



JUDICIARY & DISCIPLINARY POLICY

V2.0

20th November 2017

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NHA Judiciary & Disciplinary Policy (2017)

Definitions

NHA	Nepean Hockey Association Inc
NHA Executive	A NHA group consisting of: President, Senior Vice President, Vice President, Honorary Treasurer and Honorary Secretary
The Association	Nepean Hockey Association Inc
NHA Management Council	A group consisting of delegate(s) from each Affiliated Club with Nepean Hockey Association Inc with voting rights
Life Member	A person who has been granted 'Life Member' status from Nepean Hockey Association
Junior	A player who is under 18 years of age

Document Version History

Version	Date	Author	Comments
v0.1	10 December 2012	Vince Pace	Working Draft – issued for comment
v0.2	18 December 2012	Vince Pace	Second Draft – updated following feedback from Pam Nelson
v0.3	20 December 2012	Vince Pace	Third Draft – updated following feedback from Pam Nelson & Troy Baxter
v0.4	5 March 2013	Vince Pace	Draft for final review
V0.5	6 March 2013	Vince Pace	Final feedback - issued to NHA Management Council for Acceptance
v1.0	11 March 2013	Vince Pace	Final Document
V1.1	15 th June 2015	Noelene Knowles	Updated document as voted at the Management Council Meeting held on 15 th June 2015
V2.0	20 th November 2017	Noelene Knowles / Pamela Nelson	Significant document update for voting at the AGM to be held on 20 th November 2017

1 DISCIPLINE

- 1.1 Breaches of rules and regulations by players or spectators during a game that come to the attention of the Umpire's Convenor are to be investigated by the Umpire's Convenor who will make recommendations to the NHA Management Council and / or Judiciary Convenor for action.
- 1.2 Match Umpires have control of a game from the 'official' commencement of the match to the 'official' completion of the match. Match Umpires have no responsibility to deal with any incident or misconduct which occurs outside of these times i.e. either before or after the match. Such incidents or misconducts should be raised either verbally or in writing to the NHA Executive for action.
- 1.3 Breaches of rules and regulations by Affiliated Clubs in respect of registrations, eligibility and draw will be investigated by the relevant Competition Convenor (Junior, Senior Women or Senior Men) who will make recommendations to the NHA Management Council for action.
- 1.4 In the event of any other formal complaint being lodged, in writing, within seven (7) days of the incident, it shall be investigated in the first instance by the NHA Executive who will, if necessary, summon the parties involved to a meeting. A copy of the formal letter of complaint shall be given to the accused party 48 hours prior to any required meeting being called. The NHA Executive, if deemed necessary, will then make a recommendation to the NHA Management Council for any further action (if required).
- 1.5 If the recommendation of the NHA Executive be to refer the matter to a Judiciary Committee, this Judicial Committee will consist of one representative of each Affiliated Club in The Association and shall be chaired by a member of the NHA Executive not involved with the incident or associated Club to the incident.

2 JUDICIARY / MISCONDUCT

2.1 The Judiciary Committee

- 2.1.1 The Chairperson is the Judiciary Convenor, who will be elected at the AGM.
- 2.1.2 The Judiciary shall comprise of no less than two (2) members drawn from two (2) different Clubs.
- 2.1.3 If the Chairperson or their Club or if the Accused is from the Chairperson's club is involved in the matter under discussion, then the Chairperson only will be excused from all proceedings. The Judiciary Convenor is to appoint a new Chairperson before the meeting to hear the matter at hand.
- 2.1.4 The Judiciary Panel will be selected by the Judiciary Convenor from a pool of candidates whose names have been put forward by all Affiliated Clubs each year.
- 2.1.5 In the selection of the Judicial Panel, the Judiciary Convenor will excuse from all proceedings related to the matter at hand, any club who has any player or official involved in the matter. Members who are registered directly with NHA and with no affiliation with any club will be permitted to serve on the Judicial Panel.
- 2.1.6 The Umpires Convener and his / her committee members (if applicable) will not be eligible for appointment to a Judicial Panel.
- 2.1.7 Any member of the NHA Executive will not be eligible for appointment to the Judicial Panel.
- 2.1.8 All Affiliated Clubs are to provide the names and contact details of financial members to the NHA Secretary as soon as possible following the AGM each year to act as Judicial Contacts for the Judicial Panel.
 - 2.1.8.1 If the Affiliated Club enters teams in both the Women's and Men's NHA Competitions, then they are to provide the name and contact details of at least one (1) male and at least one (1) female to act as Judiciary Contacts for the club.
 - 2.1.8.2 If the affiliated club only enters teams in either the Women's or Men's NHA Competition, then they are to provide the name and contact details of at least one(1) member to act as the Judiciary Contact for the club

