

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

WITNESS STATEMENT OF HELEN MARGARET VINEY COGAN

Date of Document: 14 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, **HELEN MARGARET VINEY COGAN**, of **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 (**PCRC**). 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 and recollection, except where I indicate otherwise.

QUALIFICATIONS AND EXPERIENCE

4. I hold a Bachelor of Laws from the University of Western Australia and a Bachelor of Laws from the University of Witwatersrand in South Africa.
5. I do not hold any formal qualifications specifically in relation to the regulation of casinos or casino gambling.
6. Between 2000 and 2009, I was a director of the Daughters of Charity Services and from 2005 to October 2020 I was a member of the Council and Executive Council of the National Trust of Australia (WA).
7. Between 2007 and May 2016, I was a foundational member of the Liquor Commission of Western Australia.

ROLE ON THE GAMING AND WAGERING COMMISSION

Date and length of appointment, remuneration and time spent

8. After receiving my summons for the PCRC I contacted the Department of Local Government, Sport and Cultural Industries (**Department**) to obtain information about my tenure and remuneration.
9. I am informed by the Department that I was appointed to the GWC in January 2006 until December 2011, and then again for a short period in 2012 until the vacancy created

by the resignation of Ms Katie Hodson-Thomas was filled. I do not recall the precise dates.

10. I recall that Barry Sargeant approached me to ask if I would join the GWC. I don't recall why Barry asked me. I assume it had to do with my legal experience, as at the time I was a lawyer at the State Solicitor's Office and I would from time-to-time provide legal advice to the then Department of Racing, Gaming and Liquor. I also recall speaking with the then responsible Minister, the Hon. Mark McGowan MLA, in connection with the appointment. However, all I recall about that conversation is that we spoke about how we were both lawyers.
11. After I contacted the Department, as described at paragraph 8 above, the Department supplied me with PAYG summaries for financial years ending 30 June 2011 (\$12,722), 30 June 2012 (\$8,682), 30 June 2013 (\$9,046) and 30 June 2014 (\$5,727). The total of those amounts is \$36,177. However, that does not include remuneration for financial years ending 30 June 2006-30 June 2010. I do not know what remuneration I received for those periods and I do not understand why I was given summaries for financial years ending 30 June 2013 and 30 June 2014. I recall that there was sometimes confusion about payments for GWC and the Liquor Commission.
12. Meetings of the GWC took about two hours, maybe a little longer. At the time the briefing packs that were supplied were quite small. It would usually take me a couple of hours to read the board packs, plus any time spent refreshing my memory about relevant legislation and the like, if it was needed.

Training

13. I do not recall whether I received any training related to the performance of my functions as a GWC member, generally, or in relation to the regulation and oversight

of the Perth Casino, specifically. I may have received copies of the relevant legislation, but I cannot be sure.

14. While a lawyer at the State Solicitor's Office I had some engagement with the *Casino Control Act 1984* and the *Gaming and Wagering Commission Act 1987*, and so was somewhat familiar with those when I joined the GWC.
15. The Chair at the time was Barry Sargeant. If I had questions about my role or the role of the GWC I would ask Barry.
16. I was aware that it was appropriate to know the relevant legislation, and I would look at a particular section of an Act, or a regulation, if that happened to be referred to or arose from material in the briefing packs.

Areas of specific responsibility

17. I did not have any specific areas of responsibility on the GWC. Nor, to my recollection, did anyone else. I assume the Chair organised meetings of the GWC and oversaw the preparation of the agenda. There were no sub-committees.

POWERS, DUTIES AND OBLIGATIONS OF THE COMMISSION

Information as to powers, responsibilities, obligations and duties

18. In addition to what I set out at paragraphs 13-16 above, I may have been provided with a copy of the Public Sector Commissioner's guide to being on boards, though it could be that I received that in connection with my membership of the Liquor Commission. I cannot be sure. Otherwise, I don't think that I was provided with any other information about my duties and powers, or the GWC's powers, responsibilities and obligations, when I joined the GWC.

19. As I recall the briefing packs that were provided to me for meetings did not contain any information about my powers, responsibilities, obligations and duties, or those of the GWC.

Obstruction

20. 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.
21. 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

22. I remember general discussions amongst members of the GWC about junket operations and money laundering, and that those issues were of general concern to the members of the GWC, but I do not recall any policies or procedures that the GWC had about them.
23. I also generally remember conversations about the "cage" at the Perth Casino, but cannot recall any specific policies or procedures in connection with that.
24. I do not recall any specific discussion, or policies or procedures, about the risk of criminals infiltrating the Perth Casino.
25. GWC may have had interactions with WA police, though I cannot recall any specific details. I have no recollection of any involvement with federal authorities like the Australian Federal Police or the immigration department.
26. I don't recall ever seeing a document described as a "Casino Manual".

SUPPORT FROM THE DEPARTMENT

27. The Department supported the GWC in the exercise of its functions.
28. Departmental staff prepared the briefing packs for members of the GWC.
29. I was never dissatisfied with the briefing packs prepared by the Department. The Department was extremely supportive, helpful and useful, including in relation to IT support.
30. I do not recall if there were any policies about how the Department would interact with the GWC, or how staff of the Department would report back to the GWC. I know that I could ask questions of Departmental staff in relation to reports and briefing packs, though I do not recall ever doing so.
31. I cannot recall who the Chief Casino Officer was at the time, though Michael Connolly was around and I thought he was very competent and intelligent.

CONFLICTS OF INTEREST

32. When I joined the GWC I was very aware of conflict of interest situations. I had by that stage been a lawyer for a long time.
33. I do not recall if I was provided with a code of conduct either before or after I joined the GWC, or other material about conflicts of interest.

34. There may have been a process in place for declaring conflicts of interest at meetings, but I cannot specifically recall it.
35. I have no recollection of ever declaring a conflict during my time on the GWC. I don't recall whether any of the other members of the GWC ever declared a conflict while I was on the GWC.
36. I do not recall whether GWC or the Department had any policies in place about conflicts of interest for Departmental staff who were assisting the GWC.

Contains sensitive information

HELEN MARGARET VINEY COGAN

DATE: 12 May 2021

PLACE: Perth