27 May 2025

**DECISION**

**GREYHOUND RACING VICTORIA**

**and**

**PETER GAVIN**

**Date of hearing:** 20 May 2025

**Date of decision:** 20 May 2025

**Panel:** Judge Marilyn Harbison (Deputy Chairperson), Judge Kathryn Kings (Deputy Chairperson) and Mr Des Gleeson.

**Appearances:** Ms Amara Hughes, instructed by Ms Yana Podolskaya appeared on behalf of the Stewards.

Mr Peter Gavin did not appear at the hearing.

 Mr Christopher Gawne appeared as a witness.

**Charges and particulars:**

**BRIEF 1**

**Charge No.  1 of 4**

Greyhounds Australasia Rule **165 (c) (iv)** reads as follows:

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

***engages in contemptuous, unseemly, improper, insulting, or offensive conduct or behaviour in any manner or form towards, or in relation to:***

***(iv) a Steward or any other official of a Controlling Body or a Club;***

**Particulars of the Charge being**:

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (**GRV**) (Member No. 152538) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

1. On 17th of March 2023, you denied Investigative Stewards entry to your registered kennel address.

1. Whilst engaged in communication with Investigative Stewards you deliberately talked over Investigative Stewards and raised your voice in an effort to interrupt reasonable communication with yourself and other persons present.

1. Your conduct was improper towards Investigative Stewards.

1. GAR 165 (c) (iv) is a serious offence.

**Charge No.  2 of 4**

Greyhounds Australasia Rule **164(a)** reads as follows:

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

***(a) makes a false or misleading statement in relation to or during an investigation, inspection, examination, test or inquiry (or at any other disciplinary process, hearing or appeal proceeding) or makes or causes to be made a falsification in a document in connection with greyhound racing or the registration of a greyhound***

**Particulars of the Charge being**:

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (**GRV**) (Member No. 152538) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

1. On 17th of March 2023, you denied Investigative Stewards entry to your registered kennel address.

1. Whilst engaged in communication with Investigative Stewards you stated you were not a registered participant of GRV.

1. FastTrack records show that you are a registered participant with GRV with member number 152538 expiring on 10 August 2023. You are registered as a Public Trainer.

1. GAR 164 (a) is a Serious Offence

**Charge No.  3 of 4**

Greyhounds Australasia Rule **156 (h)** reads as follows:

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

***(h) disobeys or fails to comply with a lawful order of a Controlling Body, the Stewards, or another person authorised by a Controlling Body with official duties in relation to greyhound racing***

**Particulars of the Charge being**:

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria (**GRV**) (Member No. 152538) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

1. On 19th of March 2023, you were served a copy of a lawful order in a Lawful Direction Notice which ordered that:

*“You are required to produce all correspondence with Greyhound Racing Victoria concerning your membership including and not limited to your letter of resignation as a member of GRV and all responses you received from Greyhound Racing Victoria to your letter of resignation whether in electronic or hard copy form”*

1. The order was to be complied with by 5 pm on 31st of March 2023.

1. You failed to comply with that lawful order.

1. GAR 156 (h) is a Serious Offence

**Charge No.  4 of 4**

Greyhounds Australasia Rule **164 (b)** reads as follows:

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

***(b) refuses or fails to attend or to give evidence at an inquiry (or at any other disciplinary process, hearing or appeal proceeding) or produce a document or other thing in relation to an investigation, examination, test or inquiry (or other disciplinary process, hearing or appeal proceeding) pursuant to the Rules when directed by a Controlling Body, the Stewards, or another authorised person.***

**Particulars of the Charge being:**

1. You were, at all relevant times, a trainer registered with Greyhound Racing Victoria **(GRV)** (Member No. 152538) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

1. On 6th of June 2023, Investigative Stewards served a notice of inquiry on you at your registered email address for the purpose of opening an inquiry regarding your conduct at Lethbridge on 17th of March 2023.

