



DISCIPLINARY POLICY

Purpose and Objectives

BIH will use this policy to preserve the image and integrity of Indoor Hockey in Albury Wodonga & to promote sportsman-like conduct in all events to which this Policy applies.

BIH adopts the Hockey Australia Codes of Behaviour.

BIH will refer to the Codes of Behaviour as the written collection of the rules, principles, value's and members' expectations, behaviour, and relationships that BIH considers significant and believes are fundamental to our successful operation.

The Codes of Behaviour serve as a framework for ethical decision making within BIH. It is a communication tool that informs internal and external stakeholders about what is valued by BIH, its members and management and underpins this policy.

This policy provides the framework for dealing with breaches of discipline in a consistent manner.

Application

The Policy applies to all BIH members and spectators that attend the BIH venue and cover's incidents and behaviour displayed both on and off the field and at officially sanctioned activities.

Section 1 – General

1.1 Definitions and Interpretation

The following definitions apply in the Policy:

- (a) 'Reports Assessor' – person appointed by Border Indoor Hockey (generally the President)
- (b) "Tribunal Co-ordinator" - person appointed by Border Indoor Hockey (generally a committee member)
- (c) 'Event' - championship, tournament, competition, or team event;
- (d) 'Official' –Event/Tournament Manager, Umpire, Team Coach or Team Manager
- (e) 'Event Venue' means the YMCA (Leisure Centre) including its immediate, venue where an approved function is being held
- (f) 'Support Person' – a person who attends with reported person who is available for them to discuss things with but they are unable to participate in the process
- (g) 'Representative' – a person who attends at the request of the reported person who can speak on their behalf however it is important to get any evidence directly from the person in involved in the incident
- (h) 'Administrator' – person occupying the Border Indoor Hockey Competition or a Border Indoor Hockey nominated person

1.2 Operation

The Policy applies to all junior and senior events conducted in Albury Wodonga, or any other events at which Border Indoor teams, or teams endorsed by Border Indoor Hockey, compete and will apply to players and appointed Team Officials.

1.3 Jurisdiction

The nomination for selection in Border Indoor Hockey teams is conclusive evidence of a player's/official's agreement to abide by the Codes of Behaviour and this Policy.

1.4 Administration

Unless otherwise indicated, BIH committee members are empowered with the authority of interpreting and administering the Codes of Behaviour and this Policy. All appointed Officials are empowered to administer the Policy.

1.5 Mutual Recognition

Any penalty imposed upon a player under this Policy by BIH will be recognised and respected by Teams and Members. A player is not permitted to play in any Competition or Social Events during the time of any suspension imposed pursuant to the relevant section of this Policy, whether the suspension is event or time based.

Section 2 – Code of Behaviour Violations

The following violations of the Code of Conduct (Code of Behaviours) amount to breaches of this Policy:

2.1 Physical Abuse

A person affiliated with BIH, shall not physically abuse any official, opponent, spectator or other person within the venue. For the purposes of this rule, physical abuse is the unauthorised touching of an official, opponent, and spectator or other person.

2.2 Verbal Abuse

A person affiliated with BIH, shall not verbally abuse any official, opponent, spectator or other person. For the purposes of this rule, verbal abuse is defined as a statement directed at an official, opponent, spectator or other person that implies dishonesty or is derogatory, insulting, offensive, racist or otherwise abusive.

2.3 Un-sportsman-like Conduct

A BIH affiliated person shall not, during any match, engage in conduct that damages the image and integrity of hockey. People affiliated with BIH shall at all times conduct themselves in a sportsman-like manner and give due regard to the authority of Officials and the rights of opponents, spectators and others. Un-sportsman-like conduct is defined as any misconduct by a BIH affiliated person, prior to, during or within a reasonable time following a match that is, in the opinion of the person complaining, abusive or detrimental to the sport.

2.4 Audible Obscenity

A BIH affiliated person may not use offensive or obscene language during any match, or within the Venue which is uttered clearly and loudly enough to be heard by another player, an official, spectator or ball-person.

