

PART F - JUDICIARY COMMITTEE RULES

- F.1 A charge of misconduct against a member may be made by the report of an umpire or by the referral of a matter to the Judiciary Committee by the Board. Where the charge of misconduct is made by an umpire, it may be either in writing on the team card or by written report.
- F.2 The permanent suspension of a player by an umpire from any hockey game organised by the Association and the recording of that suspension on the back of the team card for that game shall constitute a report by the umpire.
- F.3 Upon receipt of a charge by the Association, save that the issue of a red card shall be an automatic charge to be determined by the judiciary committee, the Secretary/General Secretary shall forthwith convene the Judiciary Committee to be held on the Monday following receipt of the charge or such other time as may be advised by the Secretary / General Secretary.
- F.4 The Board shall nominate the order for the selection of a Chairman of the Judiciary from the panel elected to the Judiciary by a general committee.
- F.5 The Secretary/General Secretary shall notify the Chairman of the Judiciary Committee of the details of the case and inform the competing club that nominated the member charged, and the umpire or person making the charge, of the time and place of the hearing. Not less than 24 hours' notice shall be given and the place of the hearing shall be within the Greater Brisbane Area.
- F.6 The defendant shall be permitted to compete in any competition organised by the Association until such time as the charge is heard by the judiciary committee.
- F.7 If a member charged fails to appear before the Judiciary Committee at the appointed time without (in the opinion of the Judiciary Committee) reasonable cause, that member shall be prohibited from competing in any competition organised by the Association until such time as the member appears before the Judiciary Committee.
- F.8 The charge shall be heard by the Judiciary Committee at the appointed time. The Judiciary Committee shall advise the Board in writing to either:
(a) dismiss the charge; or
(b) impose upon the member against whom the charge was made a penalty being:
- a fine;
- admonishment;
- suspension; or
- disqualification
- F.9 The report to the Board shall be in the form prescribed by the Board and shall include details of the grounds upon which the Judiciary Committee's decision was based.
- F.10 Advice of any penalty shall be issued by the Secretary/General Secretary of the Association in writing, within three days of receiving the written report from the Judiciary Committee chairman. The advice shall be sent directly to the competing club Secretary/General Secretary of the member charged.
- F.11 Any matter being the subject of consideration and / or decision by the Judiciary Committee shall not be discussed with or conveyed to any person or persons other than members of those members of the Judiciary Committee considering the charge except as expressly provided in these by-laws.
- F.12 Only the members of the Committee shall be permitted to be present at the meeting. The person making the charge (the plaintiff), the person charged (the defendant) and witnesses shall be called to appear before the committee as required.

- F.13 The sequence of the hearing shall be as follows:
- (a) the Judiciary Chairman shall present the charge and evidence supporting the charge on behalf of the BHA Board;
 - (b) the defendant may ask questions of the person making the charge, provided that the chairman may rule any such question out of order;
 - (c) the defendant shall present his/her defence to the charge;
 - (d) witness(es) shall be called successively to give evidence, with each witness subject to questions first from the Judiciary Chairman and then the defendant, provided that the Chairman may rule any question out of order;
 - (e) the Judiciary Chairman shall sum his/her case;
 - (f) the defendant shall sum up his/her case;
 - (g) the Committee shall then make its decision in camera.
- F.14 Witnesses shall appear entirely at the discretion of the Judiciary Committee. Witnesses shall only be permitted to be present at the meeting when they are giving evidence, and may be called more than once.
- F.15 The members of the Judiciary Committee may ask any person appearing before the committee questions that are, in the opinion of the chairman, relevant to the case.
- F.16 After a determination by the Judiciary Committee that a charge of misconduct has been proved the Chairman of the Judiciary Committee shall have access to the records of any previous judiciary appearances by the defendant for the sole purpose of determining an appropriate sentence.
- F.17 **Penalties.** All penalties (refer para F.8) handed down by the Judiciary and Investigation panel shall fall within the parameters of the following guidelines:
- (a) **Verbal abuse of an umpire**, penalty range minimum two weeks/games, maximum twelve weeks/games, subsequent offence in same season, penalty by two.
 - (b) **Physical abuse or manhandling of an umpire**, penalty range minimum suspension for balance of current season plus all of next season, maximum suspension for life. This applies to all games under the Queensland Hockey Association jurisdiction.
 - (c) **Deliberately striking another player**, but noting that striking another player with a stick should be viewed as a more serious offence than striking with a fist. Also, a player who is attacked should not necessarily be punished for taking reasonable action to defend himself. Penalty range striker minimum six weeks/games to life. Retaliation must incur a penalty range of minimum two weeks/games to life.
 - (d) **Fighting/Wrestling, penalty range minimum four weeks/games, maximum ten weeks/games.**
 - (e) **Verbal abuse of match officials**, penalty range minimum two weeks/games, maximum twelve weeks/games.
 - (f) **Bringing the game in disrepute**, penalty range minimum two weeks/games, maximum twelve weeks/games, with the same penalties for Brisbane representative personnel as for point (e) above.
 - (g) **Admonishment may be a penalty**, if the offence is considered to be minor and it is a first offence with the defendant indicating remorse. The Judiciary may consider the provision of a written apology as part of the penalty.
 - (h) Any person found guilty of a charge that does not fall within those above inclusive shall be treated on their merits, penalty range minimum two weeks/games.
 - (i) Ignorance of any of the penalty guidelines outlined shall not in itself be considered as suitable defence against any charge brought before the Judiciary.
- F.18 **Evidence.** Witnesses are requested to appear in person at the hearing but in the event that this is not possible then evidence may be taken by:
- over the phone as long as it is via a speaker phone provided at the hearing and all participating parties have equal access and/or
 - as a last resort, a written statement
- F.19 The Judiciary Chairman may provide de-identified reports on cases for publication to the BHA Secretary/General Secretary.
- F.20 **Pleading guilty by mail.** A defendant may plead guilty in writing providing:
- the case is considered, by the Judiciary to be relatively minor and the procedure is acceptable
 - the defendant acknowledges guilt in writing and provides full details of the incident
 - accepts that the penalty of the Judiciary will be in accordance with the guidelines at paragraph F.17
- F.21 **Definitions**
1. Misconduct is defined as bad, improper, or unprofessional behaviour.
 2. The phrase “bringing the game into disrepute” is considered as a form of misconduct.