

Indian Rim Asian University Disciplinary & Disputes Policy

As at 10.8.07

This policy provides information on IRAUG event committees and procedures relating to discipline and disputes.

1. IRAUG Event Committees

- 1.1 All Indian Rim Asian University Games events shall ensure an appropriate committee structure is put in place to deal with any matters considered 'disputes' and/or breaches in the Code of Behaviour that occur during an event.
- 1.2 The Committee(s) will enable any complaint or incident to be dealt with swiftly and fairly in accordance with IRAUG Rules & Policies.
- 1.3 There will be three committees:
 - a) Sports Disputes Committee (SDC)
 - b) Appeals Committee (AC)
 - c) Disciplinary Committee (DC)

The structures and powers of these committees and processes for lodging disputes, appeals or reporting a breach in the IRAUG Code of Behaviour are outlined below.

2. SPORTS DISPUTES

2.1 The Sports Disputes Committee (SDC)

2.1.1 Role

The Sports Disputes Committee can deal with any on-field incidents and all matters relating to the conduct of sports competitions during IRAUG events. Notwithstanding this, if a matter is reported as a breach of the Code of Behaviour then the matter must be dealt with by the Disciplinary Committee.

If an incident falls within the framework of this Committee then an Incident Form must be lodged, within one (1) hour of the conclusion of the game in which the incident occurred, to the Competition manager for that sport. If the decision of the Competition Manager is unacceptable to the applicant, then the matter is referred to the Sports Disputes Committee (SDC). In order for the report to be heard by the SDC, the Incident Form must be lodged at the Administration Centre with the required AUD \$25 lodgement fee within a time period not exceeding one (1) hour from the conclusion of the fixture in question. If the dispute is successful then the AUD\$25 is refunded.

2.1.2 Composition

The composition of the **Sports Disputes Committee (SDC)** should be a minimum of three (3) and a maximum of five (5) of the following:

- IRAUG Games Manager (Chair)
- Member(s) of the Tertiary Sports Western Australia Council
- Sport Technical Expert (IRAUG Technical Officer and/or representative of the relevant State Sporting Association – minimum of one required)
- Independent University Team Manager (a minimum of one required) University Team Managers will be canvassed prior to and upon the commencement of the event to determine their willingness to be involved in event committees. Based on this, an official list of available persons will be constructed from which to draw on. The Games Manager has absolute discretion when choosing which Team managers will be called upon for committee duties.

*note: at least one person required from each of the above areas

Where an SDC member has a clear conflict of interest, as determined by the SDC, that member must stand down.

2.1.3 Voting Rights

Each member of the SDC has one (1) vote.

In the event of a tied vote the Chairperson will have a second (and casting) vote.

2.1.4 Responsibilities of SDC Chairperson

- The IRAUG Games Manager will be responsible for all administrative functions relating to the committee.
- The findings of the SDC shall be taken down in writing. It is the responsibility of the Chairperson to ensure that this is done, and the Chairperson presiding must sign off on any decisions of the SDC.

2.1.5 Powers

The Sports Disputes Committee (SDC) has the authority to request any person to make comment on an incident or to report on any such matter that may come before the SDC. This list includes (but is not limited to):

- The referee and other game officials;
- Participants in the game/competition;
- A Tertiary Sports Western Australia council member
- Tertiary Sports W.A./UWA staff in attendance
- Team officials (Coach, Trainer, Manager and/or University Team Managers)

- Event officials (IRAUG Staff, Competition Managers, Technical Officers, Sport Admin Officers, Key Volunteers; and
- Spectators.

The SDC has the power to impose one or more of the following actions:

- i) Suspend and/or reprimand players/team officials from competition for one or more games (this suspension could be held over to future IRAUG events); or
- ii) Uphold and/or amend a decision of the Competition Manager;
- iii) Make changes to the sports competition/structure or format (in consultation with the Games Manager and Tertiary Sports W.A. Council)
- iv) Refer the matter to the Disciplinary Committee, Tertiary Sports W.A. or State/national Sporting Organisation responsible for the sport in question.

2.1.6 Scope of the SDC

The SDC can adjudicate on disputes arising from any matter affecting the conduct of sporting competitions at the event. The SDC is not a forum in which matters dealt with by an on-field referee/umpire will be re-examined. Matters that fall into this category will be judged by the Chairperson of the SDC prior to consideration by the SDC. Matters reported as a breach of the Code of Behaviour will be dealt with by the Disciplinary Committee.