2.5 Visible Obscenity

A BIH affiliated person may not make offensive or obscene gestures during any match, or within the Venue.

2.6 Abuse of Equipment

A BIH affiliated person, shall not violently or with anger, hit, kick or throw a hockey stick or other equipment, or in any way unreasonably interferes with any fixtures and equipment within the Venue.

2.7 Conduct Unbecoming

A BIH affiliated person, who behaves in a manner considered to be detrimental to the best interests of the Event and the sport, will be deemed to have committed a violation. For the purpose of this Rule, a violation may occur at all Venues.

Section 3 – Reports and Protests – General Information

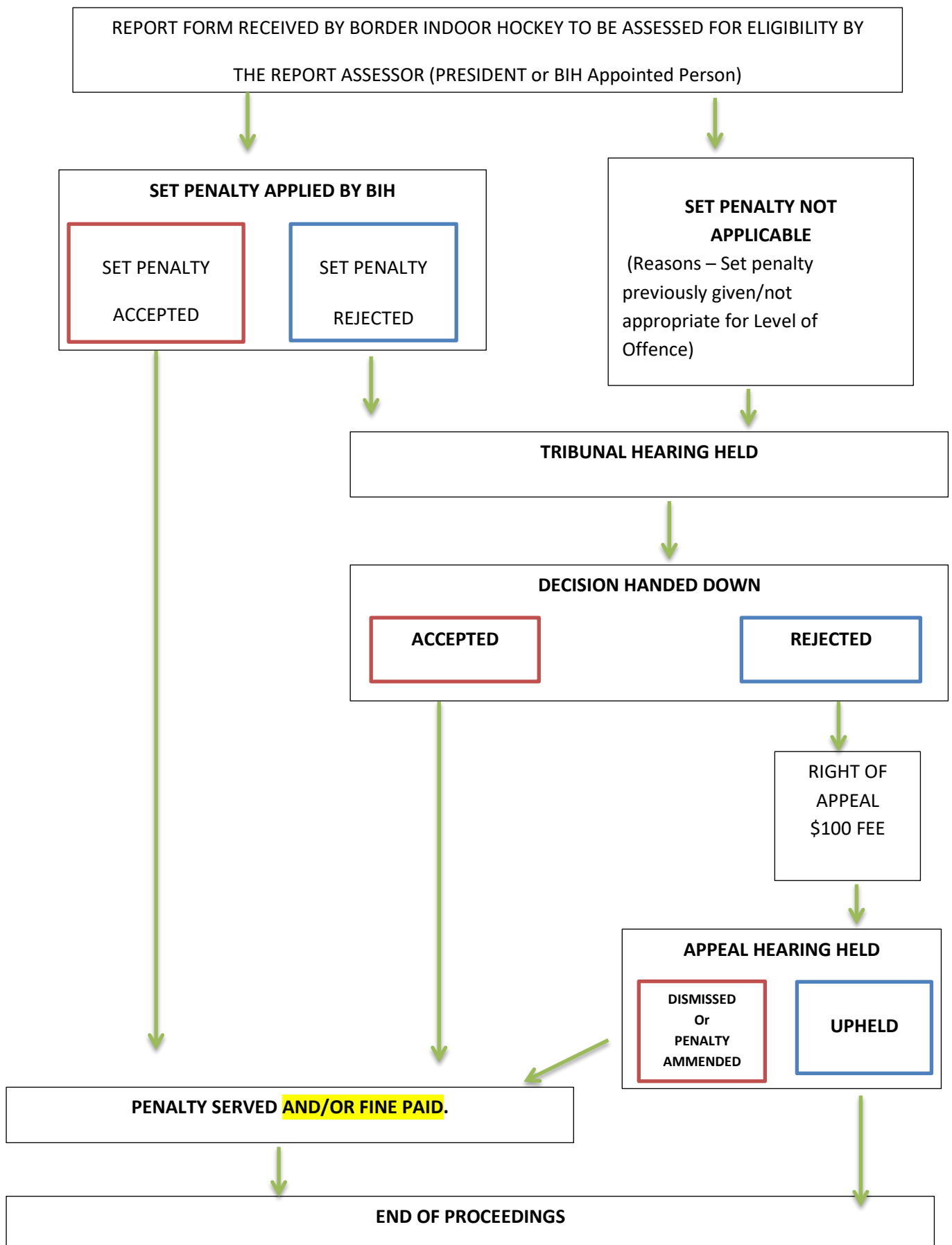
- 3.1** Where a match official (the umpire) has a belief that is based on reasonable grounds that a Code of Behaviour Violation has occurred, the Official shall issue personal penalties in accordance with FIH rules- (Caution, Warning, Temporary Suspension, Permanent Suspension from current match).
- 3.2** Notwithstanding the above, where an official or team official after consultation with the match official is of the opinion that the violation warrants more than the penalty applied, the event official shall complete a Report Form (Tribunal Hearing 1) and forward the form to BIH committee.
- 3.3** Where an official or a team official believes a Codes of Behaviour violation has occurred away from the Event Venue, the official shall complete a Report Form and forward the form to BIH committee.
- 3.4** Where an allegation of a Codes of Behaviour violation is made regarding a Team Official, and a Report Form submitted to BIH, the Report Assessor will make reasonable efforts to determine that the complaint is not vexatious before submitting it to the Tribunal or offering a Set Penalty.
- 3.5** All teams, officials and registered players wishing to lodge a report against a player, official or spectator for alleged misconduct in relation to the Codes of Behaviour must submit the report on the approved Report Form provided at Tribunal Hearing 1.
- 3.6** Umpires and match officials must report matters of serious misconduct using the approved Report form.
- 3.7** Reports must be hand delivered, or emailed to BIH within 24 hours of the incident via the contacts listed on the Report Form. In the case of an email the relevant person must also be contacted by phone.

