



# Guide to Procedures and Penalties 2011

An Explanatory Guide  
to assist Effective  
Enforcement of the Rules



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EFFECTIVE FROM 2 APRIL 2011



# 1.

## INTRODUCTION

This booklet contains information on the main Rules and the various procedures and charts which will be referred to at all times when deciding on the appropriate course of action either on the racecourse or at a Disciplinary Panel enquiry.

The booklet should not be seen as either a replacement for, or an interpretation of, the Rules of Racing. It does, however, seek to clarify and provide easy reference to a number of crucial areas which may arise during the course of a day's racing.

The guidelines as to penalties are not intended to override the discretion of the Stewards under the Rules. However, in the interest of consistency and fairness, Stewards are expected to operate within the guidelines unless they have good reason to consider that the case before them has some special characteristic(s) which justifies a greater or lesser penalty outside the guidelines; Stewards should be prepared to explain their reasons for so doing.

If you have any questions, or need any further advice, on the information contained in this booklet you should speak to the Disciplinary Department (0207 152 0123) or a Stipendiary Steward.

Jamie Stier  
Director of Raceday Operations and Regulation



## 2. RUNNING AND RIDING – RULES (B)58, (B)59, (C)45 and (D)45

In order to maintain confidence in the integrity of racing it is particularly important either that questions are asked of the trainer or that an enquiry under Rule (B)58 is held when appearances suggest a horse may not have been run on its merits - see Rule (D)45 . **Stewards should not be deterred from holding an enquiry because they consider it unlikely that they will be able to prove a breach of Rule (B)59 or (C)45.** These enquiries are not time sensitive but the Stipendiary Steward should ensure the rider and trainer are warned that they will be required to attend.

### WHEN TO HOLD AN ENQUIRY

The Rule does not allow exceptions for horses which do not obtain the best possible placing and therefore the Stewards should always initiate an enquiry on the day or ask questions rather than leaving it to the Stewards officiating at a following meeting when the horse runs. In helping to decide whether or not to hold an enquiry the Panel should view the video recording of the race.

Having regard to Rule (D)45 the Stipendiary Steward should then ask the following questions:

- **Was the horse asked for "... timely, real and substantial effort?"**

If the answer to this question is **NO** an enquiry should be held. If **YES**

- **Was it ridden to obtain the best possible placing?**

If **NO** again an enquiry should be held.

### HAVING DECIDED TO HOLD AN ENQUIRY

A series of questions will be asked of the rider and trainer to establish the reasons for the way the horse was ridden.

Under Rule (D)46 the trainer, if he is unable to attend the meeting, must authorise another person to represent him on the racecourse. This person must attend Stewards' enquiries on the trainer's behalf. He must know the riding instructions that the trainer gave to the rider, must be authorised by the trainer and must be able to inform the Stewards whether the rider has complied with such instructions. Failure by the trainer to do so will result in a breach of Rule (D)46. Furthermore, if the representative has not been made aware of the riding instructions given by the trainer, the Stewards will progress the enquiry as to whether the trainer is in breach of Rule (C)45.4 on the basis of the evidence of the rider as to what instructions were given to him.

## HAS A BREACH OF THE RULES BEEN COMMITTED ?

Prior to determining whether or not the rider and/or trainer are in breach of Rules (B)59 or (C)45 the Stipendiary Steward will sum up and then ask the following questions of the Panel:

- **Was the horse asked for "... timely, real and substantial effort?"**
- **Was it ridden to obtain the best possible placing?**

If the answer to either of these questions is NO, was the explanation given by either the rider or trainer an acceptable reason for the horse either not being asked for timely, real and substantial effort or not being ridden to obtain the best possible placing?

If the answer to either question remains NO, the rider is in breach of Rule (B)59.

With regard to the trainer he will be liable to Disciplinary action under Rule (C)45.1 if you are not satisfied that he gave adequate instructions; which is to say such instructions as are necessary to ensure that the horse runs on its merits. The trainer will also be liable to disciplinary action if the rider is found in breach of Rule (B)59.3.1 unless he is able to satisfy the Panel that the rider was given adequate instructions and that he failed to comply with them.

## WHEN IN BREACH

If you find that a breach has been committed by the rider, it is necessary to categorise the offence which will assist you in arriving at the appropriate penalty. The Stipendiary Steward will therefore ask the following questions of the Panel (the 'Subdivision Charts' on pages 8 to 12 will assist):

- 1) **Was the rider in breach of Rule (B)59.3 (negligence)?**  
**IF NOT**
- 2) **Was the rider in breach of Rule (B)59.2\* (intent)?**  
**IF NOT**
- 3) **It must be a breach of Rule (B)59.4\* (failure to take all reasonable and permissible measures) by the rider.**

\*The line between Rules (B)59.2 and (B)59.4 can be illustrated for many cases by the example of a rider who appears to be doing the opposite of what you would expect a rider in his circumstances to be doing (Rule (B)59.2) and cases where the rider is simply not doing enough (Rule (B)59.4).

Having decided which Rule the rider is in breach of and the category of offence, the Stipendiary Steward will advise on penalty for rider and, if appropriate, the trainer. Previous offences are to be taken into account.

## OTHER OPTIONS

The following other options are open to you and must be referred to in your report of the enquiry:

- Noting - all explanations
- Referral for viewing horse's previous runs
  - horse wins a Handicap, Classified Stakes or Rating Related Maiden Race without having been previously placed in the first four
  - a marked improvement in performance
  - concerns are expressed about performance last time out
- Adjourned enquiry - vital witness is not present

# RECOMMENDED PENALTIES FOR BREACHES OF RULES (B)58, (B)59, (C)45 and (D)45 - RUNNING & RIDING

FOR THE PURPOSE OF RULES (B)58, (B)59 and (C)45 THE WORD 'PLACING' MEANS ANY PLACING FROM AND INCLUDING FIRST PLACE TO LAST PLACE

## RULE (B)58 and (C)45 TRAINER'S RESPONSIBILITIES

### SUBDIVISION OF POTENTIAL OFFENCE

(These are the more common examples of breaches but they are by no means exhaustive)

|  |                  | Recommended Penalties for 1st Offence |
|--|------------------|---------------------------------------|
|  | ENTRY POINT      | RANGE                                 |
| a) Trainer fails to give adequate instructions which contributes to the rider being in breach of Rule (B)59.4. Trainer in breach of Rule (C)45.1 | £1,500           | £1,000-£2,500                         |
| b) Trainer sends unfit or unschooled horse to the racecourse Rule (C)45.3. Rider unlikely to be in breach of either Rule (B)59.2 or (B)59.4.     | £3,000           | £2,000-£5,000                         |
| c) Rider in breach of Rule (B)59.2. Trainer in breach of Rule (C)45.4  | See Rule (B)59.2 |                                       |

### Second offence:

Two findings of Rule (C)45.1 (sub: a)) within 12 months - deal with on racecourse but penalty should generally be double that for a 1st Offence  
Two findings of Rule (C)45.1 (sub: a)) between 12 - 24 months - deal with on racecourse but penalty should generally be higher than that for a 1st Offence.

Rule (C)45.3 (sub: b)) - as above

## RULE (B)59.3 NEGLIGENCE BY RIDER

### SUBDIVISION OF RULE

2.1 Failing to ride out approaching the finish on a horse that would have been placed:

Place not obtained - first

28 days (18)\*  
If wilful, refer

refer

Place not obtained - second/third

10 days (5)\*

21 days (14)\*

Place not obtained - fourth

4 days (3)\*

10 days (7)\*

Place not obtained - any other placing for which there is prizemoney

2 days (1)\*

4 days (3)\*

\*Figures in brackets should be used for dead heats. With a second offence the fact that the first offence was or was not a dead heat should be ignored.

2.2 Mistaking the race distance and either riding a finish a circuit too early or failing to ride a finish

12 days

10-14 days

28 days

21-42 days

2.3 Taking the wrong course

12 days

10-14 days

28 days

21-42 days

2.4 Asking for an effort or making some other permissible manoeuvre too late as a result of serious misjudgement or inattention.

10 days

7-21 days

21 days

14-28 days

## RULE (B)59.2 INTENT TO CONCEAL

### SUBDIVISION OF POTENTIAL OFFENCE

|  | STEWARDS    |         | DISCIPLINARY PANEL  |                              |
|--|-------------|---------|---|------------------------------|
|  | ENTRY POINT | RANGE   | ENTRY POINT   | RANGE                        |
| a) Deliberately not riding a horse to obtain the best possible placing for personal reward or knowing that it had been layed to lose   | N/A         | N/A     | 8 years<br>Rider/trainer<br>Disqualify<br>Horse suspended | 5 - 25 years                 |
| b) Deliberately preventing a horse from winning  | } refer     | } refer | 3 years<br>Rider/trainer<br>Disqualify<br>Horse suspended | 1 - 5 years                  |
| c) Purposely not riding out a horse that would otherwise have won  |             |         |   |                              |
| d) Horse which has intentionally been restrained and not let down  | } refer     | } refer | 42 days (rider)<br>£7,500 (trainer)*                      | 28-90 days<br>£5,000-£30,000 |
| e) Horse which has intentionally not been asked for sufficient effort  |             |         |   |                              |
| f) Horse which appears capable of reaching a challenging position but which has intentionally never been asked to do so<br><b>*Horse suspended 40 days if both rider &amp; trainer are found in breach</b> |             |         |   |                              |

|   |  |                                 |   |  |
|---|--|---------------------------------|---|--|
| <p>g) Using the racecourse as a training ground ie Schooling and/or Conditioning.<br/>Horse usually first time out in a Flat, Steeplechase or Hurdle race or returning after a lengthy absence or having a confidence restoring run<br/><b>*Horse suspended 40 days if both rider &amp; trainer are found in breach</b></p> | <p>14 days (rider) £3,000 (trainer)*</p> | <p>10-18 days £2,500-£4,000</p> | <p>See racecourse penalties</p>   | <p>See racecourse penalties</p>  |
| <p>h) Referrals from racecourse for third offence</p>   | <p>refer</p>                             | <p>refer</p>                    | <p>60 days (rider) £20,000 (trainer) and/or restriction on entries and running horses from yard - 21 days<br/>Horse suspended</p> | <p>42-90 days £15,000-£30,000 and/or restriction and/or 14-42 days</p> |

**NOTE:**

**Second Offence:**

Two findings of Rule (B)59.2 (sub: g) within 12 months - deal with on racecourse but penalty should generally be double that for a 1st Offence  
 One finding of Rule (B)59.2 (sub: g) after one of Rule (B)59.4 (sub: b) within 12 months - deal with on racecourse but penalty should generally be double that for a 1st Offence  
 One finding of Rule (B)59.2 (sub: g) after a finding of Rule (B)59.2 (sub: d, e or f) within 12 months - deal with on racecourse but penalty should be at least double that for a first offence  
 One finding of Rule (B)59.2 (sub: g) after a finding of Rule (B)59.2 (sub: d, e or f) between 12-24 months - deal with on racecourse but penalty should generally be higher than that for a 1st Offence  
 One finding of Rule (B)59.2 (sub: g) after one of Rule (B)59.4 (sub: b) - between 12-24 months - deal with on the racecourse but penalty should generally be higher than that for a 1st Offence

**Third Offence**

Any findings of either Rule (B)59.2 (sub: g) and/or (B)59.4 (sub: b) within 24 months - refer (see sub: h)

## RULE (B)59.4 FAILURE TO TAKE ALL REASONABLE & PERMISSIBLE MEASURES

12.

