

WHIP RULE (F) 45

The BHA remains totally committed to preventing any abuse of horses through improper or unacceptable use of the whip. Stewards shall identify occasions where a rider may have misused the whip; on each occasion the potential misuse will be referred to the Whip Review Committee to consider the matter using the below guidelines.

The Whip Review Committee may independently review a race, identify, and consider any instance of misuse of the whip

Veterinary Officers will inspect horses after a race and if a horse is wealed it will be reported to the Stewards.

For the avoidance of doubt, all (F)45 whip offences MUST be considered by the Whip Review Committee who will sit as a first instance body.

GUIDANCE ON USE OF THE WHIP

In assessing a rider's use of the whip for referral to the Whip Review Committee the Stewards should always remember that the whip must only be used for safety and encouragement within the guidance set out below. Whilst there is a requirement for all riders to carry a whip, there is no obligation on riders using their whip.

Taking into account the below, on any occasion where the Stewards believe a rider may have committed an offence the Stewards shall refer the matter to the Whip Review Committee for consideration.

- a) A rider must use an approved whip.
- b) A rider may use the whip (including when waving it) in the forehand or backhand position.
- c) On each occasion the whip is used when the rider's hand is off the reins, it will count towards the permitted number of strikes.
- d) A rider must not use their whip more than 6 times in a flat race or 7 times in a jump race.
- e) A rider must not use their whip excessively down the shoulder in the backhand position, with their hands on the reins, for example, as an alternative to using the whip in the freehand.
- f) A rider must only use the whip on the hindquarters of the horse in either the forehand or backhand position or down the shoulder with the whip in the backhand position.
- g) A rider must allow 3 strides between each use of the whip.
- h) A rider must only use the whip where their horse is responding.
- i) A rider must not use the whip with excessive force, for example by pulling the whip through from the opposite side of the body or rotation of the core to generate increased leverage.
- j) A rider must not use the whip with their whip arm above shoulder height, for example where there is clear space between whip hand and top of the helmet.
- k) A rider must not use the whip when out of contention, for example when there is no realistic prospect of finishing in the first five places.
- l) A rider must not use the whip without regard to stride, for example by actual or perceived impression of a double strike.
- m) A rider must not use the whip if their mount is clearly winning (or clearly in any other placing).
- n) A rider must not use their whip when past the winning post.
- o) A rider must not weal a horse with their whip.

GUIDANCE FOR THE WHIP REVIEW COMMITTEE – RULE (F) 45

The Whip Review Committee will consider each case individually.

A breach shall be found wherever a rider has used the whip above the permitted level or has misused the whip, contrary to the guidance listed above, subject to the following safety exemption.

When considering whether a rider has breached Rule (F)45 the Whip Review Committee will only exercise discretion in exceptional circumstances where individual strike(s) have been used clearly and unequivocally for safety purposes. For example, where a horse continues to hang significantly despite the rider having visibly attempted to straighten their mount with the reins or in order to prevent a horse from running out.

Where individual strikes have been found to be clearly and unequivocally for safety purposes only, they will be discounted.

NOTES ON PENALTIES – RULE (F) 45

- 1) Previous offences are not to be taken into account by the Whip Review Committee when deciding on the level of penalty.
- 2) Having decided on the level of penalty the Whip Review Committee may order a Jockey to attend a course in training at the British Racing School or National Horseracing College (or other BHA directed provider) on one or more of the days suspension. When doing so the Committee should pay particular attention to where;
 - a) A rider uses no other method in the closing stages, to ask the horse to quicken or maintain its position, other than using the whip;
 - b) A rider has committed a specific misuse offence e.g. Arm above shoulder height or use of the whip in the incorrect place;
 - c) A rider has previously committed a breach of the same nature.
- 3) The Whip Review Committee should then establish if the rider has committed previous breaches; if it is the rider's third suspension within the previous 6 months the rider shall be referred to the Judicial Panel for penalty.
- 4) When checking previous whip offences for referral purposes, the relevant date is the date on which a finding of a breach was first made.
- 5) After a rider has appeared before the Judicial Panel following a referral under paragraph 3 and has been suspended, all offences in the 6 month period prior to and including the offence for which the rider was referred, should not be taken into account when calculating the number of subsequent offences.
- 6) If a rider is found to have committed an offence in a Class 1 or 2 race any suspension relating to use above the permitted level shall be double that recommended in the guidance.
- 7) If a professional rider is suspended for 7 days or more (prior to any doubling of penalties in Class 1 and 2 races) they may also be fined a sum between £200 and £10,000 (£100 and £5,000 in the case of an apprentice) depending upon the type and value of the race, the rider's finishing position and the length of the suspension imposed.
- 8) Using the same criteria in paragraph 7, amateur riders may also be fined a sum between £100 and £5000. Except, when an Amateur Jockey rides in a race that is not confined solely to Amateur Jockeys they should be fined a sum between £200 and £10,000 and treated as if a professional rider.
- 9) The amount of the fine shall be calculated by reference to that payment which the Stakes and Prize Money Code provides to be paid to the Jockey for the Race and placing in question.