2.1.8.3 Judicial Contacts nominated by Clubs must be aged 18 years or over.

2.1.9 The NHA Secretary is to compile a list of Judiciary contacts and provide this list to Judiciary Convenor as soon as possible following the AGM.

2.1.10 The Umpires Convenor (or their delegate) shall attend all Judiciary Panel meetings in a non-voting capacity.

2.1.11 The quorum shall be three members who are totally independent of the matter under review.

2.1.12 The Judiciary Convenor is responsible for forwarding all reports and documentation to clubs involved in the incident and will also ensure that a copy of documentation is forwarded to the NHA Secretary and Umpires Convenor.

2.2 Notice of the Judiciary Committee

2.2.1 A Judiciary Panel is to be convened no later than seven (7) days after the date that the suspension or alleged offence occurred.

2.2.2 The Judiciary Panel is to be convened on the Thursday following the incident. In exceptional circumstances where this is not possible, then a notice to attend a Judiciary Meeting will be supplied by the NHA Secretary, or their delegate, to all parties deemed relevant, 48 hours prior to any such meeting at which the case is to be heard.

2.3 Judiciary Meeting Process

2.3.1 A permanently suspended player (Red Card), a player against whom a charge has been made, or a spectator who is registered with an affiliated Club, will appear before the Judiciary Committee when requested. At that meeting they will be given the opportunity to call others to give evidence on their behalf (if required).

2.3.2 Any member who is considered a Junior at the time of the offence is eligible to have a Parent / Guardian / Support Person attend the Judiciary Meeting with the player / spectator (to avoid any doubt, a Junior Player is any player who has not reached the age of 18 years of age as at the date of the offence).

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- 2.3.3 All Accused persons are permitted to have a support person who may ask questions (only through the Chair) of all witnesses.
- 2.3.4 The support person or the Accused may ask questions through the Chair – not both persons.
- 2.3.5 The Reporting Umpire must attend the Judicial Hearing – unless there are exceptional circumstances in which case other forms of communications will be considered – for example a phone call. If they are not available, then the meeting may be adjourned to an agreed date / time giving consideration to timeline outlined in clause 2.2.2 of this policy. The Judiciary Convenor will make the decision regarding the possible adjournment of the meeting.
- 2.3.6 Failing to appear at the Judiciary hearing or to apply for a postponement of the Judiciary hearing, will result in the cited player, spectator or Club to be bound by the findings and any decision made by the Judiciary Committee.
- 2.3.7 Should the Judiciary Committee, due to the lack of meeting the quorum requirements, fail to convene, the suspended player shall be permitted to resume playing until the Judiciary Committee is convened.
- 2.3.8 Any Club / team playing a suspended player shall incur a three point penalty and forfeit any competition match points gained while fielding the suspended player, unless the player has been granted approval to play as per 2.3.5.
- 2.3.9 Should a suspension be handed down subsequently following the postponement of a Judiciary Hearing, the period served prior to the suspension being handed down shall be taken into account and will be deducted from the allocated suspension period.
- 2.3.10 The Judiciary Convenor (or other delegated Chairperson in the absence of the Judiciary Convenor) shall read and explain jointly to all parties to the hearing the full text of the charge or appeal to be considered.
- 2.3.11 The parties to the hearing shall be heard by the Judiciary Committee individually in the following order:
 - 2.3.11.1 Those supporting a charge, to give evidence, to call witnesses and to be questioned by the Judiciary Committee and to be questioned by the accused or their representative;
 - 2.3.11.2 Those defending a charge, to give evidence, to call witnesses and to be questioned by the Judiciary Committee

and to be questioned by the accused or their representative.

