

# BATHURST HOCKEY ASSOCIATION Inc.

JUDICIAL PROCEDURES & GUIDELINES

**Endorsed by Board 12 July 2023**

## Introduction

The Bathurst Hockey Association Inc Judicial Committee Procedures & Guidelines set out the requirements for any judicial matters occurring in competitions run by BHA Inc within the region. The guidelines should act as instructions for judicial participants, as well as competition committees. The guidelines clearly set out the responsibilities for all parties involved in a judicial matter and what can be expected once a report of a judicial matter is made.

## Application

This document shall apply to all BHA Inc competitions unless expressly excluded and may also apply to any tournament under the control of BHA Inc.

## Definitions

* + 1. Judicial Committee – persons forming the group which considers judicial evidence and presents a finding.
		2. Judiciary Tribunal – formal hearing of the judicial matter.
		3. Appeals Hearing – formal hearing of any appeal from a Judicial Tribunal outcome.
		4. Member Protection and Information Officer (MPIO) - Provide information and guidance on complaints procedures - they provide support during judicial matters if requested to ensure the member’s rights are protected and are the 'go to' person if you want to discuss problems at your club/association, particularly if you are considering making a formal complaint.

## The Judicial Committee

The Judicial Committee will be made up of the Judiciary Chair, Judiciary Committee Secretary, a Board Member and 4 Independent members, who are selected from a pool of endorsed representative and come from different clubs to the member facing the judicial matter: with a minimum of 3 and maximum of 5 voting members on any tribunal. Independent panel members can include Life Members of Bathurst Hockey or the sub-committees and must be over 18 years of age.

Additionally, the Member Protection and Information Officer (MPIO) is able to attend Judicial Committee meetings or Tribunals, where requested by the member, as an observer, to ensure the members rights are observed throughout the process.

The Judicial Committee shall reside within the Administration structure of the BHA Inc organisation reporting to the Board.

2.1 **Judiciary Committee roles and responsibilities:**

* Chair – (Non-voting) Responsible for introducing the process and keeping proceedings on track and in order.
* Secretary – (Non-voting) Responsible for secretariat functions, information gathering and communication to involved parties.
* Board member – representative of the Bathurst Hockey Association Inc Board
* Independent members – not involved with the club/s or player/s cited

The Member Protection Officer is not a member of the committee and must not be involved in the process before or after the committee meets or a tribunal is held. Their role is to ensure registered members of Bathurst Hockey’s rights are protected and the member is given the opportunity to state their case in full.

2.2 Judicial Committee delegate selection:

Bathurst Hockey Association will put out a call for nominations to be submitted to the AGM each year for representatives to sit on the Judicial Committee for that calendar year. BHA will encourage expressions of interest from a range of people of various ages, genders, clubs and experience levels. Where clubs have both men’s and women’s teams, a representative of each gender should be nominated. Sub-committee members will also be encouraged to apply. BHA Inc will make a decision and approve the pool delegates for that year at the AGM. A pool of endorsed people will be confirmed, in writing, of their endorsement for the year. The pool will be of sufficient size to enable selection of the number of delegates required to fill the places and requirements for Independent members shown in 2.1.

2.2.1 Judicial Committee Chair and Secretary selection:

The call for nominations will also include the option to nominate for Chair or Secretary for the year. The BHA Inc Board will approve the delegates for these positions, including the Board representative and MPIO role. If no suitable candidates nominate or are approved, the Chair and Secretary of the BHA Inc Board will assume these roles.

