

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

WITNESS STATEMENT OF JODIE ELIZABETH MEADOWS

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, **JODIE ELIZABETH MEADOWS** 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.
This statement addresses the matters set out in Schedule 1 to the summons.
- 2 I am a 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:

- 4.1 I completed a Bachelor of Commerce (Major in Accounting and Finance) in 1989 from the University of Western Australia.
- 4.2 I qualified as a Chartered Accountant with Chartered Accountants Australia and New Zealand in 1993 and maintain that qualification. I also hold a Certificate of Public Practice.
- 4.3 I have also completed the Company Directors Course and the Director Pipeline Program 2018 with the Australian Institute of Company Directors.

- 5 I commenced my career as an accountant at Price Waterhouse in the audit division. In that role, between 1990 to 1993, I worked as an auditor on, amongst other things, the audit of Burswood Resort Casino (as it was then known). At that time, I spent approximately half of my time working on audits at the Burswood Resort Casino and its' associated entities. As part of that role, I became familiar with the legislation and regulations applicable to the operation and regulation of the Casino. As part of my role with Price Waterhouse, I also worked on the audit, for three years, of the Western Australian Trotting Association, and consequently, was also aware of and familiar with the legislation applicable to that association.

- 6 Since leaving Price Waterhouse, I have held a number of positions, including:

- 6.1 I was the Regional Financial Accountant at National Foods Ltd between 1995 to 1997.
- 6.2 I was Group Financial Controller, a Company Director and Company Secretary at Criterion Group of Companies (now FJM Property) between 1997 to 1999.
- 6.3 I was a Chartered Accountant, Sole Practitioner and Registered Tax Agent at Hede & Co between 1999 to 2004.
- 6.4 I was the Chief Financial Officer at Pitcher Partners Perth from 2004 to 2008. I sat on numerous Governance and Finance committees as part of this role.
- 6.5 I was a consultant with QOF Corporate Services between 2010 and 2019 in which role I primarily acted as the external Chief Financial Officer to BDO Perth. I sat on numerous Governance and Finance committees as part of this role.
- 6.6 On 28 October 2019, I was appointed to the role of Chief Financial Officer at ASG Group Ltd and currently hold this role. I am a Company Director for two wholly owned subsidiaries of ASG Group Ltd.
- 6.7 From 2018 to 2019, I was appointed to the Curtin University Guild Finance, Risk & Compliance Committee.
- 6.8 In 2018, I was elected to the General Council of HBF Limited and still hold this position.
- 6.9 In January 2020, I was appointed to the Board of GolfWA and still hold this position.

7 In additional to my professional career, I was the co-owner of Ginger Nightclub from 2007 to 2016, a licenced venue located in Perth and co-owner and Managing Director of Westalk Telecommunications from 2004 to 2014, a telecommunications reseller.

8 A copy of my curriculum vitae is annexed to my statement and marked GWC.0001.0007.0001.

9 Save for my experience with Price Waterhouse referred to in paragraph 5 above and the experience I have gained from my role as a member of the GWC (discussed below), I do not have any qualifications or experience specifically in relation to the regulation and oversight of casinos and casino gambling.

GAMING AND WAGERING COMMISSION

Appointment

10 Following the completion of the Company Directors Course with the Australian Institute of Company Directors, I wrote to a letter to the Hon. Paul Papalia MLA expressing my interest to be appointed to a community focused Board. At that time, I wanted to give back to the community by applying my skill sets to a position with a public interest element.

11 At the same time, I had also registered my curriculum vitae with the Department of Premier and Cabinet via OnBoardWA. A copy of the cover letter I uploaded to OnBoard WA is annexed to my statement and marked GWC.0003.0007.0002.

12 In or about June or July 2018, I received a letter from Mr Papalia informing me of a selection of board vacancies for my consideration, namely the Burswood Park Board and the Gaming and Wagering Commission.

