

# From Top Hats to Helmets

## The Accident that Changed Dressage

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**W**e have all seen the results of a dangerous concussion in football, hockey, soccer, and other sports. Now imagine that you are riding and falling off of a 1400-pound horse onto the ground, and the only thing protecting your head is a top hat. Would you be safer with a helmet? Should a helmet be required?

Courtney King-Dye is an American Equestrian Olympian and in 2010 while practicing, her horse tripped and King-Dye, who was not wearing a helmet, fell and suffered a traumatic brain injury. It was an accident. But her accident sent shockwaves through the sport. Equestrian federations from the United States, Canada, and Great Britain all instituted rules changes mandating protective headgear in practice. The equestrian international governing body Fédération Équestre Internationale (FEI) “strongly recommended” that all riders wear helmets in training and pre-competition warm-ups at all international Dressage shows. But riders in the competition arena still had a choice of wearing a helmet or the traditional top hat.

At the November 2019 FEI General Assembly, based on a recommendation from the FEI Medical Committee, the FEI approved Article 140 of the General Regulations mandating protective headgear as of January 1, 2021, for all dressage riders any

time that they are mounted, inside and outside the competition arena. Frank Kemperman, Chair of the FEI Dressage Committee said, “Tradition is important in our sport, but it’s difficult to not follow the medical community’s advice...There’s no really strong argument against the use of protective headgear in dressage, except that it’s a tradition.”

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Dressage is considered the most artistic of the equestrian sports and is used as the groundwork for all other disciplines. It tests the ability of horse and athlete to display both athletic prowess and supreme elegance by evaluating, for example, an athlete's ability to make their horse move quickly from side to side, transition into a gallop or rapidly change direction, using subtle commands.<sup>1</sup>

From Xenophon to the Spanish Riding School to modern times, the sport of dressage is steeped in history, tradition, and formality. It has been described as “a combination of arts, history, culture, science and sports.”<sup>2</sup> The Fédération Equestre Internationale (FEI) is the international body governing competitions in equestrian sports. The FEI represents all equestrian sports to the International Olympic Committee (IOC) and is the coordinating body for all national federations.<sup>3</sup> While equestrian events first appeared at the 1900 Olympic Games in Paris it was the 1912 Games in Stockholm that really establish the equestrian program that is still in effect today with Dressage, Eventing, and Jumping. It has been noted that military officers and aristocrats dominated the equestrian organizing committee at the 1912 Games.<sup>4</sup> In fact, Olympic competition in Dressage was limited to commissioned military officers (hence, male) until 1952.<sup>5</sup>

Dressage tradition and regulations also require riders to wear elegant formal dressage show attire. Commentators have suggested that because of its military history and background, formal attire and uniforms have been an essential part of Dressage and that equestrian dress embodies the concepts of dignity, elegance, and status of riding “through its formal, dignified and timeless styles.”<sup>6</sup> Competitive dress attire is dictated by the FEI and its National Federations (NFs). The traditional standard attire was boots, white

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- 1 The Tokyo Organising Committee of the Olympic and Paralympic Games, *Equestrian*, TOKYO 2020 (2020), <https://tokyo2020.org/en/sports/equestrian/> (last visited Apr 5, 2021).
  - 2 Christina Marieta Marcovici, *Instrucția Elementară A Călăreților În Nobilul Sport Echitația. / Basic Instruction Of De Rider In Noble Sport Equitation.*, 4 STUDIA UNIVERSITATIS VASILE GOLDIS, PHYSICAL EDUCATION & PHYSICAL THERAPY SERIES 56–63 (2015).
  - 3 Ana Diaz et al., *Scoring Variables and Judge Bias in United States Dressage Competitions*, 6 JOURNAL OF QUANTITATIVE ANALYSIS IN SPORTS (2010), <https://www.semanticscholar.org/paper/Scoring-Variables-and-Judge-Bias-in-United-States-Diaz-Johnston/cb994cf9094d30444fa5df0b7182f55247fb77c0>.
  - 4 Donna de Hann & Lucy Dumbell, *Equestrian Sport at the Olympic Games from 1900-1948*, 33 INTERNATIONAL JOURNAL OF THE HISTORY OF SPORT 648 (2016).
  - 5 Eurodressage, *The 1952 Olympic Games in Helsinki: En Route to the Games*, EURODRRESSAGE (2015), <https://www.eurodressage.com/2015/12/04/1952-olympic-games-helsinki-en-route-games> (last visited Apr 8, 2021).
  - 6 Katherine Dashper & Michael St John, *Clothes make the rider? Equestrian competition dress and sporting identity*, 19 ANNALS OF LEISURE RESEARCH 235–250 (2016).

breeches, shirts and gloves, black jackets and an elegant top hat. As some have stated, “The purpose of equestrian competition dress was thus not to look ‘sporty’ but more to display elegance and dignity whilst also enabling the rider to move with and on the horse without impediment.”<sup>7</sup> Over the years, there have been attempts to relax the dress code, all of them met with strong opposition both inside and outside the equestrian world.<sup>8</sup> Equestrian rider, journalist and official Nancy Jaffer asked legendary German rider Reiner Klimke, who competed in six Olympic Games, about relaxing the dress code. Klimke emphatically said, “This ... is ... NOT ... circus!”<sup>9</sup>