## Judicial Committee citations and appeals

* 1. The Judicial Committee have the power to cite any member who has been temporarily suspended one (1) or more times, at their discretion, dependent upon the nature of the offences.
	2. If the member is a player, the Judicial Committee Secretary shall notify the club secretary of the date that the player is to appear before the Committee, with the appearance to be within seven (7 ) days of the last known offence. Where a player is facing the Judiciary Committee as the result of a Red card, the player is automatically suspended for 1 week. The suspension continues until the Judiciary Committee Meeting is held. Whether there is any further suspension will then be dependent on the results of that meeting and determination of penalty, if applicable.
	3. Any player failing to appear before the Judicial Committee, when required to do so, shall be suspended until such time as they do appear.
	4. Any member so suspended shall have the right to appeal to the Judicial Appeal Panel provided that such an appeal is received within seven (7) days of the notice of the suspension and will only be dealt with on the grounds of severity (as per AHA), or new evidence, provided such an appeal will be heard within seven (7) days of written application being received by the Association Secretary. The Judicial Appeal Panel’s ruling shall be final. A player shall not be permitted to play pending an appeal.
	5. The Judicial Appeal Panel shall consist of the Judiciary Chair (non-voting) and three individuals not involved in hockey but who possess experience and skills in dealing with sports’ judiciaries. The Judiciary Chair shall provide information in relation to the processes of hockey but shall not be directly involved in the final decision of the Appeal.

## Process for referring matters to the Judicial Committee

* 1. If an Incident occurs during a BHA Inc competition match which is deemed by any BHA Inc official or witness to be a matter for the Judicial Committee where further action may be pursued, a report should be made to refer the matter.
	2. In the case of an on-field Incident it is the responsibility of the umpire or technical official to report

the Incident. An outline of the alleged Incident is required to be noted in detail at the end of the match on the match card and by submitting an Incident report.

In the case of a team-related Incident, it is the responsibility of the team manager or club president to report the Incident.

 Incident report forms are available in hard copy at the tower or online from the Bathurst Hockey website. Incident reports should be lodged at the tower or online to bxhockey@hotmail.com.

* 1. Any reported incidents will first be referred to the Judiciary Committee Chair who will review the information at hand and make an initial assessment of what further action will be taken, if any. If the Judicial Committee Chair deems there is a need for further action, the Chair will ask the reported person/s whether they wish to contest the charge/s.
	2. If the charge/s is not contested, the Judicial Committee will then make a determination in accordance with the penalty guidelines as per the table shown at 7.2.
	3. If the charge is contested, further action may then be a request to appear before a Judiciary Tribunal. The Judiciary Committee Chair may determine, following consultation with the Judiciary Committee members, a less formal course of action.
	4. If the Chair determines no further action is required, a brief report will be submitted to BHA Inc detailing the result and reasoning for the decision. BHA Inc can request a review if the matter is deemed contrary to the best interests of Bathurst Hockey.
	5. If further action is required, it shall be the duty of the Judiciary Committee to enquire into any charges of misconduct made against a member of the Association, team, player, official, spectator, member of the public or any other person charged with misconduct. The charge of misconduct must be reported to the Judiciary Committee Chair **within seven days of the offence.** If the charge is proved, the Judiciary Committee Chair or Judiciary Committee shall take such disciplinary action as it deems necessary, using the guidelines documented at 7.2. The following process must be followed for matters referred to the Judicial Committee:
		1. The Judiciary Committee Secretary will contact relevant persons with a request for information regarding the incident and a due date for the information to be supplied. Information requested could include the following:
1. the name of person/s reporting the incident.
2. the name of the person/s being reported.
3. time and location of incident.
4. Detail summary of incident.
5. contact details of person/s reporting the incident.
6. list of any witnesses to the incident.
7. witness statements if required.
8. any other evidence to the incident.
	* 1. The Judiciary Committee Chair or Judiciary Committee Secretary will acknowledge receipt of the report in writing.
		2. The Judiciary Committee Chair will request the Judiciary Committee Secretary to notify the person who submitted the report of the action to be taken. In the event that a Judiciary Tribunal is convened, the Judiciary Committee Secretary will also notify the person/s being reported that a Tribunal is being convened and advise the date, time, and any other necessary information. Attendance at the Tribunal is compulsory unless otherwise advised. In the case of a team-related incident the person notified will be the team manager and/or team captain and/or club president.
		3. Where a Judiciary Tribunal is required, the Judiciary Committee Chair will meet with the Judicial Committee Secretary, the Board representative and the MPIO to select the independent members for the Tribunal. Stand-by delegates should also be selected in case last minute adjustments are required for the Judiciary Tribunal panel.