2.1.7 Rights of the Parties Involved in the Dispute

A participant, team (no more than (2) representatives) or part involved in the dispute has the right to appear before the SDC to state their case. Parties must indicate their intention to appear before the SDC on the Incident Form.

The Games Manager has the responsibility of informing the parties (as identified on the Incident Form) of the time and place of the SDC meeting. Failure to attend at the notified time and place, without prior notification acceptable to the SDC in its absolute discretion, will mean an automatic forfeit of this right of appearance and a decision will be made without the applicant's appearance before the SDC taking place.

Unless a player is sent off and this incurs an automatic suspension (*this may apply in sports with a minimum automatic suspension for send-off offences*), players and teams can continue to compete until their case is heard by the SDC. Every effort must be made to hear and resolve a dispute before any game involving the said parties is scheduled to take place.

2.1.8 The Decision of the Sports Disputes Committee

The rules of competition for each sport (*the Games Manager and Sport Manager are responsible for these being available to all relevant parties prior to the event*) will govern competition on the playing field. Any breaches of these rules will be placed before the Sports Disputes Committee (unless the matter involves a breach of the IRAUG Code of Behaviour, in which case the matter will be placed before the Disputes Committee). Decisions of the SDC will be by majority vote. The SDCC may adjourn or defer a meeting in its absolute discretion.

2.2 Lodging a Dispute

2.2.1 Who Can Lodge a Dispute

An Incident form can be lodged by the following (*the form needs to be lodged with the Competition Manager for the Sport in the first instance for an initial decision*):

- a) The referee and other game officials (can include officials not appointed to the particular match, but only those with a recognised IRAUG Accreditation);
- b) The University Team Managers or their nominated appointee (*University Team Manager's Appointees will only be those that have been officially notified to the Administration Centre prior to the Event*);
- c) IRAUG Staff (i.e. Games Manager, Sport Manager)
- d) IRAUG Officials (i.e. Competition Managers, Technical Officers, Sport Administration Officers and key volunteers)

2.2.2 Lodging an Incident Form with the Sports Disputes Committee

An Incident Form must be lodged with the SDC on an Incident Form (AUD\$25 fee payable at the time of lodgement. These forms will be available from the Administration Centre).

The following procedure must be adhered to:

a) *Dispute Lodged with Sport*

Lodge an Incident Form in writing within one (1) hour of the conclusion of the fixture in which the incident occurred to the Sport Competition Manager. The Incident Form must be lodged by the University Team Manager or their Appointee for an initial decision.

b) *Sport Competition Manager Decision*

The Sport Competition Manager will make an initial decision based on the information submitted on the Incident Form and outline the decision on the Incident Form and notify the University Team Manager or their appointee whom lodged the dispute.

c) *Acceptance / Rejection of Sport Competition Manager Decision*

If the decision of the Sport Competition Manager is not accepted, move to step (d). If the decision is accepted then the Incident Form goes no further and the Sport Competition Manager simply

collects it and hands it over to the Administration Centre at the conclusion of the day's competition.

d) *Dispute Lodged with Administration Centre*

In the event that the decision off the Sport Competition Manager is not accepted, the Incident Form is referred to the Sports Disputes Committee so the Form must be forwarded with the AUD\$25 lodgement fee (*a receipt must be provided to the disputing party for this amount*) to the Administration Centre by the University Team manager or their Appointee.

The lodgement of the Incident Form by the University Team Manager or Appointee must occur no later than one (1) hour from the conclusion of the fixture/match/competition in which an incident occurred. That is, steps 1 through to 4 must occur within one (1) hour of the conclusion of the relevant fixture/match/competition.

If the Incident Form is lodged outside the one (1) hour time limit then the matter will only be dealt with by the SDC at the absolute discretion of the Games Manager in consultation with the SDC Chairperson. The Games Manager shall notify parties concerned of the time and place the Sports Disputes Committee shall convene.

The matter will be considered by the SDC and all parties concerned informed of the decision as soon as practicable after the decision is made. All parties will be provided with a copy of the completed Incident Form. The dispute lodgement fee is fully refunded if the dispute is successful.

If the dispute is unsuccessful then the AUD\$25 will be forfeited to IRAUG.