- 13 I wrote to Mr Papalia confirming my interest in being appointed as a member of the Gaming and Wagering Commission. I did so because I was passionate about responsible gambling and thought my experience with Price Waterhouse, licenced venues and my understanding of the rules of gambling and wagering would complement that position.
- 14 I was appointed as a member of the GWC on 1 August 2018 for a term expiring on 31 July 2020. A copy of my appointment letter from the Minister and the Department of Local Government, Sports and Cultural Industries (**DLGSC**) are annexed to my statement and marked [GWC.0003.0007.0003](#) and [GWC.0003.0007.0004](#).
- 15 On 29 May 2020, I received an email from Mr Steve Spallarossa advising that he was preparing cabinet papers for me to be re-appointed as a member of the GWC. A copy of that email is annexed to my statement and marked [GWC.0003.0007.0005](#) and [GWC.0003.0007.0006](#) (attachment). I have not received a formal re-appointment letter. The Chair of the GWC, Mr Duncan Ord, announced in a subsequent GWC meeting that I had been re-appointed for 2 years.

GWC Training

- 16 On 31 July 2018, I received an email from Ms Kellie Pemberton from the DLGSC including, amongst other things, my appointment letter and links to the relevant legislation, GWC Annual reports and departmental websites. This email invited me to attend an induction. A copy of that email is annexed to my statement and marked [GWC.0003.0007.0007](#).

17 I attended an induction meeting with Mr Mick Connolly at the offices of the DLGSC on 7 August 2018 at 11.30 am for 30 minutes. At that time, Mr Connolly was the Chief Casino Officer and the Deputy Director General of the DLGSC.

18 During the induction, Mr Connolly:

18.1 provided me with a folder of materials which included:

18.1.1 dates of 2018 meetings;

18.1.2 GWC Code of Conduct, a copy of which is annexed to my statement and marked (GWC.0001.0007.0188);

18.1.3 Public Sector Commission Board Essentials Guide, a copy of which is annexed to my statement and marked (GWC.0001.0007.0187);

18.1.4 GWC guide to Differentiating between Electronic Gaming and Poker Machines, a copy of which is annexed to my statement and marked GWC.0003.0007.0014;

18.2 walked me through:

18.2.1 the contents of the folder;

18.2.2 the applicable legislation relevant to the GWC;

18.2.3 my role as a member of the GWC; and

18.2.4 the operation of the GWC,

discussed in further detail below.

- 19 Mr Connolly highlighted in the Code of Conduct that as a Commissioner I was not permitted to gamble at the Casino. He advised that the penalty was 2 years in prison. I recall asking if that precluded me from betting in any other way. For example, a flutter on the Melbourne Cup or at a Casino outside of WA. I was advised that was allowed. We briefly discussed the difference between Electronic Gaming Machines and Poker Machines. I do recall that Mr Connolly was very knowledgeable and was able to answer each of my questions. He also provided his mobile number and invited me to call him with any queries.
- 20 During my meeting with Mr Connolly, I was required to sign a number of forms and was provided with an apple device (**Device**). It was explained to me that GWC documents, including Board papers and minutes, would be made available to me on that Device for my attention from time to time. An email address had been created for my use on that Device too.
- 21 Following my meeting with Mr Connolly, I reviewed all of the materials provided to me in the folder, the links to the applicable legislation, and reviewed the materials available on the Device.
- 22 On 3 August 2018, I received an email from Ms Pemberton with further information including a link to GWC policies, and an overview of the current members of the GWC. A copy of that email is annexed to my statement and marked GWC.0003.0007.0008 and GWC.0003.0007.0009 (attachment).
- 23 Since my appointment as a member of the GWC I have not been provided with any formal training related to my performance in my role as a member of the GWC, or in relation to the regulation and oversight of the Perth Casino specifically.

ROLE ON THE COMMISSION

- 24 I am a member of the GWC.
- 25 I do not have any areas of specific responsibility as a member of the GWC as distinct from other members.
- 26 In the October 2020 meeting of the GWC, I was asked by the Chair of the GWC to become a member of the DLGSC Internal Audit Committee, representing the GWC. I received an email in November with suggested dates of those meetings. A copy of that email is annexed to my statement and marked GWC.0003.0007.0010. To date, I have not been required to undertake any work in relation to that role or received any further contact about it. I understand that the DLGSC Internal Audit Committee has not met yet.

