British Wrestling Disciplinary Code

Version 3

Effective from 1 October 2025 as prescribed by the Board

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Introduction

1. This Disciplinary Code ("the Code") is issued by the British Wrestling Association ("British Wrestling") as the National Governing Body of the sport of wrestling in the United Kingdom. Its purpose is to provide a uniform and transparent framework for dealing with disciplinary matters arising in connection with the sport of wrestling under the auspices of British Wrestling, fairly, justly and expeditiously.

2. The Code applies to and binds anyone participating or seeking to participate in the sport of wrestling in the United Kingdom in any way, directly or indirectly, and at any level ("Participants"), including Board members, staff, administrators, volunteers, contractors, service providers, recreational athletes, competitors, match and competition/event officials, coaches and assistants, club officials, supporters and any others in attendance at competitions/events or coaching/training sessions. All individuals participating or seeking to participate in the sport of wrestling in the United Kingdom shall be deemed to have agreed to comply with and to be subject to this Code, even if and when they cease to be involved in wrestling.

3. This Code will take effect from 1 January 2024 and will apply to all pending and new matters from then. The British Wrestling Board may in its discretion amend this Code, and such amendments will take effect from the date the Board prescribes. Unless provided otherwise, from the date the amended version takes effect, it will apply in the amended form to all pending and new matters from that date.

4. This Code and any dispute/proceedings under it shall be governed by and construed in accordance with the laws of England.

Delegation of Powers

5. There shall be a Disciplinary Officer appointed by the Board ("the Disciplinary Officer").

6. British Wrestling delegates its authority, power and responsibility for its investigation and enforcement functions under this Code to the Disciplinary Officer who may seek assistance from another person and may (and, in any case where there is a conflict of interest, must) delegate any such powers in relation to a particular case or category of case to another person (e.g. in safeguarding matters, to British Wrestling's Lead Safeguarding Officer)

7. Subject to circumstances in which the Disciplinary Officer, the Competition Discipline Panel, the National Anti-Doping Panel or the National Anti-Doping Appeal Panel may determine cases under this Code, British Wrestling delegates its power and authority for the determination of cases brought in accordance with this Code to Judicial Tribunals and Appeal Tribunals appointed from the Judicial Panel established under this Code.

The Competition Discipline Panel

8. There shall be a Competition Discipline Panel comprised of (i) members of the British Wrestling Sports Committee and (ii) other appropriately experienced individuals as appointed by the Board from time-to-time.

9. In respect of the performance of any functions of the Competition Discipline Panel, a hearing panel of three members of the Competition Discipline Panel shall be selected by the Board (or any person to whom the Board delegates the task).

10. A member of the Competition Discipline Panel may not be part of a particular hearing panel in respect of any matter where they have a conflict of interest. Any Panel Member who believes they may have a conflict due to the circumstances of any particular case shall alert the Disciplinary Officer to their concerns as soon as practicable.

Competition and Event Discipline

11. This section of the Code deals with breaches of the British Wrestling Code of Conduct at competitions and events registered with British Wrestling.

12. During competitions and events, match related conduct is dealt with at the discretion of the Official in Charge and delegated to the officials operating on each mat. The Competition Director is responsible for dealing with conduct at competitions and events other than match related conduct.

13. The relevant officials at a competition or event have the power to sanction wrestlers, coaches, officials, spectators and all other attendees at the competition or event in respect of breaches of the Disciplinary Code at that competition or event. The sanctions available to the relevant officials are as follows:

    (i) Verbal warning: offender warned that their conduct is unacceptable.

    (ii) Yellow card (caution): offender formally cautioned that their conduct is unacceptable.

    (iii) Red card (elimination): disqualification of a wrestler, coach or official from the competition.

    (iv) Eviction from venue: individual asked to leave the venue and not return.

14. If an individual receives two Yellow Cards during a competition (not necessarily during the same bout), they will receive a Red Card. If a spectator receives two Yellow Cards during a competition (not necessarily during the same bout), that will result in Eviction from Venue.

15. Subject to and only to (i) the provisions of British Wrestling Anti-Doping Rules (including the provisions applicable to in competition and out of competition testing) and (ii) in competition/event video challenges/reviews (where available), in-competition/event decisions of officials (including sanctions imposed, and declaring the result of a match) are final and binding, and are not subject to any appeal or challenge in any tribunal or other forum.

16. All sanctions other than a Verbal Warning must be reported by the relevant official(s) through the Disciplinary Officer to the Competition Discipline Panel.

17. On a report being received, the Board (or, if the Board delegates the function, the delegee) shall appoint a hearing panel of three members of the Competition Discipline Panel, which will consider the report within 14 days of the relevant incident.

18. Unless there is good reason for not doing so, the person(s) subject to review, and their primary club contact, shall be informed that a review is taking place and be given a reasonable time (usually, five days) to provide information regarding the incident in question.

19. The hearing panel appointed will determine their own procedure, that procedure being informed by the need to be fair to all parties, and reasonable and proportionate in any further sanction imposed.

