

ROYAL COMMISSION INTO THE CASINO OPERATOR AND LICENCE
WITNESS STATEMENT OF TIMOTHY MICHAEL BRYANT

1. My name is Timothy Michael Bryant. I am employed by the Victorian Commission for Gambling and Liquor Regulation (**VCGLR**) as a Team Leader (Investigations) in the Compliance Division.
2. I make this statement in response to a request from the Royal Commission into the Casino Operating Licence (**Royal Commission**) dated 31 March 2021 (**Request for Statement**). This statement is produced to the Royal Commission in response to a Notice to Produce.

A. BACKGROUND

Employment history

3. From 1983 until about May 2001, I was employed by the Australian Customs Service in various roles, including as an Inspector in the Intelligence branch, Senior Inspector in the Commercial Compliance branch and as an Investigator in the Investigation branch. My work at the Australian Customs Service included gathering and analysing intelligence and preparing briefs of evidence in major fraud investigations.
4. From around May 2001 until about December 2008, I was employed by the Australian Taxation Office (**ATO**) as a Senior Investigator and then as a Team Leader. My experience at the ATO included managing a team of investigators undertaking investigations into cases of serious criminal fraud. Some of these investigations were joint operations with the Australian Federal Police.
5. From around February 2009 until about June 2009, I was employed as an Inspector in the Compliance and Investigation Branch of the Victorian Commission for Gambling Regulation (**VCGR**). This role involved conducting inspections, audits and surveillance of gaming operations within the casino, gaming venues, minor gaming premises and racetracks.

6. From around June 2009 until around 2012, I was employed by Responsible Alcohol Victoria (RAV) as an Inspector and Acting Team Leader conducting investigations into alleged breaches of the *Liquor Licensing Reform Act* (Vic.). This role also involved undertaking inspections of licenced venues.
7. When the VCGLR was established in 2012, it became responsible for the regulatory functions previously performed by the VCGR (in respect of gambling) and RAV (in respect of alcohol licensing).
8. I joined the VCGLR at around the time it was established and have held various roles in the Compliance Division. I am currently employed as a Team Leader (Investigations). In this role I lead and manage a team of Inspectors undertaking compliance functions including inspections and investigations of liquor venues and gaming operations. This involves conducting complex and sensitive investigations concerning probity issues and alleged breaches of relevant legislation and regulations and liaising and collaborating with relevant law enforcement agencies, where appropriate.

Qualifications

9. I have undertaken the following training courses and obtained qualifications relevant to my role in conducting complex investigations:
 - (a) Certificate IV in Government Investigation, Regulatory Compliance (2018);
 - (b) Certificate IV in Government Investigation (2011);
 - (c) Diploma of Government (Fraud Control Investigation), Charles Sturt University (2005);
 - (d) Investigation Management Program Australian Federal Police (2005);
 - (e) Certificate IV in Government Fraud Control Investigation (2001);
 - (f) National Investigators Course University of Canberra & Australian Customs Service (1995/1996);

- (g) Public Sector Quality Management Certificate Level Three Continuous Improvement of Process, Product and Service (1999); and
- (h) Advanced Investigation Course, Australian Customs Service (1990).

The divisional structure of the VCGLR

10. The VCGLR is organised into five divisions:
 - (a) Compliance;
 - (b) Corporate Services;
 - (c) Information Communication Technology (ICT);
 - (d) Legal Services; and
 - (e) Licensing.
11. A divisional organisational chart of the VCGLR is **Attachment 1** to this statement.
12. The Compliance Division is responsible for promoting, investigating, auditing and enforcing compliance with Victoria's gambling and liquor laws. Its compliance activities include carrying out inspections and investigations. I lead a team of up to four inspectors and investigators who conduct investigations. I report to the Acting Manager Investigation and Complaints Team, Compliance, Mr Stephen Brown and ultimately to the Director of the Compliance Division, Mr Adam Ockwell.
13. An organisational chart of the VCGLR's Compliance Division is **Attachment 2** to this statement.

Previous investigations of Crown

14. In Part C of this statement below, I address the VCGLR's investigation into the circumstances that led to the imprisonment of employees of Crown¹ from October 2016 to August 2017 in the People's Republic of China (**China Arrests Investigation**).

¹ In this statement, **Crown** is used for convenience to describe the group of companies that includes Crown Resorts Ltd, Crown Melbourne Ltd and the Singapore registered company Crown Resorts Pte Ltd.

Before the China Arrests Investigation, my involvement in investigations concerning Crown had included:

- (a) undertaking inspections of Crown's facilities to investigate its compliance with gambling and liquor laws as part of my general duties as a VCGLR Inspector; and
 - (b) from 20 October 2017 until about February 2018, conducting an investigation into Crown's alleged manipulation of Electronic Gaming Machines (**EGMs**) through the use of button blanks (**Button Blanking Investigation**).
15. The Button Blanking Investigation concerned a trial that Crown conducted from 27 March to 21 April 2017 involving 17 EGMs. On each of the 17 EGMs, Crown placed three button blanks on certain buttons. This meant that instead of five bet selections ranging from the minimum to the maximum bets, the EGMs displayed two play line selections. The consequence of this was that a person playing on these EGMs was presented with the option of selecting the minimum or maximum bet button.
 16. The purpose of the Button Blanking Investigation was to determine whether Crown had varied the EGMs in a way that required VCGLR approval under Chapter 3 of the *Gambling Regulation Act 2003* (Vic.) (the **GR Act**) without having first obtained this approval. In the course of the investigation, VCGLR also considered whether Crown was in breach of its own Internal Control Statements regarding minimum standards and controls, gaming machine operations, and workplace instructions by failing to provide required notifications to the VCGLR in relation to EGM configurations.
 17. The Button Blanking Investigation concluded that Crown had contravened s 3.5.5(5) of the GR Act and resulted in disciplinary action against Crown pursuant to s 20(4) of the *Casino Control Act 1991* (Vic.) (**CC Act**), comprising a letter of censure and a fine of \$300,000.

B. CHINA ARRESTS INVESTIGATION

18. In around July 2017, VCGLR's Compliance Division Probity Team opened the China Arrests Investigation. On 13 July 2017, the VCGLR notified Crown of the investigation.²
19. The scope of the China Arrests Investigation was to:
- (a) examine the circumstances surrounding the detentions and convictions of Crown's employees in China;
 - (b) examine Crown's corporate governance relating to the circumstances that led to the detentions and convictions; and
 - (c) collect any information which could be relevant to the suitability of the Casino Special Employees (CSEs) who were convicted and continue to be employed with Crown, noting that any action with respect to the suitability of individual CSEs would need to follow the process set out in the CC Act.
20. The investigation has moved through four 'stages' since it commenced:
- (a) **Stage one** commenced in July 2017 and concluded in about November 2017.
 - (b) **Stage two** commenced in around November 2017 when I became responsible for conducting the investigation and concluded in around June 2018 when it became apparent that Crown's late disclosure of relevant information would prevent the investigation from being finalised before the Sixth Casino Review Report was due. I had the carriage of the China Arrests Investigation for the VCGLR throughout stage two.
 - (c) **Stage three** commenced in July 2018 when Ms Catherine Myers, the VCGLR's CEO, requested that Ms Miriam Holmes, Special Counsel in the VCGLR's Legal Services Division, review the material the investigation had gathered and assist with the preparation of a detailed report setting out an analysis of that material and further documents that Crown disclosed to the VCGLR during this

² [VCG.0001.0002.3417].

stage. Stage three concluded in around June 2019, after the VCGLR finalised its 'Report into the Imprisonment of Crown Staff from October 2016 to August 2017 in the People's Republic of China' dated 28 May 2019 (**Draft China Report**) and provided it to Crown for comment. I worked closely with Ms Holmes during stage three.

- (d) **Stage four** commenced following the completion of the Draft China Report in around June 2019 and the receipt of Crown's comments. Stage four also involved the preparation of a detailed report with the assistance of Counsel. Stage four concluded with the provision of the Final China Report to the Minister and announcement of the Royal Commission in February 2021. I was part of the Crown China Working Group involved in stage four, reporting to the Crown Governance Steering Committee. I was responsible for the investigative component of stage four.

21. **Attachment 3** to this statement is a list of employees who have been involved in the China Arrests Investigation and who worked on the following reports and their roles and responsibilities:

- (a) Draft China Report; and
- (b) report prepared pursuant to s 24(3) of the CC Act in respect of an investigation conducted pursuant to ss 24(1) – (2) of the CC Act into the conviction and sentencing of Crown employees for gambling related offences in the People's Republic of China, in June 2017, dated February 2021 (**Final China Report**).

C. TIMELINE OF CHINA ARRESTS INVESTIGATION

22. Paragraph 2 of the Schedule to the Request for Statement seeks a detailed timeline of the China Arrests Investigation. **Attachment 4** to this statement is a timeline identifying key documents and events over the course of the China Arrests Investigation. The timeline also identifies the people from Crown who had dealings with the VCGLR in relation to each of those documents and events, as sought in paragraph 3 of the Schedule to the Request for Statement.

23. I set out below a narrative of the four stages of the investigation.

Stage One

24. I had no direct involvement in stage one. I am aware of the matters set out below in relation to stage one from my review of the investigation file and from handover briefings I subsequently received.
25. On 13 July 2017, Mr Jason Cremona, Acting Director, Licensing, wrote to Ms Michelle Fielding, Crown's Group General Manager – Regulatory and Compliance, and notified her that the VCGLR would not be taking any immediate action regarding the status of the detained Crown employees as licenced CSEs, but that the VCGLR would continue to review the matter and determine any further action to be taken once the statement of reasons applicable to the convictions had been assessed.³
26. In July 2017, Ben Considine, an inspector within the Investigations Team at the VCGLR, was appointed as the lead investigator for VCGLR's investigation into the China arrests.
27. On 19 July 2017, Mr Considine sent an email to Ms Fielding in which he introduced himself and requested confirmation of whether the reasons and/or sentencing remarks had been released by the Chinese authorities in relation to the convictions. Mr Considine also requested copies of these documents if they were available, and any available English translations of the documents as a matter of urgency.⁴
28. On 31 August 2017, Mr Joshua Preston, Crown's Chief Legal Officer – Australian Resorts, attended VCGLR's offices and gave a slide presentation about the background to and outcomes of the China arrests, Crown's risk management framework, and Crown's subsequent rationalisation of its operations in Asia (**Preston Presentation**).⁵ The following VCGLR personnel attended the presentation:
- (a) Catherine Myers (CEO);
 - (b) Alan Stone (Director, Legal Services/General Counsel);

³ [VCG.0001.0002.3417].

⁴ [VCG.0001.0002.3418].

⁵ [VCG.0001.0001.9002].

- (c) Alex Fitzpatrick (Director, Licensing); and
 - (d) Stephen Berriman (Director, Compliance).
29. The Preston Presentation purported to explain the sequence of events leading to the China arrests, and to describe the facts and circumstances within Crown's knowledge prior to and at the time of the arrests. The slides included statements that:⁶
- (a) "Crown had heard many rumours that illegal gambling was occurring in China... and understood [the 2015] crackdown to be targeting such gambling, rather than targeting the provision of assistance to customers to arrange visits to foreign or Macau casinos."
 - (b) "Mintz advised Crown that:
 - according to sources working in the Public Security Bureau (PSB) in China, most provincial levels of the PSB had intelligence units that routinely monitored people engaged in gambling;
 - the PSB has a network of informants, including representatives of foreign casinos and were routinely developing new contacts to help in particular with information about laundering of significant amounts of money";
 - ...
 - the detention and arrest of the Paradise and GKL staff [two South Korean casinos] was a targeted effort, not part of a broad-based action against foreign casinos..."
 - (c) "Contrary to media reports, Crown did not receive any warning, official or otherwise, to the effect that its staff might be regarded as breaching Article 303 or any other relevant laws."
30. The Preston Presentation also stated that "Crown continues to believe that its risk management framework and its risk management practices were and remain sound."

⁶ [VCG.0001.0001.9002].

31. On 25 September 2017, Mr Considine sent an email to Ms Fielding requesting:⁷
- (a) minutes from the Crown Resorts' Board and sub-committee minutes regarding the assessment of Crown's business operations within mainland China;
 - (b) Crown's Risk Management Committee's charters, plans, and policies, including the framework for reporting, mitigating and identifying risks associated with Crown's overseas operations, including recruitment of foreign patrons into the Crown Melbourne Casino;
 - (c) all documented communications between Crown and its international employees concerning the importance of limiting their activities to low-key marketing of small groups and publicity in China, including the instructions to Crown's employees to conduct themselves whilst in China in a manner which would not involve breaching Chinese anti-gambling laws; and
 - (d) Crown's Risk Committee's report in relation to the 2015 detention of South Korean casino employees in 2015.
32. On 5 October 2017, Mr Considine sent a follow up email to Ms Fielding requesting:⁸
- (a) all minutes from Crown Resorts' Board and sub-committee minutes regarding the assessment of Crown's business operations within mainland China post 1 July 2016;
 - (b) all versions of Crown's "Risk Committee's" charter, management plan and management policy post 1 July 2016;
 - (c) advice received from Wilmer Hale and Mintz regarding China operations; and
 - (d) any information received by Crown addressing its China operations – in particular, advice addressing concerns to mitigate Articles 303 and 25 of the *Criminal Law of the People's Republic of China*.

⁷ [VCG.0001.0002.3427].

⁸ [VCG.0001.0002.3428].

33. Mr Considine's emails to Ms Fielding on 25 September 2017 and 5 October 2017 did not include a deadline for the provision of these materials. However:
- (a) On 27 October 2017, Mr Considine sent a follow up email to Ms Fielding requesting a progress update on the status of the requests.⁹
 - (b) On 8 November 2017, Mr Considine sent Ms Fielding an email in which he noted a voice mail message he had received from Ms Fielding that advised that Crown would be in a position to provide all requested documents by the end of November 2017 or the first week of December 2017.¹⁰ Mr Considine requested that, as considerable time had lapsed, Crown provide all material by close of business on Monday, 4 December 2017.

Stage two

34. In around November 2017, I assumed the role of Team Leader in the Compliance Division of the VCGLR which included having responsibility for the China Arrests Investigation.
35. I did not actively participate in the investigation until around 27 November 2017, when the VCGLR received Crown's response to Mr Considine's outstanding requests for information.¹¹
36. On around 13 December 2017, Mr Considine provided me with an investigation update memorandum.¹² I reviewed this memorandum and the investigation file on 15 December 2017.
37. On reviewing the investigation file, I formed the view that the VCGLR required more information from Crown to progress the China Arrests Investigation. This is because the VCGLR's previous requests were largely confined to specified materials. I considered it likely that there was other relevant information that had not been captured

⁹ [VCG.0001.0002.3429].

¹⁰ [VCG.0001.0002.3305].

¹¹ [VCG.0001.0002.3306].

¹² [VCG.0002.0005.0036].

entirely by those requests. I considered it necessary to broaden those requests to capture, for example:

- (a) documents concerning the risk assessment procedures of Crown Resorts Limited / Crown Melbourne Limited; and
- (b) all correspondence between Mintz and Michael Chen, Executive of VIP International of Crown Resorts at the time of the detentions in China, including the letter referred to in a 10 July 2015 email between Mr Chen and Mintz which was provided in Crown's 27 November 2017 response, and which stated:

we had another staff member yesterday in Wuhan visited by local police on a tipoff that he was organizing tours for gambling. [(2015 Incident)] He was requested to furnish a letter from the company proving that he worked for Crown. (letter to police)

38. Up to this time, the VCGLR had made informal email requests to Crown for information concerning the China arrests. However, I noted from my review of the investigation file that Crown had taken up to two months to respond to the requests for information referred to in paragraphs 31 and 32 above. I considered this to be too long for Crown to respond to these requests as they were largely confined to specified materials which I expected Crown would have readily available. For example, the advice from Mintz was referred to in the Preston Presentation. On this basis, I considered it appropriate that the VCGLR make all further requests for information and examinations under formal notices issued pursuant to s 26 of the CC Act. This approach would place stricter timeframes for compliance by Crown and I expected this would ensure that Crown would comply promptly with my requests. This is also the approach that I took with the Button Blanking Investigation.
39. On 4 January 2018, the VCGLR issued its first s 26 notice to produce to Crown as part of the China Arrests Investigation (**First Notice**).¹³ On the same date, the VCGLR issued a separate request for unredacted versions of the documents Crown had provided in its 27 November 2017 response.¹⁴

¹³ [VCG.0001.0002.3307].