An important element to that attire is wearing a top hat and not a helmet in the ring. As Portuguese Olympian and World Cup Finalist Daniel Pinto said,

I ride myself my young horses with a helmet. Yet, I will always honour (sic) my Grand Prix horses with a gala suit, and that gala suit includes, without a doubt, me wearing a top hat... Wearing a helmet in a Grand Prix freestyle is, for me personally, like attending an opera gala in shorts and tennis shoes! Call me old-fashion, but one of the things I value the most is the history, tradition and honour (sic) I feel when I enter the dressage arena wearing my long-tail suit and top hat.<sup>10</sup>

But the equestrian community was rocked on March 3, 2010, when US Olympian Courtney King-Dye was injured while practicing and training her horse. As most dressage riders in practice, King-Dye was not wearing a helmet. The horse tripped and both the horse and King-Dye fell.<sup>11</sup> It was an accident. As King-Dye said about her horse, “It didn’t do anything naughty... I was just cantering down the long side and he tripped over his own feet and fell. I didn’t fall off but my head hit the ground and my brain bounced around in my skull and then he (the horse) got up without me.”<sup>12</sup>

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7 *Id.*

8 *Id.*

9 Ginny Simon, *Dressing for Dressage at Devon*, COUNTY LINES ONLINE (2018), <https://countylinesmagazine.com/article/dressing-for-dressage-at-devon/> (last visited Feb 18, 2021).

10 Daniel Pinto, *Daniel Pinto: “Top Hat or Helmet – Shouldn’t it be Each Rider’s Choice?”*, EURODRRESSAGE (2020), <https://www.euordressage.com/2020/06/07/daniel-pinto-top-hat-or-helmet-shouldnt-it-be-each-riders-choice> (last visited Feb 7, 2021).

11 Lori Riley, *After Injury, Ex-Dressage Olympian Throws Support Behind Wearing Helmets*, COURANT.COM, <https://www.courant.com/sports/hc-xpm-2012-08-04-hc-courtney-king-dye-0805-20120804-story.html> (last visited Oct 29, 2020).

12 *Id.*

King-Dye suffered a traumatic brain injury and was in a coma for a month. Her accident sent shockwaves through the sport. Olympic dressage rider Lendon Gray, King-Dye's mentor, said many riders immediately switched to helmets, "It was overnight..."<sup>13</sup> While eventing riders had been moving toward the more protection, suddenly dressage riders too saw the call for stricter use of helmets. United States Eventing Association Managing Director Sara Ike said, "Dressage riders called the Courtney King accident their '9-11...'"<sup>14</sup>

In response to King-Dye's accident Heather Blitz, a U.S. Olympian and Grand Prix competitor, started a campaign urging dressage riders to wear protective headgear saying, "Courtney's accident reminds us all how vulnerable we are around horses... We cannot foresee these tragedies, but we can take measures to safeguard ourselves, not only for us as riders but for the sake of our loved ones... As professionals in a sport we all love, we owe it to each other to learn from this and further promote safe practice."<sup>15</sup> Riders are approximately 8–10 feet above the ground on a horse more than a 1000 pounds and who can kick with nearly a ton of force.<sup>16</sup> Commentators have noted that helmets are the best protection against Equestrian related brain injury (ERBI).<sup>17</sup>

The reaction to King-Dye's accident was also world-wide. Equestrian federations from the United States, Canada, and Great Britain all instituted rules changes mandating protective headgear in practice. The FEI "strongly recommended" that all riders wear helmets in training and pre-competition warm-ups at all international Dressage shows. But riders in the competition arena still had a choice of wearing a helmet or the traditional top hat.<sup>18</sup>

On April 23, 2010 at the Rolex Kentucky Three-Day Event the riders all practiced with helmets, but just before competition switched to top hats,

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13 Jillian Dunham, *Dressage Riders Embrace Helmets, to a Point*, THE NEW YORK TIMES, September 28, 2010, <https://www.nytimes.com/2010/09/29/sports/29helmets.html> (last visited Feb 18, 2021).

14 Horse Illustrated, *New Helmet Rules for Eventing and Dressage Passed at USEF Convention*, HORSE ILLUSTRATED (2011), <https://www.horseillustrated.com/horse-news-2011-01-27-eventing-dressage-helmet-rule> (last visited Feb 18, 2021).

15 Equisearch, *Courtney King-Dye Injured in Fall from Horse*, EXPERT ADVICE ON HORSE CARE AND HORSE RIDING (2010), [https://www.equisearch.com/news/courtney\\_king\\_dye\\_injured\\_in\\_fall\\_030410](https://www.equisearch.com/news/courtney_king_dye_injured_in_fall_030410) (last visited Nov 15, 2020).

