

CODE OF CONDUCT updated Nov 2009 (supersedes all earlier issues)

Guide

All players, umpires, officials, coaches, administrators and spectators associated with Hockey North West (HNW) and Northern Hockey Association (NHA) are expected to adhere to Hockey Australia's Code of Conduct. Breaches of this Code of Conduct should be dealt with by clubs, facility managers or regional Associations in the first instance.

- Page 1 General information**
- Page 2 Procedure for handling reports and protests**
- Page 3 Overview of report process (flow chart)**
- Page 4 Set penalties**
- Page 5 Tribunal composition and Function. Tribunal Guidelines**
- Page 6 Procedure for Tribunal Hearings**
- Page 7 Procedure for Appeals Hearings**
- Page 8 Report form for reporting Party**
- Page 9 Report checklist (for Hockey North West)**

REPORTS AND PROTESTS – GENERAL INFORMATION

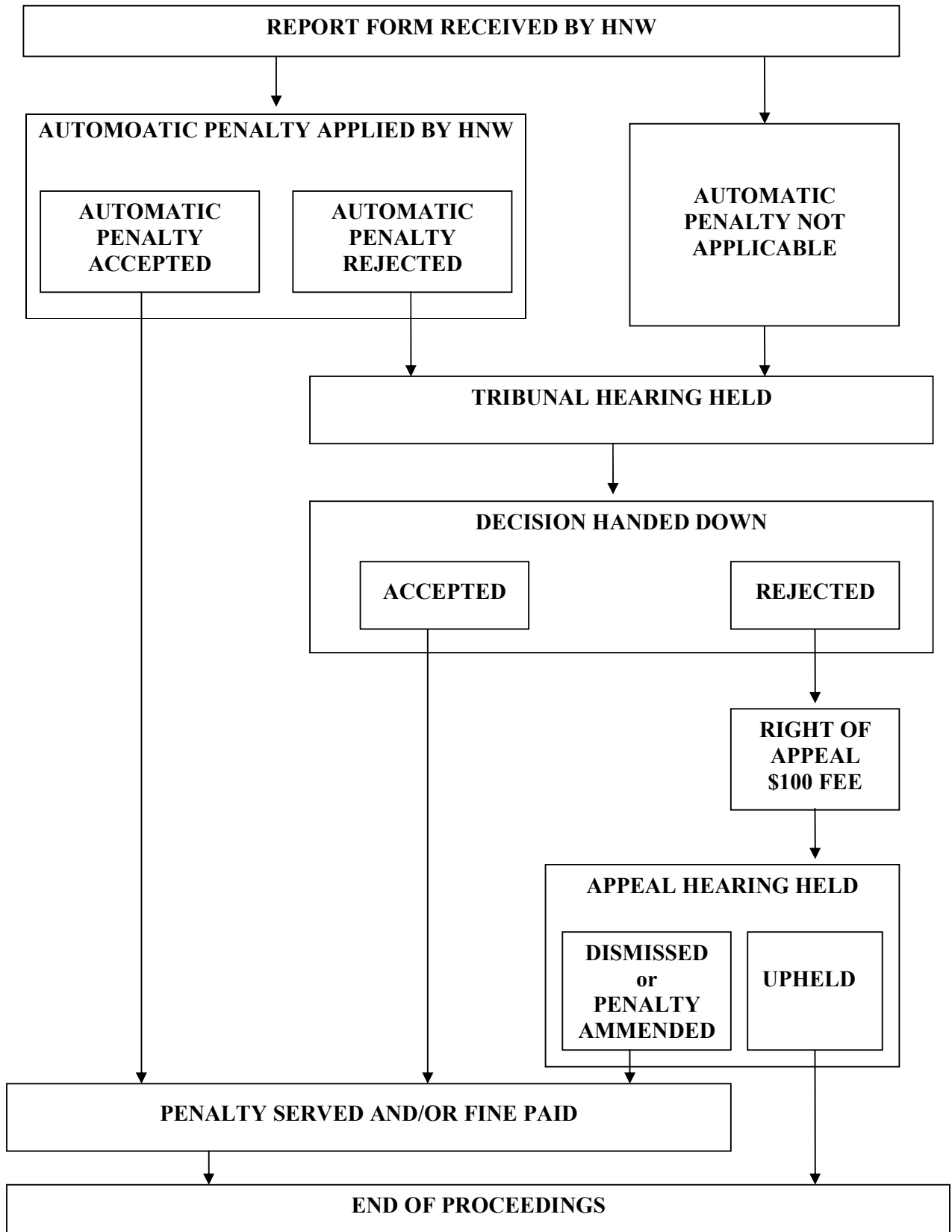
- All clubs, officials and registered players wishing to lay a charge against a club, player, official or spectator (if a registered player) for alleged misconduct in relation to HNW (including GNL, Coastal Div 2 and 3 and U/18 and U/15 games) must outline the charge using the Report Form provided on page 8 of this document.
- Umpires and match officials must report matters of serious misconduct using the Report Form provided.
- Reports must be hand delivered, faxed or emailed to HNW, or the NHA within 24 hours of the incident via the contacts listed on the Report Form. In the case of a fax, or email the relevant person must also be contacted by phone.
- 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 Match Management Committee for clarification.
- Whilst HNW accepts the need for some incidents and individuals to be reported it also recommends mediation as another strategy for resolving some disputes. HNW will support all parties seeking resolution of a matter via mediation which might be achieved through correspondence directed through HNW or through a meeting, convened by HNW, of all parties involved.
- Reports other than those lodged by umpires and/or match managers of the particular game must be accompanied by a \$50.00 fee which may be refunded by the tribunal if the report is upheld, or deemed to be reasonable. If the charge is dismissed as trivial or vexatious the lodgement fee shall be retained by HNW.
- When any fee, or fine is imposed on a club, or player that fee, or fine must be paid to that club's, or player's respective Association.

