



## Hockey Wanganui Inc

### Code of Conduct

#### **1. Purpose**

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- 1.1 Hockey is a fast, exciting, global sport popular in New Zealand, and suitable for all age groups. It is through discipline, commitment, mutual respect, and a sense of sportsmanship, that the spirit of the game is allowed to advance. Fellowship, camaraderie and a sense of fair play are essential to the game's on-going success.
- 1.2 For the sport to succeed, it is important that Participants observe rules, respect the principles of fair play, and maintain high standards of behaviour, both on and off the field. A willingness to adhere to these standards will ensure the sport remains an enjoyable and safe recreational and/or competitive option for all Participants at all levels of the game.
- 1.3 This Code of Conduct is established for the purpose of:
- a. Setting the standards of conduct required by Participants; and
  - b. Providing a process for addressing breaches of this Code of Conduct in a fair and consistent manner.

#### **2. Status of Code**

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- 2.1 This Code of Conduct was adopted by the Board in May 2017 in accordance with Rule 9.2.11 of the Constitution, and replaces all previous Association codes of conduct.
- 2.2 Nothing in this Code of Conduct waives or limits the right of the Board to make its own enquiries or to impose any sanction, which it has authority to impose under the Constitution.

#### **3. Scope and Application**

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- 3.1 This Code of Conduct is applicable to the following persons, referred to as Participants:
- Any person including, but not limited to, players, umpires, officials, coaches, coaching staff, managers, player spectators, medical staff, technical support, video staff, and any duly appointed team representatives participating in:
- (i) any matches, practices, competitions, events, functions, celebrations or ceremonies run under the jurisdiction of the Association
  - (ii) any matches, practices, competitions, events, functions, celebrations or ceremonies that the Participant is involved in on a regional basis.
  - (iii)** together the ("Competitions")
- 3.2 The standards of conduct, set out in this Code of Conduct, apply to Participants on-field and off-field conduct.

- 3.3 The terms of this Code, including any sanctions, will apply regardless of whether criminal investigations or any criminal or civil court proceedings have been instigated by any party and notwithstanding the outcome of any such investigations or proceedings.
- 3.4 This Code of Conduct will not apply to Participants where:
- a. The Sports Tribunal has jurisdiction to determine matters under Hockey New Zealand's Anti-Doping Policy.
  - b. Any allegation of misconduct against a Participant, arising out of circumstances where he/she is involved in a tournament held on or behalf of Hockey New Zealand, sanctioned by FIH or controlled by a Continental Federation or by the International Olympic Committee, in which case the relevant code of conduct and disciplinary rules will apply.
  - c. Any allegations of misconduct outside of sub-clauses 3.2.
- 3.5 The standards of conduct, set out in clause 5 (Standards of Conduct), do apply to all individual players, umpires, officials, coaches, managers, or other persons, who have been selected or appointed to a national squad, team, or position, by Hockey New Zealand during his or her participation in a Competition but who may be covered by the Memorandum of Understanding between Hockey New Zealand and the Hockey Players' Association Incorporated ("MOU"). However, any allegation of off-field Misconduct, as set out in this Code of Conduct, will be dealt with in accordance with the provisions of the MOU and not this Code of Conduct.

#### **4. DEFINITIONS**

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- 4.1 The following words and phrases, used in this Code of Conduct, shall mean as follows:
- "Association"** means Hockey Wanganui INC Federation
- "Anti-Doping Policy"** has the meaning given to it in the Hockey New Zealand constitution.
- "Appeal"** has the meaning given to it in clause 13.1.
- "Board"** means the Board of Association or Association Committee.
- "Chief Executive"** means the Chief Executive Officer or other duly appointed Chair, President or Manager appointed pursuant to the Association Constitution.
- "Competition"** has the meaning given to it in clause 3.1.
- "Complaint"** has the meaning given to it in clause 6.2.
- "Constitution"** means the Rules of Association.
- "FIH"** means the International Hockey Federation.
- "Guideline for Suspension Offences"** means the guidelines and recommendations for penalties in relation to Suspension Offences as set out in Schedule 1.
- "Guidelines on Process for Hearing and Determining any Complaint, Protest and Appeal"** means the guidelines for any Judicial Committee for hearing and determining Complaints or Protests as set out in Schedule 2.

