

HOCKEY QUEENSLAND

# Judiciary Policy



TABLE OF CONTENTS

1.0 INTRODUCTION ..... 3

2.0 POLICY INTENT..... 3

3.0 DEFINITIONS..... 3

4.0 JURISDICTION ..... 6

5.0 JUDICIARY SYSTEM ..... 7

6.0 INCIDENT MANAGEMENT..... 9

7.0 SANCTIONS ..... 13

8.0 TRIBUNAL HEARINGS ..... 15

9.0 APPEALS ..... 17

10.0 SANCTION TABLE ..... 19

## 1.0 INTRODUCTION

- 1.1 Hockey Queensland is committed to ensuring that everyone involved with Hockey is treated with respect and dignity. If discipline is required to assist uphold the values of Hockey this Policy seeks to define the way disputes and rule violations will be resolved in Queensland.
- 1.2 This Policy must be read in conjunction with Hockey Australia's Complaints, Disputes and Discipline Policy and Code of Conduct, under the Hockey Australia (HA) [National Integrity Framework](#) (NIF).
- 1.3 This Policy seeks to replace all Judicial Policies or reference to Judicial procedures in constitutions and/or by laws at State, Association and Club level in Queensland. Adoption and implementation at regional and local level is optional in 2025.

## 2.0 POLICY INTENT

- 2.1 This Policy and its procedures are designed to ensure disciplinary matters are managed through an effective, consistent, and timely process, which is fair and transparent.

## 3.0 DEFINITIONS

**Activity** means a Hockey match, competition, event, program, course, training or other activity whether on a one-off basis or as part of a series, league, or competition, which is sanctioned or organised by Hockey Queensland, a Member Association, Affiliate Member or Club.

**Association** means each Member Association or Affiliate Member.

**Athlete** means a person who is registered or participates in a Relevant Organisation Activity.

**Alternative Dispute Resolution (ADR)** is a collective term for processes, other than arbitration, such as mediation or conciliation that may be used to resolve allegations of Prohibited Conduct under this Policy.

**Appeals Tribunal** means the NST Appeals Division or other Appeals Tribunal (including an Appeals Tribunal established internally by a Relevant Organisation) established to hear an appeal of a decision of a Hearing Tribunal.

**Balance of Probabilities** refers to the standard of proof used in civil cases, where a party must prove their case is more likely than not to be true, as opposed to the "beyond a reasonable doubt" standard used in criminal cases.

**Board** means the board of Hockey Queensland.

**Breach Notice** means a written notification sent to the Respondent in accordance with clause 6.2.

**Case Categorisation Model** means the guidelines published by Sport Integrity Australia and available on its website for evaluating and prioritising allegations of Prohibited Conduct and assisting with determining an appropriate mechanism to manage a Complaint, as amended from time to time.

**Chief of State Judiciary** is defined under clause 5.6.1

**Club** means any hockey club which is a member of, or affiliate to a Regional Association or Affiliate Member that enters an Athlete or a Team to participate in an Activity.

**Complaint** is a formal written submission of an allegation made by a Complainant (who cannot make the Complaint anonymously); and is relating to Prohibited Conduct under a Relevant Policy; and is against a Respondent.

**Complaint Manager** means the person appointed under clause 5.11 to manage Complaints under this Policy.

**Complaints Process** means the process for managing a Complaint under the guidance of this Policy and in accordance with the Complaints, Disputes and Discipline Policy, from the time the Complaint is received to the Resolution Process.

**Complainant** is a person or an organisation who or which is directly affected by the alleged Prohibited Conduct and makes a Complaint about a Respondent in accordance with this Policy. Where the person directly affected by the conduct is a Vulnerable Person, a Complaint may be submitted on their behalf by a parent or carer. The Vulnerable Person will still be considered the Complainant when a Complaint is submitted on their behalf. A Complainant cannot be anonymous.

**Employee** means a person employed by a Relevant Organisation.

**FIH** means the International Hockey Federation.

**Hockey** means the sport of hockey and includes field, indoor and other modified versions of these forms of hockey as governed by Hockey Australia and the FIH from time to time.

**Hockey Australia (HA)** means Hockey Australia Limited (ACN 088 988 836) trading as Hockey Australia, the recognised National Sporting Organisation and peak body for the sport of Hockey in Australia.

**Incident** refers to an event for which an official has made a ruling during a game play and is deemed to be Prohibited Conduct or Conduct against the Rules of Hockey or this Policy.

**Member** means a member of a Relevant Organisation, including:

- (a) Associations;
- (b) Clubs; and
- (c) Individual Member.

**National Integrity Framework (NIF)** means the Hockey Australia National Integrity Framework consisting of the following five policies:

- (a) Safeguarding Children and Young People Policy;
- (b) Competition Manipulation and Sport Gambling Policy;
- (c) Improper Use of Drugs and Medicine Policy;
- (d) Member Protection Policy; and
- (e) Complaints, Disputes and Discipline Policy (CDDP).

**Panel** is defined under clause 5.6.3.

**Panel Chair** is defined under clause 5.6.4.

**Participant means:**

- (a) Athletes;
- (b) Coaches appointed in a professional or voluntary capacity to train an Athlete or Team in an Activity;
- (c) Administrators who have a role in the administration, operation or Activity of a Relevant Organisation including owners, directors, committee members or other persons;
- (d) Officials including referees, umpires, technical officials, or other officials appointed by a Relevant Organisation, or any league, competition, series, Club or Team sanctioned by a Relevant Organisation;
- (e) Support personnel who act in a professional or voluntary capacity for a Relevant Organisation or any league, competition, series, Club or Team sanctioned by a Relevant Organisation including sports science sports medicine personnel, team managers, agents, selectors, and team staff members; and
- (f) Parents/carers of athletes, and
- (g) Spectators who are subject to registration conditions or venue conditions of entry that bind them under a Relevant Policy.

**Policy** means this Judiciary Policy.

**Principles of Natural Justice** are defined under clause 5.3.

**Prohibited Conduct** means the conduct proscribed in the Complaints, Disputes and Discipline Policy of the NIF.

**Provisional Action** means the process undertaken to impose a temporary measure on a Respondent while they are subject to a Judicial Process, or an investigation by law enforcement.

