11 March 2025

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**JAMES McGHEE**

**Date of Hearing:** 6 February 2025

**Date of Decision:** 6 February 2025

**Panel:** Judge John Bowman (Chairperson) and Ms Danielle Hikri.

**Appearances:** Ms Yana Podolskaya appeared on behalf of the Stewards.

Mr James McGhee represented himself.

**Charges:** Greyhounds Australasia Rule (“GAR”) 156(x) states:

 An offence is committed if a person (including an official):

(x) being a registered person or person associated with greyhound racing, associates with a disqualified or warned off person for the purposes of greyhound racing;

**Particulars of charges: Charge 1**

 1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 327029) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. Peter Gavin was disqualified for a period of three (3) years and nine (9) months by the Victorian Racing Tribunal on 5 October 2023.

3. On 15 November 2023, you attended the Geelong Greyhound Racing Club in company with disqualified participant, Peter Gavin (152538) for the purposes of trialling greyhounds.

**Charge 2**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (GRV) (Member No. 327029) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

2. Peter Gavin was disqualified for a period of three (3) years and nine (9) months by the Victorian Racing Tribunal on 5 October 2023.

3. On 22 November 2023, you attended the Geelong Greyhound Racing Club in company with disqualified participant, Peter Gavin (152538) for the purposes of trialling greyhounds.

**Pleas:** Guilty

**DECISION**

Mr James McGhee, you are pleading guilty to two breaches of Greyhounds Australasia Rule (“GAR”) 156(x), that is, being a registered person you associated with a disqualified person for the purposes of greyhound racing.

These offences occurred on 15 and 22 November 2023. Effectively, the offending took place in the car park outside the Geelong greyhound track on days when trials were being conducted.

The disqualified person involved was Mr Peter Gavin, who on 5 October 2023 had received a penalty of disqualification for three years and nine months.

Mr Gavin and his partner, Ms Kathleen Boyle, who is also a registered person, trained a considerable number of dogs at a property in Bannockburn. This is quite a substantial property of in excess of 20 acres, with a large number of kennels and a track. You and your parents reside at the property. You carry on your business of educating greyhounds at this property. At the relevant time, you were licensed as an attendant. You have been performing this work for approximately five years. You were also in the habit of performing occasional work for Mr Gavin and Ms Boyle, this work sometimes being driving. However, we accept that your primary work was as a licenced attendant involved in the education of greyhounds. It is work which, with the assistance of employees, you still perform at the property.

On 15 and 22 November 2023, you travelled in a convoy of two or three vehicles conveying a considerable number of dogs to trials at Geelong. Mr Gavin drove the vehicle in which you were a passenger. On each occasion, when the vehicle virtually arrived at the Geelong track, you swapped with Mr Gavin so that you, whilst unlicensed driver at the time, drove the last very short distance. A similar procedure was followed on departure.

At the track, you played an active role in preparing the dogs for trialling. It is not suggested that Mr Gavin played any part in this.

The charges relate solely to the swapping and then your driving immediately outside the track. A similar procedure was adopted on each of these two occasions. Clearly this breached GAR 156(x).

You have pleaded guilty to the two charges and have accepted full responsibility for your behaviour. You have no record of any relevant prior offence and have an excellent record. Generally, you work full time in your business of educating greyhounds and have obviously been very successful at it.

Offences against GAR 156(x) have the potential to be very serious. Associating with a disqualified person has the potential to strike at the heart of the gravity of such disqualification. The Stewards do not put this case as being one where there has been a major offence pursuant to the Rule. However, a period of suspension is sought.

Weighing up all the factors involved, we are of the opinion that there should be a period of suspension, but that a portion of that should in turn be suspended and be activated in the event of your committing a similar offence.

In all the circumstances, you are suspended for a period of six months, but four months of that are in turn suspended for 12 months.

In other words, you will serve an immediate period of suspension of two months. A period of suspension for four months will be hanging over you for the next 12 months. This will only be activated in the event a relevant offence is committed by you during that 12 month period.

Kathleen Scully

Assistant Registrar, Victorian Racing Tribunal