2.3.11.3 Witnesses are to be called in to give evidence individually to the Judiciary Committee.

- 2.3.12 All parties to the hearing shall retire while the Judiciary Committee considers its finding although the Judiciary Committee may recall any or all parties, either individually or jointly, to clarify any matter of evidence.
- 2.3.13 The Judiciary Committee shall determine if any action in addition to the original suspension is required and if so determine the appropriate penalty.
- 2.3.14 The Judiciary Committee findings shall be determined by majority vote, recorded and each party informed. The Judiciary Convener is also required to forward confirmation of the decisions reached to all parties concerned including the NHA Secretary and the Club to which the player is affiliated before the commencement of the next competition match. To expedite communications, the use of electronic mail for confirmation of decisions reached is permitted.
- 2.3.15 If, during any hearing, other person(s) were involved in the incident, the Judiciary Committee will have the power to have that person(s) cited and brought before the Judiciary

2.4 Penalties

- 2.4.1 If it is the determination of the Judiciary Committee that further action is warranted, such action will be handed down by the Judiciary Committee.
- 2.4.2 Penalties by way of suspension shall be by number of matches from within the competition that the match was played and extend into a subsequent season if necessary. For Mandatory Reporting offences 1-5 (refer Appendix A), suspension shall also be extended to all competition games conducted by NHA. This suspension will also prevent the player from umpiring and performing an official duty in the Dug-out during competitions (including, but not limited to: Umpire; Coach; Manager; Ground Marshall).
- 2.4.3 The Judiciary Convenor shall maintain a record of penalties imposed to which the Judiciary Committee shall pay due regard when setting a penalty.

- 2.4.4 Penalty guidelines provided in Appendix A are to be referred to in the determination of Penalties to be applied to a suspended player if in the opinion of the Judiciary Panel the charge has been proven.
- 2.4.5 A Player who has been handed a suspension (refer Appendix B, Charges 6-13) from a match may agree to an 'Early Guilty' plea – in which case the Judiciary Convenor will record a penalty referencing the Guidelines in Appendix B.
- 2.4.6 A Player charged with an offence is only permitted to lodge a request for an 'Early Guilty' plea once per playing season. Note that the Judiciary may consider the seriousness of a charge and if an early plea is considered inappropriate, then the player is to attend a Judiciary Hearing.
- 2.4.7 A suspended player who decides to lodge an 'Early Guilty plea' must notify the Judiciary Convenor and NHA Secretary no later than 7pm the Wednesday following the incident to enable the Judicial Hearing to be cancelled.
- 2.4.8 If a Player who has been allocated a lesser penalty due to an 'Early Guilty' Plea reoffends at any time within the remainder of the competition season within which the match was played or the subsequent competition season (for penalties that extend beyond the original competition season) then the Judiciary Panel may decide to impose an additional Penalty on the player.
- 2.4.9 Any player either suspended (pending a Judicial Hearing) or serving a suspension (following a decision from a Judicial Hearing) is not eligible to represent NHA at any State Championship in which they are entitled to play.
- 2.4.10 Any player either suspended (pending a Judicial Hearing) or serving a suspension (following a decision from a Judicial Hearing) is not permitted to act in any capacity within the dugout area (including but not limited to: Umpire; Coach ; Manager; Ground Marshall).
- 2.4.11 Nothing in these rules shall prevent the Judiciary Committee from deciding to suspend any penalty imposed conditional upon the charged player / member not being found guilty again of the same offence within the same playing season or the subsequent playing season (for penalties that extend beyond the original competition season), at which time the suspended penalty and any additional penalties will be handed

down.