**Relevant Organisation** means any of the following organisations:

- (a) Australian Hockey Organisations (AHO), which are organisations that participate in hockey under the jurisdiction of Hockey Australia;
- (b) Authorised Providers; or
- (c) any other organisation that has agreed to be bound by the Relevant Policies.

**Relevant Person** means any of the following persons:

- (a) Individual Member of a Relevant Organisation;
- (b) Participant in a relevant organisation event;
- (c) Employee of a relevant organisation;
- (d) Contractor;
- (e) Volunteer; or
- (f) any other individual who has agreed to be bound by the Relevant Policies of HA.

**Respondent** is a Relevant Person or a Relevant Organisation about whom a Complaint or Report has been made and who was bound by the Relevant Policy/ies at the time the alleged Prohibited Conduct occurred.

**Sanction** refers a penalty imposed as a result of Prohibited Conduct identified under a Complaint or Incident.

**Tribunal Hearing** means the sitting of judicial members to conduct a hearing and determine a result into a matter under this Policy.

**Vulnerable Person** means a child or an individual aged 18 years and above who is, or may be, unable to take care of themselves, or is unable to protect themselves against harm or exploitation by reason of age, illness, trauma or disability, or for any other reason.

## 4.0 JURISDICTION

### 4.1 Who the Policy applies to:

4.1.1 This Policy applies to all relevant persons and relevant organisations in the State of Queensland.

### 4.2 When the Policy applies:

4.2.1 All Relevant Persons and Relevant Organisations to which this Policy applies must always comply with this Policy (whilst they are a Relevant Person or Relevant Organisation), including:

- a in relation to any dealings, they have with Relevant Organisations or their Employees, Contractors, and representatives;
- b when dealing with other Relevant Persons or Relevant Organisations in their capacity as a Relevant Person/Relevant Organisation; and
- c in relation to their membership or standing as a Relevant Person or Relevant Organisation in general.

4.2.2 The following is not within the scope of this Policy:

- a where an interaction (including social media interactions) occurs involving one or more Relevant Persons or Relevant Organisations, and the only link or connection between the interaction and Hockey is the fact that one or more individuals are Relevant Persons or Relevant Organisations<sup>1</sup>; and
- b where Prohibited Conduct occurs in contravention of a NIF Policy, any subsequent conduct, or interaction(s) that, whilst related to the original Prohibited Conduct, no longer directly relates to Hockey (even where such conduct or interaction(s) would otherwise be Prohibited Conduct)<sup>2</sup>.

<sup>1</sup> Such as two Members of a Relevant Organisation getting into a verbal or physical argument at a shopping centre, or two Members sending abusive social media messages to each other that have no direct link to Hockey.

<sup>2</sup> Such as where a Member of a Relevant Organisation allegedly breaches the NIF Member Protection Policy by physically assaulting another Member at a match, but then the personal grievance(s) between those two individuals spills into issues not directly related to Hockey, such as social media abuse.



## 5.0 JUDICIARY SYSTEM

5.1 **Overview.** The Judiciary system of Hockey Queensland is divided into three levels:

### 5.1.1 State Level:

- a Covers all matters arising from State Championships, Tours, Games, Competitions or Tournaments organised by Hockey Queensland.
- b Matters at National Championships or events that are deemed by Hockey Australia to be solely Queensland issues<sup>3</sup>.
- c Matters concerning more than one Association.
- d Appeals against Association level judicial procedures.

### 5.1.2 Association Level:

- a Covers all matters arising from Tours, Games, Competitions or Tournaments organised by the relevant Association.
- b Matters at State Championships or events that are deemed by Hockey Queensland to be solely an Association issue<sup>4</sup>.
- c Appeals against Club level judicial procedures.

5.1.3 **Club Level.** At Club level it is considered that the only matters likely to require judicial procedures will be as a result of a Complaint, Dispute and Discipline Policy breach or issue.

5.2 **Reporting.** At each level above, when a matter is being dealt with under this policy, the authority dealing with the matter is to inform the next higher authority for information<sup>5</sup>.

5.3 **Principles of Natural Justice.** Also referred to as procedural fairness, the principles of natural justice require that a person has a right to be heard, a right to be treated without bias and any decision into an issue is based on relevant information. Judiciary processes are conducted as an inquiry not an adversarial proceeding.

5.4 **Application.** The Judiciary System outlined in this policy is to be applied in the following circumstances:

5.4.1 As a result of a Red Card, a progressive Red Card (two yellow cards issued for the same offence) or a Report issued by an Official in a game on a field of play, or where:

- a An official is;
  - 1) An Umpire.
  - 2) A Technical Official<sup>6</sup>.
- b A fixture by the parent body.
- c The field of play includes the playing field, dugouts and technical areas during;
  - 1) Pre-game warm up period (as designated by the fixture),

- 2) Game time, and
  - 3) Up to 30 minutes post-game.
- 5.4.2 As a result of an event occurring during a game, on the field of play, otherwise not enforced with the issue of a Red Card (may include no card, green card and yellow card infringements).
- 5.4.3 In regular competitions where discipline points are used, as a result of an accumulation of discipline points by a player as outlined in clause 6.9.
- 5.4.4 For off-field events, under the CDDP, where a Sanction is to be awarded.
- 5.4.5 For off-field events, under the CDDP, where a Tribunal Hearing is requested by either:
  - a The Complaint Manager, or
  - b The Respondent.
- 5.4.6 For all appeals against a judicial proceeding.
- 5.5 **Judiciary Committee.** The Judiciary Committees at all levels are publicly named individuals who have been selected and appointed for their integrity to uphold the Rules and Values of Hockey and if required apply discipline to support the maintenance of those Rules and Values.
- 5.6 **State Level.** The State Judiciary Committee members shall be appointed by the board. Members remain on the Committee until removed by the board. The State Judiciary Committee members are listed on the Hockey Queensland website.
  - 5.6.1 **Regional Association members:** Each Regional Association conducting inter-club competitions shall provide a minimum of one member to the State Judiciary Committee. Association Presidents shall automatically be a Member of the State Judiciary Committee.
  - 5.6.2 **Chief of State Judiciary** is the board appointed member who will coordinate the Judicial proceedings for the Judiciary Committee. In the Absence of one, the CEO or Complaints Manager is to fulfill the role. They are responsible for:
  - 5.6.3 **Panel Member.** Panel members can only be elected from the State Judiciary Committee. They are only elected for a specific Tribunal Hearing and the Principles of Natural Justice (clause 5.3) are employed when electing.
  - 5.6.4 **Panel Chair.** When a Panel is elected a Chair is appointed for the Hearing Tribunal. This individual is the lead for the hearing, the main spokesperson and the member responsible for the hearing report.



