perhaps not as strong, with platinum members. Is that  
15:25 3 a fair summary?

15:25 4

15:25 5 A. Yep.

15:25 6

15:26 7 Q. Over the course of the five years you've been  
15:26 8 gamble --- working at Crown, have any of your customers,  
15:26 9 even one, suggested to you they might be struggling  
15:26 10 financially?

15:26 11

15:26 12 A. No.

15:26 13

15:26 14 Q. Have any of those more than 500 customers gambling  
15:26 15 lots of money ever said to you they might be gambling too  
15:26 16 much?

15:26 17

15:26 18 A. Yes.

15:26 19

15:26 20 Q. Have any of them ever said, "I borrowed money to  
15:26 21 gamble"?

15:26 22

15:26 23 A. Not really, no.

15:26 24

15:26 25 Q. How many times do you think someone has said to you,  
15:26 26 "I've gambled too much"?

15:26 27

15:26 28 A. What sort of time frame?

15:26 29

15:26 30 Q. Over the five years that you have been a host, how  
15:26 31 many times has someone said to you "I've gambled too  
15:27 32 much"?

15:27 33

15:27 34 A. More than 20 times.

15:27 35

15:27 36 Q. And I take it that it's --- that when someone says  
15:27 37 to you that they are gambling too much, it is not your  
15:27 38 responsibility to suggest to them that they should  
15:27 39 self-exclude?

15:27 40

15:27 41 A. Well, there is that option there for them. I can  
15:27 42 speak to them and say, "hey, we have help for you, I can  
15:27 43 take you down to Responsible Gaming and we can have  
15:27 44 a chat." I can't force them to go.

15:27 45

15:27 46 Q. I understand. You are jumping a little ahead, and  
15:27 47 I'm not criticising, I'm just trying to understand. So

15:27 1 my question was, it's not part of your job to suggest to  
15:27 2 people that they should self-exclude?

15:27 3

15:27 4 A. No.

15:27 5

15:28 6 Q. Let's say one of your black card customers who you  
15:28 7 are in contact with once or twice a week, put to one side  
15:28 8 people going overseas or sick and things like that, they  
15:28 9 are mostly coming in more than once a week --

15:28 10

15:28 11 A. Yes.

15:28 12

15:28 13 Q. --- because they have to get their status credits to  
15:28 14 keep their benefits up.

15:28 15

15:28 16 A. Yes.

15:28 17

15:28 18 Q. Let's say you've got a black cardholder who normally  
15:28 19 comes in two or three times a week and hasn't turned up  
15:28 20 for two weeks. Do you still contact them?

15:28 21

15:28 22 A. Yes.

15:28 23

15:28 24 Q. Am I right that if they haven't been in for a while,  
15:28 25 what you do is you say to them --- and again it's not  
15:28 26 a criticism, it is the way the job is structured --- but  
15:29 27 you say, "why don't you come in, grab some dinner, we'll  
15:29 28 go to the footy?"

15:29 29

15:29 30 A. Yes.

15:29 31

15:29 32 Q. You've given this evidence and they come in and  
15:29 33 gamble, but I wanted to ask you something different.

15:29 34

15:29 35 When you have dinner, it is you having dinner with the  
15:29 36 client, isn't it?

15:29 37

15:29 38 A. Sometimes, yes.

15:29 39

15:29 40 Q. So you will actually go out --- sometimes you might  
15:29 41 organise for your client to have a dinner with their wife  
15:29 42 for their birthday or friends ---

15:29 43

15:29 44 A. Yes.

15:29 45

15:29 46 Q. --- but separately you will actually go out for  
15:29 47 dinner with them and drink with them?

