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**PERTH CASINO ROYAL COMMISSION**

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**RESTRICTED HEARING - DAY 44**

**11.00 AM WEDNESDAY, 29 SEPTEMBER 2021**

**COMMISSIONER NJ OWEN**

**COMMISSIONER C MURPHY**

**HEARING ROOM 4**

**MR DAVID LEIGH and MS KALA CAMPBELL as Counsel Assisting the Perth Casino Royal Commission**

**MR PETER SADLER as Counsel for the Gaming and Wagering Commission of Western Australia**

**MR ROBERT BATHURST as Counsel for the Department of Local Government, Sport and Cultural Industries**

**MS RACHAEL YOUNG COUNSEL as Counsel for Consolidated Press Holdings Pty Ltd and CPH Crown Holdings Pty Ltd**

**MR KANAGA DHARMANANDA SC and MS CLARA WREN as Counsel for Crown Resorts Ltd; Burswood Limited; Burswood Nominees Limited; Burswood Resort (Management) Limited; Crown Sydney Gaming Pty Ltd; Southbank Investments Pty Ltd; Riverbank Investments Pty Ltd and Crown Melbourne Limited**

**MR SIMON DAVIS and MR SCOTT MEACOCK as Counsel for Ms Sonja Bauer**

**MR ALEX WARD-NOONAN as Counsel for Mr Joshua Preston**

**MR DAVID TOWNSEND as Counsel for Mr Barry Felstead**

COMMISSIONER OWEN: Please be seated. Thank you, Ms Bauer. Ms Bauer, I just need to attend to a couple of things here before we come to you.

5 MS BAUER: Certainly.

COMMISSIONER OWEN: This is a restricted hearing and yesterday, orders were made that the examination be conducted in a restricted --- the examination be  
10 conducted in a restricted hearing and that only persons who have been given leave to be present may remain.

This is not a private hearing in the sense that we need to protect the identity of the witness and a transcript of today's proceedings will be put up on the website in the  
15 usual way.

But just before we go any further, could I, for the record, could I ask everybody in this room to identify themselves so it's clearly on the record. Mr Leigh, could you identify yourself and everyone in your team.

20 MR LEIGH: May it please the Commission. David Leigh, on behalf of the Commission along, with Kala Campbell.

COMMISSIONER OWEN: Thank you. Mr Davis?

25 MR DAVIS: May it please the Commission. Simon Davis for the witness Ms Bauer, briefed by Mr Scott Meacock of Hall and Wilcox.

COMMISSIONER OWEN: Thank you. Mr Dharmananda?

30 MR DHARMANANDA: Together with Clara Wren, Helman Chan and I believe Andrew Maher's online, Commissioner.

COMMISSIONER OWEN: Thank you. Mr Sadler?

35 MR SADLER: May it please the Commission. Peter Sadler for the Gaming and Wagering Commission.

COMMISSIONER OWEN: Ms Young?

40 MS YOUNG: May it please the Commission. Rachel Young for the CPH parties and with me, Kevin Jacob from Ashurst, Sydney, in the virtual hearing room.

COMMISSIONER OWEN: Is there anyone else online?

45 MR WARD: Yes, Commissioner. Alexander Ward-Noonan for Joshua Preston.

COMMISSIONER OWEN: Thank you. Is there anyone else?

11:03AM

MR TOWNSHEND: Yes, Commissioner. May it please the Commission.  
Townshend for Mr Barry Felstead.

5 COMMISSIONER OWEN: Thank you.

MR MAHER: Commissioner, it's Andrew Maher from Allens. My attendance was  
announced by Mr Dharmananda a moment ago, but I also have two members of my  
team here in Melbourne on the call as well, Lucy Conway and Lorena Belbruno.

10 COMMISSIONER OWEN MURPHY: Thank you.

MR BATHURST: Robert Bathurst from the State Solicitor's Office for the  
Department of Local Government, Sport and Cultural Industries.

15 COMMISSIONER OWEN: Is there anyone else?

MR DOWD: Mr Commissioner, Graydon Dowd from Hall and Wilcox, appearing  
for Sonja Bauer.

20 COMMISSIONER OWEN: Thank you. All quiet?

MS ROSSIGNUOLO: Also, Pia Rossignuolo from Hall and Wilcox, for Sonja  
Bauer as well.

25 COMMISSIONER OWEN: Ms Bauer, anyone in the room with you?

MS BAUER: No, there's not.

30 COMMISSIONER OWEN: All right. I confirm that all people who have announced  
themselves, or whose appearances have been announced, have leave to remain for  
the purposes of this hearing.

Now, Ms Bauer, would you mind just stating your full name for the record?

35 MS BAUER: Certainly, it's Sonja Maria Bauer.

COMMISSIONER OWEN: I understand you wish to affirm?

40 MS BAUER: Yes, I do, thank you, Commissioner.

COMMISSIONER OWEN: I will read the words of the affirmation, you can repeat  
after me.

45 **MS SONJA MARIA BAUER, AFFIRMED**

COMMISSIONER OWEN: Thank you, Ms Bauer. Mr Davis?

**EXAMINATION-IN-CHIEF BY MR DAVIS**

5

MR DAVIS: May it please the Commission.

10 Ms Bauer, you've prepared a witness statement for the purpose of this hearing, have you not?

MS BAUER: Yes, I have, thank you.

15 MR DAVIS: Can I can ask to be put on the screen CRW.998.002.0696. Has that come up on your screen?

MS BAUER: It has, thank you, Mr Davis, but if it could be enlarged slightly, and I'm advised I'm permitted to have a copy of my witness statement on me so I may refer to that if that's better.

20

COMMISSIONER OWEN: That's appropriate. Yes.

MS BAUER: Thank you. I can see that now.

25 COMMISSIONER OWEN: I take it that's a clean copy. There are no notations on it?

MS BAUER: It's a clean copy, yes.

30 COMMISSIONER OWEN: Thank you.

MR DAVIS: Thank you. Can you confirm that's your witness statement dated 22 September 2021?

35 MS BAUER: Yes, it is.

MR DAVIS: Can we turn to page 0718. On the screen, it's blocked out but perhaps on the paper copy it isn't. Can you confirm you signed your statement on that date?

40 MS BAUER: Yes, I did.

MR DAVIS: Thank you. Then the next page 0179, can you confirm that there starts a list of documents referred to in your statement?

45 MS BAUER: Yes.

MR DAVIS: Thank you. I understand there's a change you want to make to your

statement in paragraph 20?

MS BAUER: Yes, please.

5

MR DAVIS: Can we go to page 0700. What's the change you want to make there?

MS BAUER: I would like to make --- sorry, that's just skipped but I'll refer to my paper copy. At paragraph 20, it says "I am a member of the following industry organisations". I would please like to change that to "I am or have been a member of the following industry organisations".

10

MR DAVIS: Okay, so we can insert the words "or have been" after "I am". Subject to that change, Ms Bauer, can you confirm the contents of your witness statement are true and correct to the best of your knowledge and belief?

15

MS BAUER: Yes, thank you.

MR DAVIS: Thank you. That's Ms Bauer's examination-in-Chief. I tender the statement.

20

COMMISSIONER OWEN: Thank you. Can you describe the identifier number?

25

MR LEIGH: Yes, Commissioner. The number is CRW.998.002.0696.

MR DAVIS: It says the number on the front page is 0696.

COMMISSIONER OWEN: Thank you. The witness statement of Sonja Maria Bauer dated 22 September 2021, bearing the identifier number CRW.998.002.0696 with the amendment to paragraph 20, is admitted into evidence as an exhibit. Thank you. Mr Leigh.

30

**EXHIBIT #CRW.998.002.0696 - WITNESS STATEMENT (WITH AMENDMENT TO PARAGRAPH 20) OF MS SONJA MARIA BAUER DATED 22 SEPTEMBER 2021**

35

**CROSS-EXAMINATION BY MR LEIGH**

40

MR LEIGH: Ms Bauer, can you see and hear me clearly?

MS BAUER: Yes, I can, Mr Leigh, thank you.

45

MR LEIGH: I'm one of the Counsel Assisting the Commission. My first question is in relation to what you tell us in your witness statement, is that between 1994 and 2008 you worked for Crown as a gaming machine supervisor and operations

11:09AM

manager?

5 MS BAUER: Yes. Gaming Machine Supervisor, Operations Manager and Senior Operations Manager, so some various titles, yes.

MR LEIGH: And they were all for gaming machines.

10 MS BAUER: That's right, yes.

MR LEIGH: Prior to joining Crown, you also worked as the Gaming Manager of a different gaming machines venue, being the Grand Hotel in Frankston?

15 MS BAUER: That's right.

MR LEIGH: So before working in the Responsible Gaming space, you had approximately 15 years of experience with gaming machines?

20 MS BAUER: That's right, yes.

MR LEIGH: I mentioned a moment ago the Responsible Gaming space. Today, I will often refer to "RG" for Responsible Gaming and "RSG" for Responsible Service of Gaming.

25 MS BAUER: Thank you, yes.

MR LEIGH: In the time that you worked in that space, did you personally observe gaming machines to be a potentially addictive form of gambling?

30 MS BAUER: In terms of being an addictive form, it is, for some people, it can be something that causes them harm, yes, but in terms of a full definition of addictive, that's probably a little bit different.

35 MR LEIGH: Well, in your experience and observation, were people more harmed as a result of the use of EGMs than other forms of gambling?

40 MS BAUER: I know this through some of the research I have read in terms of the popularity of electronic gaming machines or poker machines and, I know in some of the research, it's a very popular form and played by many people, and that it can be a more harmful product for some people.

45 MR LEIGH: I understand that's what you've seen in the research. Does that match your personal experience working in the EGM space for a number of years that they were harmful or they could be harmful to people that use them?

MS BAUER: Yes, I have observed it in some people, that some people were experiencing some difficulties with their gambling behaviours when playing EGMs.

MR LEIGH: And in your evidence to the Victorian Royal Commission, you discussed with Counsel Assisting, I think it was on 1 June, these people playing the EGMs can enter the zone where they become less aware of time passing and the amount of money they're betting, do you recall that?

MS BAUER: Yes, I do.

MR LEIGH: And again, in light of that evidence and your personal understanding, are you able to hazard a view or give a general overview as to the extent of harm that may be caused by the use of EGMs, in your experience?

MS BAUER: In my experience, and given that my experience has been a long time ago working very directly in any kind of gaming environment whether it be in a venue or in a casino, I have observed that some people were having the difficulties.

Sorry, would you mind repeating the question, Mr Leigh? I just want to make sure I answer it properly.

MR LEIGH: So the question essentially is, bearing in mind what you've mentioned today about the research and what you've told the Royal Commission about people going into the zone, do those features of EGM usage, capacity to go into the zone and lose track of time and money spent, do they result, in your experience, in the likelihood of harm and perhaps greater harm than other forms of gambling?

MS BAUER: Yes.

MR LEIGH: Now in 2008, you switch from being a Senior Gaming Machines Operations Manager to the General Manager of Responsible Gaming at the Melbourne Casino; is that right?

MS BAUER: Yes. There were some different titles originally and ultimately culminating in the title of General Manager, Responsible Gaming.

MR LEIGH: What was the reason for your shift after such a long period involved with EGMs?

MS BAUER: I was asked whether I would be interested in leading the, what was then known as, the community affairs department, and a large component of the community affairs department was the Responsible Gaming centre. It had a different name at the time. And I accepted that proposition.

MR LEIGH: And at that stage, you didn't have any formal qualifications or experience in relation to responsible gambling, did you?

MS BAUER: Only through training that I had participated in and interactions I had previously had with, what was then known as, the customer support centre.

MR LEIGH: And then you explain at paragraph 22 of your statement, that you received various briefings upon joining the RG department in 2008?

5 MS BAUER: That's right.

MR LEIGH: But that was only after you'd been appointed to the position of general manager; is that correct?

10 MS BAUER: Yes, that's right.

MR LEIGH: So looking back at it now, with the benefit of the experience you have gained in that role, do you consider that you were qualified to take on the role of general manager of Responsible Gaming at the time that you were appointed?

15

MS BAUER: At the time the role was the general manager of community affairs, so whilst the Responsible Gaming component was a large component, there were other components within that department, which related to disability awareness and some external stakeholder managements and charity involvement, and having been part of Crown and having participated in training, I was certainly aware of the Responsible Gaming values at Crown Melbourne, and I had always taken a great interest in that department. So I had very strong connections with that department prior to.

20

MR LEIGH: So is your answer to my question, yes?

25

MS BAUER: Yes.