## Notification of Judiciary Tribunal

* 1. The Judiciary Chairperson will set a time and location for the Judiciary Tribunal that is most suitable, with consideration given to all parties and the constraints of the draw and/or competition progression, where possible.
	2. The Judiciary Committee Secretary will provide a copy of the judiciary report to the persons required to attend within a suitable timeframe.
	3. The Judiciary Committee Secretary will provide a copy of the reports to each member of the Judiciary Committee:
1. name of person/s reporting the incident.
2. name of the person/s being reported.
3. time and location of the incident.
4. Detailed summary of the incident.
5. statement from Technical Official, where relevant.
6. Statement from both umpires, where relevant; and
7. details of any witnesses to the Incident, where relevant.

## Judicial Tribunal Process

* 1. The Judicial Committee Chair will convene the Judiciary Tribunal at the notified time and location. If any person required to attend is absent, the Judiciary Tribunal may contact a stand-by delegate or proceed at the discretion of the Judicial Committee.
	2. The Judicial Committee Chair will outline the allegation being made and the charge/s.
	3. If the charge is contested a Judiciary Tribunal will then be held:
		1. The reported person and reporting person (both parties) will be present during the Judiciary Tribunal unless the Judicial Committee deems this to be inappropriate.
		2. Both parties are permitted to have two supporting people to assist and advise during the tribunal. In the case that any of the parties are under 18 years of age, one of the supporting persons must be their parent or club representative.
		3. The Judicial Committee may question the parties as they see fit.
		4. Both parties may direct questions and statements to the Judicial Committee but not to the other party without the consent of the Chairperson.
		5. Witnesses and match officials, who are not the reporting person, will not be required to attend the tribunal unless called upon to provide testimony by the Judicial Committee.
		6. Evidence will be Included at the discretion of the Judiciary Committee.
			1. Evidence presented to the Judicial Committee may consist of statutory declaration and/or oral account.
			2. Where statutory declaration is provided without the person giving the declaration being made available to be questioned on their evidence, discretion will be exercised by the Judicial Panel as to accepting such evidence.
			3. Any documentation to be provided to the Judicial Committee is to be submitted at least 24 hours prior to the hearing date where possible.
		7. Once the Judicial Committee is satisfied with the facts and evidence presented, they will then make a determination on the status of the charge and if required, the penalty imposed.
	4. The Judicial Committee may choose to deliver their findings at the tribunal or as a written notification

within 14 days.

* 1. Written notification of the findings of the Judicial Committee will be provided to all parties. In such a notification, the parties will receive an explanation and implications of the penalty imposed.
	2. The penalty/suspension allocated by the Judiciary Committee:
* shall be given as a number of rounds for players.
* shall also be given with a commencement date and concluding date for resumption of activities (where possible);
* will be served within the competition (BHA Inc Men’s, BHA Inc Women’s, BHA Inc Juniors, field or indoor) in which the infringement occurred.
* will be served concurrently, including in any other BHA Inc or HNSW competition in which the player is graded or involved at the same time as the period of the imposed penalty/suspension (for example Winter Hockey competition and State Championships);
* will also apply to other activities – including coaching or managing a team/s and can include a ban from entering the complex. If this is the case it will be identified in the written notification from the Judicial Committee.
* During the suspension period, the member is not eligible to participate in Representative commitments through BHA Inc or other bodies.
* Shall be communicated in writing to the relevant competition Registrars/coordinators to ensure penalties are adhered to by the player/s involved.

