

**IN THE MATTER OF A ROYAL COMMISSION INTO
THE PERTH CASINO**

**WITNESS STATEMENT OF ANDREW MARTIN EDWARD
DUCKWORTH**

Date of Document: 12 May 2021

Filed on behalf of: The Gaming and Wagering Commission
of Western Australia

Prepared by:

Quinn Emanuel Urquhart & Sullivan
Level 41, 108 St Georges Terrace
PERTH WA 6000

Telephone No: +61 8 6382 3000
Reference: 10659-00001
Contact: Paul D Evans/Peter Sadler

I, ANDREW MARTIN EDWARD DUCKWORTH of Contains sensitive information

Contains sensitive information

, say as follows:

1. This statement is provided in response to the witness summons to give evidence, dated 30 April 2021 and issued pursuant to section 9 of the *Royal Commissions Act 1968* (WA), which is directed to me by the Perth Casino Royal Commission. This statement addresses the matters set out in Schedule 1 to the summons.
2. I am a former member of the Gaming and Wagering Commission of Western Australia (GWC).
3. This statement is true and correct to the best of my knowledge and belief. The views I express in this statement are from my own knowledge, except where I indicate otherwise.

QUALIFICATIONS AND EXPERIENCE

4. I hold the following formal qualifications:
 - (a) Bachelor of Arts, Sociology (Hons), 1968, University of Exeter;
 - (b) Diploma of Education, 1971, University of Western Australia; and
 - (c) Master of Arts (Anthropology), 1978, University of Western Australia.
5. I do not hold any specific formal qualifications specifically in relation to the regulation of casinos or casino gambling.
6. I have sat on a number of boards or commissions, including:
 - (a) the GWC from 2008-2020;
 - (b) National Campaign Against Drug Abuse, Youth Alcohol Committee;
 - (c) National Campaign Against Drug Abuse, New Initiatives Working Party;

- (d) Senate Select Committee on Volatile Substance Abuse Working Party;
 - (e) Alcohol Advisory Council of Western Australia;
 - (f) Western Australian College of Advanced Education Health Studies Advisory Committee (Claremont Campus);
 - (g) Western Australian Alcohol and Drug Authority Continuing Education and Training Committee;
 - (h) Board Member of INDRAD Services of WA Inc;
 - (i) Social Advantage Restructure Implementation Committee;
 - (j) W.A. Police Ethnic Advisory Council;
 - (k) Early Years Taskforce Officers Group; and
 - (l) Drug and Alcohol Office Senior Officers' Group.
7. Before joining the GWC, I gained experience from a number of roles I have held which have some relevance to gaming and wagering. These included:
- (a) I worked for Minister for Racing and Gaming in late 1980s and early 1990s. A lot of that time was spent dealing with Dallas Dempster, who was at that time involved in the establishment and early development of the Perth Casino.
 - (b) I worked as the Manager, Customer Liaison, at the Totaliser Agency Board (TAB) in 1990-1991.
 - (c) Between July 2004 and March 2006, I was an Executive Coordinator with the Western Australia Police Force, where I was responsible for, among other things, the development and implementation of a multi-tiered Corruption Prevention Plan.

ROLE ON THE GAMING AND WAGERING COMMISSION

Date and length of appointment

8. I was appointed a member of the GWC in 2008.
9. I was approached by John Carruthers from Minister Ravlich's office. John, who I knew, was aware I was retiring from the workforce in 2008. He briefly described the role of the GWC. He said the role of the GWC was to ensure there was a community perspective on gaming and wagering activities, but that there was an expert department that all of the knowledge of the technical details and so on. He asked me whether I would like to be put forward to the Minister for a position. I said that I would, and I was subsequently appointed.
10. During my time on the GWC it was supported in its functions by the Department of Local Government, Sport and Cultural Industries (and its predecessors) (**Department**).
11. I retired from the GWC after about 12 years on 30 June 2020.