MR LEIGH: Thank you. Moving on to paragraph 10 of your witness statement, you explain that the general manager of Responsible Gaming in Perth, who is Ms Strelein Faulks, reports to you?

30

MS BAUER: Yes.

MR LEIGH: I just want to understand what is meant by "reporting to you". Is it the case that you can and do give directions to Ms Strelein Faulks?

35

MS BAUER: I can, yes.

MR LEIGH: In respect of what sort of matters?

40

MS BAUER: Ms Strelein Faulks and I generally have a weekly catch up so there might be some directions and instructions pertaining to --- and I go on in my statement to talk about there's some synergies between all the properties, so from a group manager level. And then some of the day-to-day areas that Ms Strelein Faulks might share with me. So, yes.

45

MR LEIGH: You say you have a catch up on a weekly basis. Can I infer from that that you don't necessarily speak on a daily basis?



MS BAUER: Depending on the nature of what is happening, we may speak more frequently, yes.

5 MR LEIGH: And are you kept informed as to all the operational matters that affect the Responsible Gaming team in Perth, or is it only on selective items that you're told about, perhaps more significant matters?

MS BAUER: Generally only in the latter.

10 MR LEIGH: Do you exercise a high degree of control in respect of the Responsible Gaming team at Perth or are they primarily autonomous?

MS BAUER: They're primarily autonomous.

15 MR LEIGH: One of the things that we looked at when Ms Strelein Faulks was being examined were the training materials that are used to train employees at Crown Perth in relation to RSG. Did you, for example, have the opportunity to review and approve those materials or is that all handled at Crown Perth?

20 MS BAUER: That was all handled at Crown Perth.

MR LEIGH: How do you, in your role as group general manager, manage any sort of quality control over materials that are made use of at Crown Perth?

25 MS BAUER: In terms of reviewing some of the elements, we discuss either in our weekly meetings or as they arise, and there's also another mechanism by which there is a quality control which is through the Responsible Gaming working operations group, so there's a group consisting of the three general managers of the three  
30 properties and two of the psychologists, and they report to me any matters pertaining to what might be important for me to review or have input in.

MR LEIGH: When did that group come into existence?

35 MS BAUER: I would say in 2018 or 2019.

MR LEIGH: And is the point I should take from your evidence there is that that group is likely to have, for example, reviewed the training materials that are made use of in Perth?

40 MS BAUER: I would expect there would have been some discussion, but I have no knowledge.

45 MR LEIGH: All right. There is no requirement or policy from what you are telling me, if I understand correctly, that Crown Perth is required to submit, say, training materials for review and approval either by you or by the working group.

MS BAUER: Yes.

5 MR LEIGH: To what extent can you control the operating environment for the RG team in Perth, and when I ask that question, I'm thinking about paragraph 96 of your statement where you say that Ms Strelein Faulks raised with you the question of resources and you referred that to Mr Joshua Preston. Do I take it from that that you were not yourself able to, for example, increase remuneration for the RGAs?

10 MS BAUER: That's correct.

MR LEIGH: So what authority do you have in relation to, for example, the working conditions and the resources available to RGAs in Perth?

15 MS BAUER: So, the authority I would have is to be an escalation point for Ms Strelein Faulks in terms of any budgetary elements. They were, and would have been, escalated to Mr Joshua Preston.

20 MR LEIGH: So in relation to those issues, you've mentioned at paragraph 96 of your statement, that Ms Strelein Faulks raised with you, over a number of occasions, the question of "resourcing and remuneration for the RG team in Perth", and this was an issue you were examined about as well in the course of your evidence before the Victorian Royal Commission on 21 June.

25 If we can please call up CRW.700.046.1458. This was a document that you were examined in relation to the Victorian Royal Commission and it's an April 2021 submission from the GMs of Responsible Gaming at various different casinos seeking an increase in remuneration for those teams. Do you recall this document?

30 MS BAUER: Yes, I do.

MR LEIGH: I can take you to the Victorian transcript, if that would be of assistance, but you might perhaps recall giving evidence to the following effect. Firstly, that there had been a number of reviews of remuneration for RSG staff in your time?

35

MS BAUER: I don't recall specifics. We may need to call up that evidence because the Victorian Royal Commission focused entirely on the Victorian elements. So, yes.

40 MR LEIGH: Well, that was going to be a --- we'll call it up. PUB.0020.0002.0001 at page 2226.

45 Just while that's loading, I will let you know what you said in relation to the casino. Firstly, there's been a number of reviews of remuneration. Secondly, there had been a disparity between remuneration for gaming staff and RSG staff, that RSG staff were paid less and you were of the view that they shouldn't be paid less. Lastly, you always thought the RGA should be paid more but the business didn't do it. Do you have that general recollection in relation to your evidence as regarding the Melbourne Casino?

11:22AM

MS BAUER: Prior to seeing it, yes, I do.

MR LEIGH: Hopefully we're at page ---

5

MS BAUER: Yes, I see it.

MR LEIGH: It's bouncing around a little on my screen. I'm not sure if that's coming through clearly for you.

10

MS BAUER: Yes.

MR LEIGH: You can see, in the middle of the screen, if you can give a short answer. You agree there shouldn't be that disparity? Yes?

15

MS BAUER: Yes. Can the operator move up a little bit to see what I said earlier and the question, please. Thank you.

MR LEIGH: See at line 13, there's a discussion about reviews being done in your time.

20

MS BAUER: Sorry, I'm reading, Mr Leigh. And yes, if the operator could move down please. Thank you. That's fine, thank you. Yes, I see it now. Thank you.

MR LEIGH: Having had that chance to refresh your memory, do you agree with my summary that I gave you a moment ago?

25

MS BAUER: Could you repeat your summary please, Mr Leigh.

MR LEIGH: There's been a number of remuneration reviews in your time.

30

MS BAUER: Yes.

MR LEIGH: There was a disparity in remuneration for gaming staff and RSG staff. RSG staff were paid less and you thought they shouldn't be.

35

MS BAUER: Yes.

MR LEIGH: You always thought the RGA should be paid more but the business didn't do it. I think we need to go over the page to show you that specific response. So the question at line 7, the answer at line 11.

40

MS BAUER: Sorry, which line, Mr Leigh?

MR LEIGH: The question starts at line 7, your answer is at line 11.

45

MS BAUER: Thank you. Yes, thank you.

MR LEIGH: When you say "the business" there, by that you meant Crown Resorts?

MS BAUER: My evidence was in relation to Crown Melbourne at the time.

5

MR LEIGH: Which person had the authority to change the revenue, or rather the remuneration, of the persons working in the RG team at Crown Melbourne?

MS BAUER: At Crown Melbourne, it would have been my manager at the time and ultimately the CEO in the remuneration --- and I don't recall the appropriate name but there was like a remuneration committee as well.

10

MR LEIGH: So you're saying that was a Crown Melbourne committee rather than a Crown Resorts committee, is that correct?

15

MS BAUER: My understanding is yes.

MR LEIGH: All right. Those comments that we went through before in relation to the underpayment of the RG team, that applies equally to the RG team at the Perth Casino, doesn't it?

20

MS BAUER: Yes.

MR LEIGH: So in relation to the approaches from Ms Strelein Faulks over the years seeking out an increase in remuneration, what did you do to try and advance that cause, and why is it that that wasn't finally remedied until this year?

25

MS BAUER: So my understanding is the advancing of remuneration reviews occurred prior to my taking on the group general manager role and subsequently when I took on the group general manager role, advances were made and I took those to my line manager at the time, which was Mr Joshua Preston. I assumed ---

30

MR LEIGH: So that was --- (overspeaking) ---

MS BAUER: Yes, sorry, I beg your pardon. After you, thank you.

35

COMMISSIONER OWEN: No, please, you seem to be in mid-sentence. Did you want to finish?

MS BAUER: No, please, no, no. I don't want to continue. Thank you, thank you.

40

MR LEIGH: If we can call up CRW.700.046.1471. This might be an email you had in mind when you were saying a moment ago "dealing with Mr Preston". It's an email from Ms Strelein Faulks to you and Mr Preston in June 2019. Do you recall this email?

45

MS BAUER: Could we move through it? I ---

MR LEIGH: I'm only going to ask you a question about what's on this first page, so if you can look at the first paragraph or two, does that ring a bell?

5 MS BAUER: Sorry, could the operator please make it a little bit larger, I can't see it. Thank you. Yes, I --- it looks familiar, yes.

MR LEIGH: Just looking at that first --- well, the second paragraph under the heading "A summary of the proposal", you can see halfway through the first line  
10 there's a discussion about half the team "having stated they are not satisfied with the current remuneration package and are considering leaving the Team".

MS BAUER: Yes, I can see that.

15 MR LEIGH: Now, the email goes on to talk about seeking parity between what the RG team's been paid in Perth and in Melbourne. Are you aware that there was ever a difference in the remuneration of the RG teams at the two different casinos? Was it considered, for example, that the Perth team was doing work that was less important or of inferior quality?

20

MS BAUER: I'm aware that there has been a difference but I wouldn't have ascribed it to a proposition of any work differences in terms of poorer quality or anything like that.

25 MR LEIGH: Do you know why they were being paid less?

MS BAUER: Some of the Melbourne team had been in the role for quite some time, and by natural way of increases of remuneration over the years, there may have been some disparity, as the Perth team --- some may have been there for some time and  
30 some may have been newer.

MR LEIGH: So if we can, please, just now go to page 3 of this document.

MS BAUER: Could the operator --- thank you. A little bit more, please.  
35

MR LEIGH: Sorry, I've got the wrong document for the operator. I'm looking for CRW.700.046.1475. This is the attachment that came with the email that we were just looking at a moment ago. And if we can please go to page 3 of that document.

40 You can see, looking in the middle of that table from about the 5th row down, there's a series of salaries which are all same salary for various people. I'm not going to say the number out loud for the transcript but do you see where I'm directing you to? Across from ---

45 MS BAUER: Yes. I see there's --- I can see it reasonably well. Sorry, my screen's a little bit further away. If the operator could make it a touch larger that would be terrific. Thank you. Yes, sorry, Mr Leigh.

MR LEIGH: Essentially, the bottom half of that table shows a standard figure which appears to be a baseline. Do you see that?

5 MS BAUER: Yes, I do.

MR LEIGH: If we can then please go to the April 2021 proposal for increases and that's at CRW.700.046.1458. Again, it's the document that you have been previously examined on at the Royal Commission. If we can please go to pages 8 and 9.

10

It appears I can't show you for the moment, Ms Bauer, the actual figures there. But I am going to ask you to take my word when I say that what was proposed here as an increase in April 2021, was for essentially a 50 per cent increase in the salary figure that we saw a moment ago in that previous document.

15

MS BAUER: Sorry at 15, or 50?

MR LEIGH: Five zero per cent increase in salary from what we'd seen in the 2019 document that was provided to you and Mr Preston.

20

MS BAUER: Specifically for Responsible Gaming Advisers? I will need to take your word for it.

MR LEIGH: So again, I am going to ask you to assume that's correct. I understand you can't see those figures but I ask you to assume what I'm saying is accurate. If that's the case and it's accurate, and it is the case that salaries increase by 50 per cent between June 2019 and this year, April and May of this year, would you agree that that reflects that the RGA team at Perth was substantially underpaid prior to this year?

30

MS BAUER: Based on those figures, that would be right.

MR LEIGH: Would you accept that that also suggests that Crown Perth and Crown Resorts have failed to properly value the work of the RSG team prior to this year?

35

MS BAUER: Yes.

MR LEIGH: And that Crown's realisation or reassessment of the value of the RSG team is only now occurring while the companies are subject to the scrutiny of various Royal Commissions?

40

MS BAUER: I can't answer for Crown, in general, on that.

MR LEIGH: Let me ask the question this way. When you asked for remuneration increases over the years, obviously we saw those requests beginning in 2019, was there any strong appetite to increase salaries by the amount they've now been increased?

45

MS BAUER: There was certainly an appetite late last year in terms of reviewing some of those salaries which then moved into further reviews earlier this year, and then certainly from the position --- I think it was April at one of the resort's board meetings, it was reviewed again. So the path was late last year when it was first recommenced again.

MR LEIGH: Why was it only late last year that path was recommenced when Ms Strelein Faulks was seeking remuneration, at least, as early as 2019?

MS BAUER: I think it's probably --- I would only be guessing, but I know Ms Strelein Faulks felt very strongly about reviewing the remuneration of the Responsible Gaming team, and as you have said and shown me, it is something that I've also been alive to and as such, I think it was just a matter of time. I really don't recall specifically what prompted that again.

MR LEIGH: I just want to ask some questions briefly now about your KPIs and bonus structure that you explain in your witness statement.

MS BAUER: Yes.

