

OFFICIAL COMMUNIQUE of SASJ - THE 2015 PRESIDENT'S CUP

After the 2015 President's Cup at Maple Ridge on Sunday 15th March 2015, SASJ received eleven written objections to the Ground Jury's (GJ) decision to reverse the four (4) penalties incurred by the final winner, Callaho Lissabon ridden by Mandy Johnstone , at obstacle 6A in the first round of the Competition, giving her a clear round.

In accordance with Article 18 of SASJ Constitution, which empowers the Governing Committee, Chairman or Vice-Chairman to appoint a committee to address the written complaints by interested persons around this issue, a Review Committee (here after named "the Committee") was set up to address this very sensitive and emotional matter.

The following persons were asked to be the Members of this Committee :

- Mr. Jean-Michel Turlot, Attorney at Law and FEI International Judge Level 3;
- Mr. Clem Dos Santos, SASJ Vice Chairman with the portfolio of Legal Council;
- Mrs. Di Baxter, Member of the SASJ Governing Committee and FEI International Judge Level 3;
- Mr. Mark Slade, Chairman of the Gauteng ShowJumping Committee;
- Ms. Gail Foxcroft, Rider;

A request to attend a Hearing of the Committee at KPC Club House on Saturday 28th March 2015 was forwarded on the 23rd March 2015 to all the Members of the GJ (Mrs. Sandy Cox, Mrs. Gillian Shaw, Mrs. Valorie Beuster and Mrs. Regina Hobbs) and to Mr. Henning Pretorius who was the only PR (Person Responsible within the meaning of the Article 118.3 of the FEI General Regulations) who lodged an official and regular protest with the GJ during the competition.

The purpose of the hearing was *to establish the validity of the decision to reverse the four (4) penalties given to the horse/rider that had reacted to something on the outside of the arena at Maple Ridge on the 15th March 2015.*

The hearing was chaired by Mr. Jean-Michel Turlot and was conducted from 10:00 am to 1:00 pm. None of the Judges made themselves available to be present or represented, Mr. Henning Pretorius was present.

The Committee regretted the absence of the Judges who could have given insight and explanation for their decision.

The Committee conducted the hearing without them, heard Mr. Henning Pretorius statement and reviewed the written complaints received by SASJ.

The Committee viewed a video of the incident several times (normal speed and frame by frame) and was of the opinion that even if the horse was perhaps slightly distracted by an outside incident (a lady getting up from her chair with a closed umbrella), it was evident that this incident was not an “*unforeseen and exceptional circumstance*” within the meaning of the § 3 of the Preamble of The FEI Jumping Rules and of the § 3 of The Preamble of the FEI Memorandum For International Jumping Events, justifying to reverse the 4 penalties given to the horse for a dislodged pole.

The Committee was surprised that none of the Riders lodged a formal and regular protest during the Show, with the GJ, in writing, during its period of jurisdiction terminating 30 minutes after the announcement of the final results (FEI GRs Art 163.4.4 and 163.4.7) and with a deposit (FEI GRs Art 166.1).

The Committee then looked at the Course Plan and due to the layout of the Judges Box, the treble combination and the incident’s place, it is of the opinion that it was not possible for the Judges to have physically seen the incident.

The Committee also noted that almost all of the complaints criticized the Judges for having taken an incident outside of the arena into consideration, which should not be permitted according to them. However this Rule does not exist. On the contrary, the GJ must deal with all the incidents and protests, provided that they relate to matters occurring during or in direct connection with the event (FEI GRs Art. 159.1).

The Committee discussed in detail the procedure followed by the GJ. The Committee came to the conclusion, that due to the stature of the show and that this was at best a marginal incident that had occurred outside the arena, it did not warrant the decision to reverse the 4 penalties. The following was taken into consideration :

1. Mandy Johnstone did not *formally* object to the distraction from outside of the arena.
2. The GJ accepted a written objection from spectators.
3. The GJ reviewed an unofficial video of the incident.
4. The GJ gathered riders for opinion / consensus.
5. The GJ “brushed aside” the official protest of Mr. Henning Pretorius giving him no explanation for their decision.
6. The final signed score sheet for the event submitted to SASJ still shows Mandy Johnstone having 4 faults in the first round.

In view of the above facts, the Committee had no doubt that the GJ made its decision in a sporting spirit with a view to not having an athlete unfairly prejudiced, it is however the committee's opinion that the GJ decision made was an extremely poor and incorrect Decision.

In accordance with the Articles 159.6 and 6.1 and 165.2 and 2.1 of the FEI General Regulations (FEI GRs), there is no appeal against a decision of the GJ arising from the field of play, and their decision is final and binding.

Therefore the results of the 2015 President's Cup may not be changed.

The concerns of the entire Committee is that this incorrect decision should not set a precedent with the riders and judges going forward, which could result in the sport becoming very difficult to judge and govern if not addressed further.

The Review Committee also recommends that the Governing Committee of SASJ ensure that all official and judges credentials are kept up to date and current.