

**CHILDREN UNDER THE
AGE OF 10 YEARS ARE
NOT PERMITTED ON
THESE PREMISES**

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

OPENING HOURS

CASINO SUPERVISION & INSPECTION



Casino Compliance Unit - Hamilton
P O Box 1543, Waikato Mail Centre, Hamilton, New Zealand.
Telephone (07) 834 4924. Facsimile (07) 834 4925.

JOB SHEET

Date/time	Details
02/09/04	<p><u>INTRODUCTION</u></p> <p>Working day shift G.I duties at the Sky City Casino, Hamilton with Derek Hartley.</p> <p>At about 1.15pm on the 02/09/04 a good friend of mine 9(2)(a) and I, entered the Waikato Snooker and 8 Ball Club Inc situated at 60-62 Rostrevor Street, Hamilton. The purpose of the visit was to determine whether or not the club was opening its doors to the public in a manner that would breach the club's current category 'A' site licence.</p> <p>In order to achieve this, it was decided that I would be the best person to do so as the management of the club were less likely to recognise me as a new G.I as apposed to Derek or Robin. To further avoid suspicion, I asked 9(2)(a) to assist to which he agreed.</p> <p>9(2)(a) details are as follows:</p> <p>9(2)(a) _____ _____ _____</p> <p>Prior to entering the premises, I took a moment to read all signage near the entrance. The standard signage was clearly visible in relation to under age persons, tidy dress etc. Also present was a clear sign explaining the conditions of Members only entry and that visitors to the club could only use the facilities inside by being in the company of a current member and being signed in on the member/visitor register located inside the premises by the accompanying club member.</p> <p>Upon entering the premises I can confirm that 9(2)(a) and I are not members of the club and that upon requesting to play a game of pool, we were not challenged in any way to produce member identification or asked if we were accompanying any current club member and if so to sign the register. We therefore proceeded to play two games of pool.</p> <p>After the two games of pool, we went into the gaming machine area where 9(2)(a) inserted \$20 into one of the machines and proceeded to gamble. 'I observed only', 9(2)(a) play the machine for about 10 minutes during which time we were not approached to confirm our ability to play the machines or once again to legally be on the premises. I will make it clear that at all times we were in clear view of the staff members who were working at the time.</p>

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Report Continued:

At about 1.50pm ^{s(2)(a)} and I exited the premises. During the whole time we were there we were able to freely access any area on the premises without being challenged. Whilst being there I also noticed 3 new patrons enter the premises. Unknown if they were members or not, but they did not sign the register located on the front desk, nor were they challenged in any way. All were there to play the gaming machines and did so.

SUMMARY

It is clearly obvious that the premises was in breach of it's Category A Licence in relation to ^{s(2)(a)} and myself and it is very likely that it is open to the public deeming it to be operating as a Category B venue. Therefore the Waikato Snooker and 8 Ball Club Inc is clearly operating outside the parameters of section 113 of the Gambling Act.

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Sky City Casino, Hamilton

INSPECTOR: Justin Thomson
Date: 02/09/04

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INVESTIGATION CRITERIA CHECKLIST

Society name: Waikato Snooker and 8 Ball Club

Date: 17/9/04

Criteria – to be completed as part of the initial investigation process – leading to decision to undertake full investigation or complete the investigation process		Reasons/Comment – this column must contain comments/analysis supporting the decision in accordance with section 6
1.	Is there, on the face of it, any breach of the law, regulations, licence conditions, game rules or minimum operating standards?	Yes, This is a club appears to be open to the public to play gaming machines with no restriction, it appears to be a commercial venue where the pool/snooker tables are available for hire by members of the public, it also does not hold a liquor licence, it would appear to breach section 4 of the Gambling (Harm Prevention and Minimisation Regulations) where it appears to be an unsuitable venue. Therefore restriction on access to minors is in question, monies are applied to themselves which could mean a breach of Section 113?
2.	Is the issue considered significant in itself, or significant because it forms part of a sequence of minor but persistent breaches, or could be described as a one off minor breach of the letter of the law or a technical (game rule/minimum operating standards) requirement? Consider the potential to involve or result in: <ul style="list-style-type: none"> • A reduction in funds available for community purposes • Personal or commercial gain • Compromising the integrity of gambling equipment or casino operations • Dishonesty or unlawful conduct • Adverse affect on the minimization of harm resulting from gambling • Disclosure of other, more serious matters, e.g. fraud or money laundering <p>Additionally, if the matter relates to a breach that carries a large penalty (compared to a small penalty) this will contribute to its assessment as being “significant”.</p>	Yes – proceeds going to society only Yes- harm minimization issues, is it an appropriate venue for GM’s in terms of regulation 4
3.	Was the breach deliberate?	Yes
4.	If it is an obvious breach, but only at the minor or technical level, could a valuable precedent or deterrent result from a full investigation?	Yes- a valuable precedent

Based on the above assessment the appropriate action in this matter is:		<ul style="list-style-type: none"> • Use information for education & persuasion • Inform society/party responsible of the possible problem and request it be addressed • Full investigation required • No further action required • Other action e.g. refer to another agency 	<table border="1"> <tr><td></td></tr> <tr><td></td></tr> <tr><td></td></tr> <tr><td></td></tr> </table>				
Inspector/Investigator Name Signature							
Senior Inspector 2/Regional Manager sign off		Comment					
1.	Have you checked that the facts are accurate?	Yes					
2.	Have you taken into account all relevant matters and disregarded irrelevant matters?						
3.	Have you considered the merits of the particular case and not simply applied a pre-determined policy?	Yes – clarification of status is required					
4.	Are you being consistent with previous practice or expressed policy or representations made?						
Any other comments or instructions?							
Senior Inspector 2/Regional Manager Name/Signature							
Date							

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Job Sheet

Subject : Waikato Snooker and 8 ball

7/10/04

In Wellington photocopied relevant docs from licencing file

13/10/04

1145 hrs

Took photo of sign in door of premises stating that under 10s not allowed.

15/10/04

0830 hrs

Rang 9(2)(a) ██████████ Hamilton City council Ph 9(2)(a) ██████████

Waikato snooker and 8 ball have current liquor licence valid until 15/11/2006.

9(2)(a) advised that a minor can be member of club providing they do not have access to bar facilities. By "access to the bar" he advised that they could be in the bar area, pass through the bar area to use the pool/snooker tables providing a minor does not stop at the bar and drink alcohol.

There is no designated area, that is, alcohol can be consumed anywhere on the premises.

John Hennebry

Senior Inspector

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P O Box 1543, Waikato Mail Centre, Hamilton, New Zealand.
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JOB SHEET

Date/time	Details
<p>03/09/04</p> <p>1900hrs</p>	<p><u>INTRODUCTION</u></p> <p>Working day shift G.I duties at Sky City Hamilton with Derek Hartley.</p> <p>On request from John Hennebry re visit Waikato Snooker and 8 Ball Inc. Once again not challenged as I enter the premises on my own nor required to sign a register.</p> <p>Stayed at the premises for approximately 25 minutes. Firstly in the pool/snooker area for a short time before making my way to the gaming machine area. Did not partake in gambling but observed other patrons for around 10-15 minutes whilst making idle chatter with them.</p> <p>Person working in the establishment was the same person who had been working during my previous visit the day before.</p> <p>Left the premises at approximately 7.25pm.</p> <p>NOTE:</p> <p>The above information has been transferred from my notebook which were notes taken immediately upon my return to the office after the visit.</p> <p>Sky City Casino, Hamilton</p>

INSPECTOR: Justin Thomson

Date: 20/10/04

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Chq Payments

Date	Name	Amount	Ref	Chq#
Gaming Account				
2/03/2005	Waikato Billiards and Snooker Assoc	3829		195243
4/05/2005	Waikato Billiards and Snooker Assoc	4400	Grant	195281
4/05/2005	NZ Billiards& Snooker Ass	5000	Grant	195282
18/05/2005	Dan O'Sullivan	195.41	Various Expenses	195300
1/06/2005	Dan O'Sullivan	49.5	Re-imbursePostage	195303
30/06/2005	NZ Billiards& Snooker Referees Ass	2000		195332
31/08/2005	Dan O'Sullivan	361.14	Re-imburse -Rem	195383
31/08/2005	Dan O'Sullivan	196.82	Re-imburse Tournament Costs	195385
29/09/2005	Waikato Billiards and Snooker Assoc	1500	Grant	195405
29/09/2005	Waikato Billiards and Snooker Assoc	500		195406
29/09/2005	Dan O'Sullivan	3000	part Payment Executive Fees	195407
27/10/2005	Dan O'Sullivan	1666.67	Final payment exec fees	195435
24/11/2005	Dan O'Sullivan	20.61	computer equip re-imburement	195473
1/12/2005	Waikato Billiards and Snooker Assoc	1316.25	Grant	195476
23/02/2006	Dan O'Sullivan	81.77	Reimbursement	195540
9/03/2006	NZ Billiards& Snooker Ass	3000	Grant	195543
9/03/2006	NZ Billiards& Snooker Referees Ass	2000	Grant	195544
18/05/2006	Waikato Billiards and Snooker Assoc	3000	Grant	195616
28/09/2006	Dan O'Sullivan	120	Petrol Vouchers Re-imburement	195726
14/12/2006	Dan O'Sullivan	138.5	Re-imburse Hirequip	195803
15/02/2007	Waikato Billiards and Snooker Assoc	3000	Sponsorship GRANT	195843
Club Account				
6/04/2005	Dan O'Sullivan	150	Reimbursement Staff function	101869
22/06/2005	Dan O'Sullivan	376.38	Various Expenses	101898
29/06/2005	Dan O'Sullivan	2000	Honourium	101905
29/06/2005	Dan O'Sullivan	1961	Wages	101907
20/09/2005	Waikato Billiards and Snooker Assoc	5000	9(2)(a)	101943
24/11/2005	Dan O'Sullivan	50.5	Reimburse Meeting Expenses	101958
12/12/2005	Dan O'Sullivan	688	Reimburse XmasHams-Prizes	101961

WAIKATO

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**Waikato Snooker and 8 Ball Club Incorporated
Minutes of the Management Committee Meeting**

Thursday 23 February, 2006 – 6pm

Present:

Dan O'Sullivan (President), Julia Burne (Secretary), Frank Lieshout (Treasurer),
9(2)(a)

Apologies:

9(2)(a)

Minutes of Meeting 25 January, 2006:

MOTION - Moved by Dan and second by Frank that "the minutes of the meeting, as distributed were a true and correct record" Carried.

Matters Arising From Those Minutes:

- Polo shirts have been approved and ordered, staff shirts are also being made
- New pool balls still to come
- New Jackpot system is now installed and running
- Back slider doors and windows have been tinted and are working well to block out the sun

Treasurer's Report:

(As Attached)

MOTION - Moved by Frank and second by 9(2)(a) that "the Treasurer's Report be adopted, accounts paid and accounts presented, be paid". Carried

Correspondence Inwards:

- Stykes & Hooker - request for final payment of funds for renovations
- NZ Referees Association - funding for 2006 year
- Intralot - cabling for gaming machines
- Dept Of Internal Affairs – final compliance date is 12 October, 2006
- Uniform Centre – various emails
- Complaint received by club member – Dan to deal with

Correspondence Outwards:

- Styles & Hooker – replying their letter & outlining details of work incomplete
- Various emails

MOTION - Moved by Frank and second by 9(2)(a) that "the correspondence be accepted" Carried..

Applications for Funding:

Waikato Billiards & Snooker Association – funding request of \$13,112.00

MOTION - Moved by Frank and second by Julia that "instalments of \$3000.00 be paid quarterly in the 2006 year or as funds allow" Carried.

Snooker Referees Association – funding request of \$17,000.00

MOTION - Moved by 9(2)(a) and second by Julia that "\$2000.00 be provided towards costs of travel to World Championship events" Carried.

Membership:

16 new memberships were passed for the month of February

General Business:

Bar Licence

A matter was raised regarding the opening hours of the bar without a licensed manager present. Legal trading of our bar can be open any time without a manager needing to be present providing at least one of the clubs licensed managers could be readily available if required. The Club have five licensed managers.

Theft

Discussion was held over the identity of a person accused of an illegal act of theft on our premises late last year – this person has been reprimanded and a ban initiated against them as an outcome of their actions.

Car Parks

Discussion was held over staff being allowed to park in the Club car park during their shift hours. It was approved that daytime week staff be allowed access while it's not so busy and also gives the appearance of activity within the Club. Evening staff do not need to utilise these parks as they have options of multiple parking spaces elsewhere near the Club premises.

Outdoor Plants

As discussed towards the end of 2005, plants have been purchased for the frontage of the building. Julia to follow up with some brackets to hang flower baskets as well as some pots for the back outdoor area.

