

**ATTACHMENT 3**

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3 December 2019

Mr Rowan Harris
Principal Major Licence Officer
Victorian Commission for Gambling and Liquor Regulation
Level 3, Shelley Street
RICHMOND VIC 3121

cc: Jason Cremona

By Email

Dear Mr Harris

Sixth Review of the Casino Operator and Licence (Sixth Review) - Recommendation 19

I refer to the letter from Mr Ross Kennedy dated 6 August 2019 (**Commission's Letter**) and subsequent meetings and communications between the VCGLR and Crown Melbourne, regarding proposed changes to be made to Crown Melbourne's 'Unacceptable Behaviour Corporate Policy Statement'.

The Commission's Letter requests that Crown Melbourne make further amendments to its Unacceptable Behaviour Corporate Policy Statement, to provide greater clarity to its staff about when to issue an exclusion order, withdrawal of licence or both.

As discussed in our meeting of 24 October 2019, it was thought that Crown Melbourne's Corporate Policy Statement 'Withdrawal of Licence – Exclusion/Self-Exclusion', which we tabled at that meeting, may already clarify the circumstances for issuance of an exclusion order or withdrawal of licence.

Accordingly, as discussed, please find attached in response to the Commission's Letter, an amended DRAFT version of Crown Melbourne's:

1. Unacceptable Behaviour Corporate Policy Statement; and
2. Withdrawal of Licence – Exclusion/Self-Exclusion Corporate Policy Statement.

Please do not hesitate to contact me or Joshua Preston if you would like to discuss this matter or if there is any further information that can be provided to assist.

Yours sincerely

A large black rectangular redaction box covers the signature area. A small black square is positioned above the main redaction box, centered under the words "Yours sincerely".

Michelle Fielding
Group General Manager – Regulatory and Compliance

Encl.

A handwritten blue mark, possibly a signature or initials, is visible below the name and title. It consists of a curved line that starts under the 'i' in 'Michelle' and extends towards the right.



SUBJECT: Corporate Policy Statement
POLICY TITLE: Withdrawal of Licence – Exclusion/Self Exclusion Policy
APPROVED BY: Craig Walsh **REVIEWED:** November 2019
VERSION: Version 8-19 **ISSUE DATE:** July 2005

1. Statement of Purpose

- 1.1 The aim of this policy is to provide an understanding of the policies and procedures associated with a Withdrawal of Licence, Exclusion~~s~~ and Self-Exclusion~~s~~ Order.

2. Policy Statement

- 2.1 Withdrawal of Licence (WOL) is the Common Law right of an owner and occupier of land to restrict a person from entering or remaining on his/her property and is relied upon in the majority of cases involving non-gaming behavioural issues. This right relates to all ~~or part~~ of the Crown Melbourne Limited (Crown) Complex including ~~all or part of the licensed gaming areas~~ casino floor dependent on the seriousness of the offence.
- 2.2 A WOL will be issued under (but not limited to) the following circumstances:
- 2.2.1 Persons displaying unacceptable behaviour;
- 2.2.2 Where there is an unacceptable risk to other customers or the operation of the business; and
- 2.2.3 Ex-staff where deemed appropriate.
- 2.3 The "Exclusion" provisions of the *Casino Control Act 1991* (Vic) are applied where behaviour significantly impacts on gaming integrity and in appropriate cases, for significant unacceptable conduct within the licensed gaming areas casino floor.
- 2.4 In appropriate cases, Crown may elect to issue both a WOL and an Exclusion Order.
- 2.5 Only authorised persons with a delegated Power of Attorney are permitted to issue a WOL and Exclusion or Self-Exclusion Orders.
- 2.56 Files relating to WOLs, Excluded players and players restricted from ~~all or part of the licensed gaming areas~~ casino floor are held by the Security Investigation Unit (SIU) and are available for inspection by authorised personnel. Self-Exclusion files are maintained by Crown's Responsible Gaming Support Centre (RSGC).

3. Procedure

- 3.1 Where it is deemed that behaviour does not warrant the immediate issuance of a WOL or an Exclusion Order, a warning letter may be issued advising the customer that any repetition will not be tolerated.
- 3.2 WOL
- 3.2.1 A WOL may be issued verbally and accompanied by an information card by authorised staff or served by Certified Mail. Reasons for a WOL need not be specified.
- 3.2.2 WOL's may be issued for a defined or, when required, an indefinite period. Where requested, Crown Management may review particular cases.
- 3.2.3 When there is evidence of a breach or breaches of a WOL, the WOL will be reviewed at the expiration date and, at the discretion of Crown Management, the WOL may be extended.
- 3.3 Exclusion Orders
- 3.3.1 Part 5 of the *Casino Control Act 1991* (Vic) details the legal requirements in regard to Exclusion Orders.
- 3.3.2 Exclusion Orders may be issued by authorised staff ~~in response to gaming integrity issues~~ either verbally or in writing at the time of the incident or served by Certified Mail.
- 3.3.3 Exclusion Orders may only be revoked after a review, an appeal or expiry of the Order.
- 3.4 Voluntary Self-Exclusion Orders
- 3.4.1 Self-Exclusions must be in writing and signed by the applicant in the presence of an authorised person.
- 3.4.2 A person seeking to vary, amend or rescind a Self-Exclusion Order must make a formal written submission that includes documentation from an accredited psychologist, psychiatrist, counsellor or medical practitioner in support of the request.
- 3.4.3 The Self-Exclusion Revocation Committee will, when requested by a Self-Excluded person, undertake a review of an application for revocation of his/her Exclusion Order, taking into account all the relevant facts.