1. You failed to respond and refused to attend to give evidence in the inquiry on 22nd June 2023.

1. GAR 164 (b) is a Serious Offence.

**BRIEF 2**

**Charge No.  1 of 6**

Local Racing Rule **156 (e),** reads as follows:

***GAR 156 General Offences***

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

*(e) aids, abets, counsels or procures a person to commit a breach of the Rules;*

**Particulars of the Charge being**:

1. You were, at all relevant times, a trainer and breeder (Disqualified) registered with Greyhound Racing Victoria (**GRV**) (Member No. 152538) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

1. On 5 October 2023, you were disqualified for three (3) years and three (3) months by the Victorian Racing Tibunal with the period of disqualification from 5 October 2023 to 5 January 2027.

1. You attended and drove greyhound transport vehicles to greyhound trial events on 26 October 2023, 15 November 2023 and 22 November 2023 in company with and involving GRV registered participants Bruce STIRLING, Kathleen BOYLE and James McGHEE for the purposes of trailing greyhounds.

1. You have procured or caused STIRLING, BOYLE and McGHEE to commit a breach of the Rules with them associating with you being a disqualified person, for the purposes of greyhound racing.

**Charge No.  2 of 6**

Local Racing Rule **165 (c) (iv)**,reads as follows:

**165 Conduct detrimental to the interests of greyhound racing**

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

*(c) engages in contemptuous, unseemly, improper, insulting, or offensive conduct or behaviour in any manner or form towards, or in relation to;*

*(iv) a Steward or any other official of a Controlling Body or a Club*

**Particulars of the Charge being**:

1. You were, at all relevant times, a trainer and breeder (Disqualified) registered with Greyhound Racing Victoria (**GRV**) (Member No. 152538) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

1. On 2 April 2023 and 17 July 2023, you sent Investigative Steward, Chris GAWNE SMS text communications in relation to your refusal of a property inspection on 17 March 2023 and Notice of Inquiry dated 17 July 2023.

1. The nature, content and intent of those SMS text message is deemed improper, insulting, and offensive conduct and behaviour towards, or in relation to Investigative Steward, GAWNE.

**Charge No.  3 of 6**

Local Racing Rule **178(2)(g)**,reads as follows:

**178 Effect of disqualification, suspension, warning off or being declared a defaulter**

*(2) A person who is disqualified, warned off, suspended or declared to be a defaulter must not, during the period of the penalty:*

*(g) be engaged as an employee or agent by any other person associated with the training of greyhounds*

**Particulars of the Charge being**:

1. You were, at all relevant times, a trainer and breeder (Disqualified) registered with Greyhound Racing Victoria (**GRV**) (Member No. 152538) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

1. On 5 October 2023, you were disqualified for three (3) years and three (3) months by the Victorian Racing Tribunal with the period of disqualification from 5 October 2023 to 5 January 2027.

1. On 26 October 2023, 15 November 2023 and 22 November 2023, you drove a large Ute vehicle and greyhound trailer containing greyhounds to trailing events where Kathleen BOYLE and or James McGHEE had a number of greyhounds booked in for trails.

1. You were, whilst a disqualified person, therefore acting as an agent for BOYLE and McGHEE in their training of greyhound activities at those greyhound trial events.

 **Charge No.  4 of 6**

Local Racing Rule **178 (3) (b)**,reads as follows:

**178 Effect of disqualification, suspension, warning off or being declared a defaulter**

*(3) Unless a Controlling Body orders otherwise, a person who is disqualified, warned-off or declared a defaulter is not:*

*(b) to enter any enclosure or other part of a racecourse or any property occupied or used in connection with a racecourse whether acting as agent or in any other capacity;*

**Particulars of the Charge being**:

1. You were, at all relevant times, a trainer and breeder (Disqualified) registered with Greyhound Racing Victoria (**GRV**) (Member No. 152538) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

1. On 5 October 2023, you were disqualified for three (3) years and three (3) months by the Victorian Racing Tribunal with the period of disqualification from 5 October 2023 to 5 January 2027.

1. On 26 October 2023, whilst a disqualified person, you entered the property of the Bendigo Greyhound Racing Club for the purposes of trialling greyhounds.