20. The hearing panel will consider whether, in the light of the report from the Official in Charge and/or the Competition Director, any information provided by the person(s) subject to review and any other relevant information provided to it, further sanction(s) should be imposed on an individual sanctioned by officials at the competition/event. For the avoidance of doubt, the hearing panel shall have no power to set aside or otherwise

vary or interfere with the declared result or other decisions of, or any sanction imposed by, the officials at the competition/event.

21. The further sanctions available to the hearing panel are as follows:

    (i) Written advice as to future conduct.

    (ii) Written warning of further sanctions should further misconduct during a competition or event occur.

    (iii) Requirement to undergo specific training or complete an educational task

    (iv) Suspension from future competitions and events for up to three months or up to six competitions and events for which the individual is eligible.

    (v) Suspension of membership of British Wrestling for up to three months.

    (vi) Removal or down-grading of qualification for up to three months.

    (vii)Fine up to £250

    A combination of more than one of these further sanctions may be imposed.

22. Decisions (including any further sanctions imposed) will be sent to the individual, and their primary club contact, by email within three days of decision by the Competition Discipline Panel.

23. Decisions of the Competition Discipline Panel (including any further sanctions imposed) will be published by British Wrestling on its website (www.britishwrestling.org).

24. The hearing panel may, in addition to or instead of imposing further sanctions itself, at any time refer the matter to the Disciplinary Officer with a recommendation that they

investigate the matter and consider bringing charges of misconduct before the Judicial Tribunal (see paragraph 41 and following below).

25. A decision of the Competition Discipline Panel to impose further sanctions may be appealed to the Appeal Tribunal. The provisions of appeals to the Appeal Tribunal from the Judicial Tribunal in this Code shall generally apply, except:

    (i) A notice of appeal must be sent to British Wrestling, with the required fee of £50,and accompanying documents, within 48 hours of notification of the imposition of the further sanction.

    (ii) An appeal can only be made on one or both of the following grounds:

        (a) there was injustice because of a serious procedural or other irregularity in the proceedings before the Competition Discipline Panel; and

        (b) the sanction imposed by the Competition Discipline Panel was grossly disproportionate to the seriousness of the misconduct accepted or found.

    (iii) British Wrestling must refer the appeal to the Chair of the Judicial Panel, together with any response to the appeal, within 48 hours of receipt.

    (iv) The Chair of the Judicial Panel will appoint an Appeal Tribunal to consider and determine the appeal. The Tribunal will be appointed without reference to the parties. The Appeal Tribunal will usually comprise a single member of the Judicial Panel, and will usually deal with the appeal on the papers and without an oral hearing within 72 hours of receipt.

    (v) The Appeal Tribunal shall have the power to:

        (a) dismiss the appeal (in whole or in part);

(b) alter or vary the decision of the Competition Discipline Panel as to sanction, but may not impose any sanction which the Panel had no power to impose; and

(c) make any such other order or determination it considers just and appropriate.

26. For the avoidance of doubt, the decision of the Appeal Tribunal shall be final and binding, and shall not be subject to any appeal or challenge in any tribunal or other forum.

27. Again for the avoidance of doubt, in addition to the above (and whether or not the matter has been considered by the Competition Discipline Panel), in-competition/event conduct may result in charges for misconduct being brought before the Judicial Tribunal in accordance with this Code, at which (further) sanctions may be applied. Such charges will only usually be brought where the conduct is such that, in the event of the charges being proved, the sanction likely to be imposed by the Judicial Tribunal will exceed that of the Competition Discipline Panel. In the event that the charges being proved, in determining sanction, the Judicial Tribunal will take into account any sanction already imposed by the officials at the Competition/event and/or by the Competition Discipline Panel.

The Judicial Panel

28. There shall be a Judicial Panel.

29. The Chair of the Judicial Panel shall be appointed by the Board and shall hold office for four years, and shall be eligible to stand for two terms, provided that in any event the Chair shall serve in office for no more than eight consecutive years. The Chair shall be independent and legally qualified with no less than ten years' post-qualification experience.

30. Other members of the Judicial Panel shall be made up of (i) other independent and qualified lawyers with no less than five years' post-qualification experience, and (ii) nominees, one from each nation or region. Each nominee must have held continued membership of British Wrestling for a period of not less than five years (with a grace period of up to three months for gaps caused by delays in renewals). Each Panel Member will be appointed by the Chair of the Judicial Panel, who will be responsible for the selection process. The appointment of Panel Members must be ratified by the Board, such ratification not to be unreasonably withheld. Panel Member appointments shall be effective from the date of ratification by the Board. Each Panel Member shall hold office for four years, and shall be eligible to stand for two terms, provided that in any event no Panel Member shall serve in office for more than eight consecutive years.

31. The Chair of the Judicial Panel shall have the power exercisable in their absolute discretion to co-opt from time-to-time additional persons with specialist skills or experience to a Judicial Tribunal or Appeal Tribunal to deal with a specific matter which in the view of the Chair requires such specialist skills or experience. Any person co-opted to a Judicial Tribunal or Appeal Tribunal shall, unless otherwise directed by the Chair of the Judicial Panel, serve as a full member of the Tribunal for the particular hearing. Any such co-options shall be reported by the Chair to the Board.

32. The Chair of the Judicial Panel may delegate any of their functions to any other independent, legally qualified member of the Judicial Panel.

