

MinterEllison

2 November 2020

Mr Adam Ockwell
Director, Compliance

Mr Scott May
Director Legal Services & General Counsel

Victorian Commission for Gambling and Liquor Regulation
Level 3, 12 Shelley Street
RICHMOND VIC 3121

Dear Messrs Ockwell and May

Production of records

We refer to the letter from Mr Ken Barton to Mr Cameron Warfe dated 30 October 2020.

Please find enclosed the documents referred to in Annexure B to Mr Barton's letter.

The documents are confidential, contain private personal information relating to third parties, and/or are in some respects commercially sensitive. The documents are provided to the VCGLR on the basis that they will be treated as such, and in particular that the VCGLR will not disclose their contents to any third party.

Privileged material

The production set contains documents which have been redacted on the basis of extant claims of legal professional privilege. Documents which are wholly subject to such privilege claims have not been produced.

For completeness, we note that documents subject (in whole or part) to a claim for legal professional privilege:

- (a) were created for the dominant purpose of giving or obtaining legal advice (or refer, in whole or part, to such advice); and
- (b) Crown has not waived, and does not intend to waive, the privilege arising in these communications.

Particulars of Crown's position on privilege in respect of each of the documents is set out in the attachment to this letter.

Additional documents

We note that CRL.509.017.4594 refers to matters which relate to particular junket operators. It was not a document generated in the course of Crown's standard probity processes in respect of junkets, and as such was not identified by Crown's searches for documents potentially responsive to the notice issued under section 26 of the *Casino Control Act 1991* (Vic) dated 9 August 2019 (**August 2019 Notice**). This document was not identified until this year, as a consequence of work conducted in response to the New South Wales Casino Inquiry.

It is Crown's view that CRL.509.017.4594 is within the scope of the documents sought in the August 2019 Notice, as it relates to the assessment of the probity of persons the subject of that notice. Additionally, as a consequence of identifying this document, Crown has also identified three further documents which log



decisions made regarding probity of junket operators, and which are within the scope of the August 2019 Notice. These are now produced as well.

If you would like to discuss any aspect of this, please contact the undersigned.

Yours faithfully

MinterEllison



Richard Murphy
Partner

Contact: Robert Meade T: [REDACTED]

Partner: Richard Murphy T: [REDACTED]

OUR REF: RDM 1147099

Attachment | Privilege claims

No.	Document ID	Privilege position	Other comments
1.	CRL.509.017.4594	Not privileged	Produced pursuant to the August 2019 Notice.
2.	CRL.689.001.0021	Privileged (part)	N/A
3.	CRL.691.001.0001	Not privileged	N/A
4.	CRL.691.001.0003	Not privileged	N/A
5.	CRL.693.001.0120	Not privileged	N/A
6.	CRL.693.001.0091	Not privileged	N/A
7.	CRL.689.001.0001	Privileged (part)	N/A
8.	CRL.684.001.0021	Not privileged	N/A
9.	CRL.689.001.0005	Privileged (part)	N/A
10.	CRL.658.001.0122	Not privileged	N/A
11.	CRL.711.001.0001	Privileged (part)	N/A
12.	CRL.685.001.0001	Not privileged	N/A
13.	CRL.703.001.0001	Not privileged	N/A
14.	CRL.579.001.0034	Not privileged	Produced pursuant to the August 2019 Notice.
15.	CRL.579.001.0409	Not privileged	Produced pursuant to the August 2019 Notice.
16.	CRL.597.001.0001	Not privileged	Produced pursuant to the August 2019 Notice.