REMUNERATION

- 27 I am paid a fortnightly fee for my role as a member of the GWC.
- 28 In the 2018/19 financial year, I was paid a total of \$14,446.76 plus superannuation.
- 29 In the 2019/20 financial year, I was paid a total of \$16,546.92 gross remuneration plus \$1,571.96 superannuation.
- 30 I am currently paid \$494.68 (net) fortnightly.
- 31 I am not currently provided with any further remunerations, whether monetary or otherwise, as part of my role, however I understand that additional hours related to the Perth Casino Royal Commission may be payable.

Time Commitment

- 32 The time I spend as part of my role as a member of the GWC relates to:

- 32.1 preparation for GWC meetings, including reviewing Board papers;
- 32.2 attending GWC meetings once a month, typically the last Tuesday of the month;
- 32.3 ad hoc out-of-meeting communications;
- 32.4 attending extraordinary GWC meetings; and
- 32.5 other minor commitments.

33 The Board papers provided ahead of GWC meetings are substantial and would typically be between 300 to 600 pages. The time taken to review the Board papers is dependent on the volume, complexity and content of the Board papers in a given month. I would estimate, that on average, it would take me a minimum of 3-4 hours and up to a full day to review the Board papers. However, I do not limit myself in the time I spend reviewing them, and if required, I spend additional time reviewing the papers to make myself comfortable that I understand them sufficiently ahead of the GWC meeting. When I was first appointed to my role as a member of the GWC, it took me a longer time to prepare for the GWC meetings because I was not familiar with the materials provided.

34 While the GWC meetings are scheduled between 8:30 am and 12:00 pm generally on the last Tuesday of each month, meetings are not constrained to the allocated time. Since I have been a member, GWC meetings have taken as long as required to address each of the agenda items for that meeting. There have been several occasions where the allocated time (8:30 am and 12:00 pm) was not sufficient, and the meeting ran over to allow us further time to properly address each of the agenda items before the GWC. This has been the case with most

recent meetings. Conversely, in the past, meetings have been completed well within the allocated time.

35 An extraordinary Board meeting was called in February when the Bergin Inquiry report was released.

36 In addition to attending Board meetings, there have been rare occasions where rotary resolutions have been passed by the GWC. As required, I would spend time considering those resolutions and attending to them. Further, and more so recently, emails would also be sent to all members relating to urgent GWC business. I would also spend time as required attending to those emails.

37 The time commitment for my role as a member of the GWC increased significantly when the sale of the TAB was underway, when the Bergin Inquiry commenced and even more so since the announcement of the Perth Casino Royal Commission.

38 While Casino matters are a standing agenda item for GWC meetings, the time that would be taken in dealing with casino regulation varies from meeting to meeting. For example:

38.1 During the sale of the TAB, TAB business occupied a significant amount of the GWC's time and accordingly, a smaller proportion of time during GWC meetings was spent addressing casino regulation. However, the length of the meetings increased to accommodate this.

38.2 Following the commencement of the Bergin Inquiry, casino regulation took up more of the GWC's time during GWC meetings. Again, the length of the meetings increased to accommodate this.

39 I estimate that generally Casino regulation occupies 50% of the GWC's meeting time.

POWERS, DUTIES AND OBLIGATIONS OF COMMISSION

40 I have set out above in paragraphs 16 to 22 the information I was provided upon my appointment to the GWC. It was my understanding from my meeting with Mr Connolly and the materials provided to me that the powers, responsibilities and obligations of the GWC were set out in the *Gaming and Wagering Commission Act 1987* (WA) and related legislation.