Training

12. To the best of my recollection, I did not receive any specific or formal training while on the GWC in relation to the performance of my functions as a member of the GWC, or in relation to the regulation and oversight of the Perth Casino specifically.
13. I received a bundle of the relevant Acts. I might also have received something from the Public Sector Commissioner, but I am not certain.
14. I did not expect to receive any specific training. I expected to (and did) learn on the job. There were enough experienced people on the GWC from which I could learn. In particular, as a member of the GWC, I took the lead on the legislative framework from the Chair, who was Barry Sargeant until 2017 and then Duncan Ord. Barry knew the relevant legislation off by heart. Michael (Mick) Connolly, the Deputy Director

General and Chief Casino Officer, was also very knowledgeable on the issues before the GWC generally, and the Perth Casino specifically. In my opinion, Mick did a good job at GWC meetings in that, given his experience, he may have a particular view on a matter, but he was amenable if the GWC were not ready to make a decision or took a different view to him.

15. During my time on the GWC, I attended 2 or 3 excursions to the Perth Casino to see firsthand its operations, such as how it conducted the count and its surveillance capabilities.

Areas of specific responsibility

16. I did not have any specific responsibilities on the GWC. Nor, to my knowledge, did anyone else. Some of the later appointments were accountants and they took it upon themselves to look more closely at accounting matters. People tended to play to their strengths.

Remuneration and time spent

17. To the best of my recollection, I was paid approximately \$16,666 per year for my service on the GWC.
18. I was also provided with a Departmental iPad when the GWC changed its operations from a paper based system. I returned the iPad to the Department after I ceased with the GWC.
19. I did not receive any other remuneration.
20. The amount of my time taken in performing my role as a member of the GWC depended on the agenda. Generally, meetings would take between 2.53 hours, especially in the latter years. My preparation time for those meetings would be about 3 hours. Generally, the longer the meeting the more preparation time was required.

21. On occasion, the time spent on GWC activities would increase, for example, when the Australian Gaming Conference took place in Western Australia in 2009 and 2018.
22. On average, and especially in the latter years, about 60-70% of time in meetings was spent dealing with Perth Casino business. Discussions about the Perth Casino were always more time consuming than, say, whether there should be a new TAB in Morley or whether the Fremantle Cricket Club should be permitted to hold a gaming night. This is because the size of the Perth Casino business, and the nature of casino gaming, presented particular harm minimisation issues that had to be considered.

POWERS, DUTIES AND OBLIGATIONS OF THE COMMISSION

Information as to powers, responsibilities, obligations and duties

23. In response to Topics 7 and 8 I refer to paragraphs 10-12 above.
24. Before each meeting an information pack was made available to GWC Members' iPads. It contained the meeting agenda laying out all the agenda items together with relevant papers, correspondence, briefing history or synopsis of previous developments relating to the item. It also included references where applicable to governing Acts or Regulations having a bearing on the matter, including the powers, obligations and responsibilities of GWC, and other useful reference material. Generally, but not always, briefing papers on any item requiring deliberation and/or decision by the GWC carried a recommended course of action – which may or may not have been followed by the GWC. My iPad contained copies of relevant Acts and previous minutes and agendas for reference.

Obstruction

25. To the best of my recollection and during my time on the GWC, the GWC was never obstructed in the exercise of its powers and discharge of its responsibilities and obligations.
26. I was never obstructed in the performance of my duties or the exercise of my powers as a member of the GWC.

My understanding of the Commission's policies and procedures, etc

27. There was a Casino Manual that the Casino management was required to follow, which included standards, policies and procedures with respect to gaming operations.
28. There were policies on a range of matters, including for instance how surveillance at the Perth Casino would be conducted, how changes to electronic gaming would happen, where automatic teller machines could be located, and the like. There was also a policy for oversight of the Perth Casino's testing regime for the suitability of electronic gaming machines, relating to game time and return to player. All new games and variations to existing games had to be approved by the GWC. Any employee of the Perth Casino who failed to report a criminal offence was required to appear before the GWC to state why action should not be taken against him or her.
29. Beyond this, to the best of my recollection, the GWC did not have any specific policies or procedures relating to the exercise of the GWC's powers and the discharge of its responsibilities and obligations in respect of the regulation and oversight of the Perth Casino or the risks associated with:
 - (a) junket operations;
 - (b) money laundering;

