

# DISCIPLINARY MATTERS POLICY



## PURPOSE OF THIS POLICY

Is to:

- i. define the jurisdiction of Basketball Manawatu for managing judicial matters;
- ii. establish the parameters around the composition, functions, powers, penalties, appeals and procedures for the various hearing bodies and persons with jurisdiction for judicial matters and disputes.

## RATIONALE FOR THIS POLICY

A 'Zero-Tolerance' policy has been adopted by the board of Basketball Manawatu and will be enforced at all tournaments, leagues and other events run under the auspices of Basketball Manawatu.

Judicial Regulations protocols will be established to further explain the full functions, process and powers of the judicial system established by Basketball Manawatu.

## CORE PRINCIPLES – Ejections/Citing's/Misconduct

The principles set out below are mandatory in judicial regulations at all levels of the Game:

- a. The sanctions applicable to Foul Play/Misconduct shall be the same at any level of basketball.
- b. All games are equal. A Player suspended from playing the game shall be suspended from participating in any game at any level of Basketball during the period of his/her suspension.
- c. The principles of natural justice shall be adhered to in all judicial proceedings. Such principles include, Players who are the subject of a hearing before a Judicial panel shall have the right to know the evidence against them, shall have the right to be heard, to be represented, to produce evidence and defend themselves before independent adjudicators.
- d. All Judicial panels shall meet the criteria for appointment contained in Basketball Manawatu's Judicial Regulation Protocols document.
- e. This Judicial Regulation Protocols recognises that judicial procedures will be different in a Tournament context.

## POLICY

Basketball Manawatu will ensure that the disciplinary hearing bodies of the association that are set up will hear and decide matters in accordance with the principles of natural justice and procedural fairness. This includes but is not limited to the hearing body:

- i. conducting the hearing in a manner that is fair and appropriate to the circumstances,
- ii. providing the parties adequate notification of the date, time, and place of the hearing
- iii. ensuring adequate notification of the specific charges and allegations that are made against the defendant (i.e. the person against whom the allegation is made),
- iv. ensuring the defendant and their representatives, is given an adequate opportunity to be heard and to prepare and present their case,

- v. ensuring the defendant is provided with and given proper opportunity to consider, challenge or contradict any evidence that is relied upon to support allegations against them, and that the defendant is also fully aware of the nature of these allegations,
- vi. having a lack of actual bias,
- vii. not acting outside its powers or jurisdiction,
- viii. inquiring into the matters in dispute,
- ix. deciding supported by the evidence,
- x. not imposing a penalty that is either excessive or inappropriate.

Participants, parents/guardians, or spectators who would like to offer feedback or seek clarification on officiating issues should direct their feedback in writing to the Basketball Manawatū General Manager, Referee Coordinator or Competitions & Events Co-ordinator.

Electronic acceptance of Zero Tolerance Policy via individual player registrations through Sports TG.

Printed copies will be made available for any participants who may not have access to e-mail / internet

## **POLICY IMPLEMENTATION**

Basketball Manawatū have agreed that the following implementation process will be followed.

- Once the Competition and Events Coordinator receives a Referee report, or a Protest/Complaint is lodged; a disciplinary committee will determine if the matter should be referred to a Judicial Committee for further action to be taken.
- If it is to be referred, then the report is to be scanned and sent to the Judicial Committee within 24 hours of the Disciplinary Committee receiving it from the Competitions and Events Coordinator.
- Acknowledgement of the complaint is to be sent by the General Manager within 24 hours of the Protest or complaint being received.
- All judicial referrals will be dealt with within seven days and the outcome and updates to be communicated by the General Manager to all parties, within 24 hours of the decision reached by the judicial panel.

## **POLICY REVIEW**

Basketball Manawatū will monitor and review this policy on a two-yearly basis.

## **REFERENCES**

- BBNZ Regs Bk 6 Judicial (as at 3 Feb 2022)
- BM Zero Tolerance Policy for Sport Rage (Mar 2024)
- BM Constitution (Nov 2022)
- Judicial Regulations v2024 (Aug 2024)