- 5.7 **State Tournaments.** During State Championships and Tournaments, the Tournament Director is appointed with the powers associated with a judiciary for the event. Where they require to hold a tribunal hearing they can do so with two other appointed officials of that event. The jurisdiction of the Tournament Director ends at the conclusion of the event, and all penalties applied are only for that event. Therefore, no appeals are accepted outside a tournament. If the incident is deemed outside the scope of the Tournament Director, or occurs at the conclusion of the event, the matter may be referred to and heard at State Judiciary level.
- 5.8 **Association Level.** All association boards are to elect a Judiciary Committee for their association. Members can remain on the Committee until removed by the Association Board.
- 5.8.1 All Association Judiciary Committee members need to be elected in writing and once accepted, Associations need to publish their Judiciary Member names publicly so that all Association Members can view them.
- 5.8.2 **Association Judiciary Lead.** Each Association can appoint a Judiciary Lead if deemed necessary. In the Absence of one, the Association's Board Secretary or Complaints Manager is to fulfill the role.
- 5.8.3 **Panel Member.** Panel members can only be elected from the Association Judiciary Committee. They are only elected for a specific Tribunal Hearing and the Principles of Natural Justice (clause 5.3) are employed when electing.
- 5.8.4 **Panel Chair.** When a Panel is elected a Chair is appointed for the Hearing Tribunal. This individual is the lead for the hearing, the main spokesperson and the member responsible for the hearing report.
- 5.9 **Club Level.** Clubs do not require a Judiciary Committee. The Club's Board may determine the handling of club Complaints, Disputes and Discipline in accordance with the CDDP.
- 5.10 **Participation Conflict.** To clarify, no member of the Judiciary or Board as defined above shall be permitted to adjudicate or deliberate upon any matter arising in respect of any game or event or occurrence in which that member has taken part or is directly involved or related to.
- 5.11 **Complaint / Incident Handler.** At each level a single member is responsible in the first instance for handling the complaint or incident prior to presentation to the Judiciary. They can be:

## 6.0 INCIDENT MANAGEMENT

- 6.1 Once an incident occurs as per Clause 5.11, the Complaint / Incident Handler is to complete the following steps:
- 6.1.1 Determine whether the matter is in scope of the Judiciary Committee level they represent. That determination can include:
- a Recommending the incident be dealt with by a lower Club or Association level (passing down) or a higher Association, State or National level (passing up).
  - b Determining the incident does fall within the definition of an incident referred to in clause 5.4.

- 6.1.2 If an off-field event, confirm the matter meets the requirements of the CDDP to be referred to the Judiciary for Sanction<sup>7</sup>.
- 6.1.3 For all on-field events, confirm that the matter is in scope of the Sanction Table (10.0) and that the proofs associated with the relevant Sanction can be met.
- 6.1.4 Issue Breach Notice.
- 6.1.5 Receive Member response with election for Early-Acceptance of the breach and sanction or a request for a Tribunal Hearing.
  - a For Early-Acceptance responses, in accordance with the Sanction Table or Case Categorisation Model, the Complaint Manager or Chief of Judiciary is then able to issue the Sanction<sup>8</sup>. The Judiciary Case is then considered closed.
  - b If a Request for Tribunal Hearing is elected, the Complaint Manager or Chief of Judiciary will determine the Panel for the Hearing and commence procedures to enable the hearing to take place.
- 6.1.6 Tribunal Hearing as per section 8.0.
- 6.1.7 On completion of the Tribunal Hearing the Complaint Manager or Chief of Judiciary will issue the Sanction awarded by the Tribunal, in writing to the Member and Member Club/Association; or issue a case closure if determined by the Tribunal.
- 6.1.8 Appeals process if eligible.
- 6.1.9 Case Closed and filed.
- 6.2 **Breach Notice.** A Breach Notice is the formal issue of intent to Sanction a member against either the State Participants Sanction Table as per 10.0, or the National Integrity Framework Case Categorisation Model.
  - 6.2.1 A breach notice can only be issued as a result of:
    - a As a result of a Red Card issued by an Official in a game on a field of play.
    - b As a result of an event occurring during a game, on the field of play, otherwise not enforced with the issue of a Red Card (may include no card, green card and yellow card infringements).
    - c In regular competitions where discipline points are used, as a result of an accumulation of discipline points by a player as outlined in clause 6.9 Discipline Points.
    - d For off-field events, under the CDDP where an investigation has determined that an offence has occurred, and a Sanction should be awarded<sup>9</sup>.
  - 6.2.2 Any breach notice issued by an Association or Club must be sent to Hockey Queensland for information and review.
  - 6.2.3 A Breach Notice should only be issued by the Complaints / Incident Handler as defined in clause 5.11. An example of a Breach Notice is included as enclosure 1.