15:29 1  
15:29 2 A. Yes.  
15:29 3  
15:29 4 Q. And so someone comes in, you eat with them, you  
15:29 5 drink with them, go to the footy and afterwards, car park  
15:29 6 in the complex, they go have a punt?  
15:29 7  
15:29 8 A. Yes.  
15:29 9  
15:29 10 Q. Let's say I'm a black cardholder and I have a big  
15:30 11 loss and I drop 200,000 and I say to you, "I'm going to  
15:30 12 self-exclude." Am I right that in the first instance  
15:30 13 what you tell a customer is that if they self-exclude  
15:30 14 they can't come back for 12 months?  
15:30 15  
15:30 16 A. As in me directly?  
15:30 17  
15:30 18 Q. Yes. If someone comes and says to you --- let me  
15:30 19 frame it a different way.  
15:30 20  
15:30 21 Has anyone ever lost a lot of money and come to you and  
15:30 22 said they are going to self-exclude?  
15:30 23  
15:30 24 A. Yes.  
15:30 25  
15:30 26 Q. In response, is one of the things you say to them  
15:30 27 that, "If you go down the rooked of self-exclusion, it  
15:30 28 will take more than 12 months to get back"?  
15:30 29  
15:30 30 A. Yes.  
15:30 31  
15:30 32 Q. And is one of the things you said to them that they  
15:30 33 will lose all of their status points and their credits?  
15:30 34  
15:30 35 A. Yes.  
15:30 36  
15:30 37 Q. And is one of the things you said to them is getting  
15:30 38 back is hard?  
15:30 39  
15:30 40 A. No.  
15:30 41  
15:30 42 Q. Revocation of a self-exclusion order is difficult?  
15:30 43  
15:30 44 A. No.  
15:30 45  
15:31 46 Q. Am I right that this is the sort of thing you might  
15:31 47 say --- it's evidence from another host but I want to ask

15:31 1 you if you agree that this is the sort of thing you might  
15:31 2 say, "hey look, instead of self-excluding, maybe just  
15:31 3 take time off, go to the football next weekend, take some  
15:31 4 time to cool down. Go home, cool your heels and let's  
15:31 5 speak about it in a few days", before they make a rash  
15:31 6 decision to self-exclude in 12 months? Do you agree that  
15:31 7 is the sort of thing that is said?

15:31 8

15:31 9 A. Not from me, no.

15:31 10

15:31 11 Q. Not from you?

15:31 12

15:31 13 A. No.

15:31 14

15:31 15 Q. You agree with me that you would say it takes more  
15:31 16 than 12 months to get in?

15:31 17

15:31 18 A. Yes.

15:31 19

15:31 20 Q. And that getting back in is hard? You said that.  
15:31 21 But I want to ask you, but you don't say to them, "take  
15:31 22 a few days to think about it"?

15:31 23

15:31 24 A. No.

15:31 25

15:31 26 Q. You don't offer them football tickets?

15:31 27

15:31 28 A. No.

15:31 29

15:31 30 Q. How many times has someone asked you, said to you  
15:31 31 they are going to self-exclude?

15:31 32

15:32 33 A. A few times.

15:32 34

15:32 35 Q. Can you put a number around it, so I have an idea?

15:32 36

15:32 37 A. I don't know, over 10 times probably.

15:32 38

15:32 39 Q. Over 10 times in five years. Of those 10, how many  
15:32 40 self-excluded to the best of your recollection?

15:32 41

15:32 42 A. Most of them.

15:32 43

15:32 44 Q. I want to give you a piece of paper and I want you  
15:32 45 to write down their names. You have a personal  
15:32 46 relationship with them. I want you to write down their  
15:32 47 names, please.