Meeting Closed: 7..05pm

Next Meeting will be held on the Thursday, 23 March 2006 at 6pm.

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GM 3337

07/06/06

The President
Waikato Snooker & 8 Ball Club Inc,
PO Box 912,
Waikato Mail Centre
Hamilton Central.

Dear Sir

Educational Venue Visit .

In line with the Department's compliance strategy, an Educational Venue Visit has been carried out at the above-named venue at which your Society is licensed to operate gaming machines.

The visit was not a full venue audit, but was designed to be educative in nature. The purpose of the visit included measuring compliance at the venue in relation to certain areas of the Gambling Act 2003 (the Act), its associated Game Rules, Regulations, and the Licence Conditions attached to your Society's Class 4 Operator's Licence, plus the Venue Licence issued to your Society for this venue.

It was also an opportunity to discuss any issues the Venue Operator or Venue Manager wished to raise, and to offer assistance in general in matters related to the operation of the gaming machines.

The areas specifically examined were:

- Supervision of the gaming area;
- Information to be displayed;
- Harm Minimisation/Responsible Gambling programme.

The venue was found to be compliant with the current legislation in the areas noted above except for the following:-

Class 4 Gambling Game Rules 34-35 requires that you have jackpot instruction displayed in your gaming area. These can be obtained from your service provider.

Please rectify this and advise me within 10 working days of receipt of this letter.

Thank you for your co-operation and I take this opportunity to wish your club and members success for the future.

Yours faithfully

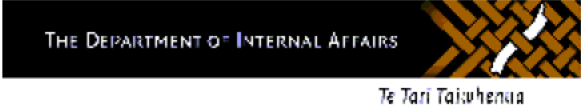
R.A.BARRETT
Senior Gambling Inspector
Gambling Compliance Unit.
Phone 09-362-7949
Mobile 9(2)(a) [REDACTED]
Email r.barrett@dia.govt.nz

DISCLAIMER

While our audit is carried out in accordance with Department of Internal Affairs' standards, it cannot, and should not, be relied upon to detect every instance of misstatement, fraud, irregularity or inefficiency.

The responsibility for public accountability and the implementation and monitoring of internal and management controls rests with the society.

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GAMBLING COMPLIANCE - JOB SHEET

DATE	Waikato Snooker & Eight Ball Club
<p>9/11/06 1155hrs</p>	<p>During the latest licence renewal process, the Department has identified concerns over the income from gaming machines compared to the income from other club activity. This could possibly be a breach of Section 67(1)(k) of the Act.</p> <p>Max Carr and myself visited the club primarily for discussions about financial viability, and I took the opportunity to inspect the venue as a whole. Other factors need to be considered while assessing what the Class 4 venue is 'used mainly for'. The club has large premises situated at 62-64 Rostrevor Street, Hamilton City which have recently been refurbished. The venue is operated as a club and is only accessible by members via a swipe card that allows entry at the front of the premises. The club owns these premises, which contain 14 snooker and pool tables together with the 18 gaming machines they are licensed to operate. The gaming machines occupy approximately 5% of the total floor space.</p> <p>Figures supplied by the club indicate that 2765 participants have played tournaments at the club between 1/7/06 and 31/10/06. Also of significance is the club has approximately 1000 members, with full membership costing \$25p.a. with half price for students and senior citizens.</p> <p>Given the information above it would be difficult to assert that Waikato Snooker & Eight Ball Club was used mainly for operating gaming machines.</p>

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Completed by:	Scott Carsons, Senior Gambling Inspector
Signed:	

GAMING COMPLIANCE - ENQUIRY JOB SHEET

DATE TIME	ENQUIRY NAME: WAIKATO SNOOKER AND 8 BALL CLUB INC Ph 07 839 5922
24.07.08	<p>Complaint received 22.07.08 (confidential) in respect to the AGM meeting held on 25 June 2008 at WS8BC. Complaint taken by Robin French, GI Hamilton. Appointment arranged for complainant to call into DIA IRD building this afternoon 2.30pm to discuss matters further.</p> <p>Rang Licencing section. Spoke with Natasha, Gambling Inspector. Natasha and Christine have split the licence renewal applications received to action. Natasha is responsible for the WS8BC.</p> <p>Gave Natasha a brief on the history of club, previous theft, under banking of GMP and recent non compliance issues.</p> <p>Asked Natasha to speak with John Currie, Licencing Manager re issues and not to renew before the current issues have been dealt with.</p> <p>Asked Natasha if the club has advised the new key persons, as requested in my audit outcome letter. Licence track records are out of date.</p> <p>Natasha advised new key persons have not been advised with the renewal application and the club is required to complete an amendment application and Personal information forms for the new key persons. The fee for the amendment is \$636.00 and cannot be done with the renewal any longer. It has to be paid for separately. Then suitability checks are done by Licencing section, prior to the new key persons being accepted by DIA.</p> <p>Licence track is not amended until the checks have been done and cleared. At present the only accurate key person showing on licence track is Lindsay Weight, Venue Manager and he only shows on the Venue Operators licence – GMV 482, not on the society's licence.</p> <p>Asked Natasha if the club have fully declared A/P list for past year, and has the \$85k GMP that was under banked been disclosed. Natasha stated that there is no advice of what had occurred and no auditor's report accompanying the application.</p> <p>Asked Natasha if she could request following from the club as part of the renewal application process:</p> <p>List of all A/P payments made for last year Names of key persons at club, currently appointed since AGM and PI forms to completed for all key personnel (within a week or 10 days max). Suitability checks are to be completed on key persons. Independent auditors report to be requested by club from KPMG. To be copied in on responses from the club to above requested.</p> <p>Natasha advised she will contact me further re same when received.</p>
Completed by:	Ann Hart, Inspector of Gaming Compliance
Signed:	

Natasha rang back. Advised that Nicole has already requested Key persons info on 2 July 2008. She will follow up on this as the forms haven't been received. Asked Natasha to forward me a copy of the letter that Nicole sent to the club. – Received.

Meeting held with the complainant, 9(2)(a), 9(2)(ba)(i) [REDACTED] Robin French and I, at IRD building, DIA premises, Hamilton.

Information advised as follows: Club rules require 20 members to attend AGM and vote. Not enough club members attended so patrons playing snooker were asked to complete club membership application forms and the \$20 membership fee, normally payable when joining was waived.

There were 4 persons signed up at the AGM meeting this way, to boost membership numbers to meet the criteria required for the meeting to be held. These new members were Asian and didn't properly understand English when the AGM meeting was held.

The meeting then went ahead and Bernie Endres was re-elected as President (he was the only nominee), The previous existing committee members were re elected with a few additional committee members accepted.

Lindsay Weight, Venue Manager dealt with this on instruction from Bernie Endres, President.

Complainant also advised that on Sundays the club operates with duty managers that do not hold Bar Managers certificates, as required. The staff have been instructed by Lindsay Weight to ring him if a Liquor Licencing inspector calls to the club when there is no Bar Manager on duty. Complainant stated that staff have been told to lie to the inspector and to say that Lindsay has just popped out for a short while to buy some food etc, and then to ring Lindsay and Lindsay will then come down to the club to deal with the inspector. Lindsay doesn't usually work on Sundays.

Discussions were held with Derek Hartly, Robin French and Inspector Hart re the matters advised by complainant and strategy to be employed to deal with the matter.

I advised that DIA can not take action against the current club executive currently as they are not registered on DIA records currently as key persons. Have to wait for the Key person Information forms to be returned from the club and processed by DIA. Advised that the usual process for C4 complaints is that the complaint is registered as an investigation through licence track.

Available strategies : Deal with matter through a further re-audit process. (The club is on the current audit list to do).

- Deal with matters as a follow up on the last recent audit outcome.
- Open as new investigation and deal with all matters identified through a full investigation.
- Contact Liquor Licencing re club in breach of Liquor Licence on Sundays, trading without a certified Manager.

All possible strategies to be discussed with Manager at next meeting due 30 July 2008.

28.07.08

Derek Hartley Gambling Inspector Hamilton contacted Liquor Licencing, Hamilton and arranged for an inspector (9(2)(a) [REDACTED]) to call in to discuss the matters advised to DIA.

9(2)(a) [REDACTED] called in. Discussion held with Robin French, GI and I. Discussed the

Completed by: Ann Hart, Inspector of Gaming Compliance

Signed:

<p>30.07.08</p>	<p>matters as above. 9(2)(a) advised that they follow similar processes to DIA – education, warnings, suspension and cancellation of licences.</p> <p>9(2)(a) stated that to be able to prosecute the club they would need a raft of breaches, not just one.</p> <p>9(2)(a) stated that from his experience when they take a case to the Liquor Licencing Authority the judge wants to see a raft of failures rather than one breach, before he will take action and he considers what effect the cancellation of the licence would have on the community.</p> <p>9(2)(a) stated that he would however look at calling into the club this Sunday to see what is going on and if appropriate could issue the club with a warning.</p> <p>Peter Cowsill, Acting Regional Manager called to Hamilton office. Discussed the case with Peter. It was agreed that Key Persons need to be registered with DIA before this case can be progressed further. Lance Daly, Team Leader will be in Hamilton office from 5 August 2008. Case can be discussed further then.</p> <p>Rang DIA Licencing re Key Persons registration. KPI forms not yet received.</p> <p>Rang Lindsay Weight, Venue Manager. Asked Lindsay if he has returned the Key Persons forms for the new committee members. Lindsay stated that he hasn't registered the new committee as yet. Asked Lindsay to send in KPI forms in as soon as poss as this is holding up his renewal application for licence. Lindsay said he will post these off asap. Asked Lindsay for a copy of the AGM minutes. Lindsay stated that he will fax this through to me.</p> <p>Asked Lindsay to follow up on the report to be provided by 9(2)(a). Lindsay stated that he will email 9(2)(a) again. Asked Lindsay to copy me in on the email. Lindsay stated that he will follow up on this also.</p>
<p>30.07.08</p> <p>9(2)(a), 9(2)(ba)(i)</p> <p>9(2)(a), 9(2)(ba)(i)</p>	<p>Complainant 9(2)(a), 9(2)(ba)(i) contacted the Hamilton DIA office again. He spoke to Robin French, GI. Appointment arranged for an interview this afternoon at DIA IRD building, with another complainant, 9(2)(a), 9(2)(ba)(i) is also willing to give information re the club, confidentially.</p> <p>and called in.</p> <p>advised the following:</p> <p>9(2)(a), 9(2)(ba)(i)</p> <p>AGM was held at the club on 25 June 2008.</p> <p>At the AGM Bernie Endres (President) suggested that the general public join membership to make up the required quorum of 20 persons. He gave the persons who joined up that night (4 people) free membership to join. Those persons were Asian students, from the Language School and didn't fully understand what the meeting was all about as they couldn't speak English very well.</p> <p>Bernie asked 9(2)(a), 9(2)(ba)(i) to interpret and to tell those persons what was going on. doesn't believe the Asian students understood what the meeting was all about and what was said. There was no true participation by members.</p> <p>Those membership documents were signed by Lindsay Weight as Venue Manager.</p>

<p>Completed by:</p>	<p>Ann Hart, Inspector of Gaming Compliance</p>
<p>Signed:</p>	

The AGM started at 7.30pm on 25 June 2008.

Rodney Staples, Treasurer attended. Fale Paketo, Secretary took the minutes.

Bernie Andres conducted the meeting and went through the Treasures report, the financial statements etc very quickly. Bernie was very fast and rushing everything. He was mumbling, not clear and not speaking very loudly – no microphone. 9(2)(a), 9(2)(ba)(i) requested a microphone to be used but Bernie said no.

9(2)(a), 9(2)(ba)(i) asked for the club to be closed while the AGM took place. Bernie said no, it had to stay open, and to let the members continue to come in. 9(2)(a), 9(2)(ba)(i)

Bernie suggested putting Lindsay on to the committee. 9(2)(a), 9(2)(ba)(i) thinks that this is against what the club institution says and it is not ok. It would be a conflict of interest.

9(2)(a), 9(2)(ba)(i)

A theft of money occurred at the club by a member of the club on Monday 14 July 2008.

9(2)(a), 9(2)(ba)(i) stated that half of the people that play at the club are not club members.

As discussed with complainants, further failures advised as below (yet to be substantiated). Refer letter sent by DIA of 27 May 2008):

A3 (not sure), A4 (thinks not), A13, A14 (float is insufficient), A15, A16, A18, A23, (believes forms held but staff not trained in procedures), A25, A27, A28-29, A30, B20, B23 (not sure), B24, B25, C4 (not sure), C9 (n/k), C10 (n/k), C12 (n/k) C13, C14 (n/k), C15(n/k), C16, C20, C21, C22, D12, (n/k) D13, D14, D15, F1 (n/k), F5 (n/k).