- 6.2.4 On receipt of a Breach Notice, the member or entity is to acknowledge receipt of the notice within 24 hours. The member has up to 72 hours to elect to accept the breach and the Sanction as per section 7, Early-Acceptance Ruling as per clause 6.3 or request a Tribunal Hearing be set.
- 6.2.5 Where an Early Acceptance is not available as per clause 6.3.4 and 6.3.5, the Breach Notice will direct a Tribunal Hearing.
- 6.3 **Early Acceptance Ruling.** Where a member accepts the Breach Notice, electing not to attend a hearing, the lesser of all possible sanctions is to be awarded to the member. This sanction should be written in the original Breach Notice, allowing the member to understand what they are accepting prior to agreement.
- 6.3.1 On receipt of an Early Acceptance, the Complaints Manager or Chief of Judiciary can issue the Sanction.
- 6.3.2 Under the Early Acceptance ruling a member is not entitled to an appeal, unless new information establishing innocence can be presented, or a breach of natural justice has occurred<sup>10</sup>.
- 6.3.3 This applies to all events where a Breach Notice is issued whether on or off-field in nature.
- 6.3.4 The Early Acceptance is not available for events categorised as Level 3 or Category 3 as per Clause 7.2 and 7.3.
- 6.3.5 The Early Acceptance option is also not available if it is the members second or more appearance at the Judiciary in the playing season.
- 6.4 **Penalty Cards.** As per the Rules of Hockey during game play any offending player may be issued a verbal warning, a temporary suspension and/or a permanent suspension from the game. For standardisation in QLD all levels of hockey are to employ the use of penalty cards at the Umpires discretion as follows:
- 6.4.1 Green Card – 2-minute temporary suspension.
- 6.4.2 Yellow Card – 5-minute or more temporary suspension.
- 6.4.3 Red Card – permanent suspension from the current match and removal from the playing field (including the dugouts and bench areas).
- 6.5 The issue of a card is to be recorded on the game sheet and signed by the umpire at the conclusion of the game (or applicable digital version employed).
- 6.6 As per 6.2.1a a Red Card will result in an automatic issue of a Breach Notice. A recipient of a red card will be automatically suspended and excluded from all Activity until a Judiciary Hearing has been conducted, or the recipient has accepted the Breach Notice.
- 6.7 A Complaint Manager, Judiciary Chief, Tournament Director or Judiciary Lead may still issue a Breach notice to an on-field event where no card, a Green Card or Yellow Card is issued, when the situation requires it.

- 6.8 **Technical Official Reports.** Technical Officials are responsible for the control of the game. Where a Technical Official needs to evict a Relevant Person from a venue they can. The process to follow for a Technical Official needs to be one of gradual escalation, to the point where the only viable alternative is to evict the member or group. As such the Technical Official should always give multiple warnings that the behaviour or action is unacceptable, however, if deemed appropriate they can evict a member immediately. Such action needs to be reported by the Technical Official to the Relevant Organisation for further action and review.
- 6.9 **Discipline Points.** It is not a requirement for any competition to use discipline points, each Association can choose to or not. Temporary suspensions due to accumulation of points shall only be applicable to the Association in which the points have been accumulated. To standardise discipline points any association choosing to use them should adhere to the following structure:
- 6.9.1 Green Cards – 2 disciplinary points.
- 6.9.2 Yellow Card for 5-minute suspension – 5 disciplinary points.
- 6.9.3 Yellow Card for more than 5 minutes suspension – 10 disciplinary points.
- 6.9.4 Red Card – 20 disciplinary points.
- 6.10 Aside from 6.2.1 a and b, when a player reaches a cumulative disciplinary point level tabled below, they are to be issued a Breach Notice:

Cumulative Disciplinary Points	Early Acceptance	Maximum Penalty
25	1	2
40	Not Offered	2
50	Not Offered	3
60	Not Offered	Remainder of Season

Table 6.1 – Disciplinary Points

- 6.11 Points are to reset at the commencement of finals in any competition (this is to prevent deliberate targeting of individuals, provocation etc. in order to impact game play and finals). However, all sanctions issued prior to finals still are carried through. At the conclusion of finals, before the commencement of the following season all points are to be reset to zero.

<sup>10</sup>This clause exists as there are historical examples of organisations prejudicially convicting a member and forcing them to accept the allegations. Natural Justice Principles must be followed.

## 7.0 SANCTIONS

- 7.1 All matters within scope of this policy are categorised through a 3-tier system based on the nature of the alleged conduct, perceived level of harm and complexity.
- 7.2 For on-field matters defined under Clause 5.4.1 to 5.4.3 events are categorised as:
  - 7.2.1 Level 1 – Minor acts against the playing Code of Conduct / relevant policies.
  - 7.2.2 Level 2 – Serious acts against the playing Code of Conduct / relevant policies.
  - 7.2.3 Level 3 – Severe acts against the playing Code of Conduct / relevant policies.
- 7.3 For off-field matters defined under Clause 5.4.4 and 5.4.5 events are categorised as:
  - 7.3.1 Category 1 – Minor allegations of Prohibited Conduct.
  - 7.3.2 Category 2 – Prohibited Conduct Violations.
  - 7.3.3 Category 3 – Severe Prohibited Conduct Violations.
- 7.4 **Sanction Options.** Imposing a sanction is primarily aimed at protecting an individual from harm with a secondary aim of protecting the integrity of sport. Sanctions are also designed to provide a clear message that the behaviour was unacceptable, thereby acting as a deterrent to modify future behaviour. The following range of actions/sanctions may be appropriate depending on the categorisation of the offence. Sanctions of lower categorisation may be used in conjunction for more severe breaches:
  - 7.4.1 Category 1 Breaches
    - a Reminder of, or direction, to review relevant policies.
    - b Mandatory education
    - c Formal warning and/or reprimand.
  - 7.4.2 Category 2 Breaches
    - a Formal conciliation or mediation between the relevant parties.
    - b Mandatory counselling.
    - c A change to the position, duties or access.
    - d Supervision for some or all Activities.
    - e Temporary suspension for All activities
  - 7.4.3 Category 3 Breaches
    - a Withdrawal of accreditations.
    - b Temporary or permanent suspension from Activities.
    - c Return of awards or other relevant accolades.