MR LEIGH: You deal with that at paragraph 14 saying that you have been eligible for a Short-Term Incentive Program ---

MS BAUER: That's right.

MR LEIGH: --- whether you've actually ever been awarded a bonus under that program. Have you been awarded one over the time that you've been the group general manager since 2017?

MS BAUER: Yes, I have. And I believe the last time I was awarded a bonus would have been in either 2017 and potentially 2018, but I don't recall specifically.

MR LEIGH: Now the explanation that you give in paragraph 14 as to how you meet the criteria for getting a bonus, you refer to the business meeting "financial targets" as well as an "assessment of personal behaviours and performance". Are the financial targets that you specify in paragraph 14 what you set out in the table in paragraph 13, being your KPIs?

MS BAUER: Sorry, could the operator make that larger or onto one page?

MR LEIGH: It might be helpful if you made use of your paper version.

MS BAUER: Oh yes, thank you, thank you. So, sorry, Mr Leigh, paragraph 13. What was your question?

MR LEIGH: The table ---

MS BAUER: Yes, I have it.

5 MR LEIGH: --- in the financial objective section the table sets out, for example, an earnings section and a budget cost section. Are those the financial measures that you have in mind in paragraph 14?

MS BAUER: Yes.

10 MR LEIGH: So my question is, how is it in that your role as a general manager for Responsible Gaming, you are able to, for example, drive earnings or keep a hold of budget? You previously indicated that you weren't able to assign salaries for people in the RG teams. What was your budget?

15 MS BAUER: Sorry, there were two parts to that question. So could you ask that again, please?

MR LEIGH: I'll take it in turn. What budget did you have control over?

20 MS BAUER: So I had control over the --- in Melbourne, because there was no general manager role in Melbourne until late last year, I had control over the Melbourne budget, and Ms Strelein Faulks had control over the Perth budget.

25 MR LEIGH: And then, in relation to the earnings, which is set out in the first block under "Financial Objectives", what earnings do you drive in your role as a general manager for Responsible Gaming?

30 MS BAUER: I did not drive any earnings. So the under "Financial Objectives" at paragraph 13, that was the epitaph, and it did change over time and, Mr Leigh, I don't have the exact timings of when it changed to being property specific as to where you were located as opposed to more of a group element, but that was --- that component was, to my understanding, in everyone's --- everyone who was in a senior role, so what we call a business operations team role, was part of their KPIs/KPOs.

35 MR LEIGH: Was that an earning for the group rather than an earning you were responsible for?

40 MS BAUER: I don't recall specifically for this year whether it was for Crown Melbourne or whether that was for the group. It oscillated over time.

45 MR LEIGH: Thinking back now to your point about budgets and that you were in control of your budget in Melbourne. At paragraph 13, it says that the target is achieving the budget in a range of 100 to 97 per cent. So essentially you're asked to spend the amount, or perhaps a little under the budgeted amount in order to get your bonus; is that correct?

MS BAUER: Yes.



MR LEIGH: Do you consider there might be a tension between, on the one hand, having a person in your role as a Responsible Gaming manager, having to decide when to spend money to try to ensure that role is properly carried out, and the on the other hand, receiving a bonus if money is not spent in that role?

MS BAUER: In terms of having the control over - and planning for what money you might need to spend within your budget, that was set in advance as usually budgets are. But as I've indicated, generally in my time, I have had no real control over budgets in relation to, for example, remuneration and increases in those sorts of things.

MR LEIGH: As a general proposition, do you consider it might be more appropriate if the targets for a person in the role of general manager of Responsible Gaming were not linked to financial activity but, rather, linked to, for example, the manner in which they service the needs of patrons who perhaps have problem gambling issues?

MS BAUER: If that could be defined, yes, it could be the case.

MR LEIGH: Or, for example, the number of times that patrons are responded to if there is a call from staff who have observed signs of distress and ensuring there was prompt assistance by an RGA?

MS BAUER: That could be an indicator, yes.

MR LEIGH: And do you consider that would be a more appropriate indicator than financial indicators?

MS BAUER: Yes.

MR LEIGH: You are due to step down from your role with Crown shortly. Once you have stepped down, will you be retained by Crown in any form of consultancy or other agreements, such as this Commission has heard in relation to other persons?

MS BAUER: No.

MR LEIGH: And are you eligible for any additional form of bonus or payment as a result of being a good leaver?

MS BAUER: No.

MR LEIGH: I want to ask some questions now about reports that you mentioned at paragraph 31 of your statement. You say there that in your role, you receive performance report relating to (audio distorted) ---

MS BAUER: Yes.

11:40AM

MR LEIGH: --- as to complimentary food and beverage issued to customers at Crown Melbourne?

5 MS BAUER: Yes.

MR LEIGH: How are those reports relevant to your function as Responsible Gaming general manager?

10 MS BAUER: These reports, as I understand, are provided to all business operation team members at Crown Melbourne, and therefore I'm a recipient.

MR LEIGH: You don't receive any similar reports for the Perth Casino. Is that correct?

15

MS BAUER: I don't.

MR LEIGH: Why is that?

20 MS BAUER: I don't know.

MR LEIGH: Do you consider that the operation and management of the Perth Casino is, as a general proposition, given the best time and attention by the Crown Resorts group management that is given to the Crown Melbourne Casino?

25

MS BAUER: I find that difficult to answer because I really only know about my situation in terms of Responsible Gaming and I'm only ---

30 MR LEIGH: Let's assume your situation at the moment. So if you go to paragraph 31 (g) of your statement, you mention you get reports about the self-exclusion at Melbourne Casino. You don't get reports about self-exclusion from Perth Casino.

MS BAUER: No. As I understand, there is no report that exists that is similar.

35 MR LEIGH: So, again, in terms of the information that's flowing to you, you've got oversight of Melbourne but not oversight of Perth. Do you consider that that reflects a focus or a concentration on the Melbourne Casino at the expense of the Perth Casino?

40 MS BAUER: I think, in my statement, I also refer to daily operations reports I receive from Crown Perth including security and surveillance and Responsible Gaming Adviser reports. The reason for the existence of the daily self-exclusion report is that it is something that the Regulator in Victoria requires access to on a daily basis, and all Perth self-exclusions are included in that report because all self-  
45 exclusions are across both properties.

MR LEIGH: Now, you told us before you speak to Ms Strelein Faulks, this is a rough estimate, perhaps once a week, perhaps a bit more from time to time. How

often do you speak to the general manager of Responsible Gaming at the Melbourne Casino?

5 MS BAUER: When the casino is operational and we are permitted to be on-site, is within the office space, so I would naturally speak with him more often.

MR LEIGH: And you also mentioned that you, prior to COVID, would travel to Perth approximately three to four times a year.

10

MS BAUER: Yes.

MR LEIGH: As a result, it would naturally be the case, wouldn't it, that as the group general manager, the vast majority of your time and attention is focused on the Melbourne Casino rather than the Perth Casino?

15

MS BAUER: I think by the fact that I'm based in Melbourne, there would naturally be a little bit more time spent on Melbourne components. But I don't think it lessens the interest on my behalf for Crown Perth.

20

MR LEIGH: Go back now to paragraph 13. One of the other KPIs under your statement there, under "Business Processes" alongside Responsible Gaming, you've got update "Responsible Gambling Code of Conduct"?

25 MS BAUER: Yes.

MR LEIGH: So you're the person who is responsible for making changes to the Perth code from time to time?

30 MS BAUER: It's actually Ms Strelein Faulks that is responsible for that and I contribute to that by reviewing that component.

MR LEIGH: So you review every change that's made to the Perth code?

35 MS BAUER: Yes.

MR LEIGH: And then in that same box, it also says have an annual review of the Melbourne code. Is the Perth review meant to be annual as well?

40 MS BAUER: Yes, we were trying to achieve an annual review of the code but we never quite got there.

MR LEIGH: Your witness statement at paragraph 59, you refer to that Crown Perth code and you give a document reference of CRW.700.025.0133. If that can please be called up.

45

MS BAUER: Sorry, Mr Leigh, what was the paragraph reference in my statement?

11:44AM

MR LEIGH: It's at 59.

MS BAUER: Thank you.

5

MR LEIGH: On the screen, a copy of the document with that number. Can we go forward to page 2, you will see there's a "Forward" that commences there. If we go to the next page, down the bottom, you can see it's under the name of Mr Felstead.

10 MS BAUER: Yes.

MR LEIGH: You're aware that this is not the version on the Crown website at the moment. That version is CRW.700.067.1109. I'll bring that up. While it's coming up, were you aware that the one you provided is not the current one?

15

MS BAUER: I was not aware that it had been posted onto the website just yet. I know that it was in the process of being settled, but I wasn't quite aware that it had been settled.

20 MR LEIGH: When did you review it to give your approval for it?

MS BAUER: It was in the last couple of months.

MR LEIGH: Now, if we can just go forward, I think it's page 3 again. You can see that it's now signed off by "Crown Resorts".

25

MS BAUER: Yes.

MR LEIGH: If we also please go down to page 22 of this document, can you see there's reference to "EFTPOS", at the bottom of the document, being available on the gaming areas of the casino floor?

30

MS BAUER: Sorry, can the operator make that a bit bigger, please? Yes, I see the "EFTPOS" reference.

35

MR LEIGH: The EFTPOS, as we understand, was rolled out some time in the second half of 2020. That same reference to EFTPOS is also in the other version of the code that you gave us, the one signed off by Mr Felstead. So would you say that suggests there has been at least two changes to the code in the last year, once to introduce EFTPOS while Mr Felstead's name was still on it, and once to introduce the code signed off by Crown Resorts?

40

MS BAUER: I'll have to accept that. I don't recall seeing the version of the prior one but I will take your word for it, Mr Leigh.

45

MR LEIGH: So your recollection at this stage is that you've only reviewed and approved changes to the code once in the last year?

MS BAUER: I don't recall exactly. I certainly recall in the last couple of months having reviewed the new code. But I don't recall when this code was the one --- I don't know if the one on the screen is the one prior to that. I don't recall when that was.

MR LEIGH: All right. In any event you refer to reviewing it some time in the last few months and you obviously, as a result, approved that change and thereby also approved whatever other language is in the code at this stage?

MS BAUER: I wouldn't necessarily say I approved it. I reviewed it and provided my feedback on the code but ultimately, when you review a code, there are a number of people who are subject matter experts in terms of what might be applying to the regulations in, for example, the cage or if there's any changes to gaming products. So I'm part of that process, yes, and ultimately I have, yes, if everyone else is comfortable, certainly I'm part of that process.

MR LEIGH: When you reviewed the code, did you make any suggestions or recommendations that were not adopted?

MS BAUER: I don't recall.

MR LEIGH: If we can go back, please, to page 2 in the "Foreword". So you can see in the first paragraph, there about the middle of the paragraph, it says:

Crown is committed to providing gaming services for customers in a *responsible manner*.

And in the second paragraph, the second sentence:

However, we recognise that some of our customers have difficulties with *gaming responsibly and this may cause them personal and financial difficulties* .....

And it goes on from that point. That reference to "gaming responsibly" makes it seem that it's generally a matter for patrons to decide whether or not to gamble in a responsible fashion, doesn't it?

MS BAUER: That sentence does, yes.

MR LEIGH: Would you agree that the suggestion made by that language is if harm results to a person who is gambling at the casino, then that's a matter of customer difficulties rather than the particular gaming services that are offered by Crown or the way in which they are offered?

MS BAUER: I think if we go to the next paragraph there is some further qualification, and I'm sorry, I was just skipping ahead. Would you mind repeating the question again, please, Mr Leigh.

MR LEIGH: Would you agree that the way it is phrased in that second paragraph, recognising that some of our customers have difficulties, suggests that any harm suffered by those customers is a result of the customers themselves rather than the gaming services offered by Crown or the manner in which they are offered?

MS BAUER: In that sentence, yes.

MR LEIGH: On the next paragraph down, which is paragraph 3, starting roughly in the middle of the paragraph, you can see it talks about the need for customers to be informed about gaming products and information regarding services and support available to them.

So I suggest that what that paragraph, that section and the "Foreword" as a whole, suggests, is that Crown's general obligation is only to provide information and support if a customer is suffering harm, but is not obliged to serve gaming to customers in a way that is itself responsible or designed to prevent or minimise harm. Would you agree with that reading?

MS BAUER: No.

MR LEIGH: What would you say is the correct reading?

