

ANNEX III - GUIDELINES FOR DISCIPLINARY HEARING

1. REFERENCES IN GENERAL REGULATIONS

- a) The duties of the Ground Jury are defined in Article 163.
- b) The duties of the Appeal Committee are defined in Article 164 and the procedures for Appeals in Article 170.

2. GENERAL

- a) Certain types of disciplinary decision are taken by the Ground Jury (or one of its members) without a hearing. For example, where any one member of the Ground Jury disqualifies a rider on the spot because of serious abuse of a horse, exhaustion etc.
- b) A convenient method of handling a relatively minor infringement is the use of the Yellow Card (see below). As this procedure allows the competitor the right to refuse the card, it can lead to a hearing.
- c) In all other cases where any rider is being considered for a disciplinary sanction it is essential that he is given a hearing which must be conducted in a fair way, so that he has adequate opportunity to explain his actions.

3. YELLOW CARDS (Article 174.8)

- a) If the infringement is of a relatively minor nature a yellow card is provided for in the FEI Regulations. A useful guide to what might be covered by this may be obtained by quickly considering whether, if found guilty, the rider would be likely to be disqualified from the competition. If so, the offence is not minor.
- b) A yellow warning card can be delivered for the following 3 offences, if considered less serious instead of instituting the procedures foreseen in the Legal System:
 - Abuse of horse in any form
 - Incorrect behaviour towards event Officials or any other party connected with the event.
 - Dangerous/reckless riding

If a Yellow Card is being considered, the rider should be summoned to see the President of the Ground Jury and told that he is reported to have committed an offence as a result of the Ground Jury has decided to give him a yellow card. The rider has the choice to accept or reject the Yellow Card. If he accepts it, the fact is recorded but this is not a punishment as such.

If he does not wish to accept the Yellow Card, then a hearing as below is convened, he is found guilty or not guilty and then given the appropriate penalty.

If the suspected offence is more serious than merits a Yellow Card, then a hearing must be held, which may result in a sanction according to the General Regulations (Article 163, 164, 174).

4. LAYOUT AND PREPARATION FOR A HEARING

- a) A suitable quiet place must be found for this to be done with as little delay as possible. Frequently it will be most convenient for the Jury should set a time for the hearing and for the TD to find the suitable place, inform the rider, the complainant (if there is one) etc. and coordinate matters. The TD must not express any opinion to the rider as to the likely outcome of a hearing.
- b) The detailed procedure to be followed must be explained to the competitor so that he clearly understands it, and is aware that he will be most fairly treated.
- c) The whole hearing should be conducted as informally as possible but in such a way that it is clear that the Jury is trying to discover the truth in a fair and unbiassed way.

5. PROCEDURE FOR A DISCIPLINARY HEARING

- a) The Jury having received a complaint or acting from its own observations, should inform the rider that they wish to interview him, and the reason – e.g. ‘with regard to a complaint about misuse of the whip’.
- b) The rider must be told that he may be accompanied by his Chef d’Equipe if there is one or by any one other person he wishes. He must also be told that if he has any evidence he wishes to put forward he will have the opportunity to do so, and if he has any witnesses then he must bring it/them with him (the TD may help in this).
- c) The TD should arrange for the complainant and any other witnesses (if relevant) to attend.
- d) In the hearing, the Jury should first listen to the complaint in the presence of the rider or if the hearing is as a result of something one of them has personally seen the Jury should explain the detailed reason for the hearing.
- e) The rider and any witnesses on either side should then be heard.
- f) The rider should then be asked if he has anything to add.
- g) The Ground Jury should then ask all parties to leave while they consider their verdict and any penalty (see Article 163 3). At the Ground Jury’s invitation, the TD may remain to advise them, but he must not act as though he is part of the panel taking the decision. No other official, e.g. Vet, Chief Steward, may discuss or advise on penalties.
- h) Finally the Jury should recall the rider and inform him of the decision, which must then be recorded in writing, signed by the President and sent with the official reports to the FEI.

6. GUIDE TO PENALTIES

There are 4 different degrees of penalty foreseen in the General Regulations:

1. **Yellow card** (Art. 174.8.1 and 8.2)

This is in fact not a “penalty” according to the Regulations. Its purpose is to put a rider on notice that he must not repeat the incorrect conduct which of itself is relatively minor.

The use of the yellow card procedure makes it possible to keep track of previous incorrect conduct/offences in a fairly straightforward way, for consideration in future cases involving the same competitor.

2. **Warning** (Art. 163.3.1 and 164.4.1)

Note that an “Unofficial Warning” should never be used. If the Jury feels that it should warn a rider at all, then either a yellow card should be issued or a hearing held.

3. **Fine** (Art. 163.3 and 164.4)

4. **Disqualification** (Art. 143 and Rules for Eventing Art. 521.1 and 2)

- in severe cases of abuse of horses or dangerous riding.

7. WHAT IS AN APPROPRIATE PENALTY?

- a) Article 174 gives some general guidance on this.
- b) There can be no hard and fast rules as to the appropriate penalty for particular offences, because they will always vary in gravity.
- c) Offences such as incivility to officials, failure to observe rules, etc. that do not involve cheating or danger to others should be acted upon but not regarded as seriously as abuse.
- d) In general, all cases of abuse of the horse must be regarded seriously. Unintentional minor ‘abuse’, for example spur marks where the injury is very slight (rubbed hair should not be considered as a spur mark), might only attract a yellow card, but other cases should be penalised. If the horse has not already been eliminated or retired, disqualification is a major penalty. If it is already out of the competition, then a fine may be necessary.
- e) Very serious cases involving premeditated abuse &/or serious abuse through a loss of temper should be referred to the Secretary General of the FEI.