¹⁴ [VCG.0001.0002.3308].

40. Crown responded to the First Notice in two letters from Mr Preston dated 19 January 2018 and 1 February 2018:

(a) The 19 January 2018 letter stated:

Please note that we have made all reasonable endeavours to search our databases and records in the relatively short time period provided to respond...

4. Category 4

...

4.1 Crown does not have a 'Premium Gaming Strategy' document'.

...

13 Category 13

13.1 *The enclosed USB contains correspondence between Crown and Mintz Group which we have located to date. We are still reviewing our database to identify whether there are further emails falling within this category and, if there are, we will supply them separately.*¹⁵

(b) The 1 February 2018 letter stated:

[The 19 January 2018] letter noted that Crown was reviewing further email correspondence that it had located in the course of responding to the Notice, to determine whether it included additional email correspondence falling within the scope of category 13 of the Notice.

*Crown has now completed that review, and identified further correspondence falling within the scope of the Notice... Enclosed is a USB device containing the further correspondence.*¹⁶

41. On 2 February 2018, the VCGLR issued a second s 26 notice to Crown (**Second Notice**).¹⁷ The Second Notice required Crown to provide (among other things):

Any other records which contain information regarding any identification, assessment or treatment of risks conducted by Crown Melbourne Limited and/or Crown Resorts Limited and/or Crown Resorts Pte Ltd (Hong Kong) regarding operations within mainland China from 1 January 2015 to the present, excepting any records or documents which have already been provided to the Commission.

42. On 16 February 2018, Mr Preston sent the VCGLR a letter responding to the Second Notice, stating in response to this category in the Second Notice:

¹⁵ [VCG.0001.0001.8183].

¹⁶ [VCG.0001.0001.8184].

¹⁷ [VCG.0001.0001.8000].

We have been unable to locate any documents that contain information about Crown Resorts, Crown Melbourne or Crown Singapore's identification of risks attaching to the operations being conducted by their employees in China save for

- (a) *Documents that have previously been provided to the VCGLR and*
- (b) *Documents that record legal advice that is subject to legal professional privilege which Crown does not intend to waive.¹⁸*

43. In the same letter, Crown brought to the VCGLR's attention for the first time that, in its review of its database for documents which fall within the scope of the VCGLR's notices, it had not undertaken the restoration of 'tapes' which could contain relevant information. The letter noted that Crown was undertaking the restoration of back-up tapes for the purpose of a class action that had been commenced against it in connection with the China detentions (the "class action"). The letter stated:

For the sake of completeness, we otherwise note that Crown is in the process of restoring a number of back up tapes, which may contain materials that are required to be discovered In the Class Action that has been commenced against Crown in connection with the China detentions, the technological aspect of this restoration process will take considerable period of time (months).

It is possible that, in the course of reviewing further materials (as back up tapes are restored), Crown may identify further documents that fall within the scope of the Notice (and/or earlier notices issued by the VCGLR under s 26 of the Act). If this is the case, we will let the VCGLR know, and can supply a copy of the identified documents.

44. I was mindful of the need to progress the investigation and could not wait months to receive and consider any further information that Crown may produce following the restoration of back-up tapes, before taking further steps in the investigation. On this basis, the VCGLR proceeded to issue the notices to the following Crown employees requiring them to attend for interviews at the VCGLR's office under s 26 of the CC Act:

- (a) Ms Dan Pan, one of the convicted Crown employees;¹⁹
- (b) Mr Rowen Craigie, CEO of Crown Resorts at the time of the detentions in China;²⁰

¹⁸ [VCG.0001.0001.8185].

¹⁹ [VCG.0001.0002.6415].

²⁰ [VCG.0001.0002.3310].

- (c) Mr Jason O'Connor, Executive General Manager VIP Gaming, Crown Resorts;²¹
- (d) Mr Chen;²² and
- (e) Mr Berry Felstead, CEO of Australia Resorts at the time of the detentions in China.²³

45. Between 7 March and 10 May 2018, I conducted interviews with Crown executives and employees identified in paragraph 44 above.²⁴ Mr Preston attended all of the interviews.

46. Prior to conducting the interviews, my expectation was that Crown would provide its full cooperation, and that the interviewees would offer complete answers and make concessions where appropriate. However, there were times during the interviews where it struck me as odd that the interviewees would not concede the obvious proposition that there had been a crackdown in China on overseas-based casinos trying to attract gamblers. For example, when I put a Reuters article headed *China's president just declared war on global gambling (Reuters article)* to Mr O'Connor and Mr Felstead in each of their interviews, they each told me they had not previously seen the particular article and otherwise responded as follows:

(a) Mr O'Connor:

Q251. ...but you're aware that a crackdown occurred about that time in China, a general anti-corruption crackdown?

A Yes. A specific crackdown on the casino industry, no.

... Can I stress, though, at the time it was understood to be a crackdown on corruption generally. I don't recall any discussions about crackdowns specifically on casinos or gambling operators.²⁵

²¹ [VCG.0001.0002.3311].

²² [VCG.0001.0002.3312].

²³ [VCG.0001.0002.3313].

²⁴ See transcripts of my interview with Ms Dan Pan dated 7 March 2018: [VCG.0002.0011.0006], Mr Jason O'Connor dated 8 March 2018: [VCG.0002.0011.0005], Mr Rowan Craigie dated 14 March 2018: [VCG.0002.0011.0004], Mr Barry Felstead dated 28 March 2018: [VCG.0002.0011.0003], and Mr Michael Chen dated 10 May 2018: [VCG.0002.0011.0002].

²⁵ Transcript of Mr O'Connor dated 8 March 2018: [VCG.0002.0011.0005] at 0055.

- (b) Mr Felstead responded in a similar vein that:

My recollection from the time, and this is in relation to what information's come from talking to the customers and the like, was that there was certainly a - certainly a move from the Chinese government to restrict some of the activities of its citizens in terms of - and a lot of that - well certainly my understanding was based about Macau, which was evidenced in the drop off in the business in Macau. And a lot of it was and this is once again information from customers and what you hear in the industry, a lot of it was a crackdown on government officials engaging in gambling, which was - always seemed a bit of a sore point for the Chinese government. That was certainly made loud and clear to us from customers who we would converse with and talk to, and there was certainly a large degree of trepidation about business in Macau for some of our customers, because a lot of the crackdowns were occurring around that. So that was probably the - that was probably the key thrust that I took from that period.²⁶

47. During the interviews of Mr O'Connor (on 8 March 2018) and Mr Craigie (on 14 March 2018), both interviewees provided responses which referred to documents that were responsive to the requests and s 26 notices issued to date for Crown's risk identification and assessment documents, but which had not been produced to the VCGLR. Specifically:
- (a) in response to my questions about business planning regarding the identification of risk, Mr O'Connor referred to business planning documents including departmental business plans for the VIP division;²⁷ and
- (b) in Mr Craigie's interview, his answers made it clear that lower level planning documents were part of Crown's risk assessment framework.²⁸
48. At Mr O'Connor's interview, I requested that Crown provide the VCGLR with the business planning and departmental business plans that he had referred to.
49. I also put the 2015 Incident and letter to police (noted above in paragraph 37(b)) to Mr O'Connor who stated that he had a vague recollection of the event; could not recall being made aware of the 2015 Incident at the time, and had no recollection of the letter to police.

²⁶ Transcript of Mr Felstead dated 28 March 2018: [VCG.0002.0011.0003] at 0015-16.

²⁷ See Q432 of the Transcript of Mr O'Connor dated 8 March 2018: [VCG.0002.0011.0005] at 0103-0104.

²⁸ See Q234 of the Transcript of Mr Craigie dated 14 March 2018: [VCG.0002.0011.0004] at 0052.

50. On 22 March 2018, the VCGLR issued a s 26 notice to Crown requiring it to provide information relating to the letter to police, including who prepared it, who it was provided to, and “Any documents, including emails, that relate to this letter or similar letters provided in relation to Crown Resort Pte Ltd employees”.²⁹
51. On 27 March 2018, Crown’s lawyers, MinterEllison provided the VCGLR with the documents requested in Mr O’Connor’s interview which had been redacted “to mask information of Crown that is not relevant to the matters the subject of the VCGLR’s China Investigation”, noting that unredacted versions would be made available for inspection by the VCGLR upon request at Crown’s premises.³⁰
52. On 28 March 2018, in Mr Felstead’s interview, I asked him whether he could recall receiving any emails about the 2015 Incident.³¹ He said he did not recall getting an email on it, though the letter to police “rings a bell”.³²
53. On 2 April 2018, I provided a memorandum to Mr Tim Leddra, my Manager in the Compliance Division, in which I reported on the requests and s 26 notices issued to Crown up to that time, and possible breach by Crown.³³ The memorandum, which included the matters set out in paragraph 47 above, concluded:

22. *In general terms, it could be considered that Crown have not provided material requested by the VCGLR in a timely manner. The initial requests for 'risk' type material on 25 September and 5 October 2017 were for material that would appear to have significantly informed the presentation made by Crown to the VCGLR Commission earlier in August 2017 (Attachment T). The material was finally provided on 27 November 2017.*
23. *Specifically, Crown provided important risk assessment correspondence between themselves and Mintz on 7 February 2018 (Attachment K) after it had been first requested (not demanded) on 5 October 2017 (paragraph 9).*
24. *Crown appear to have placed significant effort on the retrieval of documents in relation to their class action (paragraph 17) however it does not appear that they placed the same importance or priority in complying with VCGLR requests and demands.*

²⁹ [VCG.0001.0001.7004].

³⁰ [VCG.0001.0001.8187].

³¹ See Q133 of the transcript of Mr Felstead dated 28 March 2018: [VCG.0002.0011.0003] at 0032.

³² See Q133 of the Transcript of Mr Felstead dated 28 March 2018: [VCG.0002.0011.0003] at 0032.

³³ [VCG.0001.0002.6404].

25. ... The material referred to at interview, and subsequently provided by Crown on 27 March 2018, would appear to meet the criteria of the 2 February 2018 demand.

The material includes the statements;-

The most recent development was an announcement that authorities are taking a stand against foreign casinos seeking to attract business out of China. This announcement was made about 1 month ago (and likely contributed to the softer than expected CNY period). and

'These policy statements have been underlined by a series of high profile arrests and executions.'

These statements would obviously have been directly relevant to put to Crown executives at interview.

From interviews with Crown executives, it is clear that Crown placed the important risk assessment considerations at the level of those 'on the ground' responsible for operating in China ie Michael CHEN in his role in the VIP International area.

Of concern is that critical business planning documents directly relevant to risk at that level, have not been provided despite the 2 February 2018 demand. In addition, they have not been provided until after the interviews of key Crown executives. (underlining added).

54. On 14 May 2018, the VCGLR wrote to Crown stating:

Taking into account the notice received by Crown on 2 February 2018 pursuant to section 26 of the Casino Control Act 1991 (the Act), it is unclear to the Commission as to why the Presentations were not produced to the Commission by Crown on the specific due date in that notice.

The Commission now seeks reasons from Crown by COB on 25 May 2018 as to why the Commission should not conclude, pursuant to section 27(1) of the Act, that Crown had failed to comply with the section 26 notice of 2 February 2018, without reasonable excuse, and present to the Supreme Court a certificate to that effect.³⁴

55. On 17 May 2018, the VCGLR received a letter from MinterEllison setting out Crown's position in connection with the VCGLR's consideration of the detention of Crown employees from October 2016. The letter noted:

Crown's knowledge and belief

7. *Crown understood at all times prior to the detention of the Crown group staff that they were operating in such a manner as to not infringe Article 303. They did not organise trips to Crown's Australian casinos of 10 or more patrons at a time, and did not receive commissions or kick-backs.*

8. *This understanding was tested in a due diligence process including external advice in 2012/2013 when Jason O'Connor moved into the VIP role and Michael Chen was recruited.*

³⁴ [VCG.0001.0002.3321].

...

Police interview of Benny Xiong in July 2015

...

27. *Michael Chen consulted Wilmer Hale in relation to the matter, and Crown Melbourne's internal lawyers were also involved. The matter was not considered to have any wider legal implications.*
28. *Michael Chen also consulted the MINTZ Group. Again, the matter was not considered to affect the work of Crown Group staff in China. The reference in the correspondence from MINTZ that the '...letter has the effect of contributing to an evidentiary pile that PSB could decide to draw upon in the future...' was not taken by Michael Chen to be of any real significance and was not seen by others up the reporting line.*

Risk Management

29. *The Crown Group has a well-established risk management framework and processes.*
41. *The documents you have reviewed in the course of your investigation constitute a minute proportion of the overall email traffic and documentary records of Crown during the period under consideration (and of the many media reports seen daily by senior Crown management in this period), such that viewing them in isolation may give a misleading impression about the context and significance of past events and the reporting of them.*
- ...
42. *We understand that your Interviews have concluded and that you have received from Crown all that you require for the purposes of preparing your report.³⁵*

56. On 23 May 2018, the VCGLR received a letter from Mr Preston which responded to the VCGLR's 14 May 2018 letter stating:

The Request is directed towards documents that contained information about risks arising from, or otherwise associated with Crown's operations within mainland China.

Crown Melbourne did not produce the Presentations because they are relevantly concerned with market outlook, and do not record risks that were identified as attaching to or arising in connection with activity on the ground in China, or the conduct of any risk assessment in relation to those operations.

... the Presentations note that developments in mainland China had seen some patrons choosing to gamble in Australia (to the benefit of Crown's Australian casinos), instead of Macau or Singapore. These matters were identified as potentially relevant in the business planning context, because they were relevant to market outlook at the time.

They were not noted as constituting risks flowing from, or otherwise associated with Crown's operations within mainland China.

The Presentations are not documents which record or relate to any risk assessment 'conducted' by Crown in relation to its mainland China operations. The Presentations do not address risks or challenges in Crown's operations in mainland China. To the

³⁵ [VCG.0002.0014.0036].

contrary, they in fact regularly note the importance of senior Australian based executives travelling into Asia. This is precisely what senior executives of Crown did, right up to the point of time of the detentions.

For all of these reasons, Crown Melbourne remains firmly of the view that the Presentations are not responsive to the Request.³⁶

57. Mr Preston's letter also provide the following update about Crown's restoration of tapes for the class action:

As noted in earlier correspondence, Crown has been in the process of restoring back up tapes containing electronic records (which cannot be viewed until tapes are restored) and identifying documents for the purposes of preparing to make discovery in the Class Action concerning Crown's former operations in mainland China.

Crown is scheduled to make an initial tranche of discovery by 25 May 2018 (Tranche 1 Discovery). Crown has not, to date in the course of reviewing materials for the purposes of making Tranche 1 Discovery, identified any additional documents that fall within the parameters of earlier requests made by the VCGLR. However, if any such documents are identified as this review continues, Crown Melbourne will also produce those documents to the VCGLR.

58. On 29 May 2018, the VCGLR received a further letter from MinterEllison stating that, in the course of reviewing the material restored from backup tapes that had been uploaded into its litigation support electronic database for the purpose of document discovery in the class action, it had "identified a small number of documents for discussion with Crown as to whether they may fall within the notices that were issued by the VCGLR".³⁷

59. On 7 and 8 June 2018, the VCGLR received five zip files from MinterEllison (**June 2018 material**) containing the foreshadowed material.³⁸ This included:

- (a) emails or email chains dated from 5 February 2015 to 5 October 2016, the majority of which between Mr Chen, Mr Felstead and Mr O'Connor;
- (b) emails or email chains dated 8 and 9 February 2015 between:
 - (i) Mr Chen and the Crown VIP International Offices;

³⁶ [VCG.0001.0001.8192].

³⁷ [VCG.0001.0001.8140].

³⁸ [VCG.0001.0002.3327]; [VCG.0001.0002.3328].

