



# **Felis Britannica – Disciplinary Commission’s Processes and Rules**

## **Version 1.7**

### **Objective**

The aim of this document is to give an overview of the processes involved in the Felis Britannica Disciplinary Procedure.

This document will enable the defendant, the complainant and the mediating bodies to understand the processes they will follow in the event a complaint is made to Felis Britannica.

This document will enable the reader to understand how the Disciplinary Commission (DC) and the processes used by the DC fit with Felis Britannica and FIFe structures and processes.

### **Glossary**

**‘Cat and ‘Cats’** shall include kitten, kittens, neuters and spays

**FIFe** shall mean Federation Internationale feline

**Federation** should include FIFe and Felis Britannica

**Disciplinary** in relation to a complaint or appeal shall mean a meeting of the relevant Panel Members for the purposes of considering a complaint or appeal and include the making of an order in connection with the complaint or appeal

**Individual member** shall mean any person who is a member of any cat club that is a Member Club of Felis Britannica

**Member Club** shall mean any cat club that is a full or affiliate member of Felis Britannica

**Non Member** shall mean any person other than those defined above as Individual Members

**FELIS BRITANNICA** has a number of sources of Rules and statutes. The **DISCIPLINARY COMMISSION** has the responsibility of processing any complaint based on transgression of these Rules and Statutes. It is a Felis Britannica requirement [Statute 3.3 (h)] that all FIFe rules and statutes supersede its own.

## **Processes**

### **Summary**

The following provides an overview of each stage of the Felis Britannica Disciplinary process.

### **General Rules**

1. Disciplinary Panel members must be a full member of a Felis Britannica club
2. No Disciplinary panel member can participate in more than one step of the disciplinary Process.
3. Disciplinary Panel Members will be appointed as required at the start of each step of the Disciplinary Process by the DCO or in exceptional circumstances by the Executive Committee.
4. Disciplinary Panel Members should be appointed in such a way as to avoid conflicts of interest.
5. Any correspondence between the Disciplinary Commission, Felis Britannica, the Defendant and the Complainant and any other associated parties will be carried out by the Disciplinary Commission Officer.
6. All correspondence to the Complainant requesting substantiating evidence will be sent recorded delivery. If the Disciplinary Commissions Officer does not receive a formal response by recorded delivery within twenty (20) working days of receipt of the request, then the case will automatically be closed.
7. All correspondence to the Defendant will be sent by Recorded Delivery. If receipt is not confirmed a second delivery attempt will be made before proceeding further.
  - 7a. Where a Defendant fails to respond within the specified timeframes, or is unable to attend a hearing, the case will be heard in absentia.

7b.

Individuals that were members at the time of complaint but have since resigned their membership will still be subject to disciplinary proceedings.

8. Felis Britannica will deal with complaints by the use of fixed penalties where possible.
9. If during a disciplinary process a defendant or complainant decides to take the matter outside of the Felis Britannica DC process and pursues legal recourse then in the interests of both parties the process will be suspended.
10. The Disciplinary Procedure will not proceed where legal proceedings have been instigated until the legal proceedings have been concluded.

#### **(A) Complaint Management STEP 1**

##### ***Submission of Complaint***

11. Any individual whom wishes to raise a formal complaint against an Officer, Commission, Member Club, Individual member[s] or any non-members who have agreed to be bound by the rules and statutes of FIFE, Felis Britannica or a Felis Britannica member club should submit this in writing to the Felis Britannica General Secretary, with such fee as appropriate at the time.
12. The complainant must be able to substantiate the grounds of their complaint with evidence and or verified statements from witnesses.

##### ***Receipt of a Complaint***

13. When a complaint is received by the General Secretary of Felis Britannica, the general secretary has seven (7) working days to complete the following;
  - Allocate an investigation number and acknowledge in writing to the complainant
  - Pass the complaint, with investigation number, to the DCO for action
14. The DCO will provide the defendant with details of the complaint within fifteen [15] working days of receipt of the complaint. On receipt of the

DCO letter the defendant has fifteen [15] working days to reply with any representation they wish to make to the Investigations Panel.

