

**IN THE MATTER OF A COMPLAINT SUBMITTED UNDER
EQUESTRIAN CANADA'S DISCIPLINE COMPLAINTS AND APPEALS POLICY**

BETWEEN

[REDACTED]

Complainant

and

JEN PINKERTON and PETRA PINKERTON

Respondents

ADDENDUM TO DECISION ON SANCTION

Background

1. The Complaint Manager issued the Jurisdiction Order in these proceedings on June 19, 2024.
2. The Jurisdiction Order, paragraph 14-15 sets out the Complainant's allegations against the Respondents.
3. I was appointed by the Complaint Manager as the adjudicator in this matter on July 18, 2024. Prior to this appointment, I confirmed that there were no conflicts of interest with any of the parties or any other individual or organization which could be impacted by the outcome of the Complaint.

4. Several Procedural Orders were issued in this matter both addressing the procedures by which this matter would unfold, as well as responding to various concerns raised by the Respondents.

5. I issued my Decision on the Merits on July 10, 2025 (“Merits Decision”) wherein I determined that two breaches of the Policy had occurred. More specifically, I found as follows:

(a) P. Pinkerton’s manner of communication with A, which included the repeated use of the word “whore” and sexually explicit conversations and communications, constitutes a breach of the Code of Conduct; and

(b) The involvement of C and A, by P. Pinkerton and J. Pinkerton, in the dispute between them and the Complainant in the manner set out above, was unprofessional, inappropriate, and constitutes a breach of the Code of Conduct and UCCMS.

6. All other allegations set out in the Complaint, as well as the complaint filed by the Respondents, were dismissed.

7. The Merits Decision, as well as a subsequent clarifying Procedural Order, set out the process by which submissions on sanction would be received from the parties as well as Equestrian Canada (“EC”) and the Complaint Manager.

8. I released my decision on sanction on September 11, 2025 (“Sanction Decision”). The Sanction Decision ordered that both respondents be expelled from participation in any EC sanctioned events or activities and the revocation of any licenses or

accreditations granted to them by EC. I noted that such orders were without prejudice to any application or request that the respondents may make to EC in the future to be reinstated in any capacity. I further noted that any such decisions would be at the discretion of EC after being satisfied that sufficient changes had been made such that no ongoing risk of harm remained.

9. Following the release of the Sanction Decision, concerns were raised by both EC and the Respondents on the issue of the conditions to be applied for any application for reinstatement made by the Respondents. While the Sanction Decision placed the authority on the governing body – EC – to determine the appropriate circumstances under which an application for reinstatement may be successful, both EC and the Respondents were of the view that clearer guidance was required.

10. Accordingly, the purpose of this addendum decision is to provide further clarity to the parties with respect to when, and how, the Respondents may successfully apply for reinstatement by EC.

Submissions from the Parties

11. EC and the Respondents were invited to provide submissions on the issue of the timing and criteria for any application for reinstatement to EC. Submissions were received from both EC and the Respondents on September 22, 2025.

12. EC submits that J. Pinkerton should be prohibited from reapplying for EC membership for a period of not less than 10 years from the date of the sanction decision whereas P. Pinkerton should be prohibited from reapplying for not less than 5 years. The

distinction in temporal limits is justified by EC on the basis that P. Pinkerton is young, EC is hopeful that she will undertake remedial action and self-reflection during her expulsion, and she has not conducted herself in the same manner as J. Pinkerton throughout these proceedings.

13. EC points to several indicia that J. Pinkerton will continue to behave in a vexatious manner and continues to argue every possible aspect of this proceeding. A letter sent by J. Pinkerton to EC's Board of Directors is provided as evidence of this submission. This letter is a five-page attack on this hearing process, the Complaints Manager, and counsel for EC, and threatens legal action in this respect.

14. EC also draws my attention to the precedent of Elvira Saadi and Gymnastics Canada ("*Saadi*") wherein a ten-year suspension was imposed and the decision was upheld by SDRCC.

15. Finally, EC suggests terms for rehabilitation including education, working under the supervision of a coach mentor at their own expense, and volunteering with other not-for-profit organizations.