15:32 1  
15:32 2 A. Over the five years?  
15:32 3  
15:32 4 Q. You said to me over the last five years you've had  
15:32 5 about 10 people speak to you about self-exclusion, and  
15:32 6 you said most of them have self-excluded.  
15:32 7  
15:32 8 A. I can't recall all of their names.  
15:32 9  
15:32 10 Q. Write down the names of all the ones you can  
15:32 11 remember who self-excluded, please.  
15:32 12  
15:32 13 A. I honestly can't recall all their names off the top  
15:33 14 of my head. If I have my list I can obviously go over  
15:33 15 that, but over the years I've had 500 customers. I'm not  
15:33 16 going to recall how many self-exclusions I've had over  
15:33 17 the last five years.  
15:33 18  
15:33 19 Q. You can't recall any, notwithstanding the personal  
15:33 20 relationship, that have self-excluded?  
15:33 21  
15:33 22 A. I have personal relationships with them, but I can't  
15:33 23 recall exactly who self-excluded at this time, no.  
15:33 24  
15:33 25 Q. Okay. Thank you.  
15:33 26  
15:33 27 COMMISSIONER: Can you recall one?  
15:33 28  
15:33 29 A. I probably could, but off the top of my head now it's  
15:33 30 not really coming to me.  
15:33 31  
15:33 32 MR KOZMINSKY: You said to me when I put to you evidence  
15:33 33 about what another host said, that that wouldn't have  
15:33 34 come from you. What about other hosts? Do you think  
15:33 35 other hosts, because their KPIs and bonuses are linked to  
15:34 36 turnover, if someone had a big loss, some of the other  
15:34 37 hosts might say, "cool your heels, take a few days to  
15:34 38 think about it, we'll go to the footy"?  
15:34 39  
15:34 40 A. Possibly.  
15:34 41  
15:34 42 Q. Have you heard of any other hosts saying something  
15:34 43 like that?  
15:34 44  
15:34 45 A. Not directly, no.  
15:34 46  
15:34 47 Q. When you say not directly, did you hear the

15:34 1 conversation or has someone told you that was what they  
15:34 2 said --  
15:34 3  
15:34 4 A. Yes.  
15:34 5  
15:34 6 Q. And it wouldn't surprise you if that was something  
15:34 7 that happened not infrequently in the Mahogany Room?  
15:34 8  
15:34 9 A. Can you repeat that?  
15:34 10  
15:34 11 Q. It wouldn't surprise you if that practice went on  
15:34 12 occasionally? And it wouldn't surprise you if it  
15:34 13 happened a bit more occasionally in the Mahogany Room  
15:34 14 because hosts are there to make their money and they make  
15:34 15 their money by people coming in to gamble?  
15:34 16  
15:34 17 A. Yes.  
15:34 18  
15:34 19 Q. Is that "yes"?  
15:34 20  
15:34 21 A. Yes.  
15:34 22  
15:34 23 Q. Do you know the names, out of curiosity, of any  
15:34 24 Responsible Gaming Advisors at the moment?  
15:34 25  
15:34 26 A. Yes.  
15:34 27  
15:34 28 Q. Could you tell me some of their names?  
15:34 29  
15:34 30 A. Personal Information  
15:34 31  
15:35 32 Q. That's really good, you know more than me off the  
15:35 33 top of your head and I've been looking at the list. When  
15:35 34 was the last time you spoke to one of them? So put to  
15:35 35 one side if you meet them in the cafeteria for work or  
15:35 36 you bump in and say, "hi". When was the last time you  
15:35 37 spoke to them or approached them or they approached you  
15:35 38 about a client?  
15:35 39  
15:35 40 A. A month ago.  
15:35 41  
15:35 42 Q. And before that?  
15:35 43  
15:35 44 A. Probably like the end of last year, maybe.  
15:35 45  
15:35 46 Q. How often does that happen?  
15:35 47

15:35 1 A. It depends if it is relating to my customers or not.  
15:35 2 So if there was something happening in the room or had to  
15:35 3 do with my customer, we would be in contact. Or if I had  
15:36 4 something I needed to be in contact with them, or I had  
15:36 5 concerns I would give the number a call, and whoever was  
15:36 6 on shift would assist.  
15:36 7  
15:36 8 Q. Can you just, pardon me, break that down for me  
15:36 9 a little bit because there was a lot in it.  
15:36 10  
15:36 11 What are the circumstances where you've initiated contact  
15:36 12 with the advisors?  
15:36 13  
15:36 14 A. Well, to get in contact with someone who would  
15:36 15 possibly want to self-exclude or there is an issue with  
15:36 16 the hours someone is playing in the room.  
15:36 17  
15:36 18 Q. Again, just breaking that down, self-exclusion is  
15:36 19 unlikely to have been regular, I think you said to me;  
15:36 20 about ten people have approached you about self-excluding  
15:36 21 in five years, so that is not a large number. But you  
15:36 22 did mention the hours.  
15:36 23  
15:36 24 A. Yes.  
15:36 25  
15:36 26 Q. Tell me more about the hours. You have  
15:36 27 an eight-hour shift?  
15:36 28  
15:36 29 A. Yes.  
15:36 30  
15:36 31 Q. How are you monitoring how long your customers are  
15:36 32 playing?  
15:36 33  
15:36 34 A. It is monitored through the responsible gaming team  
15:37 35 and the system.  
15:37 36  
15:37 37 Q. I understand the Responsible Gaming team have  
15:37 38 alerts, but I'm asking about first contact by you. How  
15:37 39 are you monitoring it personally when you are on your  
15:37 40 shift?  
15:37 41  
15:37 42 A. I'm not sure what you are referring to.  
15:37 43  
15:37 44 Q. We'll start again. I'm asking you at the moment how  
15:37 45 often you make contact with the Responsible Gaming  
15:37 46 Advisors, so you initiate contact.  
15:37 47