16 Scott Zuckerman et al., *Functional and Structural Traumatic Brain Injury in Equestrian Sports: A Review of the Literature*, 83 WORLD NEUROSURGERY 1098–1113 (2015).

17 *Id.*

18 Fédération Équestre Internationale, *Safety Helmets Strongly Recommended By Dressage Committee*, FEI (2010), <https://inside.fei.org/news/safety-helmets-strongly-recommended-dressage-committee> (last visited Oct 30, 2020).

except for one of the top American riders Allison Springer. After warm-ups a friend and sponsor ask Springer, “Why *don’t* you wear a helmet in dressage?” and she responded, “I’m like, ‘The only reason why nobody does it is because no one else is doing it.’ I had answered my own question.”<sup>19</sup> Springer went on to say that, “It was amazing the impact it had... I got some letters and emails from people who said they never felt comfortable wearing their hunt cap to show, and now they had the courage to wear a helmet. I’m a skier, I’m a horseback rider, I’m an eventer – these are all risky things, but I want to be as safe as possible in everything I do... I always want to be safe.”<sup>20</sup>

Again because of King-Dye’s injury Canadian rider Jackie Brooks wore a helmet at Palm Beach Dressage Derby in Florida as did U.S. Olympic rider Sue Blinks at Grand Prix at the Del Mar CDI in California. Brooks put in focus the top hat–helmet controversy stating, “I think everyone knows in their heart that it’s a good idea to wear a helmet. I think the struggle people have with it is the tradition of the uniform and altering that tradition...”<sup>21</sup>

Yet not everyone was switching quickly to helmets. At the 2010 Kentucky Cup Dressage while Brooks wore a helmet, US Dressage Team Rider and 2010 USEF National Grand Prix Champion Tina Konyot chose not to, saying,

The only reason this has become an issue is because one recognized individual in our sport made a bad decision on one day. She decided not to put a helmet on and was injured... Why is everyone making such a huge issue after one terrible tragedy from one well-known person? Is it less of a tragedy if it’s someone in Iowa who fell off their horse without a helmet and is in the same situation? Why is there all this drama because one person – a lovely, lovely person – made a bad decision?... Today, people in general are getting obsessed with safety. Their children want to ride their bicycle to the corner, and they have to put all this gear on. I don’t understand it... I was a wild kid—I broke my arm falling out of a tree – but I had a blast as a kid. I didn’t step out of the door thinking something was going to happen to me.<sup>22</sup>

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19 Molly Bailey, *Springer Spearheaded The Beginning Of The End For Top Hats* (2020), <http://www.chronofhorse.com/article/springer-spearheaded-the-beginning-of-the-end-for-top-hats> (last visited May 3, 2021).

20 *Id.*

21 Molly Sorge, *Are You Fully Dressed Without A Top Hat?* (2010), <http://www.chronofhorse.com/article/are-you-fully-dressed-without-top-hat> (last visited May 11, 2021).

22 Sorge, *supra* note 21. Interesting enough six month later Tina Konyot sported a helmet at the World Equestrian Games, *See Dressage-News, USA & Canadian Dressage Team Riders Get GPA Safety Helmets*, Dressage-News (2010), <https://dressage-news.com/2010/09/17/usa-canadian-dressage-team-riders-get-gpa-safet-helmets/> (last visited May 11, 2021).

Some riders had been concerned that judges may be biased against helmets and in favor of traditional top hats. Janet Foy, one of the few FEI five-star judges in the United States, said “[a]nyone who thinks that judges consider what you’re wearing, even if it’s the color of your breeches or your coat, is wrong... Those things really don’t come into play at all. What we look for is the harmony of the horse and how well the horse is ridden... I think people should wear their helmets if they want to do so. I’d be more than happy to see helmets, as a judge, because the last thing I want to see is something awful happen in the ring in front of me.”<sup>23</sup>

With King-Dye’s accident as a catalyst the United States Equestrian Federation (USEF) mandated rules for wearing helmets for dressage and eventing. Then USEF President David O’Connor said, “Because there was a groundswell coming from within the membership, we said, ‘Now is the time to do it...’” But the rule requiring helmets was limited to everyone while mounted at the showgrounds, but there was an exception for those at the FEI level who were 18 and older.<sup>24</sup>

In January of 2011, the United States Equestrian Federation (USEF) adopted new headgear rules with the goal of improving rider safety. Essentially for dressage, anyone mounted on a horse must wear protective headgear, except those riders age 18 and over while on horses that are competing only in FEI levels. In FEI-recognized classes, FEI rules take precedence and protective headgear is permitted but not required.<sup>25</sup> Hence, those 18 and over participating in FEI events had a choice of either a top hat or helmet.<sup>26</sup>

Shortly after King-Dye’s injury Lyndsey White founded “Riders4Helmets” with the goal to “educate equestrians on the benefits of wearing a properly fitted and secured, certified helmet.”<sup>27</sup> On July 10, 2010, the first National Helmet Awareness Day received world-wide support and attention, but as then US Equestrian Federation CEO John Long said, a helmet mandate was “really only in the discussion stage at this point. I think it will be

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23 Sorge, *supra* note 21.