MS BAUER: I think if we take all three paragraphs where we talk about in the first paragraph that it is an entertainment facility and that we are committed to providing gaming services for customers in a responsible manner, so that in and of itself already talks about the fact that this is the desire of Crown to provide those services in a responsible manner and then we recognise for some people that that may experience difficulty and that may have adverse consequences and we talk about personal or financial difficulties, and then we acknowledge that whilst the decision to gamble lies with the individual and it is a choice, but we also recognise to make that choice a person needs to be informed. So broadly, that's why I say no.

MR LEIGH: We go up to page 22 again. On this page, there is another section which is about the "Responsible Service of Alcohol". You can see it's the second heading there.

MS BAUER: Yes.

MR LEIGH: That language is that Crown is committed to the responsible service of alcohol. Would you agree that that situates the responsibility on the person doing the serving rather than the person doing the consuming?

MS BAUER: Yes.

MR LEIGH: And that's not language that we see in that earlier Foreword, is it?

MS BAUER: That's correct, yes.

MR LEIGH: If we go down also to page 24, please, and this is the heading  
5 "Responsible Advertising and Promotions", and then it goes on to say in the various  
dot points what Crown will do when it produces advertising and promotions. Would  
you agree that ---

MS BAUER: Yes, and ---  
10

MR LEIGH: Sorry, after you.

MS BAUER: No, sorry, Mr Leigh. I can't quite see it properly. So if the operator  
could make it a little bit bigger, please. Thank you.  
15

MR LEIGH: Would you agree that, again in this situation, the code is expressed in  
terms to make it clear that Crown is responsible for the way it produces its  
advertisements rather than the consumer is responsible for the way they consume the  
adverts. Do you agree with that?  
20

MS BAUER: Yes.

MR LEIGH: I want to show you now some language that's in the Melbourne code of  
conduct. If we can please call up PUB.0007.0029 .0077. If we can go to page 2,  
25 please, which is, again, the Foreword.

Now, those paragraphs are broadly the same as what appears in the Perth  
Responsible Gaming Code. But paragraph one has a difference in that it says:

30 Our commitment is to providing gaming services for our customers in a *responsible  
manner* .....

That part is the same as Perth.

35 With a focus on harm minimisation .....

Those words do not appear in the Perth code. Why is that?

MS BAUER: I would suggest that when the code was drafted, and where we can,  
40 and when I say we, I say from a synthesising across all three Australian Resorts, we  
prefer to have the language and the principles obviously the same. That, perhaps that  
component, was lost in the redrafting of the Forward. I don't think it would have  
been intentional and I clearly didn't pick it up when I reviewed it.

45 MR LEIGH: So it's simply from, what you're saying, an oversight that when you  
reviewed, you didn't notice that that should be there.

MS BAUER: That's the conclusion I draw only because I'm very much focused on

ensuring that there are the best possible synergies across the three properties allowing for the vagaries of the different jurisdictions in terms of instruments.

5 MR LEIGH: Can we go to page 3, please. Now, looking on the right-hand column in the second paragraph, commitment to "the responsible service of gaming", do you see that?

MS BAUER: On the left-hand side, sorry, Mr Leigh, is it.

10

MR LEIGH: On right-hand side in the second paragraph ---

MS BAUER: Oh, right hand. Yes, I see that, yes.

15 MR LEIGH: If we go to page 7, again on the right-hand side, it's about a third of the way down beginning with "When joining Crown". And you can see in there as well, there's another reference to Crown complying with government legislation pertaining to the Responsible Service of Gaming.

20 MS BAUER: Yes. Sorry, the right-hand, yes.

MR LEIGH: Now there were five instances in this code throughout the course of the Melbourne code, which referred to Responsible Service of Gaming. There are no uses of that expression in the Perth code. My question to you, in none of those  
25 paragraphs, and again, you've had the chance to review this recently, do you consider that this difference in language, being that the Perth code never used the expression "Responsible Service of Gaming", represents a difference in the manner in which the Perth operations conceives of its responsibilities in relation to RSG?

30 MS BAUER: Mr Leigh, now that you point them out, I see that there are differences. I can only comment that in reviewing it and I wasn't paying full attention and in drafting it, full attention wasn't paid to that. It should be synergised, but I don't think the intention is that. It is just that it wasn't picked up at the time.

35 MR LEIGH: Let me ask the question this way, in your role as group general manager of responsible service of gaming, do you accept the Crown Perth operations are under an obligation to ensure that they comply with the Responsible Service of Gaming?

40 MS BAUER: Yes.

MR LEIGH: I will show you one other difference of the Melbourne code of conduct which differs from Perth and that's at page 13 of this document. Now, we've got  
45 "Responsible Service of Alcohol" in the left-hand side down towards the bottom half of the page. And you can see there it says that:

Crown is committed to the responsible service of alcohol and will not *knowingly allow a person who is in a state of intoxicification to gamble.*



11:57AM

MS BAUER: Yes.

5 MR LEIGH: And it goes on to explain in that section what intoxication means, that is speech, balance, coordination or behaviour is noticeably affected and there are reasonable grounds for believing that's as a result of the consumption of liquor. Are you familiar with that section?

10 MS BAUER: Yes, I am.

MR LEIGH: Do you agree that definition of what intoxication means would apply to a wide range of behaviour?

15 MS BAUER: Well, this is reflective of what is in legislation and I'm sure that was carefully considered. Yes.

MR LEIGH: That's not what I asked you. I said do you agree that the definition would extend to a wide range of behaviour?

20 MS BAUER: Yes.

25 MR LEIGH: For example, it might include a person who is reserved and quiet at the start of the night and who, after drinking for a period, becomes gregarious and loud and laughing?

MS BAUER: That could be the case, yes.

MR LEIGH: Even if that person is not stumbling or slurring their words?

30 MS BAUER: Yes.

MR LEIGH: Because, of course, it's only concerned with noticeable changes in behaviour.

35 MS BAUER: Yes.

MR LEIGH: Now, are you aware that a similar definition is missing from the Perth code?

40 MS BAUER: Yes. You took me to it earlier.

MR LEIGH: Now, would you agree that the result of that makes it more difficult to establish whether or not a person is intoxicated for the purposes of the Perth code?

45 MS BAUER: Yes.

MR LEIGH: And that, therefore, Perth is ultimately holding itself to a lesser

standard than is the case in Crown Melbourne?

5 MS BAUER: I wouldn't infer it because there is also the Responsible Service of Alcohol training and those elements would be covered in those --- in that particular training for the people that are serving alcohol. So yes, it is an omission in the code and it's obviously very helpful to have it in there and, again, it was an oversight.

10 MR LEIGH: So is it essentially the point that this code, after being reviewed by you and a number of other people that you mentioned beforehand, no one identified these oversights or these differences between the codes that apparently allowed Perth to have a lower standard or a lower level of responsibility?

15 MR DAVIS: I just rise to object to that. I don't think the witness accepted this, "it was a lower standard".

COMMISSIONER OWEN: Perhaps you could clarify that, Mr Leigh.

20 MR LEIGH: Thank you, Commissioner.

Going back to my earlier question I was asking as to whether you accepted that it would make it more difficult for a person to establish that someone was intoxicated under the Perth code. What was your response to that?

25 MS BAUER: Sorry, I said yes, it would make it difficult not having it in this code, but this is pertaining to the Responsible Service of Gaming.

30 MR LEIGH: And if it is the case that there is no definition of intoxication, would you also agree that it would make it more likely that staff are not going to identify someone as intoxicated unless it is a relatively pronounced behaviour, in particular, they behave in a way which is antisocial, stumbling, slurring their words?

35 MS BAUER: No, because if a person has the Responsible Service of Alcohol training they would be aware of that.

MR LEIGH: So you're saying that you would trust your staff to take definitions they've learned in the context of RSA and apply them in the context of gaming?

40 MS BAUER: Yes, these are combined in that component.

45 MR LEIGH: I want to ask you some questions now in relation to differences between the Perth and Melbourne codes and other codes that are in existence around Australia. If you can be please shown CRW.510.073.0723 and do you recognise this as being an email from yourself to Steven Blackburn and some others on 7 April 2021?

MS BAUER: Yes.

MR LEIGH: Move down the page a bit, you see the email that you forwarded earlier? That's an email obviously to Mr Rob Meade. You refer there to some benchmarking which has been forwarded.

5

MS BAUER: Yes.

MR LEIGH: By benchmarking, do you mean analysis work that's been done by Crown to compare regulatory frameworks and harm minimisation practices and measures around the country?

10

MS BAUER: These documents were --- yes, so, yes.

MR LEIGH: Now, I'll just call up one of those documents to show you an example of what we're looking at. That's CRW.510.073.0739. It's one of the ones that was attached to that email. Do you recognise that document?

15

MS BAUER: Yes, I do.

MR LEIGH: If we can go to page 2, please. So you want to add something, Ms Bauer?

20

MS BAUER: No, no, it looks familiar now that I see the rest of it. Yes, I do. It's a bit blurry, though. Yes, I see it.

25

MR LEIGH: So you can see on this page, on the left-hand side of the issue column, it's dealing with "Ban on credit gambling" and it goes through and talks about what the position is in the different States and Territories.

30

MS BAUER: Yes.

MR LEIGH: If we can go to page 3, there's then a consideration on 24-hour gambling. I'll wait for that to come up. Do you see that?

35

MS BAUER: Yes. It's still a little bit blurry. Thank you. Yes, I see that.

MR LEIGH: I won't take you through each of the pages of this document, but do you accept the documents that you provided, this document included, showed an analysis, an analysis, of the position in respect of regulatory framework and harm minimisation practices throughout the States and Territories?

40

MS BAUER: I do, and I note the dates vary across the last updated column.

MR LEIGH: I'm not sure that's what I'm asking you. What I'm asking is do you agree that the documents that you provided were a combination of analysis of regulatory framework for gambling around Australia and harm minimisation measures around Australia?

45

12:04PM

MS BAUER: Yes.

5 MR LEIGH: And that Crown Melbourne, I think these were documents generated by Crown Melbourne, kept abreast of those different frameworks and measures around the country?

10 MS BAUER: Along with, and I think the document, Mr Leigh, was for the Australasian Responsible Gaming casino forums. So those participants were in receipt of that document as well.

15 MR LEIGH: Would you agree that as a general proposition, Crown has a good understanding of the regulatory framework that applies throughout the country in relation to gaming regulation and harm minimisation?

MS BAUER: Yes.

20 MR LEIGH: And that you personally, likewise, have a good understanding of that general framework around the country?

MS BAUER: Yes.

25 MR LEIGH: You are also familiar with codes of conduct that exist in relation to different jurisdictions around the country?

MS BAUER: Yes.

30 MR LEIGH: And you generally try and stay abreast with those codes of conducts, both to see what sort of innovations might be available from other areas, and also to know what sorts of regulations might be imposed on Crown by regulators in the future?

MS BAUER: Yes.

35 MR LEIGH: Would you agree that some of the codes around the country have got, in some respects, more restrictive obligations for gaming operators?

MS BAUER: Yes.

40 MR LEIGH: And that Crown has not chosen to voluntarily adopt all of those differences?

MS BAUER: That's correct.

45 MR LEIGH: If we can bring up PUB.0007.0032.0079. This is the South Australian gaming machines Gambling Code of Conduct. Are you familiar with this document?

MS BAUER: Not overly familiar with it, no. But I have seen it.

MR LEIGH: All right. If we can please go down to page 12, you can see down the bottom of the page we've got item 23, and if the operator can please zoom in on that. Is that on your screen, Ms Bauer?

5

MS BAUER: Yes, it is. Thank you.

MR LEIGH: So part 1(a) is similar to the Melbourne code and it talks about a person being prevented from gambling if they exhibit various signs of intoxication. It spells out what those signs are. Do you see that?

10

MS BAUER: Yes, I do.

MR LEIGH: At the end of the paragraph, it makes it plain that it's intended to capture situations in addition to where persons affected by alcohol and also includes if they are affected by other drugs. The substance, I think ---

15

MS BAUER: Sorry, could you take me to --- is it 1(a), (b) or (c).

MR LEIGH: 1(a), and the final words of 1(a).

20

MS BAUER: Yes, I see it.

MR LEIGH: And neither of Crown Melbourne or Crown Perth's codes extend this far, do they?

25

MS BAUER: No, they don't.

MR LEIGH: The reason the prohibition exists in the Crown Melbourne or Crown Perth code is the assumption that when a person is affected by alcohol, they might not be able to think rationally and might not be able to act in their own best interests. Is that correct?

30

MS BAUER: That's part of it, yes.

35

MR LEIGH: And would you agree that ordinary human experience would suggest that persons affected by other substances might have the same difficulties?

MS BAUER: Yes.

40

MR LEIGH: So would you agree that looking at this alternative code, that Crown's codes are deficient in that respect in that they don't have a contemplation of not admitting people to gamble when affected by other substances.