- 7.4.4 **Suspended sanctions:** Temporary suspension for Activities can be partly or wholly suspended pending a good behaviour period. However, they must include a clear trigger for the suspension to be enforced.
- 7.4.5 **Temporary Suspensions:** Temporary suspension shall include an exclusion for all Activities for the suspension period unless further specified in the Sanction Notice. This includes Activities such as training or programs conducted by or at a venue of a Member Association or Club.
- 7.5 **Application of Sanctions.** Where a member is involved in multiple levels of the sport, or plays in more than one association, sanctions are to take that into account. The following guidelines are in place to support these situations:
- 7.5.1 State Level imposed sanctions will define all levels that the Respondent is sanctioned against. For example: A State Level Coach is sanctioned and imposed a 2 Match suspension from Coaching, the Tribunal Panel will stipulate if this carries down to lower-level coaching as well. If it does it is concurrent with the State Level sanction.
- 7.5.2 State Tournaments can only impose Sanctions for that Tournament. If the Tournament Director believes higher, or further sanction outside the Tournament is required they are to refer the offence to the State Judiciary.
- 7.5.3 Association level sanctions of Level 2 or Category 2 or higher are to be imposed concurrently across all Associations in QLD who have adopted this policy. In this circumstance the sanction will be awarded for the Association that the incident occurred in first (who should be managing the incident) and any additional Associations thereafter
- 7.5.4 Any suspensions not completed within their current season will carry over to the following season. Any residual suspension that carries over to the next season will commence once the player has registered in that subsequent season.
- 7.5.5 Club level sanctions in accordance with the CDDP remain in the Club and do not carry over to other Clubs, Associations or State levels unless enforced by the parent association. These sanctions are to be informed to the Parent Association and Hockey Queensland for records.
- 7.6 **Time period of sanctions.** Any sanction shall be clearly defined including a start and end date.
- 7.6.1 The sanction period should be in proportion to the nature and seriousness of the breach. Considerations must include determining how many rounds a respondent would compete in within the suspension period. Considerations should include registration across multiple teams, age-groups, association competitions, eligibility for representative tournaments, scheduling of double-rounds, byes or make-up matches. The main consideration shall be the fixturing of the competition where the breach has occurred.
- 7.6.2 Judiciary Panels should acquire information about registration status of the respondent and scheduled fixturing prior to the hearing.



**7.7 Information Distribution.** It is essential that information of breaches triggering a Breach Notice and/or Judiciary Hearing are shared with relevant Associations and Hockey Queensland.

7.7.1 Associations must distribute any Breach Notice to Hockey Queensland and the Secretary of any other associations the respondent is a current member of.

7.7.2 Should a red card be issued in a match triggering an automatic suspension period as described in 6.6 the red card with the Name and National Identification Number of the recipient must be entered into the Statewide Card Register. The Card register will be accessible to nominated competition co-ordinators from all Associations and Hockey Queensland. This must be completed on the day the card is issued.

7.7.3 Any recipient of a red card is responsible to observe the automatic suspension and inclusion and must inform any club and team they are register with of the suspension. Should a player participate in any fixture or Activity they are in breach of this Policy.

## 8.0 TRIBUNAL HEARINGS

8.1 Once a Tribunal Hearing date has been set, with a Panel appointed, all parties involved will be given notice in writing as early as possible, preferably at least one week, prior to the hearing by the Complaints Manager or Chief of Judiciary.

8.2 Tribunal Hearings may be conducted together in person or by electronic device provided that at all times the participants shall be able to hear and may be heard by all other participants at the meeting.

8.3 **Tribunal Hearing Notice.** This notice is only required where a Breach Notice has not covered a Tribunal Hearing, as may be the case under a CDDP matter. It is an official request by the sport to attend a Tribunal Hearing. The notice will contain:

8.3.1 Details of the Respondent.

8.3.2 Details of the breach as per the Breach Notice.

8.3.3 The date, time and venue of the Tribunal Hearing.

8.3.4 Details of witnesses (including complainants) requested to attend. If they choose not to attend but still wish their statement to be used, they must provide a written statement Complaint Manager or Judiciary Chair no later than 48 hours (where possible) prior to the hearing.

8.3.5 Explanations of process including:

- a That the Respondent has the right to defend against the breach/allegation.
- b A Verbal or Written submission can be made. If a written submission is to be made it is to be supplied no later than 48 hours (where possible) prior to the hearing to allow the Panel to pre-read the submission, and if required make requests.

- c That the Respondent may arrange for witnesses not named in the Notice to attend. These names are to be supplied no later than 48 hours (where possible) prior to the hearing.
- d All minors requested to attend a hearing are to be always accompanied by a parent or legal guardian. In the case where the parent or legal guardian is also a witness, and attendance in the room during the minor's statement may hinder process or be perceived to unduly influence the minor's response, an alternate parent or legal guardian should be used.

8.4 **Attendance.** If a relevant person chooses not to attend, the Panel will make a determination based on all evidence available. A respondent who does not attend without appropriate reason may be regarded as accepting the allegations. The determination by the panel can include no finding outcome due to insufficient or contradictory information.

8.5 At the start of the hearing the Panel including a Recorder, Respondent and Respondent Support Person will be in the room. The process for hearing is as follows:

8.5.1 **Allegation.** The Panel Chair will read out the allegation(s) and ask the Respondent if they understand the allegation(s) as read.

8.5.2 **Declaration.** They will then ask the Respondent if they agree or disagree with the allegation(s) and whether they accept the allegations.

8.5.3 **Agree.** If the Respondent accepts the allegation(s), the Panel will then:

- a Ask the Respondent to provide any statements, or requests for witnesses that the Respondent believe should be considered before determination is made.
- b The Panel may then request for any witnesses they intend to hear from, including any Complainants if they believe it is required.
- c Once satisfied the Panel will the adjourn to deliberate.

8.5.4 **Disagree.** If the Respondent does not accept the allegation(s) the Panel will then:

- a Request witnesses including the Complainant to make statements toward the circumstances of the event. If a witness or Complainant is absent and has submitted statement as per paragraph 8.3 and 8.4 the statement will be read out by the Recorder. The Panel may ask questions of fact but not lead the witness or Complainant to an answer. For each witness or Complainant at the conclusion of their statement, before they leave the room, the Respondent will be asked if they have any questions to ask of the witness or Complainant. Once all questions are asked and answered, the Panel will dismiss the witness or Complainant. This process is to continue until all witnesses and Complainants for the allegation have been heard.
- b Any information including video evidence in support of the allegation will then be presented.

- c The Respondent will then be asked to make a formal response statement to the allegations and/or any information presented.
- d The Respondent will then be asked to call any witnesses not previously heard.
- e The Respondent will then be asked to produce any information supporting their position, not previously shown.
- f Once satisfied the Panel will the adjourn to deliberate.

**8.5.5 Finding.** Regardless of the Respondents choice to Agree, or Disagree, the Panel reserves the right to find the Respondent Guilty or Not Guilty. This is to be done based on a Balance of Probabilities that the allegation occurred as stated and that it is a sanctionable breach as per paragraph 7.2 and/or 7.3. The finding is to be announced by the Chair of the Tribunal Panel where the outcome can only be either:

- a **Unanimous.** All three Panel members agree, or
- b **Majority Decision.** Where two Panel members are for and one is against.