Rang Lindsay Weight. Asked Lindsay what has happened re the info I requested last week. Lindsay stated that he will be sending in the Key persons forms once the Secretary (Farley) has completed his form.

Lindsay also stated that he doesn't think 9(2)(a) needs to complete the KPI form as he has already completed it last year. I advised Lindsay that 9(2)(a) is not on our records as a key person and does need to complete the form also.

Asked Lindsay re the email he was supposed to send 9(2)(a). Lindsay stated he will send it off and copy me in.

Asked re AGM minutes. Lindsay stated that he will contact Bernie Endres and ask him to ring me as he will need to get those from Farley, Secretary, in Auckland.

Bernie Endres rang. I advised Bernie that I have spoken to Lindsay Weight in regard to info required and Lindsay has advised he will follow up on info but it usually takes about 3 or 4 requests for the info to come through. Advised that I requested the info re 9(2)(a) report from Lindsay initially 6 months ago and he has repeatedly said he will follow up on it but no report has been received. Bernie stated that Lindsay may mean the Operations Manual that 9(2)(a) was supposed to write for the club and he may not mean a report on 9(2)(a) findings of the period Greg Hodgson was working at the Club when GMP was under banked.

Bernie stated that he received a report from 9(2)(a) that was recommended not to be given to the whole committee to view. Bernie stated that he will look for the copy he has and if he is unable to find it he will request another copy from Rodney Staples (9(2)(a)) and forward it to me before the end of this week.

4.08.08

Completed by:	Ann Hart, Inspector of Gaming Compliance
Signed:	

I advised Bernie that I received a letter from Lindsay stating that all failures identified in the recent audit have been rectified and so far I am aware of two failures that have not been rectified.-the float being mixed and the key persons not being advised to DIA.

Bernie stated that he gave key person forms to 9(2)(a) approx 6 months ago for himself and new committee members and he thought she had sent them in to Licencing. He said when he contacted Lindsay today about it Lindsay said the forms were in the office with the club's cheque for payment and 9(2)(a) hadn't posted them.

I advised Bernie that if they were in the office Lindsay should have been aware of that and sent the key persons forms off as he is the club's Venue Manager.

I advised Bernie that I have concerns that Lindsay has been put into a Manager of GMO role without full training and the Committee are not aware of all the requirements of the GA 2003.

Bernie stated that several weeks ago there was a theft at the club by a club member of approx \$9k and one of their staff members. 9(2)(a) has been disciplined in regard to this. 9(2)(a) was playing pool (on duty) when the money was stolen.

Bernie stated that he had advised Lindsay and the other staff that they were not allowed to play pool while on duty or leave the counter unattended and that was how the money from the safe had been able to be stolen.

I advised Bernie that Lindsay is the club's Manager and 9(2)(a) is one of Lindsay's staff. In my view there should be some accountability re Lindsay also, not just 9(2)(a) in the way the Club is operating with its processes as Lindsay has the overall ultimate responsibility for the club's operation as its Manager.

Bernie stated that 9(2)(a) is unlikely to return to the club to work there and currently Lindsay is the only person who knows how the GMO and Bar etc works fully. There is no one else that can step in and replace Lindsay.

I advised Bernie that I am aware that the club has another safe that it owns that has no key and suggested that they look at getting a key for it and using it to store cash in as currently the one safe they have is in view of the public from the counter and staff go into the safe off and on during the day. Bernie stated that the staff only go into the safe approx two times a day and they don't view another safe as being necessary.

I advised Bernie that the DIA has given the club a lot of support and education over the last few months and they have been given the opportunity to get on track through the audit process. I advised Bernie that the club has a historical record of non compliance and DIA is more likely to look at more serious action against the club unless there is significant improvement in its GMO operation.

I advised Bernie that as most of the committee members are not conversant with the day to day GMO duties the committee is reliant on Lindsay doing things right on the club's behalf. I told Bernie that I it is not acceptable to receive a letter advising failures have been rectified when clearly they haven't.

Bernie stated that Lindsay has taken over the position of Venue Manager from Greg Hodgson who had slack practices and Lindsay worked with Greg for several years before taking over as the new Manager. Bernie stated that he will speak with the other committee members and speak to Lindsay in respect to the matters we have discussed. He will advise me of the action taken.

Lindsay rang. He stated that Bernie has been in contact with him and the report required from

Completed by: Ann Hart, Inspector of Gaming Compliance

Signed:

9(2)(a) was sent to Bernie. Lindsay stated that there may have been a misunderstanding as 9(2)(a) was to send him an operations manual, not a further report on what happened last year.

Lindsay stated that the club needs an operation manual as Lindsay is the only one currently who knows how everything works and if he left no one would be able to do what he does.

I advised Lindsay that I have been asking for 9(2)(a) report for over 6 months and it is unacceptable that it is taking so long to receive it, whether he provides it or Bernie provides it.

Lindsay advised that he has been considering the issue of the float. He advised that it is actually physically separated at the tills but once a week there is a transfer made from the club account to the gaming account to make up the difference in eftpos sales that have been taken during the week. Lindsay stated that currently the float is reconciled daily and EMS is used to bank GMP. GMP is banked in two separate amounts into the gaming account. One amount is cash GMP and the other is the transferred amount form the club account that represents eftpos sales made.

I advised Lindsay that the money that comes in and out of the gaming account must be GMO related only and the club cannot be transferring club monies to the gaming account weekly. Advised Lindsay that GMP should be banked direct into the gaming account as it is generated.

Lindsay stated that Armourguard only call once a week to collect the GMP. Currently Lindsay doesn't go to the bank at all as Armourguard do the banking for the club.

Lindsay stated that he could ask Bernie and 9(2)(a) to give him a cheque to cash from the Club account and go to the bank himself to withdraw cash for the club float if necessary. Lindsay asked what would be best from the DIA 's point of view.

I advised Lindsay that the floats must be kept separate and it is up to the club as to how it does that but the GMO float must be funded separately by the club.

Advised Lindsay that he is required to cease transferring money from the club account to the gaming account weekly, immediately. Advised Lindsay that he will have to make arrangements with the committee to sign cheques for their club float but at no time should money be transferred to the gaming account to make up GMP.

Advised Lindsay that he should contact Gaming Inc to sort out more efficient processes. Advised Lindsay that I am aware that the club had contracted Gaming Inc previously to overview and audit the GMO but this had stopped some time ago.

Lindsay stated that this had stopped before he became Manager and was stopped by Greg Hodgson. I advised Lindsay that he will need to discuss these matters with the committee but it is my suggestion that he get some further training from Gaming Inc and that the committee should look at re employing Gaming Inc for an objective audit purpose. Lindsay stated that he will discuss this with Bernie. I advised Lindsay that Bernie has sent me the copy of the AGM minutes that I requested.

9(2)(a), Liquor Licencing called in. 9(2)(a) advised that a complaint was received at Liquor Licencing section last Friday (1 August 2008) and another Liquor Licencing inspector called out to Waikato Snooker and 8 Ball on Saturday 3 August 2008..

Subsequent to that 9(2)(a) called to the club on Sunday 4 August 2008 and spoke to 9(2)(a) [redacted], Duty Manager on at the club. 9(2)(a) identified that the Duty Manager's signage was not displayed as it should have been. He advised 9(2)(a) of this. 9(2)(a) asked 9(2)(a) who the Duty Manager was for that day. 9(2)(a) advised 9(2)(a) that it was 9(2)(a) [redacted]. 9(2)(a) asked 9(2)(a) to contact 9(2)(a) as he wished to speak to him. 9(2)(a) rang 9(2)(a) [redacted] mobile and home numbers

Completed by: Ann Hart, Inspector of Gaming Compliance

Signed:

5.08.08	<p>but was unable to reach him. 9(2)(a) advised 9(2)(a) that this is also in breach of the Liquor Licencing Act as it is a requirement that a club Manager must be available.</p> <p>9(2)(a) stated that he gave 9(2)(a) a verbal warning and followed this up with a warning letter to the club, advising of the breaches and LL Act requirements.</p> <p>9(2)(a) stated that on Monday morning 4 August 2008, Bernie Endres rang him and was verbally abusive that a warning letter had been issued. 9(2)(a) stated that Bernie stated his wife worked for the Police and he and the club are well aware of what the requirements are. Tao advised Bernie Endres that the letter is based on facts established on 4 August 2008 and the warning letter remains.</p> <p>Team meeting held with Lance Daly, Team leader, Robin French, Derek Hartley and myself. Issues discussed as above. Request made by Lance Daly to submit brief outline of issues identified and a recommendation for the case, before decision re strategy is made.</p> <p>Memo referred to Lance for review. Case discussed.</p> <p>Awaiting information from Licencing, re Key persons application received and suitability of Key persons approval.</p> <p>Also awaiting decision from Saar Conen-Rohen re suitability of Key persons before proceeding with further action.</p>
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Signed:	

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GAMING COMPLIANCE

Gaming and Censorship Regulation
Department of Internal Affairs
Te Tari Taiwhenua

MEMORANDUM

TO: Lance Daly, Team Leader

FROM: Ann Hart, Gambling Inspector

SUBJECT: Waikato Snooker and 8 Ball Club Inc (WS8BC)

DATE: 5 August 2008

As discussed, summary status of WS8BC as follows:

Historical:

- 2000 -2001. Audit completed. Raft of failures. Non compliant. Theft identified (187 k) Venue Manager Steven Robertson prosecuted.
- Aug 2004 Audit completed. Non compliant (7 failures).
- Sept 2004 Investigation: Public access to public site. Related to Society audit of Aug 2004.
- Dec 2004. Venue audit completed. Non compliant (16 failures)
- Feb 2005 Enforcement action. Non compliant. Warning letter issued.
- June 2006. Venue education visit completed. Compliant.
- Nov 2007 Audit completed and signed off 10 July 2008. Non compliant. (35 failures and a recommendation for review of processes, policies and procedures).

Current:

Complaint received on 22.07.08 stating:

- The AGM held at the club on 25 June 2008 was not conducted as per the Club's Constitution requirements. Four patrons playing Pool at the club on 25 June 2008 were asked to complete and sign club membership application forms so that the club's constitution requirements (a quorum of 20 persons) were met, in order to proceed with the AGM. The four new members were given free membership. This was at the direction of Bernie Endres, President. These directions were endorsed and supported by Lindsay Weight, Venue Manager. The four new members were Asian students attending the Language Institute and didn't fully understand the AGM proceedings. Bernie Endres was President for the year ended 30 June 2008 and he was re-nominated at the AGM on 25 June 2008. No other nominations for President were made.
- On Sundays the club is not managed by a certified Duty Manager with a Bar licence and the staff are expected to lie to a Liquor Licencing Inspector if one should call in.

Further complaint received 30 July 2008 stating:

- AGM held on 25 June 2008 was not held as per Club Constitution requirements. Details of the previous complaint received on 22.07.08 were corroborated.
- Theft of money (\$9k club float held in safe) by a club member occurred at the club on 14 July 2008. The matter was reported to the Police. The club member was identified through club surveillance footage by Club Management and the Police have spoken with the suspect. Complainant believes GMP was banked as per EMS, and as required, regardless of the theft. The stolen money was a loss of Club float.
- Staff are allowing members of the public to play pool or gaming machines at the club without being signed in by another club member or by staff.
- All staff do not record float transactions for float activity as required. Bar float and Gaming float are not kept separate.
- A jackpot incident occurred on 25 July 2008. Jackpot displayed "C10" instead of identifying the gaming machine that had won the jackpot. No player was paid the jackpot out on the night and the incident was recorded in the daily diary by 9(2)(a) [REDACTED], Duty Manager. Lindsay Weight, Duty Manager checked the daily diary the following day and advised that he would contact Gaming Inc to find out which person had won the jackpot. It is not known if this was followed up.
- I went through the audit outcome letter (sent to the club on 27 May 2008) with the complainants. A majority of the breaches of the GA 2003 identified during the recent audit were viewed by the complainants to have not been rectified.

Refer letter sent by DIA of 27 May 2008:

As discussed with complainants on 30.07.08, the failures advised are as cited below (yet to be substantiated).

A3 (n/k), A4, A13, A14 (float is insufficient), A15,A16,A18,A23, (believes forms held but staff not trained in procedures), A25, A27, A28-29, A30, B20, B23 (n/k),B24, B25, C4 (n/k),C9 (n/k), C10 (n/k), C12 (n/k) C13, C14 (n/k), C15(n/k), C16, C20, C21, C22, D12, (n/k) D13, D14, D15, F1 (n/k), F5 (n/k).