MS BAUER: The addition would be an improvement, yes.

45

MR LEIGH: Now, looking at the opening words of item 23(1), it talks about "the

licensee must take all practicable steps to prevent a person from being allowed to gamble". Would you say that's more extensive than what is presently in the Crown Perth and Crown Melbourne codes?

5

MS BAUER: Yes.

MR LEIGH: Because if you have to take all reasonable steps, it's not just that you stop a person from gambling when you see that they're drunk, but that you actively go around looking to make sure people aren't drunk before they start playing?

10

MS BAUER: I would probably suggest that "drunk" is different to being intoxicated, which I think we're talking about here. Would that be right?

MR LEIGH: Replace my word "drunk" with the word "intoxicated", and what's your answer to my question?

15

MS BAUER: So taking your question, if I recall it correctly, was it is better to have the addition as in a licensee must take all practicable steps, is that right?

20

MR LEIGH: What I'm asking is if you agree there would be a difference and that, for example, all practicable steps may include, not merely stopping a person from gambling when you see that they're intoxicated, but taking active steps to find out whether they are intoxicated and making sure they don't gamble?

25

MS BAUER: Yes.

MR LEIGH: Would you agree that would be a more onerous responsible for a gambling operator?

30

MS BAUER: It could be, yes.

MR LEIGH: And could impose additional burdens on the casino or gambling operator to discharge that obligation?

35

MS BAUER: In general, there are some very good responsible service of alcohol training and legislation and laws. So I think it would be, as part of delivering your -- - whether it be gambling or food and beverage or alcohol. So I'm quite --- I would suggest that that's part of the overall package when you choose to attend Crown.

40

MR LEIGH: Looking at 1(b) and there's a discussion about a licensee taking all practical steps to prevent a person entering or remaining in a gaming area if they are, and it sets out, intoxicated. That's something which is also absent from Crown's codes, isn't it?

45

MS BAUER: Yes.

MR LEIGH: And lastly, looking at number (c), taking all practical steps "to ensure

that liquor is not supplied to reward, promote or encourage continued gambling". In the Crown VIP rooms, whether that's Mahogany Room in Melbourne or the Pearl Room in Perth, I understand that alcohol is free to members; is that correct?

5

MS BAUER: As I understand it, to some members, yes. But delivered under the guidance of responsible service of alcohol.

10 MR LEIGH: Yes. Would you agree that that approach or that practice may fall foul of what's in 23(1)(c)?

MS BAUER: It could.

15 MR LEIGH: What steps have you taken, if any, to consider those measures in the South Australian code here and determine whether they might be effective in minimising gaming-related harm and whether they should be adopted by Crown?

MS BAUER: None.

20 MR LEIGH: Have you ever engaged, or Crown generally ever engaged, an independent expert to conduct any form of review of the various codes around the country to determine whether any of them have measures that would be effective at minimising harm caused by gaming and then providing advices as to whether they should be adopted by Crown?

25

MS BAUER: No.

MR LEIGH: Why not?

30 MS BAUER: I suppose it hasn't come to front of mind and codes vary in terms of, as you've pointed out, what is in different jurisdictions and the requirements vary from State to State. So no, it just hasn't crossed my mind.

35 MR LEIGH: I will show you one more aspect of another code and that's PUB--

COMMISSIONER OWEN: Just before you leave that, you started at one stage in there to talk about common human experience of these substances. I'm not sure where you were going with the other substances. The reason I raise that is because I'm not sure whether the witness was. Intoxication of alcohol is one thing and common human experience equips us reasonably well to detect that. I'm not sure that that's the same with other very insidious substances.

45 MR LEIGH: Yes, thank you, Commissioner. Just to make sure I wasn't in any way misleading you in relation to my questions, Ms Bauer, what I'm suggesting is that would it be the case that people in the community and, no doubt, people who work at the Crown Casinos would be aware of the fact that people can be affected by substances other than alcohol?

12:14PM

MS BAUER: Yes.

5 MR LEIGH: And they would no doubt have seen situations where persons exhibited behaviour that was perhaps increasingly different and, maybe, strange over the course of a period of gambling, but where they have not been drinking alcohol, so that it would not be reasonable to expect that that was related to intoxication?

MS BAUER: Yes.

10 MR LEIGH: And in those circumstances, it might be the case that people could surmise that they were affected by substances other than alcohol?

MS BAUER: Yes.

15 MR LEIGH: So just going now to the second code I want to show you, which is the Tasmanian code. That's PUB.0007.0032.0001. Are you familiar with that document?

20 MS BAUER: I am, not overly but yes, I have seen it.

MR LEIGH: If we can go to page 11, please. You can see down at item 3.3, if that can be zoomed in on, please. There's a requirement that there shouldn't be contact with program members, that's loyalty programs, who have not gambled within the previous six months reporting statement. Now I understand -

25 MS BAUER: Sorry, which - sorry, Mr Leigh, 3-point?

MR LEIGH: 3.3.

30 MS BAUER: Thank you.

MR LEIGH: I will just let you read that.

35 MS BAUER: Thank you. I see it, yes.

MR LEIGH: Now I understand that Crown has a similar program that it doesn't contact members of its loyalty program if they haven't used a carded event at least once in the previous 12 months. Is that correct?

40 MS BAUER: I'm not sure.

MR LEIGH: Assuming that is correct for the moment, obviously this is a suggestion and a different code but the length of time should be half that before people are contacted again. And if I can take you now to 3.5, I'll just let you read that.

45 MS BAUER: I see it, yes.



MR LEIGH: So that idea of sending self-exclusion information to patrons at least once each year, that's not something which is currently done by Crown Melbourne or Crown Perth, is it?

5

MS BAUER: That's correct, yes.

MR LEIGH: Do you consider that approach may have some benefit in relation to minimising the harm caused from problem gaming?

10

MS BAUER: I would want to understand what the premises behind that sort of communication, it may be counter-productive to be sending information specifically on self-exclusion, for example, aside from general Responsible Gaming information. I think that that sounds good. But in terms of self-exclusion, whether the customer receiving that information is surprised by the fact that perhaps the operator may think that they should self-exclude and it may just lead to some confusion for that person, that's the only difference I would see. But I think that that looks --- general responsible gambling information sounds good.

15

20

MR LEIGH: As to your concern, that would be the sort of thing that would be helpful to have expert advice on?

MS BAUER: Yes.

25

MR LEIGH: And that's perhaps a good reason why Crown should have been employing experts to provide it with advice as to what measures and other codes it should be adopting.

30

MS BAUER: And certainly Crown has employed per se, the Responsible Gaming advisory panel to provide some general advice.

MR LEIGH: But they haven't provided advice in relation to assessing other codes, have they?

35

. MS BAUER: Not to codes, no.

MR LEIGH: With the benefit of hindsight, do you think that's something that should have been done?

40

MS BAUER: Seeing this reflected across that could have been a good opportunity, yes.

45

MR LEIGH: At paragraphs 42-46 of your witness statement you deal with research that's been done into the areas of problem gaming and you explain that to your knowledge there's not been any research done into the nature of the extent and severity of gaming harm in Western Australia since the Productivity Commission report in 1999; is that correct?

12:18PM

MS BAUER: That's my understanding, yes.

5 MR LEIGH: And this Commission's heard some evidence from Ms Kelly Townson and Ms Strelein Faulks in relation to research and both have said that they're not entirely certain that that '99 Productivity Commission report can necessarily be extrapolated to Western Australia. Is that your view as well?

10 MS BAUER: I'm sorry, I'm not quite clear on the question. As being extrapolated to?

MR LEIGH: So rates of gaming harm in other parts of the country do not necessarily equate to gaming harm in Western Australia?

15 MS BAUER: In the absence of not having any data for over 20 years, yes, that's a possibility, yes.

20 MR LEIGH: And just to make sure I'm not misleading you, Ms Strelein Faulks, when she gave evidence, was talking about the 2010 updated study which Western Australia didn't have a ---

MS BAUER: That's right, yes.

25 MR LEIGH: So you just said there that given there hasn't been any study for 20 years, you would accept that maybe there should be some caution in applying results from other parts of the country. Is that correct?

MS BAUER: Yes.

30 MR LEIGH: And would you also agree that as a general proposition it's important for gaming operators to have access to accurate information about the prevalence of current problem gambling in order to know what's required in their own harm minimisation programs?

35 MS BAUER: It's useful, yes.

MR LEIGH: And how long have you been aware of the absence of any research in Western Australia?

40 MS BAUER: For quite some time. I familiarised myself with the Productivity Commission report when I first took on the role in 2008. So at least since then.

45 MR LEIGH: Why have you not commissioned any research in your time since becoming Group General Manager of Responsible Gaming as to the existing level of problem gaming in Western Australia?

MS BAUER: In my experience, all other States have conducted their own

prevalence research that has been funded and conducted by academic institutions and I'm also aware that there will be a perceived conflict in terms of an operator conducting their own research. So it has generally been that an organisation, other than an operator, has conducted this type of research.

MR LEIGH: Have you made any efforts to engage any such organisation, perhaps approaching a university or similar?

10 MS BAUER: No.

MR LEIGH: Why?

15 MS BAUER: I think because it is something that I see as being part of the purview of the State in which the gambling operator operates.

MR LEIGH: So you accept that having that information would be useful to ensure that Crown's own harm minimisation program is properly calibrated to deal with the harm, but you don't see it as Crown's responsibility to ensure that such data exists?

20

MS BAUER: Not when it's a, for example, when a prevalent study is considered, and I reflect perhaps on the Victorian one, is not only casino or gaming venue data but it ranges from betting and bingo and lotto and all those sorts of elements. So I think it would be presumptuous of Crown to commission research for all those other products as well to give the full picture of where persons who are in that State might be gambling on what sort of product.

25

MR LEIGH: Why couldn't you commission research for just casino gambling?

30 MS BAUER: You could.

MR LEIGH: Sticking with research for the moment, you talked about paragraph 128 of your statement about the fact that Crown is now commissioning research about rewards program to ascertain whether the program might be causing any harm.

35

MS BAUER: Yes.

MR LEIGH: What is the current status of that research? Has an expert yet been appointed?

40

MS BAUER: Yes. So an external provider --- I'm not sure of where the contract is at, but if it hasn't been settled yet it would be very close to, yes.

MR LEIGH: Are you able to say who that external provider is?

45

MS BAUER: It's an acronym. DBM or someone like that. I think a type of organisation that has conducted this type of research before.

MR LEIGH: To the best of your knowledge, prior to this current research being engaged, has Crown ever taken any steps to ascertain whether its loyalty program might be causing or contributing to harm?

5

MS BAUER: Not that I'm aware of.

MR LEIGH: Have you ever made such a recommendation?

10 MS BAUER: Not distinctly but it's been part of a series of recommendations more recently.

MR LEIGH: When you say "more recently", when was that recommendation made?

15 MS BAUER: That was earlier this year.

MR LEIGH: This year, okay. You mention in your statement at paragraph 30, and this is just in relation to the environment scan, you mentioned you're responsible for generating that scan for the various Responsible Gaming Committee meetings. Now in relation to the items which you have identified in that environment scan, I can take you to them if it would be of assistance, but there have been a number of articles which deal with loyalty programs and whether or not such programs might be associated with or cause or contribute to gaming harm. Would you agree?

20 MS BAUER: There have been some, yes.

MR LEIGH: So I will just show you perhaps the first one, PCRC.0007.0003.0001. Just while it's coming up, I will let you know this is a document that's been prepared by the Solicitor Assisting the Commission. It's a summary of the various entries in the environment scans. If we can look there at the first article, you can see 8 May 2013 and there's some discussion about pokies loyalty card in the spotlight under "Title".

25 MS BAUER: I can't really see it, I'm sorry, Mr Leigh. If the operator could make it a little bit larger or call it out.

MR LEIGH: Just while that's coming up, the article description ends with a comment about the Crown Casino's then Signature Club loyalty program, which is said to have used the expression "The more you use, the more you'll benefit" and having that on the Crown website. Is that expression still used in any Crown promotional materials?

30 MS BAUER: Sorry, Mr Leigh. I would just like to read. I'm not familiar having seen that more recently. No, I haven't seen it.

45

MR LEIGH: If we can please go down now to page 4. And you can see at the first entry, I think the 9 August 2016 entry. If we can please zoom that in. You can see, well, the title, if you can see it, is the "Role of Loyalty Programs in Gambling" the

top entry there.

MS BAUER: Yes, I can see under "Findings", Mr Leigh? Sorry, under "Title", yes.

5

MR LEIGH: That's "Title" and then under "Findings" the first dot point you can see it says:

Loyalty programs likely result in increased EGM gambling .....