If the suspension is for 7 or 8 days, the Professional Jockey shall be fined 20% of that payment, 10% in the case of an Apprentice Jockey, providing that the payment owed is £1,000 or more.

If the suspension is for 9 days or more the Professional Jockey shall be fined 40% of that payment, 20% in the case of an Apprentice Jockey, providing that the payment owed is £500 or more.

- 10) For an Amateur Jockey the amount of the fine shall be calculated by reference to that payment which the Stakes and Prize Money Code provides to be paid to a Professional Jockey for the Race and placing in question and as detailed in paragraph 9. For races solely confined to Amateur Jockeys any such fines will be calculated at the level of an Apprentice Jockey.
- 11) The Judicial Panel, when considering a referral, shall impose a suspension of between 14 days – 6 months with an entry point of 28 days.
- 12) Part of the suspension may be deferred for a period of 6 months, but it will take effect in the event of the rider being further suspended during that 6 month period. The 6 months will not commence until after the suspension for the offences has been served.

The maximum number of days of the suspension that can be deferred is 1/3 (fractions of days will be rounded down) up to a maximum of 9 days.

When a deferred suspension is activated, it will commence immediately after the conclusion of the suspension on days applicable to the rider. Suspensions that include deferred suspension days will not be subject to Group 1/Grade 1 exceptions.

WHIP PENALTIES – RULE(F) 45

The following table provides the minimum penalty to be imposed where a rider has misused the whip, contrary to the guidance outlined above. In the unlikely event the Whip Review Committee finds an example of whip misuse not covered by the guidance, they shall apply a sanction commensurate with the seriousness of the breach, using the below as a guide to assist.

Rule (F) 45 USE OF THE WHIP (Examples of misuse)	Number of uses of the whip which amounts to a BREACH	Minimum penalty – days
Arm above shoulder height	1	4
Without regard to stride	1	4
Excessive force	1	5
Without time to respond	2	4
Showing no response	2	5
Out of contention	2	5
Clearly winning (or other placing)	2	4
Past the post	2	4
Incorrect place	1	4
Use of whip for encouragement down the shoulder in the forehand	1	4
Excessive use of the whip down the shoulder in the backhand position for encouragement with hands on the reins	NA	4

Frequency - uses above the permitted level for frequency: more than 6 times in a Flat race or 7 times in a Jump race.		Minimum penalty – days (doubled for Class 1 or 2 races)
	1	4
	2	7
	3	10
	4	14 and Horse Disqualified
	5	20 and Horse Disqualified

If the finding is a breach of one example, the Whip Review Committee should refer to the respective example and its corresponding penalty (as above) and then add a further 3 days for each use thereafter.

If the finding is a breach of more than one example, the Whip Review Committee should impose a single suspension to take account of all of the individual breaches. In calculating such a suspension, the Whip Review Committee should start by looking at the breach with the highest sanction and then add on further days to reflect any other breaches (including frequency). If a rider is found to have committed an offence in a Class 1 or 2 race any part of the suspension relating to use above the permitted level shall be double that which would be imposed in other races.

A weal shall be treated as an offence irrespective of whether any other breach has been found.

Minor Weal	7 days
Moderate Weal	14 days
Severe Weal	28 days

If a rider is in breach of other aspects of Rule (F) 45 and furthermore has wealed the horse, this shall be treated as an aggravating feature, and an additional penalty will be added, as set out above.

In considering whether a horse has been wealed, and whether that weal is minor, moderate or severe, the Whip Review Committee shall have regard to the opinion of the Veterinary Officer.

STRIKING OR ATTEMPTING TO STRIKE OTHER HORSES OR RIDERS WITH A WHIP – RULE (F) 35

Rider accidentally strikes another horse or rider with the whip causing interference.	Accidental Interference	
Rider unintentionally strikes another horse or rider causing some interference but should have moderated the use of the whip because of the close proximity of another horse or rider.	Careless Riding	2 - 4 days
Rider attempts to strike another horse or rider with the whip.	Improper Riding	7 - 10 days
Rider intentionally strikes another horse or rider with his whip.	Improper Riding	14 - 28 days

NOTE:

If a rider hits another horse only once in a finish and the Panel consider that the rider is unlikely to have known that the horse was within striking range, more often than not it is likely to be categorised as Accidental Interference.