15:37 1 A. It wouldn't be too often, no.  
15:37 2  
15:37 3 Q. And how often is not too often? Would you do it  
15:37 4 more than once a year?  
15:37 5  
15:37 6 A. Yes.  
15:37 7  
15:37 8 Q. How many times?  
15:37 9  
15:37 10 A. 20.  
15:37 11  
15:37 12 Q. You would initiate contact 20 times ---  
15:37 13  
15:37 14 A. Maybe less.  
15:37 15  
15:37 16 Q. And that's because you said self-exclusion or the  
15:37 17 hours they are playing. Not you, or the liaison  
15:38 18 officers, but how you monitor how long someone is  
15:38 19 playing?  
15:38 20  
15:38 21 A. I can see it on the play history on the computer  
15:38 22 system, or the Responsible Gaming team will contact me.  
15:38 23  
15:38 24 Q. I understand they can contact you, but the 20 times  
15:38 25 a year is when you are contacting them or they are  
15:38 26 contacting you, or both?  
15:38 27  
15:38 28 A. Both.  
15:38 29  
15:38 30 Q. So, back to my question, how often are you  
15:38 31 initiating it?  
15:38 32  
15:38 33 A. Definitely have to be less than 10 then.  
15:38 34  
15:38 35 Q. A couple --- it's not a criticism of you. You are  
15:38 36 there for eight hours and your job is to look after your  
15:38 37 customers, sit down and have a drink with them.  
15:38 38  
15:38 39 A. (Nods head).  
15:38 40  
15:38 41 Q. You are nodding, but it doesn't go into transcript  
42  
43  
44 A. Sorry?  
45  
46 Q. You are nodding, you have to say yes if you are  
15:38 47 agreeing with me.

15:38 1  
15:38 2 A. Okay, what were you saying, sorry?  
15:38 3  
15:38 4 Q. I was saying you were only there for eight hours.  
15:38 5  
15:38 6 A. Yes.  
15:38 7  
15:38 8 Q. And you will sit down and have a drink with a few of  
15:38 9 your customers, and you might go out to dinner with them?  
15:38 10  
15:39 11 A. Yes.  
15:39 12  
15:39 13 Q. So if you have a dinner at Rockpool you can't  
15:39 14 monitor what is going on with your other customers in the  
15:39 15 Mahogany Room.  
15:39 16  
15:39 17 A. Yep.  
15:39 18  
15:39 19 Q. So it's not easy for you to monitor what is going  
15:39 20 on?  
15:39 21  
15:39 22 A. No.  
15:39 23  
15:39 24 Q. So really it is the gaming advisors, when they tell  
15:39 25 you there is an issue, that is really what triggers it  
15:39 26 for you, putting to one side the 10 self-exclusion ---  
15:39 27  
15:39 28 A. Yes.  
15:39 29  
15:39 30 Q. Thanks. They are coming along --- put to one  
15:39 31 side --- sometimes they come along and look at people.  
15:39 32 One of your players is playing for 12 hours. Someone  
15:39 33 might come along and look at them. They don't have to  
15:39 34 speak to them, do they?  
15:39 35  
15:39 36 A. No.  
15:39 37  
15:39 38 Q. So how often, say, in 2019 --- forget last year --  
15:39 39 did one of your customers get asked to leave the casino  
15:39 40 because they were gambling too much?  
15:39 41  
15:40 42 A. How many times one customer or any customer?  
15:40 43  
15:40 44 Q. How many times any of your customers got asked to  
15:40 45 leave the casino in 2019 for gambling too much, extended  
15:40 46 periods of play, I mean.  
15:40 47