10

And the next dot point ---

MS BAUER: I see that, yes.

15

MR LEIGH:

Loyalty programs likely result in increased risk of problem gambling.

Do you see that?

20

MS BAUER: Yes.

MR LEIGH: Having this article in the environment scan obviously means you would have read and understood it at that time in 2016?

25

MS BAUER: I would have read, at the very least, an executive summary of it, yes.

MR LEIGH: So my question then is if it was brought to your attention in 2016, that loyalty programs were associated with problem gambling and may in fact result in an increased risk of problem gambling, why did you not then recommend that Crown carry out research as to whether its own loyalty program was causing or contributing to harm?

30

MS BAUER: Mr Leigh, I would expect to --- I actually don't have the title of that particular research here and I'm aware that in my time I'm reasonably familiar with about five, or three to five loyalty program reviews and I know that there are several that ultimately the conclusion is to do more research or may have just been for venues or make some summation. So without knowing exactly which particular item of the research this is, there could quite well have been some discussion around, well, if there is for venues only, I'm not too sure how this may apply to a casino environment. So that certainly would have been part of the discussion.

35

40

MR LEIGH: If that is the case, and you just used the words "not too sure how it applies to a casino environment", isn't that exactly why Crown should have done research to ascertain whether those concerns applied to a casino environment? Would that not have been the responsible thing to do?

45

MS BAUER: It would have been useful, yes.

12:29PM

MR LEIGH: And are you able to say why it was not done until this year?

MS BAUER: No.

5

MR LEIGH: I take you to some advertising now, just briefly, and just show you items that are sent out to Crown Rewards customers. If we can call up CRW.700.066.0869 and we'll go to page 6. Just while this is coming up, this is from a World of Entertainment email which we understand to be emails sent out on roughly a weekly basis to Crown Rewards members.

10

MS BAUER: Right.

MR LEIGH: If we go to page 6, please, we'll see the individual promotions. Hopefully that's reasonably clear at your end, but can you see message, there's a discussion about double your status credits?

15

MS BAUER: I see that, yes.

MR LEIGH: Are you familiar with those direct email advertisements to Crown Rewards members?

20

MS BAUER: I've not seen this advertisement, no.

MR LEIGH: This kind of advertisement that members would get double status credits for gambling at particular times or using their membership at particular times?

25

MS BAUER: Over the years that --- I do recollect something over the years but not more recently, no.

30

MR LEIGH: This is an email that was sent out, we understand, on 27 May this year to customers of the Perth Casino. So you can see that status credits promotion there. If we go to the right-hand side of this page at the top, please, there's another promotion I will just get you to look at and that's the machine point multiplier.

35

MS BAUER: Yes, I can see that.

MR LEIGH: If you use the gaming machine at a certain time you will get triple as many loyalty points as you ordinarily would for using it.

40

MS BAUER: Yes, I see that.

MR LEIGH: Would you agree that both of the promotions that we've just looked at are promotions that are designed to encourage people to come to the casino at specified times and to gamble at those times?

45

MS BAUER: Yes.

5 MR LEIGH: And they're both designed to get the casino to gamble perhaps more than they should have, to get the benefit of an additional or extraordinary reward at those times?

10 MS BAUER: I'm not sure, Mr Leigh, whether these were sent to every single reward member or whether this was targeted or ---

MR LEIGH: My understanding is that these ones went to all members of silver tier and above.

15 MS BAUER: All members, right. So could you repeat the question, Mr Leigh.

MR LEIGH: My question is that would you agree that these promotions are designed to get members to the casino gaming at particular times and also gaming more than they ordinarily would have in order to get the extraordinary bonuses that were on offer?

20 MS BAUER: My understanding in general is that we would --- we being Crown, Crown Perth, Crown Melbourne, whomever --- is that we would be looking at what would be an ordinary range of spend for someone and that's what we would be reviewing when sending out offers. So that's why I asked whether it was a specific  
25 sort of chain of people. So I don't know all the intentions behind this particular promotion. So I don't know.

30 MR LEIGH: Given what we've just talked about a moment ago, the research suggesting that problem gamblers are highly represented in loyalty programs, would you agree that these sorts of promotions going to members of Crown's loyalty programs, may well be going to people who are either problem gamblers or are at risk of becoming problem gamblers?

35 MS BAUER: I'm not sure we --- that there was an agreeance that problem gamblers were a high proportion of loyalty program members because I just wasn't very familiar with any of the research that was proposed. So I just wanted to clarify that statement.

40 MR LEIGH: Yes. Are you not aware of the research that suggests that some 40 per cent of persons who use loyalty cards are problem gamblers?

MS BAUER: Sorry, which research is that, Mr Leigh?

45 MR LEIGH: We'll go back to the document we were looking at before, PCRC.0007.0003.0001, the environment scans that we were looking at a moment ago. Go to page 9 of that document, please. If we can --- let's see --- second one down. Are we on page 11? If we could please go to page 11 and we should have 2 December 2020. You can see in the third item down, which is the 2 December 2020

article, the title is "The prevalence of loyalty program use and its association with higher risk gambling in Australia." Do you see that?

5 MS BAUER: Yes. And if the operator could just make it a little bit larger. Yes, I see. So it says here:

At least 40 per cent of problem gamblers reported loyalty card use.

10 I see that.

MR LEIGH: So in those circumstances, given that the research seems to suggest that there is a high percentage of people who may be problem gamblers who are using loyalty cards, if you are sending advertisement to say people who are members of a  
15 loyalty program ---

MR DHARMANANDA: I object. That is not a proper representation of the summary, nor is it a proper representation of the research itself. That's not what that  
20 summary indicates.

COMMISSIONER OWEN: Stick to the wording, Mr Leigh. Stick to the wording.

MR LEIGH: All right. You can see the wording in the second sentence says:  
25 Positive association between loyalty card use and higher risk gambling.

MS BAUER: Yes, and I'm just drawing my memory. Is this the Delfabrro-King paper?

30 MR LEIGH: I am not entirely sure. I can ask that to be checked.

MR DHARMANANDA: In the interest of fairness, perhaps Ms Bauer should be shown the paper to which Mr Leigh is making reference.

35 COMMISSIONER OWEN: I think --- can we call it up?

MR LEIGH: Apparently not at the moment, Commissioner. We might see if we can try and get it onto Lexel in the interim. I will see if I can ask this question in a way which doesn't require you to comment on particular research. Would you accept that  
40 there are --- that there is a possibility that problem gamblers will be comprised in the members of a loyalty program?

MS BAUER: Yes.

45 MR LEIGH: And that when you are sending advertisements to those members, you may be sending advertisements to people who are problem gamblers or are at risk of becoming problem gamblers?



12:37PM

MS BAUER: Yes.

5 MR LEIGH: In those circumstances, do you have any concerns as to the nature of the advertisement that we just saw, one offering persons double and triple bonuses, to gamble?

MS BAUER: There may be some concerns, yes.

10 MR LEIGH: Has Crown ever engaged an expert to assess the advertisements that are sent out by direct email to its members to ascertain whether those advertisements may be contributing to harm or may be causing harm?

MS BAUER: Not that I'm aware of.

15 MR LEIGH: And is there any reason for that?

MS BAUER: There's no reason for that but I think I noted earlier that Crown was doing some research into these areas.

20 MR LEIGH: Again, that's research that's happening this year?

MS BAUER: That's right.

25 MR LEIGH: So Crown's never previously thought to evaluate the advertisements that it sends to its customers, or have an expert evaluate those advertisements, to ascertain whether they might cause or contribute to problem gambling ?

30 MS BAUER: My understanding is that there have been internal reviews by the experienced Responsible Gaming people such as the general managers of Responsible Gaming but not an external expert, no.

MR LEIGH: I want to ask you some questions now ---

35 MS BAUER: So, Mr Leigh, Commissioner, would it be possible to have a small comfort break, please?

COMMISSIONER OWEN: Certainly will.

40 MS BAUER: Thank you.

COMMISSIONER OWEN: I can't see that clock.

45 MR LEIGH: 12:38 by my clock, Commissioner.

COMMISSIONER OWEN: We'll take seven minutes and come back at ten minutes to 1 our time which will be ten minutes to 3 your time.

12:39PM

MS BAUER: Thank you very much, Commissioner.

5 MR DHARMANANDA: Commissioner, I'm not sure how long are we slated to continue because I'm in the Gerard Campbell case at 2:00.

COMMISSIONER OWEN: And so are Commissioner Murphy and myself.

10 MR DHARMANANDA: So I can't be late, then.

COMMISSIONER OWEN: No, you can't. We'll come back at ten minutes to the hour.

15 MS BAUER: Thank you very much. Thank you.

**ADJOURNED** **[12:39P.M.]**

20 **RESUMED** **[12:46P.M.]**

25 COMMISSIONER OWEN: Thank you. You can see from that that I wouldn't be any good at counting cards in that environment. Mr Leigh.

30 MR LEIGH: Thank you. So the last question that I was asking was in relation to whether Crown had engaged expert advice and you explained that there had been independent advice as to the nature of the advertisements but no external advice; is that correct?

MS BAUER: I believe I said that internally it had been reviewed but not externally, no.

35 MR LEIGH: All right. The last question I had in relation to advertisements is also dealing with those email advertisements that we saw a moment ago. Now you haven't seen the body of them but I will ask you to accept that they are sent out without containing the National Helpline number, the 1800 number, or the National Counselling website. Those are not referenced on the emails itself. Do you consider from an RSG perspective that it may be appropriate to include those details on emails to Crown Rewards members?  
40

MS BAUER: Yes, I do.

45 MR LEIGH: I'm going to ask some questions now about the Crown model, which you refer to at paragraph 91 of your statement, and do I understand correctly that the Crown model is, essentially, and I'm being simplistic when I describe it in this way, a data analytic program where Crown has looked at the gaming history of persons who went on to self-exclude, they're trying to identify patterns in that gaming history so as

to establish what might be common characteristics of people who are problem gamblers?

5 MS BAUER: People who are more likely to self-exclude, yes.

MR LEIGH: Yes. And then, again, simplistic terms, that if Crown's automated systems then noticed similarities between the gaming histories of current customers and those prior gaming histories of previous customers who self-excluded, that will  
10 then provide a flag for RGAs, or other people in the RSG team, to potentially consider intervention in respect of those customers. In broad terms, is that about right?

MS BAUER: Simplistically, yes.

15 MR LEIGH: And I understand that Crown does not send any advertising material to persons who are self-excluded; is that correct?

MS BAUER: Yes.

20 MR LEIGH: Is it also the case that Crown does not send advertising material to persons who have been flagged by the Crown model?

MS BAUER: Not to my knowledge. That's not the case, no.

25 MR LEIGH: Do you think it would be appropriate if that was the case?

MS BAUER: It's possibly more involved than that and I hate to move away from the simplistic, however, the Crown model, whilst it was originally determined on those  
30 indicators, it does require further knowledge, if you will, as time goes by and, further, it needs to be fed, if you will, by lots of information. So the idea is to move not just --- sorry, to not just have people who have maybe a predisposition to self-exclude but to be a little bit broader. So in, still, even after a couple of years it's still considered in my mind to be in its nascency so to have a blanket approach around  
35 advertising would need some consideration. It certainly should be considered but at the moment it is still something that is growing in terms of that which, as I understand it, in my limited knowledge about predictive modelling, is something that it does require time and information to become more accurate.

40 MR LEIGH: And the Crown model data in terms of establishing that baseline, that was obtained from information captured for people who were engaged in carded play?

MS BAUER: Yes, that's right.

45 MR LEIGH: And that's because Crown can only collect comprehensive information about a person's gambling when they are using carded play?

MS BAUER: Yes.

5 MR LEIGH: And if they are using carded play, Crown knows precisely when they start and stop gaming?

MS BAUER: No. It's only when they use their card that Crown will know when they start and stop.

10 MR LEIGH: Yes, that's what I'm saying. If they're using their card ---

MS BAUER: Yes, so they're using their card, yes.

15 MR LEIGH: And if they use their card on an EGM, they will also have other precise information such as the machine they're playing on, the amount they're betting, the speed of their bets, and so on.

MS BAUER: Yes.

20 MR LEIGH: Basically they can collect a huge amount of information in relation to carded play that they can't get in relation to uncarded play?

MS BAUER: Yes.

25 MR LEIGH: And in terms of assumptions on which the Crown model is built, it's worked on the assumption that when people in the past have self-excluded, that's been done because of the fact that they had experienced a degree of gaming-related harm before self-exclusion, is that correct?