OTHER DISPUTES

Disputes related to rosters and or card allocations, or suspensions generated by failing to umpire, will be heard by HNW. Information regarding these disputes should be submitted in writing to HNW. These do not require the use of the Report Form.

PROCEDURES FOR HANDLING REPORTS AND PROTESTS

- Within 48 hours of receipt of a written report HNW shall:
 - Provide the reported player/official, or the club of the reported player/official with a copy of the details submitted on the Report Form.
 - Notify both clubs involved and their Associations of the report including whether a set penalty is to be applied, or of the need to progress to a tribunal hearing.
- If the reported player rejects the automatic penalty option, or if a set penalty is not applicable HNW will as soon as practicable arrange a tribunal hearing.
- If a player accepts an automatic 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”.
- If a reported player rejects an automatic penalty it is the responsibility of that person to advise HNW in writing that they wish the matter to be heard by the tribunal. HNW must have this notification within 24 hours of the player receiving the penalty.
- If a tribunal is to be called HNW will summons 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 club of these requirements either by fax, email or verbally but where possible the player should be personally advised.

OVERVIEW OF REPORT PROCESS

SET PENALTIES TO BE APPLIED BY HOCKEY NORTH WEST

By the rules of Hockey red card allocations will automatically incur a one (1) week suspension.

In addition to the card system HNW has in place a list of set penalties for specific offences.

Reported offences which incur either set penalties, or suspensions arising from tribunal hearings will be in addition to the red card suspension.

OFFENCES	SET PENALTIES
1. Serious or prolonged abuse of a player, umpire or official subsequent to a decision by an umpire or official or abusive conduct by a registered player whilst a spectator.	1 match
2. Acts detrimental to Hockey.	1 match
3. Striking at another player with other than a hockey stick.	1 match
4. Striking another player with other than a hockey stick.	2 matches
5. Striking at another player with a hockey stick.	2 matches
6. Striking another player with a hockey stick.	3 matches
7. Threatening another player, official, umpire, whether on or off the field.	3 matches

* All penalties as decided by a set penalty or the tribunal would be in addition to whatever action may be undertaken in a criminal or civil court of law.

*** HNW 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.**

These set penalties are not intended to be a guideline for tribunal or appeal hearings.

TRIBUNAL COMPOSITION AND FUNCTION

- HNW shall have at their disposal a list of people with no active participation in hockey willing to act as tribunes. They will review and if necessary amend this list at the beginning of the season. The list will include a minimum of three people from each association's geographical area.
- Each Tribunal hearing must involve three tribunes who shall elect a chairperson from within themselves.
- The Tribunal shall have sole jurisdiction to deal with all matters delegated to it by HNW.
- The Tribunal should meet as soon as possible after receiving notification that a hearing will be held.
- The Tribunal after hearing all evidence on all charges put before it shall have the power to suspend or fine any club or player for any period or amount it may consider appropriate.
- 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.

TRIBUNAL GUIDELINES

- Any player, member, umpire, association or club official must attend the Tribunal hearing to which they have been summoned. If a summonsed player, member or official fails to attend as directed, the hearing may proceed and the absent player, member or official, may be liable to a penalty imposed by the Tribunal.
- The party reported shall be required to attend at their own expense.
- 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.
- The Tribunal may, at any stage of the hearing, for any matter, adjourn the meeting to a date to be fixed.
- The Tribunal may amend the charge if they deem it necessary at any time during the hearing.
- The Tribunal may impose suspension, fine or reprimand as deemed appropriate.
- A suspended sentence is a tool which the Tribunal may use at its discretion.
- 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.
- The hearing is attended by members of the tribunal, players and/or officials who are charged or laying a charge.
- Witnesses must attend the hearing for their evidence to be heard by the tribunal.
- Person/s charged with an offence/s will be permitted to have an advocate in attendance but legal representation will not be permitted.
- The person making the charge may have an advocate at the discretion of the tribunal.
- The Tribunal may request HNW to provide interpretive advice, secretarial support and to confirm that due process has occurred. HNW Chairperson or secretary will ensure that a member/members are available during a hearing for these purposes if requested.
- When any charge is heard, a representative of the club(s) concerned shall only take part in the hearing by way of giving evidence as permitted by the chairperson.
- The hearing should be recorded either in writing or with a recording device.
- 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.