**8.5.6 Sentencing.** In accordance with the Sanction Table or Case Categorisation Model the Panel is then to provide sentencing. A sentence needs to have all aspects of the Sanction listed, including considerations for any mitigating and/or aggravating circumstances and any dates enforced. The Respondent is also to be informed that a copy of the Sanction will be provided to their Parent Association or Club and any other impacted Association or Club as applicable.

**8.5.7 Closing.** The Panel Chair will then official close the hearing.

**8.6 Tribunal Hearing Outcomes.** The Panel Chair will provide copies of the Tribunal Hearing Report to the Complaints Manager or Chief of Judiciary as soon as possible post hearing. This report is to be signed by all three members of the Panel.

On receipt of the Report and ratification of the board, the Complaint Manager or Chief of Judiciary is to raise the Sanction notice for issue to the Respondent and the Respondents Parent Association or Club and in accordance with paragraph 7.5.3 any other impacted Associations or Clubs.

## 9.0 APPEALS

**9.1** After any judicial process the Respondent has the right to Appeal the finding or Sanction if:

- 9.1.1 There is belief that the processes defined in this Policy were not followed.
- 9.1.2 Additional and relevant information has come to light.
- 9.1.3 The principle of proportionality has not been used, that is the sanction imposed does not meet the guidelines in the Sanction Table or Case Categorisation Model or is believed more severe than the circumstances.
- 9.1.4 The above all include cases where the Respondent has taken an Early Acceptance as per clause 6.3 or has accepted the allegations in a Tribunal Hearing.

- 9.2 No other party is able to appeal a decision of the Judiciary Panel. However, if an affected party is dissatisfied with the decision made by the Judiciary Panel for reasons as outlined in 9.1 they may lodge a complaint in line with CDDP process.
- 9.3 Levels of appeal.
- 9.3.1 **Club Level.** An Appeal into a Club level CDDP process will always escalate to the Parent Association.
- 9.3.2 **Association Level.** An Appeal into an Association level Judicial Process is to be managed in the following order:
- a In a case where an Early Acceptance has been taken, however the member has lodged an appeal under clause 6.3.2 to the Sanction Notice, it will then proceed to be heard by a Tribunal Hearing at Association Level as per this Policy.
  - b Where an Association Tribunal Hearing has occurred and an Appeal is lodged, a second Tribunal Hearing at Association level can occur with three new Panel Members in accordance with clause 5.10.
  - c Where a second Tribunal Panel is not available it is passed to the State Judiciary Panel.
- 9.3.3 **State Tournament Level.** Any appeals lodged during a State Tournament can be heard if time permits. They will be passed immediately to the State Judiciary for an expedited review.
- 9.3.4 **State Level.** An Appeal into a State level Judicial Process is to be managed in the following order:
- a In a case where an Early Acceptance has been taken and an appeal to the Sanction Notice is lodged, it will then proceed to be heard by a Tribunal Hearing at State Level as per this Policy.
  - b Where a State Tribunal Hearing has occurred and an Appeal is lodged, a second Tribunal Hearing at State level can occur with three new Panel Members in accordance with clause 5.10.
  - c Where a second Tribunal Panel is not available, or it is deemed out of scope for Hockey Queensland it is passed to Hockey Australia for management or even the National Appeals Tribunal.
- 9.4 If no appeal has been received within 14 days from the date of the outcome letter of the Judiciary Hearing, the Respondent will be deemed to have waived their right to appeal.

## 10.0 SANCTION TABLE

The following table provides a guide for proportionate penalties of breaches at competitions. Mitigating and aggravating factors should be considered when determining the level of sanction. In accordance with 7.6 the suggested suspension period shall be based on the number of fixture rounds at the level of competition where the breach has occurred.

Additional sanction options which can be used in conjunction or an alternative to the penalties below are available as outlined in 7.4.

Sanction Number	Offence Title	Offence Description	Notes, Examples	Conditions / Proofs	Early Acceptance / Minimum Penalty	Maximum Penalty	Other/Remarks
1.01	Obscene / Offensive Behaviour	Using language, or gesture(s) that is obscene, offensive or of an insulting nature.	a. Excessively audible or repetitious swearing. b. Obscene gestures which are not directed at another person, such as swearing in frustration at one's own poor play or misfortune.	1. A participant at the time of offence, eg game card, team roster. 2. Dealt with by an Official, eg Umpire Card, or record on game card. Or; 3. Reasonable proof from witnesses; video evidence, or multiple witness statements.	Official Warning, <u>or</u> 1 Round Suspension	2 Round Suspension	
1.02	Dissent	Showing dissent to an Umpire's decision or Technical Official	a. Dissent will include disputing / protesting, reacting in a provocative or disapproving manner in an inappropriate way towards any decision made by an Umpire or other official. b. This may include arguing or entering into a prolonged discussion with an Umpire or a Technical Official about the decision.	1. A participant at the time of offence, eg game card, team roster. 2. Dealt with by an Official, eg Umpire Card, or record on game card.	Official Warning, <u>or</u> 1 Match Suspension	2 Round Suspension	
1.03	Charging	Charging or advancing towards an Umpire, Technical Official or Opponent in an aggressive manner.	a. The player must be showing aggression and intimidation, where it is obvious that intent is present. b. Must not be confused in game play with hard or tough playing. c. Does <u>not</u> involve raised hands or sticks.	1. A participant at the time of offence, eg game card, team roster. 2. Dealt with by an Official, eg Umpire Card, or record on game card. Or; 3. Reasonable proof from witnesses; video evidence, or multiple witness statements.	Official Warning, <u>or</u> 1 Round Suspension	2 Round Suspension	
1.04	Excessive Appealing	Excessive appealing of an Umpire's, Video Umpire's or Technical Official's decision, or crowding an Umpire or Technical Official.	a. This differs from dissent, in that the member may not be inappropriate or provocative. b. Excessive appealing shall include repeated appealing of the same decision / appeal.	1. A participant at the time of offence, eg game card, team roster. 2. Dealt with by an Official, eg Umpire Card, or record on game card.	Official Warning, <u>or</u> 1 Round Suspension	2 Round Suspension	
1.05	Equipment Throwing	Throwing a stick or ball (or any other object or item of equipment) at or near another. Participant or any other person in an inappropriate and / or dangerous manner.	a. Is not intended to harm another person, it is reasonably likely the throwing was in frustration at one's own play of misfortune. b. Does not hit the person. c. Not to be confused with end of penalty corner equipment throwing/game play.	1. A participant at the time of offence, eg game card, team roster. 2. Dealt with by an Official, eg Umpire Card, or record on game card.	Official Warning, <u>or</u> 1 Round Suspension	2 Round Suspension	
1.06	Deliberate Contact	Deliberate, reckless or careless physical contact between players in the course of play.	a. Without limitation, Participants will breach this article if they deliberately, recklessly or carelessly push, walk or run into another Participant.	1. A participant at the time of offence, eg game card, team roster. 2. Dealt with by an Official, eg Umpire Card, or record on game card.	Official Warning, <u>or</u> 1 Round Suspension	2 Round Suspension	