### SUBDIVISION OF POTENTIAL OFFENCE

**Recommended Penalties for 1st Offence**

| ENTRY POINT | RANGE |
|-------------|-------|
|-------------|-------|

(These are the more common examples of breaches but they are by no means exhaustive)

a) Rider suffers interference and then fails to ride out to the winning post on a horse that:

- (i) would have been placed first, second, third, fourth or any other placing for which there is prize money See Rule (B)59.3
  - (ii) could have been placed first, second, third, fourth or any other placing for which there is prize money See c) below.
  - (iii) is unplaced See d) below.
- b) Rider fails to take all reasonable and permissible measures throughout the race 10 days 7-21 days

### Second Offence:

Two findings of Rule (B)59.4 (sub: b) within 12 months - deal with on racecourse but penalty should generally be double that for a 1st Offence  
One finding of Rule (B)59.4 (sub: b) after one of Rule (B)59.2 (sub: any) within 12 months - deal with on racecourse but penalty should generally be double that for a 1st Offence  
Two findings of Rule (B)59.4 (sub: b) between 12 - 24 months - deal with on racecourse but penalty should generally be higher than that for a 1st Offence

One finding of Rule (B)59.4 (sub: b) after one of Rule (B)59.2 (sub: any) between 12 - 24 months - deal with on racecourse but penalty should generally be higher than that for a 1st Offence

### Third Offence:

Any three findings of either Rule (B)59.4 (sub: b) and/or Rule (B)59.2 (sub: any) within 24 months - refer

c) Failing to ride out approaching the finish on a horse that could have been placed

First

10 days

**2nd Offence**

21 days

Second/Third

7 days

14 days

Fourth

2 days

5 days

Any other placing for which there is prize money 1 day 2 days

d) Rider demonstrates an acceptable degree of effort during the race until prematurely easing his horse, which would never have finished in the first four or any other placing for which there is prize money but is allowed to coast home with no assistance from the rider

1st Offence - Caution

2nd - 1 day

3rd - 1 day

4th - 3 days

5th - refer

### 3. INTERFERENCE IN RACES - RULES (B)53-(B)55

#### INTERFERENCE PROCEDURE TO BE FOLLOWED AFTER HEARING THE EVIDENCE

After the riders have left the room, the Chairman or Stipendiary Steward will ask the following questions of the Panel:

● **Was there interference?**

If the answer is **NO** the enquiry should be closed. If **YES**

● **Who caused it?**

If it cannot be established who caused it, the enquiry should be closed and the appropriate notice issued. If the cause is established:

● **THE STIPENDIARY STEWARD WILL SUM UP.**

It should then be established whether the interference was **serious** by asking the following question:

● **Was the nature of the incident such as to place in serious jeopardy the safety of any horse or rider?**

If **YES**, the Chairman or Stipendiary Steward should start at the top category and work down the left-hand side (the 'definitions') bearing in mind that a decision should be reached on the balance of probabilities and if the Panel is having difficulty reaching agreement he will move on to the next category. The Panel should only refer to the right-hand side (the 'examples') after agreement has been reached on the category of interference.

If **NO**, the Panel should consider the placings by proceeding to the section headed 'Determining the Result Following Interference' on pages 16 and 17 before returning to Careless Riding.

| CATEGORY AND DEFINITION  | EXAMPLES<br>(These are the more common examples of interference but they are by no means exhaustive)   |
|--|--|
| <p><b>1. FOR DANGEROUS RIDING THE RIDER MUST CAUSE SERIOUS INTERFERENCE. SERIOUS INTERFERENCE IS WHEN INTERFERENCE CAUSES A HORSE AND/OR RIDER TO FALL OR VERY NEARLY FALL OR THE HORSE IS SEVERELY HAMPERED EG. UP AGAINST THE RUNNING RAIL, OR IS PUSHED OR NEARLY PUSHED OFF THE COURSE.</b></p>  |  |
| <p><b>WAS IT DANGEROUS RIDING?</b></p> <p><b>A rider is guilty of Dangerous Riding if he causes serious interference by:</b></p> <p><b>a) purposely interfering with another horse or rider</b><br/><b>or</b></p> <p><b>b) riding in a way which is far below that of a competent and careful rider and where it would be obvious to such a competent and careful rider that riding in that way was likely to endanger the safety of a horse or rider.</b></p>             | <p><b>RIDER CAUSES SERIOUS INTERFERENCE BY:</b></p> <p>a) Riding across to prevent a horse from going 'up the inner'.</p> <p>b) Attempting to force a horse off the track eg. at the wing of a fence.</p> <p>c) Deliberately barging his way between two horses.</p> <p>d) Persistently attempting to get past any horse when there is insufficient room.</p> <p>e) Failing for a sustained period of time to take corrective action.</p> <p>f) Intentionally striking another horse or rider.</p> <p>g) Manoeuvring/changing direction, suddenly or gradually (particularly on to the rail)</p>   |
| <p><i>If the rider is guilty of Dangerous Riding the horse must be disqualified.</i></p>   |  |
| <p style="text-align: center;"><b>Advice to Stewards</b></p> <p>There are two parts to Dangerous Riding. Firstly, there has to be serious interference but this is not enough on its own to warrant a breach of Dangerous Riding - serious interference can be caused by Careless Riding or can even be Accidental. The second part relates to the culpability of the rider in terms of his riding - see 1a) and b) and the examples a) to g) in the righthand column.</p> |  |
| <p><b>IF YOU ARE SATISFIED THAT THE INTERFERENCE IS NOT DANGEROUS YOU SHOULD PROCEED TO THE SECTION HEADED 'DETERMINING THE RESULT FOLLOWING INTERFERENCE' ON PAGES 16 AND 17 TO DETERMINE WHETHER THE PLACINGS NEED TO BE ALTERED. HAVING COME TO A DECISION ON PLACINGS, WHICH SHOULD BE IMMEDIATELY ANNOUNCED, YOU SHOULD REVERT BACK TO DECIDE ON THE CATEGORY OF INTERFERENCE.</b></p>  |  |
| <p><b>2. FOR CARELESS RIDING THE RIDER USUALLY CAUSES INTERFERENCE OF A LESS SERIOUS NATURE BY FAILING TO TAKE CORRECTIVE ACTION OR BY MISJUDGEMENT, INCLUDING A MANOEUVRE.</b></p>  |  |
| <p><b>WAS IT CARELESS RIDING?</b></p> <p><b>A rider is guilty of Careless Riding if he fails to take reasonable steps to avoid causing interference or causes interference by inattention or misjudgement, including when manoeuvring for position.</b></p>  | <p>a) Horse drifts into another without rider straightening it up, either by switching his whip, or, if that is insufficient, by using his reins.</p> <p>b) Horse hangs into the whip but the rider does not take sufficient action to straighten it up.</p> <p>c) Horse hangs in on bend without rider taking any action.</p> <p>d) Rider manoeuvres/changes direction, causing another rider to be moved off his intended line or to take evasive action.</p> <p>e) Rider pushes through, thereby creating a gap or widening an existing gap which never looked like being big enough</p> <p>f) Rider moves across to the rails at the start causing interference.</p> <p>g) Rider unintentionally strikes another horse or rider but should have moderated his use of the whip because of the close proximity of another horse or rider.*</p> <p>* see page 25 - striking horses or riders with whip.</p> |
| <p style="text-align: center;"><b>Advice to Stewards</b></p> <p>Demotion only occurs if the horse causing the interference has improved its placing as a result of that interference</p>   |  |

**3. FOR IMPROPER RIDING THE RIDER INTENTIONALLY INTERFERES WITH OR STRIKES ANOTHER HORSE OR RIDER WITHOUT CAUSING SERIOUS INTERFERENCE. THE INTERFERENCE IS NOT INTENDED TO IMPROVE THE INTERFERER'S PERFORMANCE BUT RATHER TO AFFECT THE PERFORMANCE OF THE SUFFERER.**

|   |  |
|---|--|
| <p><b>WAS IT IMPROPER RIDING?</b></p> <p>A rider is guilty of Improper Riding if he intentionally strikes other riders or horses and may also include other forms of misconduct in the course of riding such as riding that would be dangerous but for the fact that it did not cause serious interference.</p> | <ul style="list-style-type: none"> <li>a) Rider intentionally interferes with another horse or rider but not with the intention of improving his own position.</li> <li>b) Rider intentionally rides across to cause interference,</li> <li>c) Rider intentionally strikes another horse or rider.*</li> <li>d) Rider intentionally attempts to interfere with or strike another horse or rider with his whip.*</li> <li>e) Rider rides dangerously but does not cause serious interference eg. rider moves a considerable distance across the course at the start.</li> </ul> <p>* see page 25 - striking horses or riders with whip.</p> |
|---|--|

**Advice to Stewards**

This category is to be used where you are satisfied that the interference was caused by some culpable misconduct by the rider which was neither Dangerous nor Careless Riding and may include intentional interference and striking other riders or horses when riding that would be dangerous but for the fact that it did not cause serious interference. Demotion only occurs if the horse causing the interference has improved its placings as a result of that interference.

**4. FOR ACCIDENTAL THE RIDER WILL HAVE BEEN TAKING REASONABLE STEPS TO PREVENT THE INTERFERENCE FROM OCCURRING OR THE INTERFERENCE WILL HAVE BEEN DUE TO CIRCUMSTANCES BEYOND THE RIDER'S CONTROL.**

|                                  |   |
|----------------------------------|---|
| <p><b>WAS IT ACCIDENTAL?</b></p> | <ul style="list-style-type: none"> <li>a) Horse hangs without warning.</li> <li>b) Horse continues to hang despite rider's best efforts to prevent it.</li> <li>c) Horse runs down an obstacle without warning</li> </ul> |
|----------------------------------|---|

The interference can probably be regarded as accidental but the following must still be asked:-

**Was the rider taking reasonable steps to prevent the interference from occurring?**

**Was the interference due to circumstances beyond the rider's control?**

If the answer to both questions is **NO**, probably a riding offence has been committed and therefore go back to question 2. If the answer to either question is **YES**, the interference must be regarded as accidental.

**Advice to Stewards**

Demotion only occurs if the horse causing the interference has improved its placing as a result of that interference.

**NOTE: It should be remembered that being taken off one's intended line (intimidation) constitutes interference. It follows that there does not have to be physical contact for interference to occur.**

**To conclude the enquiry the Chairman must complete the Aide Memoire and read it out to the riders.**

## DETERMINING THE RESULT FOLLOWING INTERFERENCE

One of the most difficult and contentious decisions a Panel has to make is to determine the result following interference. If the Panel considers that interference might have affected the result ie. the interferer might have improved his placing as a result of the interference, an enquiry must be called under Rule (B)11.6 which has the effect of freezing the 'payout' until the Panel has come to its conclusion.

### **THE STEWARDS HAVE TO DECIDE WHETHER THE SUFFERER WOULD HAVE BEATEN THE INTERFERER BUT FOR THE INTERFERENCE.**

There are a series of factors to take into account. The questions (below) and Guiding Principles (opposite) provide a framework within which the Panel work in order to come to their decision. They do not provide the answer but try to ensure that the Panel addresses the correct questions when making a decision.

The Panel should ask themselves the following questions, being mindful of the relevant Guiding Principles:

- 1. Where did the incident take place in relation to the winning post?**
- 2. How were the horses involved in the interference going at the time of the incident?**
- 3. How serious was the interference ie. how much momentum did the sufferer lose and/or how much ground was lost?**
- 4. If the sufferer had had an uninterrupted run to the line, might it have finished in front of the interferer?**  
If NO - order placings to remain unaltered  
If YES ie there is some doubt - proceed to question 5.
- 5. How easily did the interferer beat the sufferer?**

Having considered those factors relevant to the incident in question, if the Panel is satisfied that on the balance of probabilities the interference did improve the placing of the interferer in relation to the sufferer(s), the placings must be altered. Otherwise, the placings must remain unaltered. **Generally speaking, the longer the Panel discusses whether the placings should be altered, the less likely it is that they should be. If the Panel is unable to conclude one way or the other, the result should stand.**

After reaching a decision on placings, which should be announced immediately, turn back to Careless Riding in order to continue your deliberations on the category of Interference.

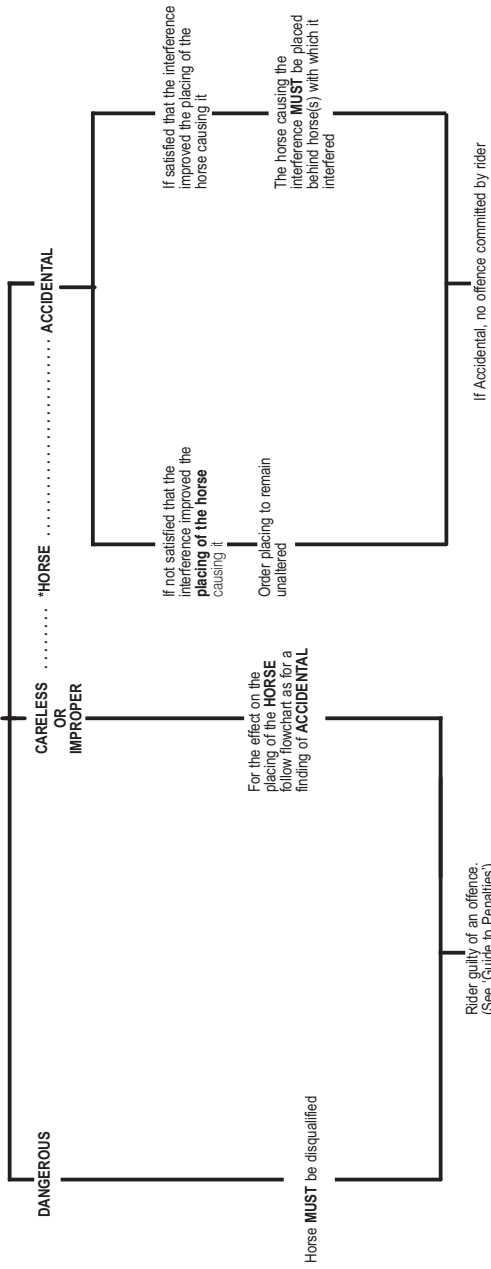
**Remember:** in amending the placings you are demoting the interferer not promoting the sufferer.