- (ii) Mr Chen and Mr Alfredo Gomez, Executive Vice President China Crown Resorts, Mr O'Connor and Mr Howard Aldridge, Managing Director Crown Aspinalls London;
 - (c) Crown Resorts Limited Risk Management Committee Memorandum and Reports dated 30 April 2015;
 - (d) Crown Resorts Limited Report Against Material High Risks dated 31 October 2015;
 - (e) Crown Resorts Limited Report Against Material High Risks dated 31 May 2016;
 - (f) Crown Resorts Limited Risk Management Committee Minutes dated 13 May 2015;
 - (g) January 2015 Sales Summit VIII Synthesis VIP International; and
 - (h) VIP International Strategy Workshop Planning for F17 dated April 2016.
60. I had finalised the Crown China Investigation Summary Report (**Summary Report**) before receiving the June 2018 material. The Summary Report was issued to Crown for comment on 8 June 2018 together with draft sections about the China Investigation that ~~was~~ proposed to be included in the Sixth Casino Review Report.³⁹
61. On 12 June 2018, I sent an email to Mr Richard Murphy of MinterEllison requesting confirmation that the June 2018 material was the final production of documents. Mr Murphy responded by email on the same date that “this is the final production, subject to anything further being found in the course of dealing with the class action”.⁴⁰
62. Upon review of the June 2018 material, it became apparent to me that the material:
- (a) strengthened the findings of the Crown China Summary Investigation Report, as they highlighted additional risk incidents (including a ‘warning’ from the

³⁹ See email from Robert Chappell, Director, Casino Licence Review Project, to Joshua Preston: [VCG.0001.0002.3332], letter from VCGLR to Crown: [VCG.0001.0002.3333], Summary Report: [VCG.0001.0002.3334], Sixth Casino Review – draft report – China sections: [VCG.0001.0002.3335].

⁴⁰ [VCG.0001.0002.3328] at 0013.

Chinese police), mitigation strategies (including avoiding mainland China and delaying setting up offices there), the possible concern held by Chen in 2015 that he may be detained (and the communication of this concern to Crown), a clear sense that Crown were aware of a Chinese Government crackdown on gambling from February 2015 onwards, and indicated perceived pressure to meet targets despite the escalated environment;

- (b) suggested that, during the interviews, Crown executives had not been as forthright as possible regarding their recollection of certain key incidents including the February 2015 crackdown and other casinos changing operations or withdrawing from of China. The emails may have assisted them to recall key events at that time; and
- (c) was clearly of interest to the investigation and would have been put to the Crown executives in interviews and their views would have been sought in relation to those documents.

63. On 8 and 12 June 2018, I prepared two memoranda for Mr Berriman and Mr Leddra setting out my observations about the June 2018 material, again noting that the 2 February 2018 notice had sought from Crown any records containing information regarding any identification, assessment or treatment of risks regarding Crown's operations within mainland China.⁴¹

64. Below are a few examples from the June 2018 material which formed the basis of the observations set out above at paragraph 62:

65. *Example 1*⁴²

- (a) On 7 February 2015, Mr Chen sent an email to Mr O'Connor copied to Mr Felstead under the email subject heading "Re CORRECTED — CHINA to crack down on foreign casinos seeking Chinese gamblers." The email attached the Reuters article put to Mr O'Connor and Mr Felstead as noted above in paragraph 46.

⁴¹ [VCG.0001.0002.3330], [VCG.0001.0002.3331].

⁴² Detailed in my 8 June 2018 memorandum: [VCG.0001.0002.3330].

- (b) Mr Felstead replied to Mr Chen's email, copied to Mr O'Connor, stating "another good challenge for you both", to which Mr Chen replied (Mr O'Connor copied):

For us. This suggests we may need to delay our plans on establishing physical office presence in China. Also, this raises the alert level on the safety of our staff. Recently, Nelson WONG from MGM immediately left China when he heard news of increased scrutiny on overseas casinos. We need to assess the threat level. We should also discuss this week on our call the increasingly serious issues our customers are facing in moving funds to repay debts. I have a good case study to go over

- (c) As noted in paragraph 46 above, Mr O'Connor and Mr Felstead stated in my interviews~~s~~ with them that they had not seen the Reuters article.
- (d) The correspondence and interviews indicated and confirmed:
- (i) an escalation of risk in China that Crown were considering to mitigate through delaying plans to establish a physical presence in China. This was contrary to Mr Felstead's statement in his interview that he did not sense any trepidation in travelling to China;
 - (ii) that Mr Chen felt the need to reassess the threat level to Crown employees;
 - (iii) that other casino operators (for example, MGM) immediately left China when they heard the news of increased scrutiny on casinos and that Crown was aware of this. This was contrary to Mr Chen's recollections at his interview; and
 - (iv) that the thrust of the article and news was not just related to 'corruption' but clearly in relation to overseas based casinos and was considered the same by Crown.

66. **Example 2**⁴³

(a) An email dated 11 February 2015 with the subject heading “RE: agenda for today” appears to be an agenda for a meeting or phone hook-up between Mr O’Connor, Mr Felstead, Mr Chen and Mr Ishan Ratnam.

(b) Point 2 of the Agenda stated:

*Industry chatter re marketing crackdown
Avoid travel to mainland China for a while.*

(c) Point 4 of the Agenda stated:

*Offices in China
Defer*

(d) The correspondence indicated that Crown was aware of an escalating risk environment at this time and took some steps to mitigate the risk by avoiding travel to mainland China for a time period and deferring the opening of their China based offices.

67. **Example 3**⁴⁴

(a) An email chain dated 8 February 2015 from Ms Jessica Liu (Crown China sales employee) to Mr Gomez stated:

*Dear Boss:
I just got update news from Shen Yang police bureau, since 2015 they will take strict action to heat the 5 type gamble behaviour. One of is to heat overseas casino staff and agency which is set up and located in Mainland. Below is black and white in Chinese for your reference do you think we should inform our management about it since I am very nervous. (sic)*

(b) Mr Gomez forwarded the email to Mr Chen on the same date and stated:

Could you check with our lawyers on the seriousness of this one in China for our team based in China. Many have called and express concern when news

⁴³ Detailed in my 8 June 2018 memorandum: [VCG.0001.0002.3330].

⁴⁴ Detailed in my 12 June 2018 memorandum: [VCG.0001.0002.3331].

came out in the social media. Here is another link [link appeared to be to the Reuters article].

- (c) Mr Chen's brief response on 9 February 2015 was redacted.
- (d) This correspondence indicated an escalation of risk that was directly referenced as "coming from" the Chinese police. It was specific to overseas casino employees set up on the Chinese mainland, and stated that the police will take strict action.
- (e) I noted in my memorandum that while it was unknown whether Ms Liu was specifically questioned by Chinese police, it appeared to be a reasonable assertion based on her specific reference to "update news from Shen Yang police bureau", rather than a generic news article or report. I also noted that none of the Crown executives that I interviewed referred to this incident and/or a 'warning' such as this coming directly from the Chinese authorities.

68. *Example 4*⁴⁵

- (a) An email chain from Mr Aldridge to Mr O'Connor dated 7 February 2015 with the subject "China" attached the Reuters article and stated:

Are you guys in Melbourne making any adjustments to the F16 business plan based upon which is happening in China. Also, is there any concerns for the Crown staff working in China. Maybe we can add this to the topics for discussion when I am in Melbourne.

- (b) Mr O'Connor responded on 9 February 2015 (copying Mr Chen), and stated:

Happy to discuss this Howard,

These issues will, undoubtably bring considerable discussion during the planning process (which is yet to commence).

Personally, I'm very concerned with the international business near term prospects for reasons I'm sure your well aware of. Our challenge will be convincing our masters that they need to temper their expectations, but with the development plans ahead, talk of conservative expectations won't be well received.

⁴⁵ Detailed in my 12 June 2018 memorandum: [VCG.0001.0002.3331].

As for the staff, we are always very concerned for their well being and Michael is consulting our lawyers [next line redacted] In the meantime we all need to take extra care.

- (c) Again, this contradicted Mr O'Connor's statement in his interview that he was not aware of a specific crackdown on the casino industry.

69. Further examples are provided in my memoranda.⁴⁶

70. On 18 June 2018, the VCGLR wrote to Crown in response to the provision of the June 2018 material.⁴⁷ The letter stated that the ongoing provision of documents by Crown had affected the VCGLR's ability to conclude its investigation, and it sought an explanation about why the email restoration process had taken so long, noting that the June 2018 material was responsive to the Second Notice which was issued on 2 February 2018. The letter further stated:

6. *In order for the Commission to be able to work towards concluding its investigation, and pursuant to section 26 of the Act, I require that Crown produce all outstanding documents that meet the scope of its previously issued notices by the close of business on 2 July 2018.*

...
11. *As you would be aware, due to the recent disclosures made by Crown referred to in Paragraph 4, the Commission is now not able to conclude its investigation and will continue to assess the documents provided (as well as any other documents that arrive before or on 2 July 2018). Please disregard the draft Investigation Report, as it is likely to alter given the material that has recently been disclosed.*

12. *Further, it is noted that, given the disclosures referred to in paragraph 4 and any new disclosures of records that may be provided, the Commission may need to conduct further interviews as part of its investigation process. If this occurs, you will be advised.*

71. The letter also noted Crown's statement in its 7 June 2018 letter that "Some other documents have also been redacted on the basis of legal professional privilege or lack of any relevance to the China investigation", and requested that Crown separately identify which material in each particular document had been redacted on the basis of legal professional privilege, lack of relevance to the China Investigation, or some other basis (if any).

⁴⁶ [VCG.0001.0002.3330], [VCG.0001.0002.3331].

⁴⁷ [VCG.0001.0002.3336].

72. I was on annual leave from 18 June 2018 until 13 July 2018 (inclusive), but was made aware of the following exchange of correspondence upon my return.
73. On 19 June 2018, Crown wrote to the VCGLR “object[ing], in the strongest possible terms, to the inclusion of any commentary in the VCGLR’s Sixth Review Report relating to the China Investigation” on the basis that the investigation is incomplete.⁴⁸ The letter stated:

As for previous VCGLR review reports, and in accordance with the principles of procedural fairness, no reference should be made to any incomplete investigation (other than perhaps to say that an investigation is still under way). The VCGLR should not be making any comment whatsoever to the Minister, provisional or otherwise, until Crown and Mr Chen (who has separate counsel acting for him in the US) have been afforded a proper opportunity to respond fulsomely to the Compliance Division staffs summary report, many aspects of which Crown strenuously disputes.

74. On 26 June 2018, Crown provided the VCGLR with its response to the Summary Report which stated:

...to the extent that the summary Report contains purported findings and conclusions of VCGLR Compliance Division staff which are adverse to Crown, they are strongly disputed. If the VCGLR is urged to adopt them for any regulatory purpose or as the basis for any commentary to the Minister or the public, Crown is entitled to insist on procedural fairness requiring:

- (a) the Compliance Division staff to specify the relevant facts and legal analysis on which they rely in full, not in mere summary form;*
- (b) the opportunity for Crown to fully examine the evidence upon which the VCGLR is invited to make findings;*
- (c) the opportunity for Crown to bring forward such other evidence and make submissions as Crown considers appropriate in light of the proposed findings or commentary and the full context; and*
- (d) the opportunity for any person about whom any criticism is to be made or implied or to be taken into account in relation to licensing of them as an individual (including Michael Chen who is a licensed person and who has personal representation in the US) to bring forward such other evidence and make submissions as they consider appropriate in light of the proposed criticism and the full context.⁴⁹*

75. In relation to the change of environment in China in 2015 and Crown’s corporate governance risk management approach, Crown stated:

⁴⁸ [VCG.0001.0001.1837].

⁴⁹ [VCG.0001.0002.3340].

19. *The Report acknowledges Crown's mitigation strategies including obtaining legal and government relations/strategy/risk assessment advice from the Mintz group, but does not give due credence to them. It is again surprising and disappointing that the conclusions and recommendations of the Mintz group are not presented in a balanced way in the Report, rather than a few selective quotes.*
- ...
37. *The Report accuses Michael Chen and Crown's risk assessment approach as affected by confirmation bias, With respect, the same can be said of the assessment of Compliance Division staff which does not even acknowledge the benefit of hindsight. This allegation posits that Mr Chen, a licensed person, put his personal gain above the safety and wellbeing of himself and the staff for whom he was responsible. That was not put to him in his interview and as a matter of fairness it should have been.*
- ...
40. *Section 7.1.3 concerns the engagement of the Mintz group, but it fails to state the essence of Mintz's group conclusions, that Crown staff would not be at risk if they operated in accordance with Crown's protocols. The Report comments on there being only one email from Michael Chen to Jason O'Connor forwarding the Mintz Report, but on a fair reading of the Mintz Report it did not indicate that there were significant risk management issues on which decisions needed to be taken.⁵⁰*

76. After my return from leave on 16 July 2018, on 18 July 2018 I received an email from Ms Holmes stating:

I thought it might be helpful to give you some background information regarding the Sixth Casino review and the proposed China section, which was ultimately not published in the Sixth Casino report. I think this will assist in deciding where we will put our efforts going forward.

77. At the meeting that subsequently took place with Ms Holmes and Mr Leddra, I was informed that there was a question about whether the China Arrests Investigation could be included for the purpose of the Sixth Casino Review report in view of Crown's response to the Summary Report, and that the VCGLR had sought legal advice on this. As I was not a member of the team responsible for the Sixth Casino Review, I was not aware of the details of the legal advice. However, I was informed that the VCGLR had decided not to include matters relating to the China Arrests Investigation in the Sixth Casino Review, and that I was to progress the investigation with Ms Holmes.

⁵⁰ [VCG.0001.0002.3340].

Stage 3

78. From about July to August 2018, Ms Holmes conducted a review to identify outstanding matters that the VCGLR may need to address in order to finalise the investigation given the assertions made and position put in Crown's 26 June 2018 response to the Summary Report.
79. On 23 August 2018, the VCGLR issued a further s 26 notice to Crown with a comprehensive list of requests.⁵¹ The VCGLR highlighted again that the ongoing provision of documents by Crown had affected its ability to conclude its investigation, noting that "Crown has now been aware of the investigation for over 12 months and has had a substantial period to locate and identify all relevant historical documents that are relevant to the notices issued by the VCGLR". It further stated:

To assist Crown in complying with all previous VCGLR notices, I have set out in Schedule A a list of previous notice requests that Crown has not yet responded to at all or Crown advised that it was unable to locate any documents falling within the scope of the notice as at the date of the response.

I request that Crown review all its materials to assess whether it has now identified any further material that falls within the scope of any previous notices. For example, any documents received or prepared by Crown Resort Pte Ltd (Hong Kong) or its staff pertaining to risk assessment of operating in mainland China (see notice dated 2 February 2018).

*In the circumstances, in accordance with powers under Part 4 of the Victorian Commission for Gambling and Liquor Regulation Act 2011 and pursuant to section 26(1) of the Casino Control Act 1991 I require Crown Resorts Limited and/or Crown Melbourne Limited, and/or any company within the Crown group of companies to **provide all outstanding information and produce all outstanding records that fall within the scope of all previous VCGLR notices issued under its statutory powers since 24 July 2017 by 5pm on Friday 21 September 2018.***⁵² (original emphasis)

80. The letter also:
- (a) renewed the VCGLR's request that Crown identify to the VCGLR each document the subject of ~~such~~ a claim to redact documents or not provide documents on the grounds of legal professional privilege, and the basis upon which the privilege is claimed, noting that "We consider that the only ground on which information can be redacted is legal professional privilege..."

⁵¹ [VCG.0001.0002.3350].

⁵² [VCG.0001.0002.3350] at 0010.

Accordingly, Crown is required to provide the information and/or produce the records that have previously been redacted on other grounds (such as relevance or commercial confidentiality)”; and

- (b) requested that Crown review and explain why it refused production of "any written Court record or materials including; - verdicts, reasons for decisions, briefs of evidence, pleas, admissions, Court transcript and findings, statements made, details of fines paid and any undertakings made to the Court regarding the court matter heard at the Shanghai Baoshan District Court." on the basis of legal professional privilege.⁵³

81. In response to the 23 August 2018 notice, on 21 September 2018, Crown produced four volumes of documents.⁵⁴

82. A second letter from MinterEllison of the same date stated:⁵⁵

Crown's primary submission is that the whole episode of the detention and conviction of Crown Group staff does not warrant any regulatory action.

