



CANTERBURY HOCKEY ASSOCIATION (INC.) JUDICIAL POLICY

Contents

Policy	1
Complaints Procedure	1
Vexatious Complaints & Victimisation	1
Mediation	2
Judicial Hearings	2
Investigation Process	5
Judicial Committee & Appeals Committee Procedure	5
Disciplinary Measures	9
Schedule 1 – Suspension Offences Penalty Guidelines	11

Policy

The Canterbury Hockey Association (CHA) is committed to resolving any matters arising from a suspected breach of the CHA Constitution, any CHA By-Laws and/or policies and the CHA Code of Conduct. CHA aims to provide easy to use, confidential and trustworthy procedures based on the principles of natural justice to address any such breaches. The intent is to ensure that CHA protects the safety, well-being and best interests of its members and participants

Complaints Procedures

Any person may report a complaint (complainant) about a person(s) or organisation bound by any of the identified CHA governance and code documents if they reasonably believe that a person(s) or organisation has breached these CHA standards. A complaint should be reported to the CHA Chief Executive Officer (CEO).

A complaint may be reported as an informal or formal complaint. The complainant decides whether the complaint will be dealt with informally or formally unless the CHA CEO considers that the complaint falls outside the parameters of this Policy and would be better dealt with another way.

All complaints will be dealt with promptly, seriously, sensitively and confidentially.

Vexatious Complaints & Victimisation

CHA aims to ensure the complaints procedure has integrity and is free of unfair repercussions or victimisation. If at any point in the complaint process the CHA CEO considers that a complainant has knowingly made an untrue complaint or the complaint is vexatious or malicious, the matter may be referred to the CHA Judicial Committee for appropriate action, which may include disciplinary action against the complainant.

CHA will also take all necessary steps to make sure that people involved in a complaint are not victimised by anyone for coming forward with a complaint or for helping to resolve the situation. Disciplinary measures will be imposed on anyone who victimises another person for making a complaint.

Mediation

CHA aims to sort out complaints with the minimum of fuss wherever possible. In many cases, complaints can be sorted out by agreement between the people involved with no need for disciplinary action. The people involved in a formal complaint; the complainant and the person complained about (respondent); may also seek the assistance of a neutral third person or a mediator.

Lawyers are not able to negotiate on behalf of the complainant and/or respondent.

Mediation may occur either before or after an investigation of a complaint. If a complainant wishes to try and resolve the complaint with the assistance of a mediator, the CHA CEO or other designated person will, in consultation with the complainant, arrange for a mediator to mediate the complaint as outlined below.

Judicial Hearings

The CHA Judicial Committee may be formed to conduct a hearing into an alleged breach of CHA standards or a formal complaint that has been referred by the CHA CEO. The Judicial Committee procedure is outlined below.

A respondent may lodge one appeal only to the appeal tribunal in respect of a decision of a hearing tribunal. The decision of the appeal tribunal is final and binding on the people involved to the appeal. The appeals process is outlined below.

CHA will recognise and enforce any decision made, and form of discipline imposed, by an appeals tribunal under this Policy.

1. Complaint Resolution Procedure

Any person or organisation may make a complaint about a person or organisation to which CHA governance and code documents applies, if they consider that a person or organisation has, or may have, committed a breach of CHA standards (“Complaint”).

The Complaint always belongs to the complainant, who will also determine how their Complaint is dealt with and is not divulged to another person without the complainant’s agreement, except in the case where a person is required by law to report the matter to governmental authorities (for example, in the case of suspected abuse).

2. Informal Complaint Resolution Procedure

It is not necessary to provide a written Complaint under this clause.

A person or organisation that has a Complaint (“complainant”) may seek to resolve the Complaint informally. The complainant may make an initial approach to:

- the CHA CEO or in their absence their nominee; or
- another appropriate person within the organisation (e.g. staff member, team manager, coach etc).

If the person approached is the CHA CEO, they may:

- listen to and inform the complainant about their possible options; and/or
- act as a support person for the complainant, including supporting them through any mediation process undertaken to resolve the Complaint.