33. Where the Chair of the Judicial Panel is required to establish a Judicial Tribunal or an Appeal Tribunal for any purpose under this Code, they will appoint a Chair of the Judicial Tribunal who shall be an independent, legally qualified member of the Panel. The Chair of the Judicial Panel may be appointed Chair of the Tribunal. The Chair of the Tribunal will

either sit alone or with two side members who will be appointed by the Chair of the Judicial Panel from Panel members. A nominee member of the Judicial Panel may not be part of a Tribunal in respect of any proceedings where the complaint emanates from the same nation/region as that member.

34. The management of the Judicial Panel and its functions shall be the responsibility of the Chair of the Judicial Panel in consultation with British Wrestling. Administrative support for the Judicial Panel shall be provided by British Wrestling.

35. Every member of the Judicial Panel shall be required to comply with the provisions of the British Wrestling Conflicts of Interest Policy including the making of any return required for entry in the Conflicts of Interest Register. In particular, any Panel Member who believes they may have a conflict due to the circumstances of any particular case shall alert the Chair of the Judicial Panel to their concerns as soon as practicable.

36. Any improper contact, approach or attempt to influence or intimidate any Judicial Panel member, witness, potential witness or representative either in person or through an intermediary must be reported immediately to the Chair of the relevant Tribunal (if during the course of a hearing) or the Chair of the Judicial Panel, who will take such action as they deem appropriate.

37. Members of the Judicial Panel will not be entitled to any fee; but will be entitled to reasonable out-of-pocket expenses in accordance with the British Wrestling Expenses Policy from time-to-time.

Misconduct

38. For the purposes of this Code, the following amount to "misconduct", namely:

    (i) a breach of the British Wrestling Code of Conduct;

(ii) the British Wrestling Safeguarding Policy;

(iii) the British Wrestling Anti-Doping Rules;

(iv) a breach of a prohibition against participation and/or period of ineligibility imposed in accordance with the British Wrestling Anti-Doping Rules;

(v) a breach of any suspension, prohibition, restriction, sanction or other order (including payment of a fine) made or recognised under this Code;

(vi) refusal or failure fully to comply with an investigation under this Code; and

(vii) refusal or failure fully to comply with any process before a Judicial Tribunal or Appeal Tribunal under this Code.

Reporting

39. Under the British Wrestling Code of Conduct, a Participant is required to report to British Wrestling any conduct of any Participant that may be misconduct.

40. The report must initially be made on the required form as set out in Guidance from time-to-time. It must be made to the Disciplinary Officer. It must be made on-line, unless good reason is given as to why the person making the report cannot make an on-line report. It must explain the events, problem or concern as clearly and (within the prescribed word count limits) as fully as possible, including any action taken to date and any outcome sought or preferred. Any report should generally be made within 30 days of the relevant events. Where it is later than that, then the report should explain why it was not made earlier.

Investigation

41. The Disciplinary Officer may investigate any matter that may constitute misconduct, whether following a report from a third party (including from the Board, the Competition Discipline Panel, or a Judicial Tribunal or Appeal Tribunal or through the Complaints Procedure) or of their own motion. An investigation may be in respect of one or more organisations, clubs and/or Participants. Subject to paragraph 47 below, the Disciplinary Officer has sole discretion as to whether to investigate a matter or not. Again subject to paragraph 47 below, they also have sole discretion as to whether to investigate the matter personally or with the assistance of other persons (such as the Lead Safeguarding Officer), or whether to delegate the investigation to someone else (internal or outsourced).

42. The Disciplinary Officer may refer a matter to the Sport Integrity Service under the Rules of Procedure of that service. This may involve the commission of an independent investigation or disciplinary procedure into alleged grievances, or allegations of misconduct involving: (i) wrestlers; (ii) wrestler support personnel; or (iii) British Wrestling office holders, who are either members of the British Wrestling World Class Programme or funded through the UK Sport grant the following circumstances:

    (i) where an individual is deemed a "Relevant Person" under the terms of the Independent Disclosure and Complaints Service Pilot Regulations; and

    (ii) they are a respondent to allegations of misconduct as defined as a "Relevant Matter" under the same regulations.

    In such circumstances, they are required to cooperate with any investigation conducted by Sport Integrity, where the investigation is covered by terms of reference agreed by British Wrestling.

43. In looking into a matter, the Disciplinary Officer may undertake any investigations they consider appropriate, including requiring information or documents from any Participant (or former Participant still bound to comply with this Code) which the Disciplinary Officer considers relevant, including information required to access computers, telephones, etc which the Disciplinary Officer considers relevant.

44. Any party is entitled (at their own cost) to be represented throughout the investigation and any subsequent proceedings under this Code.

45. A Participant must cooperate fully and expeditiously with any investigation. Information obtained in the investigation will only be used for the purposes of proceedings under this Code, and each Participant shall be deemed to have waived privilege against self-incrimination. A refusal or failure to cooperate may itself constitute misconduct under this Code.