24 Nancy Jaffer, *Mandatory Helmet Rules Passed by U.S. Equestrian Federation*, NJ (2019), [https://www.nj.com/sports/njsports/2011/01/post\\_26.html](https://www.nj.com/sports/njsports/2011/01/post_26.html) (last visited Nov 10, 2020).

25 US Equestrian Federation, *USEF Passes New Safety Helmet Rules for Eventing and Dressage Riders*, US EQUESTRIAN (2011), [https://www.usef.org/media/press-releases/6569\\_usef-passes-new-safety-helmet-rules-for-eventing-and-dressage-riders](https://www.usef.org/media/press-releases/6569_usef-passes-new-safety-helmet-rules-for-eventing-and-dressage-riders) (last visited May 12, 2021).

26 US Equestrian Federation, *Protective Headgear Rules for Dressage*, US EQUESTRIAN (2011), [https://www.usef.org/media/press-releases/6571\\_protective-headgear-rules-for-dressage](https://www.usef.org/media/press-releases/6571_protective-headgear-rules-for-dressage) (last visited May 12, 2021).

27 Riders4Helmets, *What is IHAD?* (2021), <https://www.riders4helmets.com/what-is-ihad/> (last visited Apr 29, 2021).

a longer process... There's a lot of tradition that is balanced against safety. I suspect this is not going to happen any time soon...but it's good that we're talking about it, because once the collective equestrian family gets it out on the table, something good will come out of it."<sup>28</sup>

In 2012 Equine Canada and Dressage Canada began implementing similar safety regulations requiring all riders to wear helmets for all levels of Equine Canada sanctioned national competitions.<sup>29</sup> Canadian Olympian Ashley Holzer said, "I am thrilled that Canada is promoting the use of helmets...Helmets prevent head injuries, and I feel a rule that promotes the safety of its riders is a great rule."<sup>30</sup> The United States followed quickly thereafter in 2013 mandating helmets for all riders in USEF competitions, including senior riders. In both Canada and the United States senior riders were allowed to choose helmets or top hats in FEI competitions.<sup>31</sup>

Senior riders often serve as role models for younger competitors. Isabell Werth of Germany has been called the Queen of Olympic Dressage with a record 10 medals, six of them gold over five Olympic Games, 16 World Championship medals and 24 European Championship medals.<sup>32</sup> At the 2011 CDI-W Frankfurt she made a dramatic statement by wearing a gold helmet in an FEI level competition. Werth stated, "As an athlete in the public eye and with my responsibility as a mother and as an employer, I see accident prevention as one of my obligations...In dressage, in particular, helmet wearing is still almost a taboo, even on the competition circuit, and there is a clear need for action."<sup>33</sup>

Internationally, the FEI launched a helmet awareness campaign in collaboration with King-Dye, Riders4Helmets and the National Governing Bodies

28 Nancy Jaffer, *On the Rail: The Buzz on Mandatory Riding Helmet Rules*, EXPERT HOW-TO FOR ENGLISH RIDERS (2010), [https://practicalhorsemanmag.com/news/mandatory\\_riding\\_helmet\\_rules\\_071910](https://practicalhorsemanmag.com/news/mandatory_riding_helmet_rules_071910) (last visited Feb 18, 2021).<sup>2021</sup>

29 Eurodressage, *All Canadian Dressage Riders to Wear a Helmet in Competition as of 2012*, EURODRRESSAGE (December 28, 2011), <https://www.eurodressage.com/2011/12/28/all-canadian-dressage-riders-wear-helmet-competition-2012> (last visited Jul 8, 2021).

30 Horse Sport, *Helmets Required for all Levels of Equine Canada Dressage Competition in 2012*, HORSE SPORT (2011), <https://horsesport.com/horse-news/helmets-required-for-all-levels-of-equine-canada-dressage-competition-in-2012/> (last visited May 11, 2021).

31 Dressage-News, *Helmets Only—No Top Hats—For All USA National Dressage Events As of April 1* (2013), <http://dressage-news.com/2013/02/14/helmets-only-no-top-hats-for-all-usa-national-dressage-events-as-of-april-1/> (last visited Nov 10, 2020).

32 Fédération Équestre Internationale, *Icons: Isabell Werth*, FEI.ORG (2020), <https://www.fei.org/stories/sport/dressage/icons-isabell-werth-equestrian-dressage-video> (last visited Oct 29, 2020).

33 Eurodressage, *Isabell Werth Shows Off Golden Helmet in Frankfurt and Makes a Statement*, EURODRRESSAGE (2011), <https://www.eurodressage.com/2011/12/16/isabell-werth-shows-golden-helmet-frankfurt-and-makes-statement> (last visited Oct 29, 2020).