In the circumstances, Crown respectfully submits that it is appropriate in all the circumstance for the VCGLR to close its investigation on the basis that no disciplinary or other action is warranted.

Crown understands that the VCGLR may wish to expressly reserve its position on reopening the investigation if further documents or evidence is uncovered in the course of the class action. (emphasis added).

83. Crown's attitude to the VCGLR's request for further production of material reinforced to me that the extent of Crown's efforts to provide the VCGLR with information and documents in response to the s 26 notices was only incidental to its obligations in the class action, and that it had no intention, outside of the class action, to take proactive steps to assist in the China Arrests Investigation or respond to the VCGLR's notices. This attitude had been apparent to me since Mr Preston's 16 February 2018 letter (as noted in my 2 April 2018 memorandum).⁵⁶

⁵³ [VCG.0001.0002.3350] at 0010 ff.

⁵⁴ [VCG.0001.0002.6412].

⁵⁵ [VCG.0001.0002.3351].

⁵⁶ See extracts of the 16 February 2018 letter [VCG.0001.0001.8185] at paragraphs 42 and 43, and extract from my memorandum dated 2 April 2018 [VCG.0001.0002.6404] at paragraph 53 above.

84. On 12 October 2018, the VCGLR received a letter from MinterEllison producing a further 7 documents which it said were not identified in the document searches Crown had previously undertaken. The letter also noted that other such documents may emerge as Crown continued its review of the tranche 2 discovery dataset in the class action.⁵⁷
85. On 14 November 2018, the VCGLR responded to Crown's 12 October 2018 letter identifying the information which was missing from Crown's response.⁵⁸ It further stated:

The VCGLR intends to proceed to complete its investigation in the near future, and does not intend to defer this matter pending the finalisation of the discovery process in the class action matter number VID 1317/017. As you would be aware, the VCGLR has a responsibility to ensure that it meets its statutory obligations under the Casino Control Act and the Victorian Commission for Gambling and Liquor Regulation Act 2011. Whilst, the VCGLR appreciates that Crown is a respondent to civil litigation in the Federal Court, that is considered a separate matter.

Crown, as a regulated entity, has a responsibility under section 26 of the Casino Control Act to comply with notices issued by the VCGLR. As you appreciate the VCGLR expects Crown to adhere to its statutory obligations as the casino licence holder. The VCGLR would be concerned if its section 26 notices were not complied with and considered ancillary or secondary to civil litigation and its associated discovery processes. Further, as noted previously, Crown has been aware since July 2017 that the VCGLR was conducting an investigation into this matter and has requested information since that time.

Accordingly, the VCGLR expects that Crown will fully comply with all notices issued to date and that any further information Crown has in its possession that falls within the statutory notices issued to date be provided by 5pm on 5 December 2018.

If Crown has any further evidence, information or submissions that it considers relevant to the investigation and should be taken into consideration by the VCGLR please provide these documents by 5pm on 5 December 2018.

After 5 December 2018, the VCGLR hopes to be in a position to have all relevant information and to finalise its report. Please note that during that process of finalising the report, Crown will be provided with a copy of the draft report and invited to make submissions.

86. Crown subsequently produced additional material on the following occasions:
- (a) On 5 December 2018, it produced eight folders of additional material.⁵⁹

⁵⁷ [VCG.0001.0002.3356].

⁵⁸ [VCG.0001.0001.7014].

⁵⁹ [VCG.0001.0002.3361], [VCG.0001.0002.3362]; The VCGLR noted receipt of eight folders in its letter dated 22 January 2019, see [VCG.0001.0002.3363].

- (b) On 18 March 2019, it produced a further 85 documents, under cover of a letter from MinterEllison that noted that the documents were responsive to the VCGLR's notices, and were identified following Crown's "review of the subset of key documents discovered to date which it had identified as most likely to be of relevance in the class action".⁶⁰
87. On 2 April 2019, I provided a memorandum to Mr Ockwell detailing issues I identified from my review of the material Crown produced on 18 March 2019, which I referred to as the 'March 2019 batch'.⁶¹ I noted that a majority of the documents in the March 2019 batch were produced in response to notices issued in February 2018 and August 2018, and included new substantive information that was relevant to the China Arrests Investigation. I summarised this new information in my memorandum.
88. One example that I highlighted was in relation to the Preston Presentation (which I have referred to in paragraph 29 above). In summary:
- (a) I noted that the slides presented to the VCGLR in August 2017 stated that Mintz advised Crown that:
- according to sources working in the Public Security Bureau (PSB) in China, most provincial levels of the PSB had intelligence units that **routinely monitored people engaged in gambling*** [emphasis added]
- (b) However, the Mintz's advice disclosed in the March 2019 batch November 2017 material revealed that Crown was in fact advised that:
- According to sources working in the Public Security Bureau (PSB) system ..., most provincial levels of the PSB had intelligence units that **routinely monitor people who work in the gambling business*** [emphasis added]
- (c) Further, the Preston Presentation stated:
- Crown staff were instructed to: ... Not hand out promotional materials that referred to gaming facilities or terms of play (**Crown did not produce such materials for distribution in China**)* [emphasis added]
- (d) Contrary to that statement, the March 2019 batch included details of:

⁶⁰ [VCG.0001.0002.3367].

⁶¹ [VCG.0001.0002.6411].

- (i) A shipment of gambling promotional materials in boxes from Crown to China that was held at China's customs office in Guangzhou. The shipment contained personalised invitations which stated that patrons required \$1 million front money to participate in a gambling event.
- (ii) An email to the Hong Kong office, accompanying Crown promotional magazines (which contained details of gambling events in Australia), giving instructions for 300 promotional magazines (gambling version) to be hand-delivered to employees from China, for use in China.
89. On 29 May 2019, the VCGLR responded to the material produced on 18 March 2019, stating:⁶²
- most of the documents are in response to the statutory notices issued on 2 February 2018 and 23 August 2018;*
 - many documents, such as additional emails, are documents that were sent by or received by Crown management and staff who have been in the employment of Crown throughout the investigation period (and we understand remain employed); and*
 - a small number of the documents provided on 18 March 2019 were replies to emails previously disclosed to the VCGLR. For example, the emails from Mr Chen and Mr O'Connor to Mr Felstead dated 5 February 2015 (tabs 84 and 85).*
90. The VCGLR requested that Crown explain why each of the documents provided on 18 March 2019 was not provided within the timeframes specified in the notices dated 2 February 2018, 23 August 2018 and 14 November 2018.
91. Also on 19 May 2019, the VCGLR provided the Draft China Report to Crown for comment.⁶³ Ms Holmes prepared the Draft China Report with input and consultation with me.
92. On 24 June 2019, the VCGLR sent a further letter to MinterEllison referring to the Draft China Report and noting that:

For the avoidance of any doubt, the document provided to Crown on 29 May 2019 is an internal VCGLR investigation document, that is, it contains opinions, advice and

⁶² [VCG.0001.0001.7015].

⁶³ [VCG.0001.0002.3370], [VCG.0001.0001.0005].

recommendations made by Commission officers. As detailed in the letter dated 12 June 2019, it was provided to your client to afford procedural fairness.

That document is not a report to the Minister under section 24(3) of the Casino Control Act 1991 (the Act). It is a matter for the Commission to decide whether to make a report on the results of such an investigation to the Minister, if the Commission thinks it desirable to do so.

If it decides to do so, that report will necessarily be a different document in light of the wording of section 24(3) of the Act and will also be the report that formalises the Commission's findings and recommendations (if any). Your client will be afforded procedural fairness at that time.

To the extent the title of the abovementioned document has caused confusion, title ought read: "A draft internal investigation report into the imprisonment of Crown staff from October 2016 to August 2017 in the People's Republic of China".⁶⁴

93. On 12 June 2019, the VCGLR received a letter from MinterEllison enclosing additional material, and responding to the VCGLR's 29 May 2019 letter as follows.⁶⁵

The production of further documents to the VCGLR as a result of the extensive (and expensive) process required to be undertaken of the purposes of discovery in the class action has been the subject of earlier correspondence between us and was discussed at our meeting in December 2018.

...

Discovery in the Class Action as required by current court orders is now complete. Accordingly, the enclosed documents will be the final set furnished to the VCGLR, unless further discovery is ordered or further documents are obtained from external sources.

As discussed, the restoration, retrieval, collection, review and production of documents for the Class Action has been an exhaustive and time-consuming task, only recently completed (to comply with current orders). It has necessarily been much more extensive than even the comprehensive efforts Crown has made to respond in detail to the VCGLR's various notices and requests for documents and information over the course of its investigation (20 or so such notices and requests commencing informally in July 2017 and proceeding more formally through 2018), bearing in mind that the subject matter concerns the history of Crown's operations in China, and particularly events approximately 3 to 5 years ago, and many of the staff involved in those events are no longer with the company.

94. On 26 June 2019, Crown provided its response to the Draft China Report stating that it had no objection to the VCGLR reporting to the Minister under s 24(3) that it had completed an extensive investigation into the detentions, on the basis that the results of the investigation are that:⁶⁶

⁶⁴ [VCG.0001.0002.3372].

⁶⁵ [VCG.0001.0002.3236].

⁶⁶ [VCG.0001.0001.6027].

- (a) the VCGLR had concluded that Crown remained suitable to hold a casino operator's licence and that no regulatory or disciplinary action was warranted;
- (b) the commission had made recommendations to Crown regarding future internal reporting and an audit of their risk management processes in relation to their Asian operations; and
- (c) Crown "have accepted in principle that their risk management framework could deal more directly with the risk of adverse legal action in a foreign jurisdiction, and appropriate mitigation strategies".

95. I saw the statement quoted in paragraph 94(c) above as a complete shift in Crown's position and attitude about its risk management practices which it had maintained throughout the course of the investigation, and since as early as the Preston Presentation in August 2017.

Stage 4

96. The VCGLR did not go on to report to the Minister under s 24(3) of the CC Act because of a '60 Minutes' exposé aired on 28 July 2019 which brought to light some new information relevant to the China Arrests Investigation.

97. The '60 Minutes' exposé featured an exclusive interview with Ms Jenny Jiang, one of the 19 Crown employees convicted and sentenced for contravening China's criminal gambling law on 26 June 2017. Ms Jiang's statements corroborated information that the VCGLR had already received, but also contained the following new allegations relevant to the China Arrests Investigation:

- (a) Crown assisted Chinese nationals to obtain visas and promised to bring revenue to the Australian government via its gaming operations and this led to the "rubber stamping" of visas for hundreds of Chinese nationals.
- (b) Consulate officers in China helped fast track or "rubber stamp" some visa applications.

- (c) Even as it became likely that Chinese authorities were targeting Crown's promotion of offshore casino operations, Crown directed employees to promote this business.
 - (d) Some of Crown's employees had confided in one another about the risks arising from the Chinese authorities' crackdown on the promotion of overseas operations.
 - (e) Crown directed employees not to co-operate with Chinese authorities if they were arrested.
98. On 14 August 2019, in response to the allegations raised in the '60 Minutes' exposé and other media publications about the conduct of Crown Resorts and its alleged associates and business partners, the Honourable Patricia Bergin SC was appointed under s 143 of the *Casino Control Act 1992* (NSW) to preside at an inquiry into, among other things, the suitability of Crown Sydney Gaming Pty Limited to hold a restricted gaming licence for the purpose of the *Casino Control Act 1992* (NSW) (**NSW Inquiry**).
99. On 11 September 2019, I was asked by Mr Ockwell to be part of the VCGLR's Crown China Working Group (**Working Group**)⁶⁷ established to investigate or respond to the new material that arose from the media reports about the China arrests. The Working Group was also involved in assisting the preparation of the Final China Report for the purpose of briefing the Minister with the results of the China Arrests Investigation, pursuant to s 24(3) of the CC Act. The Working Group reported to a Crown Governance Steering Committee (**Steering Committee**) which was established around the same time to monitor all matters relating to Crown.
100. Around this time I became aware that the VCGLR had received advice from counsel about the appropriate next steps in the finalisation of the China Arrests Investigation in light of the '60 Minutes' exposé.
101. On 12 September 2019, I received an email from Ms Karpaagam Shanmugam (Solicitor, Legal Services) attaching a transcript of the '60 Minutes' exposé together

⁶⁷ See email from Adam Ockwell to Scott May copied to me: [VCG.0001.0002.6061].

with a note that Ms Holmes had prepared summarising media articles about Crown, including some of the observations set out in paragraph [96] above.⁶⁸

102. On 23 September 2019, the VCGLR sent a letter to Crown stating:

The Commission considers that these allegations, and the possibility that staff based in China during the relevant times may be willing to provide information to the Commission, make it appropriate for the Commission to continue its investigation and attempt to obtain any relevant information from those individuals to assist the Commission in its investigation.

Accordingly, please note that the Commission intends to attempt to contact Crown staff who were detained in China and ascertain whether they wish to provide information to the Commission, and if so, collect any relevant information accordingly. If you or your client has contact details for any of these individuals, please provide them to the Commission.

As you will appreciate, by virtue of the above, the draft investigation report provided to Crown for comment on 29 May 2019 may need to be substantially revisited and potentially revised depending on the nature of the inquiries mentioned above and whatever information or evidence the Commission receives as a result. We will provide your client with appropriate procedural fairness at the relevant time.⁶⁹

103. On 9 October 2019, having received no response from Crown in response to the VCGLR's 23 September 2019 request for the contact details of the 17 former Crown employees who were detained in China (**former employees**), the VCGLR issued a s 26 notice requesting the information.⁷⁰

104. On 16 October 2019, MinterEllison provided the VCGLR with the requested contact information under cover of a letter stating:

In relation to your reference to Ms Jenny Jiang, you may have seen Crown's public response to the effect that Ms Jiang was a junior staff member in China whose objectivity is open to question given that, following her 1 month detention, she demanded compensation from Crown of more than 50 times her annual salary.

In relation to your footnote reference to the interlocutory decision in the class action to relieve the former staff from their confidentiality obligations to Crown to the extent necessary to permit contact by the applicant's lawyers, we note that this decision is under appeal. Argument on the appeal has been heard and the appeal judgment is awaited.

...

Each of these former staff members owes duties of confidentiality to Crown. Prima facie, they will be in breach of those obligations by discussing matters to do with their former employment. As with other former staff, Crown is prepared to waive these

⁶⁸ [VCG.0001.0002.6075].

⁶⁹ [VCG.0001.0002.3374].

⁷⁰ [VCG.0001.0002.3375].

*obligations of confidentiality to the extent necessary for them to respond to the VCGLR's inquiries of them, should they elect to do so, providing that Crown is involved in all discussions with them. This is necessary, inter alia, to protect Crown's claim to legal professional privilege in relation to any advice it obtained to which the former staff may have been privy.*⁷¹

105. On 27 November 2019, Crown provided the VCGLR with further documents, stating in a letter from MinterEllison that:⁷²

In the course of the class action processes, some additional documents have been received by Crown relating to the prosecution in China of Mr O'Connor. These documents were not previously in Crown's possession.

106. On 2 December 2019, the VCGLR issued a s 26 notice in response to MinterEllison's 16 October 2019 letter, requesting:

- (a) information about the alleged duties of confidentiality in respect of each of the former employees and Mr Felstead, Mr O'Connor, Mr Chen, Ms Pan and Mr Craigie, and the quantum and date of any payment made in consideration of any finalisation, separation or settlement deed or by reason of either their cessation of employment with Crown or their arrest and detention in or around October 2016;
- (b) details about Crown's claim of legal professional privilege; and
- (c) reasons (other than protection of its asserted legal professional privilege) why Crown considers it necessary to attend any discussion with the former employees.⁷³

107. On 10 December 2019, the VCGLR received a response from MinterEllison noting that they and Crown were "somewhat surprised" by the form and content of the VCGLR's 2 December 2019 letter, but stated:

Crown no longer presses the issue [of legal professional privilege] as a potential impediment to the scope of any inquiries the VCGLR may make of the former Crown group staff. We will write further to you in relation to the broader issue of privilege in the contemporaneous legal advice obtained by Crown.