15:40 1 A. Maybe like five?  
15:40 2  
15:40 3 Q. Can you remember the names of anyone?  
15:40 4  
15:40 5 A. Who has been asked to leave because they have been  
15:40 6 there for too long?  
15:40 7  
15:40 8 Q. Yes.  
15:40 9  
15:40 10 A. Yes.  
15:40 11  
15:40 12 Q. Can you write down?  
15:40 13  
15:40 14 A. Thanks.  
15:40 15  
15:40 16 MR KOZMINSKY: Commissioner, I don't know how you want to  
15:40 17 deal with the piece of paper.  
15:40 18  
15:40 19 COMMISSIONER: I'll mark it as an exhibit.  
15:40 20  
15:40 21 MR KOZMINSKY: Confidential. Thank you. Just to round  
15:40 22 that out, it is really the ten or so people who said they  
15:41 23 might have wanted to self-exclude and one someone is  
15:41 24 gambling for too long, that is really the extent of the  
15:41 25 interaction between you and the gaming advisers, is that  
15:41 26 right?  
15:41 27  
15:41 28 A. Yes.  
15:41 29  
15:41 30 Q. Thank you.  
15:41 31  
15:41 32 COMMISSIONER: Before you go on, I will mark this.  
15:41 33 I think I will call it "Names provided by Employee 6".  
15:41 34  
15:41 35 MR KOZMINSKY: Thank you.  
15:41 36  
15:41 37 COMMISSIONER: I don't know what I'm doing. I have two.  
15:41 38  
15:41 39 MR BORSKY: Second "Names Provided By Employee 6".  
15:41 40  
15:41 41 COMMISSIONER: Thank you. One I can describe as the name  
15:41 42 of the service manager provided by Employee 6, which will  
15:42 43 be Exhibit RC33, and the other will be 32. Okay, it is  
15:42 44 the wrong way around but that's okay.  
15:42 45  
15:42 46  
15:42 47

15:42 1 **EXHIBIT #RCPH0032 - NAMES PROVIDED BY EMPLOYEE 6**

15:42 2

3

4

**EXHIBIT #RCPH0033 - NAME OF SERVICE MANAGER  
PROVIDED BY EMPLOYEE 6**

6

7

15:42 8 MR BORSKY: With your leave, may we correspond with the

15:42 9 Commission and obtain a copy of that confidential exhibit

15:42 10 in due course?

15:42 11

15:42 12 COMMISSIONER: Yes.

15:42 13

15:42 14 MR KOZMINSKY: Sorry for all the writing.

15:42 15

15:42 16 A. That's all right.

15:42 17

15:42 18 Q. I think you gave evidence that you had suggested

15:42 19 that customers visit the Responsible Gambling Centre or

15:42 20 you might have even walked them down once or twice or

15:42 21 reported to management. Was that in relation to the

15:42 22 self-exclusions?

15:42 23

15:42 24 A. Yes.

15:42 25

15:42 26 Q. Thank you. Do any of your customers get upset when

15:43 27 they gamble sometimes?

15:43 28

15:43 29 A. Some.

15:43 30

15:43 31 Q. Sometimes?

15:43 32

15:43 33 A. Yes.

15:43 34

15:43 35 Q. Do any of them ever complain about the dealer, for

15:43 36 example, that dealer is unlucky or stuff like that?

15:43 37

15:43 38 A. Yes.

15:43 39

15:43 40 Q. Do any of them ever tell you, you might call up and

15:43 41 ask about a family member, and they will say something

15:43 42 like, "we had a fight because I was at the casino and I

15:43 43 didn't pick up the groceries or drop off the kids" or

15:43 44 whatever it might be, but someone in the family was

15:43 45 unhappy because they were spending too much time at the

15:43 46 casino?