TRIBUNAL HEARING PROCEDURES

- The hearing must 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 HNW following the Tribunal hearing.
- Meeting is opened by the Tribunal Chairman and the charge or nature of the charge is read to all present.
- The Tribunal Chairman will accept a plea of guilty or not guilty from the charged person.
- The Tribunal may amend the charge if they deem it necessary at any time during the proceedings.
- If the person charged pleads guilty they or their advocate are entitled to plea mitigation on the charge only.
- If a person pleads not guilty then the player/official making the charge will outline their case and give evidence to the Tribunal. During this process those charged will be able to cross examine through the Chair.
- Other evidence/witnesses supporting the charge may be accepted at this stage. Cross examination, through the Chair, can occur after that evidence is given.
- The person charged will put their case and may then be cross examined through the Chair.
- Other evidence/witnesses supporting the person charged (the defence) may be accepted at this stage. Cross examination, through the Chair, can occur after that evidence is given.
- The tribunal can at this stage invite either or both parties to summarise their case.
- 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.
- After a decision is reached, the tribunal shall reconvene. The charged player, the person making the charge and advocates, if any, will be re-called and given the decision by the Tribunal Chairman.
- If the person charged is found guilty they or their advocate are entitled to plea mitigation.
- The tribunal will then deliberate in private on the penalty to be imposed.
- A suspended sentence provision is a tool which the tribunal may use at its discretion.
- The tribunal shall reconvene and declare its verdict in relation to the penalty which will take effect immediately.
- The tribunal must provide their summation, their decision and penalty in writing on the report sheet.
- The tribunal must advise a guilty person of their right of appeal.
- Appeals can only be based on tribunal decisions, severity of sentence and/or failure of due process.
- Decisions of the Tribunal on all matters properly delegated to it shall be final except as allowed for in the provision of an appeal.
- If a player or club plays under appeal then all rights to withdraw that appeal will be forfeited.
- The Tribunal Chairman shall, within 14 days, forward to the Chair of HNW confirmation of the findings of the Tribunal.

APPEALS HEARING

- A HNW Appeals Committee will consist of at least 3 tribunes as arranged by HNW none of whom have been involved in the original decision.
- Appeals Committee will hear appeals resulting from tribunal procedures, decisions and penalties.
- Notice of appeal must be lodged with HNW in writing together with the appeal fee of \$100.00 within 18 hours of the tribunal's decision including the grounds for appeal.
- Upon receiving a notice of an appeal, HNW will arrange an Appeal hearing to be held at the earliest possible time.
- At the hearing the appellant will be required 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.
- 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.
- 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.
- The Appeal 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 Chair of HNW.
- 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 HNW.
- Where the Appeals Committee considers that the appeal is frivolous or vexatious it may impose further penalties upon the appellant.
- 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.
- The Tribunal may request HNW to provide interpretive advice, secretarial support and to confirm that due process has occurred. HNW Chairperson or secretary will ensure that a member/members are available during a hearing for these purposes if requested.

REPORT FORM

Name:	Of		Club
-------	----	--	------

is reported for the following:

<input type="checkbox"/> Any supporting information is attached to this page.

The alleged offence took place:

Date:		Time:	
Location:		Division and other team involved	

I, (umpire/official) have advised
 (the reported player, their club, coach or captain) of this report at (Time and Date)

The Match Officials were:

If this report proceeds to a tribunal hearing I request that the following persons be requested to attend any hearing as Witness/s to the incident to which this charge relates. (Umpires/Match Managers only to complete)		
Reporting Person	Printed Name: _____ Signature: _____	Date:
Telephone:		Postal Address:
Facsimile:		E-mail:

CONTACTS FOR ACCEPTANCE OF REPORTS

CONTACT	POSITION	PHONE	FAX	EMAIL
	HNW Chairperson or Janine Hawkins			

FOR USE BY HNW ONLY

Set penalty offered: Set penalty accepted

Signed on behalf of HNW:

Date: Time:

Notes:

REPORT CHECKLIST

(To be completed by HNW)

A report against:

	of		Club
was received on..... at am/pm <input type="checkbox"/> Copy of receipt attached if applicable.			
The reported person Signed: or their club Signed:			
Have been provided with a copy of the report - Time Date			
The following actions resulted <input type="checkbox"/> Set penalty accepted by reported person. <input type="checkbox"/> Set penalty rejected by reported person. <input type="checkbox"/> Reported person did not contact HNW. <input type="checkbox"/> A tribunal hearing has been set down for <div style="display: flex; justify-content: space-between; width: 80%; margin: 0 auto;"> (Time) (Date) (Site) </div>			
The following persons have been advised of the time and date of the Tribunal meeting and advised their attendance is required.			
Signed HNW	Date		

Tribunal Finding and comments:

.....

.....

.....

.....

Penalty:

Time and date of decision:

Signed: Chair HNW Tribunal