⁷¹ [VCG.0001.0002.3376].

⁷² [VCG.0001.0002.3378].

⁷³ [VCG.0001.0002.3379].

*Crown nevertheless maintains its request to be involved in any further interviews, as a matter of procedural fairness.*⁷⁴

108. On 18 December 2019, in an email from Mr Murphy to Mr Ockwell and others at the VCGLR, Mr Murphy foreshadowed again that Crown would be writing to the VCGLR about waiver of legal professional privilege and noted that it was “as a result of the filing yesterday of evidence in the class action.”⁷⁵

109. On 7 January 2020, the VCGLR wrote to MinterEllison stating:

*I also note that Crown no longer "presses the issue" in relation to legal professional privilege and intend to write to the Commission further in relation to this matter. Further, in your email dated 18 December 2019, you stated that Crown "will also be writing in the new year about waiver of legal professional privilege as a result of the filing yesterday of evidence in the class action". We await your correspondence in this regard. In the interim, again, I have formed the view that Crown need not comply with the provision of information under the Notice relating to legal professional privilege but, again, we reserve the right to request this information if required.*⁷⁶

110. On 15 January 2020, in its foreshadowed letter to the VCGLR, MinterEllison stated:

*On 17 December 2019, statements of evidence in support of Crown's defence were served in the class action. Although the statements are not public documents, Crown accepts that legal professional privilege in relevant communications between Crown and WilmerHale has been waived.*⁷⁷

111. On 28 January 2020, MinterEllison wrote to the VCGLR requesting that it serve a s 26 notice requiring Crown to produce the witness statements filed and served in the class action.⁷⁸ MinterEllison noted that the communications between Crown and WilmerHale in respect of which Crown had waived privilege were all annexures to the witness statements.

112. The VCGLR issued a s 26 notice on 27 February 2020 requiring Crown to produce witness statements identified in MinterEllison’s 28 January 2020 letter, unredacted versions of documents over which legal professional privileged had been waived (and

⁷⁴ [VCG.0001.0002.3380].

⁷⁵ [VCG.0001.0002.3382].

⁷⁶ [VCG.0001.0002.3386].

⁷⁷ [VCG.0001.0002.3387].

⁷⁸ [VCG.0001.0002.3390].

that were not annexed to the witness statements), and documents redacted on the basis of commercial confidence.⁷⁹

113. On 11 March 2020, in response to the 27 February 2020 notice, Crown produced approximately 53 documents totalling 558 pages.
114. On 26 May 2020, the Working Group prepared a report titled *Crown China Investigation - Analysis of new material* for the Steering Committee setting out its analysis of the class action witness statements and documents disclosed on 11 March 2020, and made recommendations about changes that should be made to the Draft China Report.⁸⁰ In brief summary, it was noted:
- (a) Mr Chen sought legal advice from WilmerHale as early as in February 2013 and on multiple occasions until March 2015 when he began engaging with Mintz to conduct “a risk assessment of the current situation in relation to corruption investigations in Macau and the potential effect on Crown’s staff in China”.
 - (b) On 13 March 2015, Mr Chen briefed employees with extracts he cut and pasted from WilmerHale and Mintz advice which focused primarily on the alleged money laundering issue, and omitted a section of Mintz’s advice which stated that “it would be risky to send marketing staff to mainland China at the moment as “everything in Macau is very sensitive,” according to the journalist. In making this judgment, the source cited a Ministry of Public Security official’s comments last month that China would fight attempts by foreign casinos to lure Chinese citizens overseas.”
 - (c) Mr Chen had concerns for his safety. He responded to WilmerHale’s advice on 25 February 2015 that “I was prepared to go into China but your advice is causing me to have second thoughts.”, and on 23 March 2015, he emailed Mr O’Connor stating “In the event that I am detained in China during any payroll period please note that I am providing Crown with instructions to divide my paycheck into 3 payments. This is simply for the abundance of caution.” This

⁷⁹ [VCG.0001.0002.3392].

⁸⁰ [VCG.0001.0002.6080].

struck me as a contrast to Crown's 26 June 2018 response to the Summary Report in which Crown asserted that the VCGLR's allegation in the Summary Report "posits that Mr Chen, a licensed person, put his personal gain above the safety and wellbeing of himself."⁸¹

115. Between 17 and 24 August 2020, the NSW Inquiry conducted public hearings focussed on the arrest and conviction of Crown Resorts Limited personnel in China in 2016-2017 and the circumstances leading up to and surrounding those events. At these hearings Mr Drew Stuart, Mr Felstead, Mr Ishan Kunaratnam, Mr Craigie and Ms Rowena Danzinger gave evidence to the NSW Inquiry.
116. On 3 and 9 September 2020 the NSW Inquiry held further public hearings at which Mr O'Connor and Ms Jan Williamson gave evidence.
117. My overall impression of the evidence that Crown executives and employees provided to the NSW Inquiry was that they were more willing to concede that there were shortcomings in Crown's handling and response to the China arrests than Crown had been in the course of the China Arrests Investigation. I also noted that some witnesses acknowledged that they had been aware of the nature of the Chinese authorities' crackdown on off-shore casinos before the China arrests. For example:
- (a) Mr O'Connor admitted at the NSW Inquiry that he was aware as early as in February 2015 that the Chinese government crackdown was on foreign casinos recruiting Chinese citizens to gamble in other countries.⁸²
- (b) Mr Felstead conceded at the NSW Inquiry that it was "common knowledge" among Crown senior management that at the time, that the Chinese government crackdown on foreign casinos was quite a different dimension to the existing crackdown on corruption.⁸³

⁸¹ See paragraph 75 above and the letter: [VCG.0001.0002.3340].

⁸² See P-2011.20, transcript of NSW Inquiry, Hearing Day 22: [https://s3-ap-southeast-2.amazonaws.com/17351639c510433f9f152b834dca075f-assets/files/3_September_2020_-_Transcript_for_Day_22_Revised2_.pdf?_=6b94f374c9b5064bbeef06721a23990c].

⁸³ See P-1166.10, transcript of NSW Inquiry, Hearing Day 13: [https://s3-ap-southeast-2.amazonaws.com/17351639c510433f9f152b834dca075f-assets/files/17_August_2020_-_Transcript_for_Day_13_revised2_.pdf?_=f7849a5466c34c8852d529a3503944c3].

118. This was at odds with the statements that Crown executives made to me when I interviewed them as part of the China Arrests Investigation, as noted above in paragraph 46.
119. On 1 October 2020, the VCGLR issued a s 26 notice requiring Crown to produce a list of documents examined and referred to by the NSW Inquiry.⁸⁴ It further required production of:

*In respect of email chains referred to (g) and (r) above, it is requested your client confine whether a full copy of this email chain was provided to the VCGLR pursuant to its section 26 notice dated 22 March 2018. If your client did not provide this document to the VCGLR, please provide an explanation as to why this document was not provided.*⁸⁵

120. The requested email chain referred to in (g) related to an email from Mr Chen, forwarded by Mr O'Connor to Mr Felstead, where Mr Chen had reported that an employee in Wuhan had been interviewed by the police who alleged he organised gaming tours. I note above at paragraph 52 that Mr Felstead stated at his interview with me that he did not recall getting an email about the 2015 Incident.
121. The email chain referred to in (r) related to the provision of the letter to police confirming Mr Benny Xiong was employed by Crown Resorts Pte Ltd.
122. On 9 October 2020, MinterEllison wrote to the VCGLR:
- (a) producing documents responsive to the 1 October 2020 notice; and
 - (b) explaining that the email chains referred to in (g) and (r) of the notice “were not produced in response to the notice issued on 23 March 2019 because they were then subject to a claim for legal professional privilege.”⁸⁶
123. Among the 9 October 2020 material is an email chain between Mr Chen and WilmerHale about the 2015 Incident and letter to police which was forwarded first from Mr O'Connor to Mr Felstead. It was then forwarded by Mr Felstead to Mr Michael Johnston, Director of Crown Resorts Limited and CPH Crown Holdings Pty Limited.

⁸⁴ [VCG.0001.0002.3402].

⁸⁵ [VCG.0001.0002.3402].

⁸⁶ [VCG.0001.0002.3403].

Mr Felstead stated in his email that “This is what we will be up against in China at the moment”.

124. This email chain was the first document the VCGLR had received which showed that the 2015 Incident was escalated to someone at the board level. This is contrary to Crown’s position set out in MinterEllison’s 17 May 2018 letter to the VCGLR, which stated that the matter was not considered to have any wider implications, was not taken to be of any real significance, and was not seen by others up the reporting line.⁸⁷
125. Between October and November 2020, I prepared three memoranda dealing with what I considered to be material issues with the documents Crown had produced to the VCGLR and the statements its representatives had made to the VCGLR in the course of the China Arrests Investigation.
126. On 29 October 2020, I provided Mr Scott May (General Counsel, Legal Services) a memorandum titled *Crown Casino’s provision of material regarding questioning of Chinese based staff member (Mr Bin (Benny)) Xiong on 9 July 2015 by Chinese authorities*. In this memo, I highlighted that Crown had often failed to be forthcoming or provide timely disclosure of information about the 2015 Incident and letter to police.⁸⁸ I noted:
- The VCGLR conducted its interview with Barry Felstead prior to receiving material that clearly indicates he was aware of the nature of the questioning. Also, based on his ILGA examination, material not previously available to the VCGLR showed that he raised the importance of the questioning with Michael Johnston and Ishan Rainam.*
- The importance of Johnston in the Crown China investigation, and this incident cannot be understated. He was a direct appointment by the then Chairman, James Packer to the VIP working group, and was a Board member of CPH and CRL. He was the highest-level Crown executive who was aware of the incident and he failed to advise any of Crown Risk or Governance Committee’s or Boards of the questioning of a Crown employee by Chinese authorities and provision of a letter from his employer.*
- Despite the clear documentary evidence provided throughout the investigation, and even referred again by TEGONI recently in her ILGA examination, Crown have put forward a position that this incident was about a Chinese gambler or customer.*
127. On 29 October 2020, I provided Mr May a further memorandum titled *Crown Presentation to the VCGLR on 31 August 2017 regarding the detention of Crown*

⁸⁷ See extracted in paragraph 55 and the letter: [VCG.0002.0014.0036].

⁸⁸ [VCG.0001.0002.6072].

*employees in China.*⁸⁹ In that memo I set out my view that Crown had not been open with the VCGLR that it had been aware of the risk that Chinese authorities would focus their attention on Crown's operations in China. In my memo, I stated:

One view of the presentation is that it attempts to portray the February 2015 Chinese government crackdown as one on 'gambling' and 'gamblers' and not those involved in attracting gamblers to gamble at overseas casinos.

The change of Mintz advice from '...who work in the gambling business' to 'engaged in gambling' significantly changes the intention of the actual Mintz advice that was directed at companies doing what Crown was doing in China.

The non-inclusion of the paragraph highlighted in yellow that directly states

'...had recently received instructions from central PSB to step up monitoring of foreign gambling companies marketing activities throughout China'

further supports this view.

In short, it appears that Crown's position was to not disclose to the Commission that it knew there was evidence that the Chinese authorities were focussing their attention on companies such as Crown in China.

This position was also evident in VCGLR interviews of O'Connor and Felstead. It was also the constant thread throughout the Benny Xiong 'letter' incident that Crown Legal (Tegoni) and executives (Felstead and Chen at interview) that the focus was about a Chinese gambler or customer.

128. On 10 November 2020, I provided a third memorandum to Mr May titled *Misleading statements at VCGLR interviews regarding detention of Crown employees in China that may be considered misleading.*⁹⁰ The purpose of the memorandum was to identify two potentially misleading statements that Crown executives had made to me when I interviewed them as part of the China Arrests Investigation:

Jason O'Connor – That the Chinese Government 'crackdown' was about corruption and not about foreign casinos attempting to lure Chinese gamblers to their casinos

Barry Felstead – That the questioning of Crown employees was about a Chinese gambler and not Crown casino's operations in China. Also, that he omitted that he escalated the incident to Michael Johnston and also referred it to Ratnam Ishun.

129. In these three memoranda, I set out the documents and surrounding events relevant to my analysis.⁹¹

⁸⁹ [VCG.0001.0002.6074].

⁹⁰ [VCG.0001.0002.6071].

⁹¹ [VCG.0001.0002.6071];[VCG.0001.0002.6072];[VCG.0001.0002.6074].

130. On 24 November 2020, the VCGLR issued a s 26 notice to Crown to produce the following information and records to the VCGLR:

- (a) the Statement of Issues and Contentions (relating to the China arrests, Junkets and Melco transaction) of Counsel Assisting the Inquiry; and
- (b) any reply or closing written submissions of Counsel for Crown Resorts Ltd and CPH Holdings Pty Ltd (and any other entities).⁹²

131. On 26 November 2020, the VCGLR issued a further s 26 notice to Crown to provide copies of closing submissions of Counsel Assisting the NSW Inquiry.⁹³

132. In Crown's written submissions to the NSW Inquiry, in contrast to its response to the Summary Report, conceded the following:

59. *There is no dispute that failings occurred in relation to China. Risk-management structures and processes were not utilised. Important developments in the operating environment in China were not escalated to board-level committees and to the wider board. They should have been. The failure to escalate those developments meant that a small group of individuals made the decisions about how to respond to them. The board should have made those decisions. That small group, and not the board, set the risk appetite of Crown in relation to China. This should not have happened.*

...

73. *Crown accepts that the following matters ought to have been exposed to wider consideration and assessment through Crown's risk-management structures and procedures (though which they would have come to the attention of the wider board):*

- (a) *the 6 February 2015 press conference held by Chinese authorities;*
- (b) *the 17 June 2015 arrests of [other foreign casino marketing staff];*
- (c) *the questioning [of two Crown employees] in June 2015 (sic), and the request for the letter confirming [one of those employee's] employment;*
- (d) *the [Chinese television] news program in October 2015.*

74. *Crown accepts that the failure to ventilate these matters through the risk-management processes and to draw them to the attention of the wider board was unacceptable.*⁹⁴

133. Given the concessions that Crown executives had made in their evidence to the NSW Inquiry, on 22 December 2020 the VCGLR wrote to Crown⁹⁵ seeking its position in respect of a series of factual propositions which were based on the VCGLR's

⁹² [VCG.0001.0002.3409].

⁹³ [VCG.0001.0002.3410].

⁹⁴ [VCG.0001.0002.6436].

⁹⁵ [VCG.0001.0002.3412].

assessment of Crown's evidence and submissions to the NSW Inquiry and other material that Crown had produced to the VCGLR since providing the Draft Report to Crown in May 2019. The VCGLR's 22 December 2020 letter also stated that:

- a. *certain matters have arisen during the Inquiry that have caused the VCGLR to become concerned about the degree of candour that Crown has displayed in its dealings with the VCGLR. These matters include, among other things:*
 - i. *contradictions between a presentation that Joshua Preston gave to the VCGLR in the immediate aftermath of the China arrests and the submissions and concessions that Crown has now made at the Inquiry. Prima facie, that presentation failed to mention certain important matters which may have affected the course of the VCGLR's investigation;*
 - ii. *the extent to which Crown may have failed to comply with its statutory obligations to produce documents to the VCGLR which have since been produced to the Inquiry. Among other things, these documents include emails relating to the very important matter of the extent to which events were known by certain board members, particularly, Mr Johnston, before the arrests in October 2016. Among other things, the apparent failure to produce these documents may have affected the course of the VCGLR's investigation by creating an impression that knowledge of the matters relevant to China was limited to Crown's executive level staff;*
- b. *based on the evidence and submissions that have been made at the Inquiry, the VCGLR will now be separately considering the extent to which the probity of individual executives and/or directors requires further investigation and/or regulatory action.*

134. On 22 January 2021, Crown provided the VCGLR with its response to the VCGLR's Statement of Propositions Regarding China, which conceded the following matters:⁹⁶

- (a) "Crown of course accepts that proposition and Crown conceded in its submissions that the attempt by executives to manage risk "on the ground", without engaging the risk-management structures, and therefore not bringing events to the attention of the Board, had the effect that the risk appetite of Crown with respect to China was not set by the Board, as it should have been."⁹⁷
- (b) "There was a failure to engage the risk-management structures in relation to China. Important developments in the operating environment were not drawn

⁹⁶ [VCG.0001.0002.3415].

