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# **FAR NORTH COAST HOCKEY INCORPORATED**



Rules and By Laws: Reviewed November 2021

## **By Law Number 5**

### **Title: Disciplinary and Judiciary Committee**

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#### **Object:**

To manage all discipline and judicial matters that are referred to the Judiciary Panel which have occurred in the competitions under the control of Far North Coast Hockey Inc.

#### **Definitions:**

<u>Judiciary Panel</u>	– Persons forming this group which considers judicial evidence and presents a finding.
<u>Judiciary Tribunal</u>	– Formal hearing of the judicial matter.
<u>Appeals Hearing</u>	– Formal hearing of any appeal from a Judiciary Tribunal outcome.

#### **Reports to:**

The Board of Management via written reports at monthly meetings when disciplinary or judiciary matters have been dealt with in the month prior to the meeting.

#### **Committee Membership:**

1. There will be a member from each affiliated club nominated at the AGM of the Board of Management, other than those nominated for the Board
2. All nominees will be expected to attend each meeting unless there is a perceived conflict of interest around any member.
3. A person independent of FNC hockey and who is a member of the NSW Law Society is to preside over the Judiciary Tribunal.

If a member of the Law Society of NSW is not available to preside over the Judiciary Tribunal the President of FNC may nominate an alternate person who is in his or her view is suitably qualified to preside over the Judiciary Tribunal.

A person will be considered independent of FNC Hockey if he or she is not a member of FNC Hockey and does not have a personal relationship with the person subject of the Judiciary Tribunal proceedings. This person can be related to a member of FNC.

If this person is not available, then the President can appoint an independent Chair (incl him/herself) who is a member of FNC and is not personally involved in the matter before the Judiciary Panel.

### **Process for referring matters to the Judiciary Panel:**

1. If an incident occurs at a Far North Coast Hockey Inc. venue or event, which is deemed by any member, official or witness to be a matter for the Judiciary Panel, where further action may be pursued, a written report must be made to refer the matter.
2. In the case of an on-field incident where possible/practical the umpire or technical official will report the incident in writing.
3. The following process must be followed to refer a matter to the Judiciary Panel:
  - (a) Report the incident to the Far North Coast Hockey Inc. Secretary in writing within 12 hours of the occurred incident. (Note: Submit report within 12 hours)
  - (b) The incident report must include as a minimum the following:
    - The name of person/s reporting the incident.
    - The name of the person/s being reported.
    - Time and location of incident.
    - Brief summary of incident.
    - Contact details of person/s reporting the incident.
    - List any witnesses to the incident.
    - List of any evidence to the incident.
    - Signature/s of the person/s reporting the incident.
  - (c) The FNC Hockey Inc. Secretary will forward the written report to the Judiciary Panel.
  - (d) In the event that a Judiciary Tribunal is to be convened, the FNC Hockey Inc., Secretary will notify the person/s being reported.

### **Notification of Judiciary Tribunal**

1. The FNC Hockey Inc. Secretary will prepare a Judiciary Report detailing:
  - Match details – date, time, field, competing teams or event details.
  - Names of umpires and other appointed match officials.
  - A brief statement outlining the alleged incident and the charge. This may be accompanied by more detailed reports of supporting evidence for example, a witness statement.
  - The name of the person/s reporting the incident
  - The names of any witnesses.
  - Time and location of the Judiciary Tribunal.
  - Person/s required to attend the Judiciary Tribunal including witnesses.
2. The Judiciary Panel of at least 5 (voting) members and the chairperson (non-voting) will attend the Judiciary Tribunal at the notified time and location. If any party to the incident is absent, the Judiciary Tribunal may proceed at the discretion of the Judiciary Panel.
3. The Judiciary Panel will outline the allegation being made and the charge/s.
4. The Judiciary panel will ask the reported person/s whether they wish to contest the charge/s.
5. If the charge/s is not contested, the Judiciary Panel will then make a determination in accordance with the penalty guidelines.
6. If the charge is contested:
  - 6.1 All parties, including umpire will be present during the Judiciary Tribunal, unless the Judiciary Panel deems this to be inappropriate.
  - 6.2 All 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 the parent, or club association representative.