30 MS BAUER: In general, yes.

MR LEIGH: I think that's consistent with what you say at paragraph 74 of your witness statement where you talk about the fact that Crown operates a self-excluded program, quoting now:

35 Where a player can self-exclude from the Perth Casino if they are experiencing *problem gaming behaviours*.

MS BAUER: Yes.

40 MR LEIGH: So in general terms, accepted there might be exceptions, the self-exclusion program is for people who are experiencing harm?

MS BAUER: Generally, yes.

45 MR LEIGH: And another assumption that underlies the Crown model is that objective data such as how much people are gambling, how often, how much they're spending, so forth, can be effective predictors of gaming-related harm?

MS BAUER: Look, sorry, Mr Leigh, I'm not a data scientist and some of the more intricate elements of this do escape me. I've had it explained to me. I do understand that it's quite a complex model where the more information you have, the more it is to be --- the more likely it is to be able to predict that element but it will never replace conversations, it will be an added tool to something. So I would just like to be clear on that.

MR LEIGH: Crown has gone to the time and trouble to develop the Crown model, is it also aware of the limitations of relying solely on observational program, isn't it?

MS BAUER: It's certainly an augmentative program, yes.

MR LEIGH: Yes, but if relying on human observation alone were sufficient and you were able to reliably detect people who are suffering gambling related harms, there would have been no need for the Crown model?

MS BAUER: I think you would be wise to include whatever ways you could in order to assist customers. So I think observable signs are very important and if there are other systems and methods that could be used in your toolkit, if you will, that would certainly assist in being able to identify and intervene with people. Yes.

MR LEIGH: In terms of the Crown model being able to assist. It's only able to assist people who are using carded play; isn't that correct?

MS BAUER: Yes.

MR LEIGH: Because right now, Crown doesn't have a reliable way to track the gaming behaviours and practices of people who are gaming with cash?

MS BAUER: Or not using cards, yes.

MR LEIGH: And not using cards, thank you. And similarly, as a related point, if a person who wanted to avoid the Crown model wished to do so, then they could do so by not using their card?

MS BAUER: They --- yes, they could. Yes.

MR LEIGH: Now, you mentioned before obviously that behaviour observations are important. My question to you is in relation now to how effective you consider they are. What degree of testing or analysis has Crown down to ensure that its observational systems are effective at identifying gaming-related harm?

MS BAUER: Crown or Crown Perth, Mr Leigh?

MR LEIGH: Crown Perth, primarily, and also Crown if there are --- (overspeaking) ---

MS BAUER: I'm not aware of any of the --- of testing per se, and I rely on the research when it comes to observable signs in the efficacy of those.

5 MR LEIGH: And what does the research tell you about the efficacy of observable signs?

MS BAUER: That, broadly speaking, they are a tool and that there are varying degrees of being able to observe, and I won't use the word "accurately", but certainly  
10 indicative of someone who may be experiencing potential gambling-related harm.

MR LEIGH: Solicitors assisting the Commission conducted an analysis of the people who self-excluded from the Perth Casino in 2020. That analysis showed that of the 182 persons who self-excluded, only 32 had previously come to the attention  
15 of Crown by way of a concerning behaviour report, observed by staff.

MS BAUER: Yes.

MR LEIGH: And only 20 of those in the 12 months prior to their self-exclusion.  
20

MS BAUER: Yes.

MR LEIGH: Only 80 per cent of people who ultimately self-excluded had been observed by RSG and only --- sorry, 80 per cent had not been observed and,  
25 likewise, 90 per cent had not been observed in the 12 months immediately prior to their self-exclusion. Do those figures surprise you?

MS BAUER: Not necessarily because if you break down the observable signs, and Crown has broken down those to currently use a combination of signs which have elicited 13 that we use in training, and some of those are combining signs, if we look  
30 at the research, there are a number of signs that are seen to be strong but not often observed and then there's, you know, levels that come down from that. So I'm not necessarily surprised that not everyone has been picked up. It's certainly a desire that you intervene.

35 MR LEIGH: It's not not everyone has been picked up.

MS BAUER: Closer to someone --- to intervene before someone self-excludes, however, there's any number of reasons people self-exclude and come to a realisation  
40 that perhaps that they have reached a point where they have reach the ultimate point of recommitment. So I don't think there's actually any research that positions those different parameters within people. So it's not necessarily something that is easily just reduced to a set of figures.

45 MR LEIGH: Accepting that, as you say, you can't have an exact set of figures, it's not reducible to precise numbers, my point remains that the vast majority of people who self-excluded had not been observed by Crown ---

MS BAUER: That's correct.

5 MR LEIGH: --- in terms of RSG observations. Accepting that it might be difficult to observe, those may not be obvious, would you agree the system is failing to protect persons who are ultimately going to self-exclude?

MS BAUER: No, I do not.

10 MR LEIGH: So they weren't detected, in what way has the system succeeded?

MS BAUER: It's not so much a system of success but a system of where signs are observable and I think the research does break it down that not only do signs in order to be acted upon need to be observable, not all persons who are experiencing  
15 problem gambling behaviours may display those signs, but they also need to quite often be in combination and sometimes those signs just, in the best will of any observation, will not be observed and they may not be exhibited. So, however, in the absence of anything else, they are still a very good and strong guide that will assist staff in order to assist customers who may be experiencing gambling behaviour or  
20 harm.

MR LEIGH: In asking this question, I'm not suggesting that any staff have been less than diligent and I'm not suggesting that any persons have failed to follow policy. What I'm saying is, given that the vast majority of persons were not observed, a  
25 system tending to observe people potentially at risk of problem gambling does not appear to be actually observing them.

MR DHARMANANDA: Well, this line of questioning operates on a particular premise. The witness has given her evidence with respect to whether that premise is  
30 made out. The cross-examiner is seeking to now put forward the view that the reasons for that self-exclusion all depended on signs of observation not being detected. The premise is not made out on the basis of the figures.

35 COMMISSIONER OWEN: I think there's something in that, Mr Leigh.

MR LEIGH: Let me ask you the question this way. You previously said that you didn't consider that the rate of persons being detected was equivalent to a failure of the system. Do I have that correct?

40 MS BAUER: In terms of observable signs, Mr Leigh?

MR LEIGH: Yes.

45 MS BAUER: And specifically in relation to self-exclusion, yes.

MR LEIGH: So, in your view, what is a successful system based on observation? What does success mean?

MS BAUER: Mr Leigh, it's very difficult because it is quite a complex area and some people may be much more --- well, not inclined but the intention might be more that they are actually exhibiting those signs and others may not and I think  
5 Crown was conscious of that hence wishing to develop not only a system based on observable signs which currently, and we know through research, is a very good system to be able to determine whether someone requires to have an interaction, but also that there may be other systems that would be useful, including elements such as the Crown model which uses, and I take your point, carded data only. That will  
10 assist. But, again, these are tools that assist. It is not, in my mind, and nor in research has ever been proven to be 100 per cent. So I think there's a couple of areas that are a little bit, you know, difficult still because of human behaviour and the complexity associated with that.

15 MR LEIGH: What would you say are the KPIs that Crown uses or relies upon to know whether its observational system is a success?

MS BAUER: Currently I think there's an opportunity to refine those KPIs and when I say that I mean that ---

20 MR LEIGH: I'm not asking for them to be refined, I'm asking you what ---

COMMISSIONER OWEN: I think the witness was seeking the clarity --- seeking the context of the question. So what were you wanting to ask?

25 MS BAUER: Sorry, Commissioner. I was wanting to explain in terms of the KPIs I think there are some opportunities for improvement and currently what we do know is that we can use observable signs, we do know that we may be able to use some predictive modelling. In terms of the KPIs, it would suggest that you would look at  
30 the volume of self-exclusion because you see that some of your advertising about the ability to self-exclude, that's working. The fact that concerning behaviour reports are being indicated to the responsible gaming team, that there are follow-ups and monitoring. So they're the type of KPIs that you would use in terms of right now being able to look at that.

35 MR LEIGH: I'm not sure that answers my question.

MS BAUER: I'm not sure either, Mr Leigh.

40 MR LEIGH: What do the KPIs look at? Do they look at, for example, the percentage of people who were observed before self-exclusion? Do they look at the number of observations that were made in a given day? What are the things that they actually check to see whether the program is working?

45 MS BAUER: At the moment, there's probably a dearth of that checking process and Crown has recognised that and has --- is in the process of employing an evaluation manager and also employed a data reporting manager in order to be able to marry



those things and to get a better sense of the efficacy of the programs.

5 MR LEIGH: Is that data management person going to be already part of the Crown model or is that a separate thing that's being done?

MS BAUER: So there is a data reporting manager and there will be an evaluation manager and the evaluation manager will be based in Perth.

10 MR LEIGH: I'm sorry, Ms Bauer, the link became unreliable there. Would you mind repeating that?

15 MS BAUER: Sure. So there's currently a data reporting manager who has been in place since March this year and the evaluation manager is to be appointed, if not this week but the next week, pending approvals, and they are based in Perth. And that will assist in terms of what your question is, is how effective are some of those programs.

20 MR LEIGH: All right, thank you. I'm very conscious of the time so I only have one more thing that I want to ask you and that is in relation to a set of recommendations that were made by the general managers for Responsible Gaming at each of the casinos and provided on 19 May. You refer to that in your witness statements to the recommendations provided. My question is that the recommendations that were ultimately put up to the Crown Resorts board in May of this year, seem to have  
25 primarily matched the recommendations on a different list being the list from Mr Chris Riley, which you also referred to in your witness statement. In that meeting that took place on 19 May that you talk about, how were decisions made as to not including the majority of the recommendations of the general managers' recommendations but instead including the recommendations from Mr Chris Riley's  
30 list?

MS BAUER: That meeting didn't ultimately decide what went to the board because Mr Blackburn submitted what went to the board and Mr Blackburn and I had had a meeting before the other meeting and where we discussed the information that was  
35 provided by the general managers and it so happened that --- and I reviewed this recently in preparation --- that many of the items actually, very much the same around what has been proposed. So, you know, from that perspective, a number of the items did actually make it into that Responsible Gaming enhancement list that I think, as has been explained previously in the Victorian Royal Commission, and  
40 subsequently to regulators and this Commission, that the enhancements form a part of a process which is part of what's called the Responsible Gaming Change Program. So it's a bigger piece than what commenced as the enhancements and has more --- not more but has resulted in what was originally called an Uplift Program and now it's called the Change Program.

45 MR LEIGH: The recommendations that were put before the board included a number of programs being discontinued but had already halted because of COVID, such as the bus (inaudible) programs and it did not include recommendations from

the general managers of Responsible Gaming including mandatory carded play, minimum times for involuntary exclusions and registration by the customer entering the casino floor so as to confirm whether they were excluded.

5

MS BAUER: Yes.

MR LEIGH: My blunt question to you is this: Was there any attempt by Crown to simply select changes that could be of announceable value but did not require Crown to make significant changes to its business and to deprecate suggestions from the general managers of the casinos which would have required much more significant change?

10

MS BAUER: I don't believe that's the case. I think a number of the recommendations from the general managers were part of the Responsible Gaming Enhancement Program and I can't speak to the intention Crown might have had. I can only speak to what I experienced in that particular element. So I don't know.

15

MR LEIGH: In terms of what you'd experienced in that element and the meeting and subsequent discussions, are you able to tell the Commission what is the current view within the business as to whether the additional recommendations of the general managers from the three casinos will be progressed?

20

MS BAUER: I don't know the current view. As you're aware, I'm finishing tomorrow and as to what may be progressed in the future I'm not aware of what the case may be on that.

25

MR LEIGH: Thank you. Now, just to go back to the questions that we had earlier in relation to that research. I understand that they have obtained the documents. I will show you one document which relates to this issue but it's not the research itself. I'm told it's just being organised now, Ms Bauer. So these are the minutes of the meeting from which the solicitor assisting the Commission had previously made the summary. I will just call up the reference to the research that was in the environment scan itself.

30

35

MS BAUER: Sure.

MR LEIGH: If you look under the "Findings" section. Could this be blown up, please, under the right-hand column under the "Findings" heading?

40

MS BAUER: Sure. I see the "Findings" element, yes.

MR LEIGH: I'll just get you to read through to the bottom of the page.

45

MS BAUER: If the operator can keep scrolling down.

MR LEIGH: Sorry, to the bottom of what's currently visible.

MS BAUER: Yes, sure.

5 MR LEIGH: All right. And in particular the bottom part of that document with the  
dot points talking about loyalty card usage being associated with greater gambling,  
problem gambling and so forth. Do you recall that the reason this came up was  
because of some concerns about the questions I was asking as to what the research  
displayed, whether that research was a sufficient basis to consider that there may  
10 well be problem gamblers amongst the cohort of Crown Rewards members?