41 At a high level, I understood that the GWC was responsible for, amongst other things:

41.1 the regulation of all forms of gambling in Western Australia. Gambling includes:

41.1.1 gaming, that is the playing of a game of chance including gaming at the Perth Casino; and

41.1.2 wagering, that is staking on the outcome of an event including thoroughbred, harness and dog racing, sporting events and lotteries;

41.2 the licensing of the operator of the Perth Casino and Casino employees;

41.3 the protection of players through its functions in monitoring and investigating, amongst other things, the rules of gambling, gaming equipment, and return to player requirements;

41.4 the protection of the public interest along with minimisation of any harm caused by gambling through the implementation of responsible service of gambling requirements; and

41.5 the audit of Casino Revenue and collection of Casino Tax.

42 I was aware from my meeting with Mr Connolly and the materials provided to me that the GWC had certain powers enshrined in the *Gaming and Wagering Commission Act 1987*, the *Casino Control Act 1984* and related legislation for the purpose of discharging its obligations and responsibilities. I specifically recall noting the full title of the *Casino Control Act 1984* as being:

An Act to provide for the establishment of a casino in Western Australia, for licensing the operator of the casino and for the control of gaming operations therein and for matters incidental to or connected therewith.

43 After my appointment, I was provided with information about the powers, responsibilities and obligation of the GWC in the Board packs provided to me from time to time. The Board packs would include extracts of the legislation and any applicable legal advice that was relevant to a particular agenda item or resolution to be considered by the GWC.

44 To the best of recollection during my meeting with Mr Connolly, referred to in paragraph 18 above, Mr Connolly explained to me that practically:

44.1 the GWC was reliant on the Department to undertake the day-to-day functions of the GWC and to report to the GWC with respect to matters arising from those functions for consideration, and where applicable determination, by the GWC; and

44.2 as a member of the GWC, I was required to review the Board packs, attend GWC meetings and, in conjunction with the other GWC members, make decisions (including a decision to defer a particular decision pending further information) based on the information provided.

EXERCISE OF POWERS

45 I believe that the GWC has been obstructed in the exercise of its' powers and discharge of its' responsibilities and obligations whilst I have been a member of the GWC.

46 The GWC has been obstructed by not having sufficient access to information from other regulators (for example, AUSTRAC) to enable the GWC to assesses the suitability of Crown as a Casino Licensee. It is my understanding that information sharing is constrained between regulators due to:

46.1 the lack of a formal framework, such as a memorandum of understanding or other information sharing instrument, by which information could be shared between regulators; and

46.2 the GWC not being recognised as a "designated authority". .

47 I recall that information sharing between regulators was discussed during the August 2020 (Agenda Item 6.4) and October 2020 (Agenda Item 5.2) GWC meetings in the context of Mr Connolly seeking approval from the GWC to explore information sharing between regulators during a round table sessions with other Federal and State regulators in October 2020.

48 The GWC has been obstructed by Crown in the discharge of its' obligations. In August 2019, after being issued with a show cause notice relating to the 60

minutes episode, the CEO and Chief Legal Officer of Crown presented to and were questioned by the GWC. Information and answers at that time later turned out to be false, as uncovered in the Bergin Inquiry. The GWC would most definitely have discharged its' obligations in a different manner if it had not been obstructed by Crown's false information.

- 49 The GWC has been obstructed by resourcing issues within the DLGSC (discussed in further detail below).

POLICIES AND PROCEDURES

- 50 I am not aware of any GWC policies or procedures to ensure the exercise of powers and discharge of responsibilities and obligations in relation of the regulation and oversight of the Perth Casino per se. The GWC has been requesting the development of system/procedure, linked to the applicable sections of legislation with KPIs, since 2018.

- 51 I am, however, aware of the policies and procedures in place which relate to the regulation and oversight of the Perth Casino. For example, I am aware of the following policies:

- 51.1 Automatic Teller Machine Policy;
- 51.2 Return to Player Policy for Electronic Gaming Machines;
- 51.3 Electronic Gaming Machine – Speed of play;
- 51.4 Electronic Gaming Machine Policy (which disallows Poker Machines at the Casino);
- 51.5 Policies around the licencing of Casino employees, Security Staff and Gaming suppliers.

52 A common way that the GWC exercises its' power with regard to the regulation and oversight of the Perth Casino is by issuing directions. For example, a direction is currently in place banning Junkets and Premium Players operations.

