



Judiciary Policy

The basic structure and penalties of this Policy are substantially based on the Victorian Water Polo Judiciary Policy but have been modified to suit the short timeframe and nature of this tournament.

1. Purpose

The intent of this document is to:

- provide clear guidelines to referees on the actions required when a reportable breach of the rules occurs;
- provide players and officials visibility to this process and the range of penalties that will be applied by the Tournament Director for breaches of the FINA rules or the Ballarat Junior Water Polo Tournament (BJWPT) Code of Conduct; and
- enable consistent penalties to be applied by the Tournament Director for similar circumstances.

This Policy addresses breaches of the FINA Rules of Water Polo or the BJWPT Code of Conduct by players, officials or spectators during the tournament. While this Policy is intended to act in a similar manner to the Water Polo Victoria (BJWPT) Judiciary Policy, the Tournament Director and / or Monash University Water Polo Club may vary this Policy at any time at their discretion.

2. Judiciary Process

2.1 Reporting breaches of the BJWPT Judicial Policy or Code of Conduct

One of two methods can be used to initiate investigation of breaches of the BJWPT Judicial Policy or Code of Conduct.

2.1.1 Method 1 – Referee or Match Official

A referee or match official may report a player, coach or team official who, in his or her opinion, has been guilty of conduct warranting such report under the terms of the BJWPT Judicial Policy and the BJWPT Code of Conduct. This power to report a player, coach or team official extends to any conduct of a player, coach or team official directly or indirectly during the Tournament and includes but is not limited to any conduct committed during the tournament.

2.1.2 Method 2 – Formal complaints by Officials or individuals of Member Clubs to BJWPT

Alternatively, formal complaints about alleged breaches of the BJWPT Judicial Policy and the BJWPT Code of Conduct can be lodged directly to the Tournament Director by officials or individual members of competing clubs. Due to the short nature of the tournament, the complaint must be made within 30 minutes of when the incident occurred or the completion of the match in which it occurred, whichever is the latter. A complaint that is not made within 30 minutes may be accepted at the discretion of the Tournament Director. When considering whether or not to accept a late complaint, the Tournament Director will take into account three matters:

- Reason for the delay – for example, the damage or issue may only manifest later or the delay may be occasioned by a proper reason.
- Prejudice to any third party – for example, a claim lodged late to affect a finals series.
- Interests of justice - whether there is a serious reportable offence to be determined. This consideration is the primary consideration.

2.2 Resolving reported breaches under Method 1 – Referee or Match Official

Players, coaches and team officials ejected from a match, or otherwise reported by the officiating referee(s) or match officials have two options:



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2.2.1 Accept the decision and the following suspensions:

2.2.1.1 Except in the case of assault of a referee or match official (including threat to assault) the number of offences for players, coaches and team officials relates to the current tournament and the immediately preceding tournament. In other words, when a fresh offence is committed, the preceding tournament and current tournament will be considered to determine whether the offence is a first offence, second offence, third offence or further offence.

2.2.1.2 If a player, coach or team official is suspended for a fourth or further offence in the period of the two tournaments as described above, regardless of what the previous offences were, then he/she shall be suspended for the higher of a minimum of 12 rounds or whatever the offence would normally incur as a third offence.

2.2.1.3 If a player, coach or team official is suspended as a result of a misdemeanour, then that suspension applies to that gender in all activities and roles of the BJWPT. A suspended player/coach/team official cannot extinguish that suspension in another role in a match in the other gender.

2.2.1.4 An offence does not have to be in the same charge category or imposed in the same role to be considered a prior offence. Any offence in any charge category in any role in the preceding two tournament period will be considered a prior offence when calculating whether the offence is a first offence, second offence, third offence or further offence.

2.2.1.5 Offences carried out in other similar or state competitions will not be considered as prior offences as BJWPT will not have that information at hand, **HOWEVER**, any offences occurring at the BJWPT will be reported to the relevant local or state governing body relevant to that player (e.g WPV or similar). It will be the discretion of that governing body to take further action as they see fit based on prior history or to consider the offence/s occurring at the BJWPT when making decisions on future offences under their control.