Issues identified from the complaints:

On 10 July 2008 a letter was received by DIA stating that the WS8BC has taken appropriate steps to rectify the issues of concern that were identified in the recent audit (July 2008).

Breaches of the GA 2003 that have continued since letter of 10 July 2008 received:

- Key persons have not been notified to DIA (current records are 2 years old).
- Net Proceeds Committee appointments made at AGM on 25 June 2008 are not legitimate as AGM has not followed its club constitution requirements.
- Harm Min training not completed by staff as required.
- No Venue Manager present on Sundays, only part time staff. The part time staff have not had Harm Min training. The part time staff are key persons on Sundays and have not been identified by the Club Management as key persons.
- No separate Gaming float. It has been mixed with the Bar float. All float transactions are not recorded.
- Gaming bank account is not a dedicated bank account that is used solely for the purpose of Gaming. Currently money is being transferred from the Club main account to the Gaming account weekly to top up the GMP amount required to be banked. All GMP should be banked directly into the Gaming account. Currently some GMP is also being banked into the club account weekly..
- GMP is not banked within 5 days. The club's practice is to bank GMP weekly, on Tuesdays, as per EMS, but the GMP banked is for the previous week not the current amount of GMP due.
- Potential theft of jackpot pay out (approx \$600.00 on 25 July 2008).
- Correct procedures for dealing with a jackpot incident have not been followed.
- Recorded policies and procedures have not been put in place to prevent/manage key person conflicts of interest (recommendation). The Venue Manager has been appointed to the Executive Committee, in breach of the Club's own constitution.

Options of actions available:

- Audit club: Commence a new audit and fully re audit club with a view to take further action based on findings. This would require notification to the club of a pending audit by DIA and a request for the club to provide certain documentation (required within 20 working days).
- Open an investigation: Investigate complaints further and identify breaches of the GA 2003.
- A visit to the club as a follow up to the response letter received from the club (dated 10 July 2008). The letter received states the club has taken appropriate steps to rectify the issues identified in the recent audit.

Recommendation:

Gambling Act 2003 requires all complaints received must be acted on.

An investigation case is required to be opened (LT).

Job sheets and notes made are to be added to LT.

As part of the investigation, a visit to the club in respect to the complaints made and failures identified in the recent audit be undertaken, to identify and substantiate the breaches of the GA 2003 (documentary evidence of breaches to be obtained and witness statements taken).

Previous WS8BC case files held to be reviewed for historical evidence and decisions made.

Action to be taken against the club is to be determined once the investigation is fully completed.

A.Hart
Gambling Inspector, Hamilton

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THE DEPARTMENT OF INTERNAL AFFAIRS

Te Tari Taiwhenua

JOB SHEET

Date	Description of inquires completed
	<p>Subject: Waikato 8 Ball and snooker Club</p> <p>Licence Track Investigation Number:</p>
<p>Sunday Sept 7 2008</p> <p>1625 hrs</p>	<p>Introduction Directed to attend at Waikato 8 Ball and Snooker Club. Purpose is to observe total operating environment in relation to offences that may contravene the Gambling and/or licence conditions attached to it's Class 4 licence.</p> <p>Arrive at club. Walk to front glass door and find that it is locked. Barman #1 sees me through the glass and electronically unlocks the door and I enter.</p> <p>I was not challenged in any manner regarding membership or eligibility to enter this club. I was not asked to 'sign in' to a visitors book. I was not identified as a visitor. The conversation between myself and the staff pertained to the purchase of pool games and beer only.</p> <p>I purchase a game of pool and 2 x beers from that same barman. I then play pool over the next 90 minutes. I ordered 2 more beers and was served by a tall female Caucasian woman aged approx 25 yrs.</p> <p>I note that 'Lindsay Weight' is shown as the Duty manager on the board behind the bar.</p> <p>Approx 12 persons (excluding 4 staff) in the premise. 4 x persons in the gaming lounge playing separate machines.</p> <p>During my time in the premise I observed approx 12 persons come and go from the premise.</p> <p>I saw all 4 persons leave the gaming are area. One of those persons returned approx 30 minutes later and went tot the gaming area.</p> <p>I saw no persons being challenged regarding the membership. I saw no persons present any identification to prove membership. I saw no persons sign what appeared to be a 'visitors' book.</p>

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Date	Description of inquires completed
1735 hrs	<p>The main entry door was locked throughout my visit.</p> <p>Barman #1 leaves the premise. Barman # 2 appears to have started work. The tall female Caucasian remains on site also.</p>
1815 hrs	<p>Descriptions</p> <p>Barman #1 – male Caucasian, aged approx 25 yrs, short mousey coloured hair, green t- shirt, slim build, clean shaven approx 175 cm (5'8")</p> <p>Barman #2 – Male Caucasian, aged approx 25 yrs, blond hair, stubble, black t shirt, slightly portly build, approx 173 cm (5'7")</p> <p>Both these barman acted in a manner which indicated that they were part of the staff and had responsibility for the overall running of the club. They both electronically unlocked the glass front door to allow entry and both sold drinks at the bar.</p> <p>Offences detected – The club did not challenge my membership/eligibility. This could in contravention of club rules</p> <p>No other offences detected.</p> <p>Terminate observations and leave club.</p>

Prepared by:	Derek Hartley, Gambling Inspector, Department of Internal Affairs
Date prepared:	9 Sept 2008

Ann Hart

From: Ann Hart
Sent: Monday, 19 January 2009 3:20 p.m.
To: Rochell Goodwin-Kanara
Cc: Lance Daly; Christine Friend
Subject: RE: Application to Amend Key Persons - GM746 Waikato Snooker & 8 Ball Club Inc

Hi Rochelle

I met with Bernie Endres (President) and Rob Gallagher (new Venue Manager) last week in respect to the concerns held re suitability of Key Persons. Discussions were held in respect to the complaints made (re staff, the AGM held last year etc), previous identified breaches of the GA 2003 and the current GMO processes.

The breaches of the GA 2003 that were identified during the last audit (2008) have now been fully rectified. The club has not been open on a Sunday since the Liquor Licencing Inspector called there at the end of last year.

There has been the dismissal of a number of staff (approx 5 staff) over the last several months, including the resignation of Lindsay Weight, Venue Manager (left December 2008).

Lindsay Weight has been replaced by Rob Gallagher, Venue Manager. Rob Gallagher has had previous experience as a Venue Manager of the Gaming Machine Operation (for the previous year at Valley Pool). He is fully conversant with the procedures and processes required for the GMO.

The staff who deal with the GMO are all booked into Harm Minimisation training (certified) on 28 January 2009 by Salamander. Rob Gallagher, Venue Manager, is already fully trained in Harm Min.

Rob Gallagher is ensuring that patrons who enter the Club are signed in as members or visitors.

The Club is due to be re audited by DIA shortly (by Hamilton Gambling Compliance Unit - A.Hart) and the status of the Club's compliance with GA 2003 will be reviewed again then.

The current Key Persons are:

President: Bernie Endres
Secretary: Fale Pakieto
Treasurer: Rodney McKenzie
Venue Manager: Rob Gallagher

I therefore advise that Hamilton Gambling Compliance Group has no current concerns with the Key Persons amendment Applications submitted to Licencing.

The matter has also been discussed (as per above) with Lance Daly, Team Leader - in agreeance.

If you have any concerns in regard to this matter please do not hesitate to contact me.

Regards

Ann Hart
Hamilton Gambling Compliance Group
Ph 07 8392583
Mobile: 9(2)(a)

From: Rochelle Goodwin-Kanara
Sent: Wednesday, 5 November 2008 9:42 a.m.
To: Ann Hart
Subject: RE: Application to Amend Key Persons - GM746 Waikato Snooker & 8 Ball Club Inc

Hi Ann

Thanks for that, the amendment application is complete, other than the approval from the compliance group.

Before progressing this case further I wanted to determine from Saar whether the key persons being investigated at the club needed to be registered with DIA as Key persons or not, in order for me to deal with them under the GA 2003 provisions.

So that you can progress this further I will advise you of my findings to date for consideration in the Society's Application to Amend Key Persons.

Historically an audit warning letter was issued to the President of Waikato Snooker and 8 Ball Club on 27 May 2008 (see attached above)

A written response to this warning was received on 10 July 2008. However staff working at the club have stated that the floats for the gaming machines and bar were still being mixed and that staff who work as sole Duty Managers had still not had Harm Min training as at 30 July 2008.

9(2)(a) has stated that the cash float transactions for gaming are not recorded and that despite there being two separate tills for Bar and Gaming, both floats are used together as one float.

An allegation has also been made that Bernie Andres, President of Waikato Snooker and 8 Ball, directed the Manager of the club to request patrons (casual Asian students, pool players) to sign up as members so that the quorum requirements for an annual general meeting could be met. This apparently then occurred, resulting in a carry over of Executive positions, including the President (Bernie Endres) retaining his existing position and Venue manager Lindsay Weight retaining his position. AGM was held on 29 June 2008.

This has not yet been substantiated further. However the allegation was made by two club staff members present when the alleged incident occurred.

A Hamilton Liquor Licensing Inspector 9(2)(a) called to the club premises on 3 August 2008. As a result of that inspection a warning was issued on 4 August 2008 to the President of the club in respect to the following:

The name of the Duty Manager was not displayed in breach of Section 115(3) of the Sale of Liquor Act. A Duty Manager was not on site and not available to be contacted when the inspector rang him.

An uncertified Bar Staff person 9(2)(a) had served on the premises for the entire day with no certified Duty Manager present at all during that period. (FYI: See attached letter issued).

On 7 September 2008 Inspector Hartley called to the club and was permitted to enter the premises without being a member.

Although the main entry door was locked the Barman unlocked the door without questions and he was not asked to sign a book as a club member or visitor. During the two hour visit to the club no person signed the visitors book as a member or visitor.

Current status of investigation:

Investigation case still open and further enquiries are to be made in respect to the rectification of the failures identified in the audit warning letter issued and the allegations made.

Would you please advise me of the outcome of the Amendment Application made for Key Persons once progressed.

I will also advise you of any further findings from enquiries to be made.

If you have any further enquiries regarding this please contact me on extn 7267 or by email.

Thank you

Kind regards

Ann Hart

There were no adversities found on the new key persons and if the application is granted the Key Persons list will be as follows:

JACKIE ANN DUNN	SECRETARY
FRANK GERARD LIESHOUT	TREASURER
LINDSAY WEIGHT	VENUE MANAGER
RODNEY IAN MCKENZIE	TREASURER
FALE PAKIETO	SECRETARY
BERNARD FRANCIS ENDRES	CHAIRPERSON

Please note the last 3 listed people are not yet in Licence Track as the application has not been granted, also as you can see from the list there are some double ups of position, and this will need to be clarified with the club further, however there has been no action on the application since 22 August 2008 due to the on-going compliance investigation.

The application cannot be further progressed until approval is received from the compliance group, as per Saar's previous email if your investigation has established that LINDSAY WEIGHT, RODNEY IAN MCKENZIE, FALE PAKIETO and BERNARD FRANCIS ENDRES are not suitable under the Act to be Key Persons, then you must let me know, this application only relates to these persons being deemed Key Persons of the club under the Gambling Act 2003 (52)(4) and (57)(4).

Do you have any reason, under the relevant sections, for the Licensing Team to hold up the processing of this application any further?

If I do not hear from you by Friday 7 November 2008, I will assume that there are no adversities relevant to the Key Persons under the relevant sections of the Gambling Act and the licence will be issued on Monday 10 November 2008.

Regards

Rochelle Goodwin-Kanara
Gambling Inspector Licensing
Gambling Compliance Group
Regulation and Compliance
Department of Internal Affairs Te Tari Taiwhenua
Phone: 0064 4 495 9350
Email: rochelle.goodwin-kanara@dia.govt.nz

From: Ann Hart
Sent: Tuesday, 4 November 2008 3:50 p.m.
To: Rochelle Goodwin-Kanara
Subject: RE: Application to Amend Key Persons - GM746 Waikato Snooker & 8 Ball Club Inc

Hi Rochelle

Tried to ring you several times yesterday - sorry to miss you.

I left several messages on Saar's phone several weeks ago (subsequent to Saar's email of 8 Oct 2008) asking him to ring me to discuss the key persons at Waikato Snooker and 8 Ball further but didn't hear back from him - He was away on annual leave I think, and I have been on leave for a week also till yesterday.

I rang Saar again today and unfortunately was unable to speak to him (rang 3.30pm - haven't left a message).

Gambling Inspector
Hamilton Gambling Compliance Unit
Ph: 07 8392583
Mobile: 9(2)(a)

From: Rochelle Goodwin-Kanara
Sent: Tuesday, 4 November 2008 9:46 a.m.
To: Ann Hart
Subject: Application to Amend Key Persons - GM746 Waikato Snooker & 8 Ball Club Inc

Hi Ann

Can you please update me on the progress of your investigation into the above club, as I haven't heard from you regarding this application since Saar replied to you on 8/10/2008.

