

**EXTERNAL REVIEW OF THE QUEENSLAND OPERATIONS OF THE STAR ENTERTAINMENT  
GROUP LIMITED**

**PROCEDURAL GUIDANCE NO 2**

**PART A. GENERAL**

1. This Procedural Guidance sets out general guidance about public submissions, and certain procedures that will be followed by the Inquiry and Review established by the appointment of the Honourable Robert Gotterson AO QC under s 91 of the *Casino Control Act 1982* (Qld) pursuant to Part A of the Terms of Reference.
2. This Procedural Guidance should be read together with the Terms of Reference and Procedural Guidance No 1. These documents are available at: <https://www.justice.qld.gov.au/initiatives/external-review-qld-operations-star-entertainment-group>
3. This Procedural Guidance may be varied or replaced from time to time.

**PART B. INVITATION FOR PUBLIC SUBMISSIONS**

4. Members of the public and interested organisations are invited to make written submissions to the Inquiry and Review regarding any of the matters in the Terms of Reference. In particular, Mr Gotterson AO QC welcomes submissions in relation to Part A and Part C of the Terms of Reference.
5. Submissions can be sent to: [the.star.review.qld@corrs.com.au](mailto:the.star.review.qld@corrs.com.au). Submissions will be accepted until **4:00pm on Friday, 19 August 2022**.
6. If you are unable to lodge a submission by email, please contact the Solicitors Assisting the Review, Corrs Chambers Westgarth, on (07) 3228 9568 to make alternative arrangements.

**PROCEDURES RELEVANT TO PART A OF THE TERMS OF REFERENCE**

**PART C. FACTUAL AND EXPERT EVIDENCE RELEVANT TO PART A OF THE TERMS OF REFERENCE**

7. The Inquiry and Review:
  - (a) seeks evidence from all persons who can provide factual information or documents relevant to any of the matters in Part A of the Terms of Reference; and
  - (b) seeks expert opinion evidence from qualified persons relevant to any of the matters in Part A of the Terms of Reference.
8. Any person or organisation that considers they are able to provide evidence (including expert opinion evidence) relevant to Part A of the Terms of Reference should write to the Solicitors Assisting the Review by email to

[the.star.review.qld@corrs.com.au](mailto:the.star.review.qld@corrs.com.au) by 4:00pm on 16 August 2022 with a brief summary of their evidence. As further investigation may be required, any relevant evidence should be submitted as soon as possible.

**PART D. SUBMISSIONS RELEVANT TO PART A OF THE TERMS OF REFERENCE**

9. Any persons who may have particular knowledge of, or expertise in, the subject matter of Part A of the Terms of Reference, enabling them to provide assistance to the Review by submissions, should seek leave to appear in accordance with Part D of Procedural Guidance No 1.
10. Following the conclusion of public hearings, parties who have been given leave to appear may be invited to make submissions.

**PART E. COMPULSORY PROCESSES**

11. In connection with Part A of the Terms of Reference, being the inquiry into the operation of casinos under section 91 of the *Casino Control Act 1982* (Qld), Mr Gotterson AO QC has the power, under section 5 of the *Commissions of Inquiry Act 1950* (Qld), to issue to any persons the following:

- (a) summons to attend before the Inquiry and Review at a time and place named in the summons to give evidence (**Summons to Attend**);
- (b) requirement to produce to the Inquiry and Review at a specified time and place such books, documents, writings and records or property or things in the person's custody or control (**Requirement to Produce**);
- (c) requirement to attend at a specified time and place to give information to, and answer questions asked by, a person authorised in writing by Mr Gotterson AO QC (**Requirement to Attend**); and
- (d) requirement to give the Inquiry and Review within a specified time and in a specified way written information verified as specified in the requirement (**Requirement to Give Written Information**)

(each, a **Compulsory Process**).