- (c) cash and electronic transactions at the Perth Casino, except to limit monies withdrawn from nearby ATMs and to establish minimum distance for the placement of the ATM from the gaming area; or
 - (d) criminals infiltrating casino operations.
- 30. The GWC did not have the capability or the means to investigate or detect money laundering or the infiltration of criminals into casino operations. Nor did it have the capability or means to vet junket operations.
- 31. I believe that federal authorities such as the Australian Federal Police, Border Force, AUSTRAC and the ATO, supported by state police authorities, bear the prime responsibility for dealing with issues relating to money laundering and the entry into Australia of people with criminal backgrounds. I had the impression that the federal authorities had a fairly strict and rigorous system of vetting people who organised junkets and the people who visited casinos as part of junkets.
- 32. The GWC has the responsibility for overseeing the renewal of the Perth Casino's licence every three or five years and ensuring that money laundering prevention and protocols for reporting money laundering formed part of the Perth Casino's risk management plan.

SUPPORT FROM THE DEPARTMENT

- 33. The GWC does not have its own staff. Support of that type is provided by the Department.
- 34. The Department provided support to the GWC in a number of ways, including:
 - (a) Officers of the Department were the people on the ground at the Casino who monitored compliance with the Acts and the regulations. These inspections

were reported to the GWC at its monthly meeting, with any issues arising from the inspections separately reported.

- (b) The Department also kept records that the GWC might need to refer to – for example, statistics as to the Perth Casino's take (i.e. revenue), or whether and how many people had been barred from the premises.
 - (c) Officers of the Department also put together drafts of policies and papers on various issues that GWC could then consider at subsequent meetings.
 - (d) Departmental staff were also the people who would deal with the nitty gritty of licensing, receiving applications for gaming, and educating people about what was required in relation to those applications.
 - (e) Keeping minutes of the GWC.
35. For the most part, the briefing papers prepared by the Department were adequate. Most people on the GWC were, to my recollection, positive about briefing papers. Occasionally the GWC would get substandard briefing. That would be sent back to the Department and then reconsidered at the next meeting of the GWC.
36. If the GWC had questions on papers they would be answered. Sometimes these answers would be given during a meeting of the GWC. Sometimes additional information would come in between when the prepared was prepared and the meeting at which the paper was considered, which would clarify matters. Sometimes a question would have to go back to the Department between meetings.

37. The general support provided by the Department was good. The secretariat which kept minutes and organised the papers was efficient. IT support was prompt and helpful. The quality of the writing in the briefing papers was generally good.

CONFLICTS OF INTEREST

38. I cannot recall being provided with any specific information about conflicts of interest and how to deal with or avoid them either before or after my appointment. In the early part of my tenure I cannot recall if we were referred to the Public Sector Commissioner's guidelines about conflicts of interests but, if we were, I would have read them. By the time I joined the GWC I was familiar enough about conflicts of interest that I didn't need any particular schooling.
39. In later years I became aware that the Public Sector Commission produced a Code of Conduct for all Government Boards and Commissions including the GWC. It outlined the responsibilities of Chairs and Board Members, including conflicts of interest. At each GWC meeting the opportunity to state a conflict of interest was a standing agenda item along with the statement of any gift or hospitality received. These items preceded the other agenda items.
40. I did not have any conflicts of interest in relation to my role on the GWC. I didn't gamble at the Perth Casino. I made a conscious decision not to go to it. I had no pecuniary interest in Crown.

41. I assume the Department would have had a conflict of interest policy because the Public Sector Commissioner would have required it to have one, but I do not recall seeing it.

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**ANDREW MARTIN EDWARD
DUCKWORTH**

Place: Perth

Date: 12 May 2021