FOR PLAYERS	
DISREPECT	VIOLENCE / MISCONDUCT
<p>Disrespect</p> <ul style="list-style-type: none"> Unacceptable language Equipment abuse or splashing Disobedience Any similar occurrences determined by reporting officer <p>Penalty</p> <p>1st offence – 1 game 2nd offence – 2 games 3rd offence – Balance of Tournament</p>	<p>Violence/Misconduct</p> <ul style="list-style-type: none"> Any strike or kick as a result of negligent action or motions in play Persistent foul or rough play Any other similar occurrences determined by reporting officer <p>Penalty</p> <p>1st offence – 2 game 2nd offence – Balance of Tournament</p>
<p>Serious Disrespect</p> <ul style="list-style-type: none"> Repeated instances of disrespect Any other similar occurrences determined by reporting officer <p>Penalty</p> <p>1st offence – 2 game 2nd offence – Balance of Tournament</p>	<p>Brutality*</p> <ul style="list-style-type: none"> Any attempted strike or kick, or actual strike or kick intended to cause injury Deliberate contact to sensitive body part e.g., genitalia or female breast Any other similar occurrences determined by reporting officer <p>Penalty</p> <p>1st offence – Balance of Tournament</p>

*Note that a brutality offence results in a player exclusion without replacement for four minutes.

FOR COACHES / TEAM OFFICIALS			
OFFENCE	1 ST OFFENCE	2 ND OFFENCE	3 RD OFFENCE
Red Card	1 Game	2 Games	Balance of Tournament



2.2.2 Appeal the suspension where an unsuccessful appeal of an automatic penalty will result in double the penalty:

2.2.2.1 The player, coach or team official may appeal the red card or report within 30 minutes of the completion of the game to the Tournament Director.

2.2.2.2 Except in the case of assault of a referee or match official (including threat to assault) the number of offences for players, coaches and team officials relates to the current season and the previous season only and balances (not suspensions which do carry over) are reset to zero at the start of every third season in which the player participates.

2.2.2.3 If a player, coach or team official is suspended for a fourth offence in any two-season period as described above regardless of what the previous offences were then he/she shall be suspended for the balance of the tournament.

2.2.2.4 Whilst a player, official or registered member is under report for an offence to be heard by the Tournament Director they are ineligible to perform the role for which they were reported until the report has been determined.

2.2.2.5 For clarity, the Tournament Director can decide to suspend someone from all activities or some activities for some of the period. For example, four games as a player but can continue to coach or referee.

2.2.2.6 If a complaint of deliberate contact to a sensitive body part is made, but the complaint is found to be without substance or made for an ulterior motive, the complainant maybe liable to a suspension.

2.2.2.7 Provocation is not a defence but may be taken into consideration by the referee and Tournament Director when considering grading of offences and the sentence to apply.

2.2.2.8 A referee, upon being advised that a player, coach or team official has appealed the automatic suspension, may advise the Tournament Director that he/she does not want to defend the appeal or that he/she is prepared to lower the grading of the offence. The Tournament Director, at his/her sole discretion may settle the Appeal without hearing if the player, coach or team official accepts the downgrading or it appears reasonable that the player, coach or team official's suspension be cancelled altogether.

2.2.3 Coaches and team officials:

2.2.3.1 During and incidental to a match, referees and match officials will use a yellow and red card system to govern the behaviour of all coaches and team officials. Referees are encouraged to warn coaches and team officials before issuing a card. A red card may only be issued to a coach after that coach has been warned using a yellow card first, unless, the incident, in the opinion of the referee or match official, is extreme enough to warrant the immediate use of a red card.

2.2.3.2 A yellow card indicates a warning. A red card indicates that the coach or team official against whom the card was issued must leave the pool deck area immediately for the remainder of the match.

2.2.3.3 Subject as hereinafter provided, a red card will result in a minimum one game suspension in accordance with the table in Clause 2.2.1 for the coach or team official against whom it was issued commencing immediately after the completion of the game in which it occurred.

2.2.3.4 Every red card is to be reported to the Tournament Director who will confirm the suitability of the automatic penalty based on the conduct for which the card was issued, or he / she may issue a greater penalty at their discretion.

2.2.3.5 A person against whom a red card is issued may appeal that card to the Tournament Director as per Clause 2.2.2. Should that person be found guilty of the conduct for which the card was issued after appealing, then that person will receive a minimum of twice the penalty that would have otherwise been imposed.