- 2.4.12 The Judiciary Convenor shall notify the NHA Secretary of the decision reached by the Judicial Panel before the commencement of the next competition match
- 2.4.13 A player's disciplinary playing record will remain on file for two (2) years for a junior player and four (4) years for a senior player from the date of the first offence.
- 2.4.14 At any subsequent Judicial hearing, the player's disciplinary playing record may be considered by the Judiciary once a player has been found guilty of an offence and prior to any penalty being awarded.
- 2.4.15 The NHA Secretary shall notify Hockey NSW of all mandatory offences proven at the Judicial Hearing. Mandatory offences are those numbered 1-5 (inclusive) in Appendix A to this Policy.

2.5 Appeals

- 2.5.1 The Judiciary Convener or other delegated Chairperson will advise the suspended party of their rights and methods of appeal at the conclusion of the Hearing.
- 2.5.2 Any appeal against a finding or decision or the severity of the penalty of the Judiciary Committee may be lodged only on the grounds of new evidence which was not available at the time of the hearing.
- 2.5.3 Appeals may only be submitted by the Player or Player's Parent / Guardian or other registered person against whom a finding has been made.
- 2.5.4 Any appeal will be lodged with the NHA Secretary within seven (7) days of the relevant meeting of the Judiciary Committee. Appeals may only be lodged via the Secretary of the Club to which the appellant is a member. Members registered directly with NHA may lodge an appeal on their own behalf, subject to clause 2.5.2 above.
- 2.5.5 The Appeal Committee shall be comprised of the original Judiciary and two members of the NHA Executive who are not involved with the incident or Club involved in the incident.

2.6 Duties of the Umpire / Umpires Convenor

- 2.6.1 An Umpire suspending a player during a match shall note the player's name, player's shirt number (in the case of a suspension in the Senior Men's Competition) Club and suspension handed out on the Match Card.
- 2.6.2 Each Umpire involved in a match in which a player was suspended from the game shall complete an Umpire's Report (refer to the "Umpire's Report - Player Suspension" form available in Appendix C) as soon as possible after the match and forward this to the Umpires Convenor for review before forwarding to the Judiciary Convenor and NHA Secretary within 48 hours of the incident occurring.

2.6.3 The Umpire's Convenor is to ensure that the Umpire has forwarded a copy of both the Reporting Umpire and Co-Umpire Reports (if required) to the Judiciary Convenor and NHA Secretary within 48 hours of the completion of the match in which a player was suspended. This report is to contain:

2.6.3.1 Basic information regarding the player and match, including:

- 2.6.3.1.1 The Offending Player's Name;
- 2.6.3.1.2 The Offending Player's Shirt Number (for a suspension in the Senior Men's Competition);
- 2.6.3.1.3 The Offending Player's Club;
- 2.6.3.1.4 The teams playing the match from which the Player was suspended;
- 2.6.3.1.5 The match date, match time and field;
- 2.6.3.1.6 The grade of the match played;
- 2.6.3.1.7 The names of both the Reporting Umpire and the Co-Umpire.

2.6.3.2 The Charge (using either one or multiple boxes as provided on the "Umpire's Report - Player Suspension" form – refer to Appendix C).

2.6.3.3 The reason for the suspension.

2.6.3.4 An adequate description of events leading to the suspension

2.6.3.5 Any other information which is considered to be relevant to the suspension.

2.6.4 Should the Umpire fail to specify the charge, the Umpire's Convenor and / or Judiciary Convenor shall formulate the charge as soon as possible which is deemed appropriate from the text contained in the Umpire's Report.

2.6.5 Failure to correctly complete the Umpire's Report shall not constitute a dismissal of the charges against an offending player or spectator.

Relevant Charges and Minimum Penalties.

On finding that a matter referred to it is established, the Judiciary Panel shall refer to the following guidelines.