16. J. Pinkerton and P. Pinkerton provided separate submissions. The basis of both submissions was primarily grounded in the argument that the Sanction Decision was procedurally defective and should be revoked. It is unfortunate that this was the approach taken by the Respondents. First, it is demonstrative of a continued refusal to accept the reality of their circumstances. Second, the request for submissions specifically indicated that "[T]he adjudicator will only consider submissions that address the questions of conditions or timeline for reinstatement applications. All other submissions will be

disregarded". The Respondents, consistent with prior behaviour, disregarded this direction. As indicated in advance, I will be disregarding all submissions unrelated to the conditions or timeline for reinstatement applications.

17. In addition to her argument that the Sanction Decision should be revoked, P. Petra goes on to include in her submissions "Without Prejudice Alternative Sanction Suggestions". This section of her submissions sets out an apology for her actions and suggests an alternative set of sanction conditions. The section concludes with the statement that these suggestions "are made strictly without prejudice and should not be taken as an admission of liability, but rather as constructive alternatives to indefinite expulsion". This, in my view, detracts considerably from the meaningfulness of the apology which precedes this statement. It demonstrates that P. Pinkerton remains unprepared to fully take responsibility for her actions because she, instead, wishes to fight EC and the decisions made by me to date.

18. Unfortunately, the submissions provided by J. Pinkerton contain only arguments relating to her position that the Sanction Decision should be revoked. For the reasons set out above, these submissions are unhelpful to the task at hand.

Decision Regarding Readmission Criteria

19. EC has provided me with *Saadi*, which it states should guide my decision as it demonstrates the propriety of a ten-year expulsion. In my view, *Saadi* contains considerably more serious misconduct which invoked very serious concerns regarding the safety of minors in the coach's care. Each case must be assessed on its own facts and, for this reason, *Saadi* is of limited utility to me.

20. The timing and criteria for reinstatement must be guided by the degree to which the Respondents are capable of taking responsibility for their actions, the seriousness of any ongoing safety risks, and the rehabilitative potential of the Respondents.

21. In my view, the rehabilitative potential for P. Petra is stronger than that of J. Pinkerton. As set out in the Sanction Decision, J. Pinkerton has been ungovernable throughout this process. She has no respect for the Complainant, for EC, for the Complaints Manager, for this Panel, or for the level of trust placed in her as a coach of minors. She has taken zero responsibility for her actions and, instead, continues to blame everyone around her. While her acceptance of responsibility (or lack thereof) cannot be determinative of sanction, it is demonstrative of limited rehabilitative potential.

22. P. Pinkerton has previously admitted the impropriety of her manner of communications with minors, has taken some steps towards rehabilitation, and has indicated her intention to pursue further post-secondary education. While much of her acceptance of responsibility was tempered with excuses or justifications, I remain hopeful, as does EC, that P. Pinkerton will mature and ultimately be capable of rehabilitation.

23. Any readmission criteria must be reflective of the need to ensure that prior to either Respondent's readmission, they have demonstrated an understanding of the impact of their actions, and that they are capable of returning to coaching in a manner which is safe for all participants – both minors and adults. Additionally, the Respondents must be able to demonstrate that they are capable of respecting the role of EC, its oversight responsibilities, and the rules, practices and procedures EC implements. At this time, the latter is of particular concern as it relates to the manner in which J. Pinkerton has

navigated this process.

24. In determining the criteria for readmission, I am mindful of the following as it relates to P. Pinkerton:

(a) P. Pinkerton has apologized, and acknowledged that the text messages were inappropriate, since the outset.

(b) We have seen a partial acceptance of responsibility but there have been several instances of deflection, justification, and minimization of responsibility as outlined in the Sanction Decision. Further, the apology was provisional in nature.

(c) P. Pinkerton is young, her misconduct may be partially attributable to immaturity, and she is taking steps to further educate herself both by way of relevant course work and with additional post-secondary education.

(d) The nature of P. Pinkerton's communications was egregious and harmful to a minor; however, it appears that she understands she cannot behave in this matter in the future (even if she does not fully comprehend how seriously having done so was) and, as such, I am optimistic about her rehabilitative potential on a long-term basis.

25. I am mindful of the following as it relates to J. Pinkerton:

(a) J. Pinkerton's conduct was harmful to minors and demonstrates an inability to behave responsibly and with respect and professionalism. However, I would

still note that the nature of J. Pinkerton's does not fall towards the highest end of the spectrum of severity (i.e. like the conduct found in *Saadi*).

