



## **APPENDIX I – FEI SAFEGUARDING POLICY AGAINST HARASSMENT AND ABUSE**

Consistent with the objectives and principles of the FEI, the welfare of the equestrian community, especially minors, is of paramount concern. When any member of equestrian community, such as Athlete, Support Personnel, Coach, Trainer, Groom, Official, volunteer or staff member - is subjected to or engages in abuse or misconduct, it undermines the mission of FEI and is inconsistent with the best interests of equestrian sport. All forms of harassment and abuse are prohibited and will not be tolerated by the FEI.

The FEI is committed to promoting a safe environment for its members, Athletes, Support Personnel, Coaches, Trainers, Grooms, Officials, volunteers and staff in all equestrian Disciplines. The FEI has developed and adopted this Policy to set forth the efforts it will undertake to promote a safe equestrian environment, both independently and in partnership with other necessary parties, including National Federations, parents (or legal guardians), Athletes, and the equestrian community.

### **ARTICLE 1 - Definitions and Application**

#### **1.1 Definitions**

##### **1.1.1 Harassment and Abuse**

Harassment and abuse can be expressed in five forms which may occur in combination or in isolation. These include i) psychological abuse, ii) physical abuse, iii) sexual harassment, iv) sexual abuse, and v) neglect.

These forms of abuse are defined as:

- (i) **Psychological abuse** — means any unwelcome act including confinement, isolation, verbal assault, humiliation, intimidation, infantilisation, or any other treatment which may diminish the sense of identity, dignity, and self-worth.
- (ii) **Physical abuse** — means any deliberate and unwelcome act – such as for example punching, beating, kicking, biting and burning – that causes physical trauma or injury. Such act can also consist of forced or inappropriate physical activity (e.g., age- or physique- inappropriate training loads; when injured or in pain), forced alcohol consumption, or forced doping practices.
- (iii) **Sexual harassment** — any unwanted and unwelcome conduct of a sexual nature, whether verbal, non-verbal or physical. Sexual harassment can take the form of sexual abuse.
- (iv) **Sexual abuse** — any conduct of a sexual nature, whether non-contact, contact or penetrative, where consent is coerced/manipulated or is not or cannot be given.
- (v) **Neglect** — within the meaning of this Policy means the failure of a coach or another person with a duty of care towards the Covered Individual to provide a minimum level of care to the Covered Individual, which is causing harm, allowing harm to be caused, or creating an imminent danger of harm.

Harassment and abuse can be based on any grounds including race, religion, colour, creed, ethnic origin, physical attributes, gender, sexual orientation, age disability, socio-economic status and athletic ability. It can include a one-off incident or a series of incidents. It may be in-person or online.

Harassment and abuse often result from an abuse of authority, meaning the improper use of a position of influence, power or authority by an individual against another person.



**1.1.2. Covered Individual** means any person in one or more of the following categories:

- a. **Athlete** as defined in Appendix A of the GRs;
- b. **Accredited Persons** at an FEI Event and/or FEI Meeting
- c. **FEI Representatives**, such as FEI Board Members, Members of a Technical or Standing Committee or Sub-Committee thereof, other members of a body or group designated by any of the former to act on behalf of or advise the FEI (including but not limited to working groups and task forces), and FEI employees;
- d. **Officials** as defined in Appendix A of the GRs;
- e. **Organiser** as defined in Appendix A of the GRs;
- f. **Person Responsible** as defined in Article 118 of the GRs;
- g. **Support Personnel** means any Coach, Trainer, Athlete, Horse Owner, Groom, Steward, Chef d'Equipe, team staff, Official, Veterinarian, medical, or paramedical personnel or any other person assisting in any fashion a Person Responsible participating in or preparing for an FEI Event.

**1.1.3. Protected Person** means any individual participant in equestrian sport, including Athletes, Support Personnel, Coaches, Trainers, Grooms, Officials, volunteers and staff in all equestrian Disciplines.

## **1.2 Application**

**1.2.1.** This Policy shall apply to all Covered Individuals.

**1.2.2.** It shall be the personal responsibility of every Covered Individuals to make themselves aware of this Policy including, without limitation, what conduct constitutes a violation of this Policy and to comply with those requirements. Covered Individuals should also be aware that conduct prohibited under this Policy may also constitute a criminal offence and/or a breach of other applicable laws and regulations including other regulations of FEI or any other Sports Organisations. Covered Individuals must comply with all applicable laws and regulations at all times.