## GUIDING PRINCIPLES

- a) Dangerous Riding - the placing(s) must be altered as the interferer must be disqualified.
- b) Careless, Improper or Accidental - if the Panel is satisfied that the interference improved the placing of the horse causing it, the placings must be altered.
- c) The benefit of doubt should go to the horse which finished in front.
- d) The Panel should have in mind that interference is likely to have impeded the sufferer to some degree and therefore a reversal of placings is more likely to follow where there is only a nose between the horses.
- e) The further away from the winning post that the incident occurs, the less likely it is that the result should be changed.
- f) The Panel must make allowance for the momentum and ground lost by the sufferer by imagining that it had an uninterrupted run to the line.
- g) The Panel must **NOT** make an allowance for any effect on the horse causing the interference.
- h) The Panel must take into account the ease with which the interferer beat the sufferer.
- i) If a horse is carried off its intended line, the effect will vary depending on the distance from the winning post.

# INTERFERENCE OPTIONS

## INTERFERENCE



\*Where in cases of Careless or Improper Riding or Accidental Interference more than one horse is interfered with either in turn as a result of the same occurrence or simultaneously, each is a separate incident by the horse causing the original interference for which separate placing assessments are to be made.

As soon as any decision on placings is reached it is to be announced prior to giving any thought to penalty.

## GUIDE TO PENALTIES FOR RIDING OFFENCES

The final matter which needs to be considered is the question of appropriate penalty. The following penalty ranges are those recommended by the BHA. In the interest of consistency, and using the guidance notes on Pages 21, 22 and 23, the Stipendiary Stewards will give further advice on the appropriate penalty within the range given for each offence. The level of penalty should be entirely dependent on the actual offence and previous offences must not be taken into account.

| Offence   | Recommended Penalty                          |
|---|--|
| <b>Dangerous Riding</b>   | 10-28 days and riding fee forfeited or refer |
| <b>Careless Riding</b>  | caution or 1-9 days                          |
| <b>Improper Riding</b>  | caution or 1-21 days                         |
| <b>Mis-use of the Whip</b><br>(Classified as Improper Riding - an offence under Rule (B)54.3) | caution or 1-12 days or refer                |

## EFFECTIVE DAYS FOR RIDING SUSPENSIONS

To establish the days when the suspension applies reference should be made to Schedule (B)1.

## NOTES ON PENALTIES FOR RIDING OFFENCES

- 1) If in the opinion of the Stewards an offence warrants a suspension of:  
Interference - more than 28 days      Whip - more than 12 days  
the matter should always be referred to the Disciplinary Panel.
- 2) The level of penalty for breaches should be dependent on the actual offence and previous offences should not be taken into account.
- 3) Suspensions for Interference offences are to be treated separately for totting up purposes, from those concerning Mis-use of the Whip.
- 4) Subject to Paragraph 8, a rolling 6 month period will apply for totting up suspensions, the relevant dates being the dates on which a finding of a breach was first made.
- 5) A rider should be referred to the Disciplinary Panel on the second occasion during the previous 12 months that he is found guilty of Dangerous Riding.
- 6) If a rider is found to have committed a riding offence involving Interference or Mis-use of the Whip and it warrants a suspension and he has already been suspended from riding for a total of 20 days or more for Interference or Mis-use of the Whip respectively within the previous 6 months he should be referred to the Disciplinary Panel.\*
- 7) After a rider has appeared before the Disciplinary Panel following a referral under Paragraphs 5 or 6 above and has been suspended, all offences prior to and including the offence for which the rider was referred are not to be taken into consideration.
- 8) Suspensions imposed by the Disciplinary Panel as a result of an appeal, referral or a case instigated by the BHA are to be included in the number of days suspended during the previous 6 months. However, if the rider has already been suspended for 20 days or more the Disciplinary Panel will take this into account when imposing a penalty after which that suspension and all previous suspensions will not be taken into consideration for totting up purposes.

\* The Disciplinary Panel will usually impose a suspension of between 10 and 28 days with an entry point of 14 days for the accumulation of days suspended plus a period of suspension for the offence. Part of the suspension may be deferred for a period not exceeding 6 months but it will take effect in the event of the rider being further suspended during the said period. The said period will not commence until after the suspension from the 'totting up' enquiry has been served. The entry point for a deferred suspension is 3 months and it is recommended that the entry point should be decreased for the 'high season' (May to August inclusive) and increased for the 'low season'. The number of days that should be deferred are as follows:

|                         |                        |  |                        |
|-------------------------|------------------------|--|------------------------|
| 10 - 15 days suspension | $\frac{1}{5}$ deferred | 26+ days suspension                      | $\frac{1}{3}$ deferred |
| 16 - 25 days suspension | $\frac{1}{4}$ deferred | (fractions of days will be rounded down) |                        |

When a deferred suspension is activated it shall commence immediately after the conclusion of the suspension on days applicable to the rider. Deferred suspension days will not be subject to the Group 1/Grade 1 exception. (Schedule (B)1 Paragraphs 8 and 11 )

The deferred part of the suspension will not count towards the total number of days suspended during the current rolling 6 month period.

## INTERFERENCE - PENALTY GUIDELINES

To assist in maintaining a consistent approach to penalty the following guidelines are given for each of the three categories of Interference:

### DANGEROUS RIDING

**Penalties should always reflect both the cause of the interference ie. the standard of riding, and its effect. Penalties should rise as the seriousness of the interference increases.**

|   |                     |
|---|---------------------|
| Rider causes serious interference   | 10 - 21 days        |
| Rider causes serious interference which results in a rider being unseated and/or a horse falling.   | 14 - 21 days        |
| Rider intentionally strikes another horse and/or rider resulting in serious interference<br>Rider intentionally interferes with another horse and/or rider resulting in serious interference<br>Rider attempts to push another rider through or around the wing of an obstacle, through or outside the running rail, or off the course, resulting in serious interference | 21-28 days or refer |
| Rider intentionally pushes another rider through or around the wing of an obstacle, through or outside the running rail, or off the course ie. serious interference.  | 28 days or refer    |

#### Notes:

- 1) In judging the effect, the Panel should take into consideration the overall effect on the sufferer which includes:
  - **the degree of danger** eg. squeezed up against the rails
  - **the loss of opportunity to challenge for prize money** eg. chance of challenging effectively destroyed
  - **the loss of prize money** eg. sufferer comes third but would have been second but for the interference

It is important that all these aspects of the effect on the sufferer(s) are taken into account when deciding on penalty - one or other of the above 'effects' should increase the penalty by one or even two days.
- 2) Penalty should rise when horse hangs or drifts for a long period when it ought to have been obvious that, uncorrected, serious interference would result.
- 3) Indirect ('knock on') interference should be taken into account when assessing the level of penalty unless you are certain that the indirect interference was not reasonably foreseeable.
- 4) Actual injuries sustained by a fallen horse or rider should not be taken into account, the fall is enough.
- 5) It is impossible to cover every eventuality and therefore the level of penalty may be varied to suit the circumstances.

## PENALTY GUIDELINES (Continued)

### CARELESS RIDING

Penalties should always reflect both the cause of the interference ie. the standard of riding, and its effect. Penalties should rise as the seriousness of the interference increases.

|  |                  |
|--|------------------|
| Minimal interference. Sufferer having to take a slight check or horse being shifted slightly off its line.   | caution or 1 day |
| Increased interference, either due to a manoeuvre or failing to take corrective action.<br>Rider unintentionally strikes another horse or rider when it ought to have been obvious to him that he would do so.   | 2 - 4 days       |
| Rider makes a manoeuvre or allows horse to hang or drift which results in considerable interference.<br>Rider causes considerable interference after horse hangs or drifts for a long period when it ought to have been obvious that, uncorrected, interference would result.<br>Rider causes considerable interference by allowing horse to interfere with another horse(s) over a considerable length of time, especially when preventing sufferer from riding a finish. | 5 - 9 days       |

#### Notes:

- 1) In judging the effect, the Panel should take into consideration the overall effect on the sufferer which includes:
  - **the degree of danger** eg. squeezed up against the rails
  - **the loss of opportunity to challenge for prize money** eg. chance of challenging effectively destroyed
  - **the loss of prize money** eg. sufferer comes third but would have been second but for the interferenceIt is important that all these aspects of the effect on the sufferer(s) are taken into account when deciding on penalty - one or other of the above 'effects' should increase the penalty by one or even two days.
- 2) When the interference is minimal but is caused by a manoeuvre, the appropriate penalty is more likely to be one day rather than a Caution.
- 3) Penalty should rise when horse hangs or drifts for a long period when it ought to have been obvious that, uncorrected, interference would result.
- 4) Indirect ('knock on') interference should be taken into account when assessing the level of penalty unless you are certain that the indirect interference was not reasonably foreseeable.
- 5) Actual injuries sustained by a fallen horse or rider should not be taken into account, the fall is enough.
- 6) It is impossible to cover every eventuality and therefore the level of penalty may be varied to suit the circumstances.

## PENALTY GUIDELINES (Continued)

### IMPROPER RIDING

Penalties should always reflect both the cause of the interference ie. the standard of riding, and its effect. Penalties should rise as the seriousness of the interference increases.

|   |              |
|---|--------------|
| Rider intentionally interferes with/strikes another horse or rider causing minimal interference/impact.<br>Rider intentionally attempts to interfere with/strike another horse or rider but fails to achieve it or pulls away at the last minute. | 3 - 5 days   |
| Rider intentionally interferes with/strikes another horse or rider causing increased interference/impact.   | 6 - 9 days   |
| Rider intentionally interferes with/strikes another horse or rider causing considerable interference/impact.  | 10 - 21 days |

#### Notes:

- 1) In judging the effect, the Panel should take into consideration the overall effect on the sufferer which includes:
  - **the degree of danger** eg. squeezed up against the rails
  - **the loss of opportunity to challenge for prize money** eg. chance of challenging effectively destroyed
  - **the loss of prize money** eg. sufferer comes third but would have been second but for the interferenceIt is important that all these aspects of the effect on the sufferer(s) are taken into account when deciding on penalty - one or other of the above 'effects' should increase the penalty by one or even two days.
- 2) Indirect ('knock on') interference should be taken into account when assessing the level of penalty unless you are certain that the indirect interference was not reasonably foreseeable.
- 3) Actual injuries sustained by a fallen horse or rider should not be taken into account, the fall is enough.
- 4) It is impossible to cover every eventuality and therefore the level of penalty may be varied to suit the circumstances.



## 4. IMPROPER RIDING

Another area which may give rise to a riding offence is that concerning Improper Riding. Whether the rider is mounted or dismounted this covers cases of Mis-use of the Whip (see Schedule (B)6 Part 2) or striking other riders or horses (see below), but may also be used to describe other forms of misconduct which do not give rise to interference.

The BHA remains totally committed to preventing any abuse of horses through improper use of the whip and ask Stewards to consider holding an enquiry into any case where a rider has used his whip in such a way as to cause them **concern**.

Veterinary Officers will inspect horses after a race and if it is reported that a horse is wealed a Stewards' Enquiry must be held. However, the fact that a horse has not been wealed should not dissuade you from holding an enquiry and, where appropriate, finding that excessive force has been used.

The effectiveness of various measures used to control use of the whip is kept under regular review and surveillance by the BHA. Stewards are therefore expected to maximise the deterrent effect of the Rules in this regard by enforcing them in a strict manner.

If any rider commits a breach of Rule (B)54.3 which warrants a suspension of more than 12 days he should be referred to the Disciplinary Panel for penalty.

### STRIKING OR ATTEMPTING TO STRIKE OTHER HORSES OR RIDERS WITH A WHIP

1. Rider intentionally strikes another horse or rider with his whip causing serious interference - DANGEROUS RIDING
2. Rider intentionally strikes/attempts to strike another horse or rider with his whip causing interference - IMPROPER RIDING
3. Rider intentionally strikes/attempts to strike another horse or rider with his whip but does not cause interference - IMPROPER RIDING
4. Rider unintentionally strikes another horse or rider causing some interference but should have moderated his use of the whip because of the close proximity of another horse or rider - CARELESS RIDING
5. Rider accidentally strikes another horse or rider with his whip causing interference - ACCIDENTAL INTERFERENCE

**NOTE:** If a rider hits another horse only once in a finish and the Panel consider that the rider is unlikely to have known that the horse was within striking range, more often than not it is likely to be categorised as **Accidental Interference**.