Sanction Number	Offence Title	Offence Description	Notes, Examples	Conditions / Proofs	Early Acceptance / Minimum Penalty	Maximum Penalty	Other/Remarks
1.07	Feigning injury	Feigning injury and / or overreacting to alleged physical contact from another player.	a. Without limitation, Participants will breach this article if they deliberately fake an injury in order to penalise another Participant against whom it is alleged committed a foul against him / her.	1. A participant at the time of offence, eg game card, team roster. 2. Dealt with by an Official, eg Umpire Card, or record on game card.	Official Warning, <u>or</u> 1 Round Suspension	2 Round Suspension	
1.08	Equipment Misuse	Abuse of hockey equipment or clothing, venue equipment or fixtures and fittings.	a. This includes any action(s) outside the course of normal hockey actions. b. Such as hitting or kicking the goal posts and any action(s) which intentionally or negligently results in damage to the team benches, advertising boards, dressing room doors, mirrors, windows and other fixtures and fittings at the facility.	1. A participant at the time of offence, eg game card, team roster. 2. Dealt with by an Official, eg Umpire Card, or record on game card. Or; 3. Reasonable proof from witnesses; video evidence, or multiple witness statements.	Official Warning, <u>or</u> 1 Round Suspension	2 Round Suspension, <u>and</u> if appropriate repair, replacement cost	Note: Financial consideration of the member needs to be accounted when expecting replacement costs to be covered. For example it may be fine to expect a player to pay for an item of a small sum entirely, but if the damage is expensive, then detailed consideration must take place. This may warrant the Sanction being elevated to a Level 2 or 3.
1.09	Equipment Breach	Breach of the Uniform Advertising Policy, Kit Regulations or Team Dress Protocol.	a. Hockey Qld or HQ Association's may provide a Uniform Advertising Policy, Kit Regulations and a Team Dress Protocol's for competitions and tournaments. b. Participants must adhere to any such policies and protocols. c. If in place, one of the core objectives of a Uniform Advertising Policy and Team Dress Protocol is to ensure appropriate and professional standards of appearance on the field of play and during the Season and to prevent any practices that undermine that objective and or the sport of Hockey.	1. A participant at the time of offence, eg game card, team roster. 2. Reasonable proof from witnesses; video evidence, or multiple witness statements.	Official Warning, <u>or</u> 1 Round Suspension	2 Round Suspension, <u>or</u> forfeit of game	Note: it must be reported to the tournament, ground or game official no later than 30 min after the conclusion of the game. Note: if it is a team or club breach the penalty should apply to the team/club.
1.10	Public Criticism	Public criticism of, or inappropriate public comment in relation to an incident occurring in a game, at the time of the game.	a. Open comments made from the field of play by a participant that are public, about events during a game, a decision or play, that are deemed inappropriate. b. May include profanities, abusive language, belittling.	1. A participant at the time of offence, eg game card, team roster. 2. Reasonable proof from witnesses; video evidence, or multiple witness statements.	Official Warning, <u>or</u> 1 Round Suspension	2 Round Suspension	Note: it must be reported to the tournament, ground or game official no later than 30 min after the conclusion of the game.
1.11	Failure to Comply	Failure to comply with the directions of a Match Official or a Competition / Tournament Director.	a. Failure includes a situation where a player, coach, manager or other team personnel has been given directions by an official just once and fails to comply. b. Such directions include being asked to remain within the team bench, to stay off the circle in warm up/warm down, etc.	1. A participant at the time of offence, eg game card, team roster. 2. Dealt with by an Official, eg Umpire Card, or record on game card.	Official Warning, <u>or</u> 1 Round Suspension	2 Round Suspension	Note: it must be reported to the tournament, ground or game official no later than 30 min after the conclusion of the game.