Note - The Judiciary Panel are not bound by the penalty guidance

APPENDIX A - Mandatory Offences

Any charge proven at a Judicial Hearing of these offences will be automatically reported to Hockey NSW:

Reference Number	Charge	Penalty Guidance
1	Striking an another player other than with a hockey stick	Six (6) – Ten (10) Games
2	Deliberately striking another player with other than a hockey stick	Eight (8) – Fourteen (14) Games
3	Striking at another player with a hockey stick	Eight (8) – Twelve (12) Games
4	Deliberately striking another player with a hockey stick	Ten (10) – Eighteen (18) Games
5	Physical assault of an Umpire or Official of NHA	Two (2) – Three (3) years

Notes:

- Any charge proven at a Judicial Hearing of Mandatory Reporting Offences (items 1-5 above) will be suspended from all competition matches conducted by the NHA in accordance with clause 2.4.9 in this document.
- For Mandatory Reporting Offences (items 1-5 above), there is no option of an 'Early Guilty' Plea due to the seriousness of the offences.
- Suspended players will not be permitted to perform any official duty in the Dug-outs – including, but not limited to: Umpiring; Ground Marshall; Coach; Manager

APPENDIX B - Other Charges

Reference Number	Charge	Early Plea Guidance	Penalty Guidance
6	Disputing an umpire's decision	One (1) Game	Two (2) Games
7	Swearing or offensive language or behaviour	Two (2) Games	Three (3) Games
8	Inappropriate physical play	Two (2) Games	Four (4) Games
9	Abuse of an umpire	Three (3) Games	Six (6) Games And for a second offence within two (2) years – eight (8) Games
10	Persistent and deliberate breaches of the rules	One (1) Game	Two (2) Games
11	Acts detrimental to the NHA	Two (2) Games	Three (3) Games
12	Abusive conduct while a spectator (and registered with NHA)	Three (3) Games	Five (5) Games
13	Abusive conduct while a spectator	Three (3) Weeks	Five (5) weeks, from the Hockey Centre (if an identifiable spectator)

Notes:

- Players found guilty of offences in items 6 – 13 the suspension will only be served in the competition that the offence occurred as per Senior Competition Rules section 4.4.5 and Junior Competition Rules section 3.5.
- Suspended players will not be permitted to perform any official duty in the Dug-outs – including, but not limited to: Umpiring; Ground Marshall; Coach; Manager

APPENDIX C – Umpire’s Report – Player Suspension Form

Offender’s Name				Club			
Game Details							
Match Details		vs		Date & Time		Grade	
Reporting Umpire’s Name				Co-Umpire’s Name			

Charge(s) – tick as many boxes as considered appropriate		
Ref	Charge	<input checked="" type="checkbox"/>
1	Striking at another player with other than a hockey stick	<input type="checkbox"/>
2	Deliberately striking another player with other than a hockey stick	<input type="checkbox"/>
3	Striking at another player with a hockey stick	<input type="checkbox"/>
4	Deliberately striking another player with a hockey stick	<input type="checkbox"/>
5	Assault of an umpire or official of Nepean Hockey Assoc.	<input type="checkbox"/>
6	Disputing an Umpires Decision	<input type="checkbox"/>
7	Swearing or offensive language or behaviour	<input type="checkbox"/>
8	Inappropriate physical play	<input type="checkbox"/>
9	Abuse of an opponent, umpire or other technical official	<input type="checkbox"/>
10	Persistent or deliberate breaches of the rules	<input type="checkbox"/>
11	Acts detrimental to the Nepean Hockey Assoc.	<input type="checkbox"/>
12	Abusive conduct while a spectator (registered with NHA)	<input type="checkbox"/>
13	Abusive conduct while a spectator	<input type="checkbox"/>

Description of Events

(Include all relevant events that led up to and after the incident or the issuing of the Red Card, if inadequate space, attach further pages).

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Reporting Umpire's Signature		Date	
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1. Ensure the offender has been advised of the reason for the Red Card prior to the completion of the match.
2. Ensure that this form is fully completed and signed as soon as possible after the completion of the match.
3. This form is to be sent to the Umpires Convenor (umpires@nepeanhockey.com.au) who will forward a copy to the NHA Secretary (secretary@nepeanhockey.com.au) and Judiciary Convenor (judiciary@nepeanhockey.com.au) within 24 hours of the incident occurring.

APPENDIX D – Flowchart / Timeline of Events