Do you have any concerns with the granting of the application?

Regards

Rochelle Goodwin-Kanara
Gambling Inspector Licensing
Gambling Compliance Group
Regulation and Compliance
Department of Internal Affairs Te Tari Taiwhenua
Phone: 0064 4 495 9350
Email: rochelle.goodwin-kanara@dia.govt.nz

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GAMING COMPLIANCE - ENQUIRY JOB SHEET

<p>DATE TIME</p>	<p>ENQUIRY NAME: Waikato Snooker and 8 Ball Club</p>
<p>12.01.09</p>	<p>Meeting held with Bernie Endres and Rob Gallagher (new Venue Manager).</p> <p>Discussions were held in respect to the complaints made (re staff, the AGM held last year etc), previous identified breaches of the GA 2003 and the current GMO processes.</p> <p>Bernie Endres advised that initially the quorum of persons required for the AGM was short and therefore several regular local players were invited to join as members (paying members with a student discount). However, Bernie stated that within 5 to 10 mins later about 4 other club members arrived, making the quorum valid anyway.</p> <p>Bernie stated that the constitution was followed and a brief meeting was held by the committee on the night, prior to joining up the new members.</p> <p>Bernie stated that 9(2)(a) would have been the person who made the complaint about him and the committee to DIA as Bernie had sacked 9(2)(a) for breach of employment contract. He stated that 9(2)(a) was unhappy with him and the Committee because he had lost his job and therefore 9(2)(a) was trying to get back at them. 9(2)(a) was playing pool on the job when he was meant to be managing the venue as Duty Manager and as a result of this a patron had been able to steal \$9k from the venue while 9(2)(a) was playing pool.</p> <p>That matter of the \$9k theft is now with the Hamilton Police. GMP was still paid and the Club suffered has initially the loss.</p> <p>The breaches of the GA 2003 that were identified during the last audit (2008) have now been fully rectified. The Club has not been open on a Sunday since the Liquor Licencing Inspector called there at the end of last year.</p> <p>There has been a dismissal of a number of staff (approx 5 staff) over the last several months, including the resignation of Lindsay Weight, Venue Manager (left Dec 2008).</p> <p>Rob Gallagher has replaced Lindsay Weight (since Dec 2008) as Venue Manager and is fully conversant with GMO requirements. Rob has had previous GMO experience (at Valley Pool as Manager for a year) and is fully aware of GMO processes and procedures required.</p> <p>Rob Gallagher is fully certified in Harm Min and all staff who deal with the GMO are booked into Harm Min training (certified) with Salamander on 28 January 2009.</p> <p>Rob is ensuring that all patrons who enter the club are signed in as members or visitors. Processes are being reviewed re membership to ensure compliancy – eg new updated swipe cards with photo ID for all members are being considered(enquiries have been made).</p> <p>The Club's current Key persons are: President: Bernie Endres Secretary: Fale Pakieto Treasurer: Rodney McKenzie Venue Manager: Rob Gallagher</p>
<p>Completed by:</p>	<p>Ann Hart, Inspector of Gaming Compliance</p>
<p>Signed:</p>	<p></p>

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Key person amendment forms have already been forwarded to DIA Licencing.

NFAR at this time - The Club is due to be re audited by DIA shortly (by Hamilton GCU- A. Hart) and the status of the Club's compliance will be reviewed again then.

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Completed by:	Ann Hart, Inspector of Gaming Compliance
Signed:	

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GAMING COMPLIANCE

Gaming and Censorship Regulation
Department of Internal Affairs
Te Tari Taiwhenua

MEMORANDUM

TO: Lance Daly

FROM: Ann Hart

SUBJECT: Waikato Snooker and 8 Ball Club

DATE: 6 March 2009

Background:

Complaint received on 22 July 2008, from an employee of the club that correct procedures have not been followed in respect to the last AGM held (June 2008) and the Gaming Machine Operation.

Action taken:

Complainant was re-interviewed and further details taken.
Historical files reviewed.
Discussions held with Licencing section and legal sections.
Complaint investigated.
Suspects interviewed.
Processes and procedures of Club reviewed.
Job sheets completed.
LT noted.

Summary:

Staff member who made the original complaint had been dismissed by the club for misconduct (Misconduct admitted by the employee and surveillance footage held). Club President, Bernie Endres has advised that the complaint made to DIA was as a direct result of the staff member's dismissal and is unsubstantiated. Complaint was investigated in full. Failures previously identified have since been rectified.

Venue Manager, Lindsay Weight (suspect) resigned in December 2008 and four other club staff were dismissed.

A new Venue Manager, Rob Gallagher, commenced at the Club in December 2008. He is fully aware of GMO requirements and has implemented new processes and procedures for GMO, as required.

President of the Club, Bernie Endres, was also interviewed re AGM and it was found the Club's constitution was not in breach.

Key Person amendment applications have been made and submitted to Licencing section – under action.

The club has applied for renewal of their gaming licence – currently under action.

The Club is now being audited for current status of compliancy.

Recommendation:

NFAR at this time as the Club is now being audited for current status of compliancy.

File referred for sign off and filing.

A. Hart
Gambling Inspector
Hamilton Gambling Compliance Unit
Ph 07 8392583
Mobile: 9(2)(a) [REDACTED]

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THE DEPARTMENT OF INTERNAL AFFAIRS

Te Tari Taiwhenua

JOB SHEET

Date	Description of inquiries completed
	<p>Subject: Waikato Snooker and 8 Ball complaint – 9(2)(a), 9(2)(ba)(i) Licence Track Investigation Number: 2104506</p>
<p>Wednesday 11 Nov 2009 1:09 PM</p>	<p>Introduction Complaints received regarding the operations of Waikato Snooker and 8 Ball Club.</p> <p>Speak to-complainant 9(2)(a), 9(2)(ba)(i)</p> <p>Complaint voice recorded and copied to T drive at Hamilton GCU office. Other docs such as Inc Society rules, Annual report were retrieved from 'on line' source at Companies Office. Those have been retained as hard copy only at Hamilton GCU office. – No point in loading them electronically.</p> <p>The following is a synopsis of the complaint.</p> <ol style="list-style-type: none"> 1. Complainant seeks clarification that ex-gambling inspector Ann Hart, directed the management committee, in particular, the President, treasurer and secretary, of the club to attend meetings and to vote on increases for honorariums and trustee fees. 2. Concern regarding the management committee structure and voting capability. There are currently only six members, not the seven required. The six members are made up of the President, the secretary, the Treasurer, the club manager, 9(2)(a), 9(2)(ba)(i) 3. concern that these three persons have sought and secured from the general membership, a delegated power to the management committee on which they serve-ie the power to increase their fees has gone from AGM level (a quorum of 20 persons minimum) to Management committee level (a quorum

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Date	Description of inquiries completed
	<p>of four persons minimum)</p> <ol style="list-style-type: none"> 4. allegation that quorums at AGMs are not being achieved and that non-English-speaking dis-affected, disinterested parties are being 'roped in' to attend the AGM at the last minute, and they are voting from an un-informed position. 5. Regarding (2) above, concern that three or four persons will consistently 'out vote' the rest of the committee to their own advantage 6. concern that, by e-mail, the president is asking the committee members to vote on an increase to the ' trustee fees'. Current fees are president 9k treasurer and secretary received 7K each. Proposal is that these fees are increased by \$1000 each respectively. 7. concerned that the club manager, a club employee, is part of the management committee and is in breach of rule number 5.11 of the club's incorporated rules. 8. concern that the rules do not properly reflect the clubs operating structure-ie, reference in the rules to trustees. When in fact, the club as an Incorporated Society and trustees should be called " executive officers" <p>Other points raised by the complainant, which are not directly germane to the enquiry but help 'colour the backdrop' –</p> <div style="background-color: black; color: white; padding: 5px;"> <p>9(2)(a), 9(2)(ba)(i)</p> </div> <p>Action 9(2)(a), 9(2)(ba)(i)</p> <ul style="list-style-type: none"> • Consider [REDACTED] points • Obtain a copy of the latest annual report from the website • Obtain a copy of the current rules from the companies office • Review all correspondence by Ann Hart recorded in L/T and other drives

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Date	Description of inquiries completed
<p>Tuesday 24/11/09 17:00 hours</p>	<p>Intermediate conclusion</p> <ul style="list-style-type: none"> • This club has a chequered history going back some years • Issues are varied – late banking, poor governance, grant monies not spent and ot recovered, General audit failure <p>Action</p> <p>Meet with the three key persons spoken of. The following is a synopsis of the voice recorded meeting, which has been copied into the local T drive –</p> <p>Meet with Bernie Endres – President Rodney McKinsey - Treasurer Marie Brown – Secretary</p> <p>Synopsis –</p> <ol style="list-style-type: none"> 1. membership is approximately 400 –financial members 2. Governance = Incorporated Society, running under 'Rules' has an AGM of all members once per yr, who elect Pres, treasurer, secretary and vote on honorariums only (<u>not</u> on other fees paid to Pres, treasurer etc.) Has a 'management cttee' responsible for hiring of staff, day to day spending, executive functions to ensure club runs effectively and votes 'fees' for key persons such as Pres , treasurer, Secretary 3. Endres took over the club approximately 2 years ago 4. at that time club was administered by some less worthy people. Consequently, club secretary and other key persons were sacked and/or removed 5. some members have been provided with a free membership – their entitlement is restricted to right of entry. It has no voting rights 6. gaming revenue dropped away as there were unsavoury members attending at the club. Those members have since been removed. 7. honorarium is determined by the AGM and members 8. trustees fees are determined by the management committee 9. honorarium for the 2009 year was set at \$2000 per person 10. Endres states that he, the secretary and treasurer vote at a management committee meeting to increase the trustees fees 11. Endres states that there is a potential conflict of interest by the voting at these meetings. He qualifies it worth that they deserve that of the recognition. 12. no person could state whether the trustees fees were paid as an authorised purpose or as a cost- it is suspected that it goes out as an expense/cost 13. Andres and McKenzie, spent some time highlighting and justifying their fees in return for the amount of work they put in 14. the club is not keen to have the venue manager with a delegated authority to hire and fire staff, and have more of a

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Date	Description of inquiries completed
	<p>hands-on management role in relation to the club's finances</p> <p>15. McKenzie highlights that the mere fact of █████ complaining indicates that democracy is working 9(2)(a), 9(2)(ba)(i)</p> <p>16. they had no recollection of persons, who have English as a second language, being called in at the last second to vote on critical matters at AGMs</p> <p>17. venue manager Robert Gallagher, does all GMP banking</p> <p>18. Gaming Inc, prepares reports and advises the amount of GMP to be banked each week</p> <p>19. they advise they have no issues around the operational side of the gaming machines</p> <p>20. McKenzie highlights that he is to become a director of the current accountancy firm that he works for (Staples Rodway). He asks is it appropriate that his firm to continue to act as some form of independent accountancy firm. Advised for the sake of transparency, it would be best to stick with KPMG, or some other firm who has no interest in the club apart from a professional one.</p> <p>21. McKenzie further seeks clarification around the preparation in signing off of the financial forecasts for the club as a submission for the new licence. Indicates that they will use KPMG to verify the submission on forecast.</p> <p>22. Andres suggests that they could use the members at the AGM to adjudicate on the current trustees fees and/or face simply submit timesheets. It was determined that timesheets can be fabricated and falsified. So is probably safest to stay with a set 'ceiling'ed' figure.</p> <p>23.</p> <p>Considerations</p> <p>Is there evidence to support that the club has contravened its own rules by having employees on the management committee?</p> <p>Yes. It is admitted and substantiated that Rob Gallagher, the venue manager is part of the management committee. This is in direct contravention of the club's own rules, in particular, rule number 5.11.</p> <p>Has Ann Hart, an ex gambling inspector, directed that the Pres, Treas, Sec and other management committee members directly vote for or against an increase to fees paid to those three key people?</p> <p>This cannot be substantiated. Two relevant e-mails are at variance with each other. One states that Ann has directed them to vote, and a second state that Ann has directed that they merely sit in on the meeting. It is not appropriate to contact Ann to clarify this. Common sense dictates that there will be a perceived conflict of interest from most members of the club.</p> <p>Is the club contravening its own quorum rules in relation to the</p>