53 Another way that the GWC exercises its' powers with regard to the regulation and oversight of the Perth Casino is the requirement for all changes to the Casino Operating Manual to be approved by the GWC.

54 With regards to Junket Operations, my understanding is that changes were historically made to legislation to remove the requirement for the GWC to licence Junket operators as the WA Police and Interpol were unable to or refused to provide satisfactory background checks. Since then, the GWC has relied on border protection authorities to limit the entrance of unsuitable people to Australia.

55 It is a common discussion point amongst the GWC that we have the ability to regulate the Casino out of business, however we also have an obligation under the legislation to act in the public interest. My understanding is that the public interest extends to the protection of jobs and the generation of tourism and tax revenue for the State. The GWC constantly strives to get this balance right.

56 I am aware that the following policies and procedures are in place to assist in ensuring the integrity of the gaming undertaken by the Junkets themselves:

56.1 an annual probity and suitability review is undertaken of Crown Perth International operations staff; and

56.2 audits by DLGSC Inspectors on behalf of the GWC.

57 With regards to criminals infiltrating casino operations, I am aware of the following policies and procedures:

57.1 An extensive probity and suitability exercise is undertaken:

57.1.1 before a Casino licence is issued under the *Casino Agreement (Burswood) Act 1985*; and

57.1.2 when an individual or entity becomes a close associate of Crown (i.e. acquires 10% shareholding) under the *Casino Agreement (Burswood) Act 1985*.

Those exercises are done in collaboration with the Victorian Commission for Gambling and Liquor Regulation (VCGLR) for efficiency and mutual beneficial reasons. For example:

57.1.3 GWC shares information with respect to the probity and suitability of close associates with the VCGLR because the Victorian legislation does not allow for those costs to be recharged to the close associate whereas, the Western Australian legislation does;

57.1.4 the VCGLR legislation requires Crown to undergo a similar probity and suitability exercises but on a 5 yearly basis. The GWC does not have this power, so the VCGLR review is provided to the GWC to review and consider as part of its ongoing considerations as to the suitability of the Casino Licensee. The 6th VCGLR review was completed in 2019.

- 57.2 The GWC has probity assessment policies which include specifically Casino staff being required to be licenced every three years (around 3,000 pax) and provide police clearances. The GWC policy also requires Gaming suppliers to meet licencing requirements. For example, suppliers of cards, dice, chips and electronic gaming machines. A copy of the applicable GWC policy can be accessed via the following website:
<https://www.dlgsc.wa.gov.au/department/publications/publication/probity-assessments-policy>;
- 57.3 The GWC also has probity assessment policies with respect to Casino security officers who are required to be licenced and provide police clearances. Security officers are the subject of a separate GWC policy to address potential probity risks arising from the manner in which security officers are generally engaged by the Perth Casino (i.e. through outsourcing contracts rather than as employees of the Perth Casino). A copy of the applicable GWC policy can be accessed via the following website:
[https://www.dlgsc.wa.gov.au/department/publications/publication/licensing-of-security-officers-at-crown-perth-\(casino-operator\)-policy](https://www.dlgsc.wa.gov.au/department/publications/publication/licensing-of-security-officers-at-crown-perth-(casino-operator)-policy).
- 57.4 Members of the GWC are required to provide police clearance upon appointment.
- 57.5 An annual probity and suitability review is undertaken of Crown Perth International operations staff (26 pax in 2020).

57.6 An annual review is undertaken by the GWC of the top suppliers to the Casino to ensure that these are reputable businesses.

58 It is my understanding that the GWC does not have any policies and procedures in place to ensure the exercise of powers and discharge of responsibilities and obligations in respect of the risks associated with:

58.1 money laundering;

58.2 cash and electronic transactions at the Perth Casino from a money laundering perspective.

59 It is my understanding that the money laundering risks, as applicable to punters (whether they be local or international), do not fall within the remit of the GWC and are matters within the remit of law enforcement agencies such as AUSTRAC, Interpol, and Federal and State police. This view was the view of the GWC when I was appointed and I do not disagree. I came to that conclusion after reading the legislation and various discussions at GWC meetings. The view of the GWC was reflected in a Briefing Note provided to the Minister in July 2019. A copy of that Briefing Note is annexed to my statement and marked GWC.0003.0007.0011.