## GUIDANCE ON USE OF THE WHIP

In assessing a rider's use of the whip the Stewards should always remember that the whip should be used for safety, correction and encouragement, and never to coerce. Whilst there is a requirement on all riders to carry a whip, there is no obligation or expectation on riders using their whip.

In respect of the figures that are quoted within the Penalty Guidelines it must be understood that the recommended number of hits which might amount to a breach are not a quota, an acceptable allowance, or what might be expected in every race. Any use of the whip must in style and substance be appropriate, proportionate, professional, and take account of the Rules and these Guidelines.

Riders should consider the following factors before and after picking up their whip so as to minimise any possibility of being found in breach of the Rules:

- a) Urging the horse to lengthen its stride and increase its pace by first using hands and heels before picking up the whip;
- b) Giving consideration to how much of the race is still left to run before starting to use the whip;
- c) Showing the horse the whip and giving it time to respond before hitting it;
- d) Using the whip in the backhand position for a reminder;
- e) Having used the whip, giving the horse a chance to respond before using it again;
- f) Keeping both hands on the reins when using the whip down the shoulder in the backhand position;
- g) Using the whip in rhythm with the horse's stride and close to its side;
- h) Swinging the whip to keep the horse running straight.

## SCHEDULE (B)6 Part 2 - WHEN TO HOLD AN ENQUIRY

Having reviewed the race, and mindful of the 'recommended number of hits which could amount to a breach' contained within the Penalty Guidelines, the Stewards should hold an enquiry on every occasion that they are concerned about the way that a rider has used his whip and consider a rider's use of the whip may constitute a breach of Schedule (B)6 Part 2:

### USE OF THE WHIP

1. Hitting horses:
  - to the extent of causing a weal or an injury;
  - with the whip arm above shoulder height;
  - rapidly without regard to their stride (that is twice or more in one stride);
  - with excessive force;
  - without giving the horse time to respond.
2. Hitting horses which are:
  - showing no response;
  - out of contention;
  - clearly winning;
  - past the winning post.
3. Hitting horses in any place except:
  - on the quarters with the whip in either the backhand or forehand position;
  - down the shoulder with the whip in the backhand position;
  - unless exceptional circumstances prevail.
4. Hitting horses:
  - with excessive frequency.

When examining cases of **excessive frequency**, the Panel will consider all the relevant factors such as:

- a. Whether the number of hits was reasonable and necessary over the distance they were given, taking into account the horse's experience;
- b. Whether the horse was continuing to respond and;
- c. The degree of force that was used; the more times a horse has been hit the stricter will be the view taken over the degree of force which is reasonable.

## IMPROPER RIDING - PENALTY GUIDELINES

These are only Guidelines and do not provide an exhaustive list of offences, or circumstances, whereby a rider's use of the whip may be considered improper.

The greater the number of occasions a rider uses his whip over and above the 'recommended' the more likely it is that the incremental rise in the suspension imposed by a Panel will be increased from the usual single day.

| Schedule (B)6 Part 2 - USE OF THE WHIP<br>(Examples 1 to 3) | Recommended<br>number of hits<br>which could<br>amount to a<br>breach | Recommended<br>minimum<br>penalty |
|---|---|-----------------------------------|
| <b>Report made by Veterinary Officer</b>                    |   |                                   |
| Minor weal  | 1   | 5                                 |
| Moderate weal   | 1   | 7                                 |
| Injury  | 1   | refer                             |
| Arm above shoulder height                                   | 2   | caution                           |
| Without regard to stride (rat - tat - tat)                  | 3   | caution                           |
| Excessive force (depending on severity)                     | 1   | caution                           |
|   | 2   | 1                                 |
|   | 3   | 2                                 |
|   | 4   | 4                                 |
|   | 5   | 6                                 |
| Without time to respond (allow 3 strides per stroke)        | 3   | caution                           |
| Showing no response   | 3   | caution                           |
| Out of contention   | 2   | caution                           |
| Clearly winning (or other placing)                          | 2   | caution                           |
| Past the post   | 2   | caution                           |
| Incorrect place   | 1-2   | 1                                 |
|   | 3   | 2                                 |
|   | 4   | 3                                 |
|   | 5   | 5                                 |
| Down shoulder in forehand                                   | 2   | caution                           |
| Wild or inelegant whip waving                               | 4   | caution                           |
| Incompetent use   | 4   | submit report to<br>Disc. Dept.   |
| Continued slapping down shoulder<br>(hands on reins)        | -   | caution                           |

## EXCESSIVE FREQUENCY

This guide is for when there are concerns over the number of times the whip has been used. Was the number of hits reasonable and necessary over the distance they were given? It must be remembered that how the whip is used is as important as how often and therefore discretion can be used when considering any potential breach.

| Schedule (B)6 Part 2 - USE OF THE WHIP<br>(Example 4) | Recommended number of hits which could amount to a breach | Recommended minimum penalty |
|---|---|-----------------------------|
| <b>Excessive frequency</b>                            |   |                             |
| <b>Flat</b>   |   |                             |
| Last furlong  | 9   | caution                     |
| Last 1½ furlongs                                      | 11  | caution                     |
| Last 2 furlongs                                       | 13  | caution                     |
| Whole race  | 16  | caution                     |
| <b>Jump</b>   |   |                             |
| After last obstacle                                   | 10  | caution                     |
| After second last                                     | 13  | caution                     |
| Whole race  | 16  | caution                     |

WHIP

Although consideration should be given to how a horse has been hit, as well as how often, the level of penalty would normally rise by one day for each hit, up to three days above the recommended numbers, and thereafter by two days for each hit. e.g. 20 hits in whole race - 5 days suspension.

When considering a possible breach in a jump race, the Panel should also bear in mind that obstacles are set at varying distances. The closest obstacle to the finish is at Newton Abbot (hurdle can be as close as 120 yards). The furthest fences from the finish are Cartmel (800 yards), Aintree (543 yards) and Kelso (510 yards).

| RULE (B)54.2 -<br>Examples of Improper Riding which are <u>not</u> breaches of<br>Schedule (B)6 Part 2. (This list is not exhaustive) | Recommended number of hits which could amount to a breach | Recommended minimum penalty              |
|---|---|--|
| Striking own horse in annoyance with whip   | 1   | 4  |
| Throwing whip at horse in annoyance   | 1   | 2  |
| Punching/jabbing horse in annoyance   | 1   | 2  |
| Kicking horse in annoyance  | 1   | 4  |
| Intentionally striking or attempting to strike other horses or riders (see pages 23 and 25).  | 1   | see Improper Riding guidelines - page 23 |



## 5. OFFENCES CONSIDERED BY RACECOURSE STEWARDS

- 1) A Panel has the power at their discretion to impose any one or more of the following penalties:
  - i) Fine - not exceeding £15,000.
  - ii) Suspend a rider from riding for any period up to and including 42 days.
  - iii) Suspend a horse from running for a period of 40 days if a finding of a breach of Rule (B)59.2 and Rule (C)45.4.3 is made
  - iv) Refer any possible breach to the BHA.

- 2) A list of common offences and the penalties recommended by the BHA are set out below. Penalties are shown in 'Bands' indicating different levels of appropriate penalty.

|        | 1st Offence            | 2nd Offence | 3rd Offence | 4th Offence |
|--------|------------------------|-------------|-------------|-------------|
| BAND A | £80                    | £160        | £320        | refer       |
| BAND B | £140                   | £280        | £560        | refer       |
| BAND C | £290                   | £580        | £1,160      | refer       |
| BAND D | £650                   | £1,300      | refer       |             |
| BAND E | £80 - £10,000 or refer |             |             |             |

Band E penalties are shown as either a single fixed sum or as an 'Entry Point' within a 'Range'. A Panel should start their penalty deliberations at the 'Entry Point' and, dependent on the circumstances, reduce the sanction to take account of mitigating factors or increase the sanction to take account of aggravating factors. For second offences in Band E the penalty or 'Entry Point' should normally be doubled.

- 3) When determining whether an offence is a second or further offence a rolling 12 month period will apply, the relevant date being the date on which a finding of a breach was first made. The exceptions being Rules (A)32, (B)59.2, (B)59.4 (Sub: b)) and (C)45, where a rolling 24 months will apply.

When a second offence of the same description is committed within 12 months and no recommendation is made, the fine/suspension for the second offence should be at least double that of a first offence.

- 4) All previous offences within the previous 12 months, other than those involving Interference or Mis-use of the Whip, should be taken into account, notwithstanding that an offender may have been referred for a previous offence.
- 5) Amateur Riders and Apprentice/Conditional jockeys should be treated as full jockeys.

## RECOMMENDED PENALTIES FOR OFFENCES CONSIDERED BY RACECOURSE STEWARDS

| Manual   | Other Manuals Offence related to  | Band or Entry Point | Range                     |
|--|---|---------------------|---------------------------|
| (A)27.2  | Possession on racecourse premises of a potentially allowable substance where dispensation would normally be given if requested  | C                   |                           |
| <b>Note 1:</b>   | If electrolytes are found in an oral applicator or if a Catheter Mount syringe is found together with such substances as glycerine or electrolytes and the Stewards are satisfied that the syringe was for the use of administering said substance (Band C) |                     |                           |
| (A)27.2  | Possession of unallowable substance i.e. a substance for which dispensation would <b>not</b> be granted   | £1,000              | £750 - £1,500             |
| <b>Note 2:</b>   | Fine level to reflect substance found and intention:<br>Substance with no therapeutic application e.g. snake venom (refer)<br>Medications e.g. Bute (£1,000)<br>Adjuncts e.g. Vitamin B12 (£750)  |                     |                           |
| (A)27.2  | Possession of any means of administering a substance where dispensation has not been granted  | £750                | £500 - £1,000             |
| <b>Note 3:</b>   | Catheter Mount syringe/oral applicator without accompanying glycerine or electrolytes (£500)<br>Luer lock syringe with or without substances (£750)   |                     |                           |
| Fines for breaches of (A)27.2 should be imposed first and foremost for the substance which is found and then reflect whether it was a failure to request dispensation. Fines should not be increased just because the substance is also in a syringe or a syringe is present in order to administer the substance. |   |                     |                           |
| (A)31.2  | Misleading the Stewards   | £1,500              | £500 - £5,000<br>or refer |
| (A)31.2  | Giving deliberately misleading evidence at an enquiry*  |                     |                           |
| *Stewards should not hold enquiries concerning evidence given to them at an enquiry. If they suspect there has been an earlier attempt deliberately to mislead them, they should formally express their concerns at the conclusion of the enquiry or refer the matter  |   |                     |                           |
| (A)32.1  | (a) Violent or Improper conduct towards Stewards or Officials   |                     |                           |

| Manual  | Other Manuals Offence related to  | Band or Entry Point                 | Range                          |
|---|---|-------------------------------------|--------------------------------|
|   | i) Abusive behaviour (verbal only)  | 4 days (rider)<br>£1,000 (trainer)  | 1-21 days<br>£100 - £5,000     |
|   | ii) Threatening behaviour (verbal, physical gestures)   | 21 days (rider)<br>£5,000 (trainer) | 14-42 days<br>£2,500 - £10,000 |
|   | iii) Violent conduct (physical contact)   | refer                               |                                |
|   | (b) Violent or Improper conduct between riders/trainers   | 4 days (rider)<br>£500 (trainer)    | 1-21 days<br>£100-£5,000       |
| (A)32.1   | Misuse of badges  |                                     |                                |
|   | a) Rider/trainer who allows an unauthorised person to use his badge on a racecourse   | C                                   |                                |
|   | b) Person who uses a rider's/trainer's badge on the racecourse to which he is not entitled. Also agrees to be bound by the Rules* | C                                   |                                |
| * If he does not accept that he is bound by the Rules he must be referred because only the Disciplinary Panel are empowered to deal with such persons. Furthermore, the only penalty that can be imposed is exclusion from all racecourses under Rule (A)64 |   |                                     |                                |
| (A)32.1   | Ignoring veterinary surgeon's instructions and riding a lame horse back from the start  | 21 days                             | 14-28 days                     |
| (A)39   | Sponsorship on silk cap   | B                                   |                                |
| (B)23.5   | Failure to declare correct information on declaration sheet   | A                                   |                                |
| (B)25.6   | Declared rider not present on instructions of trainer   | C                                   |                                |
| (B)27.3   | Saddling - not in appointed place   | B                                   |                                |