2.2.3 Appealing a Decision

If an appeal is required, the appeal must be lodged at the IRAUG Administration Centre on an Incident Form by the University Team Manager or their Appointee with an additional AUD\$75 lodgement fee within one (1) hour of notification of the decision made by the SDC. If the SDC decision has been made out of the Administration Centre hours it must be lodged within one (1) hour of the Administration Centre re-opening.

A decision of the SDC may be appealed to the Appeals Committee only where there has been a **procedural irregularity or new evidence**.

3. APPEALS

3.1 The Appeals Committee

3.1.1 Role

The Appeals Committee can deal with appeals from the Sports Disputes Committee and/or the Disciplinary Committee. An appeal of the decision of the SDC is allowed to the Appeals Committee is allowed only if it meets the procedural irregularity or new evidence criteria. The Games Manager will determine if the matter falls within the appeals criteria.

3.1.2 Composition

The composition of the **Appeals Committee (AC)** should be a minimum of three (3) and a maximum of six (6) of the following:

- Executive Director, UWA Sport & Recreation Association (Chair)
- Member(s) of the Tertiary Sports Western Australia Council (who was not a member of the SDC)
- An impartial representative of an International or National university sport organisation (to be appointed by the Chairperson for each individual dispute appeal. The person must not have been a member of the SDC previously hearing the case)
- Independent University Team Manager (must not be a member of the SDC previously presiding on the matter). University Team Managers will be canvassed at the commencement of the Event to determine their willingness to be involved in the Committee(s) at the event and an official list will be constructed from which to draw from. The Chairperson of the Appeals Committee has absolute discretion when choosing which University Team Managers will be called upon for Appeals Committee duties.
- Legal Representative
- Up to two (2) others.

3.1.3 Voting Rights

Each member of the Appeals Committee has one (1) vote. In the event of a tied vote, the Chairperson will have a second and casting vote.

3.1.4 Responsibilities of Appeals Committee Chairperson

The Chairperson will be responsible for organising the members of the Appeals Committee. All members of this Committee must be different individuals than those on the Sports Disputes Committee.

The Chairperson has the responsibility of informing the parties of the time and place of the Appeals Committee meeting, and as to when the party will appear. Failure to attend at the agreed time and place, without prior notification, will mean an automatic forfeit of this right of appearance and a decision will be made without the appearance of the applicant before the Appeals Committee taking place.

All meetings of the Appeals Committee will be recorded by an independent minute taker (who has no voting rights), and will be appointed by the Chairperson of the Appeals Committee at their discretion.

3.1.5 Powers

The Appeals Committee has the authority to call any person to make comment on an incident or to report on any such matter that may come before the Committee to assist in making their decision. The Appeals Committee may refer back to the original (SDC) Committee to hear any new evidence or to correct any procedural irregularities.

3.1.6 Scope

The Appeals Committee can adjudicate on appeals arising from decisions made by the Sports Disputes Committee and/or the Disciplinary Committee.

3.1.7 The Decision of the Appeals Committee

Decisions of the Appeals Committee will be by majority vote. The Appeals Committee may:

- i) uphold or dismiss the decision of the SDC;
- ii) refer the matter back to the original committee;
- iii) substitute a new decision; and/or
- iv) vary the penalty imposed by the SDC if they feel such action is warranted.

The Appeals Committee may adjourn or defer a meeting in its absolute discretion.

The decision of the Appeals Committee is final.

3.1.8 Rights of the Parties in the Appeal

A participant, team (no more than 2 representatives) or party involved in the appeal has the right to appear before the Appeals Committee to state their case. The intention to appear must be noted on the Incident.

3.2 **Lodging an Appeal**

3.2.1 Appeal Lodged at Administration Centre

If an appeal is required, the appeal must be lodged in writing on an Incident Form at the Administration Centre within one (1) hour of the decision made being notified to the disputing party. If the decision has been made out of Administration Centre hours it must be lodged within one (1) hour of the Administration Centre re-opening.

3.2.2 Late Appeal

An appeal may be lodged after one (1) hour and may be heard at the absolute discretion of the Games Manager.

3.2.3 Lodgement Requirements

The Incident Form lodged for the appeal must be accompanied by a copy of the Incident Form lodged for the original dispute, the minutes of the SDC meeting and a further AUD\$75 lodgement fee must be paid to the Administration Centre, for which a receipt will be provided to the appealing party.

3.2.4 The Games Manager shall decide whether or not a procedural irregularity has occurred or new evidence has been brought forward.

3.2.5 Appeals Notification

The Appeals Committee Chairperson shall notify parties who have indicated their intention to appear on the Incident of the time and place the Appeals Committee shall convene.