**Charge No.  5 of 6**

Local Racing Rule **178 (3) (b)**,reads as follows:

**178 Effect of disqualification, suspension, warning off or being declared a defaulter**

*(3) Unless a Controlling Body orders otherwise, a person who is disqualified, warned-off or declared a defaulter is not:*

*(b) to enter any enclosure or other part of a racecourse or any property occupied or used in connection with a racecourse whether acting as agent or in any other capacity;*

**Particulars of the Charge being**:

1. You were, at all relevant times, a trainer and breeder (Disqualified) registered with Greyhound Racing Victoria (**GRV**) (Member No. 152538) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

1. On 5 October 2023, you were disqualified for three (3) years and three (3) months by the Victorian Racing Tribunal with the period of disqualification from 5 October 2023 to 5 January 2027.

1. On 15 November 2023, whilst a disqualified person, you entered the property of the Geelong Greyhound Racing Club for the purposes of trialling greyhounds.

**Charge No.  6 of 6**

Local Racing Rule **178 (3) (b)**,reads as follows:

**178 Effect of disqualification, suspension, warning off or being declared a defaulter**

*(3) Unless a Controlling Body orders otherwise, a person who is disqualified, warned-off or declared a defaulter is not:*

*(b) to enter any enclosure or other part of a racecourse or any property occupied or used in connection with a racecourse whether acting as agent or in any other capacity;*

**Particulars of the Charge being**:

1. You were, at all relevant times, a trainer and breeder (Disqualified) registered with Greyhound Racing Victoria (**GRV**) (Member No. 152538) and a person bound by the Greyhounds Australasia Rules and Local Racing Rules.

1. On 5 October 2023, you were disqualified for three (3) years and three (3) months by the Victorian Racing Tribunal with the period of disqualification from 5 October 2023 to 5 January 2027.

1. On 22 November 2023, whilst a disqualified person, you entered the property of the Geelong Greyhound Racing Club for the purposes of trialling greyhounds.

**Pleas:** Not Guilty to all Charges.

**DECISION**

1. Mr Peter Gavin has been a registered trainer since 30 June 2010. He has conducted this business from a large property in Lethbridge, near Geelong. He has done so in conjunction with his partner, Ms Kathleen Boyle, who is also a registered trainer. Initially it appears that this venture had been very successful, with Mr Gavin training between 60 and 80 greyhounds at the property. He had also established a greyhound education facility which he named “Catch me if you Can”, on the same property. This education facility has continued to grow in popularity and has several employees and a good reputation within the greyhound industry.
2. Mr Gavin has refused to attend this hearing. Indeed, he has refused to attend any of the hearings of this Tribunal or any inquiries by the Stewards. He has sent many emails to the Tribunal and GRV. We have taken the contents of those emails into account when considering this case.
3. Commencing in about 2020, it appears that the relationship between Mr Gavin and various GRV Stewards deteriorated. This appears to have resulted in the sending of acrimonious emails from Mr Gavin to the GRV and in his criticism of the GRV on various social media platforms.
4. After having previously not being involved in any significant matters before the Tribunal, Mr Gavin found himself at loggerheads with the GRV, which animus seems to have come to a head in the first half of 2022.
5. On Mr Gavin’s account, he became disillusioned because of what he thought was corruption or bullying within GRV. He was particularly annoyed with Stewards, Mr Christopher Gawne and Mr Dylan Bartolo. He thought that he had been ignored when asking for help in a dispute between himself and another industry participant.
6. This account is not accepted by GRV. Whatever the source of his Mr Gavin’s discontent, it is clear that his dispute with GRV contributed to a decline in his mental health. He started mental health treatment, which appears to have continued to this day. This all, he says, culminated in a decision which he made to leave the greyhound industry permanently.
7. He says that he decided to write a letter of resignation from the industry and that he did so on 8 May 2022. He asserts that on that date he sent GRV a resignation letter, together with his membership card.
8. GRV has no record of receipt of that letter and there is certainly no suggestion of any response having been sent from GRV to Mr Gavin. GRV says that Mr Gavin did not in fact resign as a trainer and that he remained a registered trainer until his registration lapsed on 10 August 2023.
9. One may wonder why his registration status matters. The reason is simple. GRV says that from mid-2022, Mr Gavin has continued to behave very poorly towards Stewards, refusing to accept the authority of GRV and engaging in activity which brings the reputation of GRV into disrepute. GRV has brought three sets of charges to this Tribunal, seeking to bring this behaviour to an end.
10. During the latter half of 2022, Mr Gavin continued to express in florid terms his dissatisfaction with other industry participants, including Stewards and other GRV officeholders. Mr Gawne was allocated to investigate these complaints and visited Mr Gavin at his kennels on 2 June 2022 to do so. Mr Gavin’s vicious texts and the insults contained in them led to Mr Gavin being charged with various offences. These were dealt with by this Tribunal on 5 October 2023. This was the first set of charges dealt with against Mr Gavin. He did not appear before the Tribunal on that date. At the hearing he was disqualified for a period of three years and three months, ending in 2027.
11. Mr Gawne gave evidence before us. He said that during his investigation leading up to the prior Tribunal hearing, Mr Gavin continually asserted that he was not a registered GRV participant and that he had resigned. However, he did not produce any written record of the resignation and did not appear to have handed back his membership card. Mr Gawne had never seen the purported letter of resignation referred to above until it was shown to him a few days before this hearing.
12. Mr Gawne up until the middle of 2022, had a fairly good relationship with Mr Gavin and he decided to try and establish at that time whether or not Mr Gavin had sent in any notices to GRV relating to an intention to resign. He sent Mr Gavin a text on 10 November 2022, notifying him that, on the basis of his enquiries of all the relevant personnel and departments at GRV, no such notification had been received. There was no response to that text.
13. Mr Gawne next visited Mr Gavin at the property in Lethbridge on 17 March 2023. The purpose of his visit was a routine property inspection as to whether there were any dogs kennelled there belonging to either Mr Gavin or Ms Boyle. He had pre-arranged the visit with Ms Boyle. Both Mr Gavin and Ms Boyle were present on that occasion. Mr Gawne and his fellow Steward Mr Bartolo were met with an extraordinarily belligerent response from Mr Gavin, who greeted them with abuse, refused them entry to the property and proclaimed loudly that he was not a GRV participant and that the Stewards had no authority to conduct the visit.