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Date	Description of inquiries completed
	<p data-bbox="467 233 821 260">management committee?</p> <p data-bbox="467 300 1328 464">No it is not. Albeit that some may perceive the management committee as being heavily dominated by the Pres, Treasury and secretary. The resignation of one committee member did not help. The committee is potentially at risk because of its low numbers required for a quorum.</p> <p data-bbox="467 499 1370 562">Is the club contravening its own core rules in relation to the AGM meetings?</p> <p data-bbox="971 554 1203 583">9(2)(a), 9(2)(ba)(i)</p> <p data-bbox="467 600 1377 730">This can neither be substantiated nor negated. ■■■ provides some anecdotal evidence to support that. The three key persons state that had never happened and that there has always been a healthy turnout of 30 people for the AGM meetings.</p> <p data-bbox="467 766 1365 863">Are the president, Treasurer and/or secretary operating in an improper manner or beyond the scope of the delegated authority from the members?</p> <p data-bbox="467 900 1365 997">No they are not. However it may be interpreted that there is a conflict of interest in some instances, particularly around the voting up of key persons fees.</p> <p data-bbox="467 1035 1365 1098">Is there any other evidence of impropriety by any persons at this club?</p> <p data-bbox="467 1136 662 1163">No there is not.</p> <p data-bbox="467 1201 594 1228">Summary</p> <ol data-bbox="516 1236 1382 1902" style="list-style-type: none"> <li data-bbox="516 1236 1382 1499">1. there has been a raft of issues at this club over the years. This is predominantly steeped in having unsavoury people managing the club, some of those people stealing from the club, some of those people not taking responsibility for EGM funds and the subsequent banking, poor employee behaviour and allegations of impropriety, which have not been substantiated in relation to the current president, Treasurer and Sec. <li data-bbox="516 1507 1370 1667">2. There is a clear breach of some of the clubs rules in relation to having employees on the management committee. That has been highlighted by GCU. However, this is not a matter that we ordinarily investigate. That is a matter for the members to rectify. <li data-bbox="516 1675 1382 1902">3. GCU's impression/opinion-it is a opined that these three people are simply providing clear concise leadership to the club. GCU cannot determine whether or not, there is validity in the size of the fees they are paid. That is for the members to determine. GCU agrees it could be a perceived conflict of interest. When these three key people are voting for an increase to their own fees. Again that is a matter for the club members to rectify.

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Date	Description of inquiries completed
<p>23/12/09 By email</p>	<p>4. There is no other evidence of impropriety, which requires GCU's attention.</p> <p>5. Complainant to be advised of such a matter to be closed. Done on 3/12/09 by phone by GI Hartley.</p> <p>Bernie ENDRES advises that 3 more persons have been co opted to the committee, ■ has resigned from Club and committee, and new constitution should be written by March 2010. Email attached in External docs tab of LT</p>

9(2)(a), 9(2)(ba)(i)

<p>Prepared by:</p>	<p>Derek Hartley, Gambling Inspector, Department of Internal Affairs</p>
<p>Date prepared:</p>	<p>3 Dec 2009</p>

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Derek Hartley

From: Bernie [BFE@xtra.co.nz]
Sent: Wednesday, 23 December 2009 2:23 p.m.
To: Derek Hartley
Subject: Waikato Snooker and 8 Ball Club

Hi Derek,

Just an update following our meeting.

9(2)(a) resigned from the committee 9(2)(a)

As discussed, our manager Rob is no longer on the committee until the constitution is rewritten (hopefully around March).

We have co-opted three new members onto the committee to boost the numbers; all three active members with one already having spent time on the committee previously.

Will keep you up to date with any happenings.

Have a good Christmas and New Years.

Bernie Endres

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JOB SHEET

Date	Description of inquiries completed
	<p>Subject: Waikato Snooker & 8Ball and Waikato Snooker and Billiards Association</p> <p>Licence Track Investigation Number:</p>
<p>Friday 4 June 2010 13:00 hrs</p>	<p>Introduction</p> <p>9(2)(a), 9(2)(ba)(i), representing the Waikato Snooker and Billiards Association (the Association), complains regarding the activities of the Waikato Snooker and 8 Ball club (the Club).</p> <p>9(2)(a), 9(2)(ba)(i) makes his way to the GCU office, Hamilton. He speaks with Derek Hartley and Sue Vickridge.</p> <p>He states-</p> <p>" I have received this letter from the club. It alleges that I have stolen \$10,000 from them. Years ago, in 2006, the association applied to the club for a grant from its gaming machines. That money was to pay for a professional snooker player to come to New Zealand and play an exhibition match.</p> <p>I have here, (he refers to the computer spreadsheet) a breakdown of the costs of that particular exercise. You can see, that the cost of bringing the player here was \$10,000, and that the cost of the referee for that match was \$3000.</p> <p>(note that the computer spreadsheet, produced by 9(2)(a), 9(2)(ba)(i) is not verified or independently audited by any other person)</p> <p>I have here also, a bank statement from 2004 for our association, which clearly indicates that we had \$10,000 on fixed deposit in the bank at that time. The club is asserting that we took the \$10,000 and merely deposited it into our account, and never used that granted money to pay for the exhibition match. The club is now formally pursuing us to repay the money.</p> <p>I am not the secretary of the Association. But this letter has been given to me because I am a member of the committee.</p> <p>Bernie Andres is the president of the club that granted the money to</p>

Date	Description of inquiries completed
	<p>us. He is the person who is pursuing that we repay \$10,000 to the club.</p> <p>As far as I am concerned, the money granted by the club to the association, was used to pay for the exhibition match by the professional player. Andres is merely muck raking.</p> <p>Further to that, it is well-known that the club is held at AGM meetings and to achieve a quorum, has merely got the non-English speaking people from the snooker or pool room to attend a meeting at that particular moment. These people voted for Andres to be the president, and they had no understanding of English. There was an interpreter there to interpret the meeting.</p> <p>I have been trespassed from the club. This happened three years ago. I have not paid any subs to the club in that time. This is Andres MO-to trespass and ban any member who may be asking awkward questions or questioning the management skill of Andres around the club. I used to be on the committee at the club. Andres has hijacked this club for his own purpose.</p> <p>For example, when a person was nominated to join the executive committee of the club, the nominees must have his name placed on a noticeboard inside the club. If Andres disagrees, he will simply remove that person's name from a noticeboard and then finds some reason and/or engineers an incident for that person to be trespassed. When they are a trespassed person, they cannot be eligible to stand for the committee. This is in our Constitution.</p> <p>There are a lot of people at that club, who are angry that Andres, McKenzie and Brown are using the club for their own nefarious purpose."</p> <p><u>Advice given.</u> 9(2)(a), 9(2)(ba)(i) advised that his complaints around governance of the club are beyond the jurisdiction of GCU. He needs to engineer an AGM to challenge the presidency of Andres and has two offside's.</p> <p>The bank statement and spreadsheet presented by 9(2)(a), 9(2)(ba)(i) was inadequate as far as evidential purposes went. GCU is interested in seeing the receipt and disbursement of the money involved. It would be expected that an association such as his would have retained those records to prove that.</p> <p><u>Considerations</u> Once again, the club and the association come to the notice of GCU. Governance is not the remit of GCU. It is difficult to determine who is right and wrong with this ongoing battle. However, it ultimately lies with the club members, and GCU is only interested in the lawfulness of the EGM operations. An audit in 2008, follow-up action in 2009,</p>

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Date	Description of inquiries completed
<p>Wednesday 9 June 2010 1000 hrs</p>	<p>indicates that EGM operations are running appropriately.</p> <p>Bernie Andres, of the club calls.</p> <p>States-</p> <p>“ I am ringing to find out what GCU’s position would be regarding money that had been paid to a grant recipient and not applied to the stated objectives.”</p> <p>(I advised Andres, that I knew he was talking to the club and association wrangle)</p> <p>Andres continues to state-</p> <p>“ the money was advanced, circa 2006, and they have had information back to them that the club granted money was never applied to a professional exhibition match. The money was merely deposited into account, and still sits there today. We have written to the association and asked the money to be returned. We have given them a deadline of Monday, 14 June 2010. We have no firm evidence to indicate that this has happened.</p> <p>In 2008. Or maybe 2009, Ann Hart from your office apparently took away original documents, which verified us granting and paying the money to the association, could you return those documents to us?”</p> <p><u>Action</u></p> <p>Derek Hartley searches all the files and cannot find any original documents relating to Andre’s request.</p> <p><u>Considerations</u></p> <p>It is unusual that the club has not retained records to verify its position. Furthermore, it is unusual that Ann Hart would take away the originals for our purposes.</p> <p>It may be prudent to investigate this matter further with a view to looking at the financial viability, the suitability of key persons in the government structure around the EGM operations.</p> <p>There have been complaints from 9(2)(a), 9(2)(ba)(i), partially verified by 9(2)(a), 9(2)(ba)(i). The mere multitude of complaints does not necessarily prove an offence, however, it may be prudent to consider all this is in its totality.</p>
<p>10 June 2010</p>	<p>Jodie Garret, a barrister, Auckland and representing the association, in particular 9(2)(a), 9(2)(ba)(i), calls the GCU office.</p> <p>Garrett is simply seeking clarification around the dispute between the association and the club. Garrett is told by me –</p> <ul style="list-style-type: none"> • This dispute is historical, and nobody has the clear evidence as

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Date	Description of inquiries completed
	<p>to who was right and wrong</p> <ul style="list-style-type: none"> • Ann Hart, an ex-gambling inspector may well have taken away original documents and dealt with those inappropriately. Regrettable as this may seem, it is the cold harsh reality • GCU has no copies or originals of any relevant documents on the files in the Hamilton office. • Garrett explains that 9(2)(a), 9(2)(ba)(i) is of the opinion that the money was never advanced to the Association in the first place • Garrett is told that that is at complete variance to what 9(2)(a), 9(2)(ba)(i) told GCU a few days earlier. • Garrett is perplexed, but appreciates the candour of GCU and will write to the club to seek clarification • This dispute is steeped in a governance issue, and needs to be resolved by way of extraordinary AGM meeting. • This issue is beyond the jurisdiction of GCU, unless it is thought that the poor governance is impacting on gaming machine operations
10 June to 25 June 2010	<p>Multiple phone calls are received from Bernie Andres. Purpose of these causes to arrange a meeting between himself and GCU to discuss the matter further.</p> <p>Each and every time a meeting is arranged, Andres calls back to advise that he is either a sick or is committed with a conflicting appointment. Effectively no meeting takes place.</p>
7 July 2010	<p>E-mail received from Poni at licensing-enquires as to what the state of investigation is at the club as they are currently considering the renewal of their licence.</p>
11 July 2010	<p>Poni advised by Derek that there will be another week before we can give them a conclusive answer to this query</p>
23 July 2010	<p>Poni advised that we have no reason to hold up the renewal application. Further advise that we have not been able to secure a meeting with Andres, but considering the totality of the complaint from 9(2)(a), 9(2)(ba)(i) and considering the nature of the complaint from 9(2)(a), 9(2)(ba)(i) the governance of the club may be unpalatable to some people, but it does not appear to be affecting gaming machine operations.</p> <p>Note GCU Hamilton has not been in a position to carry out an updated audit of the club. Furthermore, GCU could not secure a meeting with Andres to discuss the matter further.</p> <p>Considerations to date are that,</p> <ol style="list-style-type: none"> 1. 9(2)(a), 9(2)(ba)(i) has not provided any evidence to negate the

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Date	Description of inquiries completed
<p>28 July 2010 10:10 hours</p>	<p>inference made by Andres.</p> <ol style="list-style-type: none"> 2. A minor offence of the club not properly pursuing verification that granted a money had been spent in accordance with the grant, going back to 2006/2007 has possibly been committed but GCU are not in a position to investigate 3. ■ has made another phone call complaining to GCU, but it brings nothing new to the table. 4. GCU has not been able to secure a meeting with Andres to discuss the matter further. 5. There is no evidence to suggest either by EMS or other suchlike, that there are issues with the club and it's gaming machine operations <p>Meet with, Benny Andres and Craig Barrett Of the club</p> <p>They give a chronology of events, and this is partially supported by some paperwork. Andres is adamant that Ann Hart took away original paperwork and has never returned the same. This paperwork would verify and would be the original application from the association to the club of \$13,000, it would also be the original bank statements that showed the money had been paid.</p> <p>Andres also stays that the situation is complicated by the fact that Dan O'Sullivan was the president of the club and associated with the association at the time. Andre states that O'Sullivan's management style is sloppy in relation to record keeping and arms length distancing.</p> <p>A chronology Andres gives is as follows –</p> <p>1/6/05 – there is a motion to pay \$5000 from the club to the Association from club funds (not from gaming funds). This money is for the professional Mike Russell, to play exhibition matches. Minutes from the June at one 2005 meeting, verify that motion. It is noted that there is no record around the discussion.</p> <p>20/9/2005 – a printout from Bernie Andres states that a cheque payment was made from the club account to the association on the state of \$5000, and has been endorsed as being for Mike Russell.</p> <p>23/02/06 – minutes show that a motion to grant from gaming machine funds, the sum of \$13,112 to the Association was made. Further to that. It has moved that instalments be made in lots of \$3000, to be paid quarterly, or as funds allow. Again there is no real discussion notes around how that decision was arrived at.</p> <p>9/3/2006 – printout provided by Andres evidences that \$3000 was made to the Association as a grant</p> <p>18/5/06 – a further \$3000 advanced</p>