## **ARTICLE 2 - Violations**

The following conduct constitutes a violation of this Policy:

**2.1** Psychological Abuse;

**2.2** Physical Abuse;

**2.3** Sexual Harassment;

**2.4** Sexual Abuse;

**2.5** Neglect;

**2.6** Engaging, or attempting or threatening to engage, in conduct that directly harms the physical and/or mental welfare and/or safety of one or more Protected Persons;

**2.7** Posing a risk of harm\* to the physical and/or mental welfare and/or safety of one or more Protected Persons.

**2.8** Complicity, i.e. assisting, encouraging, aiding, abetting, conspiring, covering up or any other type of intentional complicity involving a violation of this Policy:

**2.9** Retaliation as defined in 3.1

**2.10** Failure to cooperate

- (i) Failing to cooperate with any investigation carried out by, or on behalf of, the FEI in relation to a possible breach of this Policy, including, without limitation, failing to provide

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\* 'Harm' is not a narrow concept and can mean different things in different contexts, but (in very general terms) it can be considered as meaning ill-treatment or the impairment of health, welfare or development. Harassment and abuse are examples of conduct that cause harm.



accurately, completely and without undue delay any information and/or documentation and/or access or assistance requested by the FEI as part of such investigation.

(ii) Obstructing or delaying any investigation that may be carried out by, or on behalf of, the FEI in relation to a possible violation of this Policy, including without limitation concealing, tampering with or destroying any documentation or other information that may be relevant to the investigation.

It is not necessary for conduct (or attempted or threatened conduct) to take place in the context of equestrian sport. For example (and without limitation), in the event that a Covered Individual has at any time been convicted of, warned/cautioned for, or charged with, any offence that concerns harm to other individuals (whether or not those individuals are Protected Persons), that may form the basis of action under this Policy as a result of that Covered Individual posing a risk of harm (regardless of whether or not the relevant offence, or alleged offence, took place in the context of equestrian sport). For the avoidance of doubt, conduct that took place prior to this Policy coming into effect may indicate a risk of harm within the meaning of Article 2.7.

### **ARTICLE 3 – Retaliation, Reporting, and Confidentiality**

Covered Individuals should report to the FEI, at the first available opportunity, full details of any incident, fact or matter that comes to their attention or of which they are aware that could amount to a violation of this Policy.

The FEI will report any behaviour, which in the reasonable opinion of the FEI, amounts to potentially criminal behaviour to the appropriate legal authorities.

#### **3.1 Retaliation**

Retaliation is any adverse action taken by a Covered Individual against a person participating in any investigation or proceedings initiated by the FEI pursuant to this Policy. Retaliation by a Covered Individual against a person for making an allegation, supporting a reporting party, or providing information relevant to an allegation is a serious violation of this Policy.

#### **3.2 Reporting Harassment and Abuse at any time, including at FEI Events**

For reporting any Harassment or Abuse, the FEI and/or the ECIU will take a report in the way that is most comfortable for the person initiating the report including an anonymous, in-person, verbal, or written report. Regardless of the method of reporting, it is helpful to the FEI and/or the ECIU to get the following information: (1) the name of the complainant(s); (2) the type of misconduct alleged; (3) the name(s) of the alleged victim(s); and (4) the name(s) of the individual(s) alleged to have committed the misconduct.

Individuals may complete an Incident Report Form. Information on this form will include:

1. The name(s) of the complainant(s);
2. The type of misconduct alleged (including psychological abuse, physical abuse, sexual harassment, sexual abuse, and neglect);
3. The name(s) of the alleged victim(s);
4. The name(s) of the individual(s) alleged to have committed the misconduct;
5. The approximate date(s) and location(s) where the misconduct was committed;
6. The names of other individuals who might have information regarding the alleged misconduct; and
7. A summary statement of the reasons to believe that misconduct has occurred.

The FEI will withhold the complainant's name upon request, to the extent permitted by law. A copy of the FEI Incident Report Form can be found at [www.inside.fei.org](http://www.inside.fei.org).

#### **3.3. Confidentiality**

To the extent permitted by law, and as appropriate, the FEI and/or the ECIU will handle any report it receives confidentially and discretely and will not make public the names of the complainant(s), potential victim(s), or accused person(s); however, the FEI may disclose such names on a limited basis when conducting an investigation, or reporting to the ECIU, or the relevant bodies or when required to do so under applicable law.