The CHA CEO will:

- keep the matter confidential and only discuss it with those people whom the complainant has authorised them to speak to about the Complaint;
- inform the relevant governmental authority, if required by law.

If the complainant wishes to try and resolve the Complaint by mediation, the CHA CEO will arrange for a mediator to mediate the Complaint.

The Mediator shall:

- notify the person complained about that an informal Complaint has been made and provide them with details of the Complaint; and
- attempt to mediate a resolution between the complainant and the person complained about.

If an agreed resolution is reached between the complainant and the person complained about, the Complaint shall be deemed to have been withdrawn and no further action in relation to that Complaint may be taken (except for that which is agreed) under this Policy.

If the Complaint is not resolved informally following this process, the complainant may make a formal Complaint as set out below.

Nothing in this Policy prevents the complainant taking action under legislation.

3. Formal Complaint Resolution Procedure

In order for a Complaint to be dealt with in accordance with this clause, a Complaint must be made in writing (however it need not be called or referred to as a Complaint).

A written Complaint must be made to the CHA CEO or in their absence their nominee. Upon receipt of the complaint the CHA CEO or in their absence their nominee must then ask the complainant whether s/he wishes them to:

- i. listen to and inform the complainant about their possible options; and/or
- ii. act as a support person for the complainant, including supporting them through any mediation process undertaken to resolve the Complaint; and/or
- iii. refer the Complaint to the CHA Judicial Committee for a hearing to be held under the procedure outlined below in Judicial Hearings & Appeals Tribunal Procedure (if mediation is not a relevant/appropriate option).

Having determined the complainant's wishes in relation to i., ii., and iii. above, the CHA CEO or in their absence their nominee will:

- iv. act in accordance with the complainant's direction in relation to the options set out in i., ii., and iii.;
- v. keep the matter confidential and only discuss it with those people whom the complainant has authorised them to speak to about the Complaint; and
- vi. inform the relevant governmental authority, if required by law.

If the complainant wishes to try and resolve the Complaint by mediation, the CHA CEO or in their absence their nominee shall immediately arrange for a mediator to mediate the Complaint and provide them with a copy of the written Complaint. If an attempt to mediate was made under the Informal Complaint Resolution Procedure, the mediator under this procedure cannot be the same person.

The Mediator shall:

- notify the person complained about, in writing, that a Complaint has been made and provide them with a copy of the written Complaint; and
- attempt to mediate a resolution between the complainant and the person complained about.

If an agreed resolution is reached between the complainant and the person complained about, the Complaint shall be deemed to have been withdrawn and no further action in relation to that Complaint may be taken (except for that which is agreed) under this Policy.

If following the process above an agreed resolution is not reached then, with the complainant's agreement, the Mediator shall refer the Complaint back to the CHA CEO to arrange for a hearing to be held under the procedure outlined below in Hearings & Appeals Tribunal Procedure.

If a complainant withdraws the Complaint, no further action in relation to that Complaint may be taken (unless required by law) under this Policy.

Nothing in this Policy prevents the complainant taking action under relevant legislation.

1. External Procedure

There may be a range of external options available to a Complainant depending on the nature of the Complaint. If the Complainant feels that they have been harassed or discriminated against, they can seek advice from the Human Rights Commission without being obliged to make a formal complaint. If the Human Rights Commission advises the Complainant that the problem appears to be a type of harassment that comes within its jurisdiction, the Complainant may then make a decision as to whether or not to lodge a formal complaint with the Human Rights Commission.

Once a complaint is received by the Human Rights Commission, an investigation will be conducted. If it appears that unlawful harassment or discrimination has occurred, there will usually be an attempt to conciliate the complaint confidentially first. If this fails, or is inappropriate, the complaint may go to a formal hearing where a finding will be made as to whether unlawful harassment or discrimination occurred. The tribunal will decide upon what action, if any, will be taken. This could include financial compensation for such things as distress, lost earnings or medical and counselling expenses incurred.

