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23 September 2019

Our ref: CF/16/788-1

Mr Richard Murphy  
Partner, MinterEllison  
Level 23, Rialto Towers  
525 Collins St  
Melbourne VIC 3001

Dear Mr Murphy

**VCGLR China Investigation – Request for disclosure of translation of judgment**

I refer to your letter dated 7 August 2019.

In your letter, you request that the Victorian Commission for Gambling and Liquor Regulation (**VCGLR**) provide Crown an unredacted copy of the VCGLR's translated verdict of the Baoshan District Court for the sole purpose of Crown making discovery of it in the class action. It is not clear why Crown has requested this document from the VCGLR, and why Crown cannot just produce a copy of its own unredacted translated verdict. Please indicate why Crown seeks to produce the VCGLR's unredacted translated verdict.

In addition, the VCGLR notes that the verdict of the Baoshan District Court contains protected information under Chapter 10 of the *Gambling Regulation Act 2003 (Act)*. There is a general duty of confidentiality that prohibits the VCGLR from disclosing protected information. This prohibition does not apply where the VCGLR is performing a function under a gaming Act, which was the case when the VCGLR initially disclosed a copy of the redacted verdict to Crown (on 29 May 2019).

While I understand that Crown wishes to receive a copy of the unredacted verdict to disclose in court proceedings, I note that disclosure by the VCGLR to Crown for that purpose would not be a situation where the VCGLR is performing functions under a gaming Act or gaming regulations. However, I note that the Commission may disclose protected information under s 10.1.32(2) of the Act if the Commission considers that disclosure of the information is in the public interest, or disclosure of the information is not unreasonable in the circumstances. Further, in such a scenario, Crown may be able to provide the information to a court under s 10.1.34(2)(c) of the Act. Nevertheless, you have not given us information which would allow the Commission to consider whether the circumstances in s 10.1.32(2) of the Act are satisfied.

I also note that even if a court were to require the VCGLR to produce this document directly to the court, VCGLR is not permitted to disclose protected information due to the operation of section 10.1.31 of the Act, unless, relevantly, section 10.1.31(2) of the Act applies.

If you have any questions, please feel free to contact me on [REDACTED]

Yours sincerely

A handwritten signature in blue ink, appearing to be 'Scott May', written over a light blue horizontal line.

Scott May  
**Director, Legal Services & General Counsel**

CC: Mr Joshua Preston, Chief Legal Officer, Crown Resorts