

PORT MACQUARIE HASTINGS HOCKEY ASSOCIATION

JUDICIARY, INVESTIGATIONS AND PLAYING RULE BREACHES

The judiciary shall comprise of five (5) members with a quorum of three (3). The five (5) members shall be;

1. 1 x Member of any sub-committee responsible for management of junior hockey,
2. 1 x Member of any sub-committee responsible for management of senior hockey,
3. 1 x Member Club President (club not involved in the incident)
4. 1 x Ordinary Member of PMHHA Committee, and
5. Association President.

The meeting shall be presided over by the Ordinary Member of PMHHA, or in their absence, the Member Club President.

PMHHA Committee may appoint other members should a known or potential conflict of interest arise with any of the members above, or in the event of member absence / unavailability. Similarly, should any sub-committee be in abeyance, or their authority rescinded, PMHHA Committee may appoint any member of PMHHA to the judiciary. PMHHA Committee also reserves the right to appoint an independent person that is not a member of PMHHA.

Judiciary meetings are to be held at 6.30pm on the second Thursday night following the incident / calling upon of the Judiciary, and at the hockey facility or other agreed upon place. A member fronting the Judiciary may call for a Tuesday meeting if a possible competition game that they will be participating in, is occurring on the Wednesday or Thursday.

The members of the judiciary shall always apply the principles of “Natural Justice” in their dealings with cases before them. The accepted notion of natural justice is that everyone is entitled to a decision by a disinterested and unbiased adjudicator (the hearing rule); and that the parties shall be given adequate notice of the case against them, and a right to respond (the bias rule).

The Judiciary, in a finding of guilt, **MUST be satisfied** that;

1. The player or person in question is a current registered member of Port Macquarie Hastings Hockey Association as per the constitutional definitions, and
2. The incident occurred during the match in question (for Red Card offences only), or
3. The incident occurred during a PMHHA sanctioned event or whilst representing PMHHA (for members that have been cited for match day misconduct or misconduct at other venues), and
4. There is no reasonable doubt surrounding those facts.

Evidence

- Evidence may be given in person or by further written reports from the player, or umpire or any other witness,
- The judiciary shall call upon, in the following order;
 - The Player in question, who may also call upon and ask questions of
 - other players, witnesses or otherwise to support their case.
 - The Umpire in question, who may also call upon and ask questions of

- Other players, witnesses or otherwise to support their case.
- The judiciary may call upon players, witnesses, the other umpire or otherwise to gain further evidence.
- The judiciary reserves the right to question all those that appear before it to ascertain the facts.

The judiciary reserves the right to re-question all those that appear before it to clarify the facts.

1. After consideration of all the evidence, the judiciary may;
 - a. Endorse the original grading given by the umpire,
 - b. Increase the grading given by the umpire,
 - c. Decrease the grading given by the umpire,
 - d. Dismiss the case – with the Red Card not recorded against the player,
 - e. Dismiss the case – with the Red Card recorded against the player, or
 - f. Suspend a sentence for a period of time.

In the event of a dismissal, the player shall have served a one-week suspension by default from the issue of the red card as per PMHHA policy on Red Card suspensions. This suspension will stand regardless of the outcome of the findings of the Judiciary.

- Any suspensions will be carried over to the next regular playing season.
- For serious offences, the suspension maybe for a large time frame rather than individual matches / weeks / rounds etc. This may include all hockey activities including summer competitions or indoor competitions and any representative duties.
- All Red Card / Suspensions may be reported to Hockey NSW.
- All findings of the judiciary are to be made available to the respective clubs through their secretary within seven (7) days of the conclusion of such meeting or investigation.

BREACHES OF PLAYING RULES

The relevant sub-committees shall have the power to investigate and administer corrective action against all breaches of the local playing rules.

The chair of each of these committees shall be responsible for informing the relevant club secretary which team is in breach and why, and what action is to be taken.

Match committees shall have in their power the authority to warn teams and clubs, and to remove competition points only. Judicial matters should be referred to the PMHHA Committee in the first instance for further advice.

POWERS OF INVESTIGATION - MISCONDUCT

The Investigations Committee shall be empowered to investigate incidents both on and off the field that concern the behaviour, attitude or actions of a member of PMHHA or the breach of codes of conduct.

Incidents may be brought to the attention of the Investigations Committee via a written complaint, objection, protest, grievance, or otherwise by any member of the association or public that is in attendance at a sanctioned PMHHA event.

Incidents that occur at a Hockey NSW or Hockey Australia sanctioned event or other hockey fixture that concern members of PMHHA may also be investigated should a complaint arise; as may any other matter where a member is representing PMHHA at an event, sanctioned or otherwise.

The complaint, incident or grievance is to be presented to the Investigations Committee, via the Association Secretary. The secretary of the players club that is making the complaint or has been aggrieved is to forward the complaint to PMHHA Secretary. The complaint shall be made directly to the Association President if a member of the public is aggrieved, or if a PMHHA Committee member wishes to make a submission.

Should the Secretary be involved in a complaint, the President shall fulfil the duties of the Secretary for the purposes of this policy.

Should the President be involved in a complaint, the Secretary shall fulfil the duties of the President for the purposes of this policy.