The Human Rights Commission can decline to investigate a complaint, or dismiss a complaint at any point in the investigation, conciliation or public hearing stages. If the Complainant does lodge a complaint under anti-discrimination law, the Complainant may use an appropriate person as a support person throughout the process. It is also common to have a legal representative, particularly at the hearing stage of a complaint.

Investigation Process

If a Complaint is received more than two full business days following the alleged breach of CHA standards or is not received, but the CHA CEO or in their absence their Nominee receives information (whether or not in writing) which gives them reasonable cause to suspect that a breach of CHA standards may have been committed, then he or she shall use their reasonable endeavours to advise any suspected victims of the breach of standards of the complaints procedures under this Policy.

Except as otherwise provided in this Policy, all information obtained by the CHA CEO or in their absence their Nominee, in accordance with this clause must be kept confidential.

If an investigation needs to be conducted the following steps should be followed where relevant:

1. A written brief will be provided to the investigator to ensure the terms of engagement and scope of the investigator's role and responsibilities are clear.
2. The complainant will be interviewed and the complaint documented in writing.
3. The details of the complaint will be conveyed to the person/people complained about (respondent(s)) in full. The respondent(s) must be given sufficient information to enable them to properly respond to the complaint.
4. The respondent(s) will be interviewed and given the opportunity to respond. The respondent(s) response to the complaint will be documented in writing.
5. If there is a dispute over the facts, then statements from witnesses and other relevant evidence will be obtained to assist in a determination.
6. The investigator will make a finding as to whether the complaint is:
 - substantiated (there is sufficient evidence to support the complaint);
 - inconclusive (there is insufficient evidence either way);
 - unsubstantiated (there is sufficient evidence to show that the complaint is unfounded); and/or
 - mischievous, vexatious or knowingly untrue.
7. A report documenting the complaint, investigation process, evidence, finding and, if requested, recommendations, will be given to the CHA CEO.
8. The CHA CEO will then determine what further action is required in accordance with the procedures contained within this policy.
9. A report documenting the complaint and summarising the investigation process, key points that were found to be substantiated, inconclusive, unsubstantiated and/or mischievous and any further action to be taken will be provided to the complainant and the respondent(s).
10. Both the complainant and the respondent(s) are entitled to support throughout this process from their chosen support person/adviser.
11. The complainant has the right to appeal against any decision based on the investigation if the decision is to take no further action. In this instance the right to appeal is undertaken by submitting a formal complaint relating to the incident which will be handled in accordance with the Formal Complaint Resolution Procedure in this Policy.

Judicial Committee & Appeals Committee Procedure

1. Judicial Committee

Where the CHA CEO receives a Complaint under the Complaints Procedure, he or she shall follow the procedures set out in this clause.

Upon receipt of the Complaint, the CHA CEO shall as soon as possible, and preferably prior to the defendants next scheduled match, do the following:

- Determine the composition of the Judicial Committee, as detailed below.
- Send to the person complained about:
 - a notice setting out the alleged breach including details of when/where it is alleged to have occurred;
 - a notice setting out the date, time and place for the hearing of the alleged breach which shall be as soon as reasonably practicable after receipt of the Complaint; and
 - a copy of the Complaint, ("Notice of Alleged Breach").
- Send to the complainant(s) and the nominated chairperson of the Judicial Committee a copy of the Notice of Alleged Breach.

The Judicial Committee for each hearing shall be appointed by the CHA CEO and shall comprise of the following persons:

- i. An individual with a suitable legal background, such as a barrister, solicitor or law student (who shall be the "chairperson") or, if after reasonable attempts have been made to obtain one without success, then a person with considerable previous experience in the legal aspects of a disciplinary/hearings tribunal;
- ii. A representative of the CHA Board; and
- iii. A person with the appropriate knowledge of the sport relative to the complaint, e.g., umpire, coach, parent, peer..

None of the appointed persons would, by reason of their relationship with the complainant or the person complained about, be reasonably considered to be other than impartial.