46. Subject to paragraph 47 below, the Disciplinary Officer has sole discretion as to the action they take once the investigation is complete. That action may be or include a decision to:

(i) take no further action because the report was late;

(ii) take no further action for any other reason than lateness;

(iii) dismiss the complaint as outside the jurisdiction of British Wrestling, vexatious or supported by insufficient evidence to proceed with any further action;

(iv) deal with the matter themselves under paragraph 50 below;

(v) refer the complaint to a more appropriate authority (such as the relevant local authority, law enforcement authority); or

(vi) bring a misconduct charge.

47. In respect of a decision of the Disciplinary Officer following investigation as to the action to be taken (including any decision to take no action because the report was made late or for any other reason), any Participant may notify British Wrestling within seven days of themselves being notified of the decision under paragraph 48 that they apply for the matter to be reviewed by a Judicial Tribunal.

48. Unless the Disciplinary Officer considers that notification would be inappropriate, the Disciplinary Officer shall promptly (and, in any event, within 28 days of the end of the investigation) notify the relevant Participant of the outcome of the complaint; and may notify any other interested person whom the Disciplinary Officer considers should be notified. Such notifications shall be accompanied by brief reasons for the proposed course of action.

49. At any time before reference to the Chair of the Judicial Panel, and where the Disciplinary Officer considers that it is likely to result in an appropriate disposal of a complaint, the Disciplinary Officer may propose some form of informal resolution procedure. Where a complaint is based on the report of a third party, or where there is a third party complainant, such a procedure is only appropriate if both the third party and the Participant the subject of the complaint agree. The Disciplinary Officer may act as mediator, or he may appoint another person to be mediator, or he may request the Chair of the Judicial Panel to appoint a mediator from the Judicial Panel. The mediator shall assist the parties in coming to a resolution of a complaint which is acceptable to all parties and to the Disciplinary Officer. Such informal resolution procedures shall normally take no longer than 28 days to conclude, and shall not last more than 42 days. In the event of

a resolution being agreed, it will be submitted to the Chair of the Judicial Panel for approval.

50. Alternatively, in respect of minor breaches of this Code, following investigation, the Disciplinary Officer may themselves make appropriate findings and impose a sanction, provided that:

(i) the breach does not involve any safeguarding or anti-doping issue; and

(ii) the Disciplinary Officer notifies the relevant Participant(s) of his findings and sanction, with brief reasons; and

(iii) the sanction imposed is restricted to one or more of the following: the giving of advice and/or information, a caution, a reprimand and/or warning as to future action, a requirement to undergo specific training, or the imposition of conditions upon which the Participant may participate in some or all aspects of the sport of wrestling; and

(iv) any Participant against whom findings are made and/or upon whom a sanction is imposed by the Disciplinary Officer under this paragraph may notify British Wrestling within seven days of themselves being notified of the findings and/or sanction that they apply for the matter to be reviewed by a Judicial Tribunal.

51. Where a Participant seeks the review of a decision of the Disciplinary Officer under paragraph 47 or 50(iv), then the following shall apply.

(i) A fee of £50 shall be payable by the Participant on lodging the application for the review. The Chair of the Judicial Tribunal may later order the return of the fee if, in all the circumstances, it seems to them to be reasonable to do so.

(ii) Any application must be (a) accompanied by a copy of the decision sought to be reviewed, (b) accompanied by the review fee (or proof that the review fee has already been paid), (c) specify the name and address and full contact details of the Participant (and, if any, their authorised legal representative); and (d) specify why it is considered that the decision is wrong.

(iii) The application will be passed by British Wrestling to the Chair of the Judicial Panel as within seven days of receipt, and the Chair will appoint a Judicial Tribunal to consider and determine the application. Whilst the Chair of the Judicial Panel (and, if and when appointed, the Chair of the Judicial Tribunal) will have all of the case management powers given to them by this Code, such applications will usually be dealt with by a Judicial Tribunal comprising a single member, and will usually be dealt with on the papers alone.

(iv) The decision of the Judicial Tribunal on the application shall be final and binding, and shall not be subject to any appeal or challenge in any tribunal or other forum.

Interim Suspension

52. If the matter is sufficiently serious, the Disciplinary Officer may impose an interim suspension on a Participant, suspending them from any or all wrestling activities pending investigation or determination of the matter. Alternatively, the relevant Participant may voluntarily agree to an Interim Suspension on terms acceptable to the Disciplinary Officer.

53. A Participant may apply to a Judicial Tribunal to lift or vary an Interim Suspension imposed by the Disciplinary Officer. Any application must be made through British Wrestling, who will notify the Chair of the Judicial Panel promptly and in any event within two working days (i.e. 48 hours); and the application will be determined by the Judicial

Tribunal promptly and in any event within seven days. The decision of the Judicial Tribunal on such an application shall be final and binding, and shall not be subject to any appeal or challenge in any tribunal or other forum.

54. Any Interim Suspension must be reviewed by a Judicial Tribunal at least every three months; and it shall cease on the final substantive determination of the matter.

Charges and Proceedings Before the Judicial Tribunal

55. In deciding whether to bring disciplinary proceedings under this Code, British Wrestling will not be bound by the decision of any other court, tribunal or other authority or person.