**“Hockey New Zealand”** means The New Zealand Federation of Hockey Incorporated

**“Judicial Committee”** means the Association Judicial Committee(s) appointed in accordance with Code of Conduct

**“Jury of Appeal”** means the Association Jury of Appeal(s) appointed in accordance with Code of Conduct

**“Legitimate Protests”** means incorrectly handled aspects of a procedural nature or related to a technical mistake in a match, which impacts on the outcome of a match, including but not limited to:

- a. A suspended player interfering with play;
- b. A significant incident, that affects the outcome not seen by or dealt with by the umpires and/or officials;
- c. A non-registered or ineligible player;
- d. Excessive over-run or shortage of time when both umpires or the technical bench have been negligent; and
- e. Incorrect end to a half or game e.g. non-completion of a penalty corner.

**“Misconduct”** has the meaning given to it in Clause 5.

**“On-Field”** means ball-related rules and interpretations (including but not limited to goals awarded, penalty strokes/shootouts, free hits and other decisions relating to play that are encountered during a hockey match and/or the awarding of green and yellow cards (except where an error has been made e.g. the awarding of a card to the wrong person) but does not include Legitimate Protests.

**“Participants”** has the meaning given to it in clause 3.1.

**“Protest”** has the meaning given to it in clause 7.3.

**“Public Statements”** means any statement in which the whole, part, or essence, is made public. Such a statement may be made in a newspaper, magazine, periodical, or by any electronic media (internet, email, social media etc.), or other means through the medium of television, radio, or in any other manner whatsoever, regardless of the circumstances in which the statement was made.

**“Rules of Hockey”** means the laws for playing the game of hockey as approved by FIH.

**“Suspension Offences”** includes Level 1 Suspension Offences, Level 2 Suspension Offences, Level 3 Suspension Offences and Serious Suspension Offences as each of these are defined and set out in Schedule 1.

## **5. Standards of Conduct**

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- 5.1 All Participants shall, at all times, conduct themselves fairly and in a proper manner, including maintaining a high standard of personal conduct, so as not to prejudice the interests of hockey or bring themselves, the game of hockey, or Association, into disrepute.

- 5.2 In addition, the following shall be regarded as conduct which is improper, unfair and unacceptable:
- a. Verbal or physical abuse, or hostility, towards any other Participant, person or any other member of the public.
  - b. Disputing, protesting or reacting in a provocative or disapproving manner, in an inappropriate way, toward any decision made by an umpire or official.
  - c. Charging or advancing towards an umpire or technical official in an aggressive manner while appealing.
  - d. Using rude or abusive language or hand signals.
  - e. Abuse of any hockey equipment, or clothing, or venue equipment.
  - f. Failure to attend media conferences as requested, or failure to meet ceremonial obligations.
  - g. Any verbal or physical abuse, or hostility, towards any anti-doping officials, ball attendants or other support personnel.
  - h. Making any detrimental Public Statements, in respect of any Participant, person or other member public.
  - i. Committing any Suspension Offence.
- 5.3 Participants shall not participate in, support, or promote, any form of betting or gaming activities, including online betting or gaming activities or betting with another person, related to the event in which they are a Participant.
- 5.4 Participants shall not accept or induce a bribe or corrupt payment or otherwise allegedly agree to manipulate results in any way or give inside information for betting purposes.
- 5.5 Participants are required to adhere to the dress standards as specified in any Association Tournament Rules.
- 5.6 Breach of any of the standards of conduct, set out in this clause 5, is regarded as "Misconduct".