Frivolous, vexatious or malicious Complaints:

If within 48 hours of sending the Notice of Alleged Breach, the person(s) complained about alleges in writing to the CHA CEO that the Complaint is frivolous, vexatious or malicious, the chairperson shall as a preliminary issue, determine whether or not such Complaint is frivolous, vexatious or malicious and shall advise the parties of his or her determination.

The CHA CEO shall provide to the other parties to the hearing a copy of the written allegation made by the person complained about, that the Complaint is frivolous, vexatious or malicious.

The chairperson shall determine such preliminary issue as soon as practicable and in whatever manner the chairperson considers appropriate in the circumstances provided that he or she does so in accordance with the principles of natural justice.

If the decision of the chairperson is that the complaint is frivolous, vexatious or malicious, the complainant(s) may appeal that decision within 48 hours of the determination. If an appeal is made, then the complaint will proceed to the Judicial Committee.

The Judicial Committee shall hear and determine the alleged breach in whatever manner it considers appropriate in the circumstances (including by way of teleconference, video conference or otherwise) provided that it does so in accordance with the principles of natural justice. The purpose of the hearing shall be to determine whether the person complained about has committed a breach of this Policy. If the Judicial Committee considers

that the person complained about has committed a breach of CHA standards, it may impose any one or more of the penalties set out in Disciplinary Measures below.

The parties to the hearing shall include the complainant, the person complained about, CHA and any witnesses which the Judicial Committee considers necessary to participate in the hearing.

If upon receipt of the Notice of Alleged Breach, the Judicial Committee considers that pending the determination of the matter the person complained about may put at risk the safety and welfare of the complainant or others, it may order that the person complained about be:

- suspended from any role they hold with CHA or role under the jurisdiction of CHA;
- banned from any event or activities held by or sanctioned by CHA; and/or
- required not to contact or in any way associate with the complainant or other person about whom the alleged breach relates, pending the determination of the hearing.

There is no right of appeal of the decision by the Judicial Committee with regard to any orders imposed.

No party to the hearing may be represented by a barrister or solicitor. However the chairperson of the Judicial Committee may grant leave for a party to the hearing to be represented by a barrister or solicitor where their livelihood or proprietary is at risk. A party may be represented by an advocate who is not a barrister or solicitor at the hearing.

Each party to the hearing shall bear their own costs in relation to the hearing.

The Judicial Committee shall give its decision as soon as practicable after the hearing and the CHA CEO will deliver to the following a statement of the written reasons:

- the complainant;
- the person complained about; and
- any other party represented in the hearing.

Each member of each Judicial Committee established under this Policy shall be indemnified by the organisation which appointed them, from any claim or action for loss, damages, or costs made against them arising out of, or in connection with, their function as a member of the Judicial Committee under this Policy.

Except as otherwise provided in this Policy, all members of the Judicial Committee shall keep all matters relating to the hearing (including, but not limited to the nature of the Complaint, information obtained before and during the hearing and the decision of the Judicial Committee) confidential.

To the extent of any inconsistency between the hearing procedure set out in the CHA Constitution or any other document and the hearing procedure set out in this Policy, this Policy shall prevail in relation to all Complaints under this Policy.

2. How can a decision be appealed?

The person complained about may appeal a decision of a Judicial Committee on the grounds that natural justice has not been provided.

An appeal shall be made to the CHA CEO who will appoint a new Judicial Committee (the Appeals Committee) comprising of three persons not involved in the initial Judicial Committee, selected on the same basis as the initial Judicial Committee members.

There is only one right of appeal following the decision of the initial Judicial Committee. Any appeal must be solely and exclusively resolved by the Appeals Committee and the decision of the Appeals Committee is final and binding on the parties. It is agreed that no party to such appeal may institute or maintain proceedings in any court or tribunal other than to relevant Appeals Committee.

Note: This provision does not prevent any person or organisation taking separate action under relevant legislation.

