

# Jamberoo Touch Incorporated Judiciary Rules & Procedures

## A. Introduction

Jamberoo Touch Incorporated (JT) conducts a social, family-oriented competition. Players participating in any competition conducted by Jamberoo Touch are expected to play not only within the rules of the sport, but also within the spirit of the game.

Embracing the spirit of the game means participating, either as a player or as an official, fairly and exhibiting good sportsmanship, respect for other players and officials, and conforming to acceptable standards of personal behaviour on and off the field.

The purpose of these guidelines is to provide a summary of how issues of discipline and any resulting judicial matters are handled by Jamberoo Touch Incorporated. These rules and procedures should be read in conjunction with the adopted Code of Conduct of JT.

## B. Scope of these rules

Any player, team member, referee or officials participating in, or in attendance at, games can be reported for offences under the Code of Conduct or other incidents that bring the game into disrepute.

A person can be reported for bringing the game into disrepute:

- a) while they are playing the game,
- b) at the ground before, during or after the game,
- c) at any other location as a consequence of an incident arising from a game, or
- c) at a function under the auspices of Jamberoo Touch.

## C. Laws of Natural Justice

These rules and procedures are intended to ensure that participants receive a fair hearing. The laws of Natural Justice (or Procedural Fairness) dictate that decisions affecting the rights of individuals must be reached only after a fair hearing. The laws of natural justice give the accused person protection by asserting that:

- the person accused of misconduct should know the nature of the accusation made
- the person should be given an opportunity to state their case
- the judiciary should act in good faith.

#### **D. The Judiciary Committee**

1. Jamberoo Touch shall appoint a Disciplinary Committee called the Judiciary Committee, which shall have the power to act in the name of JT.
2. The Judiciary Committee shall determine all matters referred to it arising from:
  - a. Players ordered off from the playing field;
  - b. Citings by the JT management committee;
  - c. Breaches of the Code of Conduct;
3. The Judiciary Committee shall have the power to impose penalties in respect of Clause 2 (a) to (c). In addition the Judiciary Committee shall have the power to impose penalties in respect of all incidents which occur before, during and after games at the venue of the games, including all social functions organised by JT and held at any venue.
4. The Judiciary Committee shall consist of a minimum of three (3) members, including a Chairperson, appointed by the JT. The chairman shall have a casting as well as a deliberative vote and the quorum for the Judiciary Committee shall be three (3) members.
5. A member of the Judiciary Committee who has a conflict of interests in any matter to be heard by the Committee shall stand down from the Committee for that meeting. The Chairman of the Judiciary Committee shall decide whether a conflict of interests exists.

#### **E. Notification of Players**

1. A player required to appear before a meeting of the Judiciary Committee shall be deemed to have been informed of the judicial hearing by the emailing of the details including his/her required attendance to the player and/or the team's nominated manager at least 24 hours before the commencement of the hearing.
2. A person who enters a plea of guilty to a send-off offence is not required to attend before the Judiciary Committee but may do so if he/she wishes.
3. A player may bring witnesses to the Judiciary Committee hearing.
4. A person who enters a plea of not guilty to a send-off offence must attend the Judiciary Committee hearing as indicated in the notice of the hearing.
5. A player who fails to attend a meeting of the Judiciary Committee when required to do so shall be suspended until the time as he/she appears before a hearing.

## **F. Procedures at Hearing**

1. The procedures to be followed at the hearing should be explained clearly by the Chairman of the Committee to all present. The Chairman should explain who is entitled to be present throughout the hearing, during the taking of evidence and when submissions are made.
2. The Chairman of the Committee shall then read the Referee's report or other report outlining the alleged offence against the player(s).
3. The Chairman shall then ask the player whether he/she pleads guilty or not guilty to the charge on the report.
4. Evidence and/or submissions shall then be heard in the following sequence:
  - a. Evidence from the player if he/she so chooses.
  - b. Evidence from the witnesses (if any).
  - c. Submissions by the Referee and/or other official on any of the matters raised.
5. Those giving evidence shall be subject to questioning by any member of the Judiciary Committee. Proper decorum shall be observed at all times and the rulings of the Chairman shall be observed.
6. There shall be no cross examination by the player and/or their witnesses of the referee. Provided, a player or their representative may request the Chairman to submit questions to the Referee about any matters in relation to their report.
7. The referee or his/her representative may request the Chairman to submit questions to the player and the witnesses (if any).
8. Any determination of the Judiciary Committee shall take place in private.
9. The Chairman of the Judiciary Committee shall then advise persons present of the decision of the Committee and give a brief statement of the reasons for that decision. The Chairman is to advise the player of his/her right of appeal to the management committee of JT.
10. A full record of the hearing before the Committee must be kept and made available to the management committee of JT.

The Judiciary Committee may vary the normal procedure, and may defer or adjourn any hearing on such terms and for such period as it deems fit.

## **G. Notification of Decision**

1. In all cases, within 48 hours a written notification shall be completed and emailed to the player and/or the nominated manager of the player's team.
2. In all cases where the player is adversely affected by the decision of the Judiciary Committee he/she must be advised that he/she has the right of appeal to the Management Committee of Jamberoo Touch Inc.
3. The Judiciary Committee shall provide JT with a written report of the hearing and its decision.

## **H. Appeals**

1. Any appeal by a player against a ruling made by the judiciary committee should be in writing and received no later than seven days after the decision is announced.
2. Appeals will only be heard on the basis of new evidence being available that was not presented at the original judiciary hearing or if it is claimed that the Judiciary Committee failed to follow the procedures set out in this policy.
3. Receipt of the appeal should be confirmed via mail or email and the matter dealt with within ten days from receipt of the appeal.
4. The decision of the Management Committee is final. In coming to a determination the Management Committee may decide to uphold, increase, amend or decrease the suspension.

## **I. General considerations.**

1. Any player that has been sent off (as opposed to sin-binned) is automatically suspended for two games and, depending on the severity of the incident, may be referred to the Judiciary Committee for the imposition of a greater penalty.
  2. A player who has been sent off and referred to the Judiciary Committee is not permitted to play any games of Touch in the JT competition until the Judiciary Committee has heard the case.
  3. The Judiciary Committee should meet as soon as practicable but not later than 10 days after the date of the player's dismissal from the field. Failing this the player may continue to play until the case is heard.
  4. A penalty imposed by the Judiciary or Appeals Committee takes effect from the time the accused player is notified of the penalty and remains in effect until it expires.
  5. If the Appeals Committee does not meet within 10 days of the lodgement of the appeal, the player may play until the appeal is heard.
  6. Jamberoo Touch is entitled to suspend any team whose player fails to comply with any penalty imposed on him/her, provided that the player's team manager has been notified of the decision by email.
  7. Any player who fails to comply with any penalty imposed on him pursuant to the provisions contained herein shall be liable to further penalty as determined by Jamberoo Touch.
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## **Appendix Number 1 – Guidelines to Preparing a Referee’s Report**

After sending a player from the field for misconduct the referee needs to complete a report on the back of the team-sheet.

This report should address the following points.

1. Name the player(s) involved and the teams.
2. Set the scene; (e.g. second half, Stingrays on attack, attacking player Jones deliberately tripped by defending player Smith from Rabbits).
3. What was the feeling in the game like before the incident?
4. Had a warning been issued to all players or certain player(s)?
5. State what you observed; if it is dissent or verbal abuse, quote the players comments in full.
6. Explain what led to your decision.



**Appendix 2 – Graphical Outline of Disciplinary Process**