Furthermore:

* If a member receives a suspension at the end of a field or indoor season and it is not served in full before the end of the current season, the member will continue to serve their suspension from the beginning of the next competition season.
* However, if the member does not return to play in the competition season following the incomplete suspension period, the suspension will be deemed as not being served and will then be held over until the member returns to competition. It must be served in full or the remaining suspension period served before the player can take the field.
* Competition rounds that a player sits out while awaiting a final determination by the Judicial process will count as time-served in any ensuing penalty.

## Penalty Guidelines

* 1. If a player receives a Red Card, the player cannot play in a competition match until the Judiciary Committee has met to issue the relevant penalty. The player will receive an automatic one (1) round suspension unless the Judiciary Chair thinks the severity of the offence requires a judiciary meeting to be called. The player shall be notified of the nature of any offence for which they are being cited. The player has the right to appear before the Judiciary Committee to discuss the circumstances of the Red Card. In this situation, the player must inform the Judiciary Secretary, in writing, within 48 hours of the issuing of the suspension that they require their case heard before the Judiciary Committee. The Committee will convene a hearing as soon as possible. Any player failing to appear before the Judiciary Committee, when required to do so, shall be suspended until such time as they do appear.
	2. The Judiciary Committee shall have the power to cite any player who has been temporarily suspended one (1) or more times, at their discretion, dependent upon the nature of the offences. The Judiciary Committee Secretary shall notify the club secretary of the date that the player is to appear, such appearance to be within fourteen (14) days of the last known offence. The appearance shall take place within seven (7) days of the club being notified. Any player failing to appear before the Judiciary Committee, when required to do so, shall be suspended until such time as they do appear. The following are the penalty ranges for offences that may to be used by the Judicial Committee

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| **Offence** | **Penalty** |
| Deliberate tripping | Minimum 1 competition round |
| Dispute umpire’s decision | Minimum 2 competition rounds |
| Verbally abusing umpire | Minimum 2 competition rounds |
| Verbally abusing umpire – 2nd offence | Minimum 6 competition rounds |
| Deliberately striking an umpire | Minimum 2 Year suspension |
| Deliberately striking an umpire – 2nd offence | 5 years to life |
| Deliberate throwing of a stick | Up to 6 competition rounds |
| Striking another player | Minimum 3 competition rounds |
| Striking another player with a hockey stick | Minimum 3 competition rounds |
| Deliberately striking another player with a hockey stick | Minimum 10 competition rounds |
| Deliberately striking another player with a hockey stick – 2nd Offence | 1 year to life |
| Spitting at a player/official | Minimum 5 competition rounds |
| Rough, dangerous, intimidatory play | Minimum 2 competition rounds |
| Persistent and deliberate breach of the rules | Minimum 2 competition rounds |
| Abusive and/or offensive conduct whilst a spectator | Minimum 3 competition rounds |
| Abusive and/ or offensive conduct as a player, coach, manager or official | Minimum 3 competition rounds |
| Inappropriate physical play | Minimum 3 competition rounds |
| Acting in a detrimental manner to Bathurst Hockey Association Inc | Minimum 3 competition rounds |
| Breaching Bathurst Hockey Association policies and procedures Including BHA Inc Code of Conduct | Minimum 3 competition rounds |
| Use a telecommunications device and/or social media to threaten/abuse a player, official or other member of Bathurst Hockey | Minimum 3 competition rounds |
| Deliberately misleading judiciary | Minimum 4 competition rounds |
| Intoxicated/drug influenced | 6-20 competition rounds |
| Assault/attempted assault by spectator on umpire/player | Minimum 6 competition rounds |

The Judicial Committee has the discretion to impose different penalties if it is agreed there are extenuating circumstances or repeat offences. Reasons for varying the above penalties will be detailed in the BHA Inc Judiciary Tribunal Report.

## Disciplinary Points System

* 1. Any competition where a player is registered with BHA Inc:

A disciplinary points system for umpire cards received shall operate for players based on the current and prior season. Umpires should ensure any cards given during a match are noted on the game card or sheet at the end of the game and time allocated if Yellow cards are given. Should the time allocated not be noted on the game card or sheet, Minor Yellow (3 points) will be assumed.

