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27 May 2021

By email

Ms Alex Fitzpatrick
 Director, Licensing
 Victorian Commission for Gambling and Liquor Regulation
 Level 3, 12 Shelley Street
 Richmond VIC 3121

Dear Ms Fitzpatrick

Casino Special Employee – Veng Anh

I refer to your letter of 14 May.

Enclosed are copies of MinterEllison's letter to Mr Anh dated 19 August 2020, and Mr Meade's email to counsel acting for Mr Anh dated 27 August 2020, which were inadvertently not enclosed with Crown's letter of 13 November 2020.

In respect of the requests from your letter:

Request 1

[Advise] whether Mr Anh participated in a record of interview (if so, [provide] a copy of the transcript).

1. Mr Anh participated in an interview with Mr Meade on 18 January 2021. At the outset it was made clear that this was not a disciplinary hearing, and that the interview was not a record of interview, as commonly understood in the context of a police criminal investigation. That meeting was also attended by counsel for Mr Anh, and by Jan Williamson, now General Manager - Legal and Tim Spearman, Human Resources Manager – Support Services of Crown. That interview was recorded, and a transcript of that recording has also been prepared (**Interview Records**).

Request 2

[Advise] whether any disciplinary process was commenced by Crown.

- a. *If so, provide details of the disciplinary process.*
- b. *If not, explain why not.*

2. No disciplinary action was commenced by Crown against Mr Anh.
3. In or around early January 2021, a decision was made to restructure the VIP Operations units within Crown. As a corollary of that decision, Mr Anh's position (along with the positions of a number of his peers) were made redundant. This decision therefore obviated the need for a further investigation or disciplinary process by Crown.

Request 3

[Advise] whether any external investigation was carried out. And if so, by whom.

4. In the course of advising Crown in its engagement with the NSW Casino Inquiry, MinterEllison investigated the allegations made regarding Mr Anh in the Nine Entertainment Co. news outlets during February 2020. This investigation culminated in:
- (a) the delivery of an advice from MinterEllison to Ken Barton and Mary Manos on 28 December 2020 (**MinterEllison Advice**); and
 - (b) the interview described in 1 above.

Privileged Information

5. Crown maintains a claim of legal professional privilege over the Interview Records and the MinterEllison Advice (**Privileged Anh Records**), on the basis that they disclose legal advice provided to Crown by MinterEllison and internal legal counsel for the purpose of advising Crown in connection with the NSW Casino Inquiry and in relation to potential disciplinary processes involving Mr Anh.
6. Notwithstanding the above, we understand that the Commission would be greatly assisted by the provision of the Records of Interview and the MinterEllison Advice (**Privileged Anh Records**).
7. With that in mind, and having regard to Crown and the Commission's shared interest in monitoring the suitability of persons to hold special employee licences, Crown proposes to provide the Privileged Anh Records to the Commission on the following basis:
- (a) Crown maintains its privilege claim over the Privileged Anh Records;
 - (b) the Commission acknowledges the following:
 - (i) Crown claims that the Privileged Anh Records are privileged and confidential;
 - (ii) the disclosure of the Privileged Anh Records to the Commission is for the limited purpose of the assessing Mr Anh's suitability to hold a special employee licence and related matters (**Limited Purpose**); and
 - (iii) by providing the Privileged Anh Records to the Commission, Crown does not intend to waive privilege as against any third parties; and
 - (c) the Commission agrees that:
 - (i) the Commission will use the Privileged Anh Records only for the Limited Purpose;
 - (ii) the Commission will keep the Privileged Anh Records confidential and not disclose them to any third party without Crown's prior consent; and
 - (iii) access to the Privileged Anh Records will only be available within the Commission to the extent reasonably necessary for the information to be reviewed for the Limited Purpose.
8. If the Commission is agreeable to the above proposal, Crown is prepared to deliver up the Privileged Anh Records within 24 hours of confirmation of acceptance.

Ms Alex Fitzpatrick
Victorian Commission for Gambling and Liquor Regulation

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If you have any queries, please don't hesitate to contact me.

Yours sincerely



Xavier Walsh
Director and Chief Executive Officer, Crown Melbourne Limited

Encl.