

## Disciplinary Procedure

### **1. General**

Disciplinary matters, applying to all matters of **Fedecat UK** (further referred to as the Federation), will be dealt with by the Officers of the Federation in the first instance and if necessary, subsequently by Full Disciplinary Panel. All members of the Federation by signing their membership application form, agree to fully comply with this code of conduct and agree to be bound by its terms hereafter.

Disciplinary action against Federation members, including expulsion without notice, may be taken for offences of misconduct.

However, it is recognised and accepted that every member:-

- 1.1. Has the right to expect fair and consistent treatment.
- 1.2. Has the right to adequate notice from the Federation.
- 1.3. Has the right to appeal against the judgement or Disciplinary Committee's decision in all disciplinary matters.

### **2. Acts Leading to Disciplinary Action**

The under noted actions by members may be interpreted to fall within this Code. However, the lists are not to be considered as fully inclusive or covering all possible offences.

**2.1. "Misconduct"** is the carrying out of an act considered to be of a minor nature (unless frequently repeated). Examples of acts that may be considered misconduct include: -

- 2.1.1. Discourteous, crude or offensive behaviour at events, training session or organised Federation events.
- 2.1.2. Conduct of an unsafe nature.
- 2.1.3. Offensive disregard for equipment or property.
- 2.1.4. Refusal to carry out reasonable instructions issued by event officials or organisers.
- 2.1.5. Failure to comply with or adhere to the relevant code of conduct.
- 2.1.6. Any other actions of similar gravity to the above, at the discretion of the Federation.

**2.2. "Serious Misconduct"** is the carrying out of an act of such gravity that in the opinion of the Federation it warrants a disciplinary hearing. Examples of acts which may be considered as serious misconduct include: -

- 2.2.1 Misconduct acts above if especially grave or repeated.
- 2.2.2 Deliberate or consistent breaches of Federation rules.
- 2.2.3. Any attempt to cheat, achieve gains or advantage over others by unfair or unscrupulous means.
- 2.2.4. Theft or misappropriation.
- 2.2.5. Use of threatening or abusive behaviour.
- 2.2.6. Participating in the sport whilst under the influence of drugs or alcohol.
- 2.2.7. Malicious interference with equipment or property.
- 2.2.8. Disregard for one's own or other people's safety.
- 2.2.9. Any other action, which in the opinion of the Federation may bring the sport or the Federation into disrepute, or which left unpunished, may result in the detriment of the Federation or its members.

**2.3 “Gross Misconduct”** is action of such seriousness that the Federation will cause the immediate expulsion of the offender from the Federation. The Federation may by means of an executive decision summarily expel such an offender without invoking a disciplinary hearing. The expelled member will have the right to a disciplinary hearing as soon as this can be arranged but will remain expelled until and unless such a hearing overturns the Federation’s decision. Examples of gross misconduct are:-

2.3.1. Physical violence of assault towards other persons at a Federation event or related activity, including serious threatening, intimidating or forceful behaviour.

2.3.2. Reckless disregard of safety and basic safety rules.

2.3.3. Being convicted of criminal offences involving physical violence or abuse.

2.3.4. The possession and / or taking of illegal drugs or substances banned by WADA.

2.3.5. Other acts that are considered to be of an extremely serious nature perpetrated against the Federation, its members or any other party.

2.3.6. Being expelled, banned or suspended from participation in any National or International shooting event(s) by another National or International Shooting Body or Federation.

2.3.7. Further in the circumstances of 2.3.6 above, the sanctioned person would not be able to become a member of the Federation until their sanction has been served or lifted by the sanctioning body.

2.3.8. The Federation reserve the right to use its discretion in the circumstances set out above. Further there will be no right of appeal against a member’s expulsion for Gross Misconduct as set out in 2.3.6 above, or the rejection of an application for the Federation Membership from a shooter who has been sanctioned as stated in 2.3.6 above.

### **3. Disciplinary Procedure**

3.1. On receipt of a written complaint, the Federation will decide whether the complaint falls within the scope of this disciplinary code. If in its opinion it does, then the Federation will decide as to the type of act as per (section 2) above.