**The first brief**

1. It is Mr Gavin’s behaviour on 17 March 2023 and his subsequent failure to comply with a direction given by Mr Gawne to forward documents regarding the resignation which is the subject matter of the charges in the first brief.
2. His belligerent manner towards the Stewards is the subject of Charge 1 – improper conduct towards the Stewards. His statements to the Stewards on that day that he had proof that he was not a GRV participant, that the GRV had recordings proving that he was not a participant and that he had a Supreme Court injunction relating to his status as a participant, are the subject matter of Charge 2. This is a charge of providing false and misleading information to the Stewards.
3. Following that visit, Mr Gawne decided to try and ascertain the basis of Mr Gavin’s assertions that he was no longer a registered participant. He sent to Mr Gavin a direction to produce evidence in relation to his purported resignation. This was served on him on 17 March 2023. Mr Gavin did not respond to that direction. This is the subject matter of charge 3.
4. When there was no response to that notice, Mr Gawne served a Notice of Inquiry requiring Mr Gavin to attend an inquiry into the issue of his registration on 22 June 2023. Mr Gavin did not do so. That is the subject matter of charge 4.
5. Since he has been charged with these offences, Mr Gavin has sent many emails to GRV and to this Tribunal. However, the only email providing any information regarding Mr Gavin’s purported resignation is an email containing a statement, statutory declarations by various persons and a copy of a resignation letter dated 8 May 2022. This email and attachments were sent to the Tribunal on 15 May 2025, several days before this hearing. This is the only time that he has produced any documents relating to his purported resignation.