3.2.6 Appeals Committee Decision

In the event that the appeal is successful, the full amount of AUD \$100 will be refunded. However, if the appeal is unsuccessful, the AUD\$100 will be forfeited to IRAUG.

4 **DISCIPLINE**

4.1 **Disciplinary Committee**

4.1.1 Role

The Disciplinary Committee (DC) can deal with all alleged breaches of the IRAUG Code of Behaviour. *A report regarding breaches of the Code of Behaviour must be submitted to the Administration Centre within Two (2) hours of the incident occurring or, if the Administration Centre is closed, within two (2) hours of the Administration Centre re-opening. A report may be dealt with if it is lodged outside the two (2) hour time limit at the absolute discretion of the Games Manager in consultation with the Chairperson of the Committee.*

4.1.2 Composition

The composition of the **Disciplinary Committee** should be a minimum of three (3) and a maximum of seven (7) members of the following:

- IRAUG Games Manager (Chair)
- Member(s) of the Tertiary Sports Western Australia Council
- Independent University Team Manager – University Team Managers will be canvassed prior to and upon the commencement of the event to determine their willingness to be involved in event committees. Based on this, an official list of available persons will be constructed from which to draw on. The Games Manager has absolute discretion when choosing which Team managers will be called upon for committee duties.

- Up to two (2) others

4.1.3 Voting Rights

Each member of the Disciplinary Committee has one (1) vote. Decisions of the Disciplinary Committee will be by majority vote. In the event of a tied vote, the Chair will have a second and casting vote.

4.1.4 Responsibilities of the Chairperson

The Disciplinary Committee Chairperson has the responsibility of informing the parties of the time and place of the Disciplinary Committee meeting.

Failure to attend at the informed time and place, without prior notification acceptable to the Disciplinary Committee in its absolute discretion, will mean an automatic forfeit of this right of appearance and a decision will be made without the appearance before the Disciplinary Committee taking place.

4.1.5 Powers

The Disciplinary Committee has the authority to request any person to make comment on an incident or to report on any such matter that may come before the Committee. The Disciplinary Committee is empowered by the IRAUG Code of Behaviour.

Sanctions that can be imposed by the Disciplinary Committee are described in detail in the IRAUG Code of Behaviour.

4.1.6 Scope

The Disciplinary Committee can only adjudicate on alleged breaches of the IRAUG Code of Behaviour not otherwise dealt with by the SDC.

4.1.7 Rights of the Parties involved in the Report

A participant, team (no more than 2 representatives) or party involved in the dispute has the right to appear before the Disciplinary Committee to state their case.

4.1.8 Decision of the Disciplinary Committee

The decision of the Disciplinary Committee is final and there is no recourse for appeal.

4.2 **Lodging a Report on a Breach**

4.2.1 Who Can Report a Breach

A report can only be lodged by:

- (a) the referee and other game officials (can include officials not appointed to the particular match, but only those with a recognised IRAUG Accreditation).
- (b) team officials (University Team Managers or their Appointee)
- (c) Tertiary Sports W.A. Council Members
- (d) IRAUG Staff (i.e. Games Manager, Sport Manager)
- (e) IRAUG Officials (i.e. Competition Managers, Technical Officers, Sport Administration Officers and key volunteers)

4.2.2 Procedure for Reporting a Breach

A report regarding breaches of the Code of Behaviour at an IRAUG event must be submitted to the Administration Centre within two (2) hours of the incident occurring or, if the Administration Centre is closed, within two (2) hours of the Administration Centre re-opening.

4.2.3 Late Submission

A report may be dealt with if it is lodged outside the two (2) hour time limit at the absolute discretion of the Games Manager.

4.2.4 Receipt of Report

Upon receipt of the report IRAUG will:

- (a) give written notice to the person stating:
 - (i) the nature and details of the alleged breach
 - (ii) the dates, time and place for a hearing
 - (iii) the person's right to representation
 - (iv) the composition of the Disciplinary Committee
 - (v) the IRAUG Code of Behaviour
- (b) give written notice to the University from which the person represents stating the details in (a) above
- (c) appoint a Disciplinary Committee to determine the matter within 24 hours of giving notice in (a) above.

4.2.5 Disciplinary Committee Decision

The Disciplinary Committee shall give its decision as soon as possible after the completion of the hearing. It is not required to give reasons or record its decision in writing.