The process for such appeal is as follows:

- The party wishing to appeal ("Appellant") shall within 48 hours of the Judicial Committee delivering its decision advise in writing the CHA CEO of their intention to appeal ("Notice of Intention to Appeal");
- as soon as possible after receipt of the Notice of Intention to Appeal, the CHA CEO shall appoint a Judicial Committee to hear and determine the appeal, which shall comprise of persons in accordance with the composition stated for a Judicial Committee; and
- within five (5) days of lodging the Notice of Intention to the CHA CEO, (or such shorter time as determined by the CHA CEO if there is urgency) the Appellant shall:
 - pay the appeal fee to CHA, which shall be \$ 300.00 (including GST) which is non-refundable;
 - submit to the CHA CEO a written copy of the grounds of appeal. The CHA CEO shall provide a copy of the grounds of appeal to the other party, to the chairperson of the initial Judicial Committee which made the decision which is the subject of the appeal and the members of the Appeals Committee.If either of the requirements in this sub-clause are not met by the due time the appeal shall be deemed to be withdrawn.
- On completion of the procedures above the CHA CEO shall determine a place, time and date for the hearing of the appeal and as soon as possible thereafter notify all parties to the appeal in writing of such details.
- The procedure for the appeal shall be the same as the procedure for the Judicial Committee

The Appeals Committee may reject an appeal on the basis that the grounds of appeal are not satisfied.

Upon hearing the appeal, the Appeals Committee may do any one or more of the following:

- dismiss the appeal;
- uphold the appeal;
- impose any of the penalties set out in Disciplinary Measures; and/or
- reduce, increase or otherwise vary any penalty imposed by the initial Judicial Committee.

If the penalty imposed by the Appeals Committee affects other organisations required to comply with CHA standards, the CHA CEO shall as soon as possible notify in writing the relevant organisation of the penalty.

Every organisation to which this Policy applies shall recognise and enforce any decision and penalty imposed by an Appeals Committee under this Policy.

The Appeals Committee has no power to award costs and each party shall bear their own costs in relation to any appeal.

To the extent of any inconsistency between the hearing appeal procedures set out in the CHA Constitution or other document and the hearing appeal procedure set out in this Policy, this Policy shall prevail in relation to all Complaints relating to breaches of CHA standards.

Disciplinary Measures

What Penalties may be Imposed?

1. For breaches committed by organisations: If the Judicial Committee considers that CHA, an Affiliated Member or any other organisation has breached CHA standards, it may impose any one or more of the following penalties on such organisation:
 - direct that any funding granted or given to it by CHA cease from a specified date;
 - impose a monetary fine for an amount determined by the Judicial Committee;
 - impose a warning;
 - recommend to CHA that its membership of such organisation be suspended or terminated in accordance with the CHA Constitution;
 - direct that any rights, privileges and benefits provided to that organisation by CHA be suspended for a specified period and/or terminated;
 - direct that CHA cease to sanction events held by or under the auspices of that organisation; and/or
 - any other such penalty as the Judicial Committee considers appropriate.
 -
2. For breaches committed by individual persons: If the Judicial Committee considers that an individual to whom CHA standards apply has breached those standards, it may impose any one or more of the following penalties on such person:
 - direct that the offender attend counselling to address their conduct; recommend that CHA or the relevant Affiliated Member terminate the appointment of the role which the offender holds with such organisation;
 - impose a monetary fine for an amount determined by the Judicial Committee;
 - impose a warning;
 - withdraw any awards, placing's, records won in any competitions, activities or events held or sanctioned by CHA;
 - direct the offender to repay all or part of any financial assistance (excluding any fee for service, wages or expenses) given to them by CHA or any other organisation which has provided funding; and/or
 - any other such penalty as the Judicial Committee considers appropriate.(see Schedule 1 – Suspension Offence Penalty Guidelines)
3. If an organisation or individual commits a second or subsequent breach of CHA standards, then the Judicial Committee shall have regard to the previous breach, the penalty imposed and any other relevant factors, in imposing a penalty for the second or subsequent breach.
4. If the penalty imposed by the Judicial Committee affects other organisations required to comply with this Policy, the CHA CEO shall as soon as possible notify the relevant organisations of the penalty.

