

Pony Breeders of Shetland Association Complaints & Disciplinary Policy and Procedure

The Pony Breeders of Shetland Association (PBSA) requires all members, judges and officials to abide both by the letter and spirit of its Rules and Code of Conduct. Any person not doing so may be subject to a complaint or objection by any person in respect of their behaviour or conduct. At any show, event, competition or at any sale held by the PBSA everyone shall behave in a polite and civilised manner at all times and comply with the PBSA's rules.

Persons wishing to register objections or complaints against a judge, an official, an exhibitor or an organiser of a show, event or sale or against another member must write to the PBSA and deposit £100 within seven days of the event/incident. The £100.00 will be returned if the complaint is upheld.

Complaints regarding Joint Measurement Board height certificates should be made to the Joint Measurement Board.

On receipt of the complaint the matter will be investigated by an Initial Panel consisting of 3 members of the PBSA Committee (who shall not have any connection with or contrary interest in the subject matter of the complaint).

The Initial Panel shall decide whether there is a case to answer and shall inform all parties and the PBSA Committee by letter. If there is found to be no case to answer, the matter shall be at an end and no further correspondence will be entered into.

If there is a case to answer the matter shall be referred, with all the documentation, to a formal hearing before the full PBSA committee members who shall have the right to call witnesses, experts and technical advisers.

The PBSA shall give written notice of the time and venue of the Hearing to all interested parties. The person against whom the complaint is made shall be given details of the complaint and of the matters decided by the Initial Panel.

Within seven days of notification, of the hearing, the person who is the subject of the complaint may give written notice by letter either admitting or denying the substance of the complaint and indicating whether they will attend or be represented at the Disciplinary Hearing. If no indication is received the Disciplinary Hearing may proceed in their absence.

The complainee shall be entitled to attend and/or be represented and call relevant witnesses to give oral evidence. If they decide not to attend or be represented they may submit a written statement and the matter may proceed in their absence. The Committee may adopt a formal procedure and admit such evidence as it thinks proper provided that advance notice of such evidence has been given to all parties.

The Disciplinary Hearing:

- Shall be heard in private before the PBSA Committee.
- In attendance shall be a representative from the PBSA to take notes or record the proceedings.
- A member of the PBSA Committee shall present the details of the allegations and may call witnesses or present documents in support.
- The member under investigation may give relevant evidence and call relevant witnesses in support.
- The PBSA Committee may question all persons giving evidence.
- Written statements may be introduced only if presented to the PBSA Committee at least 24 hours prior to the hearing.
- The receipt of a certified memorandum of conviction from a Court showing that a member has been convicted of any offence of cruelty or neglect towards an animal shall be conclusive proof of that conviction.
- The receipt of correspondence from a recognised horse or pony society or organisation that a properly convened disciplinary committee of that organisation has found a member of the Society guilty of a disciplinary offence recognised by the Society shall be conclusive proof of that finding.

The PBSA Committee will either:

- (a) Dismiss the complaint
- (b) Uphold the complaint

If the complaint is upheld the PBSA committee may decide to:

(a) In the case of a Member:

- (i) Take no action (only if there are strong mitigating circumstances)
- (ii) Give a reprimand
- (iii) Direct that such person may not enter any show, event or competition organised by the PBSA for a specified period of time
- (iv) Suspend the persons membership for a specified period of time
- (v) Terminate the persons membership and not renew

(b) In addition in the case of a Judge:

- (i) Not allow the said Judge to officiate at any shows for a specified period

(c) In addition in the case of an Official:

- (i) Prevent that person from officiating in any capacity at any PBSA Show or Event for a specified period of time

The Committee of the PBSA, following the formal hearing, shall decide by a majority which decision to implement or to substitute such alternative penalties as they may decide.

The PBSA shall notify in writing their decision within fourteen days to all parties involved with the complaint and details of any penalties imposed.

The decision of the PBSA committee is Final and no further correspondence will be entered into.