| <b>Manual</b> | <b>Other Manuals related to</b> | <b>Offence</b>                              | <b>Band or Entry Point</b>  | <b>Range</b>  |
|---------------|---------------------------------|---|---|---------------|
| (B)27.5       |                                 | Horse late in parade ring                   |   |               |
|               |                                 | a) Group/Grade 1                            | £1,000  | £500-£5,000   |
|               |                                 | b) All other Races                          | B   |               |
| (B)28         |                                 | Failure to comply with parade ring protocol | A   |               |
| (B)28.1       |                                 | Late arrival of rider in parade ring        | B   |               |
| (B)29.1       |                                 | Failure to ride past the stands             | B   |               |
| (B)29.3       |                                 | Taking incorrect route to start             | B   |               |
| (B)30         |                                 | Parades                                     |   |               |
|               |                                 | Group/Grade 1                               | £1,000  | £750 - £1,500 |
|               |                                 | Other races                                 | £500  | £300 - £1,000 |
| (B)33.6       |                                 | Jumping a preliminary jump                  | B   |               |
| (B)34.3       |                                 | Using a whip at the start                   | B   |               |
| (B)36.1       |                                 | Rider late to the start                     |   |               |
|               |                                 | 1st-4th Offence (same penalty)              | 1 day   |               |
|               |                                 | 5th Offence                                 | refer   |               |
| (B)39.5       | (B)39.6                         | Failure to obey recall flag                 | 10 days   |               |
| (B)41.1       | Schedule (B)5                   | Unruly behaviour of horse                   |   |               |
|               |                                 | 1st Occasion before Stewards                | Warning (FSB)   |               |
|               |                                 | 2nd Occasion                                | refer   |               |
| (B)41.2       |                                 | Starting Stalls - report by Starter         |   |               |
|               |                                 | 1st Occasion                                | Starting Stalls test required   |               |
|               |                                 | 2nd Occasion within 12 months               | Starting Stalls test required and warned will be prevented from taking further test for 6 months if reoffends |               |
|               | Schedule (C)5 3.5               | 3rd Occasion within 12 months               | 6 month restriction unless Schedule (C)5 3.8 applies  |               |

| Manual  | Other Manuals related to | Offence   | Band or Entry Point  | Range      |
|---------|--------------------------|---|--|------------|
|         |                          | 4th Occasion within 12 months   | refer  |            |
| (B)42.4 |                          | Misconduct by trainer/representative at the start                               | B  |            |
| (B)45.2 |                          | Failure to ride to their draw   |  |            |
|         |                          | a) 1st-4th Offence (same penalty)   | 1 day  |            |
|         |                          | b) 5th Offence  | refer  |            |
| (B)45.6 |                          | On trainer's instructions   | C  |            |
| (B)46   |                          | Remounting  | 4 days   |            |
| (B)46.4 |                          | Complete the course with other runners, having pulled up                        | A  |            |
| (B)49.1 | (B)51                    | Rider ignores the direction markers   | Disqualify horse 10 days   |            |
| (B)51.1 | (B) 51.3                 | Rider fails to pull up having knowingly taken the wrong course                  | Disqualify horse 3 days (additional penalty for taking wrong course) | 1-10 days  |
| (B)53   | Schedule (B)6            | Interference (Dangerous Riding)   | See page 21  |            |
| (B)54   | Schedule (B)6            | Interference (Careless & Improper)  | See pages - 22 & 23  |            |
| (B)54   |                          | Whip - Improper Riding  |  |            |
|         |                          | a) Misuse of the Whip   | See pages - 28 & 29  |            |
|         |                          | b) Hitting another rider deliberately with the whip                             | See page 23  |            |
| (B)57.1 |                          | Rider makes a manoeuvre to allow another horse a clear run                      |  |            |
|         |                          | (i) but causes no interference  | 7 days   | 5-10 days  |
|         |                          | (ii) but fails to achieve his best possible placing                             | 14 days  | 7-21 days  |
| (B)57.1 |                          | Rider intentionally interferes with a horse to assist another horse in the race | 21 days  | 10-28 days |

| Manual    | Other Manuals related to | Offence   | Band or Entry Point        | Range            |
|-----------|--------------------------|---|----------------------------|------------------|
|           |                          | Rider causes interference as a result of moving off his racing line to assist another horse in the race | 10 days                    | 7-14 days        |
| (B)57.3   |                          | Trainer instructs rider to breach Rule (B)57.1  | £10,000                    | £5,000 - £15,000 |
| (B)58     | (D)45                    | Horse not running on its merits ('PLACING' means any placing from and including first to last)          | See pages 8 - 12           |                  |
| (B)59     | (D)45                    | Horse not running on its merits ('PLACING' means any placing from and including first to last)          | See pages 8 - 12           |                  |
| (B)59.3   |                          | Taking the wrong course   | See page 9                 |                  |
| (B)67.4.2 | (B)14.2<br>(D)47.1       | Failure to weigh in   | Mandatory Disqualification |                  |
|           |                          | Winner  | 21 days                    |                  |
|           |                          | Second/Third  | 7 days                     |                  |
|           |                          | Fourth (or any other placing for which there is prize money)  | 3 days                     |                  |
| (B)67.4.3 |                          | Weighing in at 2lbs or more overweight  |                            |                  |
|           |                          | (i) First four placings   | 3 days                     |                  |
|           |                          | (ii) Any other placing  | 2 days                     |                  |
| (B)67.4.4 | (B)14.2<br>(C)43.3.3     | Failure to draw the weight at which the rider weighed out by more than 1lb                              | Mandatory disqualification |                  |
|           |                          | (i) Winner  | 5 days                     |                  |
|           |                          | (ii) Second/Third   | 4 days                     |                  |
|           |                          | (iii) Any other placing   | 3 days                     |                  |
| (B)75.5   |                          | No good and reasonable grounds for objection  | A                          |                  |
|           |                          | - frivolous or vexatious  | C                          |                  |

| Manual            | Other Manuals related to | Offence  | Band or Entry Point                                  | Range                                 |
|-------------------|--------------------------|--|--|---------------------------------------|
| (B)83             |                          | Failure to obey Stewards   | 2 days (rider)<br>£500 (trainer)                     | 1-28 days<br>£100 - £10,000           |
| (B)83             | (B)6.1.7<br>(B)6.1.8     | Refusal to allow horse to be examined  | Pre race: horse withdrawn<br><br>Post race: £2,000   | refer<br><br>£1,000 - £7,500 or refer |
| (B)83             |                          | Refusal to attend an enquiry   | £3,000   | £1,000 - £10,000                      |
| Schedule (B)3 7.1 | (C)33                    | Substance administered on day of race (after 12 midnight) without dispensation either on racecourse premises or prior to the race. |  |                                       |
|                   |                          | a) Pre race:<br>Unallowable substance  | Withdraw<br>See <b>Note 2</b> under (A)27.2 or refer |                                       |
|                   |                          | Allowable substance  | Horse can run<br>C                                   |                                       |
|                   |                          | b) Post race:<br>Unallowable substance   | See <b>Note 2</b> under (A)27.2                      |                                       |
|                   |                          | Allowable substance  | C  |                                       |

**Note:** If it is found post race that any substance was given pre-race, the horse should normally be sampled and the matter referred so that consideration can be given to the horse's possible disqualification and a penalty for the trainer.

Fines for breaches of Schedule (B)3 7.1 should be imposed first and foremost for the substance which is found and then reflect whether it was a failure to request dispensation. Fines should not be increased just because the substance is also in a syringe or a syringe is present in order to administer the substance.

|                   |             |   |                            |
|-------------------|-------------|---|----------------------------|
| Schedule (B)3 7.1 | (C)36.5.3.3 | Substance given on day of race and before it runs for which permission would not be granted | Horse must not run - refer |
|-------------------|-------------|---|----------------------------|

|               |  |  |            |
|---------------|--|--|------------|
| Schedule (B)4 |  | Loss of blinkers, hood, visor, eyecover, eyeshield or sheepskin cheek pieces |            |
|               |  | i) Accidental  | No penalty |
|               |  | ii) Deliberate to affect performance   | refer      |

| Manual            | Other Manuals Offence related to  | Band or Entry Point      | Range |
|-------------------|---|--------------------------|-------|
|                   | a) In paddock<br>- time to add declared garment or remove non-declared garment        | No fine                  |       |
|                   | - if garment cannot be added  | B<br>Horse withdrawn     |       |
|                   | b) At start<br>- without declared garment/ with non-declared garment                  | B<br>Horse withdrawn     |       |
| Schedule (B)4 3.1 | Undeclared tongue strap worn prior to or in a race                                    | C<br>Horse can run       |       |
| Schedule (B)4 4.4 | Modification of visors  |                          |       |
|                   | 1st Offence   | Draw trainer's attention |       |
|                   | 2nd Offence   | B                        |       |
| Schedule (B)4 5.2 | Declared tongue strap not fitted in error or not shown to Veterinary Officer/ Surgeon | B                        |       |
| Schedule (B)4 5.6 | Substitution of incorrectly declared garment  | B                        |       |
| Schedule (B)4 5.7 | Tongue strap declared in error  | B<br>Horse can run       |       |
| Schedule (B)4 7.1 | (C)36.1<br>Oversize calkins/ nailheads  |                          |       |
|                   | a) Horse withdrawn or problem resolved  | B                        |       |
|                   | b) Horse runs in oversize calkins/ nailheads  | C                        |       |
| Schedule (B)4 8   | Nasal dilators or supports  | C                        |       |
| Schedule (B)4 8   | Bells   | B                        |       |

| Manual   | Other Manuals related to | Offence  | Band or Entry Point     | Range        |
|--|--------------------------|--|-------------------------|--------------|
| (C)31.1  |                          | Any form of ringworm   |                         |              |
|  |                          | Failure to produce a Certificate   | B                       |              |
| (C)32.2  |                          | Failure to use racecourse stable or failure to vacate                                  | B                       |              |
| (C)33.3  |                          | Substance administered on racecourse premises the day before race without dispensation |                         |              |
|  |                          | Allowable substance  | Horse can run           | C            |
|  |                          | Unallowable substance  |                         |              |
|  |                          | a) If trainer runs horse   | Refer                   | Sample horse |
|  |                          | b) If trainer withdraws horse  | See <b>Note 2</b> under | (A)27.2      |
| <p>Fines for breaches of Rule (C)33.3 should be imposed first and foremost for the substance which is found and then reflect whether it was a failure to request dispensation. Fines should not be increased just because the substance is also in a syringe or a syringe is present in order to administer the substance.</p> |                          |  |                         |              |
| (C)33.7  |                          | Use of physiotherapy machine without permission  | A                       |              |
| (C)34.1  |                          | Failure of trainer to report reason for poor performance*                              | C                       |              |
|  |                          | *Horse wins, rating having dropped   | D                       |              |
| (C)34.3  | Schedule (B)4<br>5.1     | Trainer fails to report that horse lost tongue strap during race                       | B                       |              |
| (C)36.1.2  |                          | Reins not correctly attached to bridle   | A                       |              |
| (C)36.1.3  | (C)44.1                  | Other equipment worn by a horse  | B                       |              |
| (C)39.3  |                          | Identity card offence - trainer  | A                       |              |
| (C)40.5  |                          | Identity card offence - employee   | A                       |              |
| (C)42.1.1  |                          | Failure to reserve overnight accommodation - staff                                     | A                       |              |

| Manual    | Other Manuals related to | Offence  | Band or Entry Point | Range              |
|-----------|--------------------------|--|---------------------|--------------------|
| (C)42.1.2 |                          | Failure to reserve overnight stabling  | A                   |                    |
| (C)43.1   |                          | Leading horses incorrectly   | A                   |                    |
| (C)43.2   |                          | Incorrect weight or colours in racecard not declared:  |                     |                    |
|           |                          | a) Colours   | A                   |                    |
|           |                          | b) Incorrect weight  | B                   |                    |
| (C)43.3.1 |                          | Number cloth not carried   | B                   |                    |
| (C)43.3   | (B)67.4.4                | Saddling errors  | B                   |                    |
|           |                          | If trainer is the cause for rider failing to draw the weight by more than 1lb                  |                     |                    |
|           |                          | i) Winner  | £1,500              |                    |
|           |                          | ii) Second/Third   | £1,000              |                    |
|           |                          | iii) Any other placing   | £750                |                    |
| (C)43.4   |                          | Removal of speed sensing device  | C                   |                    |
| (C)43.5.2 |                          | Removal of lead  | B                   |                    |
| (C)43.5.3 |                          | Add, remove or change equipment  | B                   |                    |
|           |                          | Results in rider 2lbs or more overweight   | C                   |                    |
| (C)44.1   | (C)36.1.3                | Fit condition of saddle - trainer  | B                   |                    |
| (C)44.6   |                          | Late arrival of apprentice or conditional  | B                   | Impose on employer |
| (C)45     | D(45)                    | Horse not running on its merits ('PLACING' means any placing from and including first to last) | See pages 8 - 12    |                    |
| (C)45     | Schedule (B)6 Part 2     | Whip - instructions by trainer   |                     |                    |
|           |                          | when rider IN breach   |                     |                    |
|           |                          | a) Inadequate  | B                   |                    |
|           |                          | b) Unacceptable  | D                   |                    |