⁹⁷ See page 18.

to the attention of either the Crown Melbourne Audit Committee or the Crown Resorts Risk Management Committee⁹⁸

135. As part of my role in the Working Group, I was consulted and asked to provide materials to assist in the preparation of the Final China Report.
136. On 19 February 2021, the VCGLR briefed the Hon Melissa Horne MP, Minister for Consumer Affairs, Gaming and Liquor Regulation with the Final China Report.⁹⁹
137. On 22 February 2021, the Victorian Government announced the establishment of a Royal Commission into Crown's suitability to hold its Victorian casino licence.

D. EXTENT OF CROWN'S COOPERATION WITH THE VCGLR IN RELATION TO THE CHINA ARRESTS INVESTIGATION

138. In the chronology of the China Arrests Investigation that I have set out above, I have identified key matters that I believe evidence the extent of Crown's cooperation with the VCGLR over the course of the investigation. My view is that Crown failed to provide the VCGLR with the level of cooperation that I would expect of a regulated entity that has the privilege of being the operator of the only casino in Victoria. In summary, Crown's attitude to the VCGLR during the China Arrests Investigation is highlighted by the following:

- (a) At the outset of the investigation, Crown failed to provide a transparent account of the China arrests. Mr Preston's presentation to the VCGLR on 31 August 2017 did not disclose the extent of Crown's knowledge about the nature of the crackdown by the Chinese government. This early engagement set the tone of Crown's subsequent approach to cooperation with the VCGLR during the China Arrests Investigation. I refer to this presentation in paragraph 88 above, my memorandum to Mr Ockwell dated 2 April 2019,¹⁰⁰ and my memorandum to Mr May dated 29 October 2020.¹⁰¹

⁹⁸ See page 21.

⁹⁹ See letter from Mr Ross Kennedy, Chair of the VCGLR, to the Hon Melissa Horne MP, dated 19 February 2021 attached to the Final China Report.

¹⁰⁰ [VCG.0001.0002.6411].

¹⁰¹ [VCG.0001.0002.6074].

- (b) In my view, Crown was not forthcoming in its disclosure of information relevant to the China Arrests Investigation. Crown's responses to s 26 notices issued by the VCGLR were often delayed or incomplete. This late disclosure of information resulted in the VCGLR being unable to finalise its investigation in a timely manner and prevented consideration of Crown's handling of the China arrests from being included in the Sixth Casino Review Report. I have set out below a brief chronology relating to this issue:

Date	Event
8 June 2018	VCGLR provides Crown with Summary Report. ¹⁰²
7 & 8 June 2018	Crown provides new material identified during back-up tape restoration undertaken for the purpose of the class action, resulting in VCGLR not being able to finalise investigation. ¹⁰³
19 May 2019	VCGLR provides Crown with Draft China Report. ¹⁰⁴
28 July 2019	'60 Minutes' exposé reveals new matters. ¹⁰⁵
15 January 2020	New information emerges from Crown's waiver of legal professional privilege, as part of the class action, in relation to communications with WilmerHale. ¹⁰⁶
22 December 2020	New evidence emerges from NSW Inquiry. ¹⁰⁷

- (c) Crown's disclosure of information to the VCGLR appeared to be significantly influenced by what occurred in the course of the class action. I was frustrated that Crown appeared to take a more robust approach to making disclosures for the class action than it did to comply with section 26 notices issued by the VCGLR. For example, as noted in paragraph 43 above, Crown undertook the restoration of back-up tapes for the purposes of identifying material relevant to the class action, but had not done this to identify material responsive to s 26 notices the VCGLR had previously issued to Crown.

¹⁰² See paragraph 60.

¹⁰³ See paragraphs 59, 62 to 70.

¹⁰⁴ See paragraph 91.

¹⁰⁵ See paragraphs 96 and 97.

¹⁰⁶ See paragraphs 107 to 114.

¹⁰⁷ See paragraphs 115 to 124.

- (d) Crown executives and employees who were interviewed by the VCGLR did not display the level of candour I expected of them during the interviews. In this regard, I refer to paragraphs 46, 52, 62, 65, 67-68, 117-118 and 120 above, and my memorandum to Mr May dated 10 November 2020.¹⁰⁸
- (e) Disclosure of documents subject to LPP in the class action approximately two and a half years after the VCGLR commenced its investigation evidenced that Crown had more awareness about the nature of the crackdown in China and the potential risk to its employees than it represented to the VCGLR during the China Arrests Investigation.
- (f) At the NSW Inquiry, there was a clear shift in Crown's position which was apparent from concessions it made that were not offered to VCGLR at any point prior to the NSW Inquiry. Had Crown taken this approach from the outset, it would not have been necessary to undertake the protracted and resource intensive investigation that the China Arrests Investigation became. In my view, had Crown been prepared to acknowledge its shortcomings in relation to the China detentions at an earlier stage, it could have taken steps to address those shortcomings and improve its level of compliance several years ago. In this regard, see paragraphs 132 and 134 above.

Dated: 15 April 2021

Timothy Michael Bryant

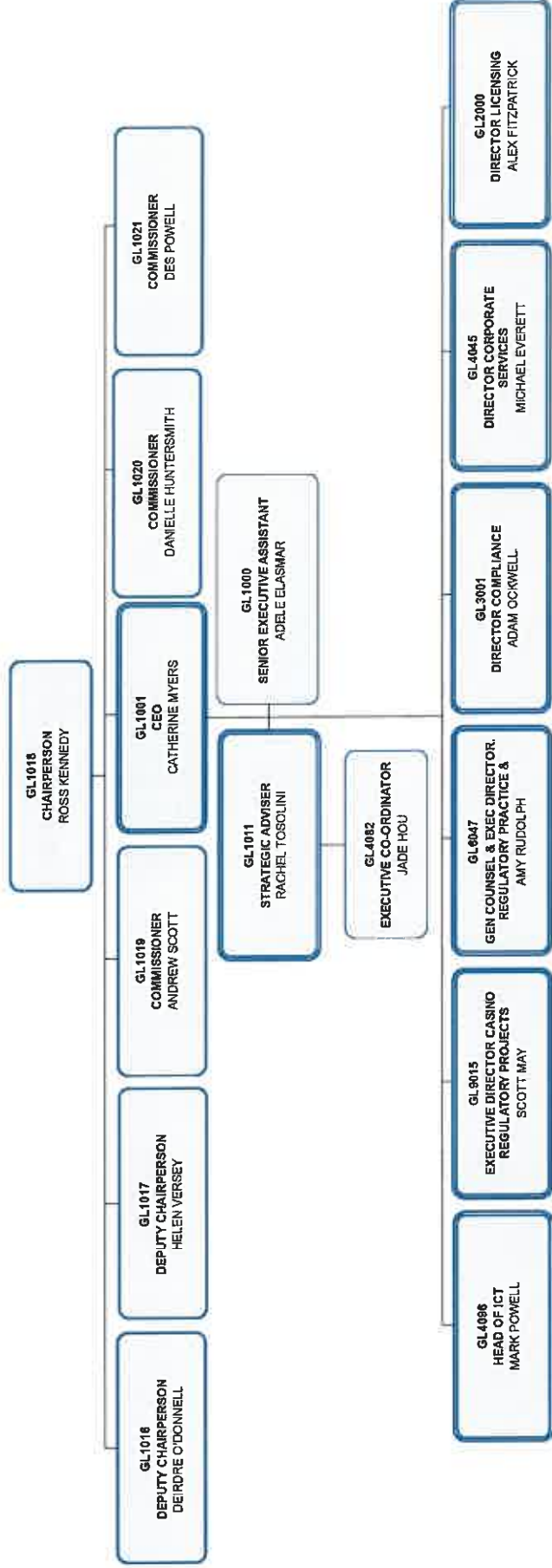
¹⁰⁸ [VCG.0001.0002.6071].



**Victorian Commission for
Gambling and Liquor Regulation**

**ORGANISATION CHART (AS AT 27/3/2021)
OFFICE OF THE CEO**

ATTACHMENT 1



ATTACHMENT 3
VCGLR STAFF INVOLVEMENT

A. Draft China Report

NAME	POSITION	ROLE & RESPONSIBILITIES	APPROX TIMEFRAME
Benjamin CONSIDINE	Inspector	Investigator. Requests for material from Crown. Written requests for information from former Crown employees.	July 2017 – December 2017
Stuart McCLELLAND	Team Leader	Management of investigation.	July 2017 – November 2017
Alan STONE	General Counsel	Legal Advice.	July 2017 – Feb 2018
Stephen BERRIMAN	Director Compliance	Issue s26 Demand Notices to Crown	July 2017 – November 2018
Tim BRYANT	Team Leader	Investigator. Obtain witness statements and conduct records of interview. Prepare s26 Demand Notices. Analyse material;- provided by Crown, identified during the course of the ILGA Inquiry and relevant open source material. Prepare draft Investigation report.	15/12/17 – current
Tim LEDDRA	Manager, Investigations	Vetting of interview plans.	
Stephen BROWN	Team Leader	Corroborate records of interviews and taking of witness statement. Vetting interview plans	February 2018 to March 2018
Esther BOLITHO	Analyst	As required, preparation of link diagrams and charts	December 2018 to December 2020
Jarrold WOLFE	Strategic Analyst	Corroborate record of interview and assist in interview preparation.	April 2018
Lindsey HILLIARD	Inspector	Assist in the administration of case management, liaise with overseas casino regulator and casino, obtain translations of material as required.	July 2018 – December 2019

NAME	POSITION	ROLE & RESPONSIBILITIES	APPROX TIMEFRAME
Miriam HOLMES	Special Counsel (VCGLR)	Review evidentiary material, provide legal advice regarding the investigation, including the potential for any disciplinary action against the casino and individual employee licence holders. Provide advice if further evidentiary material may be relevant to investigation/disciplinary action. Prepare a detailed preliminary report setting out the regulatory framework and analysing the evidence against the legal framework for General Counsel, the CEO and Commissioners	July 2018 – May 2019
Catherine MYERS	CEO	Request information from Department of Foreign affairs and Trade regarding arrests.	
Scott MAY	General Counsel	Legal Advice	Feb 2018 – May 2019
Amy RUDOLPH	Manager, Legal Services	Legal Advice	Feb 2018 – May 2019.
Cameron WARFE	Principal Solicitor	Legal Advice	Variously

B. Final China Arrests Report

NAME	POSITION	ROLE & RESPONSIBILITIES	APPROX TIMEFRAME
Tim BRYANT	Team Leader	As a member the VCGLR Crown China Working Group, provide advice and prepare reports on specific issues identified during the ILGA Inquiry, including identification of new material the VCGLR not previously provided with. Provide advice as to background of investigation for consideration of VCGLR Crown China Steering Committee.	March 2021 to current

NAME	POSITION	ROLE & RESPONSIBILITIES	APPROX TIMEFRAME
Karpaagam Shanmugam	Solicitor	Working Group Member (Legal advice)	March 2021 to current
Scott MAY	General Counsel	Working Group Lead Steering Committee Member Legal advice.	March 2021 to current
Amy RUDOLPH	Manager Legal Services	Working Group Member (Legal advice)	March 2021 to current
Fiona CHONG	Senior Solicitor (VGSO)	Legal Advice	March 2021 to current
Janine HEBITON	Special Counsel (VGSO)	Legal Advice	March 2021 to current
Justin BRERETON	Barrister	Legal Advice	
Charles SCERRI QC	Senior Counsel	Legal Advice	
Adam OCKWELL	Director, Compliance	Steering Committee Member	
Alex FITZPATRICK	Director, Licensing	Steering Committee Member	
Catherine MYERS	CEO	Steering Committee Member	
Ross KENNEDY	Chairperson VCGLR	Chair, Steering Committee	
Deirdre O'DONNELL, Helen VERSEY	Deputy Chairs	Review and Approve Final Report	
Andrew SCOTT Danielle Huntersmith	Commissioners	Review and Approve Final Report	

ATTACHMENT 4

Stage	Date	Correspondence to Crown	Correspondence from Crown	Other Significant Events	Document ID	Crown Personnel or Representativity
	13 October 2016 & 14 October 2016			Criminal Detention of 19 Crown staff by Chinese authorities		
	12 June 2017 26 June 2017			11 Crown staff released from Chinese prison 19 Crown staff convicted and sentenced for contravening China's criminal gambling law. 16 imprisoned and 3 released. VCGLR commences investigation		
STAGE ONE	June 2017 10 July 2017		Letter sent by Crown to VCGLR, notifying VCGLR that a number of Crown Casino Special Employees (CSE) have been convicted by the Shanghai Baoshan District Court of contraventions of Article 303 and Article 25 of the Chinese Criminal Law		VCG.0002.0005.0007	Michelle Fielding - Group General Manager Regulatory and Compliance, Crown Melbourne
	13 July 2017	Letter from VCGLR to Crown referring to conviction of 19 Crown staff and requesting info about CSEs once they are released from prison			VCG.0001.0002.3417	Michelle Fielding - Group General Manager Regulatory and Compliance, Crown Melbourne
	19 July 2017	Email from VCGLR to Crown advising that Ben Considine has been appointed lead investigator in relation to the convictions of Crown employees in China and requesting copy of sentencing remarks			VCG.0001.0002.3418	Michelle Fielding - Group General Manager Regulatory and Compliance, Crown Melbourne
	20 July 2017		Crown email to Catherine Myers advising no written verdict has been made public in relation to the staff arrested in China		VCG.0001.0002.3419	Joshua Preston - Chief Legal Officer, Australian Resorts
	20 July 2017		Crown email to Ben Considine advising no written verdict has been made public in relation to the staff arrested in China and noting that Crown's chief legal officer, Joshua Preston will contact VCGLR should that change		VCG.0001.0002.3420	Michelle Fielding - Group General Manager Regulatory and Compliance, Crown Melbourne
	20 July 2017		Crown letter advising of CSEs released to date and those expected to be released and stating that no decision had been taken to date about those CSEs future employment		VCG.0001.0002.3421	Michelle Fielding - Group General Manager Regulatory and Compliance, Crown Melbourne
	24 July 2017	Email from VCGLR to Crown requesting various information about four Crown Special Employees imprisoned in mainland China (O'Connor, Gomez, Xuan and Pan) including employment details, contracts, performance reviews and signed copies of the Code of Conduct			VCG.0001.0002.3422	Michelle Fielding - Group General Manager Regulatory and Compliance, Crown Melbourne
	28 July 2017		Crown email to VCGLR providing the information requested in email dated 24/07/17		VCG.0001.0002.3423	Michelle Fielding - Group General Manager Regulatory and Compliance, Crown Melbourne

11 August 2017	Email from VCGLR to Crown requesting key performance objectives and reviews as well as current contact details of O'Connor, Gomez, Xuan and Pan			VCG.0001.0002.3424	Michelle Fielding - Group General Manager Regulatory and Compliance, Crown Melbourne
12 August 2017		5 Crown staff, including Group Executive General Manager – VIP International, released from Chinese prison.			
14 August 2017	Email from VCGLR to Crown - Clarification re Pan's employment contract (copy previously supplied appeared to be incomplete)			VCG.0001.0002.3425	Michelle Fielding - Group General Manager Regulatory and Compliance, Crown Melbourne
19 August 2017		Crown email to VCGLR providing two performance evaluations in respect of Mr O'Connor and noting that no other documents responsive to VCGLR email of 11/08/17 exist		VCG.0001.0002.3426	Michelle Fielding - Group General Manager Regulatory and Compliance, Crown Melbourne
31 August 2017			Crown presentation to the VCGLR about the detention of Crown employees in China	VCG.0001.0001.9002	Joshua Pringle - Chief Legal Officer, Australian Resorts
25 September 2017	VCGLR email to Crown requesting further information including: Board and any sub-committee minutes re Crown's operations within China, Risk Management Committee's formal chart, risk management plan and policy, any communications between Crown and international staff concerning the importance of limiting their China activities including any instructions on conduct whilst in China and the Risk Management Committee's report re detention of South Korean casino employees in 2015			VCG.0001.0002.3427	Michelle Fielding - Group General Manager Regulatory and Compliance, Crown Melbourne
5 October 2017	VCGLR email to Crown requesting additional information about Board and sub-committee minutes (post 01/07/16), all versions of the Risk Committee's management plan and management policy (post 01/07/16), any advice received from Wilmer Hale and Mantz re China operations and any information received regarding Crown China operations and concerns to mitigate risk arising from Articles 303 and 25 of China's criminal law			VCG.0001.0002.3428	Michelle Fielding - Group General Manager Regulatory and Compliance, Crown Melbourne
27 October 2017	Email from VCGLR to Crown requesting update on Requests for Information (emails dated 5 and 10/10/17)			VCG.0001.0002.3429	Michelle Fielding - Group General Manager Regulatory and Compliance, Crown Melbourne

