

Appeals from racecourse stewards' decisions

You can appeal the result of a racecourse enquiry and/or the penalty handed down to you if you are unhappy with the outcome.

Following the raceday enquiry

You need to request a copy of the recording of the race – a link for this will be sent to you. If you do not ask at the time, it can still be obtained later on.

You should contact the NTF so that we can discuss the process with you and, where appropriate, the merits of an appeal.

Where it relates to interference which has affected the placings, we may refer you to an external solicitor to discuss the **merits if there is a potential conflict of interests for two NTF members**. The legal expenses insurance does not cover interference and placings appeals.

Timeframe for lodging appeal

There are strict time frames for putting in a notice of appeal.

Where a jockey has been suspended from riding or it is a breach of Rule (F) 37 (running and riding), the notice of appeal has to be lodged with the BHA within **working** 2 days of notice of the decision. This includes where you are looking to challenge a placings decision and the jockey is appealing their ban.

If there is no jockey ban or the jockey ban is not being appealed, then you have 7 days in which to lodge the notice of appeal.

Lodging the appeal notice

The notice of appeal has to be lodged with the BHA within the timeframe above and should set out details of the decision being appeal and the ground/s of appeal. Given the tight timeframes, it is likely that the appeal notice itself will just contain outline details of the ground/s of appeal and your representative will liaise with the BHA over providing further information. Where you are claiming cover through the legal expenses insurance, the NTF can assist you with submitting the appeal notice.

Please see below where it relates to an interference or placings appeal.

Appeal deposits

You have to lodge a deposit with the appeal – you do not pay the money at the time but you authorise the BHA to deduct the deposit from your account.

The deposit is £220 where it is a fine of £500 or less, in other cases the deposit is £500.

If the appeal is successful the deposit is returned. If the appeal is not successful, then it will be the Disciplinary Panel's decision as to whether the deposit is returned or forfeited – in practice the deposit is likely to be returned unless there was little or no merit in bringing the appeal.

Running and Riding breaches – i.e. schooling and conditioning on the racecourse, non-trier, inadequate instructions to jockey

Legal expenses

The NTF will provide you with a claim form to submit a claim under the NTF legal expenses insurance provided by ARAG or you can download the form from the NTF website.

Running and riding appeals are heard within a tight timeframe and it is important to submit the claim form to ARAG without delay and to flag up to ARAG that it relates to a racecourse appeal. If you advise us when the claim form is submitted, we can also liaise with ARAG to ensure it is picked up as an urgent matter.

If the claim is accepted by ARAG, they will instruct a solicitor and, where appropriate, a barrister to represent you.

If the claim is not accepted, you can still continue the appeal but would either need to represent yourself or fund a solicitor/barrister direct.

Interference and placings appeals

The NTF (Dawn Bacchus or Paul Johnson) can discuss the process with you although where it is an NTF member standing to win and an NTF member standing to lose depending on the outcome we do not discuss the merits of the appeal and likelihood of success.

Interference and placing appeals are not covered under the NTF legal expenses insurance and it will be down to the owner, trainer or jockey to fund representation if they instruct a solicitor or barrister act for them.

You may wish to discuss it with Rory MacNeice <https://www.ashfords.co.uk/our-people/rory-mac-neice>. If he is unable to assist, then the NTF can provide details of other solicitors or barristers who represent trainers in BHA matters.

Often the trainer will present their own case as to why the decision of the stewards was incorrect. The BHA guide to penalties and procedures sets out “guiding principles” on how the stewards look at interference and what they consider, and that may be of help:

<https://rules.britishhorseracing.com/#!/book/34/chapter/s3092-interference-rules-f34-f36>

To lodge an appeal, the timeframes above apply and you should email your notice of appeal to the BHA Disciplinary Department (disciplinary@britishhorseracing.com) with a read receipt flag and ask for confirmation to be emailed back to you that the appeal notice has been received. If you do not receive such confirmation then follow it up with a telephone call.

The notice of appeal should specify:

- The racecourse name, date of the race and race name
- That you are the trainer of [name of horse] ridden by [name of jockey] and that you are appealing the decision of the stewards and specify whether you contend that the placings should have been altered or should have remained unaltered and your ground for that appeal, for example, that the stewards were incorrect and that your horse was carried off its racing line and lost ground and momentum affecting its placing and the result should be amended.
- That you consent to your deposit being taken.

If you do not already have them you should request recordings of the race and the transcript of the stewards’ enquiry.

The appeal will be heard within a short time frame if a jockey ban is being appealed.

After you have submitted the notice of appeal, the Judicial Panel secretary will ask you to provide more information on what you are going to say at the hearing. You will need to set out your case, why you believe the raceday decision was wrong taking into account the “guiding principles” and referring where appropriate to the transcript and stating that you will expand upon these points at the hearing. You will then have the opportunity at the hearing to put your case. You will be provided with information on the BHA’s case and you, the BHA and the Panel members will be provided with “bundle” of papers which will include the stewards’ enquiry report and the transcript of the raceday hearing. The recording of all views of the race will be available on the day for the parties to refer to.

It will be a remote, online hearing and you should ensure that you have a private location with good internet connection. The Judicial Panel secretary will provide detailed information to you on the process and be able to answer queries.

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