(NGBs) for Equestrian sport.<sup>34</sup> In April of 2011 the FEI Medical Committee dedicated the majority of its annual meeting to health and safety with a recommendation that mirrored the Canadian and USEF regulations, i.e. making protective headgear mandatory across all disciplines when riding at show grounds outside competition arenas effective on January 1, 2013.<sup>35</sup> Again, senior athletes, those 18 and riding older horses could wear a top hat instead during competition and warm-ups directly before competition.<sup>36</sup>

The FEI Medical Committee recommendation was approved at the 2011 FEI General Assembly as General Regulations Article 140, “Protection of Athletes and Participating Support Personnel.”<sup>37</sup> FEI spokesperson Ruth Grundy said, “The USEF proposal was supported by the majority of National Federations... The proposal was made from the floor of the General Assembly in 2012 in Rio and was supported by the majority of National Federations represented at the General Assembly.”<sup>38</sup> FEI Secretary General Ingmar De Vos said, “The helmet rule... is a significant step forward towards the better protection of our athletes... Beginning January 1, 2013, protective headgear will be compulsory at all FEI events and we strongly encourage everyone involved in international equestrian sport to familiarise (sic) themselves with the new general and sport-specific rules. The welfare of all our athletes, human and equine, must be protected.”<sup>39</sup>

The 2012 Olympic Games in London was a seminal event as Jacqueline Brooks of Canada became the first to wear a helmet during competition during the Games. Her teammate Ashley Holzer and Finnish rider Emma Kanerva also wore helmets instead of top hats.<sup>40</sup> While her British team-

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34 Fédération Équestre Internationale, *FEI supports Riders4Helmet's "Get Educated" live webinars on International Helmet Awareness Day*, FEI (2013), <https://inside.fei.org/media-updates/fei-supports-riders4helmet%E2%80%99s-%E2%80%9Cget-educated%E2%80%9D-live-webinars-international-helmet-awareness-day> (last visited May 21, 2021).

35 FÉDÉRATION ÉQUESTRE INTERNATIONALE, *FEI Annual Report 2011* (2012), [https://inside.fei.org/sites/default/files/FEI\\_Annual\\_Report\\_2011\\_DP\\_final.pdf](https://inside.fei.org/sites/default/files/FEI_Annual_Report_2011_DP_final.pdf) (last visited Apr 21, 2021).

36 Fédération Équestre Internationale, *The FEI "Helmet Rule" At A Glance* (2011).

37 FÉDÉRATION ÉQUESTRE INTERNATIONALE, *FEI Annual Report 2012* (2012), <https://inside.fei.org/system/files/FEI%202012%20AR%20spreads.pdf>.

38 Sarah Warne, *Hold on to Your Safety Hat, Helmet Rule in Place 1 January 2013*, EURO-DRESSAGE (2012), <https://www.eurodressage.com/2012/10/11/hold-your-safety-hat-helmet-rule-place-1-january-2013> (last visited Feb 6, 2021).{\scaps Eurodressage} (2012

39 Fédération Équestre Internationale, *FEI Launches Global Safety Helmet Campaign*, HORSE SPORT (2012), <https://horsesport.com/horse-news/fei-launches-global-safety-helmet-campaign/> (last visited May 11, 2021).

40 Horsetalk.co.nz, *Rider makes Olympic dressage history with hard hat*, HORSETALK.CO.NZ (2012), <https://www.horsetalk.co.nz/2012/08/03/rider-makes-olympic-dressage-history->



mates Carl Hester and Laura Bechtolsheimer chose to wear top hat, Olympic dressage team and individual gold medalist, Charlotte Dujardin chose a helmet: “It’s going to be a rule, I think, for wearing a crash hat (helmet) and I actually fractured my skull through not wearing a hat... I was so lucky to escape from that and now, it’s something I always do... I feel unsafe without my helmet on... People say you don’t always need it but for me, especially in this kind of atmosphere, you never know what can happen.”<sup>41</sup> Yet, tradition was still alive as Canadian Olympian David Marcus said, “I did chose to stick to wearing a top hat in London... I wear a safety helmet in training, but I like the tradition of the top hat in competition.”<sup>42</sup>

But the use of helmets became increasingly popular. While just 3% of competitors wore a helmet at the 2012 Olympic Games, 23% of the competitors wore helmets only two years later at the 2014 World Equestrian Games (WEG).<sup>43</sup> At the 2014 WEG Dujardin again wore a helmet on her way to multiple WEG Gold Medals. The entire USA Team wore helmets while earning bronze medals.<sup>44</sup> The use of protective headgear rose steadily. In North American the use of helmets in competition increased 57 percent in 2014, 84 percent in 2015 and 86 percent in 2016. Internationally 54 percent of the competitors wore helmets in competition.<sup>45</sup> Yet, there were still hold-outs. Most notably three-time British Olympian and multi-time WEG medalist William Fox-Pitt who despite having suffered a brain injury from a fall stayed with a top hat saying, “I have always worn a top hat in dressage. I have done that for 33 years. And I will not wear a crash helmet unless they change the rules and force me to.”<sup>46</sup>

There were more helmets at the 2016 Olympic Games in Rio. When interviewed by Mollie Bailey of *The Chronicle of the Horse* riders gave various reasons for wearing helmets. Yvonne Lobos Muñoz of the Dominican Republic said, “I was stubborn about it in the beginning. I said, ‘No I don’t need it. It looks nicer with a top hat.’ It was my husband who said, ‘You’ve

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hard-hat/ (last visited Mar 9, 2021).