| Manual            | Other Manuals Offence related to  | Band or Entry Point                         | Range |
|-------------------|---|---|-------|
|                   | c) Failure to give any to apprentice/ conditional                                       | B   |       |
|                   | when rider NOT IN breach  |   |       |
|                   | d) Failure to give any to apprentice/ conditional                                       |   |       |
|                   | 1st Offence   | Draw trainer's attention                    |       |
|                   | 2nd Offence   | B   |       |
| (C)46             | Running and riding enquiry  |   |       |
|                   | a) Trainer fails to authorise person to represent him                                   | C   |       |
|                   | b) Trainer's representative unaware of rider's instructions                             | C   |       |
| (C)48.1           | Trainer reported unschooled horse   |   |       |
|                   | 1st Occasion  | FSB   |       |
|                   | 2nd Occasion  | refer                                       |       |
| (C)56.2           | Refusal to allow horse into sampling unit   | refer                                       |       |
| Schedule (C)5 3.3 | (C)48.5 a) Starting Stalls test failure following 1st Starter's report within 12 months |   |       |
|                   | within 7 days of report   | £650  |       |
|                   | between 8-14 days   | £290  |       |
| Schedule (C)5 3.4 | b) Starting Stalls test failure following 2nd Starter's report within 12 months         |   |       |
|                   | within 14 days of report  | £1,300                                      |       |
|                   | between 15-28 days  | £290  |       |
| Schedule (C)5 3.7 | Failing two consecutive stalls  | 6 months restriction on taking further test |       |

| Manual  | Other Manuals related to         | Offence  | Band or Entry Point | Range                  |
|---------|----------------------------------|--|---------------------|------------------------|
|         |                                  | Third consecutive failure  | refer               |                        |
| (D)24.1 |                                  | Failure to bring Medical Record Book                                 |                     |                        |
|         |                                  | 1st and 2nd offence  | A                   | By Clerk of the Scales |
|         |                                  | 3rd offence  | C                   |                        |
| (D)31.1 |                                  | Rider fails to notify Clerk of Course when unable to ride            | B                   |                        |
| (D)31.2 |                                  | Rider substitution procedure   | B                   |                        |
| (D)32   | (D)74                            | Rider or valet leaves racecourse and returns without permission      | C                   |                        |
|         |                                  | - unless of the opinion he left for suspicious reason, in which case | refer               |                        |
| (D)33   |                                  | Mobile telephones (Rider)  |                     |                        |
|         |                                  | a) Oversight   | C                   |                        |
|         |                                  | b) Deliberate  | refer               |                        |
| (D)36.1 | (C)25<br>Schedule (D)2<br>Part 1 | Skull cap/safety vest - to be worn when mounted                      | B                   |                        |
| (D)36.1 | (C)25<br>Schedule (D)2<br>Part 1 | Skull cap/safety vest - unserviceable/modified                       |                     |                        |
|         |                                  | a) Accidental  | B                   |                        |
|         |                                  | b) Deliberate  | D                   |                        |
| (D)36.2 |                                  | Modified safety vest on racecourse                                   | C                   |                        |
| (D)36.4 | (C)44.1                          | Fit condition of saddle  | B                   |                        |
| (D)37   | Schedule (D)2<br>Part 2          | Whip more severe than provided for in the specifications*            |                     |                        |

\*Stewards must prohibit the use of the whip and submit report, along with confiscated whip, to the Head of Disciplinary

|         |                         |  |   |  |
|---------|-------------------------|--|---|--|
| (D)37.1 |                         | Failure to carry a whip                | A |  |
| (D)37.1 | Schedule (D)2<br>Part 2 | Whip not complying with specifications | B |  |

| Manual  | Other Manuals related to     | Offence  | Band or Entry Point    | Range         |
|---------|------------------------------|--|------------------------|---------------|
| (D)37.1 | Schedule (D)2 Part 2 14 & 15 | Failure to use Microchipped whip   |                        |               |
|         |                              | 1st offence  | Draw rider's attention |               |
|         |                              | 2nd offence  | Caution                |               |
|         |                              | 3rd offence  | A                      |               |
| (D)38.7 |                              | Failure to remove the blindfold  | B                      |               |
| (D)38.8 |                              | Ear Plugs removed  |                        |               |
|         |                              | a) By rider  | 1 day                  |               |
|         |                              | b) On instruction of trainer/owner   | D                      |               |
| (D)40.1 | (C)44.6                      | Rider fails to acquaint himself with course                                    | 4 days                 | 3-7 days      |
| (D)41   | (B)22                        | Late arrival or failure of rider to weigh out                                  | B                      |               |
| (D)41   |                              | Failure of rider to weigh out because declared to ride two horses in same race | B                      |               |
| (D)41   |                              | Refusal to ride before weighing out  | C                      |               |
| (D)42.6 | Schedule (D)2 Part 1         | Safety vest - weighing out   |                        |               |
|         |                              | a) Accidental  | B                      |               |
|         |                              | b) Deliberate failure to wear  | D                      |               |
| (D)43.1 |                              | Leaving saddle unattended  | A                      |               |
| (D)43.1 |                              | Equipment or clothing (inc safety vest) changes after weighing out             |                        |               |
|         |                              | a) Accidental  | B                      |               |
|         |                              | b) Deliberate  | D                      |               |
| (D)43.3 |                              | Failure to ride after weighing out   | £800                   | £650 - £2,500 |
| (D)44.2 | (D)40.2                      | Rider goes into wrong stall  |                        |               |
|         |                              | 1st offence  | Caution                |               |
|         |                              | 2nd offence  | £80                    |               |

| Manual            | Other Manuals Offence related to  | Band or Entry Point | Range              |
|-------------------|---|---------------------|--------------------|
|                   | 3rd offence   | £140                |                    |
|                   | 4th offence   | 1 Day               |                    |
|                   | If deliberate, 1st offence  | 7 Days              |                    |
|                   | Rider starts from wrong stall   |                     |                    |
|                   | a) Accidental   | 1 day               |                    |
|                   | b) Deliberate   | 7 days              |                    |
| (D)44.2           | Flip start- rider starts from wrong position                              |                     |                    |
|                   | a) Accidental   | 1 day               |                    |
|                   | b) Deliberate   | 7 days              |                    |
| (D)44.4           | Schedule (B)5<br>Misconduct by rider at the start                         |                     | 1-5 days           |
|                   | Allowed his horse's head to be in contact/ over the starting tape         | 1 day               |                    |
|                   | Attempted to line up/ lined up for start before being instructed to do so | 1 day               |                    |
|                   | Did not walk in or jig jog/broke the starting tape                        | 1-2 days            |                    |
|                   | Ignored the Starter/ Assistant's instructions                             | 4 days              |                    |
|                   | Deliberately faced his horse backwards                                    | 2 days              |                    |
|                   | Abusive comments directed at Starter/ Assistant                           | 2 days              |                    |
| (D)45.3           | a) Failure to dismount from a lame or injured horse                       | 10 days             | 7-14 days or refer |
|                   | b) Continuing on an exhausted horse                                       | 8 days              | 5-12 days or refer |
| (D)46.1           | Dismount before appropriate place   | B                   |                    |
| (D)46.5.1         | Removal of saddle   | 1 day               |                    |
| (D)46.5.2 (D)47.3 | Procedures prior to Weighing In   |                     |                    |
|                   | - accidental  | 1 day               |                    |
|                   | - deliberate  | 3 days              |                    |

| Manual        | Other Manuals related to      | Offence   | Band or Entry Point | Range                                       |
|---------------|-------------------------------|---|---------------------|---|
| (D)47.1       |                               | Failure to present himself to Clerk of Scales   | A                   |   |
| (D)47.5       |                               | Rider not remaining within the vicinity of the weighing room for 5 minutes after the announcement of "Weighed In" | C                   |   |
| (D)48         | (C)35                         | Failure of rider to report that horse has gurgled   | B                   |   |
| (D)49         |                               | Failure of rider to report reason for poor performance  | B                   |   |
| (D)50         |                               | Failure to report to the RMO  | B                   |   |
| (D)52         |                               | Late arrival at Stewards' Room  | B                   |   |
| (D)74         |                               | Mobile telephones (Valet)   |                     |   |
|               |                               | a) Oversight  | C                   |   |
|               |                               | b) Deliberate   | refer               |   |
| (D)74.1.1     | (D)32                         | Valet leaves racecourse and returns without permission  | C                   |   |
|               |                               | - unless of the opinion he left for suspicious reason, in which case  | refer               |   |
| (E) Chapter 3 |                               | Horse subject to ID check   |                     |   |
|               | (C)24<br>(E)15.3<br>(E)16.3   | i) Passport not produced  | C                   | inc NR penalty<br>Horse must not run        |
|               | E(15)<br>E(16)                | ii) Cannot be identified from markings  | refer               | Horse must not run                          |
|               | (C)24<br>(E)18<br>(E)19       | iii) Vaccination section of passport not completed correctly  | B                   | As it can be identified allow horse to run. |
| (E)18         | (C)56.5<br>(E)15.3<br>(E)16.3 | Horse subject to vaccination/ sampling unit check but passport not available                                      | B                   | Ask trainer to sign declaration             |

| Manual  | Other Manuals related to | Offence   | Band or Entry Point                       | Range |
|---------|--------------------------|---|---|-------|
| (E)18   |                          | Vaccinations section of passport not completed correctly - other than alteration or a recheck | B   |       |
| (E)18   |                          | Recheck reveals vaccination record still out of order   | D   |       |
| (E)18.2 |                          | Horse never vaccinated  | D<br>inc NR penalty<br>Horse must not run |       |
| (E)18.6 |                          | Horse vaccinated within previous seven days   | C<br>inc NR penalty<br>Horse must not run |       |
| (E)19.5 | (E)19                    | Alteration to vaccination record - other than in a recheck                                    | A   |       |
| (E)19.5 |                          | Recheck reveals alteration to vaccination record still out of order                           | C   |       |
| (E)82.1 |                          | Runs in colours other than those registered   | A   |       |
| (E)82.7 |                          | Not as description/not registered colours   | A   |       |
| (E)89   | Schedule (B)6 Part 2     | Whip - instructions by owner  |   |       |
|         |                          | when rider IN breach  |   |       |
|         |                          | a) Inadequate   | B   |       |
|         |                          | b) Unacceptable   | D   |       |
|         |                          | c) Failure to give any to apprentice/conditional  | B   |       |
|         |                          | when rider NOT IN breach  |   |       |
|         |                          | d) Failure to give any to apprentice/conditional  |   |       |
|         |                          | 1st Offence   | Draw owner's attention                    |       |
|         |                          | 2nd Offence   | B   |       |
| (F)63.1 |                          | Failure to lodge passport   | A   |       |
| (F)92.2 |                          | Failure to declare a rider  | B   |       |

| Manual  | Other Manuals Offence related to   | Band or Entry Point   | Range         |
|---------|--|---|---------------|
| (F)92.6 | Unavailable rider declared to ride   | A   |               |
| (F)96.1 | Horse does not run   | B   |               |
| (F)96.2 | Double declarations  |   |               |
|         | a) Circumstances not exempted by Rules (F)98 and (F)99   | D<br>inc NR penalty   |               |
|         | b) Runs in non-preferred meeting contrary to Rules (F)98.5 and (F)99.5                                 | £1,200<br>inc NR penalty  |               |
|         | Examples:  |   |               |
|         | a) Horse is declared to run in one race at Ayr & one race at Bath but runs at Bath                     | D   |               |
|         | b) Horse is declared to run in two races at Ayr and runs in the first                                  | D   |               |
|         | c) Horse is declared to run in two races at Ayr but runs in neither                                    | D<br>Plus second NR penalty                                       |               |
|         | d) Horse is declared to run in one race at Ayr & one at Bath & runs in neither                         | D<br>Second meeting should also impose NR penalty                 |               |
|         | e) Horse is declared to run in one race at Ayr & two at Bath but runs in none                          | D<br>Plus two further NR penalties as appropriate to the meetings |               |
| (F)96.4 | Wilful disregard of interest of racegoers - taking account of nature of offence and importance of race | £500  | £250 - £1,500 |
| (F)100  | Non-runner - failure to notify Racing Calendar Office or Clerk of the Scales                           | B   |               |



