

General Advice on the exercise of the right of Societies to refuse entries to Kennel Club Licensed Events

Introduction

Under Kennel Club Regulations, all societies running licensed events are required to expressly reserve the right to refuse entries in the schedules to their events.

However, the right must be applied in a fair, reasoned and unbiased manner.

Procedure

Should a committee wish to refuse an entry to an event, the following procedure should be followed;

1. The matter must be included on the agenda for a committee meeting.
2. At that meeting, the committee should fully consider the matter and decide whether or not to accept the entry, and discuss how long to maintain any refusal.
3. The decision and salient points of discussion should be minuted.
4. The exhibitor or competitor should be informed of the decision.

The refusal should not be indefinite or open ended, but stated to be for a particular event, or series of events or for a fixed period of time. The right should not be used as a substitute for expulsion from the club, which requires the prescribed procedure to be adopted. The right should be for a proportionate period of time and a club should always be open to the prospect of a review of any refusal.

Grounds

Used legitimately, this right is a very effective and practical tool for societies. It should, however, be used sparingly and fairly. Usual grounds for refusal are to bar entry to a known disruptive person, or where there is a serial non-payer of entry fees. The reason for the refusal should have some bearing and connection with attendance at the show / event, such as anti-social behaviour and/or non payers. The right should not be used in furtherance of a personal grievance, or to artificially manipulate the competition entry or for any other non-genuine purpose.

A competitor has a reasonable expectation that his/her entry will be accepted therefore he/she may well seek to complain if the right to refuse is applied for what appears to be an arbitrary reason totally unconnected with his/her attendance at the event.

If the right is not applied in a fair, even handed and consistent manner then this will undermine the right, if not possibly prejudice the use of the right for everyone else in the future. Societies should be mindful that a practical consequence may be a legal challenge to the exercise of the right, which could involve needless legal costs in then trying to justify a decision.

In view of this, societies are urged to follow the above procedure carefully.

Subject to the above the committee of the society is not required to disclose reasons for refusing an entry to the individual concerned. Whilst reasons do not generally need to be disclosed, it should be understood that if there is a challenge to the application of the right to refuse then the reasons may need to be disclosed, and the committee will then need to be comfortable and confident that, should it be required to disclose the grounds for refusal, it would feel able to explain and justify the decision made.

Over and above this, the right to refuse should obviously never be based upon any form of overt discrimination, nor personal issues, nor for events or disputes long since passed.

Appeal and Review

A society should remain open and willing to review any decisions on refusal of entries and take on board any representations made by the individual, including apologies and explanations in mitigation.

Whilst the Kennel Club hopes that all societies will follow the guidance on this matter there may be cases which require Kennel Club intervention. These would arise out of complaints against decisions to refuse entries. Under these circumstances, the Kennel Club would request sight of the committee minutes at which the matter had been discussed and may ask the society to review the decision.