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Date	Description of inquiries completed
	<p>15/02/07 . A further \$3000 advanced</p> <p>Andres then states – “In 2007 he and another committee member, Tony Vittle, ask Dan O’Sullivan, where has the money gone that has been advanced to date, i.e. \$9000 of the approved \$13,000. O’Sullivan tells Andres that the money is to be used by association members to attend at the club, and that money will pay for the tables used by the association members. Andres thinks this is an extraordinarily high amount of money to pay for simple table hireage and it is in an illegal transaction in relation to the authorised purpose. I.e. using granted money to pay, the association members to play at the club, which granted the money in the first place.</p> <p>Andre states that when challenged, O’Sullivan stated that the money would be returned.</p> <p>Approximately 2 months later, O’Sullivan resigned as the president of the club. Andre stands, the president and is elected. 9(2)(a), 9(2)(ba)(i) stood for the same position, but was not elected obviously. Andre states that 9(2)(a), 9(2)(ba)(i) and O’Sullivan then become heavily involved in the association.</p> <p>The association has approximately 20 members and generates no money whatsoever. The association relies on the club grants monis to be paid to attend tournaments, have professional players present exhibition matches and have professional referees attend to matches.</p> <p>Andre states that late 2008 and early 2009 this matter was raised with Ann Hart. He said it was at that time that Ann Hart took away the original documents.</p> <p>Andre states that the bad blood between himself 9(2)(a), 9(2)(ba)(i) and 9(2)(a) This centred around the Association in support of Dan O’Sullivan, and some other people who were found to be dishonestly using club funds. Andres freely admits that he was intolerant of their association in support of those people and therefore trespassed them from the club. This is consistent with 9(2)(a), 9(2)(ba)(i) being out of the club approximately 3 years.</p> <p>Andre states that he now appears to be four stories at variance with each other regarding the \$9000 advanced to the Association –</p> <ol style="list-style-type: none"> 1. 9(2)(a), 9(2)(ba)(i) has told the DIA the money was received and applied to the payment of a professional player 2. Jodie Garratt (barrister) states that he has been told by his client, 9(2)(a), 9(2)(ba)(i) the money was never paid 3. O’Sullivan (ex-president of the club and association) stated the money was to be applied by association members to play and pay for table hire it at the club 4. 9(2)(a), 9(2)(ba)(i) believes that it is being inferred that the money

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Date	Description of inquiries completed
<p>30 July 2010 14:30 hours</p>	<p>was put on term deposit and sits there today.</p> <p>Considerations Andres has been told that any offences committed in accordance with the Gambling Act cannot be dealt with if they are beyond two years old.</p> <p>It is noted by GCU that the club should have began pursuing this matter some years ago. This is countered by the fact that Andres, quite rightly, that it was a raised with Ann Hart, but the matter was never satisfactorily concluded.</p> <p>Then O'Sullivan was president of the club that was granting money to the association that he was also president of. However, that was back in 2005 2006- therefore no further action can be taken in respect of that.</p> <p>If further documentation was to be secured, it may be that offences under the crimes act could be disclosed, however, in the absence of any such evidence is not possible to pursue such.</p> <p>At this meeting, Andres is supported by Craig Barrett, who is the new committee member from Staples Rodway accounting. Wayne Reed and myself are somewhat impressed by the way Andres presents, and that Andres has clearly taken on the mantle of sorting the club out and cleaning up its financial viability. However, it is not lost on GCU , that Andres could be perceived as being tyrannical and particularly myopic when it comes to running the club. Once again, if that is the case, that is the domain of club members to resolve the issue</p> <p>9(2)(a), 9(2)(ba)(i) unexpectedly calls the office again. Amongst all matters his conversation is rambling and confused. He refers to the amount in question as being 31,000 not 13,000. He seems fixated with addressing the issues of character assassination, rather than in the clinical matters of where has the money gone. He finally admits that he does not, actually have any documents in hand, which will verify that the \$9000 that was advanced of the \$13,000 approved, has been applied to the payment of professional players.</p> <p>9(2)(a), 9(2)(ba)(i) undertakes to call GCU in the week beginning, 9 August 2010 to arrange a meeting and present all the necessary documents that will verify his position</p> <p>In the interim, there is no reason for GCU to withhold the renewal of the EGM licence at the club. Should it be discovered at a later date that gaming machine operations are compromised by various events at the club, then GCU licensing can take appropriate action then and there.</p>

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Date	Description of inquiries completed
11/8/10	<p>Hamilton GCU will keep a watching brief on this club as best as it can.</p> <p>9(2)(a), 9(2)(ba)(i) phones to arrange a time to meet. He states that he now has further evidence to support his position regarding the outstanding monies.</p>
12/8/10 0930 hours	<p>Meet with 9(2)(a), 9(2)(ba)(i) and Malcolm Barton. Barton identifies himself as being the current and new president of the Waikato Billiards and Snooker Association.</p> <p>Both men produce bank statements for the Association. They also provide a written précis of events surrounding the advance of \$9000 to the Association from the club.</p> <p>Documents reveal that \$3000 was paid in March 2006 and potentially two further parcels of \$3000 were paid in April and June 2006. Note, that this effectively makes \$9000, of the \$13,000 approved by the club, paid out over two financial years.</p> <p>A bank statement verifying that \$10,000 was deposited in 2001 by the Association in that deposit was still intact in 2006.</p> <p>Both men agree that \$9000 was advanced to the Association. They produce an invoice verifying that some money was paid to a Cliff Hazelton as payment for him as a snooker referee to attend an overseas tournament.</p> <p>Both men then work through various amounts ranging from \$100-\$700, and advising what that money was spent for.</p> <p>They were asked to supply minutes, both men said there were no minutes. Both men admitted that the record-keeping, from 2005 till recent times was extremely poor. They blamed this on, the person they thought was the president of the Association, Dan O'Sullivan.</p> <p>Both men state that they have spoken to Dan O'Sullivan on Wednesday morning 11/8/10. They stated that O'Sullivan was confusing and bought no real conclusion to the matters at hand.</p> <p>9(2)(a), 9(2)(ba)(i) and Barton appeared to ramble, and not have a real understanding.</p> <p>Both men were adamant that the money advanced by the club to the Association was applied to the benefit of the association and was lawful.</p> <p>Next action, Speak to</p>

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Date	Description of inquiries completed
	<p data-bbox="464 233 662 260">Dan O'Sullivan</p> <p data-bbox="464 268 737 365">9(2)(a) [REDACTED] [REDACTED] [REDACTED].</p> <p data-bbox="464 401 773 428">States (in the narrative)</p> <p data-bbox="464 436 1382 499">I was the president of the club but I was never the president of the association at the same time. I resigned from the club in early 2007 [REDACTED].</p> <p data-bbox="464 508 1370 632">9(2)(a) [REDACTED]. I continued my membership of the Association. Andres and I always clashed. He is quite bombastic in his disposition, I then became the manager of the club that failed as well.</p> <p data-bbox="464 667 1386 863">I agree that the Association applied for \$13,000 and received \$9000 in funding from gaming machine grants money from the club. The money was applied to paying for players to play at tournaments at Christchurch, the son of an association member to attend tournament in Los Angeles and the UK, and to pay the levy from the local association to the National Association.</p> <p data-bbox="464 898 1382 1199">I cant find any minutes regarding the resolution to apply to the funding. A girl, who I now remember is being called 9(2)(a) [REDACTED], was working for the association and keeping all the books and records. She disappeared unexpectedly, one day taking those records with her. I went to her house and recovered some of the outstanding records, however, the relevant book that just shows exactly how the \$9000 was spent was never recovered. She moved to Australia, apparently, I have not seen since. I cannot find any copies of applications made by our association to the club.</p> <p data-bbox="464 1234 1354 1304">I did not tell Andres that the money we were receiving was to pay for table hireage and/or exhibition matches by professional players.</p> <p data-bbox="464 1339 1370 1472">I put my hand on my heart and state that all the money we did receive them was applied to the benefit of the members of the Association. Sometimes we use the money to pay the entry fees rather than those entry fees being made up for the prize money.</p> <p data-bbox="464 1507 1338 1577">I admit that we were a little slack in accounting for the money being spent back to the club.</p> <p data-bbox="464 1612 613 1640">Conclusion</p> <p data-bbox="464 1648 1321 1738">It is difficult with GCU to properly determine what, if any, liability or culpability lies with any particular party. The lack of records being maintained by either side does not help the enquiry.</p> <p data-bbox="464 1774 1360 1843">What is striking is the complete variance by multiple parties of what it was actually said at the time.</p> <p data-bbox="464 1879 1300 1906">It is obvious that the money was not used to pay for professional</p>

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Date	Description of inquiries completed
15/10/10 Friday 1000hrs	<p>players to put on exhibition match. However, apply the money to other purposes for the benefit of the association members is not necessarily an offence in itself and probably meets the AP Of the club.</p> <p>It is not possible to verify one way or the other whether the money was spent in accordance with the AP.</p> <p>The reference in Andres letter to the Association, which highlights that the amount of money held in the current account of the Association is less than the \$9000 advanced, discounted by the fact that the advances made over two financial years. Therefore, there is no real evidence to suggest that the money has been misappropriated.</p> <p>Matters regarding non-accountability and related to the gambling act are now greater than two years old. Therefore the statute of limitation kicks in, and no further action can be taken.</p> <p>Those matters that may be of consideration in the future for licensing purposes.</p> <p>All parties have been advised. This is now a civil dispute between them, and GCU will be taking no further action in the absence of any other further evidence which indicates an offence against the gaming act.</p> <p>Matter is to be closed</p> <p>A further meeting (with Wayne Reed) – this time with Matthew Scarborough, ph 9(2)(a) [REDACTED], club secretary for Waikato Snooker Billiard Association.</p> <p>Repeats what is already known. Advises that he is receiving letters from Club lawyers –wants our advice. Told not a matter for GCU</p> <p>Told that no further action will be taken by GCU.</p>

Prepared by:	Derek Hartley, Gambling Inspector, Department of Internal Affairs
Date prepared:	15/10/2010

JODY GARRETT LL.B, BBS, DIP.MGT, NZIM
BARRISTER

10/06/2010

Waikato Snooker & 8 Ball Club Incorporated
P O Box 912
Waikato Mail Centre
HAMILTION

Fax: (07) 839-6111

Dear President,

RE: Waikato Billiards & Snooker Association

I have instructions to act for the Waikato Billiards & Snooker Association in respect of your letter to my client of 1 June 2010.

Your letter refers to an alleged grant of \$13,112.00 to my client. At this point in time my client disputes that the said payment of \$13,112.00 was in fact paid to them.

Before I can address the concerns raised in your letter of 1 June 2010 can you please provide the following information?

1. What cheques were issued to my client and who countersigned those cheques; and
2. When were the said cheques allegedly cashed by my client?

Upon receipt of the above requested information I will take further instructions and come back to you.

I look forward to hearing from you shortly.