- 6.3 The Judiciary Panel may question the parties as required with questions restricted to the incident in question and under review.
  - 6.4 Both parties may direct questions and statements to the Judiciary Panel but not to the other party without the consent of the panel.
  - 6.5 Witnesses will be excluded from the tribunal unless called upon to provide testimony.
  - 6.6 All Evidence from both/all parties will be accepted but must be provided 24 hours before the scheduled Judiciary Tribunal. This includes lists of proposed witnesses
  - 6.7 Once the Judiciary Panel is satisfied with the facts and evidence presented, they will then decide on the status of the charge and if required, the penalty imposed.
  - 6.8 The tribunal shall not be bound by the rules of evidence and may on the balance of probability accept any form of evidence deemed appropriate.
7. Written notification of the findings of the Judiciary Panel will be provided to all parties within 24 hours. The findings will be delivered to the individual/s and relevant club secretaries on a "Findings of the Judiciary Tribunal Document" as per the document included in this By Law **BUT** will not include any reference to individuals who participated in that hearing or any other information that may jeopardise the best interests of the Judiciary Tribunals members and its findings.

### **NSW Recommended penalty guidelines**

These guidelines are based in part on current association guidelines, and in part of the views of the Hockey NSW working party instituted to develop these guidelines.

<b>Ref</b>	<b>Offence</b>	<b>Penalty</b>
a	Dispute umpire's decision	2 Weeks
b	Verbally abusing umpire.	5 Weeks
c	Verbally abusing umpire – 2 <sup>nd</sup> offence.	8 Weeks
d	Deliberately striking an umpire.	2 years
e	Deliberately striking and umpire – 2 <sup>nd</sup> offence.	5 years – life
f	Striking another player.	3 Weeks
g	Deliberately striking another player.	6 Weeks
h	Striking another player with a hockey stick.	6 Weeks
i	Deliberately striking another player with a hockey stick.	10 Weeks
j	Deliberately striking another player with a hockey stick – 2 <sup>nd</sup> offence	1 year - life
k	Spitting at a player/official.	5 Weeks
l	Rough, dangerous, intimidatory play.	3 Weeks
m	Persistent and deliberate breach of the Rules.	3 Weeks
n	Abusive and / or offensive conduct.	5 Weeks
o	Acting in a detrimental manner to the Association	3 Weeks
p	Use of a telecommunications device to threaten/abuse a player or official.	3 Weeks

The Judiciary Panel has the discretion to impose different penalties if it is agreed there are extenuating circumstances. Similar cases will have similar penalties applied consistently (based on precedence).

### **Demerit Points System**

**Refer to 7. Conduct of Players, Points for Offence System: Far North Coast Hockey Inc. Rules and Regulations: Competition Rules.**

### **YELLOW CARDS Guidelines**

### **3 Point Offences:**

- Hitting the ball away after an infringement
- Deliberately failing to retire 5 yards after a free hit is awarded
- Delaying the opponent from taking a free hit
- Playing the ball which is above shoulder height
- Misconduct and swearing
- Deliberate use of the foot to stop the ball
- Lazy/casual left side tackle

### **4 Point Offences:**

- Barging/tripping/pushing
- Late tackle
- Swinging stick in tackle
- Dangerous/ over aggressive play
- Very serious illegal left side tackle (Not Casual)
- Bad stick or body tackle

### **5 Point Offences:**

- Deliberate left side tackle bringing player down to the ground
- Wrestling
- Deliberately provoking opponent into retaliating
- Retaliating in a situation
- Confronting an opponent in a threatening manner
- Striking a player with a stick (Red Card consideration)
- Running in to get involved in a melee (Red Card consideration)
- Derogatory remarks about the umpire
- Derogatory comments towards the umpire

### **Red Card – as a player or as a spectator**

If a player or spectator receives a **RED CARD**, the player **CANNOT** play in a competition match or be involved in any way until the Judiciary Panel has been convened and the formal hearing (Judiciary Tribunal) held.

### **Appeals Process**

**Refer:** Part 14 of the Competition Rules