56. Where, following an investigation, the Disciplinary Officer concludes that the relevant Participant has a case to answer (and it is inappropriate for the Disciplinary Officer themselves to deal with the matter under paragraph 50 above, or for other action to be taken), then the Disciplinary Officer will send formal notice to that Participant setting out:

(i) the charge or charges made;

(ii) the provision or provisions of the British Wrestling Code of Conduct and/or Safeguarding Policy, and/or any prohibition, suspension etc, allegedly breached; and

(iii) any sanction proposed by British Wrestling.

The notice will be accompanied by a bundle of relevant documents including statement of evidence relied upon. The notice must notify the Participant that they are required to respond within 21 days.

57. A Participant served with such a notice must respond to each charge within 21 days by admitting the charge (and, if so, accepting or challenging any sanction proposed) or denying the charge. If they deny the charge, then the response must be accompanied by written submissions as to why the alleged misconduct should not be upheld and a bundle of further relevant documents including statement of evidence relied upon.

58. If the Participant fails to respond to a notice of charge within 21 days, they shall be deemed to have admitted the charge(s) and any sanction suggested by British Wrestling, and the matter will be sent to the Chair of the Judicial Panel for determination and disposal by a Judicial Tribunal.

59. If the Participant admits the charge and accepted the suggested sanction, then the Disciplinary Officer on behalf of British Wrestling will issue a written decision setting out the agreement. No reference to the Chair of the Judicial Panel will be required.

60. Otherwise, within seven days, the charges will be referred to the Chair of the Judicial Panel who will appoint a Judicial Tribunal to determine them. The reference must be accompanied by a copy of the charges and a bundle of relevant documents including relevant evidence and any response received from the relevant Participant(s).

61. Usually, when a Judicial Tribunal is appointed, except where otherwise indicated in this Code, it will comprise three members of the Judicial Panel; but the Chair of the Panel may, in their discretion, appoint a single person to sit as a Judicial Tribunal. For the avoidance of doubt, the Chair of the Judicial Panel may appoint themselves to a Judicial Tribunal.

62. Once a Judicial Tribunal has been appointed, the parties will be notified and shall have seven days to object to any member. If there is any objection, the Chair of the Judicial

Panel will determine the objection, their decision shall be final and binding, and shall not be subject to any appeal or challenge in any tribunal or other forum.

63. Upon reference of a charge to the Chair of the Judicial Panel, they (or, if appointed, the Chair of the Judicial Tribunal appointed to deal with the matter) may dismiss the charge if it is vexatious or stand no real prospect of succeeding. Any dismissal shall be notified to the parties and shall be accompanied by reasons.

64. If the charge is not dismissed, then the Chair shall give directions.

65. Charges may be dealt with on the basis of written evidence and submissions alone, or with an oral hearing which may be face-to-face, remote or hybrid. The Chair of the Judicial Panel (or, if appointed, the Chair of the Judicial Tribunal) shall determine the most appropriate mode of hearing after considering any representations of the parties.

66. Where there is an oral hearing, unless the Chair of the Judicial Tribunal directs otherwise, British Wrestling will provide to the parties, and to the members of the Judicial Tribunal, a bundle of documents for use at the hearing containing copies of the documentation submitted by each of the parties. British Wrestling shall also notify the parties of the name of any representative who will be presenting a party's case.

67. The Chair of the Judicial Tribunal may require Participants, and request that other individuals, to participate and give evidence at the hearing and/or that further written documents or other evidence be supplied by any or all of them.

68. Unless the Chair of the Judicial Tribunal directs otherwise, the hearing will be confidential; and it will take place in private except that the Chair of the Judicial Tribunal may decide to hold a hearing in public provided that, before making the decision, they have consulted the parties involved and have taken their wishes into account; and they

are satisfied that it is in the public interest to do so, having regard to any particular need for confidentiality, the rights of the parties and others, and the need to encourage others to co-operate with judicial proceedings in general.

69. If any of the parties concerned do not attend the hearing, the matter may be dealt with by the Judicial Tribunal in the absence of that party taking into account any written representations that may have been received from that party.

70. The procedure at a hearing shall be flexible and shall be at the discretion of the Chair of the Judicial Tribunal. The aims of the Judicial Tribunal shall be to ensure that (i) all parties have a fair hearing and a proper opportunity to be heard; (ii) matters are dealt with justly; and (iii) no child and/or adult at risk suffers any unnecessary or unreasonable detriment by giving evidence (the Chair of the Judicial Tribunal being required to consider steps to enable evidence from such witnesses to be admitted without any such consequence).

71. It shall be for British Wrestling to prove any charge on the balance of probabilities. For any party that seeks to rebut a presumption or establish specified facts or circumstances, the burden will be on that party to prove that rebuttal or the existence of those facts and circumstances on the balance of probabilities.

72. A Judicial Tribunal of three shall make its decisions by a simple majority.

73. At the end of the hearing, the Chair of the Judicial Tribunal may inform the parties orally of the decision of the Judicial Tribunal. In any event, the Chair will communicate the decision in writing to the parties and such other interested persons or bodies as they consider appropriate within seven days of the date of the hearing; and, within a reasonable time thereafter, the written reasons for the decision, notification of their entitlement to appeal and the time by which any appeal must be lodged.