15:43 47

- 15:43 1 A. Yes.
- 15:43 2
- 15:44 3 Q. And they are not the kind of things you would ever  
15:44 4 say to someone, "you should self-exclude" because of that  
15:44 5 or, "you should go the to the Responsible Gaming Centre"  
15:44 6 because any of those things?
- 15:44 7
- 15:44 8 A. As in myself?
- 15:44 9
- 15:44 10 Q. Yes.
- 15:44 11
- 15:44 12 A. Yes, I could.
- 15:44 13
- 15:44 14 Q. I know you could, but you've told me that your only  
15:44 15 interactions with the gambling advisors was people  
15:44 16 wanting to self-exclude and hours and you told me you  
15:44 17 only ever go to the Responsible Gaming Centre because of  
15:44 18 self-exclusions. So I know you could ---
- 15:44 19
- 15:44 20 A. That is sort of the same thing. With responsible  
15:44 21 gaming, if they've got concerns or they are having  
15:44 22 issues, that's responsible gaming. That is  
15:44 23 self-exclusion. You can self-exclude if you need to.  
15:44 24 Like, if that's causing problems to your personal life,  
15:44 25 we can help you with that.
- 15:44 26
- 15:44 27 Q. I know you can. But what I'm asking you is when  
15:45 28 you've had those telephone calls in the past, you haven't  
15:45 29 said in response, "you should think about self-excluding"  
15:45 30 and you haven't said in response, "go to the Responsible  
15:45 31 Gaming Centre"?
- 15:45 32
- 15:45 33 A. With my customers.
- 15:45 34
- 15:45 35 Q. It's not a criticism ---
- 15:45 36
- 15:45 37 A. Well, yes, I have. I have, yes.
- 15:45 38
- 15:45 39 Q. You have?
- 15:45 40
- 15:45 41 A. Yes. I would have had conversations, yes.
- 15:45 42
- 15:45 43 Q. Can you recall a conversation?
- 15:45 44
- 15:45 45 A. With a customer right now?
- 15:45 46
- 15:45 47 Q. Where you've said to them when they've said --- when



15:45 1 they got upset gambling and you said, "you should  
15:45 2 self-exclude" or, "you should think about self-excluding?"  
15:45 3  
15:45 4 A. Yes.  
15:45 5  
15:45 6 Q. You can recall a conversation now?  
15:45 7  
15:45 8 A. Yes.  
15:45 9  
15:45 10 Q. When?  
15:45 11  
15:45 12 A. It would have been years ago.  
15:45 13  
15:45 14 Q. Can you think of one recently?  
15:45 15  
15:45 16 A. Not recently, no.  
15:45 17  
15:45 18 Q. Can you think of a recent one where you might be  
15:45 19 able to remember the name of the person who complained  
15:46 20 about the dealer and you said, "maybe you should think  
15:46 21 about self-excluding" or, "go to the Responsible Gaming  
15:46 22 Centre"?  
15:46 23  
15:46 24 A. I can't recall their name, no.  
15:46 25  
15:46 26 Q. Do you agree with me that you don't really think  
15:46 27 that is a key part of your job? The key part of your job  
15:46 28 is to get people in to gamble, that's right isn't it?  
15:46 29  
15:46 30 A. My key part is service of the customer. And also  
15:46 31 looking after the casino too, like Crown, as a company.  
15:46 32  
15:46 33 Q. Yes, I understand. But your key role is to get  
15:46 34 people in?  
15:46 35  
15:46 36 A. Yes.  
15:46 37  
15:46 38 Q. And am I right that for certain black cardholders,  
15:46 39 so people that are turning over a lot, they can get  
15:46 40 credit from the cage at the Mahogany Room?  
15:46 41  
15:46 42 A. Credit in regards to?  
15:46 43  
15:46 44 Q. Let's say I've got a blank cheque. I can sign  
15:46 45 a blank cheque and give it to the cage and get chips and  
15:47 46 net it off depending on how I go?  
15:47 47

