

Scottish Water Polo Disciplinary Regulations for Reportable Offences

Contents Page

<u>Pages</u>	<u>Details</u>	
<u>2 - 5</u>	<u>Regulations and Procedure</u>	
<u>6 - 7</u>	<u>Form to be completed for reportable offences</u>	<u>Appendix 1</u>
<u>8 - 9</u>	<u>Automatic Sanction letter template to be issued</u>	<u>Appendix 2</u>
<u>10 - 11</u>	<u>Scottish Championship Finals Day Procedure</u>	<u>Appendix 3</u>
<u>12 - 14</u>	<u>Template Disciplinary Hearing Outcome Letter</u>	<u>Appendix 4</u>

Scottish Water Polo Disciplinary Regulations for Reportable Offences

1. All offences of Misconduct, Brutality or Red Card of a Coach must be reported using the reportable offences form. (Appendix 1) Please note technical misconduct is not reportable.
2. Misconduct offences will receive an automatic sanction of 1 game.
3. Brutality offences will receive an automatic sanction of 2 games.
4. Red Card offences will receive an automatic sanction of 1 game.
5. Red Card offences involving brutality will receive an automatic sanction of 2 games.
6. If a delegate is present an automatic sanction letter will be issued on the day of the offence to the player and copied to a club official.
7. If no delegate is present the letter will be issued by the SWPC office, following advice from the SWPC Vice-Chair on receipt of the complaint form as detailed in paragraph 9 and 10.
8. There is no right of appeal against an automatic sanction.
9. Where a delegate is present at the game the form should be completed by the referee reporting the incident and passed to the delegate for submission.
10. Where there is no delegate present the form should be completed and submitted by the referee reporting the incident.
11. Completed forms should be submitted by email to Vice Chair – SWPC who will arrange for it to be sent to the Scottish Office.
12. The Vice Chair of SWPC, who will convene a disciplinary panel from the agreed list of disciplinary panel members.
13. In advance of any disciplinary hearing the Vice Chair of SWPC will arrange for statements from any witnesses detailed by the referee who has submitted the form, the player who has committed the offence and any witnesses they wish to list on their behalf.
14. The disciplinary panel will act two-fold, the initial assessment will be to determine based on the report and statements, if a formal hearing is required or not. If no formal hearing is required the player will be advised the matter will go no further and the offence and sanction will remain on record for 12 months, for future reference, should there be commission of a further offence in that period.
15. If a hearing is required this will be convened as timeously as possible and the player will be given a minimum 14 calendar days' notice of the hearing. The player has the right to be accompanied by a companion, the companion will be to support and

advise the player and will only be allowed to address the hearing if invited to do so by the chair.

16. The format of the hearing will be:

- Chair opens, introduces those present.
- Referee making complaint will be called to give their evidence
- Any witnesses on behalf of referee will be asked for their evidence
- Player who complaint is against can question or ask for clarification of referee or witnesses
- Panel can ask for clarification from referee or witnesses.
- Player gives their evidence and account, including asking their witnesses for evidence.
- Referee can question or ask for clarification from player or witnesses
- Panel can ask for clarification from player or witnesses
- All parties withdraw and panel deliberate outcome and if required sanction.

17. There are 3 possible outcomes.

- The complaint be not upheld.
- The complaint be partially upheld.
- The complaint be upheld.
-

18. If the complaint is partially upheld or upheld, the panel then must consider sanction/
The possible sanctions are:

- To not apply a sanction, where they feel the automatic sanction was sufficient.
- To apply a sanction within the confines of water polo.
- To refer the matter to Scottish Swimming to determine and apply a sanction within the broader sense of the organisation.

19. All outcomes and sanctions will be confirmed in writing to the player, copied to his clubs and British Swimming and held on his record for 1 year.

20. All players have a right of appeal to outcome and/or sanction, to exercise this right of appeal this should be in writing stating what is being appealed (decision, sanction or both) and the grounds for the appeal to Elaine McKenzie, Director of Services, Scottish Swimming, NSA, Stirling, FK9 4LA within 14 days of receipt of the judgement. Included with any appeal should be the appropriate fee (currently £100) in line with the rules of Scottish Swimming.

21. Any appeal against outcome or sanction may result in a increase in either the outcome or sanction.

22. Disciplinary Panels, will consist of 3 members from an approved list held by the SWPC. Appointment to the approved list will be on the recommendation of the Vice Chair SWPC and should comprise, of qualified delegates, former international referees or former international players who have officiated or played at a minimum of friendly international level. All recommendations will be ratified by the SWPC under delegated authority of the SWPC Chair.