**The second brief**

1. The second brief relates to Mr Gavin’s actions after 5 October 2023, being the date on which he was disqualified.
2. It is alleged that on 26 October 2023, 15 November 2023 and 22 November 2003, he attended at two different racetracks – the Geelong racecourse on two occasions and the Ballarat racecourse on the other occasion. These were breaches of the terms of his disqualification.
3. Charge 1 is that he procured his associates Mr Stirling, Ms Boyle, and Mr McGhee to breach the Rules by driving with them to the track on each of these three occasions for the purpose of trialling greyhounds.
4. Charge 2 is that he engaged in conduct detrimental to the interests of greyhound racing by sending improper, insulting and offensive messages to Mr Gawne. These messages included words such as “I hate you with a passion”, “fuck off you old prick”, and in describing himself as Mr Gawne’s “enemy”.
5. Charge 3 is that he was engaged as an agent by persons in the industry – namely Ms Boyle, Mr McGhee and Mr Stirling. On 26 October 2023, 15 November 2023 and 22 November 2023, he drove the car with the dogs in it to the various racetracks identified in the charges and in the presence of those persons.
6. Charge 4 is that he entered the Ballarat Greyhound Racing club on 26 October 2023 when he was a disqualified person.
7. Charge 5 is that he entered the Geelong Racing Club on 15 November 2023 when he was a disqualified person.
8. Charge 6 is that he entered the Geelong racing club on 22 November 2023 when he was a disqualified person.

**Did Mr Gavin resign in May 2022?**

1. Although Mr Gavin has asserted that he sent a letter of resignation in May of 2022, it is odd that it has only been produced in the last few days before this hearing. The document that he produced is addressed “to whom it may concern”. There is a procedure under the Rules for the resignation of a member. Even if his account of forwarding this letter was accepted as true, it seems that he has not complied with these procedures properly. The Rules provide that once a resignation is forwarded to GRV, it must be sent to the GRV Board to be ratified and it is only once ratified that the resignation is accepted. The person may also resign by handing a membership card to a Steward, but once again, resignation is not complete until this form of resignation is ratified by the GRV Board.
2. Further, although Mr Gavin has been asserting that he had resigned since the second half of 2022, it is noteworthy that he has on several occasions he acted as if he was still a registered person. He made a complaint about another registered participant when Mr Gawne interviewed him in June of 2022. There would have been no point in that complaint being investigated if Mr Gavin was not at that time a registered participant.
3. In addition, it appears that he had initiated Supreme Court proceedings against the Geelong Greyhound Club in late 2022, well after he asserts that his letter of resignation was sent. He had described himself in the proceeding as being a trainer registered with GRV.
4. Further, he has never produced this letter of resignation to support his claims to have resigned. He did not do so when the Tribunal heard his previous case. He did not do so when the Directions Hearing notice was served on him by the Stewards.
5. GRV has no record of receiving his resignation and Mr Gavin concedes that he never received a response from GRV to that notice.
6. The letter itself is accompanied by a registered envelope. However, the envelope is torn, so that the tracking details are missing. This means that his claim to have sent it cannot be independently verified.
7. He has also enclosed a Facebook post which he says proves his resignation. In our view, this post does not take the matter any further.
8. Thus, we are unable to be satisfied that the letter on which he relies was in fact sent. We approach the facts of this case on the basis that Mr Gavin was a registered GRV participant from the time of his first registration in 2010 until his registration lapsed on 10 August 2023.

**Conclusion**

1. We are comfortably satisfied that each charge in each of the briefs has been proven. As to the first brief, we have watched the body camera footage of the visit by Mr Gawne to Mr Gavin’s property at Lethbridge on 17 March 2023. His conduct towards the Stewards was menacing. Clearly it can be described as improper conduct.
2. We are also satisfied that the statements which he made in respect of his registration on that day were false and misleading.
3. We are further satisfied that he failed to comply with the directions notice to produce evidence in relation to his purported resignation.
4. Finally, we are satisfied that he did not attend the inquiry listed for 22 June 2023, despite being advised of a requirement to do so.
5. In relation to the second brief, we have watched the surveillance footage which was taken in relation to each charge. It is clear that, when that surveillance footage is combined with the evidence presented by Mr Gavin in his emails to the Tribunal, that Mr Gavin was in fact present at the racetrack on each of the occasions alleged. He admits in the material that he has filed that he was so present. His associates, Ms Kathleen Boyle and Mr James McGee, also admit that he was present. Both have been dealt with in this Tribunal for their part in each of these incidents. Charge 1, which relates to each one of those three incidents is clearly proven, as are Charges 3, 4, 5 and 6. They relate to the same three occasions.
6. Charge 2 is a charge that Mr Gavin engaged in conduct detrimental to the interests of greyhound racing by sending improper, insulting and offensive messages to Mr Gawne. We have been provided with the full text of that material which we will not reproduce in detail in this decision, given its highly offensive nature. We are amply satisfied that the sending of such material is conduct detrimental to the interests of greyhound racing.
7. Charges 3, 4, 5 and 6 arise out of Mr Gavin’s participation in the three incidents which are the subject matter of Charge 1 of the second brief. We find each of them proven.