74. If no appeal is filed in accordance with this Code, the decision of a Judicial Tribunal will be final and binding.

Sanctions

75. Where a charge is accepted or has been found proved, subject to this Code, a Judicial Tribunal may impose any sanction which it considers to be appropriate in all the circumstances, including one or more of the following sanctions on the Participant against whom the charge has been upheld:

    (i) a caution, reprimand and/or warning as to future conduct;

    (ii) a requirement to undergo specific training or complete an educational task;

    (iii) conditions upon which the Participant may participate in one, some or all aspects of the sport of wrestling;

    (iv) a fine;

    (v) compensation to a person adversely affected by the misconduct proved;

    (vi) a suspension from participating in one, some or all aspects of the sport of wrestling for a specified period (including the lifetime of the Participant), which suspension may be subject to reviews by the British Wrestling or the Judicial Tribunal at periods which the Tribunal consider appropriate;

    (vii)measures to manage the risk posed by the Participant to children or adults at risk.

76. Any sanction(s) imposed, objectively viewed as a whole, shall be reasonable and proportionate.

77. When assessing the appropriate action, the Judicial Tribunal shall take into account, and take into account only, factors and circumstances which it considers relevant in all the circumstances, which may in a particular case include:

(i) the seriousness of the misconduct accepted or found to have occurred;

(ii) the consequences and effect of the misconduct on any other person;

(iii) the relevant Participant's record in respect of conduct;

(iv) any genuine remorse for the conduct:

(v) the young age, immaturity or inexperience of the Participant;

(vi) the need to protect the welfare and safety of other Participants;

(vii)any need to deter or otherwise influence the Participant or others in respect of their future conduct;

(viii) the need to protect the reputation and good name of wrestling;

(ix) any sanction already imposed by the officials at the competition/event and/or by the Competition Discipline Panel; and

(x) any other aggravating or mitigating factors or circumstances the Tribunal considers relevant.

78. Where a charge that there has been a breach of the Safeguarding Policy is accepted or has been found proved, the Judicial Tribunal shall consider whether the sanction should comprise or include measures to manage the risk posed by the relevant Participant to children or adults at risk. In considering such measures, the best interests of children and adults at risk shall be paramount. Any measures imposed shall be proportionate to the

risk posed by the relevant Participant to children and adults at risk in the context of wrestling; and necessary to manage that risk.

79. The Judicial Tribunal may suspend all or part of any sanction for a specified period.

Appeals

80. Except where this Code expressly provides that there is no right of appeal in respect of a decision, the final substantive decision of a Judicial Tribunal may be appealed by the Disciplinary Officer on behalf of British Wrestling or any charged person or organisation against whom the proceedings were taken. Otherwise, there is no right of appeal or challenge in any tribunal or other forum against the decision of any Judicial Tribunal. For the avoidance of doubt, there is no separate right of appeal from any decisions, directions, orders or determinations made in respect of preliminary or interim matters (other than by way of an appeal of the final, substantive decision in each case).

81. Unless otherwise stated in this Code, an appeal may be made against the whole of the decision or against a particular aspect or aspects of the decision.

82. Except where the appellant is British Wrestling and the appeal is made in the exercise of its regulatory function, a fee of £250 is payable by the appellant on lodging a notice of appeal ("the appeal fee"). The Chair of the Appeal Tribunal may order the return of the appeal fee if, in all the circumstances, it seems to them to be reasonable to do so.

83. For an appeal to be valid, the appellant must, within 28 days after receipt of the written decision that is to be appealed, file a notice of appeal with the Chair of the Judicial Panel, signed by or on behalf of the appellant. To be valid, the notice of appeal must:

    (i) be accompanied by a copy of the decision being appealed;

(ii) be accompanied by the appeal fee (or proof that the appeal fee has already been paid);

(iii) be accompanied by any application to suspend the decision and/or the sanction imposed by the Judicial Tribunal pending the outcome of the appeal (although, for the avoidance of doubt, it should be made clear that such an application can be made at any later time);

(iv) specify the name and address and full contact details of the appellant and the other parties to the proceedings (and, if any, their authorised legal representatives); and

(v) specify the aspects of the decision being challenged on appeal, and the grounds for such challenge.

84. An appeal against a decision of a Judicial Tribunal can only be made on one or more of the following grounds:

(i) the decision of the Judicial Tribunal was based on an inaccurate representation of the facts or was a decision that could not reasonably have been reached by the Judicial Tribunal when faced with the evidence before it;

(ii) there was injustice because of a serious procedural or other irregularity in the proceedings before the Judicial Tribunal;

(iii) significant and relevant new evidence has come to light that was not available, or could not have become available on the making of reasonable enquiries, before the conclusion of hearing the Judicial Tribunal hearing; and

(iv) the sanction imposed by the Judicial Tribunal was grossly disproportionate to the seriousness of the misconduct accepted or found; or (in a case arising under the Safeguarding Policy) the risk management measure(s) imposed by the Tribunal were grossly disproportionate to the identified level of risk to children and/or adults at risk in the context of wrestling.

85. Within 28 days of receipt of the notice of appeal, British Wrestling will provide a copy of the notice of appeal (and accompanying evidence, information and documentation as submitted by the appellant) to the Chair of the Judicial Panel, together with confirmation as to whether or not British Wrestling considers that all of the conditions set out herein have been complied with.

