

DECISION



INQUIRY NUMBERS: 2018EXP003
PARTICIPANTS: Wei Shan (**Mr Shan**)

PANEL MEMBER(S): Mr Adrian Anderson (**Steward**)

DATE OF DECISION: 24 April 2018

1. This decision is part of an ongoing inquiry primarily into the unauthorised export of greyhounds to Macau and China. The Inquiry is chaired by myself as a steward appointed under the GRNSW Greyhound Racing Rules (**Rules**).
2. The decision concerns Mr Shan (also known as "Eric" by industry participants), a registered greyhound owner in Victoria since 6 June 2013, and his failure to comply with directions to attend the inquiry and to produce documents.
3. On 9 March 2018 Mr Shan was issued with two charges under rule 86(e) of the Rules in that:
 - a. he failed to attend to give evidence at the inquiry on 26 October 2017 as directed by a steward of GRNSW by letter dated 20 October 2017; and
 - b. he failed to produce documents to the inquiry as directed by a steward of GRNSW by letter dated 20 October 2017.
4. On 9 March 2018 Mr Shan was also issued with nine other charges relating to the export of two greyhounds to China. I provide further information on those charges in paragraphs 8 and 9 below. In a separate decision which I made on 20 April 2018, registered greyhound trainer and owner Paul Wheeler was disqualified and fined in relation to his facilitation of the export of those two greyhounds.
5. Mr Shan was notified by a letter from Minter Ellison dated 26 March 2018 that the charges against him would be heard at 10.00am on 18 April 2018 at the offices of Minter Ellison in Sydney; and was directed to attend the hearing (at risk of a further charge under Rule 86(e) if he failed to do so). Despite that direction, Mr Xi failed to attend the hearing on 18 April 2018.
6. In the circumstances, I find Mr Shan guilty of breaching Rule 86(e) of the Rules in that he failed to attend to give evidence at the inquiry on 26 October 2017 as directed and has failed to produce documents to the inquiry as directed on 20 October 2017. The information and documents Mr Shan has been directed to provide are of considerable potential importance to the inquiry.
7. As a consequence of his breaches of Rule 86(e), in failing to attend the inquiry and failing to produce documents to the inquiry as directed, I hereby warn off Mr Shan until such time as he makes himself available to attend the inquiry and produces the documents he has been directed to provide in the notice issued to him on 20 October 2017.

Other Charges

8. By letter of 9 March 2018, Mr Shan was also issued with the following charges relating to two greyhounds exported to China on or around 8 January 2014 and 29 September 2015:
 - a. two charges under Rule 124(1) in that he exported the greyhounds to China without a greyhound passport and certified pedigree issued by Greyhounds Australasia (**GA**);
 - b. two charges under Rule 86(n) in that he knowingly aided or abetted the export of the greyhounds to China without a valid passport and certified pedigree issued by GA;
 - c. two charges under Rule 86(o) in that he facilitated the export of the greyhounds to China without a passport, an action which was negligent, improper or constitutes misconduct;
 - d. two charges under Rule 117(2) in that he failed to lodge the prescribed transfer of ownership forms following the purchase of the greyhounds by him; and
 - e. one charge under Rule 86(q) in that he engaged in conduct prejudicial to the interests of Greyhound Racing by being engaged in or associated with a breach or breaches of Rule 124(1) as reflected in the brief of evidence provided to him.

9. Investigations concerning Mr Shan are ongoing and I defer consideration of these other charges until further investigations are completed.



Mr Adrian Anderson
Steward