### 3.4. Anonymous Reporting

The FEI recognises it can be difficult to report an allegation of misconduct and strives to remove as many barriers to reporting as possible. Anonymous reports may be made without the formality of completing an Incident Report Form:

1. by completing the FEI Incident Report Form without including their name;
2. by expressing concerns of misconduct to the FEI and/or the ECIU; or
3. by expressing concerns in writing or verbally to one of the following individuals on the Athlete Protection Team:
  - a. FEI Legal Director
  - b. FEI Deputy Legal Director
  - c. Legal Counsel

Please be aware that anonymous reporting may make it difficult to investigate or properly address allegations.

### ARTICLE 4 – FEI Investigation, Notification

Following the receipt of an allegation of a misconduct, the FEI may consider the circumstances in which it will notify other Athletes and/or the parents (or legal guardians) of Athletes with whom the accused individual may have had contact. At the FEI's discretion, and as appropriate or required by law, the FEI may notify relevant persons, i.e., competition managers, staff members, contractors, volunteers, parents (or legal guardians), and/or Athletes of any such allegation that (a) law enforcement authorities are actively investigating; or (b) that the FEI and/or the ECIU is investigating. Advising others of an allegation may lead to additional reports of harassment or abuse and other misconduct.

### ARTICLE 5 – Opening a Disciplinary Procedure

Following an investigation by the FEI and/or the ECIU pursuant to this Policy, the FEI shall evaluate all the evidence and shall decide whether or not to open a disciplinary procedure by referring the matter to the FEI Tribunal.

Any case referred to the FEI Tribunal pursuant to this Policy will be dealt with according to the procedures set out in the Internal Regulations of the FEI Tribunal, in particular, Section B (*Specific procedures in Claims proceedings before the FEI Tribunal*). Where appropriate, the FEI may wait until the outcome of any related criminal or civil proceedings is known before deciding whether or not to refer a case to the FEI Tribunal.

### ARTICLE 6 – Jurisdiction & Appeal

- 6.1. The FEI Tribunal shall have jurisdiction to decide on alleged breaches of this Policy in the first instance according to the process set out in Chapter VIII of the GRs (The Legal System). The FEI Tribunal may, either on its own initiative or upon the application of one or all of the parties concerned, stay the proceedings before the FEI Tribunal pending the outcome of any related criminal or civil proceedings.
- 6.2. An Appeal may be lodged against a Decision of the FEI Tribunal in accordance with Article 162 (Appeals) of the GRs.

### ARTICLE 7 – Provisional Measures

- 7.1. The FEI may impose provisional measures, including a provisional suspension, on the Covered Individual. The FEI shall also be entitled to recognise and apply Provisional Suspensions and/or provisional measures imposed by other bodies, such as National Federations or Safeguarding authorities. Where a provisional measure is imposed or recognised and applied by the FEI, a Covered Individual shall be entitled to apply to the FEI Tribunal for relief against such provisional measures, including the lifting of a Provisional Suspension.
- 7.2. Where a provisional measure is imposed, this shall be taken into consideration in the determination of any sanction which may ultimately be imposed.

## **ARTICLE 8 – Sanctions**

- 8.1.** Where it is determined that a violation has been committed, the FEI Tribunal shall impose an appropriate sanction upon the Covered Individual from the range of permissible sanctions set out in Article 164 (Sanctions) of the GRs, including a lifetime ban.
- 8.2.** When determining the appropriate sanctions applicable, the FEI Tribunal shall take into consideration all aggravating and mitigating circumstances and shall detail the effect of such circumstances on the final sanction in the written decision.
- 8.3.** The FEI shall be entitled to prevent any person (regardless of whether they are a Covered Individual or not) convicted of a criminal offence which would constitute a violation of this Policy from participating in any meetings or activities surrounding any Competition or Event, including as a spectator.

## **ARTICLE 9 – Mutual Recognition**

- 9.1.** Subject to the right of appeal, any decision taken by the FEI pursuant to this Policy must be recognised and respected by all National Federations.
- 9.2.** Where the FEI is informed that a Covered Individual has been:
  - (i) convicted of a criminal offence which would constitute a violation of this Policy;or
  - (ii) held by their National Federation or any other competent sports governing body to which the Covered Individual is subject, to have committed a violation which would constitute a violation under this Safeguarding Policy, the FEI shall recognise the applicable conviction/decision imposed.

Where appropriate, the FEI reserves the right to open a separate Disciplinary Procedure against the Covered Individual in relation to their FEI related activities.

## **ARTICLE 10 –Duty to inform**

National Federations shall promptly inform the FEI of any allegations (where possible) and/or sanction(s) imposed on any person under their jurisdiction relating to any harassment and/or abuse case(s).

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