- 3.8** Under no circumstances will an umpire's decision regarding hockey rules, or their interpretation, be grounds for a protest, or appeal. Questions relating to rules interpretation may be referred to the BIH Committee for clarification.
- 3.9** Whilst BIH accepts the need for some incidents and individuals to be reported it also recommends mediation as another strategy for resolving some disputes. BIH will support all parties seeking resolution of a matter via mediation which might be achieved through correspondence directed through BIH or through a meeting, convened by BIH, of all parties involved.

Section 4 – Procedures for Handling Reports

- 4.1** Within 24 hours of receipt of a written report the Report Assessor shall: Assess the report for Eligibility – as per the details on the Report form
- 4.2** Within 48 hours of receipt of a written report the Report Assessor: Will provide the reported person and/ the team captain of the reported person with a copy of the details submitted on the Report Form. Notify all parties involved with the report whether a set penalty is applicable, or of the need to progress to a tribunal hearing.
- 4.3** If the reported player rejects the set penalty option, or if a set penalty is not applicable BIH will as soon as practicable arrange a tribunal hearing.
- 4.4** If a player accepts a set penalty that penalty will apply immediately. The period of penalty is described in terms of matches from the completion of the game in which the penalty was incurred and the term “match” shall mean a “complete round”. This information will be recorded.
- 4.5** If a reported player rejects the set penalty it is the responsibility of that person to advise the Reports Assessor in writing that they wish the matter to be heard by the tribunal. BIH must have this notification within 24 hours of the player being offered the set penalty.
- 4.6** If a tribunal is to be called BIH will organise those required to attend the Tribunal hearing and advise them of the day, the time and place of the hearing. All parties involved should be given 24 hours' notice of their requirement to attend a hearing. In the case of the reported person it will be sufficient to notify their team captain of these requirements either by email or verbally but where possible the player should be personally advised.