3.2. If the act is considered to be one of **simple misconduct**, the Federation Secretary will write to the offender with a formal written warning including the demand for an apology or other corrective action.

3.3. A disciplinary file will be opened by the Federation Secretary in which will be placed copies and records of the original complaint, together with the written warning and any other correspondence.

3.4. Should the complaint be considered by the Federation as one of **serious misconduct**, then the following procedure will be implemented: -

3.5. The Federation will appoint an Investigating Officer who will research the evidence presented and, if possible, will obtain further written evidence, witness statements, etc. If necessary, the Investigating Officer will consult all relevant witnesses for supportive evidence.

3.6. Advise complainant that if a disciplinary hearing is called, then the complainant and all relevant witnesses will be obliged to attend and give evidence. (Non-attendance at a hearing will only be allowed in extenuating circumstances, i.e. Ill-health, threat of violence or intimidation etc). In such circumstances a sworn declaration must be submitted to the Federation Secretary.

3.7. Contact the member subject of the complaint to advise of the official complaint and request the member to submit a written statement of events.

3.8. In cases of disputes of a personal nature, the Federation will attempt to resolve the situation amicably and to the mutual satisfaction of the parties concerned. If settlement cannot be agreed between the parties, or if the offence merits it, then a disciplinary hearing will be arranged as soon as possible.

3.9. Notify all parties as to the hearing date and ensure the parties have all relevant copies of paperwork in good time prior to the hearing, copies to be sent by 1<sup>st</sup> class recorded delivery.

## **4. Disciplinary Hearing**

- 4.1. The Federation Secretary shall take charge of the hearing and all questions will be addressed through the Secretary.
- 4.2. A Disciplinary Panel will be appointed.
- 4.3. The Federation will appoint a case presenter, who will normally be the Investigating Officer.
- 4.4. All witnesses to be interviewed and all written evidence to be reviewed at the hearing.
- 4.5. No witnesses or statements can be introduced at the hearing without prior notice and copies of all written evidence produced for consideration prior to the hearing, to be available in advance to the parties.
- 4.6. The Disciplinary panel may adjourn the hearing to allow further evidence to be referred to if the disciplinary panel considers it fair to do so.
- 4.7. After the Disciplinary Panel has reached a decision, the subject of the complaint to be notified in writing of such decision and informed of any penalties within 7 days of the decision being reached, penalties will be effective from the date of the decision.

## **5. Penalties**

Following the hearing, the Disciplinary Panel will apply such penalties as the Disciplinary Panel consider appropriate, including temporary or permanent expulsion of the offender from the Federation, and including the payment of the hearing costs by the offender to the Federation. Such penalties will have immediate effect, notwithstanding the possibility of an Appeal. Offences of cheating or being under the influence of alcohol or drugs during any event, or those involving threats of physical violence, will carry automatic expulsion from the Federation and will preclude the offender from taking part in any organised National or International event linked to the Federation, where its membership is required.

## **6. Appeals**

- 6.1. If an appeal of the decision or penalty is to be made, then written notice of appeal by way of 1<sup>st</sup> class recorded delivery to the Federation Secretary must be given by the offender, within 28 days of being notified of the decision. No appeal will be valid or considered after that period has elapsed. It will not be sufficient to state "I wish to appeal", the offender must give full written grounds for the appeal, stating exactly what is being appealed against and the reasons for this.
- 6.2. An appeal together with full and recorded argument may be considered relative to: -
  - The decision
  - The penalty
  - Other
- 6.3. An appeal hearing will be convened as soon as practicable. The Appeal Committee will consist of two Federation members and the current President of the Federation who will act as the Chairman and who will have the casting vote.
- 6.4. New evidence cannot be presented at the appeal hearing.
- 6.5. The Appeal Committee shall have power to amend or revoke any decision made at the previous disciplinary hearing.
- 6.6. The decision of the Appeal Committee is final and binding on the parties and not subject to further appeal.
- 6.7. The question of the reasonable appeal costs to be paid by the offender to the Federation is at the discretion of the Appeal Committee.

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