10 MS BAUER: Yes.

MR LEIGH: Looking at that article, does that refresh your memory or mean that you  
15 are happy to agree there is a likelihood that the Crown Rewards ---

15 MS BAUER: There's a likelihood, yes, and I think if the operator could can scroll  
down to "Discussion" and look at "Discussion" and "Conclusions" and I think that's  
what I was referring to earlier as well. This is one of the more recent elements of  
discussion I've seen in relation to loyalty programs.

20 MR LEIGH: Commissioners, I don't have any further questions. Thank you.

COMMISSIONER OWEN: So, I'm sorry, the two points that you wanted to us to  
25 look at particularly were under "Discussion" and under "Conclusions"; is that right,  
Ms Bauer?

MS BAUER: Yes, yes. I was just commenting that I look at, and this --- it's a  
summary, and that I look at the "Discussion", the "Limitations", the "Conclusions"  
and sometimes "Limitations" aren't noted but, yes, that's all I was commenting.

30 MR LEIGH: Thank you, Commissioner.

COMMISSIONER OWEN: Thank you, Mr Leigh.

35 MS BAUER: Thank you, Commissioner.

COMMISSIONER OWEN: Are there any --- let me take first of all the people who  
are in remote locations. Are there any counsel in a remote location who want to  
40 make an application for leave to ask questions of Ms Bauer? If not, are there any  
people in the room who wish to make --- Mr Sadler?

MR SADLER: Thank you, Commissioner.

45 **CROSS-EXAMINATION BY MR SADLER**

MR SADLER: Ms Bauer, my name is Sadler and I appear for the Gaming and

Wagering Commission. Can you hear and see me?

MS BAUER: Yes, I can, thank you.

5

MR SADLER: At paragraph 13 of your witness statement you have a table setting out your KPIs and bonuses.

MS BAUER: Yes.

10

MR SADLER: Under "Business Processes" there is one which reads:

Conduct the Annual Review of the Melbourne Responsible Gambling Code of Conduct and report to the VCGLR [*the Victorian Regulator*].

15

MS BAUER: Yes.

MR SADLER: Can you just explain what that is?

20

MS BAUER: So there was a requirement up until the end of 2018 that there was an annual review conducted of the Responsible Gambling Code of Conduct at Crown Melbourne and that that review be submitted to the Victorian Commission for Gambling and Liquor Regulation.

25

MR SADLER: What's the contents of the review, if you can remember, even in broad terms?

30

MS BAUER: Yes, in broad terms. So the review rested on a set of standards that the VCGLR, and I will refer to them as such, had prepared for a code operator to respond to and the review broadly reviewed elements of training and we conducted staff surveys and Crown Melbourne conducted some customer surveys as well, which were just that surveys to contribute to that review to give a snapshot of the Responsible Gambling Code of Conduct and the contents.

35

MR SADLER: You mentioned code operators there. When you say a code operator, is that just someone who is subject to the code or the conduct?

40

MS BAUER: Yes. So in Victoria there are a number of gaming operators that are subject to having to conduct a code review. So, for example, venues and book makers and those sorts of operators, yes.

MR SADLER: And that audit, is that conducted internally by Crown's audit team or is that an external audit then and submitted to the regulator?

45

MS BAUER: The review was conducted by myself and resting on documentation provided by a system of controls that were, in part, also monitored by audit teams or gaming audit teams. And then the customer relations team who conducted some of the customer surveys and then we also had staff surveys internally.

01:17PM

MR SADLER: Okay, customer surveys. And did you receive feedback from the VCGLR on that review?

5 MS BAUER: We sometimes receive feedback, yes.

MR SADLER: Just to be clear, the process of that review included both customer and staff surveys?

10 MS BAUER: Yes.

MR SADLER: Any other components of it which fed back into the report? Surveys, any analysis?

15 MS BAUER: Yes, so there was some analysis based on some of the surveys. There was reporting on engagement with external help operator --- sorry, help assistance programs such as Gamblers Help, which is the name in Victoria for gambling help.

MR SADLER: Yes.

20

MS BAUER: And conducted reviews with internal and external stakeholders as well for them to contribute to that review.

MR SADLER: Okay. Thank you very much.

25

COMMISSIONER OWEN: Are there any other --- Mr Dharmananda.

### **CROSS-EXAMINATION BY MR DHARMANANDA**

30

MR DHARMANANDA: Thank you. My name is Dharmananda. I appear for the Crown Group. There are a few matters I wish to raise with you to clarify your evidence. Is it the case that the expression "Responsible Service of Gambling" and "Responsible Gambling" are sometimes used interchangeably?

35

MS BAUER: Yes.

MR DHARMANANDA: You were taken this morning by Counsel Assisting to the Crown Perth code of conduct that appears on the website. Do you recall that?

40

MS BAUER: Yes.

MR DHARMANANDA: Do you know what words come before the link on the Crown code on the website?

45

MS BAUER: No, not off the top of my head, no.

MR DHARMANANDA: Perhaps I could assist you in that regard. I think we have a link to the website made available to the Commission. If it's not available, I can read out what appears on the website. Before the link to the code, there is this following statement:

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Crown Perth is committed to providing Responsible Gaming services through *the provision of effective and Responsible Gaming programs, information, assistance and services. Crown Perth recognises that some people may develop problems associated with their gaming behaviours to help reduce the potentially harmful impacts of problem gaming with established polls and guidelines related to Responsible Gaming including problem gaming .....*

And various other words. Do those words seem familiar to you, Ms Bauer?

MS BAUER: They do, yes.

MR DHARMANANDA: And similarly, when we turn to the Perth code itself, there were certain aspects of that code that Counsel Assisting did not take you to.

Could I ask operator, please, for you to bring up CRW.7 00.067.1109.

This was the document that was the subject of your examination this morning, do you recall that, Ms Bauer?

MS BAUER: I do. Yes.

MR DHARMANANDA: If we go, please, to page 1114 of that document you will see there that in the second paragraph there is a reference to Crown's commitment to Responsible Gaming extending to the facility and the availability of that facility and then in the paragraph immediately under the heading "Crown's Responsible Gaming message", there's a reference to:

Crown's Responsible Gaming message is simple yet meaningful awareness, *assistance support. This is the commitment to harm minimisation and support for customers.*

Do you see that, Ms Bauer?

MS BAUER: I do, yes.

MR DHARMANANDA: Does that refresh your memory that there was indeed a reference to harm minimisation in the Perth code?

MS BAUER: Yes, it does.

MR DHARMANANDA: Similarly on page 1115, another page that Counsel

Assisting did not take you to, you will see there that there is a reference in the first paragraph that Responsible Gaming occurs in a regulated environment with the potential for harm associated with gaming is minimised, and customers can make informed decisions when they participate in gaming? Do you see that, Ms Bauer?

MS BAUER: Yes, I do.

MR DHARMANANDA: That leads to this inquiry. Do you see that any difference in the language within the codes as contained in - as relevant to Crown Perth or Crown Melbourne, there may be some linguistic differences. To your mind, does that signal any difference in the approach that is to be adopted with respect to Responsible Gaming in either of those cases?

MS BAUER: No, it does not. I think the language is consistent in some of the elements of each code.

MR DHARMANANDA: Is there any basis, therefore, to conclude that the code represents a signal that there is to be greater laxity in Perth with respect to Responsible Gaming?

MS BAUER: No.

MR DHARMANANDA: Is it also not the case that the code is an outward-facing summary of the approach that Crown takes and does not represent the totality of the material, training and direction given in relation to Responsible Gaming?

MS BAUER: Yes.

MR DHARMANANDA: You were taken also to a number of codes. Those codes were issued by the relevant regulator in each of those jurisdictions. Is that correct?

MS BAUER: That's my understanding.

MR DHARMANANDA: Were any of those codes to which your attention was directed this morning, the code put out by a casino operator?

MS BAUER: No, they were not.

MR DHARMANANDA: To the best of your knowledge, has the GWC, as the appropriate regulator in Western Australia, issued a code?

MS BAUER: I don't believe so, no.

MR DHARMANANDA: Thank you.

No further questions. Thank you, Commissioners.

COMMISSIONER OWEN: Thank you. Are there any other applications?  
5 Commissioner Murphy?

COMMISSIONER MURPHY: No.

10 **QUESTIONS BY THE COMMISSIONERS**

COMMISSIONER OWEN: Ms Bauer, I've just got a couple of questions for you.  
15 In relation to, if I could call them industry or government bodies, are you aware of the existence in Western Australia of a group called the Problem Gambling Support Services Committee?

MS BAUER: Yes, I am, Commissioner.

20 COMMISSIONER OWEN: Was the work of that Committee and/or the participation of Crown in it, the subject of discussions? You talked about your weekly and sometimes more often discussions with Ms Strelein Faulks. Was the work of that Committee discussed in those discussions?

25 MS BAUER: Not necessarily with Ms Strelein Faulks. It was more with Mr Joshua Preston who was my manager up until the end of last year.

COMMISSIONER OWEN: And was the particular way in which Crown  
30 participated in the activities of that Committee discussed?

MS BAUER: I recall having discussions very recently around the Problem  
Gambling Support Services in terms of Crown's involvement, and previously I was  
aware that the committee submitted advertising material. I think it was called "Be  
35 the boss" or something like that. So I was informed via mainly the Responsible Gaming Management Committee papers in relation to that as well.

COMMISSIONER OWEN: Thank you. Now, in your - if you could just refresh  
your memory at paragraph 20 of your statement --

40 MS BAUER: Yes.

COMMISSIONER OWEN: --- the organisations of which you've been involved.

MS BAUER: Yes.

45 COMMISSIONER OWEN: Could I ask you this question about that: were you - in relation to, say, the Ministerial Advisory Council or the working groups of that Council, were you a member of the Council or participated in working groups as a



nominee of Crown or in your own capacity, given your experience in the industry?

5 MS BAUER: I believe in general it was certainly associated with Crown. I know, or I understand that in general the Council seeks to have a broad representation of community and of operators on the Council, but Crown has traditionally always had a seat, if you will, at the Council, so Crown Melbourne, and there's been approximately four to five incumbents in the RGMAC. So, yes, broadly speaking as part of Crown as opposed to my own experience.

10 COMMISSIONER OWEN: Did you, when you were involved in the Council or in a working group, did you ever feel any inhibition or concern about the fact that a casino operative was included in that work?

15 MS BAUER: No, I did not. I have over the years formed the view that it's a shared contribution to matters in relation to harm minimisation, and Responsible Gaming is important and at the, for example, the RGMAC, Responsible Gaming Ministerial Advisory Council, there was the InterChurch Gambling Taskforce, there were the Australian Hotels Association, there were academics and Department representatives and representatives from the Victorian Responsible Gambling Foundation, so it was a very broad mix which everyone brought a good viewpoint to the table.

20 COMMISSIONER OWEN: My last question, then, is about that, and this can only be (audio distorted) this answer, but how did you feel, how do you and did you feel about the level of the contribution that you made or the degree of satisfaction you felt in helping to achieve results through that mechanism of participation in an external body?

30 MS BAUER: I think it was a good opportunity for a variety of voices to be heard, and I think it was possibly stronger in the working groups as opposed to the Council. So the working groups attended to some of the elements that were on the remit of the Council and I think that's where it's almost like, you know, it's like going to a tutorial where everyone has an opportunity to contribute and bring their expertise. I recall on a number of occasions being able to bring very good expertise in relation to contributing to, say, when there was a review of the training or a review of the codes or a review of skill-based gaming. So it brought a very broad sense of knowledge to the entire group.

40 COMMISSIONER OWEN: All right, thank you.

Anything arising, Mr Leigh?

MR LEIGH: No, thank you, Commissioner.

45 COMMISSIONER OWEN: Mr Davis, do you wish to re-examine?

MR DAVIS: No re-examination.

01:31PM

COMMISSIONER OWEN: Ms Bauer, thank you for giving us part of your second-last day, your evidence, and for that you have our gratitude and our best wishes for the next stage of your career in whichever direction it may take you.

5

We will now adjourn to a separate hearing which will commence at 2 pm. Thank you.

MS BAUER: Thank you so much, Commissioner.

10

COMMISSIONER OWEN: I'm sorry, I should have mentioned the summons will remain in place. It's unlikely that we will need to contact you again, but just in case.

MS BAUER: Okay, thank you very much, Mr Commissioner.

15

**THE WITNESS STOOD DOWN**

20 **ADJOURNED AT 1.31 PM UNTIL THURSDAY, 30 SEPTEMBER AT 10.00AM**

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