

DECISION



INQUIRY NUMBERS: 2018EXP004
PARTICIPANTS: Yiwen Xi (**Mr Xi**)

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

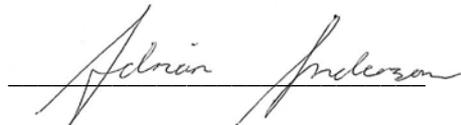
DATE OF DECISION: 24 April 2018

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 Xi (also known as “Leo” by participants in the industry), a registered greyhound owner in NSW since 13 June 2014, and his failure to produce documents to the inquiry as directed.
3. On 9 March 2018 Mr Xi was issued with two charges under Rule 86(e) in that, notwithstanding extensions having been provided for compliance:
 - a. he failed to produce documents to the inquiry 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 December 2017.
4. On 9 March 2018, Mr Xi was also issued with 21 other charges relating to the export of five 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 five greyhounds.
5. Mr Xi 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 Xi guilty of breaching Rule 86(e) of the Rules in that he has failed to produce documents to the inquiry as directed on 20 October 2017 and 20 December 2017. The documents Mr Xi was directed to provide are of considerable potential importance to the inquiry.
7. As a consequence of Mr Xi’s breaches of Rule 86(e) in failing to produce documents to the inquiry as directed, I hereby warn off Mr Xi until such time as he produces the documents he has been directed to provide in the notices provided to him on 20 October 2017 and 20 December 2017.

Other Charges

8. By letter of 9 March 2018, Mr Xi was also charged with the following offences relating to five greyhounds exported to China between October 2013 and March 2014:
 - a. five charges under Rule 124(1) in that he exported the greyhounds to China without a Greyhound Passport or certified pedigree issued by Greyhounds Australasia;
 - b. five charges under Rule 86(e) in that he knowingly aided or abetted the export of the five greyhounds to China without a valid passport and certified pedigree issued by Greyhounds Australasia;
 - c. five 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 constitute misconduct;
 - d. five charges under Rule 117(2) in that he failed to lodge a proscribed transfer of ownership form following the purchase of the greyhounds by him;
 - 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 Xi are ongoing and I defer consideration of these other charges until further investigations are completed.



Mr Adrian Anderson
Steward