STAGE TWO						
8 November 2017	Email from VCGLR to Crown confirming receipt of voicemail stating that Crown will be in a position to provide all requested material by end-November, maybe start-December, and requesting that all material be provided by COB 04/12/17			VCG.0001.0002.3305	Michelle Fielding - Group General Manager Regulatory and Compliance, Crown Melbourne	
27 November 2017		Crown letter to the VCGLR providing relevant information re emails dated 25/09/17 and 05/10/17		VCG.0001.0002.3306	Joshua Preston - Chief Legal Officer, Australian Resorts	
4 December 2017			Shareholder class action commences against Crown Resorts. See link to Federal Court matter: https://www.comcourts.gov.au/file/Federal/P/V/ID13172017/actions#:~:javascript:void(0);			
January 2018			VCGLR investigators interview Mr. Jerry XUAN, Director of International Sales Beijing, Crown Resorts, who was detained in China. The witness statement is finalised on 6 February 2018.	VCG.0002.0015.0010		
4 January 2018	VCGLR s 26 notice to Crown requesting further records including any court records or materials, any relevant correspondence between DFAT and Crown, Crown's Premium Gaming Strategy, Crown's Internal Audit Plan relevant to overseas operations, a presentation on Crown's corporate risk profile, minutes of Risk Management Committee meeting, MCE Risk Assessment and Mitigation report, a number of specified reports and reviews, contact details for various former employees, Crown's China and Hong Kong budgets, all correspondence and details of engagement with Mintz			VCG.0001.0002.3307	Michelle Fielding - Group General Manager Regulatory and Compliance, Crown Melbourne	
4 January 2018	VCGLR letter to Crown requesting unredacted copies of documents provided by Crown's on 27/11/17 in response to previous information request			VCG.0001.0002.3308	Michelle Fielding - Group General Manager Regulatory and Compliance, Crown Melbourne	
19 January 2018		Crown response to s 26 notice dated 04/01/18, enclosing USB of documents		VCG.0001.0001.8183	Joshua Preston - Chief Legal Officer, Australian Resorts	
1 February 2018		Crown response to s 26 notice dated 04/01/18 - further docs identified within scope of s 26 Notice		VCG.0001.0001.8184	Joshua Preston - Chief Legal Officer, Australian Resorts	

7 February 2018	VCGLR s 26 notice to Crown requesting further records including the corporate structure of Crown Hong Kong, any Crown Hong Kong risk assessments pertaining to China, any foreign political policy risk assessments, Mintz documents pertaining to various iterations of Project Wagner, employment details of Michael Chen, any documents received from the PRC, any other records containing information about risks of operating in mainland China since 1 January 2015			VCG.0001.0001.8000	Michelle Fielding - Group General Manager, Regulatory and Compliance, Crown Melbourne
16 February 2018		Crown response to s 26 notice dated 02/02/18 enclosing USB with relevant docs		VCG.0001.0001.8185	Joshua Preston - Chief Legal Officer, Australian Resorts
21 February 2018	VCGLR s 26 notice to Dan PAN, one of the convicted Crown employees, notifying addressee that she is required to attend an interview at the VCGLR offices (Note that this letter mistakenly addresses Ms PAN as Mr CRAIGIE)			VCG.0001.0002.3310	Jane PAN, Director, Crown
21 February 2018	VCGLR s 26 notice to Jason O'CONNOR former Crown Group Executive Manager VIP International notifying addressee that he is required to attend an interview at the VCGLR offices			VCG.0001.0002.3311	Jason O'Connor - Group Executive General Manager - VIP International, Crown
21 February 2018	VCGLR s 26 notice to Rowen CRAIGIE former Crown Group Executive Manager VIP International notifying addressee that he is required to attend an interview at the VCGLR offices			VCG.0001.0002.6415	
7 March 2018			VCGLR Investigators interview Ms Jane PAN, International Sales Manager Southern China Crown Resorts Pte Ltd, who was detained in China. Crown and PAN are represented by Josh Preston Chief Legal Officer of Australian Resorts for Crown and Richard Murphy of MinterEllison	VCG.0002.0011.0006	Jane PAN, Director, Crown
8 March 2018			VCGLR Investigators interview Jason O'CONNOR, Executive General Manager VIP Gaining, Crown Resorts, who was detained in China. Crown and O'CONNOR are represented by Josh Preston Chief Legal Officer of Australian Resorts for Crown and Richard Murphy of MinterEllison	VCG.0002.0011.0005	Jason O'Connor - Group Executive General Manager - VIP International, Crown
9 March 2018	VCGLR s 26 notice to Jane PAN requesting a copy of the charges that were issued to her by the Chinese authorities			VCG.0001.0001.7002	Jane PAN, Director, Crown

14 March 2018			VCGLR Investigators interview Rowen CRAIGIE, former CEO Crown Resorts at the time of the detentions in China. Crown and CRAIGIE are represented by Josh Preston Chief Legal Officer of Australian Resorts for Crown and Richard Murphy of MinterEllison	VCG.0002.0011.0004	Rowen Craigie, former CEO Crown Resorts
14 March 2018	VCGLR s 26 notice to Michael CHEN former Crown President - International Marketing, notifying addressee that he is required to attend an interview with the VCGLR			VCG.0001.0002.3312	Michael Chen, former Crown President - International Marketing
14 March 2018	VCGLR s 26 notice to Barry FELSTEAD, Chief Executive Officer of Crown, notifying addressee that he is required to attend an interview at the VCGLR offices			VCG.0001.0002.3313	Barry Felstead, Chief Executive Officer of Crown
20 March 2018	Further s 26 notice to Jane PAN requesting a copy of the charges that were issued to her by the Chinese authorities			VCG.0001.0002.3314	Jane PAN, Director, Crown
21 March 2018		Crown letter to VCGLR enclosing copy of charges against Jane PAN		VCG.0001.0001.8186	Richard Murphy, Partner, MinterEllison
22 March 2018	VCGLR s 26 notice to Crown requesting further information regarding a letter signed by Tim SPEARMAN on 9 July 2015 (letter was sent in response to a request from China mainland police)			VCG.0001.0001.7004	Joshua Preston - Chief Legal Officer, Australian Resorts
27 March 2018		Crown letter to VCGLR enclosing VIP Int. Strategic Business Plan presentations		VCG.0001.0001.8187	Richard Murphy, Partner, MinterEllison
28 March 2018			VCGLR Investigators interview Barry FELSTEAD, CEO Australia Resorts at the time of the detentions in China. Crown and FELSTEAD are represented by Josh Preston Chief Legal Officer of Australian Resorts for Crown and Richard Murphy of MinterEllison	VCG.0002.0011.0003	Barry Felstead, Chief Executive Officer of Crown
5 April 2018		Crown letter to VCGLR enclosing relevant information and documents regarding letter signed by Tim SPEARMAN on 9 July 2015 as requested on 22/03/18		VCG.0001.0001.8188	MinterEllison
9 April 2018	VCGLR s 26 notice to Crown requesting further records relating to personnel, Bin Benny' XIONG (an individual who was interviewed by local police in mainland China in July 2015, then detained), to be provided by COB 16/04/18			VCG.0001.0001.7005	Joshua Preston - Chief Legal Officer, Australian Resorts
16 April 2018		Crown response to s 26 notice dated 9/04/18 providing requested information re Benny XIONG		VCG.0001.0001.8189	Richard Murphy, Partner, MinterEllison

18 April 2018	VCGLR email to Crown re Notice dated 02/02/18, re-requesting Michael CHEN's performance reviews and performance development plans, as well as incentive plans			VCG.0001.0002.3316	Joshua Preston - Chief Legal Officer, Australian Resorts
30 April 2018	VCGLR email to Crown, following up email of 18/04/18, requesting update status update in respect of Notice dated 02/02/18 regarding Michael CHEN's performance reviews and performance development plans, as well as incentive plans			VCG.0001.0002.3317	Joshua Preston - Chief Legal Officer, Australian Resorts
30 April 2018	VCGLR email to Crown, following up email of 18/04/18, requesting update status update in respect of Notice dated 09/02/18 regarding Benny XIONG's PD and performance evaluation documents			VCG.0001.0002.3318	Catherine Macrae, Senior Associate, MinterEllison
1 May 2018		Crown email to VCGLR responding to email dated 30/04/18, noting that Crown was unable to locate performance reviews, self-evaluations or plans in respect of Benny XIONG		VCG.0001.0002.3318	Catherine Macrae, Senior Associate, MinterEllison
2 May 2018		Crown email to VCGLR responding to email dated 30/04/18, noting that Crown was unable to locate performance reviews or development plans in respect of Michael CHEN but providing records of bonus payments made to Mr CHEN		VCG.0001.0002.3319	Joshua Preston - Chief Legal Officer, Australian Resorts
10 May 2018			VCGLR Investigators interview Michael CHEN, former Executive of VIP International Crown Resorts, the time of the detentions in China. CHEN is represented by Andrew WEAVER of Cleary Gottlieb. Crown is represented by Josh Preston Chief Legal Officer of Australian Resorts and Richard Murphy of Minter Ellison	VCG.0002.0011.0002	Michael Chen, former Crown President - International Marketing
14 May 2018	VCGLR letter to Crown, seeking reasons as to why the VIP International Strategic Business Plan presentations were not produced to the Commission by the due date specified in the s 26 notice dated 02/02/18			VCG.0001.0002.3321	Michelle Fielding - Group General Manager Regulatory and Compliance, Crown Melbourne
17 May 2018		Crown letter to VCGLR setting out Crown's position in respect of the detention of various current and former staff members, including its reading of the Chinese law		VCG.0002.0014.0036	Richard Murphy, Partner, MinterEllison

23 May 2018		Crown response to VCGLR letter dated 14/05/18 re VIP Business Plan presentations noting that copies of the presentations were not provided due to them containing market risks, rather than risks relating to activities on the ground in China	VCG.0001.0001.8192	Joshua Preston - Chief Legal Officer, Australian Resorts
28 May 2018	VCGLR letter to Crown in response to Crown letter of 17/05/18 reproducing Crown's views of meaning of the PRC Criminal Code and the '10 person requirement and requesting further information on Crown's understanding of these requirements and other documents, including documents relating to the detention of South Korean casino staff in 2015, and confirmation that Crown has fulsomely complied with all the relevant document requests to date, by 29/05/18		VCG.0001.0002.3323	Richard Murphy, Partner, MinterEllison
29 May 2018		Crown letter to VCGLR responding matters raised in letter dated 28/05/18	VCG.0001.0001.8140	Richard Murphy, Partner, MinterEllison
6 June 2018		Summary Report completed and provided for VCGLR Commissioner Distribution	VCG.0001.0002.3325	
6 June 2018		Crown letter to VCGLR responding matters raised in letter dated 28 May 2018 (second letter)	VCG.0001.0001.8141	Richard Murphy, Partner, MinterEllison
7 June 2018		Crown letter to VCGLR advising that it has identified further documents that may be responsive to a previous notice (assuming a broad interpretation as indicated in VCGLR correspondence) have been identified	VCG.0001.0002.3327	Richard Murphy, Partner, MinterEllison
7 June 2018 to 12 June 2018	Chain of emails between the VCGLR and Crown re further documents, following Crown letter dated 07/06/18		VCG.0001.0002.3328	Richard Murphy, Partner, MinterEllison
8 June 2018		Crown China Investigation Addendum Report completed, summarising further documents provided by Crown on 7 June 2018 and noting that Crown appeared to be aware of the China risk and that interviewees may not have been being forthright in interviews to date	VCG.0001.0002.3330	
8 June 2018	VCGLR email to Crown attaching the draft Compliance Division China Report		VCG.0001.0002.3332	Joshua Preston - Chief Legal Officer, Australian Resorts

8 June 2018	VCGLR letter to Crown inviting comments on the draft Sixth Casino Review following changes made due to the Compliance Division China Report and asking for comments by 15/06/18 and noting that that report does not identify any adverse regulatory consequences arising from the detention of Crown staff in China			VCC.0001.0002.3329	John Alexander - Chairman, Crown Melbourne
12 June 2018		Crown China Investigation Second Addendum Report completed, summarising further documents provided by Crown on 8 June 2018, and noting that Crown appeared to be aware of the China risk and that interviewees may not have been being forthright in interviews to date		VCG.0001.0002.3331	
15 June 2018	VCGLR letter to Barry FELSTEAD, Chief Executive Officer of Crown, providing copies of parts of draft Sixth Review of Casino Operator and Licence (6CR), including draft China section			VCG.0001.0001.1814	Barry Felstead - CEO, Australian Resorts
18 June 2018	VCGLR s 26 notice to Crown requiring Crown to produce all outstanding documents by 2/7/18 and noting that the new material provided to the VCGLR meant that the draft Investigation Report could not be finalised and asking that Crown disregard the copy of that draft report previously provided			VCG.0001.0002.3336	Richard Murphy, Partner, MinterEllison
19 June 2018		Crown letter to VCGLR responding to draft 6CR other than the commentary on the China investigation		VCG.0001.0001.1831	Barry Felstead - CEO, Australian Resorts
19 June 2018		Crown letter to VCGLR objecting to the inclusion in the 6CR of any commentary regarding the China Investigation		VCG.0001.0001.1837	John Alexander - Chairman, Crown Melbourne
20 June 2018	VCGLR letter to Crown in response to Crown letters of 19/6/18 and rejecting Crown's assertions that it had not been accorded procedural fairness in the process adopted to prepare the 6th Casino Review			VCG.0001.0002.3337	John Alexander - Chairman, Crown Melbourne & Barry Felstead - CEO, Australian Resorts
21 June 2018		Crown letter to VCGLR regarding 6CR discussion of China investigation and noting that no commentary on the China investigation should be made in the 6CR as the investigation remains ongoing		VCG.0001.0001.1830	John Alexander - Chairman, Crown Melbourne
24 June 2018		Senior Counsel's (Peter R D Gray) notes for advice in respect of conference with VCGLR Suitability report relating to the China matter.		VCG.0001.0002.3339	

25 June 2018			VCGLR officers conferred with the Victorian Government Solicitor and Senior Counsel (Peter Gray QC) on 25 June 2018. Senior Counsel identified three potential scenarios as options for advice.	VCG.0001.0002.3338		
26 June 2018		Crown letter to VCGLR - enclosing Crown's Response to VCGLR Summary Report re the China Investigation		VCG.0001.0002.3340	John Alexander - Chairman, Crown Melbourne	
26 June 2018			Commission Meeting with Crown: see transcript of Commission Meeting with Crown - GCR relating to China matter	VCG.0001.0002.3341	Barry Folstead - CEO, Australian Resorts John Alexander - Chairman, Crown Melbourne Richard Murphy, Partner, MinterEllison Joshua Preston - Chief Legal Officer, Australian Resorts	
27 June 2018			Receipt of YGSO advice (settled by Senior Counsel (Peter R D Gray)) in relation to the Revised China Extracts	VCG.0001.0002.3342		
28 June 2018				VCG.0001.0002.3343	Joshua Preston - Chief Legal Officer, Australian Resorts	
23 August 2018		VCGLR email to Crown transmitting the final draft of the dCR VCGLR s 26 notice to Crown requesting extensive further information or records including information on Crown's activities in China prior to the detentions in October 2016 and Crown's arrangements in China as at the date of the letter, by 5 pm 21/09/18		VCG.0001.0002.3350	Richard Murphy, Partner, MinterEllison	
21 September 2018			Crown letter to VCGLR outlining its view that the detention of conviction of Crown staff does not warrant any regulatory action and providing further information and providing submissions on the statement of Mr XUAN and information obtained from MGM	VCG.0001.0002.3351	Richard Murphy, Partner, MinterEllison	
21 September 2018			Crown letter to VCGLR providing documents pursuant to s 26(1) Notice dated 23/08/18	VCG.0001.0002.6412		
3 October 2018		VCGLR s 26 notice issued to Alfredo GOMEZ requesting copies of various records relating to Mr Gomez's Chinese criminal proceedings		VCG.0001.0002.3352	Alfred Gomez - former Senior Vice President - China, Crown	
3 October 2018		VCGLR s 26 notice issued to Jason O'CONNOR requesting copies of various records relating to Mr O'Connor's Chinese criminal proceedings		VCG.0001.0002.3353	Jason O'Connor - Group Executive General Manager - VIP International, Crown	
3 October 2018		VCGLR s 26 notice issued to Jane PAN requesting copies of various records relating to Ms Pan's Chinese criminal proceedings		VCG.0001.0002.3354	Jane PAN, Director, Crown	