OVERVIEW OF REPORT PROCESS



Section 5 – Set Penalties

- 5.1** In addition to the card system used by the umpires BIH has in place a list of set penalties for specific offences.
- 5.2** These penalties may be offered to the person reported where in the judgement and opinion of the Report Assessor it is considered, based upon the information received (reports and preliminary inquiries concerning the circumstances of the report) that procedural justice and fairness can be achieved without having to go down the path of invoking the Tribunal process.
- 5.3** If a reported player rejects a set penalty it is the responsibility of that person to advise BIH in writing that they wish the matter to be heard by the tribunal. BIH must have this notification within 24 hours of the player being offered the set penalty.
- 5.4** The Report Assessor may only impose one (1) Set Penalty to any player per season. Any subsequent offence in the same season will be referred to a Tribunal.
- 5.5** The Table of Set Penalties is to be reviewed prior to each season.

TABLE OF SET PENALTIES 2014

LEVEL	DESCRIPTION OF OFFENCE/S	SET PENALTIES
Level 1 Discipline Issues	<ul style="list-style-type: none"> • Seriously disputing an umpires decision • Use of lewd gestures or unacceptable language towards players, officials (includes ball attendants), and spectators • An act or acts detrimental to hockey including abuse of equipment and facilities or unsportsmanlike behaviour including that of a spectator 	1 match suspension plus any enforcement by the umpire/s during the game in which the player was reported. Plus restitution of any costs.
Level 2 Discipline Issues	<ul style="list-style-type: none"> • Use of language that discriminates or vilifies another based on race, religion, age, gender or sexual orientation • Unduly rough or dangerous play • Pushing/shoving (brawling) & wrestling • Attempting to strike a player with anything other than a hockey stick (including retaliation). • Serious or prolonged abuse towards a player/s, official/s (includes ball attendants) and spectator/s • An act or acts detrimental to hockey including abuse of equipment and facilities 	2 match suspension plus any enforcement by the umpire/s during the game in which the player was reported. Plus restitution of any costs.
Level 3 Serious Incidents	<ul style="list-style-type: none"> • Spitting on or at a player/s, official/s (includes ball attendants) and spectator/s • Striking a player/s, official/s (includes ball attendants) and spectator/s with anything other than a hockey stick (including retaliation). • Striking at a player, official, spectator with a hockey stick – no contact (including retaliation) 	Immediate referral to tribunal plus any enforcement by the umpire/s during the game in which the player was reported
Level 4 Serious Incidents	Threatening another player, official, spectator with a hockey stick (including retaliation) off the field.	Immediate referral to tribunal
Level 5 Very Serious Incidents	<ul style="list-style-type: none"> • Striking a player, official, spectator with a hockey stick (including retaliation). • Assault of an umpire or match official whether on or off the field 	Immediate referral to tribunal

BIH may only impose one (1) Automatic penalty to any player per season. Any subsequent offence in the same season will be referred to a tribunal.

These set penalties are not intended to be a guideline for tribunal or appeal hearings. Provisions exist elsewhere in this document for Recommended Minimum Suspension Penalties for the Guidance of the Tribunal.

Section 6 – Tribunal Composition and Function

- 6.1** The Tribunal Co-ordinator shall have at their disposal a list of people who are willing to act as tribunes. Where possible it is preferred but not compulsory that at least one of the tribunes allocated to each hearing is a person with no involvement or background in hockey. If the hearing will be significantly delayed due to unavailability of a tribune then an experienced BIH member, who has no conflict of interest with any of the parties involved, may be allocated. BIH will review and if necessary amend this list and amend it where necessary.
- 6.2** Each Tribunal hearing must involve a minimum of three tribunes who shall elect a chairperson from within themselves.
- 6.3** The Tribunal shall have sole jurisdiction to deal with all matters delegated to it by BIH.
- 6.4** The Tribunal should meet as soon as possible after receiving notification that a hearing will be held.
- 6.5** The Tribunal after hearing all evidence on all aspects of the report put before it shall have the power to suspend or fine any player for any period or amount it may consider appropriate.
- 6.6** All suspensions imposed by the Tribunal will take effect immediately unless the player has elected to appeal the decision/penalty as provided for within these rules.