23. Technical experts from out-with the approved list may be co-opted to the panel as advisors, where the panel sees-fit, in these circumstances, the player will be advised of the technical expert and the reason for their inclusion.
24. Complaints regarding water polo matches received by Scottish Swimming from other parties (ie not reported as detailed in paragraph 1 of this procedure) may be referred by Scottish Swimming to the SWPC to investigate. In such circumstances this procedure will be followed with the written complaint being used in lieu of the referees report.

Scottish Water Polo Committee – Reportable Offence – Referees Report

Event - _____ **Venue** _____

Match - _____ **Date** _____

Offence Committed by - _____

Club - _____

Offence Committed – Misconducted / Brutality / Red Card of Official

Referees Report of Details of Offence

Delegates Report of Offence

Sanction Applied –

Was Sanction Sufficient ?– Yes / No

Was Sanction Served in Full? Yes / No

Was Sanction Served in Part? Yes / No If yes how much was not served?

Any other details to report.

Signed by Referee _____

Referees Name and Email _____

Signed by Delegate _____

Delegates Name and Email _____

SCOTTISH WATER POLO – AUTOMATIC SANCTION

Event _____

Date of Match _____

Teams _____ v _____

TO _____

I have received a report from _____ a referee in the above game, which advises you were excluded from this game for _____.

In line with the agreed SWPC reportable offences regulation, this offence will incur a suspension of ___ game(s).

Please note there is not right of appeal against an automatic sanction.

Administration and Serving of this sanction will be in line with the undernoted.

1. The referee who has applied the decision which has resulted in the sanction will complete a report detailing the offence and submit it to me. If I am of the opinion the automatic sanction is insufficient this will be marked on the report form accordingly.
2. Completed report forms will be submitted to SWPC vice-chairman.
3. The sanction should be served in the next game played by your club that you are eligible to play in.
4. Any sanction imposed on Scottish finals day will be served in line with Appendix 3 of the SWPC reportable offences regulations.
5. If you changes club prior to serving the sanction, it will stay on your record until served with your new club.
6. A record of any reported offences will be held on file for a period of one-year for the purposes of consideration should there be any repeated offences in that period.
7. The SWPC Vice Chairman will deal with the offence in line with the reportable offences regulations of the SWPC, which are available on the SWPC website or on request from the Scottish Swimming Office.

8. If this matter is to move to a disciplinary hearing you will be advised in line with the aforementioned regulations.

A copy of this letter has been issued to your club for reference.

Your sincerely,

Event Delegate

Automatic Sanctions Protocol – Scottish Championship Finals Day - 22nd April 2018

The automatic sanctions protocol which will be used for any player found guilty of misconduct or brutality or any team official who is red carded on Scottish Championship finals day is as detailed below.

These do not apply to a technical misconduct unless the action has been deemed as a deliberate action to gain an advantage.

The sanctions applied will be as follows: in line with paragraphs 2 to 6 of the Scottish Water Polo Disciplinary Regulations for Reportable Offences.

1. Any player guilty of misconduct will be issued an automatic sanction of a one game suspension.
2. Any player guilty of brutality will be issued an automatic sanction of a two game suspension.
3. Any team official guilty of a red card offence will be issued an automatic sanction of a one game suspension. If the action is an act of brutality this will be a two game suspension.

The following will be taken into account in applying the sanctions:

9. The referee who has applied the decision which has resulted in the sanction will complete a report detailing the offence and submit it to the delegate. If the delegate is of the opinion the automatic sanction is insufficient this will be marked on the report form accordingly.
10. Completed report forms will be submitted to SWPC vice-chairman and will be dealt with in line with the Scottish Water Polo Disciplinary Regulations for Reportable Offences.
11. Any player or official who has a sanction imposed and is marked on the team lines with the same club to play or officiate in further games on the day will serve the sanction, wither in full or part, in the subsequent game or games. In this regard a replacement player or official will not be permitted. The player/official serving the suspension will not be permitted on the poolside or changing area either half an hour before or after the game in which they serve the suspension.
12. Any imposed sanction or part thereof which is not able to be actioned on the day with the same club, will be served in the next available match under the jurisdiction of the SWPC which the player is eligible to play in for that club.
13. Two letters immediately after the game to inform the player and club officials of the sanction.
14. If a player or official changes club prior to serving the sanction, it will stay on his/her record until served with his/her new club.

15. A record of any reported offences will be held on file for a period of one-year for the purposes of consideration should there be any repeated offences in that period.