The Association Vice-President, Association Secretary and one member of a subordinate committee, excluding any person likely to be a member of the Judiciary Panel, shall form the investigations committee. This committee shall investigate the matter to the point of deciding if there may be a case to answer or if the complaint is frivolous or vexatious. This committee shall have a period of two (2) weeks to investigate the matter from the time of notification. They shall report their findings to PMHHA Committee.

If it becomes apparent that one of the members of the Investigations Committee is the subject of an issue before it, they shall stand down and be replaced with an Ordinary Member of PMHHA that is NOT likely to be a member of the Judiciary.

If there is deemed a case to answer, the case shall proceed to the Judiciary and shall be conducted in a similar manner to that of a "Red Card" judiciary meeting. The judiciary shall meet within a three (3) week time frame thereafter.

The judiciary, in its findings, may see fit to;

- a) Dismiss the complaint,
- b) Caution or warn a member or club or team,
- c) Suspend a member from playing hockey for a time,
- d) Deregister a member from the Association,
- e) Penalise a club with a monetary amount,
- f) Penalise a team with a loss of competition points,
- g) Suspend a team from further participation in the Association,
- h) Suspend a club from the association, or
- i) A combination or variation of any of the above.

All findings of either a judiciary meeting and / or an investigation are to be made available to the respective clubs through their secretary within fourteen (14) days of the conclusion of such meeting or investigation.

RIGHT OF APPEAL

Any individual member or member club so suspended shall have the right to appeal to a combined meeting of the full PMHHA Committee, the Judiciary Panel that made the decision, and every Club President of those member clubs that the matter does not concern. This appeal must be in writing and be received by the Association Secretary within fourteen (14) days of the notice of the suspension.

The appeal will only be dealt with on the grounds of severity or new evidence.

An appeal will be heard within ten (10) days of the written application being received and shall be chaired by the President of the Association or suitable, independent person from outside PMHHA.

Appellants shall be liable to the association for a \$250.00 administration fee payable prior to the hearing.

The combined hearing and subsequent ruling shall be the final means of appeal within PMHHA.

The appellant shall not be permitted to play, coach, umpire, manage etc pending their appeal, nor participate in any other PMHHA activity or capacity pending their appeal.

NON MEMBERS OF PMHHA

For any incident involving members of the public or other individuals not directly registered with PMHHA, PMHHA Office Bearers shall be the sole authority to deal with the incident.

Suggested Procedure Card for Judiciary Meeting

The following is a suggested format for running a judiciary meeting with suggested actions and sample words and sentences to be used & spoken by the persons present. The nature of the meeting may dictate that a variation to this suggested format is required, however the following should be the minimum standard applied to hosting a judiciary meeting.

The chair of the meeting is responsible for maintaining good order within the meeting and not allowing participants to move away from the key issues put before it nor introducing superfluous information that is not relevant to the charges / red card offence.

Chair:

Shall call the meeting to order, ensure the player in question is present, outline the reasons for the judiciary and read the outline of the procedure for the meeting.

"The meeting has been called tonight as Player X received a Red Card from Umpire A for <insert reasons from match card>. The Association President has endorsed the charge provided by the umpire, and Player X you are here tonight to contest the severity / grade of offence or introduce new evidence.

Player X:

"Yes"

Chair:

"In your own words, please explain the incident in question?"

Player X:

Explains and calls and questions any witnesses etc. Chair may interrupt to ask to questions / seek clarification.

Chair:

"Thank you. We now call on the Umpire in question. Umpire A, in your own words please explain the incident in question and the decision-making process behind it. Chair may interrupt to ask to questions / seek clarification".

Umpire A:

Explains and calls and questions any witnesses.

Chair:

"We'll now recess for a short 10-minute break."

(Discuss any further questions that need to be asked, call any witnesses to answer those questions, ensure evidence presented matches with match reports etc. Ask questions internally, is the original charge too lenient, too harsh, vexatious etc)

Chair:

Reconvenes the meeting.

- **<Option 1>** *"We'd now like to call on X, Y, Z persons to ask a few more questions."* **<ask's questions>** (If no further questions, go straight to option 2 or ask questions then go to option 2)

- **<Option 2>** *“We have no further questions at this stage and would ask Player X to provide a closing statement as to why they are appealing the findings of the match report, based on severity and / or grade of offence or and to summarise any new evidence presented to us tonight to support your case.”*

Player X:

Provides closing statement – MUST address the matter of severity and / or grade of offence or new evidence.

Chair:

“Thank-you. We’ll take another short break to consider the information put before us tonight.”

Chair:

Reconvenes the meeting

*“Thank you for your time tonight and for providing the information around your charge. **<insert blurb here if required>**. After considering all information before us, our decision is:*

<choose 1>

1. *Endorse the original grading given by the umpire,*
2. *Increase the grading given by the umpire to <insert new grade>,*
3. *Decrease the grading given by the umpire to <insert new grade>,*
4. *Dismiss the case – with the Red Card not recorded against the player,*
5. *Dismiss the case – with the Red Card recorded against the player, or*
6. *Suspend a sentence for a period <insert period of time>.*

PMHHA Committee will be in contact with you to provide you with a record of tonight’s meeting, and the date you are able to return to play.

Thank you all. Meeting closed.”