Yours faithfully


JODY GARRETT
Barrister

JODY GARRETT

Ground Floor, Unit 1, 75 Corinthian Drive
PO Box 301297, Albany 0752
Email: jugoffice@xtra.co.nz
P 09 442 2262
F 09 442 2269

JOB SHEET

Date	Description of inquiries completed
	<p>Subject: Waikato Snooker and 8 Ball complaint – ex Anita PU Licence Track Investigation Number:</p>
<p>02/07/10 1426 hrs</p>	<p>As a result of email received from [9(2)(a), 9(2)(b)(i)] on 22 June 2010 phone [9(2)(a), 9(2)(b)(i)]</p> <p>Speak to:</p> <p>[9(2)(a), 9(2)(b)(i)]</p> <p>9(2)(a), 9(2)(b)(i)</p> <p>NB: Discussion with [redacted] over her email that we have received.</p> <p>I advise her that operationally I can't talk to her or advise her what we intend to do with Waikato Snooker and 8 Ball. I advise her it's no different to any other venue that has gaming machines in that we can't explain how we will look at it. I advise her however that we do intend to look at the venue and will take on board her points as outlined.</p> <p>I further advise her that what she has told us indirectly may be of interest if the governance issues she has identified impacts on the gaming operation.</p> <p>In discussion ask her to consider contacting the Registrar of Incorporated Societies about the club and have them note what she is saying in the advert that other people raise similar concerns.</p>
<p>Prepared by:</p> <p>Date prepared:</p>	<p>Wayne Reed, Gambling Inspector, Department of Internal Affairs</p> <p>2 July 2010</p>



THE DEPARTMENT OF INTERNAL AFFAIRS

Te Tari Taiwhenua

JOB SHEET

Date	Description of inquiries completed
	<p>Subject: Waikato Snooker and 8 Ball – Aggravated robbery</p> <p>Licence Track Investigation Number:</p>
<p>7/3/11 Monday 0837 hrs</p>	<p>Phone call from</p> <p>Bernie Endres President Waikato Snooker and 8 ball Club Rostrevor Street Hamilton</p> <p>States (in the narrative) We were robbed last night (Sunday 6 March 2011 at approx 2100 hrs) They have stolen approx \$17k in cash – that is predominantly the EGM money we had in the safe. Police have been notified.</p> <p>Advised To provide GCU with an accurate breakdown of EGM monies stolen and other club funds taken.</p> <p>Advised that Detective Little is the attending CIB person.</p> <p>Note</p> <p>Newspapers carry story of the robbery and appears to be verified by such</p> <p>Action required Await final breakdown of monies stolen from EGM's</p>
<p>8/3/11 Tuesday 1130 hrs</p>	<p>Bernie Endres phones to advise that – \$7121.52 – EGM <u>GMP</u> stolen from safe plus \$8653.40 – EGM <u>float</u> stolen from safe But there is – \$1480 in the EGM's, which leaves a shortfall in required banking of \$5641.52.</p> <p>Advised by GCU –</p>

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Date	Description of inquiries completed
	<p>No further action required by the Club in terms of failing to bank etc. Noted that the Club is an 'end user trust' and that the only affected persons are other club members.</p> <p>Need to reconcile with their insurers – if the stolen money is reimbursed there is an expectation that it will be banked accordingly.</p> <p>Also Endres to ensure that banking and EMS records are retained and annotated accordingly.</p> <p>NFA required by GCU</p>

Prepared by:	Derek Hartley, Gambling Inspector, Department of Internal Affairs
Date prepared:	08 March 2011

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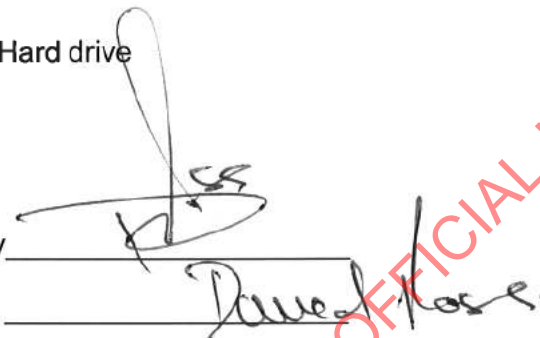
DEPARTMENT OF INTERNAL AFFAIRS PROPERTY RECEIPT

Received from Clark McMICHAEL a Gambling Inspector with the Department of Internal Affairs, the following property in good condition:

1 - Storejet Hard drive

Received by _____

Name: _____



Date: 18 March 2012

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Purpose: This form is intended to provide a standard means of recording observed or reported faults or disputes, and of preserving the environment there are generally no sources of additional information, such as electronic monitoring or camera surveillance, to fall back on to "reconstruct" what actually happened.
 Please use it to record untoward events other than anomalies or discrepancies arising from regular and routine completion and examination of required records or a programmed feature of the equipment, (e.g. "Note Stacker Full" or "Hopper Empty" lock). The information to be recorded will depend on the nature and extent of the problem; for example, if it is a simple player dispute arising from misinterpretation of the pay-table, then enter details in the appropriate sections only (Parts 1 and 4).

NOTE: The first rule that needs to be observed is "Freeze the scene and preserve all available evidence". In other words, take immediate action to ensure that -

- no further play or interference: takes place with the equipment in question (further play may overwrite details stored in the electronic memory of the device/s);
- any existing records that may be relevant (for example Daily Jackpot Turnover Report, Cancelled Credit & Short Pays Report, jackpot history logs) or copies of them can be accessed, retained and attached to this report;
- all relevant details of the problem, including, where practicable, details of any witnesses, Last Game details, are recorded at the time the problem is first observed or reported.

Keep the completed form with the records relating to the particular equipment.

PART 1 - Basic details

CORPORATE SOCIETY: Waikato Snooker & 8 Ball Club Incorporated		VENUE: Waikato Snooker & 8 Ball Club INC	
Date (dd/mm/yy): Thursday, 30 August 2012 Wed 29 August	Time: 9:58:02 a.m. Aprx 12am	Staff member: Admin	
Gaming Machine details: (Describe machine and game e.g. IGT Major Money, Aristocrat MVP Fortune Teller)		Wheres the Gold	
Game Denomination/Credit Unit (minimum bet) (e.g. 1c, 2c, 10c, 20c) \$0.02		Serial no: 00866173	Approval no: G2227/02
		Gamble Feature (Y/N)	Jackpot connected (Y/N) if 'Y' -JIN:

Jackpot details: (Name and type e.g. Fortune Ezi Bucks, Translux, Mikohn, Aristocrat Cashcade)		
Mikohn, Cashcade Mystery Jackpot		
No. of levels (1,2,4)	Prize Range	Increment rate (if known) 1

Nature of problem: Brief details as observed/reported. Describe, for example whether error message, lock up, short pay claim, excessive win, other.

Eam won the foehn jackpot, jackpot was meant to download directly to Eam, however it did not do so,
 Eam was not turned off after fault, jackpot was did not show up to Eam meter when technician check 9:35am 30/8
 Discovered mikohn disabled and Eam jackpot address not set, therefore jackpot had no way of getting to winning Eam.
 At time of report exacte jackpot figure is unknown however mikohn controller report is to be done to get information \$ proper figures. to be completed by Gaming Inc.

* Jackpot History: FORTY #100

DATE: 30-8-12
 TIME: 1:01:06
 EAM: #3
 LEVEL: 7 (GRAND)
 AMOUNT: \$ 934.01

PAID
 934.80



Document 26

PART 3 -Customer/witness details (where applicable)

Customer

Name: 9(2)(a)

Address: [Redacted]

Telephone number: 9(2)(a) (Home) (Work)

Witness 1

Name:

Address:

Telephone number: (Home) (Work)

Witness 2

Name:

Address:

Telephone number: (Home) (Work)

PART 4 Summary of action taken and result

	Y/N	Date	Time
Gaming machine / jackpot device switched off?	N		
Corporate society informed?	Y		
Partial or full "special" MMA completed?			
Technician called?	Y	30/8/12	9am.
Records (or copies) preserved and kept with this record?			

If "Y", specify what, i.e. Cash Clearance Details Reports, Cancelled Credit/Short Pay Reports, WGMPRs, MMAs, Cashless Data, Jackpot Transaction Reports, Daily Jackpot Cancelled Credit Reports, Weekly Jackpot System Analysis Reports, other manual or computer generated records, a refill book, jackpot system log, cashless system log.
(Circle, underline, or specify in this space)

Technician's report obtained? (attach a copy if "Y")

If a Yes, was player paid out? No
 • Include amount paid here: \$.....
 • Customer's name and signature:

Customer (if applicable) advised of action/result?

Repair(s) carried out? Mikem enabled on ECM and jackpot Number Set.

By whom?

Machine / jackpot device re-instated? No

Result - Include brief details of resolution of problem, for example - "Technician replaced faulty hopper part."; "Replacement software fitted"; "Short pay claimed but not verified after MMA completed"

Refer to page 4 for event details.

INTERNAL AFFAIRS

Gambling Compliance Unit

JOB SHEET

Date	Description of inquires completed
	<p>Subject: Waikato Snooker and eight ball club</p> <p>Licence Track Investigation Number:</p>
<p>05/09/2012 1100 hours</p>	<p>Attend at WS8B club in Rostrevor street with T/L Hartley.</p> <p>Speak with Bernie Andres (President)</p> <p>Present 9(2)(a) [REDACTED], Duty Manager</p> <p>Examine Gaming room layout</p> <p>To Office and view video surveillance footage of two males persons in the gaming room.</p> <p>The first male is camouflage long pants and appears to be dropping coins through the EGM and collecting credits.</p> <p>The second male is tall wearing what appears to be cut off or short jean pants. He is clearly doing the same and has the hopper refilled on the machine he is at.</p> <p>He is identified from the payment form signed by him at the time of cashing in his credits as 9(2)(a) [REDACTED].</p> <p>No other ID available.</p> <p>Secure the following documents:</p> <p>EXH 01 = Cancelled credit form (1) EXH 02 = WMA printout (1)</p> <p>9(2)(a) [REDACTED] to review security footage 31/08/2012 to 03/09/2012 to establish times and dates that the offenders have targeted the faulty EGM. To get back to me on 10/09/2012</p>
<p>11/09/2012 1000 hours</p>	<p>Receive email photographs from 9(2)(a) [REDACTED] WS8B. Two offenders pics attached. Male in jean shorts and male with camo pants and 100% Kiwi Top. He also advises that some of his staff have another name for the male person in the jean shorts. 9(2)(a) [REDACTED]. Unknown DOB.</p>

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Date	Description of inquires completed
12/09/2012 1228 hours	Receive via email from 9(2)(a) [REDACTED], Spreadsheet of offending in Waikato Snooker and 8 Ball
13/09/2012 1402 hours	<p>Receive phone call from 9(2)(a) [REDACTED] at WS8B.</p> <p>States the he has more information in respect of the two offenders who came into the club.</p> <p>Yesterday 12/9, a male signed into the club as a member. In his company was the male known as 9(2)(a) [REDACTED]. They came and left in the same car. I will send you the rego number for the car that 9(2)(a) [REDACTED] left in.</p> <p>The male associate gave the name:</p> <p>9(2)(a) [REDACTED] [REDACTED] [REDACTED] [REDACTED]</p> <p>When 9(2)(a) [REDACTED] signed in, he gave yet another false name, this time 9(2)(a) [REDACTED]. He signed the vistors book in that name.</p> <p>Also, yesterday at about 3.00pm, I am pretty sure it was Mr 100% Kiwi man that came in and signed into the club as a member as well.</p> <p>He gave his details as:</p> <p>9(2)(a) [REDACTED].</p> <p>He did not have ID but gave his probation officer as:</p> <p>9(2)(a) [REDACTED] at Corrections.</p>
14/09/2012	<p>Receive email from 9(2)(a) [REDACTED]. Suspect nominations by her and 9(2)(a) [REDACTED] for male in the cap and shorts:</p> <ol style="list-style-type: none"> 1. 9(2)(a) [REDACTED] 2. 9(2)(a) [REDACTED] <p>9(2)(a) [REDACTED] also nominated.</p>
21/09/2012 1115 hours	<p>To Waikato Snooker 8 Ball Speak to 9(2)(a) [REDACTED].</p> <p>Take recorded statement.</p> <p>Receive the following exhibits</p> <ol style="list-style-type: none"> 1. Hard drive with security footage enclosed 2. Membership form for 9(2)(a) [REDACTED]

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Date	Description of inquires completed
1245 hours	END and RTB
1315 hours	Download interview and email to Digttype for transcription
1405 hours	Ph Corrections 9(2)(a)
1501 hours	Receive fax copy of 9(2)(a) membership app from WS8B
24/09/2012 1000 hours	<p>Phone Gaming Inc Hamilton</p> <p>Speak to:</p> <p>9(2)(a) Manager Gaming Inc Limited Ph: 07 847 6160</p> <p>States:</p> <p>I recall the incident at WS8B.</p> <p>I will pull out the service records for the machine in question and email them to you shortly.</p>
1043 hours	Receive email from Probation 9(2)(a). No WTA exists for 9(2)(a) there was a WTA but it turns out that it had been dealt with and not removed from the system.
1418 hours	Receive email from 9(2)(a) at Police. There is a fines warrant held at the Court for 9(2)(a)
02/10/2012 0800 hours	<p>To 9(2)(a) Hamilton with Derek HARTLEY. The address is down a right of way and appears to be a flat arrangement with an attached house.</p> <p>Knock on door several times but there is no answer. Speak to female neighbour who states that there is a male fitting the description who lives there. She states that there are a lot of comings and goings from the house at all hours of the day. She doesn't know if the male person works.</p> <p>She also comments that the bird house in the tree is actually a camera and that the occupants of the house can see all that come and go.</p> <p>Exit address and return to base.</p>
03/10/2012 1100 hours	<p>To 9(2)(a) Hamilton.</p> <p>Knock, no one answers.</p> <p>A vehicle arrives in the driveway driven by a male who states that he knows a person called 9(2)(a) lives there.</p>

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