**Penalty**

1. GRV now seeks orders that Mr Gavin be warned off all racetracks in order to put an end to his further disruptive behaviour.
2. We will deal with the penalties on each of the briefs separately and then consider what cumulation, if any, should be ordered in respect of the penalties. Given that there are a significant number of charges before us, we must be mindful to impose a penalty which addresses the principle of totality – that is, that the penalties overall are consistent with the seriousness of the conduct, but avoid having a crushing effect upon Mr Gavin.
3. We know little of Mr Gavin’s circumstances, as he has not attended the hearing today. We do accept that he has suffered from some significant mental trauma over the past few years. This has led to him being treated in a rehabilitation facility at the start of this year.
4. Apart from the matters to which we have referred in this decision, Mr Gavin has had very few previous offences. He appears to have had an excellent record until about 2020. He records in his email to the Tribunal that he originally was training up to 150 greyhounds in the “Catch me if you Can” business and that he had trained 60 to 80 greyhounds in his capacity as a trainer with GRV.
5. We note the evidence that on the three occasions on which he drove greyhounds to the various tracks, Ms Boyle was inexperienced in handling the car with the float attached and that Mr McGhee could not drive because his licence had been suspended. We accept that this evidence is a mitigating factor in relation to the charges involving Mr Gavin driving the vehicle into the racetrack car park.
6. Given that he is presently disqualified for a significant period of time because of the earlier Tribunal order, we agree with the submission of the Stewards that the appropriate penalty should be a period of warning off.
7. Dealing with the first brief, the orders that we make are as follows:
8. On Charge 1, we impose a penalty of 12 months warning off.
9. On Charge 2, we impose a penalty of 12 months warning off.
10. Given that both Charges 1 and 2 arise out of the same incident, we order that the penalty on Charge 1 be served concurrently with the penalty on Charge 2.
11. On Charge 3, which is the charge of failing to comply with the direction to produce documents relating to his resignation, we impose a penalty of 3 months warning off with 1 month cumulative on the penalties imposed on Charges 1 and 2.
12. On Charge 4, which is the charge of failing to attend the inquiry, we impose a period of 12 months warning off, with 6 months of this sentence to be served cumulatively on the penalties imposed for Charges 1 and 2.
13. This makes a total of 19 months warning off. We order that this penalty commence today.
14. Dealing with the second brief, the orders that we make are as follows:
15. We nominate Charge 1 as being the head penalty.
16. On each of Charges 1 and 3 we impose a penalty of 18 months warning off. We order that the penalty on Charge 3 be served concurrently with the penalty for Charge 1, given that both those charges arise out of the same circumstances.
17. On Charge 2, which is the charge relating to the sending of insulting and offensive messages to Mr Gawne, we impose a penalty of 18 months warning off. We order that penalty be served cumulatively on the penalties imposed on Charge 1.
18. On Charges 4, 5 and 6, we order 6 months warning off and we order that these penalties be imposed concurrently with each other and also with Charges 1 and 3 given that the subject matter of these charges is identical with that in Charges 1 and 3.
19. This makes a total of three years warning off on the second brief. We order that this penalty commence today.
20. We have given consideration as to whether there should be some cumulation of penalties. We acknowledge there are good reasons to do so, as each brief arises out of a completely different fact situation. However, being mindful of the principle of totality, it is our decision that each of those penalties be served concurrently. This means a total of three years warning off to commence today.

Mark Howard

Registrar, Victorian Racing Tribunal