41 ESM Today, *Charlotte Dujardin Previously Fractured Skull In Fall While Riding* (2012), [http://www.esmtoday.org/articles\\_charlottedujardin\\_12082012.html](http://www.esmtoday.org/articles_charlottedujardin_12082012.html) (last visited May 6, 2021).

42 Warne, *supra* note 39.

43 Abby Powell, *Then and Now: Helmets in Olympic Eventing Dressage* (2016), <https://eventingnation.com/then-and-now-helmets-in-olympic-eventing-dressage/> (last visited May 3, 2021).

44 Leslie Wylie, *USA Wins Team Gold in Helmet Wearing at WEG* (2014), <https://eventingnation.com/usa-wins-team-gold-in-helmet-wearing/> (last visited Jun 28, 2021).

45 Powell, *supra* note 44.

46 *Id.*

got two kids and there's me.' I was like never mind, and I wore one from that second on." Julie Brougham of New Zealand said, "I've been wearing a helmet about four years. My husband bought it for my birthday. I thought, really? He said, "Yes, it's time. It's time you had a safety helmet on—it can be trendy." My husband is a doctor, my son's a doctor, and my daughter's a doctor, and they all think safety helmet is the way to go. They're dealing with accidents all the time. Stupid things happen all the time."<sup>47</sup>

Yet, many stayed with the traditional top hat. Judy Reynold of Ireland said, "I'm terribly traditional and conservative in some ways, so I like the traditional look. I'm also a believer that at this level, our horses are well enough trained and under control to be able to deal with it..." Patrik Kittel of Sweden argued that it was a personal choice saying, "I've always competed in a top hat; I love the top hat. I respect the people who want to ride with a helmet. I wear a helmet in all the other riding I do. But for me, I'm a bit traditional. When I'm in the ring, I like the top hat. But I think it's up to each rider who is over 18 years old to make a decision. You can drive a car, you can drink alcohol, it's also your decision if you want to wear a top hat or a helmet in the test. That's my opinion."<sup>48</sup>

In July of 2016 New Zealand Equestrian Federation (ESNZ) became the first to ban top hats from all equestrian events including senior riders. ESNZ CEO Vicki Glynn said, "Horses can be unpredictable and we know that riding is a risk sport so we must do everything we can to make our equestrians safe... Sadly we can no longer allow the use of the top hat in competition but the design and elegance of the contemporary safety helmet makes them a worthy replacement and safety must come first."<sup>49</sup> Britain followed soon after and mandated protective headgear for all riders in competition conducted under British Equestrian rules. British rider David Doel reaction was, "We do need to keep up with modern standards of safety, but it is a shame that we cannot have the option of being able to wear such a traditional part of our competition wear, as we have done for many years."<sup>50</sup>

In 2017 the FEI Medical Committee reviewed all the existing FEI rules on protective headgear and recommended that helmets should be worn

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47 Molly Bailey, *Top Hat Or Helmet?* (2016), <http://www.chronofhorse.com/article/top-hat-or-helmet> (last visited Oct 29, 2020).

48 *Id.*

49 Eurodressage, *Top Hats Banned by New Zealand Equestrian Federation as of July 2016*, EURODRRESSAGE (2016), <https://www.eurodressage.com/2016/09/22/top-hats-banned-new-zealand-equestrian-federation-july-2016> (last visited Jul 8, 2021).

50 Kathy Carter, *Riders Weigh In On British Eventing Top Hat Ban* (2017), <https://eventing-nation.com/riders-weigh-in-on-british-eventing-top-hat-ban/> (last visited Nov 10, 2020).

whenever mounted whatever the age or experience of the rider.<sup>51</sup> The 2019 FEI Medical Committee went even farther and recommended that protective headgear be worn by all dressage riders when they are mounted, inside and outside the competition area. The 2019 FEI General Assembly was held in Moscow and two petitions were submitted, one to table the discussion and allow senior riders the option for another year. The other for the rule to be implemented by 2021.<sup>52</sup> The FEI endorsed the latter recommendation and revised Article 140 which now states, “While riding anywhere on the show grounds, and for Driving Athletes and Grooms in the Marathon phase, the use of a properly fastened Protective Headgear is mandatory.”<sup>53</sup> The Chair of the FEI Dressage Committee explained, “Tradition is important in our sport, but it’s difficult to not follow the medical community’s advice... There’s no really strong argument against the use of protective headgear in dressage, except that it’s a tradition.”<sup>54</sup>

More than 150 of the top dressage riders in the world objected to the mandate and petitioned the FEI to allow riders the choice of wearing a top hat or helmet. The petition by the International Dressage Riders Club (IDRC) read:

The top international dressage riders would like to make a formal demand to the FEI to keep the option to use the top hat in international competitions for Seniors. There has never been a serious accident at an international dressage competition, and the riders believe there is no reason to change that for senior competitors at CDI4\*/5\*, Games and championships on Grand Prix level. The top hat is an essential part of the identity of dressage. The dresscode makes us unique and we feel very strongly that the top hat remain as optional to use, but only at the highest level of competition. For awards ceremonies, the use of protective headgear can remain mandatory. It should be noted that there are other disciplines that are not required to wear helmets, and we feel that this inequality is not warranted. We urgently request that the FEI add this matter to the agenda for the next General Assembly, and change the rule ac-

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51 FÉDÉRATION ÉQUESTRE INTERNATIONALE, *Medical Committee Report* (2017), [https://inside.fei.org/system/files/GA18\\_Medical\\_Committee\\_Report.pdf](https://inside.fei.org/system/files/GA18_Medical_Committee_Report.pdf).

52 Horsetalk.co.nz, *Top hats out as dressage riders petition FEI for rule revision*, HORSETALK.CO.NZ (2019), <https://www.horsetalk.co.nz/2020/11/20/top-hats-dressage-riders-petition-fei/> (last visited Jul 11, 2021).

53 Fédération Équestre Internationale, *FEI General Regulations, 24 Edition, Updates 1 January 2021* (2020), <https://inside.fei.org/sites/default/files/FEI%20General%20Regulations-effective-1Jan2021-27Nov2020-Final-Mark-up.pdf>.

54 Eurodressage, *Top Riders Sign Petition to Retain the Choice for a Top Hat in Grand Prix Competition*, EURODRRESSAGE (2020), <https://www.eurodressage.com/2020/10/26/top-riders-sign-petition-retain-choice-top-hat-grand-prix-competition> (last visited Oct 29, 2020).

cordingly. We believe it is the right of each individual rider to choose between the use of a top hat or protective headgear. This right cannot be revoked.<sup>55</sup>

Leading the petition was, again, Isabell Werth of Germany. As Werth explained, “It is not about helmet or hat from a safety perspective. It is about adults and experienced dressage riders having the freedom to choose... We only want one thing: the freedom to choose to wear either a helmet or a top hat in the test. It is all about the right for self determination (sic) of adult people.”<sup>56</sup> Portuguese Olympian Daniel Pinto also argued, “It is my opinion that safety comes from the understanding and trust between horse and rider. More than using safety gear, I believe that safety is achieved by building a relationship with your partner based on trust and full understanding. At Grand Prix level, the symbiosis between both athletes arrives at the highest level... When it comes to the Grand Prix, allow each rider the choice of a top hat or helmet! In the end, it is an individual option and a freedom to express our symbiosis with the horse.”<sup>57</sup>

Writing in support of the mandate was Physician Women Equestrians, a group of more than 170 international women physicians who are equestrians themselves and treat equestrian riders for injuries including brain injuries and rehabilitative care.<sup>58</sup> Canadian rider Jacqueline Brooks also emphasized senior equestrians’ responsibilities of being role models saying, “Youth emulate their idols. In all sports. They want to dress like them, look like them and ultimately perform like them. The last thing anyone wants is someone lying in a hospital bed clutching a crushed top hat because they wanted to look like and be like a champion of our sport.”<sup>59</sup>

The FEI noted that a full consultation process had been conducted and that during the entire period of the rules consultation process they did not

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55 Kenneth Braddick, *Most of World's Leading Dressage Riders Petition FEI to Keep Top Hat for High Level Senior International Competitions* (2020), <http://dressage-news.com/2020/10/24/most-of-worlds-leading-dressage-riders-petition-fei-to-keep-top-hat-for-senior-international-competitions/> (last visited Oct 29, 2020).

56 Eurodressage, *Werth Continues Her “Pro-Choice” Top Hat Campaign Ahead of 2020 FEI General Assembly*, EURODRRESSAGE (2020), <https://www.eurodressage.com/index.php/2020/11/08/werth-continues-her-pro-choice-top-hat-campaign-ahead-2020-fei-general-assembly> (last visited Nov 9, 2020).

57 Pinto, *supra* note 10.

58 Dressage-News, *Over 170 Physicians Involved in Horse Sports Appeal Against Move to Permit Top Hats for Senior Riders in High Level Competition* (2020), <https://dressage-news.com/2020/10/29/over-170-physicians-involved-in-horse-sports-appeal-against-move-to-permit-top-hats-for-senior-riders-in-high-level-competition/> (last visited Nov 1, 2020).

59 Eurodressage, *supra* note 55.

receive any requests regarding the proposed helmet regulation from the 137 National Federations nor the IDRC, and the IDRC petition was received past the statutory deadline and could not be added to the agenda for a vote by the entire body.<sup>60</sup> Hence the January 1, 2021 implementation date remained in place. The 2020 Olympic Games in Tokyo would have been the last time that competitors would have a choice to wear a top hat or helmet. But the delay caused by the COVID epidemic resulted in riders having no choice and all competitors must wear a helmet at the Tokyo Games. So at the 2021 Games while there will be 15 teams, 30 countries, and 60 horse/athlete combinations there will be no top hats.<sup>61</sup> That tradition has ended.