60 My personal view was reinforced by:

60.1 a press release at that time by the VCGLR, a copy of which is annexed to my statement and marked GWC.0003.0007.0012; and

60.2 a press release from Crown that outlined Crown Board's position that they consider AUSTRAC and federal and state enforcement authorities

to be their regulator in this area, a copy of which is annexed to my statement and marked GWC.0003.0007.0013.

61 Notwithstanding the above, I understand that the GWC is responsible for attesting to the suitability of the Casino Licensee. If that licensee is itself involved in money laundering, I believe procedures need to be in place for that information to be made available to the GWC by AUSTRAC or State and Federal agencies. In that regard, at the 28 April 2021 GWC meeting I queried whether the casino operating manual requires that amounts over \$10,000 received in the cage need to be reported to AUSTRAC and whether any of the DGLSC's audits examine these transactions. It was agreed that advice would be sought on this matter and provided to members out of session.

62 With respect to cash and electronic transactions at the Perth Casino more generally than money laundering, the GWC has put in place certain restrictions around cash and electronic transactions at Perth Casino, including:

- 62.1 limits on the cash withdrawals at the ATMs located at the Casino;
- 62.2 the location of the ATMs at the Casino;
- 62.3 restrictions on the value of EFTPOS transaction related to gaming that can be transacted on a card per day.

63 The regulatory objectives and philosophy underpinning those restrictions as I understand them is to ensure the responsible service of gambling at Perth Casino, not money laundering.

SUPPORT FROM THE DEPARTMENT

- 64 It is my understanding that the role of the DLGSC is to provide the GWC with required staff and resources for the GWC to discharge its powers, obligations and responsibilities.
- 65 The GWC does not have its own staff and is heavily reliant on the DLGSC to undertake the day-to-day activities of the GWC with respect to, amongst other things, compliance, inspections, licensing, audits and investigations.
- 66 The DLGSC also prepares detailed Board papers for the GWC, including any matters that have arisen for consideration by the GWC and any matters which the GWC directs the DLGSC to include in the Board papers (subject to resourcing capacity discussed below).
- 67 The activities of the DLGSC Inspectors are reported to the GWC in the monthly Board papers. However, I am not aware of any formal policy or procedure for the DLGSC to report to the GWC about their day-to-day operational activities in the regulation and oversight of the Perth Casino.

Briefing papers

- 68 Briefing papers (which I have referred to as Board papers in this statement) are prepared by the DLGSC and provided to the GWC on a monthly basis, ahead of each GWC meeting.
- 69 The briefing papers typically include:
- 69.1 supporting papers addressing each agenda item before the GWC for that month for the purpose of the GWC considering those agenda items and

taking appropriate actions with respect to the same (for example, for discussion, noting, approval or further consideration); and

69.2 various reports with respect to the day-to-day activities undertaken by DLGSC staff on behalf of the GWC.

70 Subject to the below, since I have been member of the GWC, I have found most aspects of the briefing papers to be adequate.

71 To the extent the briefing paper did not provide me or any other member of the GWC with sufficient information to make decisions or was not clear, the DLGSC would be asked to provide further information or clarify a position. Pending resolution of that request, no steps were taken with respect to that agenda item and it was held over until the following meeting.

72 Questions by GWC members would either be circulated to the GWC ahead of the meeting or, more commonly, raised during the meeting. Questions would be addressed during the GWC meeting, at the following GWC meeting or occasionally, the members would receive an email after the meeting.