5. Every organisation to which CHA standards apply shall recognise and enforce any decision and penalty imposed by a Judicial Committee under this Policy. When imposing any form of discipline, it will be accompanied by a warning that a similar breach of CHA standards by the organisation or individual in the future may result in more serious forms of discipline.

Factors to consider when imposing discipline

The form of discipline to be imposed on an individual or organisation will depend on factors such as:

- any difficulty that might arise in enforcing the penalty;
- nature and seriousness of the behaviour or incidents;
- in a case where action is taken concurrently with or in lieu of a resolution of a formal complaint, the wishes of the complainant;
- if the individual concerned knew or should have known that the behaviour was a breach of the policy;
- level of contrition of the respondent(s);
- the effect of the proposed disciplinary measures on the respondent(s) including any personal, professional or financial consequences;
- if there have been relevant prior warnings or disciplinary action; and/or
- if there are any mitigating circumstances such that the respondent(s) should not be disciplined at all or not disciplined so seriously.

Any disciplinary measure imposed under this Policy must:

- observe any contractual and employment rules and requirements;
- conform to the principles of natural justice;
- be fair and reasonable;
- be based on the evidence and information presented; and
- be within the powers of the relevant person or body to impose the disciplinary measure.

SCHEDULE 1

Guideline for Suspension Offences

The purpose of this guideline is to determine appropriate penalties for Judicial Committees to adhere to.

Level 1 Suspension Offence:

The penalty for a Level 1 Suspension Offence may be a suspension of the Participant for a minimum of one match to a maximum of three matches. For the purposes of the Code of Conduct "*Level 1 Suspension Offence*" means:

Verbal abuse or hostility towards any other Participant, person or any other member of the public.

Spitting at another player, Participant or spectator.

Disputing/protesting, reacting in a provocative or disapproving manner in an inappropriate way toward any decision made by an umpire or official.

Charging or advancing towards an umpire or technical official in an aggressive manner.

Excessive appealing of an umpire's decision.

Throwing a stick or ball at, or near, a player, umpire, or official, in an inappropriate and/or dangerous manner.

Inappropriate physical contact between players.

Using rude or abusive language, or gestures that are considered to be obscene, offensive, or insulting.

Minor sexual harassment, sexual inferences or undertones.

Racial comments, inferences or undertones.

Abuse of hockey equipment or clothing, venue equipment or fixtures and fittings.

Team managers and/or team personnel not taking control of the conduct of their team bench, dugout area, coaching boxes, video towers and other areas specified by the Association to ensure their team and spectator behaviour is appropriate.

Making public statements that are not fair, constructive or reasonable and involve a personal attack on another player, umpire, appointed official or administrator.

Engaging in social media activities that are not deemed constructive and/or are offensive, demeaning or intending to belittle Participants, or other members of the hockey community.

Table 1 summarises a range of Level 1 Suspension Offences and gives guidance about the number of matches an offender should stand-down for. Additional considerations should include attitude of the offender, degree of remorse and degree of harm inflicted.

Table 1

Breach or Misconduct	Number of match stand-downs		
	1 match	2 matches	3 matches
Verbal abuse, protesting, charging/advancing, appealing, stick throwing, rude language and gestures, harassment, equipment abuse, unsporting behavior	Provoked Without intention to cause harm Evidence of 'mischievous' rather than cruel or nasty	Unprovoked Without responsibility and with no care about impact on other people	Intentional with malice Intended to cause harm, be hurtful or offensive Coming from a distance repeating words and gestures
Spitting (spittle does not connect with target person)	With no intent to spit on another person	Careless and irresponsible	With intent to spit on another person, but unsuccessful
Inappropriate conduct with regard to Manager's responsibilities, public statements and social media activities and postings	'Honest' mistake No harm intended Evidence of naivety or lack of understanding	Without responsibility and with no care about impact on other people	Malicious negligence and unwilling to accept responsibility Intention to be hurtful or demeaning

Level 2 Suspension Offence:

The penalty for a Level 2 Suspension Offence may be suspension of the Participant for a minimum of three matches to a maximum of eight matches. For the purposes of the Code of Conduct "*Level 2 Suspension Offence*" means:

Threat of assault on an umpire or official.