12. By section 5(2) of the *Commissions of Inquiry Act 1950* (Qld), it is an offence for a person served with a Compulsory Process not to comply with that Compulsory Process within the time required, unless the person has satisfied Mr Gotterson AO QC within the prescribed period that they have a reasonable excuse for not complying.
13. A person served with a Compulsory Process may make a claim to the Inquiry and Review that the person has a reasonable excuse for failing to comply with the Compulsory Process (**Reasonable Excuse Claim**). A person may make a Reasonable Excuse Claim by:

- (a) notifying the Solicitors Assisting the Review of the claim by email to [the.star.review.qld@corrs.com.au](mailto:the.star.review.qld@corrs.com.au), accompanied by a short written submission of no more than five pages setting out the basis upon which the claim is made, having regard to sections 3 (definition of reasonable excuse), 5 and 14 of the *Commissions of Inquiry Act 1950* (Qld);
  - (b) making that claim:
    - i. in relation to a Requirement to Produce or Requirement to Give Written Information, at least two business days prior to the date for production of the documents or written information; and
    - ii. in relation to a Summons to Attend or Requirement to Attend, at least two business days prior to the attendance date.
14. If Mr Gotterson AO QC is satisfied the Reasonable Excuse Claim is made out, he may vary or revoke the Compulsory Process and advise the applicant in writing.
15. If Mr Gotterson AO QC is not satisfied the Reasonable Excuse Claim is made out, he may advise the applicant in writing.
16. The Inquiry and Review acknowledges that persons and organisations may wish to provide it with information or documents relevant to Part A of the Terms of Reference, other than pursuant to a Compulsory Process. Such persons and organisations are invited to provide information or documents to the Inquiry and Review in accordance with Part B and/or Part C above.

#### **PART F. WITNESS STATEMENTS**

17. Unless otherwise directed by Mr Gotterson AO QC, evidence provided to the Inquiry and Review, whether provided in response to a Requirement to Give Written Information or voluntarily, should be in the form of a written statement. Any witness statements provided in response to a Requirement to Give Written Information must comply with the requirements specified in the Requirement to Give Written Information.
18. Generally, witness statements:
- (a) should either be in affidavit form or verified as statutory declarations under the *Oaths Act 1867* (Qld);
  - (b) should set out and so far as possible, in chronological order, the evidence which the witness can give in relation to each aspect of Part A of the Terms of Reference;
  - (c) may contain statements of opinion, provided the witness possesses specialised knowledge in a field relevant to Part A of the Terms of Reference and exhibits to the statement a copy of their curriculum vitae;

- (d) should have exhibited to them all documents or true copies of documents relating to the evidence given by the witness or otherwise relevant to Part A of the Terms of Reference which are in the witness's possession or control, or describe as precisely as possible any such documents which are not in the witness's possession or control and, in that case, state where the witness believes the documents to be located;
  - (e) should present those exhibits in a way that will facilitate the Inquiry and Review's efficient and expeditious reference to them, and in particular must be provided electronically, to [the.star.review.qld@corrs.com.au](mailto:the.star.review.qld@corrs.com.au) in fully text-searchable, multi-page PDF/A format in accordance with the Document Management Protocol published on the Review's website;
  - (f) should be prepared by the witness's legal representative where leave to appear and to be legally represented has been granted;
  - (g) where the witness has no legal representative, may be prepared by the witness with the assistance of Inquiry and Review staff.
19. Following receipt of a witness statement, Inquiry and Review staff may request or require the witness to:
- (a) attend an interview in relation to the contents of the statement or any aspect of Part A of the Terms of Reference; and/or
  - (b) provide a supplementary statement or statements in respect of any matter relating to Part A of the Terms of Reference.
20. Mr Gotterson AO QC may require persons to attend to provide information to, and answer questions asked by, Counsel Assisting concerning any matter relating to Part A of the Terms of Reference, before any witness statement has been prepared.

**PART G. FURTHER GUIDANCE**

21. The Inquiry and Review intends to issue further procedural guidance in relation to the online hearing book prior to the public hearings.



**Hon Robert Gotterson AO QC**

5 August 2022