Section 7 – Tribunal Guidelines

- 7.1** Any player, member, or umpire must attend the Tribunal hearing where their presence has been requested. If the requested player or official is under the age of 18 years they must be accompanied by an adult. If a requested player, member, umpire is not able to attend the Tribunal hearing, a statement (6 copies) can be provided to the Tribunal Co-ordinator. If a requested player, member or official fails to attend the hearing without extraordinary circumstances, the hearing will proceed and the absent person may be liable to a penalty imposed by the Tribunal.
- 7.2** The party reported shall be required to attend at their own expense.
- 7.3** All parties involved may bring witnesses, however, the form, nature and admissibility of evidence shall be entirely at the discretion of the Tribunal as will be the number of witnesses called by any party.
- 7.4** The Tribunal may, at any stage of the hearing, for any matter, adjourn the meeting to a date to be fixed.
- 7.5** The Tribunal may amend the report if they deem it necessary at any time during the hearing if it becomes evident that the person reported may have committed a disciplinary breach or offence with which that person has not been reported (including without limitation where the person has been reported with another offence).
- 7.6** No hearing by any Tribunal shall be quashed or held invalid by reason only of any defect, irregularity, omission or other technicality, provided there has not been a miscarriage of justice.
- 7.7** Each case must be treated on its merits and any penalty imposed must be, and seen to be procedurally fair, equitable, in accordance with the circumstances of the case and in accordance with natural justice.

- 7.8** In applying penalties the Tribunal shall refer to the schedule of recommended penalties to be applied for specific offences.
- 7.9** A suspended sentence is a tool which the Tribunal may use at its discretion.
- 7.10** The Tribunal may impose suspension, fine, reprimand or no penalty as deemed appropriate.
- 7.11** The Tribunal may summarily deal with and fine or suspend any official or player who, in the opinion of the Tribunal, is guilty at a meeting of the Tribunal of wilfully misleading the Tribunal, using improper or unseemly language or conduct, or failing to comply with a reasonable direction of the Chairman of the Tribunal.
- 7.12** The hearing is attended by members of the tribunal, players and/or officials who have been reported or who have made the report.
- 7.13** Witnesses must attend the hearing for their evidence to be heard by the tribunal or prepare a written statement to be submitted. Any witness under the age of 18 is to be accompanied by an adult support person.
- 7.14** Person/s reported for an offence/s may be accompanied by a representative/senior member of the players Club, but legal representation will not be permitted.
- 7.15** The person making the report may have a representative at the discretion of the tribunal. If in the case of an umpire under the age of 18, the Director of Umpires or Appointed person should also be present.
- 7.16** The Tribunal may request BIH to provide interpretive advice, secretarial support and to confirm that due process has occurred. BIH Tribunal Coordinator or Administrator will ensure that a member/members are available during a hearing for these purposes if requested.
- 7.17** When any report is heard, a representative of the team concerned shall only take part in the hearing by way of giving evidence as permitted by the chairperson unless they are there as the players representative.
- 7.18** The hearing may be recorded either in writing or with a recording device.
- 7.19** A failure of procedure can be but is not necessarily a reason for a report not to proceed or a decision not to be handed down by a tribunal.
- 7.20** A majority decision will determine the matter. The standard of proof will be 'on the balance of probabilities'.

Section 8 – Tribunal Hearing Procedures

This section deals with the process for dealing with Codes of Behaviour Violations, which necessitate the conducting of a disciplinary hearing.