Spitting on another player, Participant or spectator.

Striking and/or physical assault, without serious injury, of another player, umpire, official or spectator.

Persistent and deliberate breach of the Rules of Hockey (generally considered dangerous and intimidating) following a warning from an umpire.

Using language or gestures which seriously offends, insults, intimidates, threatens, disparages or vilifies another person on the basis of that person's race, religion, gender, colour, descent or national or ethnic origin.

Sexual harassment, racial abuse or verbal attacks

Participating in, or any involvement with any form of betting or gaming activities, including online betting or gaming activities, related to the event in which they are Participants.

Recurrent breaches of Level 1 Suspension Offence.

Table 2 summarises a range of Level 2 Suspension Offence and gives guidance about the number of matches an offender should stand-down for. Additional considerations should include attitude of the offender, degree of remorse and degree of harm inflicted.

Table 2

Breach or Misconduct	Number of match stand-downs		
	3 - 4 matches	5 - 6 matches	7 - 8 matches
Threatening, dangerous or intimidating behaviour	Provoked Related to a close contest between opposition players and the ball Excessive, relentless	Unprovoked Coming from a distance to incite violence Actions result in escalation of incident	Intentional with malice Actions start a brawl or nasty, objectionable scene
Spitting (spittle connects with target person)	Evidence of frustration or provocation	Unprovoked Malicious	Combined with nasty, hateful, spiteful or repulsive language or gestures
Striking, physical assault (without serious injury)	Evidence of frustration or provocation	Unprovoked Strike to mid/lower body region such as stomach or legs	Deliberate with intent to harm Strike to the head region with stick or fist
Foul language, gestures, sexual harassment and racial abuse	Distasteful or unsavory	Nasty, mean, spiteful or vindictive	Intended to be hurtful or offensive Inciting violence
Inappropriate conduct with regard to betting and/or gaming	'Honest' mistake Evidence of naivety or lack of understanding	Deliberate act Irresponsible and negligent	Involved in organised money making activities

Level 3 Suspension Offence:

The penalty for a Level 3 Suspension Offence may be suspension of the Participant for a minimum of eight matches to a maximum of twenty matches. For the purposes of the Code of Conduct "*Level 3 Suspension Offence*" means:

Any act of violence on or off the field of play.

Physical assault causing serious bodily injury to another player, umpire, official or spectator.

Match fixing involvement or activities

Recurrent breaches of Level 2 Suspension Offences.

Table 3 summarises a range of Level 3 Suspension Offences and gives guidance about the number of matches an offender should stand-down for. Additional considerations should include attitude of the offender, degree of remorse and degree of harm inflicted.

Table 3

Breach or Misconduct	Number of match stand-downs		
	8 - 11 matches	12 - 16 matches	17 - 20 matches
Act of violence	Provoked, triggered by on-field incident Actions result in escalation of incident	Unprovoked Actions start a brawl or nasty, objectionable scene	Intentional with malice Hostile, brutal, vicious, inhumane Incident off field or after being shown a red card
Striking, physical assault (causing serious injury)	Evidence of frustration or provocation	Unprovoked Strike to mid/lower body region such as stomach or legs	Deliberate with intent to harm Strike to the head region with stick or fist
Match fixing involvement or activities	Evidence of naivety or provocation or pressure to partake	Choices made to partake without pressuring others to also partake	Involved in organised cartel with intent to influence and/or pressure others to partake

Serious Suspension Offence:

In the case of serious, highly dangerous, and/or life-threatening offences (“Serious Suspension Offence”) more than a maximum of a twenty-match suspension may be justified. In these cases, the Judicial Committee should consult with the Board.

In the case of repeat offenders being found guilty of a Level 3 Suspension Offence, a one year through to a life ban may be appropriate.

Policy Reviewed - Every 3 years
Next Review March 2017