## **6. Complaints**

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- 6.1 An allegation of Misconduct can be made, by any person to the Chief Executive.
- 6.2 The allegation of Misconduct should set out in writing, in as much detail as possible:
- a. the nature of the incident;
  - b. the persons involved;
  - c. the date(s) and time(s) when the alleged Misconduct occurred,
  - d. together ("the Complaint").
- 6.3 Nothing in this Code of Conduct prevents the Chief Executive initiating an investigation, in his/her own right, if he/she considers there has been Misconduct.

- 6.4 The lodging of a complaint to the Chief Executive should be carried out within two weeks of the incident occurring, at which point the Chief Executive may use their own discretion whether or not to consider the complaint.

## **7. Protests**

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- 7.1 Written Protests relating to the outcome of a match, or an issue arising from the awarding or non-awarding of a red card, or accumulation of penalty points, can be made by any Participant to the Chief Executive, provided such Protest is lodged within 24 hours after the end of a match or end of a stand-alone shoot-out competition.
- 7.2 A fee of \$100, or such other amount as set by Association from time to time, must accompany the written protest.
- 7.3 The Protest should set out in writing, in as much detail as possible:
- a. the nature of the incident;
  - b. the persons involved;
  - c. the date(s) and time(s) on which the incident occurred,
- together (“the Protest”).
- 7.4 No Protest may be considered by the Judicial Committee regarding an umpire’s On-Field decision.

## **8. Structure of the Judicial Provisions**

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- 8.1 The judicial provisions in this Code of Conduct are divided into three parts:
- a. **Part A** which apply to matters relating to Competitions;
  - b. **Part B** contains the penalties available for Misconduct; and
  - c. **Part C** contains the Appeal provisions.

## **PART A – COMPETITIONS**

### **9. Association Judicial Committee**

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- 9.1 After investigating the alleged misconduct, and concluding that a hearing may be required, the Chief Executive will appoint a Judicial Committee to consider and determine Complaints and Protests (“Judicial Committee”).
- 9.2 The Judicial Committee shall consist of a minimum of three (3) persons including a Chairperson, appointed by the Chief Executive.

### **10. Proceedings of Judicial Committee**

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- 10.1 On receipt of a Complaint or Protest, the Judicial Committee shall conduct a hearing in accordance with the Guidelines to Process for Hearing and Determining Any Complaint, Protest or Appeal, unless in their sole discretion, a hearing is not warranted.
- 10.2 All proceedings (including the hearing and decision) before the Judicial Committee are confidential to the parties unless the Judicial Committee directs otherwise. In the case of a

decision involving a sanction, the details of the charge, verdict and sanction will be communicated to the wider hockey community.

10.3 Each party shall be responsible for their own costs (if any) associated with the hearing.

## **11. The Decision**

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11.1 After the hearing of a Complaint, the Judicial Committee shall:

- a. dismiss the matter if it finds that Misconduct has not been committed;
- b. issue such penalty as it thinks fit, in accordance with clause 12 (Penalties and Recommendations) if it finds that Misconduct has occurred;
- c. refer the Complaint to the Board for hearing and determination, in accordance with Rule 9.2.11 of the Constitution, where the Judicial Committee, in its sole discretion, concludes that a hearing, and determination by the Board, may be more appropriate in the circumstances; and/or
- d. refer the matter to the Police.

11.2 After the hearing of a Protest, the Judicial Committee shall determine:

- a. whether the Protest should be dismissed; or
- b. whether the Protest should be upheld and take such action as it thinks fit.

11.3 All Decisions of the Judicial Committee shall be final and binding on the parties, except where the provisions of clause 13.1 apply.