86. The Chair of the Judicial Panel will summarily dismiss the appeal if:

(i) one or more of the conditions set out above have not been met, unless the Chair is satisfied that there was a reasonable excuse for the failure to comply with the said condition(s);

or

(ii) the appeal stands no real prospect of success.

87. Otherwise, the Chair of the Judicial Panel will appoint an Appeal Tribunal, which will comprise a single member or three members of the Judicial Panel, the Chair of which shall be legally qualified. Unless otherwise indicated in this Code, an Appeal Tribunal will usually comprise three members. The Chair of the Judicial Panel may sit on an Appeal Tribunal. However, none of the Judicial Tribunal whose decision is being appealed in a particular case may sit on the Appeal Panel.

88. The provisions for hearings before a Judicial Tribunal, so far as appropriate to an appeal, will apply to hearings before the Appeal Tribunal.

89. A de novo hearing of the appeal will take place only in exceptional cases, and only where the Appeal Tribunal is persuaded that there is a compelling reason why the appeal ought to be heard de novo. If heard de novo, the burden of proof will be on British Wrestling to prove the charge(s) on the balance of probabilities. In all other cases, the appeal will be a review of the challenged decision on the grounds of appeal put forward; and the burden will be on the appellant to show that (i) there was an error based on one or more of the grounds set out above, and (ii) the decision of the Judicial Tribunal should be overturned or varied.

90. The parties shall be notified in writing of the names of members appointed to the Appeal Tribunal, and the parties shall have seven days from the receipt of the notification in which to lodge any objection to any member(s) of the panel stating the grounds for the objection. Any objection shall be referred to the Chair of the Judicial Panel who shall consider any such objections in determining the composition of the Tribunal. The decision of the Chair in respect of an objection shall be final and binding, and shall not be subject to any appeal or challenge in any tribunal or other forum.

91. Upon reference of an appeal to the Chair of the Judicial Panel, they (or, if appointed, the Chair of the Appeal Tribunal selected to deal with the appeal) shall give directions within seven days.

92. Subject to those directions, as soon as is reasonably practicable thereafter, (i) the date, time and venue of the hearing shall be fixed and shall normally commence within 60 days of the receipt by British Wrestling of the notice of appeal; and (ii) unless the parties agree or the Chair of the Panel (or, if appointed, the Chair of the Appeal Tribunal) shortens the

notice period, the parties shall be given at least 14 days' notice of the arrangements for the hearing.

93. The Chair of the Judicial Panel (or, if appointed, the Chair of the Appeal Tribunal) may, on receipt of the notice of appeal, suspend the decision of and/or penalty imposed by the Judicial Tribunal pending the outcome of the appeal to an Appeal Tribunal. The appellant may make an application to suspend the decision and/or penalty with or at any time after lodging a notice of appeal.

94. An appeal to an Appeal Tribunal may only be withdrawn with the consent of the Chair of the Appeal Tribunal on receipt of a letter from the appellant setting out the grounds for the withdrawal of the Notice of Appeal. If a Notice of Appeal is withdrawn the Chair of the Appeal Tribunal shall uphold the decision of the Judicial Tribunal; and, if that decision has been suspended, the Chair may increase the sanction if (e.g.) the appellant has gained any advantage by obtaining the suspension pending the appeal.

95. An Appeal Tribunal shall have the power to:

(i) dismiss the appeal (in whole or in part);

(ii) alter or vary any decision of a Judicial Tribunal (including any decision as to sanction

(iii) exercise any power that the Judicial Tribunal could have exercised;

(iv) remit the matter for re-hearing before the Judicial Tribunal (either with the same or a different constitution); and

(v) make any such other order or determination it considers just and appropriate.

96. The decision of an Appeal Tribunal shall be final and binding, and shall not be subject to any appeal or challenge in any tribunal or other forum.

Provisions Applicable to Judicial Tribunals and Appeal Tribunals

97. The following provisions apply to Judicial Tribunals and Appeal Tribunals:

98. The Chair of the Judicial Panel (or, if appointed the Chair of a Tribunal) may make administrative, case management and interlocutory decisions in relation to a matter; and will be entitled to determine pre-hearing procedural and evidential issues without recourse to other members of the Tribunal. They shall have power to extend or shorten any time period within which a step is required to be done under the Code.

99. Any case will follow the procedure as prescribed by this Code. However, subject to that and to the requirements of procedural fairness (including the requirement that every party has the opportunity to put its case), the Chair of the Tribunal has the power to regulate the Tribunal's own procedure. That power is wide, but its exercise shall be informed by the need to deal with the matters before the Tribunal with procedural fairness, justly and with reasonable expedition.

100. Evidence not submitted by a directed time will not normally be accepted by a Tribunal unless there was a reasonable excuse for the failure to meet the time limit.

101. In addition to the right to representation (see paragraph 44 above), a Participant may have present at any hearing a supporter who will not be permitted to take any part in the hearing.

102. Proceedings before a Tribunal shall be recorded. In the event of a mechanical recording being made, the only official recording of the proceedings shall be that mechanical

recording. After any hearing, any record (manual and/or mechanical) shall be retained by British Wrestling six months together with the entire record of the complaint or appeal.