The FEI also has realized that there is a bigger question within the Olympic Movement, namely that there have been and continue to be changes and challenges to modernize the Games. Olympic Agenda 2020 is the strategic roadmap for the future of the Olympic Movement and events can be reviewed in terms of universality, cost, and complexity containment.<sup>62</sup> New events, such as surfing, skateboarding, and sport climbing have been added. And if new events are added, some events may be deleted. Equestrian sports were seen as elitist, expensive and too difficult to understand by the general public. As early as 2008 there were discussions that Equestrian sports were under review.<sup>63</sup> There were reports that Equestrian sports could be one of six sports that could be eliminated from the Olympic Games altogether.<sup>64</sup>

The FEI has a challenge of maintaining traditions and traditional appeal and modernization and attracting new views. In 2016 the FEI voted in favor of major changes in the Olympic competition format. FEI President Ingmar De Vos noted that the approval of major changes and the willingness to adapt and modernize directly led to Equestrian sports continued inclusion in

60 Pippa Cuckson, *Top Hats Set for Extinction Despite Dressage Petition*, HORSE SPORT (2020), <https://horsesport.com/horse-news/top-hats-set-extinction-despite-dressage-petition/> (last visited Oct 29, 2020).

61 Fédération Équestre Internationale, *It's all go for Tokyo....*, FEI (2021), <https://inside.fei.org/media-updates/it%E2%80%99s-all-go-tokyo%E2%80%A6> (last visited Jul 13, 2021).

62 International Olympic Committee, *Olympic Agenda 2020: Closing Report* (2021), [https://stillmed.olympics.com/media/Document%20Library/OlympicOrg/IOC/What-We-Do/Olympic-agenda/Olympic-Agenda-2020-Closing-report.pdf?\\_ga=2.106483779.1315395189.1626217988-352234545.1626217988](https://stillmed.olympics.com/media/Document%20Library/OlympicOrg/IOC/What-We-Do/Olympic-agenda/Olympic-Agenda-2020-Closing-report.pdf?_ga=2.106483779.1315395189.1626217988-352234545.1626217988).

63 Horse & Hound, *Future of Olympic equestrian sport under threat*, HORSE & HOUND (2008), <https://www.horseandhound.co.uk/news/future-of-olympic-equestrian-sport-under-threat-266589> (last visited Jul 14, 2021).

64 Jill Mahoney, *Six Olympic sports that may be in danger of being dropped*, December 4, 2014, <https://www.theglobeandmail.com/sports/olympics/six-olympic-sports-that-may-be-in-danger-of-being-dropped/article21993578/> (last visited Jul 13, 2021).

the Olympic Games at least until 2024. De Vos stated, “It wasn’t easy for our community to make such drastic changes to our Olympic formats, but the National Federations knew the importance of this decision and ultimately supported the proposed changes. Their willingness to embrace this change is without any doubt the reason we have got this fantastic news from the IOC today.”<sup>65</sup>

No sport or event has a guaranteed place in the Olympic Games. Equestrian has an advantage in that it is the only Olympic sport where men and women compete against each other for medals in all the disciplines. But the FEI knows that equality alone is not enough. It has to adapt and modernize while balancing its history and traditions. Part of that modernization is attire. Bonnie Walker, a U.S. Dressage Federation silver medalist has argued that Dressage needs to modernize arguing that the shadbelly and top hats are costumes from times gone by, “They do not keep us safe. They do not allow for us to ride the horses more efficiently. They are throwback to a previous era, traditional riding uniforms of the 1800s.”<sup>66</sup>

Will this modernization lead to “Circus”? Probably not, but there will be an evolution. Robert Dover, Chef d’Equipe for U.S. Dressage Team said that the question is whether the attire promotes the beauty of the sport or detracts from it, “If it becomes extreme to the point where you can’t even look at the horse because you’re so busy looking at the plush velvet with the 15 different colors of the rider, then it’s not to the advantage of the rider because the horse stops being the biggest part of the picture. If it enhances the overall beauty of the combination, then I think it’s all good.”<sup>67</sup> That is the goal – seeing the top athletes, both human and equine, displaying their unique talents in a safe environment.

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65 Leslie Wylie, *Equestrian Sport Approved for 2024 Olympics, Format Changes Given All Clear for 2020* (2017), <https://eventingnation.com/equestrian-sport-approved-for-2014-olympics-format-changes-given-all-clear-for-2020/> (last visited Jul 14, 2021).

66 Leslie Threlkeld, *Is Dressage on the Olympic Chopping Block?* (2014), <https://eventingnation.com/is-dressage-on-the-olympic-chopping-block/> (last visited Apr 2, 2021).

67 Nancy Jaffer, *Fashion Forward in the Dressage Show Ring*, DRESSAGE TODAY (2017), <https://dressagetoday.com/lifestyle/fashion-29623> (last visited Feb 18, 2021).