## 6. OFFENCES CONSIDERED BY THE DISCIPLINARY PANEL

- 1) The Disciplinary Panel has the power at its discretion under Rule (A) Chapter 2 of the Rules of Racing to impose any one or more of the following penalties:
  - (a) a fine not exceeding £75,000;
  - (b) declare a person disqualified;
  - (c) withdraw or suspend a licence or permit and to defer a suspension but not normally for more than 6 months
  - (d) make any person ineligible for any licence or permit or registration under the Rules of Racing for such period or periods as they may in their discretion think fit;
  - (e) issue a caution;
  - (f) in the case of a rider, order attendance at a course in remedial training at the British Racing School or Northern Racing College;
  - (g) in the case of a trainer, to refuse to accept or to allow as the case may be for such period or periods as they think fit:
    1. any entries for horses in the care of the trainer except for races that will be run outside that period;
    2. any horse to run in the care of the trainer even if duly entered;
    3. any horse that has left the care of the trainer and run in a race to return to the care of the trainer until such period has expired;
    4. any horse to be declared to run under Rule (F)89 in the care of the trainer except for races that will be run outside that period.
- 2) When deciding the appropriate penalty the Panel should normally start their deliberations at the 'Entry Point' highlighted within the 'Range' and, dependent on the circumstances, reduce the sanction to take account of mitigating factors or increase the sanction to take account of aggravating factors. The 'Entry Point' is therefore the normal penalty for a case with no aggravating or mitigating factors. In all cases the Panel has the discretion to impose a sanction which is outside the 'Range'. In respect of offences not referred to in the table, appropriate sanctions may be imposed at the discretion of the Panel by applying suggestions of similar sorts of offences or by referral to the recommendations given to the Stewards.
- 3) Having by this process determined the penalty within the 'Range' which the Panel would impose for the offence the Panel should then consider whether the penalty should be reduced in recognition of the conduct of the person concerned since first being on notice that his conduct was under investigation. The Panel may reduce a penalty by as much as one half where the person has co-operated fully with the investigation and, where applicable, provided information enabling action to be taken against other wrong doers. In a case where the person concerned admits the charge in the form sent to him in accordance with Schedule (A)6 Paragraph 7.2 the Panel may consider reducing the penalty by up to a third. The policy behind mitigating penalties in this way is to encourage persons who are guilty of an offence to make as early an admission as possible so as to release racing's limited resources for pursuing

other matters; to facilitate action against others, and to save the time and expense of lengthy investigations and hearings. The reduction in penalty will therefore in all probability be smaller (and perhaps not applied at all) in straightforward cases where the evidence of breach is plain and compelling or video based, as will also be the case where admissions are not made until shortly before or at the hearing. Reduction of penalty will therefore also have no or limited application regarding standalone riding offences and cases of strict liability eg. prohibited substances.

- 4) The Panel will not normally consider a previous decision to be helpful or relevant when deciding the appropriate penalty to be applied in accordance with the principles set out in these guidelines.
- 5) The Panel should have regard to the current guideline at the date of its decision on penalty provided that it must not apply a penalty greater in its effect or different in kind from that which it would have the power to impose under the Rules of Racing in force at the time of the offence(s).
- 6) Where the Panel imposes a significant period of suspension or equivalent penalty it may be expected to make the person ineligible under Rule (A)57 for alternative involvement as a participant in horseracing in all licensed or permitted capacities and such other capacities as it may consider appropriate to the case for the same period.
- 7) The Panel may order the trainer and/or owner to pay up to a total of £500 towards the costs of the counter analysis procedure set out in Schedule (C)7.
- 8) The protocol in relation to Guilty Pleas and Plea Bargaining can be found at Schedule (A)10.

## RECOMMENDED PENALTIES FOR OFFENCES CONSIDERED BY DISCIPLINARY PANEL

| Manual  | Other Manuals Offence related to   | Band or Entry Point                             | Range                               |
|---------|--|---|-------------------------------------|
| (A)15.1 | Unlicensed rider rides in race   | Disqualify horse £150 or Suspend licence 2 days | £100 - £1,000<br>1-5 days           |
| (A)27   | Administers or attempts to administer a prohibited substance                   | £2,000 or Disqualify/Exclude 1 year             | £1,000 - £12,000<br>1 month-5 years |
|         | Stored samples   | Disqualify/Exclude 2 years                      | 1-10 years                          |
| (A)29   | Entering not qualified horse   | £1,000 or Disqualify/Exclude 3 months           | £500 - £3,000<br>1 month-3 years    |
| (A)30   | Prejudicial to the integrity, proper conduct or good reputation of horseracing | £2,000 or Suspend/Withdraw/Disqualify 3 months  | £1,000 - £15,000<br>1 month-3 years |

| <b>Manual</b> | <b>Other Manuals Offence related to</b>  | <b>Band or Entry Point</b>   | <b>Range</b>                         |
|---------------|--|--|--------------------------------------|
| (A)30.2       | Schedule (A)4 Bloodstock code of practice  | £7,500 or Suspend/Withdraw/Disqualify/Exclude 6 months or refuse to accept entries | £5,000 - £15,000<br>3 months-3 years |
| (A)30.3       | Associating with a disqualified or excluded person under Rule (A)64                            | £1,000 or Suspend/Withdraw/Disqualify 2 months or refuse to accept entries         | £500 - £2,500<br>1 month-1 year      |
| (A)31.1       | Rider failing to attend seminar or training course   | 5 days   | 2-10 days                            |
|               | Breach of declaration or undertaking by licensed person ie. Terms and Conditions of Employment | £750   | £500 - £5,000                        |
|               | Failure to comply with requirement   | £750   | £500 - £5,000                        |
|               | Provide inaccurate information or omit any relevant information                                | £250   | £100 - £2,000                        |
| (A)31.2       | Forged signature   | £750 or Suspend/Withdraw/Disqualify 2 months                                       | £500 - £2,000<br>1 month-1 year      |
|               | Misleading or endeavouring to mislead the persons referred to in the Rule                      | £2,000 or Suspend/Withdraw/Disqualify/Exclude 3 months                             | £1,000 - £5,000<br>1 month-3 years   |
|               | Misleading or endeavouring to mislead an Investigating Officer                                 | £2,000 or Suspend/Withdraw/Disqualify/Exclude 3 months or refuse to accept entries | £1,000 - £5,000<br>1 month-3 years   |
|               | Rider giving deliberately misleading evidence at an enquiry                                    | 7 days   | 5-10 days                            |
|               | Trainer giving deliberately misleading evidence at an enquiry                                  | £1,500   | £500 - £5,000                        |

| <b>Manual</b> | <b>Other Manuals Offence related to</b>   | <b>Band or Entry Point</b>                           | <b>Range</b>                      |
|---------------|---|--|-----------------------------------|
| (A)32         | (a) Violent or Improper conduct towards Stewards or Officials   |  |                                   |
|               | i) Abusive behaviour (verbal only)  | 4 days (rider)<br>£1,000 (trainer)                   | 1-21 days<br>£100 - £5,000        |
|               | ii) Threatening behaviour (verbal, physical gestures)   | 21 days (rider)<br>£5,000 (trainer)                  | 14-42 days<br>£2,500 - £10,000    |
|               | iii) Violent conduct (physical contact)   | £5,000 or Suspend/<br>Disqualify/Exclude<br>3 months | £2,500-£12,000<br>1 month-3 years |
|               | (b) Violent or Improper conduct between riders/trainers   | 4 days (rider)<br>£500 (trainer)                     | 1-21 days<br>£100-£5,000          |
| (A)33         | Bribes  | Disqualify/Exclude<br>3 years                        | 3 months-10 years                 |
| (A)35.4       | Service provider - lays any horse owned, trained or ridden by the person for whom he has provided a service etc | Disqualify/Exclude<br>18 months                      | 3 months-10 years                 |
| (A)35.9       | Failing to ensure that no other person uses an account in his name to lay any horse                             | £10,000  | £5,000 - £20,000                  |
| (A)36         | Information for reward etc  |  |                                   |
|               | Rider   | Disqualify<br>3 years                                | 18 months-5 years                 |
|               | Trainer/owner/ authorised rider's agent   | Disqualify<br>3 years                                | 18 months-5 years                 |
|               | Stable employee   | Disqualify<br>3 years                                | 18 months-5 years                 |
|               | Service provider/other person   | Disqualify/Exclude<br>3 years                        | 18 months-5 years                 |
| (A)37         | Assist or cause another person to be in breach  | For Penalty see Rule that was breached               |                                   |

| <b>Manual</b> | <b>Other Manuals Offence related to</b>                                      | <b>Band or Entry Point</b>   | <b>Range</b>                               |
|---------------|--|--|--|
| (A)38         | Participation at unrecognised race meeting                                   | Disqualify<br>3 months   | 1 month-1 year                             |
| (A)39         | Breaching owners' trainers' or riders' sponsorship controls                  |  |  |
|               | 1st Offence  | Draw attention to Code and warn that liable to a fine on next occasion |  |
|               | 2nd Offence  | £150   |  |
| (A)39         | (C)26 Failing to remove sponsorship branding when instructed                 | £600   | £500 - £1,000                              |
| (A)40         | Criminal offence with regard to racing                                       | Disqualify/Exclude<br>1 year   | 6 months-10 years                          |
|               | Running a 'ringer'   | Disqualify/Exclude<br>20 years   | 15-25 years                                |
| (A)41         | Corrupt or fraudulent practice   | Disqualify/Exclude<br>3 years  | 6 months-10 years                          |
| (A)42         | Causing a licensed/registered person to breach the betting restriction Rules | Disqualify/Exclude<br>6 months   | 3 months-10 years                          |
| (A)45.1.1     | Schedule (A)6 Failure to return Schedule (A)6 7.2 form                       | £250   | £200 - £5,000                              |
| (A)45.1.2     | Schedule (A)6 Failure to attend an enquiry/appeal                            | £1,000 or Suspend licence 5 days                                       | £200 - £2,000 or Suspend licence 2-10 days |
| (A)45.1.3     | Failure to produce information or records for enquiry/appeal                 | £2,500   | £500 - £10,000                             |
| (A)45.2.1     | Failure to attend an enquiry   | £1,000 or Suspend licence 5 days                                       | £200 - £2,000 or Suspend licence 2-10 days |
| (A)45.2.2     | Failure to produce information or records for enquiry                        | £2,500   | £500 - £10,000                             |
| (A)49         | Failure to co-operate with any authorised person                             | £2,000 or Suspend/Withdraw/Disqualify<br>3 months                      | £1,000 - £5,000<br>1 month-3 years         |
| (A)49.4       | Hinders or obstructs   | £2,000 or Suspend/Withdraw/Disqualify<br>3 months                      | £1,000 - £5,000<br>1 month-3 years         |

| <b>Manual</b>     | <b>Other Manuals Offence related to</b>   | <b>Band or Entry Point</b>                     | <b>Range</b>                               |
|-------------------|---|--|--|
| (A)50.2           | Fails to agree a time or place for an interview   | £2,000 or Suspend/Withdraw/Disqualify 3 months | £1,000 - £5,000<br>1 month-3 years         |
| (A)50.2           | Records not produced  |  |  |
|                   | Rider/trainer/owner/valet/authorised rider's agent  | Disqualify 18 months                           | 1-3 years                                  |
|                   | Late production of records  |  |  |
|                   | Rider   | Suspend/Withdraw/Disqualify 2 months           | 1 month-1 year                             |
|                   | Trainer/owner/valet/authorised rider's agent  | £2,000 or Suspend/Withdraw/Disqualify 2 months | £1,000 - £5,000<br>1 month-1 year          |
|                   | Tampering with records - rider/trainer/owner/valet/authorised rider's agent   | Suspend/Withdraw/Disqualify 9 months           | 6-18 months                                |
| (A)71.1           | Attending meeting whilst a disqualified person  | £2,000 or increase period of disqualification  | £1,000 - £10,000                           |
| (A)74<br>Ground 8 | Failure to lodge a transfer of engagements  | £200   | £150 - £500                                |
| (A)74             | Failure to register the appropriate document  | £200   | £150 - £500                                |
| (A)77.1           | Schedule (A)6<br>Failure to attend an appeal  | £1,000 or Suspend licence 5 days               | £200 - £2,000 or suspend licence 2-10 days |
| (A)100.7          | Failure to notify Racing Calendar Office no longer registered for VAT   | £100   |  |
| (B)6.1.7          | Refusal to allow horse to be examined   | £5,000 or Suspend/Withdraw licence 3 months    | £2,500 - £12,000<br>1 month-1 year         |
| (B)36.1           | Rider late to the start: 5th offence  | 7 days   | 5-10 days                                  |
| (B)45             | Rider not keeping straight at start (x5)  | 7 days   | 5-10 days                                  |
| (B)59.2           | Deliberately not riding a horse to obtain the best possible placing for personal reward or where horse has been layed to lose | See pages 8-12 - Running and Riding            |  |