2.2.3.6 Notwithstanding any other provision of this Clause, should a referee or match official consider that the conduct of a coach or team official is such that it should be referred to the Tournament Director then he or she may do so irrespective of whether a red or yellow card has been issued to that person in respect to the conduct. The Tournament Director has the power to reprimand, fine, suspend, disqualify, expel or otherwise deal with that coach or team official as he / she sees fit.

2.2.3.7 All reports of assaulting a referee or match official (or threatening to assault a referee or match official) shall be referred to the Tournament Director.

2.2.4 Complaints against referees/match officials:

Official complaints by clubs against referees/officials must be made in person to the Tournament Director within 30 minutes of the conclusion of the relevant match in which it occurred. The Tournament Director will hear the charges and make a decision within 30 minutes.

Please note FINA Rule WP 7.1 when considering appeals/complaints:

The referees shall be in absolute control of the game. Their authority over the players shall be effective during the whole time that they and the players are within the precincts of the pool. All decisions of the referees on questions of fact shall be final and their interpretation of the Rules shall be obeyed throughout the game. The referees shall not make any presumption as to the facts of any situation during the game but shall interpret what they observe to the best of their ability.

2.2.5 General

2.2.5.1 Where any charge of bringing the game into disrepute or charges that relate to FINA/WPA/WPV/BJWPT rules are made against any player, coach or club or league official, the Tournament Director will determine the matter. The evidence of the referee shall be given greater weight than the evidence of any other person(s).

2.2.5.2 The decision of the Tournament Director is final and there is no other appeal channel

2.3 Resolving reported breaches under Method 2 – Formal complaints by Officials or individuals of competing Clubs

2.3.1 Upon receipt of a complaint the Tournament Director will investigate the complaint immediately.

2.3.2 The Tournament Director may in the course of investigating the complaint, interview the complainant, the respondent, the referees, table officials, nominated club representatives for the BJWPT, any relevant witnesses and any available video footage.

2.3.3 Players and club officials must be aware of FINA Rule WP 7.1. Refer item 2.2.4 above.

2.3.4 The Tournament Director is not required to deliver formal written reasons of decision, but the decision must be communicated to the accused person. The Tournament Director may communicate the decision to the person's club, the subject or victim, or any other third party at his / her discretion.

2.3.5 The decision of the Tournament Director is final and there is no other appeal channel



2.4 Distribution of Reports

2.4.1 Referee completes report, and along with the Team Sheet for the game and gives it to the BJWPT Live Scoring Official. That official will pass on the report to the Tournament Director.

2.4.2 The Tournament Director will forward the report to the relevant governing body for the club associated with the player, official or individual in question including:

- details of the report
- referees involved and their contact details
- athletes involved and their contact details.

2.4.3 A copy of the report will also be forwarded the Registrar or President of the Club of the athlete, official or individual reported for their records.

2.5 Penalty Adjustment Factors

After a guilty verdict has been found and Incident Severity Levels applied, other adjustment factors may be considered to increase or decrease the prescribed penalty. These factors are:

- Previous reports and/or appearances at the Tribunal and outcomes
- Length of sport participation without being reported
- Acknowledged service to the sport (e.g., coach, referee, official, volunteer)
- Circumstances of the offence

Notes:

1. More than one adjustment factor may be applied to the original penalty.
2. The Tournament Director has absolute authority as to whether to increase or decrease the penalty based on the above adjustment factors and to determine whether any portion of the penalty is to be suspended and the duration of the suspension period.

2.6 Notification of Penalties

The Tournament Director will advise the player/coach/team official and club of penalties to be applied within 30 minutes of the report or completion of the game in which it occurred whichever is the latter.

2.7 Suspensions

Any suspension awarded to a player, coach or team official as contemplated herein only applies to that person's involvement and participation in the BJWPT except where the conduct for which the person is suspended is deemed by the WPA Board or local governing body such as WPV to warrant suspension from all levels of water polo competition under their control or ambit, a member or a club, in which case that governing body, member or club must enforce and uphold that suspension in relation to such other levels of water polo. Suspensions carry over from year to year and are not diminished at the end of a season.