15. The decision whether a complaint is to be heard or dismissed will be decided on the following criteria:
- If there has been no breach of the rules the complaint will be dismissed
  - If the rule has been broken and can be dealt with by Fixed Penalty this action will be followed
  - Any other complaint will proceed to the investigation panel

### **(B) Investigations Process STEP 2**

16. The Disciplinary Commission Officer shall appoint three [3] Disciplinary Investigations Panel Members to investigate the complaint and relevant responses within sixty [60] working days of receipt of a complaint from the General Secretary
17. The investigations panel will provide the defendant with details of the outcome of their findings within fifteen [15] working days of sitting to discuss the complaint. On receipt of the Investigations Panel letter the defendant has fifteen [15] working days to reply.
18. If the Investigations Panel decides no prima facie case exists then the process will be terminated and the defendant and complainant informed immediately in writing sent by recorded delivery of this fact.
19. Where a prima facie case exists details of the complaint, a summary of the facts and matter that were placed before the Investigations Panel Members, a copy or summary of any representations made to it by the Defendant shall be supplied to the Panel Members carrying out the hearings process.
20. The Investigations Panel Members shall appoint one [1] of its Panel Members, to present the formal complaint before the Hearings process.

### **(C) Hearings Process STEP 3**

21. The Disciplinary Commission Officer shall appoint three [3] Disciplinary Panel Members.

22. The Disciplinary Commission Officer shall notify the Defendant and any witnesses of the date and place fixed for the disciplinary meeting. Notice should be at least twenty one [21] working days prior to the date fixed for the hearing.
23. At least ten [10] days prior to the disciplinary meeting date the full investigation pack shall be provided to the Disciplinary Panel Members by the DCO. Any witnesses should be submitted in support of evidence.
24. On hearing the complaint the Disciplinary Panel Members will arrive at a decision based on the evidence presented to them.
25. On reaching a decision the Disciplinary Panel Members will decide on a penalty.
26. The Defendant will be informed of the decision on the day if he/she is present, as well as in writing within seven [7] working days, by recorded delivery

#### **(D) Appeals Process STEP 4**

27. The Defendant has the right to raise an appeal against the Disciplinary decision by letter to the Disciplinary Commissions Officer within fifteen [15] working days of the disciplinary meeting, with appropriate evidence to support the appeal.
28. No appeal can be based solely on the question of costs.
29. Where an appeal is made by the Defendant, this should be progressed to the Appeals process within thirty [30] working days. The appeal shall be supplied to the Panel Members carrying out the Appeals process.
30. Panel representatives from the investigations and disciplinary processes shall present the formal complaint before the Appeals process.
31. The Disciplinary Commission Officer shall appoint three [3] Disciplinary Appeals Panel Members.
32. The DCO shall notify Appellant and any witnesses of the time and place fixed for the hearing. Notice should be at least twenty one [21] working days prior to the date fixed.

33. The findings of the Disciplinary Process shall be presented to the Appeals Panel Members within thirty [30] working days from receipt of the appeal.
34. The Appellant shall attend the Appeals Hearing of the formal complaint together with any witnesses to give evidence in support of the complaint, failure to do so shall render the Appeal ended.
35. On hearing the complaint the Appeals Panel Members will either uphold or dismiss the decision made at the Disciplinary process. If the appeal is upheld the appeals panel may vary the order made at the disciplinary panel.
36. The Appellant will be informed of the decision, and any variation of the order of the Disciplinary panel made by the Appeals Panel, on the day if he/she is present as well as in writing within seven [7] working days, by recorded delivery.

## **Offences**

Liability to disciplinary action will arise in respect of any of the following:

- Any breach of Statutes or of any Rules made by FIFE or Felis Britannica
- Any act, conduct, default or omission arising out of, connected with/relating to, the keeping, breeding, supplying or exhibiting of cats, which is or may be prejudicial to the welfare of cats
- Any conviction by a Court of Justice [criminal or civil] of any offence against any act, statute, by-law or regulation relating to the protection, treatment or welfare of any animal or animals
- Any person knowingly supplying a cat to anyone suspended from Felis Britannica
- Any act, conduct or omission which is or may be discreditable or prejudicial to the interests of Felis Britannica, any member club

## **Penalties**

For reasons of fairness to all parties Felis Britannica will wherever possible apply fixed penalties to any transgressions of rules and statutes as outlined in the Offences section.

Fixed penalties will be dealt with as part of the Felis Britannica disciplinary process.