73 There were aspects of the Board papers related to the reporting of the DLGSC's day-to-day activities that I did not find adequate. For example, the Board papers include various reports in relation to the audits and inspections undertaken by DLGSC staff for that month. Those reports do not include adequate context for the GWC to readily assess the effectiveness of those audits and inspections. Nor are they laid out in a fashion that is easy to read. I understand that the current reporting format has not been updated for many years. The type of information I would expect to be provided to the GWC includes an explanation of the following items:

- 73.1 the audit plan;
 - 73.2 the legislative and regulatory framework against which the audits and inspections are being undertaken;
 - 73.3 the metric against which to assess the outcome of the audits and inspections;
 - 73.4 the sample size tested (if applicable);
 - 73.5 the results of the audit or inspection;
 - 73.6 explanations of exceptions or action taken/required; and
 - 73.7 conclusion.
- 74 I have previously raised feedback in relation to the items outlined in paragraph 73 during GWC meetings. To date, that feedback has not been implemented.
- 75 I also consider that the following items are inadequate in the Board papers:
- 75.1 The Board papers do not include an ongoing Register of Conflicts of Interests. I would expect such a register to be included for good governance.
 - 75.2 The Board papers do not include a standing monthly agenda item to consider Strategy & Risk.
 - 75.3 The Board papers do not include a calendar or schedule for important upcoming dates for the GWC to consider and plan for including:
 - 75.3.1 Strategic Offsite sessions;
 - 75.3.2 Risk Register Reviews;

- 75.3.3 Skills Matrix Reviews (in time to make recommendations to the Minister before appointments are decided);
 - 75.3.4 review and setting of annual KPIs;
 - 75.3.5 annual review of Board Performance;
 - 75.3.6 review and sign off of Financial Statements;
 - 75.3.7 review and sign off of Budget; and
 - 75.3.8 annual Disclosure of Interests.
- 75.4 I do not consider that the minutes of the GWC meetings have been sufficiently detailed. I have made requests that the minutes be more detailed or at least specifically include questions posed by the GWC members. My request for more detailed minutes was noted in the minutes of the most recent GWC meeting and has been implemented.

Adequacy of Support

- 76 Based on my experience as a member of the GWC, despite best endeavours, I do not consider the support provided by the DLGSC to the GWC is adequate.
- 77 I have observed that the DLGSC is under resourced at a senior level and the available staff are stressed and do not have the capacity to address all the requirements of the GWC in a timely manner. This has resulted in certain agenda items being delayed, so that the available staff may address higher priority matters. For example:
- 77.1 The GWC has raised on many occasions the need to set proper KPIs which are aligned with the applicable legislation for the GWC. A matrix aligning the applicable sections of the GWC legislation with

audits, actions, reporting and KPIs was requested by Professor Hayward in 2019. This is still not resolved, despite repeated follow up and the GWC authorising the engagement of 3rd party consultants to complete the task in January 2020.

77.2 On more than one occasion the GWC has requested offsite strategy sessions and/or offered to set aside time to complete the KPI exercise ourselves. The response from DLGSC was that there was not capacity within the department to organise this.

77.3 I am aware that a number of members, including myself, have had issues accessing departmental email addresses and the Devices. While members have found work arounds, those IT issues have not been resolved. Most members use external email addresses and bring their own laptops for downloading Board papers.

77.4 I have not received a Letter of Appointment or any other written notification of the renewal of my position on the GWC which took place 9 months ago.

77.5 In October 2020, I was asked to join the DLGSC Internal Audit Committee, as a representative of the GWC, and was advised in November 2020 that meetings would take place in March and June 2021. I am still yet to be contacted about this. I understand that an Independent Chair has recently been appointed.

78 I have also observed that there is a concentration of critical knowledge with a select few individuals, or even one individual. This has exacerbated the resourcing issue such that the GWC has not been able to engage external

consultants to assist with certain matters, because the individuals within the DLGSC that would be required to brief the external consultants did not have the time to do so. This is also a succession issue.

- 79 I recall in the September 2020 meeting (Agenda Item 12) Mr Connolly gave a presentation to the GWC with respect to a proposal for reform and potential changes to structure and functions of the DLGSC to better support the GWC and address some of the inadequacies I have referred to above. The proposal required further approvals outside of the DLGSC. I do not believe that proposal was ever approved or implemented.