## **PART B – PENALTIES**

### **12. Penalties Available for Judicial Committee**

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12.1 If the Judicial Committee finds that Misconduct has occurred, it may impose any one or more of the following penalties:

- a. a warning or reprimand;
- b. require the Participant to make a formal apology;
- c. suspension from such activities of the Association, including competitions (local or national), events, meetings, and other functions, for such period(s) and on such terms and conditions as it thinks fit;
- d. exclusion from a particular competition activity, meeting, event, or events of Association;
- e. demotion or removal from any position or function granted by Association or as a representative of Association;
- f. the cancellation of results of a competition or event (including team results if the Judicial Committee considers it appropriate to do so);
- g. reparation and/or compensation by way of monetary payment to the complainant and/or other parties involved in the matter, in an amount and in such manner as the Judicial Committee thinks fit;

- h. fines imposed in such manner, and in such amount(s), as the Judicial Committee thinks fit; and/or
  - i. such other penalty as the Judicial Committee considers commensurate with the offence.
- 12.2 In addition to the penalties set out in clause 12.1a above, where the Misconduct is a Suspension Offence, the Judicial Committee may award penalty points or suspend for one or more matches for participants who, in the Judicial Committee's opinion, have committed a Suspension Offence whether before, during or after a match. In particular cases, a clear timeframe for the suspension period may be more suitable than detailing particular matches.
- 12.3 When considering penalties for a Suspension Offence, the Judicial Committee must follow the Guidelines for Suspension Offences outlined in Schedule 1.

## **PART C – APPEALS**

### **13. Appeals**

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- 13.1 A party to a decision of the Judicial Committee may appeal such decision, to a Jury of Appeal ("Appeal"), only on one or more of the following grounds:
  - a. natural justice was denied;
  - b. the decision-maker or decision-making body acted outside of its powers and/or jurisdiction (i.e. acted ultra vires);
  - c. the sanction imposed by the Judicial Committee was inconsistent with the Guidelines for Suspension Offences.
  - d. substantial new evidence became available after the decision by the Judicial Committee was made.
- 13.2 An Appeal must be made in writing to the Chief Executive of Hockey Wanganui INC accompanied by a fee of \$300, within one week of the release of the Judicial Committee decision.
- 13.3 Hockey Wanganui will appoint a Jury of Appeal to hear and determine appeals ("Jury of Appeal") of a Judicial Committee where one of the grounds in clause 13.1 exist.
- 13.4 A Jury of Appeal shall consist of three persons, including a chairperson.
- 13.5 Any person who has taken part in any previous proceedings, in relation to the matter under appeal, must not be appointed to the relevant Jury of Appeal.
- 13.6 The Appeal is not by way of a re-hearing of the evidence but is limited to a review of the matters set out in clause 13.1. However, in exceptional circumstances, the Jury of Appeal may choose to re-hear the matter on a de novo basis. In this case, they may re-consider substantive issues at their discretion where they deem this necessary to fulfil the requirements of natural justice.

### **14. Proceedings of the Jury of Appeal**

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- 14.1 On receipt of an Appeal, the Jury of Appeal shall conduct a hearing in accordance with the Guidelines to Process for Hearing and Determining Any Complaint, Protest or Appeal.

14.2 All proceedings (including the hearing and decision) before the Jury of Appeal are confidential to the parties unless the Jury of Appeal directs otherwise. In the case of a decision involving a sanction, the details of the charge, verdict and sanction will be communicated to the wider hockey community. Each party shall be responsible for their own costs (if any) associated with the hearing.

## **15. The Decision**

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15.1 After the hearing of an Appeal, the Jury of Appeal has the power to:

- a. allow or dismiss the Appeal;
- b. vary the decision of the Judicial Committee;
- c. increase, decrease, remit, or otherwise vary, any penalty included in the decision of the Judicial Committee;
- d. impose such other penalty or sanction as it deems fit;
- e. make an order that the appeal fee be refunded or forfeited; and/or
- f. make an order for costs against any party.

15.2 The decision of the Jury of Appeal is final and binding on all parties and there shall be no further right of appeal.

**Adopted by the Association Board in May 2017**