| Manual                  | Other Manuals Offence related to                                      | Band or Entry Point   | Range   |
|-------------------------|---|---|---|
|                         | Stopping probable winner  | See pages 8-12 - Running and Riding                                       |   |
| Schedule (B)3 7.1       | Substance given on day of race and before horse runs                  | £1,000<br>Suspend horse for 20 days                                       | £750 - £2,000                                   |
| Schedule (B)3 22 and 23 | Horse not in care of licensed trainer                                 |   |   |
|                         | - mistake   | £500  | £400 - £1,000                                   |
|                         | - deliberate  | £5,000  | £2,500 - £10,000                                |
| (C)12.1                 | Failure to check identity of horse                                    | £750  | £450 - £1,500                                   |
| (C)13                   | Incomplete medication records   | £500  | £250 - £2,000                                   |
| (C)15.2                 | Failure to correct/ return Stable Employees' Register Return          | £200  | £150 - £1,000                                   |
| (C)16.3                 | Failure to correct/ return Horses in Training Return                  | £200  | £150 - £500                                     |
| (C)17.1                 | Failure to notify horse has been gelded                               | £100  | -   |
| (C)18.2                 | Notification of overseas performances (new horse arrives from abroad) | £300  | £200 - £500                                     |
| (C)19.2                 | Notification of overseas performances (by GB trained horse)           | £300  | £200 - £500                                     |
| (C)20                   | Schedule (C)4 Part 1  | Failure to enter into training agreement                                  | £100  |
|                         |   | Failure to comply with Schedule(C)4 Part 2 (Code of Conduct for Trainers) | £2,000 or Suspend/ Withdraw/Disqualify 3 months |
|                         |   |   | £1,000 - £10,000<br>1 month-3 years             |
| (C)22                   | (C)27   | Trainer in breach of Rule regarding horse(s) in his charge                |   |
|                         |   | a) Below acceptable standard  | £2,000  |
|                         |   |   | £1,000 - £3,000                                 |

| <b>Manual</b> | <b>Other Manuals Offence related to</b>                                      | <b>Band or Entry Point</b>  | <b>Range</b>                         |
|---------------|--|---|--------------------------------------|
|               | b) Neglect over a period of time - very poor husbandry                       | Withdraw licence 9 months   | 6 months-3 years                     |
|               | c) Wilful cruelty  | Disqualify 8 years  | 5-25 years                           |
| (C)25         | Failure to wear protective clothing and head gear                            | £250  | £100 - £2,000                        |
| (C)30.1       | Failure by trainer to report communicable disease                            | £1,500  | £1,000 - £10,000                     |
| (C)31.4       | Certificate not produced and scrapings positive                              | £290  | -                                    |
| (C)33.3       | Substance given on racecourse premises the day before the race               | £1,000<br>Suspend horse for 20 days                                     | £750 - £2,000                        |
| (C)37.2       | Running wrong horse in race  | £800  | £500 - £2,000                        |
| (C)38         | Failure to lodge foreign racecourse performances (Horse trained outside GB)  | £350  | £250 - £1,000                        |
| (C)43.3       | Wrong weight carried   | Disqualify horse £500   | £250 - £1,500                        |
| (C)43.4       | Removal of speed sensing device (x4)   | £5,000<br>Obtain undertaking from trainer not to run horses without SSD | £4,000 - £8,000                      |
| (C)53         | Positive Sample  | Disqualify horse  |                                      |
|               | a) Error/source not established/on Veterinary advice (waiver not applicable) | £1,000  | £750 - £10,000                       |
|               | b) Stored Samples  | Withdraw/Disqualify/ Exclude 2 years                                    | 1 - 10 years                         |
| (C)54         | Positive Sample - Stalls test  | £1,000  | £700 - £2,000                        |
| (C)55.2       | Positive sample following Testing in Training                                | £2,000 or Suspend/ Withdraw/Disqualify 6 months                         | £1,000 - £10,000<br>1 month-10 years |

| <b>Manual</b>     | <b>Other Manuals Offence related to</b>   | <b>Band or Entry Point</b>                                    | <b>Range</b>                       |
|-------------------|---|---|------------------------------------|
| (C)55.3           | Positive sample following Testing in Training - as a result of a treatment which has not been properly recorded | £500  | £400 - £2,000                      |
| (C)56             | Refusal to allow horse into sampling unit   | Disqualify horse £4,000 or Suspend/ Withdraw licence 3 months | £2,500 - £12,000<br>1 month-1 year |
| (C)64.1           | Trainer - lays a horse under his care etc   | Disqualify 18 months  | 3 months-10 years                  |
| (C)64.2           | Stable employee - lays a horse under the care of his employer etc   | Disqualify 18 months  | 3 months-10 years                  |
| Schedule (C)2 1.1 | Failure to contact previous employer  | £150  | £150 - £500                        |
| Schedule (C)2 1.2 | Failure to register new employee  | £300  | £250 - £500                        |
| Schedule (C)2 1.4 | Failure to notify National Insurance number   | £100  | £75 - £150                         |
| Schedule (C)2 1.5 | Failure to notify termination of employment   | £100  | £75 - £150                         |
| Schedule (C)4 5.4 | Trainer submits unjustified or frivolous report   | £300  | £150 - £1,000                      |
| Schedule (C)5 3.5 | Horse receiving report from starter (x4)  | Indefinite restriction  |                                    |
| Schedule (C)5 3.7 | Three consecutive stalls test failures by horse   | Indefinite restriction  |                                    |
| (D)14.1           | Jockey is owner or part owner of a horse  | Suspend/Withdraw licence 3 months                             | 1 month-3 years                    |
| (D)33             | Mobile phones (rider)   | £500 or Suspend/ Withdraw licence 1 month                     | £350 - £2,000<br>7 days-1 year     |
| (D)34.3           | Request for telephone records   | £300<br>10 days   | £250 - £5,000<br>5-28 days         |
| (D)53<br>(D)55    | Jockey - bets, lays or accepts the proceeds etc   | Disqualify 18 months  | 3 months-10 years                  |
| (D)54             | Amateur rider - bets, lays or accepts the proceeds etc  | Disqualify 18 months  | 3 months-10 years                  |

| Manual     | Other Manuals Offence related to   | Band or Entry Point                           | Range                            |
|------------|--|---|----------------------------------|
| (D) Part 6 | Positive Sample (rider)  | See Testing For Banned Substances pages 60-61 |                                  |
| (D)74      | Mobile phones (valet)  | £500 or Suspend/ Withdraw licence 1 month     | £350 - £2,000<br>7 days-1 year   |
| (D)75      | Valets - bets, lays or accepts the proceeds  | Disqualify 18 months                          | 3 months-10 years                |
| (D)78.1    | Authorised rider's agent - lays any horse ridden by a rider for whom he acts etc       | Disqualify 18 months                          | 3 months-10 years                |
| (E)18      | Vaccination offence (x4)   | £1,000  | £750 - £1,500                    |
| (E) 24     | RCN not received   | £150  | £150 - £500                      |
| (E)82.6    | Failure to register colours  | £110  | -                                |
| (E)92.2    | Owner - lays a horse he owns etc   | Disqualify 18 months                          | 3 months-10 years                |
| (F)12      | Non payment of fixture fee   | £2,000  | £1,000 - £3,000                  |
| (F)15      | Breach of BHAGI's by Managing Executives   | £3,500  | £1,000 - £15,000                 |
|            | Breach of BHAGI 11.1 para 13(c) - medical services incomplete                          | £5,000  | £3,500 - £15,000                 |
|            | Breach of BHAGI 11.2 para 3 - Annex B form signed when medical arrangements incomplete | £7,500  | £5,000 - £15,000                 |
|            | Minor technical breach of the Medical arrangements                                     |   | Caution                          |
| (F)51      | Failure to comply with the Protocol for Claimants                                      | £400 or Disqualify/ Exclude 3 months          | £200 - £2,000<br>1 month-3 years |
| (F)56      | Multiple claims  | £400  | £250 - £2,000                    |
| (F)57      | Claim not paid or secured within 2 days  | £400  | £250 - £2,000                    |

| <b>Manual</b> | <b>Other Manuals Offence related to</b>                       | <b>Band or Entry Point</b>                  | <b>Range</b>                       |
|---------------|---|---|------------------------------------|
| (F)57         | Not honour claim within 12 days                               | £400  | £250 - £2,000                      |
|               | Dishonour claim   | Disqualify/Exclude 2 years                  | 1-5 years                          |
| (F)59         | Claimant sells horse before paying for it                     | £400  | £250 - £1,000                      |
| (F)95         | Delay in making a scratching                                  | £500  | £250 - £2,000                      |
| (F)96.2       | Double declaration (x3)                                       | £2,000                                      | £1,500 - £3,000                    |
| (F)101        | Failure to notify death of a horse                            | £100  |                                    |
| (F)114.1      | Failure by racecourse to pay prize money to stakeholders      | £2,000                                      | £1,000 - £3,000                    |
| (F)119        | Incorrect payment of stable percentage money (administrative) | £100  | £75 - £500                         |
|               | Failure to display return and/or criteria for payment         | £100  | £75 - £500                         |
|               | Retention of stable percentage money by trainer               | £2,000 or Suspend/Withdraw licence 3 months | £1,000 - £5,000<br>1 month-3 years |
| (F)143.3      | Failure to claim correct riding allowance                     | £250  | £150 - £1,000                      |

## 7. TESTING OF RIDERS FOR BANNED SUBSTANCES

### RECOMMENDED PENALTIES FOR BREACHES OF RULES (D)61 - (D)67

|  | Recommended Penalties                 |                           |
|--|---------------------------------------|---------------------------|
|  | ENTRY POINT                           | RANGE                     |
| <b>ALCOHOL</b>   |                                       |                           |
| <b>1st Offence</b>   |                                       |                           |
| 17-34 micrograms per 100 millilitres of breath or at or above 54 milligrams per 100 millilitres in urine (the 'Lower Level')       | Caution (rider stood down on the day) |                           |
| 35 & upwards micrograms per 100 millilitres of breath or 108 & upwards milligrams per 100 millilitres of urine (the 'Upper Level') | 40 days                               | 28-60 days                |
| <b>2nd Offence</b> (with 24 months)  |                                       |                           |
| Lower Level- if 1st offence 'Lower'<br>- if 1st offence 'Upper'  | 10 days<br>14 days                    | 7-21 days<br>7-21 days    |
| Upper Level - if 1st offence 'Lower'<br>- if 1st offence 'Upper'   | 45 days<br>100 days                   | 40-60 days<br>90-120 days |
| <b>3rd Offence</b> (within 36 months)  |                                       |                           |
| Upper or Lower Level   | 90 days                               | 60-180 days               |

### Recommended Penalties

|   | <b>ENTRY POINT</b> | <b>RANGE</b>     |
|---|--------------------|------------------|
| <b>DIURETICS</b>  |                    |                  |
| <b>1st Offence</b>  | £350               | £300-£500        |
| <b>2nd Offence</b> (within 24 months)                       | £700               | £500-£1,000      |
| <b>3rd Offence</b> (within 36 months)                       | 10 days            | 7-14 days        |
| <b>OTHER BANNED SUBSTANCES &amp; NOTIFIABLE MEDICATIONS</b> |                    |                  |
| <b>1st Offence*</b>   | 2 months           | 1-6 months       |
| <b>2nd Offence*</b> (within 24 months)                      | 9 months           | 6 months-2 years |
| <b>3rd Offence*</b> (within 36 months)                      | 3 years            | 2-5 years        |

\*The only exception being for cocaine when the rider will normally have his licence withdrawn at the top of the range

### REFUSAL OR FAILURE TO PROVIDE A SAMPLE<sup>†</sup>

#### Urine

|                                       |          |             |
|---------------------------------------|----------|-------------|
| <b>1st Offence</b>                    | 9 months | 6-12 months |
| <b>2nd Offence</b> (within 36 months) | 3 years  | 2-5 years   |
| <b>Breath</b>                         |          |             |
| <b>1st Offence</b>                    | 90 days  | 60-120 days |
| <b>2nd Offence</b> (within 36 months) | 9 months | 6-12 months |

<sup>†</sup>In cases of breath and urine a refusal to provide a sample is likely to be considered to be serious and to attract a penalty at the higher end of the range.

#### NOTE:

Alcohol and Diuretic findings stand alone when looking at previous and subsequent offences except when in combination with a refusal to provide a sample. Offences under the headings 'Other Banned Substances and Notifiable Medications' and 'Refusal or Failure to Provide a Sample' will be combined when taking into account previous offences. An offence shall drop out of the reckoning after 36 months of it being imposed, except in the case of an alcohol reading within the 'Lower Level' when it shall be 24 months.

## NOTES

## NOTES

## NOTES