Sanction Number	Offence Title	Offence Description	Notes, Examples	Conditions / Proofs	Early Acceptance / Minimum Penalty	Maximum Penalty	Other/Remarks
1.12	Prejudicial Conduct	Behaviour that is damaging, detrimental to, or brings discredit on Hockey as a sport and is considered contrary to the spirit of the game.	a. This sanction covers any type of minor conduct that is not adequately covered by any previous sanction. b. An example might be a player who receives a Red Card and is ordered to leave the venue, as per the provisions of a Red Card, and does not; instead they enter the spectator area or the like.	1. A participant at the time of offence, eg game card, team roster. 2. Dealt with by an Official, eg Umpire Card, or record on game card. Or; 3. Reasonable proof from witnesses; video evidence, or multiple witness statements.	Official Warning, <u>or</u> 1 Round Suspension	2 Round Suspension	
1.13 to 1.19	Reserved						
2.01 to 2.19	All Level 1 Offences – Titles as per Level 1 listings above, for example 2.01 Obscene/Offensive Behaviour; or, 2.12 Prejudicial Conduct.	These offences must meet the criteria of being more serious in nature than that described as per Level 1 criteria.	a. Spitting in the direction of someone deliberately, without it touching the other person, would be considered obscene or offensive behaviour and constitute a 2.01 Sanction.	1. A participant at the time of offence, eg game card, team roster. 2. Dealt with by an Official, eg Umpire Card, or record on game card. Or; Reasonable proof from witnesses; video evidence, or multiple witness statements.	1 Round Suspension	6 Round Suspension	
2.20	Match Manipulation	Any attempt to manipulate any Match for inappropriate strategic or tactical reasons.	a. This is intended to prevent the manipulation of Matches for inappropriate strategic or tactical reasons (such as when a Team deliberately loses a Match in order to affect the standings of other Teams in that event). It is not intended to cover any corrupt or fraudulent acts (including any use of inside information and / or related betting activity). Such conduct is prohibited under the HA Competition Manipulation & Sport Gambling Policy and must be dealt with according to the procedures set out therein.	1. A participant at the time of offence, eg game card, team roster. 2. Dealt with by an Official, eg Umpire Card, or record on game card. Or; 3. Reasonable proof from witnesses; video evidence, or multiple witness statements.	2 Round Suspension	8 Round Suspension	Note: it must be reported to the tournament, ground or game official no later than 30 min after the conclusion of the game.  This offence may also be considered a breach of the Competition Manipulation & Sport Gambling Policy and be dealt with through NIF procedures
2.21	Intimidation	An attempt to cause someone fear of either physical or mental harm.	a. Includes appealing in an aggressive or threatening manner. b. Is most likely to be gestures and/or body language that implies physical or mental harm. b. Can include language, as long as it is not a direct or open threat.	1. A participant at the time of offence, eg game card, team roster. 2. Dealt with by an Official, eg Umpire Card, or record on game card. Or; 3. Reasonable proof from witnesses; video evidence, or multiple witness statements.	2 Round Suspension	8 Match Suspension	

Sanction Number	Offence Title	Offence Description	Notes, Examples	Conditions / Proofs	Early Acceptance / Minimum Penalty	Maximum Penalty	Other/Remarks
2.22	Threat of Assault or Physical Assault (without injury)	Actions or words that would cause a Participant to be in fear of physical harm or offensive contact.	a. This sanction differs from Intimidation in that there is an obvious open threat of harm to an individual. b. For example, a player states they will cause harm to another participant or third party. c. Physical assault refers to intentional or reckless physical contact with a participant or any other person. c. For example, pushing another player, where no injury occurs.	1. A participant at the time of offence, eg game card, team roster. 2. Dealt with by an Official, eg Umpire Card, or record on game card. Or; 3. Reasonable proof from witnesses; video evidence, or multiple witness statements.	4 Round Suspension	10 Round Suspension	
2.23	Ineligibility to play	A player participates in a competition while having to serve a suspension period (7.7.3)	a. It is the player's responsibility to not take the field after having been issued a red card	1. A participant after a red card has been issued and before a Judiciary Hearing has been conducted or a sanction of an Early Acceptance has been served.	2 Round suspension	8 Round Suspension	This penalty is to be added to any penalty applied for the incident leading to the red card.
2.24 to 2.29	Reserved		a.	2.			
3.01 to 3.29	All Level 1 or 2 Offences – Titles as per Level 1 and 2 listings above, for example 3.12 Prejudicial Conduct; or, 3.21 Intimidation.	These offences must meet the criteria of being severe in nature.		1. A participant at the time of offence, eg game card, team roster. 2. Dealt with by an Official, eg Umpire Card, or record on game card. Or; Reasonable proof from witnesses; video evidence, or multiple witness statements.	5 Round Suspension.	Permanent Suspension.	Note: Level 3 Offences may involve criminal behaviour. All suspected acts of Criminal Behaviour must be reported to the Civilian Authorities immediately.
3.30	Threat of Assault or Physical Assault (without injury) on an Official.	Actions or words that would cause an Umpire, Technical Official or Competition Director to be in fear of physical harm or offensive contact.		1. A participant at the time of offence, eg game card, team roster. 2. Dealt with by an Official, eg Umpire Card, or record on game card. Or; Reasonable proof from witnesses; video evidence, or multiple witness statements.	6 Round Suspension.	Permanent Suspension.	Note: Level 3 Offences may involve criminal behaviour. All suspected acts of Criminal Behaviour must be reported to the Civilian Authorities immediately.
3.31	Physical Assault	Intentional contact with another Participant or any other person (not an Official) including a spectator causing injury.	a. Physical assault refers to intentional or reckless physical contact with a Participant or any other person, whether by using fists, head, feet or equipment (including but not limited to a hockey stick or hockey ball). Injury includes bruising.	1. A participant at the time of offence, eg game card, team roster. 2. Dealt with by an Official, eg Umpire Card, or record on game card. Or; 3. Reasonable proof from witnesses; video evidence, or multiple witness statements.	10 Round Suspension.	Permanent Suspension.	Note: Level 3 Offences may involve criminal behaviour. All suspected acts of Criminal Behaviour must be reported to the Civilian Authorities immediately.

Sanction Number	Offence Title	Offence Description	Notes, Examples	Conditions / Proofs	Early Acceptance / Minimum Penalty	Maximum Penalty	Other/Remarks
3.32	Act of Violence	Where the action is across multiple participants, all intending to cause physical harm and origin of the event is hard to determine.	<p>a. An act of violence includes the causing of deliberate physical harm to any person, whether Player, Umpire, Technical Official or other Participant.</p> <p>b. Fighting between participants would be considered an Act of Violence. This differs from Physical Assault as it is not one sided.</p> <p>c. Kicking, punching, pushing in a fight would be considered Acts of Violence.</p> <p>For example, a fist fight is occurring between participants, and it is hard to determine the origin. These members would be sanctioned here. If a third party entered the fight with an item considered to be a weapon (hockey stick) they would then also be sanction with 3.31 Physical Assault as they escalated the event.</p>	<ol style="list-style-type: none"> <li>1. A participant at the time of offence, eg game card, team roster.</li> <li>2. Dealt with by an Official, eg Umpire Card, or record on game card. Or;</li> <li>3. Reasonable proof from witnesses; video evidence, or multiple witness statements.</li> </ol>	5 Round Suspension.	Permanent Suspension.	Note: Level 3 Offences may involve criminal behaviour. All suspected acts of Criminal Behaviour must be reported to the Civilian Authorities immediately.