CONFLICT OF INTERESTS

- 80 Prior to my appointment as a member of the GWC, I understood from my formal education and as part of my professional career:

- 80.1 how to identify potential conflicts of interest;
- 80.2 what constitutes an actual or perceived conflict of interest; and
- 80.3 ways to address, manage and monitor conflicts on an ongoing basis.

- 81 Upon my appointment, I was provided with a copy of the GWC Code of Conduct and the Public Sector Board Essentials guide. I recall that I reviewed them prior to attending my first GWC meeting.

- 82 After my appointment:

- 82.1 “Disclosure of any interests” and “Registration of Gifts and Hospitality” was a standing agenda item for GWC meetings. Members were asked at the beginning of any meeting whether they had any

conflicts to declare. Making these disclosures is taken very seriously by the GWC members.

82.2 During the March 2021 meeting, the GWC Code of Conduct was amended. It was also agreed that:

82.2.1 a conflict of interest register containing all conflicts previously declared by members in their current roles was put in place;

82.2.2 the members agreed to declare all future conflicts of interest by completing the form and providing it to the Chairman; and

82.2.3 Accountable and Ethical Decision-Making training will be provided to members in the coming months.

83 During the meeting with Mr Connolly discussed in paragraph 17 above, I recall that Mr Connolly informed me that as a member of the GWC I was prohibited from gambling at the Perth Casino. Apart from that conversation, receiving a copy of the GWC Code of Conduct and the Public Sector Boards Essentials guide, I did not receive any further information from the GWC or the DLGSC to avoid conflict of interests, as a result of mine or my family, friends and business associates' connection with the Perth Casino, and its staff.

84 During my appointment as a member of the GWC, I have had two potential conflicts of interest arise and which I declared to the GWC as follows:

84.1 On 26 February 2019, I disclosed to the GWC that BDO had submitted a tender to conduct due diligence in relation to the successful TAB vendor (once determined). I was the Chief Financial Officer at BDO at that time. That conflict was also advised to Department of Treasury

who were responsible for TAB privatisation. That conflict was assessed as a perceived conflict as my role at BDO was administrative, not client facing. That conflict was noted during the meeting and no further action was required.

84.2 On 15 December 2020, I disclosed to the GWC that ASG Group, of which I am the Chief Financial Officer, was in the process of finalising a contract for the provision of IT services with the Future Fund (of which John Poynton, previous Chair of Crown Perth, is a Board member). Mr Poynton was thought to be attending the meeting. I had reviewed his LinkedIn profile that morning in preparation and noted his position. That conflict was assessed as a perceived conflict. That conflict was noted during the meeting and it was agreed that I could participate fully in relation to the discussion of Perth Casino matters. Mr Poynton did not end up attending the meeting.

84.3 In addition, in January 2021 I had a potential conflict of interest with the DLGRC arising from my role as the Chief Finance Officer of the ASG Group. I was informed by one of my colleagues that the ASG Group was considering submitting a tender for the implementation of Oracle Fusion ERP Cloud (a financial software platform) at DLGSC as part of an open market tender process. As I am a key decision maker in the approval of tenders, I was concerned that role would conflict with my position as a committee member of the DLGSC audit & risk committee and as a member of the GWC. I sent an email to the Director General setting out the above potential conflict and asked for advice on how to address the issue. I wanted to ensure I followed the correct

protocols for a declaration of this type. As an alternative, I explained that ASG Group could enter a “no bid” if it was inappropriate for the tender to be submitted. I was informed by the Director General that my email would be passed onto the DLGSC’s Chief Financial Officer, who would record the conflict and that he could not see any reason for ASG Group not to respond to the open tender. I subsequently withdrew all my usual involvement in the bid process, as an additional precaution.

- 85 I understand that the GWC does not have a Conflict of Interest policy for staff and other persons carrying out duties on behalf of the GWC. I also do not recall any discussions by the members about whether such a policy should exist. It is my understanding that DLGSC staff who undertake duties on behalf of the GWC are subject to a DLGSC code of conduct, which I understand addresses conflicts of interest.

Contains sensitive information

JODIE ELIZABETH MEADOWS