15:47 1 A. Yes.  
15:47 2  
15:47 3 Q. Thank you.  
15:47 4  
15:47 5 And that is something that happens for important  
15:47 6 customers?  
15:47 7  
15:47 8 A. Yes.  
15:47 9  
15:47 10 Q. As a matter of course?  
15:47 11  
15:47 12 A. Yep.  
15:47 13  
15:47 14 Q. Thank you.  
15:47 15  
15:47 16 We've heard evidence about people taking drugs and  
15:47 17 dealing drugs at the casino. Have you seen any of that?  
15:47 18  
15:47 19 A. No.  
15:47 20  
15:47 21 Q. Never?  
15:47 22  
15:47 23 A. I personally haven't seen it, no.  
15:47 24  
15:47 25 Q. Have you had conversations with your fellow hosts  
15:47 26 about it?  
15:47 27  
15:47 28 A. Not really, no.  
15:47 29  
15:47 30 Q. Or fellow staff members, someone said, "I saw someone  
15:47 31 ....." ?  
15:47 32  
15:47 33 A. Yes.  
15:47 34  
15:47 35 Q. Yes. And what sort of things have people seen?  
15:47 36  
15:47 37 A. They've found certain items on the floor.  
15:47 38  
15:47 39 Q. What sort of items?  
15:47 40  
15:47 41 A. A bag ---  
15:47 42  
15:47 43 Q. Cocaine?  
15:47 44  
15:47 45 A. --- of illegal substance, yes.  
15:47 46  
15:47 47 Q. Okay.

15:47 1  
15:48 2 A. I don't know what it was.  
15:48 3  
15:48 4 Q. And how often do people tell you about things being  
15:48 5 found on the casino floor?  
15:48 6  
15:48 7 A. Not often.  
15:48 8  
15:48 9 Q. Not often?  
15:48 10  
15:48 11 A. No.  
15:48 12  
15:48 13 Q. Commissioner, unless you have any questions, they  
15:48 14 are all the questions that I have.  
15:48 15  
15:48 16 COMMISSIONER: Thank you.  
15:48 17  
15:48 18  
15:48 19 **RE-EXAMINATION BY MR BORSKY**  
15:48 20  
15:48 21  
15:48 22 MR BORSKY: One matter if I may. You were asked a number  
15:48 23 of questions about self-exclusions in the responsible  
15:48 24 gaming context. Do you recall those questions?  
15:48 25  
15:48 26 A. Yep.  
15:48 27  
15:48 28 Q. In addition to self-exclusions, are you familiar  
15:48 29 with the welfare WOLs?  
15:48 30  
15:48 31 A. Yes.  
15:48 32  
15:48 33 Q. Does that have any relevance to the responsible  
15:48 34 gaming context as far as you understand it?  
15:48 35  
15:48 36 A. Yes.  
15:48 37  
15:48 38 Q. Can you explain to the Commissioner what role  
15:48 39 welfare WOLs play in your responsible gaming experience?  
15:48 40  
15:49 41 A. A recent experience, we had a customer who had  
15:49 42 expressed concerns of self-harm whilst being at the  
15:49 43 casino. On consultation with the responsible gaming  
15:49 44 team, management, they've come to the conclusion to issue  
15:49 45 a welfare WOL to that customer based on his history and  
15:49 46 what he's mentioned.  
15:49 47

15:49 1 Q. And welfare WOL is welfare W-O-L; correct?

15:49 2

15:49 3 A. Correct.

15:49 4

15:49 5 Q. Does that stand for withdrawal of licence?

15:49 6

15:49 7 A. Yes.

15:49 8

15:49 9 Q. And does it mean that a customer or patron's  
15:49 10 permission to attend Crown premises is withdrawn?

15:49 11

15:49 12 A. Yes.

15:49 13

15:49 14 Q. Do you know whether that includes permission to  
15:49 15 enter the gaming area of Crown or if it extends more  
15:50 16 broadly to the whole of Crown's premises, including  
15:50 17 entertainment and food and beverage?

15:50 18

15:50 19 A. To the property.

15:50 20

15:50 21 MR BORSKY: As the Commissioner pleases.

15:50 22

15:50 23

15:50 24 **THE WITNESS WITHDREW**

15:50 25

15:50 26

15:50 27 COMMISSIONER: Thank you. I think that is it for the  
15:50 28 day, isn't it? We will adjourn until 10.00 am on Monday.

15:50 29

30

31 **HEARING ADJOURNED AT 3.50 PM UNTIL MONDAY, 24**  
32 **MAY 2021 AT 10.00 AM**

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