Template Disciplinary Outcome Letter

For clarification please contact:

Telephone:

E Mail:

Date:

Dear

WATER POLO DISCIPLINARY HEARING

I refer to the above held in xxxxxxx within the xxxxxxx on xxxxxxx

The hearing was convened on behalf of the Scottish Water Polo Committee (SWPC) to consider the allegation that:

Enter allegation

The disciplinary panel who heard the compliant comprised of:

- xxxxxxx– Position / Club
- xxxxxxx– Position / Club
- xxxxxxx– Position / Club

I chaired the hearing and you attended to represent yourself, also present were:

- xxxxxxxx– Match Referee who made complaint.
- xxxxxx – Position and capacity

xxxxxxx –as a supporting companion to you during the hearing.

The hearing also referred to various statements received from the second referee, table officials present on the night, spectators present on the night, Copies of these statements had been made available to you in advance of the hearing and subsequent to receiving these you also submitted your own statement.

It was noted in line with procedures for reportable offences you had received and already served the automatic sanction for a reportable Misconduct Offence of one game.

Following the procedural introductions regarding format and purpose of the hearing I asked xxxxx to make a statement on their recollection of the incident. He/ She advised xxxxxxxx

The witness of behalf of the complainant , xxxx, gave a recollection of events. This was that xxxxxxxxx

The panel then asked for some clarification from the complainant and witnesses regarding the following:

Prior to making your presentation I asked if you wished any clarification from wither the complainant or witnesses statement, which you stated. I also gave you the opportunity for an adjournment in order that you may have wished to seek any advice from your companion prior to your presentation, following a brief discussion with your companion you confirmed you were happy to proceed. I therefore reminded you that should you wish an adjournment at any point during your presentation you should advise me and this would be granted.

In your presentation you advised xxxxxxxx

You also asked your witness xxxxxx to make and statement and he/she advised xxxxxxxx

The panel then asked for some clarification from yourself and your witness regarding the following:

1.

The panel also offered the following advice re some technical matters, for your future benefit.

1.

Following all submission I advised the meeting would adjourn to make a decision and confirmed the options open to panel and this would be confirmed to you in writing. The options were:

1. The allegation be not upheld.
2. The allegation be partially upheld.
3. The allegation be upheld.

I also confirmed that if the decision was either to partially uphold or uphold, the panel would then require to make a decision regarding sanction: The options available are:

1. To not apply a sanction, where they feel the automatic sanction was sufficient.
2. To apply a sanction within the confines of water polo.
3. To refer the matter to Scottish Swimming to determine and apply a sanction within the broader sense of the organisation.

Prior to adjourning you requested on advice from your companion that you make a statement re any possible sanction.

This was allowed by the panel and you stated xxxxxx Following all parties withdrawing, the panel carefully considered matters. In doing so they took account of the reports and submissions received and the evidence heard at the hearing.

Following all parties withdrawing, the panel carefully considered matters. In doing so they took account of the reports and submissions received and the evidence heard at the hearing

The outcome of the deliberations of the panel was to xxxxx.

In reaching this decision the panel took account of xxxxxxxx

The panel therefore had to decide if a sanction was required and what that should be.

The determination of an appropriate sanction by the panel is:

xxxxx

In making its decision regarding the additional sanction and commutation of the additional sanction, the panel took account of:

1.

You will therefore be suspended from the next game under the jurisdiction of the SWPC played by either your first or second claim club in which you have committed to play for in that competition. Please note if the suspension is served for either club you are affiliated to you cannot play for the other club in the competition the suspension is served.

Please also note the details of the automatic sanction and the additional sanction will be held on your record for a period of 12 months from the date of the hearing and may be considered in any future disciplinary hearing.

All clubs you are registered with, along with the Chair of the SWPC and British Swimming will be advised of this decision for their records,

You have the right of appeal against the decision and/or sanction applied. If you wish to exercise this right of appeal you should do so in writing stating what you are appealing (decision, sanction or both) and the grounds for the appeal to Elaine McKenzie, Director of Services, Scottish Swimming, NSA, Stirling, FK9 4LA within 14 days of receipt of this judgement. Included with any appeal should be the appropriate fee (currently £100) in line with the rules of Scottish Swimming.

I trust this clarifies matters, however if you require any further clarification please contact me as detailed above.

Yours sincerely,

Chair of Convened Disciplinary Hearing

Copies

Secretary xxxxxx WPC
Secretary xxxxxx WPC
Chair Scottish Water Polo Committee
British Swimming Legal Office
Elaine McKenzie Director of Services, Scottish Swimming