For each Umpire Card received the player will have the following points added to their total:

* Green Card - 1 point
* Yellow Card (Minor – 5-9 minutes) - 3 points
* Yellow Card (Major – 10 minutes or more) - 5 points
* Red Card – Automatic 1 week suspension and Judicial Committee review

When a player’s points total reaches fifteen (15) points they will be suspended for one (1) competition round. The relevant competition Registrar is responsible for maintaining the disciplinary points register and will notify the Judiciary when the member has accumulated 15 points.

On completion of serving a disciplinary points suspension – Five (5) points are removed.

At the start of a new season any remaining points are carried forward from the previous season.

# CODE OF CONDUCT

## APPENDIX 1

**UMPIRES**

* Always attempt to be unbiased in game decisions and look to utilise the other umpire when in doubt.
* Never initiate or return abuse or harassment from a player, coach, parent, or spectator.
* Always check for the appropriate wearing of protective equipment.
* Keep yourself informed on the laws of hockey and sound umpiring prInciples.
* Deal with bad behaviour and unsporting conduct during the game swiftly before it escalates.

**TECHNICAL OFFICIALS**

* Never initiate or return abuse or harassment from a player, coach, parent, or spectator.
* Deal with bad behaviour and unsporting conduct in game dugouts swiftly before it escalates.
* Keep yourself informed on the laws of hockey and always attempt to be unbiased in decisions.

**CLUB**

* Teach your players to play by the rules.
* Remember children are involved in hockey for their enjoyment, not the clubs.
* Encourage your Teams to be on their best behaviour as they are representing your club.
* Never abuse, harass or criticise their own or opposition players, coaches, or umpires.
* Don’t put winning above all else.
* Deal with bad behaviour and unsporting conduct swiftly. For juniors, involve the offending child’s

parents in resolving the problem.

* Keep yourself informed on the performance and behaviour of your Teams, Coaches, Players, Parents and Spectators.
* Show Club respect for opposition Clubs, Players, Umpires, Coaches and opposing Spectators.

**PARENTS AND SPECTATORS**

* Remember that children play sport for their fun. They are not there to entertain you.
* Never abuse, harass or criticise players, coaches, umpires, or officials. Be on your best behaviour.
* Do not enter the playing field at any time whilst a game is in progress, unless requested by the umpire.
* Applaud good play by both teams and show respect for your opponents.
* Encourage players to play according to the rules.
* Teach children that making the effort is as important as winning.
* Help children improve their skills by the lessons of defeat as well as victory.
* Support all volunteers assisting to run the game Including the umpires, officials, coaches, and team managers. They give up their own time to provide the recreational activities for the enjoyment of all players and without them, there would be no hockey.

**TREATMENT OF EQUIPMENT & FACILITIES**

Maltreatment of equipment or facilities, either the Associations, Club’s, or individuals (Including indiscriminate throwing of a hockey stick) is unacceptable and will not be tolerated and appropriate disciplinary action will be undertaken if this occurs.

# CODE OF CONDUCT

## APPENDIX 1

**CODE OF CONDUCT DISCIPLINARY ACTIONS**

BHA INC will not tolerate serious breaches of the Code of Conduct and any person or clubs found to have seriously breached the Code may be subject to disciplinary action. Such action may take the form of suspensions, banning from attending games or entering the complex, loss of team points or other sanctions as deemed appropriate.

**RESOLUTION OF DISPUTES**

Players and parents are requested to raise and attempt to resolve any game matters of concern with their relevant coach or team manager on the day or as soon as possible after the Incident. If the matter is not resolved amicably or to the satisfaction of those concerned then the matter should first be referred to your Club Executive for consideration and if determined necessary referred to either the Judiciary Committee or BHA INC Board as deemed appropriate, for review.



**Policy Amendment**

[www.playbytherules.net.au](http://www.playbytherules.net.au/)

This policy will be reviewed annually and can only be amended on the approval of the Board of BHA Inc.