- 8.1** A Disciplinary Panel is bound by the rules of natural justice but may otherwise regulate its proceedings.
- 8.2** The hearing may be recorded or transcribed. The Report Form and Checklist shall be made available to and used by the Tribunal as a summary of the hearing. The report shall be received at the next meeting of the BIH following the Tribunal hearing.
- 8.3** Meeting is opened by the Tribunal Chairman and the report or nature of the report is read to all present.
- 8.4** The Tribunal Chairman will accept a plea of guilty or not guilty from the reported person.
- 8.5** The Tribunal may amend the report if they deem it necessary at any time during the proceedings, ensuring that all parties are informed of the amendment.
- 8.6** If the person reported pleads guilty they or their representative are entitled to plead mitigation on the report only.
- 8.7** If a person pleads not guilty then the player/official making the report will outline their case and give evidence to the Tribunal. During this process the reported person will be able to cross examine through the chair.
- 8.8** Other evidence/witnesses supporting the report may be accepted at this stage. Cross examination, through the Chair, can occur after that evidence is given.
- 8.9** The person reported will put their case forward and may then be cross examined through the Chair.
- 8.10** Other evidence/witnesses supporting the person reported may be accepted at this stage. Cross examination, through the Chair, can occur after that evidence is given.
- 8.11** The tribunal can at this stage invite either or both parties to summarise their case.
- 8.12** In addressing the factual conflicts, the Tribunal shall be the sole judge of fact as to the events which occurred on the playing field. Where there is a conflict in the evidence before the Tribunal that it is unable to resolve, it may in its discretion adjourn the hearing for the purpose of obtaining further evidence.
- 8.13** In the event the umpires' account of the incident remains in conflict with the participants account, the umpires' account must be accepted, unless the Tribunal is satisfied on the balance of probabilities that the umpires' version of events is not correct.
- 8.14** After hearing all the evidence the Tribunal will deliberate "in private" to reach a decision. The decision must be reached by vote with all tribunal members having an equal vote.
- 8.15** After a decision is reached, the tribunal shall reconvene. The reported player, the person making the report and representatives, if any, will be re-called and given the decision by the Tribunal Chairman.
- 8.16** If the person reported is found guilty they or their representative are entitled to provide mitigating circumstances.
- 8.17** The Tribunal will then deliberate in private on the penalty to be imposed.
- 8.18** A suspended sentence provision is a tool which the tribunal may use at its discretion.

- 8.19** The tribunal shall reconvene and declare its decision in relation to the penalty which will take effect immediately.
- 8.20** The tribunal must provide their summation, their decision and penalty in writing on the report sheet.
- 8.21** The tribunal must advise the reported person of their right of appeal.
- 8.22** Appeals can only be against on tribunal decisions, severity of sentence and/or failure of due process.
- 8.23** Decisions of the Tribunal on all matters properly delegated to it shall be final except as allowed for in the provision of an appeal.
- 8.24** If a player under appeal then all rights to withdraw that appeal will be forfeited.
- 8.25** The Tribunal Chairman shall, within 7 days, forward to the BIH Tribunal Coordinator confirmation of the findings of the Tribunal.

RECOMMENDED MINIMUM SUSPENSION PENALTIES FOR THE GUIDANCE OF THE TRIBUNAL

Note: This list provided as a guide for the 2014 calendar year will be reviewed annually.