1. Revision History

Issue Date	Version	Author Initials	Section changed	Change Details
19 May 2016	6.0	CW	2.5	General tidy up
8 May 2017	7.0	CW	No changes	No changes
18 June 2018	8.0	CW	No changes	No changes
<u>November 2019</u>	<u>9.0</u>	<u>MF</u>	<u>Various</u>	<u>General tidy up and Recommendation 19 of the Sixth Casino Review.</u>

2. Certification

Responsibility	Name	Business Unit	Signature	Date
Prepared By	Jacqueline Couch	Regulatory and Compliance		18 June 2018
Approved By	Craig Walsh	Security		

- 2.1.19 Known or suspected to currently have, or to have had involvement or association with any organised crime figures, members and/or groups;
- 2.1.20 The customer is known to be the subject of serious criminal charges;
- 2.1.21 Drug offences; and
- 2.1.22 Any other behaviour deemed by Crown Melbourne Limited (**Crown**) in its discretion to be unacceptable.

3. Procedure

- 3.1 Crown employees are encouraged to report incidents of unacceptable behaviour to their Manager or to a Security Services representative for appropriate action.
- 3.2 Depending on the nature and/or severity of the unacceptable behaviour a Manager or Security Services representative involved in the incident may:
 - 3.2.1 Ask the customer to modify his/her behaviour;
 - 3.2.2 Ask the customer to leave the premises;
 - 3.2.3 If necessary remove the person from the premises; or
 - 3.2.4 Detain the person pending the arrival of the police.
- 3.3 Where deemed necessary, the Security Services Manager (or above) may issue a Withdrawal of Licence. A Withdrawal of Licence is a common law right to refuse someone entry to property.
- 3.4 Follow-up action
 - 3.4.1 Where the immediate action taken does not adequately deal with the situation, further action may be required and could include:
 - (a) Reporting of the matter to the Security Investigation Unit (SIU) for further investigation; and
 - (b) Preparation of a file containing relevant information or evidence.
 - 3.4.2 Submission of the completed file, together with any recommendation from any relevant department for further action that may be necessary-appropriate, including any one or a combination of the following:
 - (a) Advice to customer/s;
 - (b) Preparation of a Person of Interest (POI) file;
 - (c) A Letter of Warning;

- (d) Withdrawal of Licence;
- (e) Exclusion Order¹ (where appropriate, including for significant unacceptable conduct or serious criminal conduct);
- (f) Referral to police; or
- (g) Formal legal action.

3.4.3 As a general rule Exclusion Orders are issued where the activity, behaviour or incident impacts on the integrity of the game (although there can be overlap with other unacceptable behaviours).

3.5 Assistance

- 3.5.1 At the time of an incident the attending personnel should provide whatever assistance may be required to the victim or complainant and/or employee.
- 3.5.2 Follow-up support will be offered to individuals (employees or customers) involved in an incident as deemed appropriate. Support may be in the form of medical assistance, counselling or referral to the Employee Assistance Program.
- 3.5.3 Any customer complaint, or appeal from an Exclusion Order can be made to the Victorian Commission for Liquor and Gambling Regulation (**VCGLR**) and Crown will assist the customer in providing the contact details for the VCGLR.

¹ Exclusion Order means a written or oral order under section 72 of the Casino Control Act or a written order under section 74 of the Casino Control Act, prohibiting a person from entering, or remaining in, a casino or the casino complex.

4. Revision History

Issue Date	Version	Author Initials	Section changed	Change Details
19 May 2016	7.0	JC	No changes	No changes
10 May 2017	8.0	JC	2.1	Additional definitions
10 January 2018	9.0	JC	3.2	Addition of Manager
18 June 2018	10.0	CW	No changes	No changes
**** 2018 November 2019	11.0	JC	<u>3.4.2</u>	General tidying and insert for <u>Recommendation</u> <u>19 of the 6th s 25</u> <u>Review</u>

5. Certification

Responsibility	Name	Business Unit	Signature	Date
Prepared By	Jacqueline Couch	Regulatory and Compliance		
Approved By	Craig Walsh	Security		

