

## IN THE MATTER OF THE PERTH CASINO ROYAL COMMISSION

### SECOND FURTHER WITNESS STATEMENT OF JOSHUA ROBERT PRESTON

Date of Document	29 September 2021
Filed on behalf of:	Joshua Robert Preston
Prepared by:	
<b>Grondal Bruining</b>	Telephone: 6500 4300
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Level 2, 22 Delhi Street	
West Perth WA 6005	

I, JOSHUA ROBERT PRESTON of Contains sensitive information

Contains sensitive say as follows:

1. By email from Solicitors Assisting the PCRC to my solicitors, Grondal Bruining, dated 10 September 2021, my solicitors were informed that the PCRC wishes to recall me to give evidence on Thursday, 30 September 2021.
2. I wish to take that opportunity to give the following further evidence.
3. I understand that during the course of his evidence on 28 September 2021, Mr David Brown suggested that, in effect, it was the AML team's function to "audit" what was happening in Cage, including going behind the primary information entered into SYCO by Cage to check the same.
4. It was not part of the AML team's function to "audit" what was happening in Cage (or any other department for that matter). That was a matter for the separate independent internal audit function within Crown.
5. The AML team did from time to time do spot checks with respect to AML related matters, but that did not involve going behind the primary information entered into SYCO. An example of this is in relation to the Threshold

Transaction Reports that were completed and submitted by Cage direct to AUSTRAC (ie, not via the AML team). This was to make sure that Cage was correctly doing what needed to be done in this regard.

6. The AML team did not go behind the primary information entered into SYCO by Cage to check the same unless there was a reason to do so.
7. In this regard it was standard practice that the AML team would seek further information from Cage staff, including Cage documentation, if they had any queries resulting from the reports they were obtaining from SYCO in accordance with the Transaction Monitoring Program, with respect to Suspicious Matter Reports (**SMR**) sent to the AML team by Cage or any other department or where an issue was raised with them.
8. For example, if the AML team had a query related to information recorded in a “Cash transactions equal to or greater than \$10,000 report” generated from SYCO, they could, and as I understand would, seek further information from Cage.
9. Further, in reviewing SMRs, the AML team could and did seek further information from Cage staff or through Cage records to further appreciate any activity.
10. Moreover, I understand Mr Brown gave evidence to the effect that the AML team “were investigating other aspects of what [Cage] were doing in regards to non-player ratings”. That is correct. However, that is not an example of the AML team doing so at its initiative. Rather, that occurred because the issue was brought to its attention as a result of it being highlighted in a report run from SYCO or as a result of an SMR being prepared by Cage staff and sent to the AML team.
11. On a separate topic, on 27 July 2020, 30 July 2020, 31 July 2020, 3 August 2020, 31 August 2021, 1 September 2020, and 2 September 2020 I gave oral evidence to the Bergin Inquiry. I also gave five written statements to the Bergin Inquiry dated 20 February 2020, 6 March 2020, 28 August 2020, 23 November 2020, and 28 November 2020 respectively. Crown’s solicitors

assisted with the preparation of my statements dated 20 February 2020, 6 March 2020, and 28 August 2020 and one of Crown's Senior Counsel represented me at the hearings.

12. When I was asked by the Bergin Inquiry to give my statement dated 23 November 2020, following the conclusion of the substantive hearings including closing submissions, I was advised by Crown's solicitors that, given the subject matter of that statement and the fact that Crown's solicitors had also been requested to provide a statement, I needed to obtain independent legal advice in relation to the preparation of the statement. I then engaged the services of Quinn Emanuel in Perth who, with Mr Penglis SC, assisted me with respect to the preparation of my statements dated 23 November 2020 and 28 November 2020 respectively.
13. At no time prior to the conclusion of the substantive hearings, including the closing submissions, was it ever suggested to me by Crown or its legal representatives that I may wish to consider obtaining independent solicitors and/or counsel to represent my interests.
14. Further, I cannot recall receiving, either directly from the Bergin Inquiry or through my legal representatives, notice that adverse findings may be made against me and nor can I recall seeing, let alone approving, any submissions made to the Bergin Inquiry responding to any such notice
15. In this regard I note that my present solicitors, Grondal Bruining, have made a request of Crown's present solicitors, Allens, to provide any relevant documents in this regard, that request having originally been made on 16 August 2021. I am informed by Grondal Bruining that Allens have recently advised that they are presently awaiting instructions in that regard.

Contains sensitive information

Signed:

Joshua Robert Preston

Date:

29 September 2021