LEVEL	DESCRIPTION OF OFFENCE/S	RECOMMENDED PENALTIES
Level 1 Discipline Issue	<input type="checkbox"/> Seriously disputing an umpires decision <input type="checkbox"/> Use of lewd gestures or unacceptable language towards players, officials (includes ball attendants), and spectators <input type="checkbox"/> An act or acts detrimental to hockey including abuse of equipment & facilities	3 match suspension Plus restitution of any costs.
Level 2 Discipline Issue	<input type="checkbox"/> Use of language that discriminates or vilifies another based on race, religion, age, gender or sexual orientation <input type="checkbox"/> Unduly rough or dangerous play <input type="checkbox"/> Pushing/shoving (brawling) & wrestling <input type="checkbox"/> Attempting to strike a player with anything other than a hockey stick (including retaliation). <input type="checkbox"/> Serious or prolonged abuse towards a player/s, official/s (includes ball attendants) and spectator/s <input type="checkbox"/> An act or acts detrimental to the game of hockey at any centre including abuse of equipment and facilities	4 match suspension Plus restitution of any costs.
Level 3 Serious Issue	<input type="checkbox"/> Striking at a player/s, official/s (includes ball attendants) and spectator/s with anything other than a hockey stick (including retaliation). <input type="checkbox"/> Striking at a player, official, spectator with a hockey stick – no contact (including retaliation). <input type="checkbox"/> Spitting on or at a player/s, official/s (includes ball attendants) and spectator/s	5 match suspension 10 match suspension if second offence within two (2) years
Level 4 Serious Issue	<input type="checkbox"/> Threatening another player, official, spectator with a hockey stick (including retaliation) off the field.	6 match suspension 12 match suspension if second offence within two (2) years
Level 5 Very Serious Issue	<input type="checkbox"/> Striking a player, official, spectator with a hockey stick (including retaliation). <input type="checkbox"/> Assault of an umpire or match official whether on or off the field	Up to and including a life ban from the Border Indoor Hockey Comp.

2014 season.

Section 9 – Appeals Hearing

9.1 Purpose and Objectives

The following sets out the appeals procedure against decisions made by the Border Indoor Hockey Tribunal.

9.2 Right of Appeal

There shall be a right of appeal to a Disciplinary Appeals Committee, made up of committee members from any decision of the BIH Tribunal by a person affected by that decision.

9.3 Power to Regulate Procedure

The Disciplinary Appeals Committee shall have the power to regulate its own procedure.

9.4 Appeals Procedure

(a) A BIH Appeals Committee will consist of at least 3 tribunes as arranged by BIH (BIH Members) none of whom have been involved in the original decision.

(b) Appeals Committee will hear appeals resulting from tribunal procedures, decisions and penalties.

(c) Notice of appeal must be lodged with BIH in writing together with the appeal fee of \$100 within 48 hours of the tribunal's decision including the grounds for appeal.

(d) Upon receiving a notice of an appeal, BIH will arrange an Appeal hearing to be held at the earliest possible time.

(e) The Appellant may be represented before the Disciplinary Appeals Committee by a representative of their team.

(f) At the hearing the appellant will be required to outline their case but the Appeals Committee will only consider the grounds lodged in the application. Grounds introduced at the hearing of the appeal not contained in the lodged appeal request may be disallowed.

(g) If an appeal regarding a tribunal penalty is lodged argument shall be confined to the penalty and evidence will only be accepted at the discretion of the Appeals Committee.

(h) When an appeal is lodged the decision being appealed shall stand in abeyance and take no effect until such time as the appeal has been heard and finalised.

(i) At the conclusion of the evidence and submissions, the Disciplinary Appeals Committee shall deliberate in private. The Appeals Committee after hearing all evidence put before it shall have the power to affirm or set aside the original decision or alter the penalty handed down by the tribunal as they see fit and confirm their decision in writing within fourteen (14) days to the BIH committee.

(k) No proceedings heard by any Disciplinary Appeals Committee shall be quashed or held invalid by reason only of any defect, irregularity, omission or other technicality; provided there has not been a miscarriage of justice.

(l) If the Appeals Committee upholds any part of the appeal the lodgement fee should be refunded. If the appeal results in affirmation of the original decision or the penalty is increased then the lodgement fee shall be retained by BIH.

(n) Where the Appeals Committee considers that the appeal is frivolous or vexatious it may impose further penalties upon the appellant.

(o) The Appeals Committee can adjourn the hearing at any stage they see fit however a decision must be handed down in writing within fourteen (14) days of the date of the adjournment.

(p) The decision of the Disciplinary Appeals Committee shall be final and not subject to any further appeal whether to Border Indoor Hockey or otherwise

(q) The Tribunal may request BIH to provide interpretive advice, secretarial support and to confirm that due process has occurred BIH Tribunal Coordinator will ensure that a member/members are available during a hearing for these purposes if requested.