103. All proceedings shall remain confidential, subject to express direction by the Tribunal or the provisions of this Rule.

104. All decisions of a Tribunal shall be reported to British Wrestling and such other bodies or persons as the Chair of the Tribunal shall direct. British Wrestling shall retain copies of all decisions and any written reasons. British Wrestling, and the Judicial Tribunal and the Appeal Tribunal through the Chair of the Judicial Panel, shall be entitled to publish as they think fit reports of proceedings, findings and penalties. Any report shall take into account the safety and welfare of any Participants or other individuals involved, and shall treat the welfare of any child or adult at risk as a paramount consideration.

105. In addition to any financial penalty which a Tribunal may impose, the Tribunal may at its discretion make an order for the costs of the hearing to be paid, in such proportions as it may decide by any of the parties to the hearing. These costs may include expenses necessarily incurred in the preparation for the hearing by the Tribunal and/or the expenses actually and necessarily incurred by a successful party in preparing and presenting their case to the Tribunal. In calculating the costs to be paid to a party, nothing shall be included in respect of professional representation. An order in respect of costs may be made where charges have been made but never determined by a Tribunal (e.g. where a charge or appeal is withdrawn or accepted and the matter concluded without a Tribunal hearing). Before any costs order is made, the Tribunal will give the parties an appropriate opportunity to make submissions on costs.

Waiver

106. Each Participant waives any claim they may have against members of the Judicial Panel (including the Chair) involved at any stage of proceedings under this Code, for anything done in relation to or in connection with such proceedings.

107. Each Participants acknowledges and agrees that British Wrestling will collect, process, use and disclose information (including personal information) about them and their activities where it relates to conduct that actually or potentially breaches this Code.

Notices

108. Any communication (including a notice) under this Code must be given in writing.

109. A communication to British Wrestling may be given in any one of the following ways:

(i) By email to the Chief Executive at canthony@britishwrestling.org. Any such communication will be deemed sent at the time the email was sent, except if it was sent after 4pm on a working day and before 9am on the following working day, or at a weekend or public holiday, when it will be deemed served at 9am on the next working day after it was sent.

(ii) By post to Craig Anthony, Chief Executive, British Wrestling, British Wrestling Academy, 41 Great Clowes Street, Salford M7 1RQ. Any such communication will be deemed received when it is delivered.

110. A communication to the Disciplinary Officer may be given in any of the following ways:

(i) By email to admin@britishwrestling.org with Disciplinary Officer in the subject. Any such communication will be deemed sent at the time the email was sent, except if it was sent after 4pm on a working day and before 9am on the following

working day, or at a weekend or public holiday, when it will be deemed served at 9am on the next working day after it was sent.

(ii) By post to Disciplinary Officer, British Wrestling, British Wrestling Academy, 41 Great Clowes Street, Salford M7 1RQ. Any such communication will be deemed received when it is delivered.

111. A communication to the Competition Discipline Panel, the Chair or the Judicial Panel, a Judicial Tribunal or an Appeal Tribunal should be sent to the Chief Executive of British Wrestling (by email or post in accordance with paragraph 109 above) who will promptly transmit it on appropriately.

112. A communication to any other person may be given in any one of the following ways:

(i) By email to the email address of the recipient last notified to or used by that person to British Wrestling. Any such communication will be deemed sent at the time the email was sent, except if it was sent after 4pm on a working day and before 9am on the following working day, or at a weekend or public holiday, when it will be deemed served at 9am on the next working day after it was sent.

(ii) By first class post to the last postal address of the recipient last notified to or used by that person to British Wrestling. Any such communication will be deemed received three days after posting.

Definitions

113. As a result of devolved legislation, the definitions of "child" and "adult at risk" vary between the Home Nations. For the purposes of this Code, "child" means any person under 18 years of age; and "adult at risk" means a person aged over 18 years who is suffering or at risk of suffering abuse or neglect because of their needs for care or

support and, as a result of those needs, is unable to protect themselves from that actual or potential abuse or neglect. The risk may be general or may arise from particular circumstances in which that person finds themselves.

114. Similarly, the definitions of "abuse" and "harm" vary between the Home Nations. For the purposes of this Policy, both are very wide concepts. They include not only physical and sexual abuse/harm, but also psychological or emotional abuse/harm. Abuse may be partly or wholly on-line, in the form of emails, messaging and through social media.

115. In line with British Wrestling Anti-Doping Policy, British Wrestling has adopted the UK Anti-Doping Rules 2021 (as amended from time-to-time) as its Anti-Doping Rules; and, in this Code, references to "British Wrestling Anti-Doping Rules" should be construed as a reference to "the UK Anti-Doping Rules 2021 as amended from time-to-time" as so adopted.

116. "Match related conduct" is any conduct by any individual involved in a match (including wrestlers and coaches) taking place or starting on the field of play.

117. "The Board" is a reference to "the British Wrestling Board".

118. Unless otherwise indicated, "days" is a reference to calendar days. In the calculation of "hours" (e.g. "48 hours"), time at weekends and bank holidays shall be excluded.

119. Words denoting any gender include reference to any other gender; and words denoting the singular include the plural and vice versa. In particular, where the context requires, the word "they" and its derivatives refer to the singular.