***For details of current Fixed Penalties see the separate document – Felis Britannica – Fixed Penalties.***

*This document is separate as it allows the flexibility to amend the Fixed Penalties document without affecting the Disciplinary Process Document*

**If the Disciplinary Panel** finds that the complaint has been proved in whole or in part it may then make one or more of the following recommendations against the Defendant.

***If the Defendant is an Individual Member:***

- As a matter of course an individual found to be guilty of an offence by a Felis Britannica Disciplinary will not be eligible to take office in the federation for a period of not less than 1 calendar year or a period decided by the Disciplinary process
- Censured and given a first written warning
- If appropriate, censured and given a second and final written warning
- Imposition of a fine in accordance with the penalty guidelines payable in such a manner and at such a time or times as the Disciplinary Panel may recommend
- Failure to comply with any order approved by the Executive Officers of Felis Britannica imposing a fine shall cause the defendant to be automatically disqualified and suspended or membership dissolved as the case may be for so long as the failure to comply continues
- Suspension of the Defendant concerned from exhibiting at, taking part in or having connection with any Cat Show licensed by Felis Britannica / FIFe
- During any period of such suspension a defendant shall maintain their membership of their club and shall not be eligible to transfer their membership elsewhere.
- Except where the Disciplinary Panel recommends otherwise Felis Britannica shall not register any cats or progeny of any cat owned by a Defendant suspended in accordance herewith and similarly Felis Britannica shall not register the transfer of any cat to or from the ownership of any such defendant during the period of suspension. No such progeny born during the period of suspension shall be registered at any time. Provided always that the Executive Committee may in its absolute discretion allow registration of any cat aforesaid or the transfer from the ownership of such Defendant of any aforesaid where it is satisfied that not to do so would be harmful to the welfare of the cat or would cause hardship or injury to an innocent third party who had acted at all times in good faith
- Expulsion from Felis Britannica
- Suspension from Felis Britannica
- Life disqualification from Felis Britannica
- Disqualification from all shows held under the Statutes and Rules of Felis Britannica / FIFe of all cats owned by the Defendant, solely or jointly
- Disqualified from being a member of the Committee of a Members Club

- Disqualified from holding office in a Member Club
- Disqualified from being concerned in the management of any show held under the Statutes and rules of Felis Britannica
- At the discretion of the DC the findings may, in addition to reporting in the official publication of Felis Britannica, be circulated to other Cat Registration Bodies

***If the Defendant is a Member Club:***

- Censured and warned, suspension, fine(s), the ceasing of running show(s), removal of registration services, dissolve membership

## **Decision Publication**

Whenever the Disciplinary Panel or the Appeals Panel finds that a formal complaint has been proven in whole or in part it shall cause its approved order to be reported to the Executive Committee of Felis Britannica provided that where the Disciplinary Panel has recommended that no further action be taken on the complaint the order shall not be published unless the Defendant so requests.

Unless the Disciplinary Panel, or, the Appeals Panel in its absolute discretion otherwise directs, any such publication shall state the name of the Defendant, the substance of the complaint, and the order or orders made against such Defendant, but need not include the name of any person concerned in the complaint or appeal.

No publication shall be made until after the expiry of the appeal period and in the event that the DCO received notice of appeal no publication shall take place until the case is proven.

## Revision History

<b>Date</b>	<b>Revision Number</b>	<b>Who</b>	<b>Why</b>
23-Jan-2007	1.0	Keith Butterworth	Version 1
18-Mar-2007	1.1	Keith Butterworth Melanie Gardner Penny Bydlinski	Comments from Felis Britannica AGA 2007 where the Felis Britannica Disciplinary Process Version 1.0 document was accepted on the proviso suggestions from the AGA were implemented
4-Apr -2007	1.2	Keith Butterworth Neil Gardner Melanie Gardner	Comments following request for Input into the document contents.
11-Jun-2007	1.3	Keith Butterworth	Split document into 2 after EC meeting. Document is to be split into Porcess Doc and Fixed Penalty Guidelines Doc

11-Jun-2009	1.4	Fran de Courcy Rolls	Insertion of dates for clarification of timescales
31-Jan-2011	1.5	Stephanie Scullard Debbie Davies	Insertion of changes accepted at the Felis Britannica AGA 2009 / 2010
31-Jan-2014	1.6	Debbie Davies	Insertion of changes accepted at AGA 2011
22-Mar-2020	1.7	Debbie Downham	Insertion of changes accepted at AGA 2020