(b) J. Pinkerton has been given every opportunity to provide evidence relevant to rehabilitative potential and, instead, has simply continued to attack the validity of this process. While she is free to exercise her legal rights, she has refused to arm me with the necessary evidence to attribute any rehabilitative potential to her.

(c) J. Pinkerton has behaved in an abusive manner through this proceeding. While she cannot be punished for exercising her legal rights, her choice to do so in an abusive and disrespectful manner is absolutely relevant. Additionally, her choice to continuously ignore instructions, to attack all rulings and decisions throughout the proceeding, and ultimately to write a disparaging letter to EC's Board outside of this process, is the antithesis of an individual interested in accountability and self-reflection.

(d) J. Pinkerton's actions cannot be attributed to lack of maturity given her age and level of experience in this industry.

26. With respect to the time frame of the expulsion, my ruling is as follows:

(a) P. Pinkerton cannot re-apply with EC for a minimum of **two years**. It is my view that this is a sufficient timeframe during which P. Pinkerton can take steps to mature, educate herself, and demonstrate her rehabilitative potential. While her actions were serious, there is sufficient evidence to the effect that, with time, P.

Pinkerton will be capable of appreciating the seriousness of her misconduct and be in a position to behave safely and responsibly within the sport.

(b) J. Pinkerton cannot re-apply with EC for a minimum of **five years**. J. Pinkerton has shown no accountability or willingness to change. Her ability to engage in self-reflection and behave in a respectful, cooperative, and professional manner remains very much in question. *Saadi* was instructive only insofar as it is demonstrative of the nature of misconduct for which a 10 year expulsion would be appropriate and, in my view, the seriousness of the present case cannot be compared with that of *Saadi*. For this reason, I am of the view that a 10 year prohibition would be inappropriate. However, sufficient time is required to ensure that J. Pinkerton has had a real and substantial opportunity for complete rehabilitation before it will be possible to assess whether she can be safely reintegrated into the sport.

27. It should be noted that re-entry is not guaranteed. Rather, EC shall assess whether the respondents have sufficiently demonstrated that they are capable of moving forward in the sport without any basis for concern as to their ability to do so professionally, respectfully and safely. In making this assessment, EC shall consider and weigh the following factors:

- (a) Whether the respondent(s) has taken full and unequivocal responsibility for the actions which led to the Complaint and the harm caused by those actions.
- (b) In the case of J. Pinkerton, whether there has been a full acknowledgement of responsibility for the abusive manner in which she behaved through this

proceeding.

- (c) Whether the respondent(s) have demonstrated and/or communicated remorse to EC and/or the Complainant or affected minors. This may take place through a meaningful letter(s) of apology.
- (d) Whether the Respondent(s) have taken steps to learn about and modify their behaviour including, but not limited to, relevant counselling, mentorship or educational opportunities, where the Respondent(s) can demonstrate a connection to their rehabilitative potential going forward. Any such undertakings would be at the Respondent(s)' own expense.
- (e) Whether the Respondent(s) are able to produce any letters of support from those with whom they have worked in a professional or voluntary capacity demonstrating their professionalism.
- (f) Whether the Respondent(s) have spent time during their expulsion to give back to the community through volunteer work.

28. If EC remains unsatisfied, based on the above-noted criteria, that the Respondent(s) have been rehabilitated and therefore is of the view that they remain at risk as it relates to their ability to conduct themselves within the sport in a safe, professional and respectful manner, it remains at EC's discretion to refuse any application for re-admission. In so doing, EC shall indicate in writing to the Respondent(s) the basis upon which such decision was made.

29. If EC determines that the Respondent(s) can be reintegrated safely within the

sport, EC may wish to consider measures to safeguard the reintegration including the following:

- (a) A set probationary period during which any additional acts of misconduct may result in permanent expulsion;
- (b) Additional training requirements as appropriate in the circumstances;
- (c) Permanent or temporary restrictions around working or communicating with minors, if necessary in the circumstances; and
- (d) Ongoing mentorship or supervision as appropriate.

30. In determining such reintegration measures, EC shall communicate to the Respondent(s) the basis upon such measures are required to ensure the safe and professional participation of the Respondent(s) in the sport.



JESSICA BARROW, Adjudicator
September 26, 2025