STAGE THREE

3 October 2018	VCGLR s 26 notice issued to Jerry XUAN requesting copies of various records relating to Mr XUAN's Chinese criminal proceedings		VCG.0001.0002.3355	Mr Jerry XUAN - former Director of International Sales Beijing, Crown Resorts
12 October 2018		Crown letter to VCGLR enclosing further docs identified in response to s 26(1) Notice dated 23/08/18 identified following the provision of documents on 21/09/18	VCG.0001.0002.3356	Richard Murphy, Partner, MinterEllison
12 October 2018		Email to Crown attaching VCG.0001.0002.3356	VCG.0001.0002.3357	Richard Murphy, Partner, MinterEllison
15 October 2018		Email from Ms PAN enclosing documents pursuant to s 26(1) Notice dated 3/10/18	VCG.0001.0002.3358	Jane PAN, Director, Crown
16 October 2018	Internal email enclosing email response from Ms PAN		VCG.0001.0002.3359	
14 November 2018	VCGLR s 26 notice to Crown, requesting that Crown confirm that the VCGLR had correctly categorised the information provided on 21/09/18, and further requesting the provision of information not provided to date by 5/12/18, as well as making further requests for information and records including management reports and various other information		VCG.0001.0001.7014	Richard Murphy, Partner, MinterEllison
5 December 2018		Crown letter to VCGLR in response to notice of 14/11/18 providing various clarifications and information as well as further documents	VCG.0001.0002.3361	Richard Murphy, Partner, MinterEllison
5 December 2018		Index of documents provided to the VCGLR on 5/12/18	VCG.0001.0002.3362	Richard Murphy, Partner, MinterEllison
22 January 2019	VCGLR letter to Crown in response to letter of 5/12/18, seeking further clarification material provided on that date		VCG.0001.0002.3363	Richard Murphy, Partner, MinterEllison
8 February 2019		Crown letter to VCGLR responding to VCGLR's letter dated 22/01/19	VCG.0001.0002.3364	Richard Murphy, Partner, MinterEllison
19 February 2019	VCGLR letter to Crown inviting Crown to provide any relevant documents uncovered during the search process that were not responsive to the Notices issued to date and noting that if documents responsive to the notice have not been provided, the VCGLR would need to consider regulatory action, as well as confirming it is open to Crown to provide a copy of the search methodology used to identify documents if Crown considered that such a document may be useful		VCG.0001.0002.3365	Richard Murphy, Partner, MinterEllison

1 March 2019	Crown letter to VCGLR, proposing that Crown will review a 'key document' subset of documents identified during the class action to confirm whether or not documents fall within any of the VCGLR's notices, and provide any documents within 14 days			Richard Murphy, Partner, MinterEllison
4 March 2019		Report regarding Ms Jane PAN completed regarding her suitability as the holder of a casino special employee licence.	VCG.0001.0002.3366	
4 March 2019		Report regarding Mr Jason O'CONNOR completed regarding his suitability as the holder of a casino special employee licence.	VCG.0001.0002.6414	
18 March 2019	Crown letter to VCGLR, following Crown undertaking the review mentioned in its letter of 1/3/19, noting that Crown has identified 85 documents caught by the VCGLR's Notices to date and attaching index of documents		VCG.0001.0002.6416	
28 May 2019		VCGLR completes draft Report into the Imprisonment of Crown staff from October 2016 to August 2017 in the Peoples Republic of China	VCG.0001.0002.3367	Richard Murphy, Partner, MinterEllison
29 May 2019	VCGLR letter to Crown providing Draft Report for comment and inviting a written response by 12/06/19		VCG.0001.0001.0005	
29 May 2019	VCGLR s 26 notice to Crown re documents provided by Crown on 18/03/19, requiring Crown to explain why each of the documents was not provided within the statutory timeframe		VCG.0001.0002.3370	John Alexander - Chairman, Crown Melbourne
12 June 2019		Crown letter to VCGLR in response to VCGLR's 29/05/19 request for explanation about the documents provided by Crown on 18/03/19	VCG.0001.0001.7015	Richard Murphy, Partner, MinterEllison
19 June 2019		VCGLR and Crown meet to discuss the finalisation of the Crown China Investigation report	VCG.0001.0002.3236	Richard Murphy, Partner, MinterEllison
24 June 2019	VCGLR letter to Crown clarifying legal status of draft report		VCG.0001.0002.3372	Richard Murphy, Partner, MinterEllison
26 June 2019		Crown letter providing response to draft Report into the Imprisonment of Crown staff from October 2016 to August 2017 in the Peoples Republic of China	VCG.0001.0001.6027	Richard Murphy, Partner, MinterEllison

Date	Description	Case Reference	Legal Counsel
28 July 2019	60 Minutes expose about Crown featuring exclusive interview with Jenny JIANG	VCG.0001.0002.6421	Richard Murphy, Partner, MinterEllison
7 August 2019	Crown letter to VCGLR requesting unredacted copy of the VCGLR's translated verdict of the Baoshan District Court so that Crown can make discovery of same in class action.		
14 August 2019	Instrument of appointment to preside at an inquiry under section 143 of the Casino Control Act 1992 (NSW)		
23 September 2019	VCGLR letter to Crown re disclosure of translation of judgment as requested by Crown in letter of 7/8/19	VCG.0001.0002.3373	Richard Murphy, Partner, MinterEllison
23 September 2019	VCGLR letter to Crown in response to letter of 26/06/19 noting that recent media reporting makes it appropriate for the VCGLR to continue its investigation into the detentions	VCG.0001.0002.3374	Richard Murphy, Partner, MinterEllison
9 October 2019	VCGLR s 26 notice to Crown requesting contact details of various Crown staff with links to China by 14/10/19	VCG.0001.0002.3375	Richard Murphy, Partner, MinterEllison
16 October 2019	Crown letter in response to letters dated 23/09/19 and 09/10/19 providing contact details of the 17 former staff member and making various comments about duties of confidentiality owed to Crown and claims of LPP by Crown	VCG.0001.0002.3376	Richard Murphy, Partner, MinterEllison
27 November 2019	Crown letter providing additional documents relating to the prosecution in China of Jason O'Connor	VCG.0001.0002.3378	Richard Murphy, Partner, MinterEllison
2 December 2019	VCGLR s 26 notice to Crown requesting information regarding Crown's claim of duties of confidentiality owed by former staff members and each of Barry FELSTEAD, Jason O'CONNOR, Michael CHEN, Jane PAN and Rowen CRAIGIE, the quantum of any payment made to former staff arising from their ceasing to work for Crown, or their arrest or detention in China, and any claims of privilege over material provided to the same persons	VCG.0001.0002.3379	Richard Murphy, Partner, MinterEllison
10 December 2019	Crown letter in response to s 26 notice dated 2/12/19 re Confidentiality and LPP and requesting a meeting with Crown to discuss the matter further	VCG.0001.0002.3380	Richard Murphy, Partner, MinterEllison

STAGE FOUR

11 December 2019		Crown letter in response to a 26 notice dated 2/12/19 providing various contractual documents containing confidentiality clauses as foreshadowed in letter of 10/12/19	VCG.0001.0002.3381	Richard Murphy, Partner, MinterEllison
18 December 2019		Crown email re meeting requested on 10/12/19 and noting that Crown would be writing in the near future regarding a waiver of LPP brought about by filings in the class action	VCG.0001.0002.3382	Richard Murphy, Partner, MinterEllison
19 December 2019	VCGLR letter to Jenny JIANG requesting Ms Jiang meet with the VCGLR for an interview, following statements made by Ms Jiang in the press		VCG.0001.0002.3383	Jenny JIANG, former Crown employee
7 January 2020	Copies of VCGLR letter to 16 ex-Crown employees requesting interviews with each to discuss their employment with Crown and events leading to their detention in China in 2016		VCG.0001.0002.3385	
7 January 2020	VCGLR letter to Crown responding to Crown letter dated 10/12/19 stating that Crown need not comply with paragraphs 2 and 3 of the s 26 Notice dated 2/12/19 and noting that Crown will be permitted to be present at interviews with former employees only where those employees request to have Crown present		VCG.0001.0002.3386	Richard Murphy, Partner, MinterEllison
15 January 2020		Crown letter re waiver of LPP in relevant communications between Crown and WilmerHale, noting that relevant documents will be provided to VCGLR	VCG.0001.0002.3387	Richard Murphy, Partner, MinterEllison
15 January 2020		Crown letter responding to VCGLR letter of 7/01/20 re claims of confidentiality and LPP	VCG.0001.0002.3388	Richard Murphy, Partner, MinterEllison
24 January 2020		Crown ASX media release. Non-executive Director The Honourable Helen Coonan appointed as Chair of Crown and that Non-executive Director Professor John Horvath AO appointed as Deputy Chair of Crown.	VCG.0001.0002.3389	
28 January 2020		Crown letter responding to Crown letter dated 15/01/20, listing Witness Statements filed in class action proceedings which annex various correspondence between Crown and WilmerHale and in which LPP has accordingly been waived, and requesting a s 26 Notice so that Crown can provide same to VCGLR	VCG.0001.0002.3390	Richard Murphy, Partner, MinterEllison
27 February 2020	VCGLR s 26 Notice to Crown in respect of documents annexed to witness statements filed in class action proceedings		VCG.0001.0002.3392	

11 March 2020	Crown response to VCGLR s 26 Notice dated 27/02/20. The annexure refers to 53 documents of relevance.			VCG.0001.0002.3391	Richard Murphy, Partner, MinterEllison & Joshua Preston - Chief Legal Officer, Australian Resorts
3 April 2020		Crown ASX media release: NSW Independent Liquor and Gaming Authority informs Crown that it will be deferring its inquiry under section 143 of the Casino Control Act 1992 (NSW) due to COVID-19.		VCG.0001.0002.3393	
1 May 2020	VCGLR letter notice to Crown re Crown letter of 11/03/20 requiring clarification on a number of claims of LPP			VCG.0001.0002.3394	
19 May 2020	VCGLR letter to lawyer representing Jenny JIANG seeking clarification about whether Ms. Jiang is available for an interview with the VCGLR			VCG.0001.0002.3395	Jeremy King - Partner, Robinson Gill
22 May 2020	VCGLR letter to Frank CAO re Mr. Cao's letter of 16/03/20 where Mr. Cao noted Crown had offered Mr. Cao legal counsel and an interpreter, asking Mr. Cao whether Crown offered Mr. Cao a choice of lawyer and whether the lawyer would be representing Crown or Mr. Cao			VCG.0001.0002.3396	Frank Cao - former Crown employee
22 May 2020	Translation of VCGLR letter to Frank CAO of same date			VCG.0001.0002.3397	Frank Cao - former Crown employee
26 May 2020		VCGLR Crown China working group finalise report titled 'Crown China Investigation- Analysis of new material' and provide same to Steering Committee in draft format on 3 June 2020. The report analysed:- details of Class Action witness Statements and documents disclosed since 11 March 2020, analysis of the relevance of the information contained in these documents and changes recommended to existing Draft Report as a result of this.		VCG.0001.0002.6080	
3 June 2020	VCGLR s 26 Notice to Crown requesting copy of expert report of Associate Professor Andrew Godwin and conference report of Professor Margaret Lewis and Associate Professor Andrew Godwin by 12/06/20			VCG.0001.0002.3398	Richard Murphy, Partner, MinterEllison
4 June 2020		Crown letter providing expert report and conference report requested by s 26 Notice dated 3/06/20		VCG.0001.0002.3399	Richard Murphy, Partner, MinterEllison
11 June 2020		VCGLR Investigator and VCGLR legal representative conduct telephone interview with Mr Frank CAO (via translator), former Crown employee detained in China.		VCG.0001.0002.6410	Frank Cao - former Crown employee

19 August 2020	VCGLR s 26 Notice to Crown requesting copy of expert report of second addendum to expert report of Professor Margaret Lewis and copy of third expert report of Associate Professor Andrew Godwin by 21/08/20		VCG.0001.0002.3400	Richard Murphy, Partner, MinterEllison
1 October 2020	VCGLR s 26 Notice to Crown requesting various documents examined by NSW Inquiry, by 7/10/20		VCG.0001.0002.3402	
9 October 2020		Crown letter in response to s 26 dated 1/10/20 providing requested documents and clarifying why documents were not provided in 2019	VCG.0001.0002.3403	Richard Murphy, Partner, MinterEllison
10 October 2020		Crown email in response to s 26 dated 1/10/20 providing two documents further to letter of 9/10/20	VCG.0001.0002.3404	Robert Meade, Associate, MinterEllison
21 October 2020			VCG.0001.0002.3407	
		Crown ASX media release: termination of the following agreements between Crown and Consolidated Press Holdings Pty Limited (CPH): the Services Agreement dated 1 July 2016 which enabled Crown to request the provision of services by key CPH executives at pre-agreed hourly rates; and the Controlling Shareholder Protocol dated 31 October 2018 which enabled the sharing of confidential information by Crown to CPH and James Packer.		
24 November 2020	VCGLR s 26 Notice to Crown requesting the provision of the Statement of Issues and Contentions of Counsel assisting the NSW Casino Inquiry and any reply or closing submissions of Counsel for Crown Resorts Ltd and CPH Holdings Pty Ltd by 26/11/20		VCG.0001.0002.3409	Ken Barton - Managing Director and Chief Executive Officer, Crown Resorts Limited
26 November 2020	VCGLR s 26 notice to Crown extending date for compliance with part of s 26 Notice dated 24/11/20 to 12 noon on 30/11/20, and additional request for closing written submissions of Counsel assisting the NSW Casino Inquiry by 12 noon on 30/11/20		VCG.0001.0002.3410	Ken Barton - Managing Director and Chief Executive Officer, Crown Resorts Limited
26 November 2020		Crown letter in response to s 26 dated 24/11/20 providing documents responsive to category 1 of that Notice	VCG.0001.0002.3411	Ken Barton - Managing Director and Chief Executive Officer, Crown Resorts Limited

22 December 2020	VCGLR letter to Crown re NSW Casino Inquiry advising that the Draft China Investigation report will be reconsidered on the basis of the evidence of the NSW Inquiry, seeking Crown's confirmation of a number of factual propositions and advising Crown that the VCGLR has become concerned about Crown's conduct to date in light of Crown's submissions and concessions in the NSW Inquiry		VCG.0001.0002.3412	Helen Coonan, Chair, Crown Resorts Limited Andrew Demetriou, Chair, Crown Melbourne
22 January 2021		Crown letter in response to VCGLR letter of 22/12/20 providing its statement of propositions	VCG.0001.0002.3415	Helen Coonan, Chairman, Crown Resorts Limited
19 February 2021				
22 February 2021				
10 March 2021			VCG.0001.0002.3416	

VCGLR brief the Hon Melissa Home MP, Minister for Consumer Affairs, Gaming and Liquor Regulation with the Final China Report

Victorian Government announce the establishment of a Royal Commission into Crown's suitability to hold its Victorian casino licence

Crown ASX media release: Guy Jalland and Michael Johnston resigned as directors of Crown