



## STA DISCIPLINARY GUIDANCE

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## DEFINED TERMS

Term	Meaning
Affiliated Touch Clubs	Clubs that are affiliated to the STA through their Regional Association. In this document this also includes unconstituted teams that play in events affiliated to the relevant Regional Association or STA
Credible	An individual who had good sight of the Incident and is able to accurately and reliably describe what happened. Credibility may be enhanced if the person has significant Touch experience and/or holds a senior role in a regional association or the STA
Disciplinary Code	The STA Disciplinary Code
In-Game	At or around the time of a match whether this is in the vicinity of or on the field of play. This includes any period prior and after the match from the moment of arrival at the pitch to the departure of the last player
The Incident	The event that has arisen In-Game which resulted in the Player being dismissed from the game. In cases where the Player has been dismissed for a period of time on multiple occasions this will refer to more than one event
Neutral	An individual who has no known affiliation to any participant in the match, be that personal or through team membership and whose account is likely to be unbiased and objective
Panel	Disciplinary Panel
the Player	The player who was dismissed from the game
Regional Association	A Regional Association affiliated to the STA
Sledging	the practice whereby some players seek to gain an advantage by insulting or verbally intimidating the opposing player
STA	Scottish Touch Association
Tournament Organiser	The person with primary responsibility for the running of an affiliated Touch tournament

## A. INTRODUCTION

### PURPOSE

1. This document provides guidance on how the Scottish Touch Association (STA)'s Disciplinary Code is used in practice. It details what the responsibilities are for each party before, during and after the process has taken place. The STA Disciplinary Code can be found on the STA website at <http://www.scottishtouch.org.uk/refereeing/disciplinary-procedures/>

### APPLICATION AND SCOPE

2. This guidance will be applied by the STA or relevant affiliated Regional Association for In-Game matters only. For out of game matters, the STA or relevant affiliated Regional Association should use policies established to protect participants, volunteers and the sport of Touch.
3. The Affiliated Regional Association has responsibility for disciplinary issues for all affiliated local competitions except Scottish Touch Series events.
4. The STA has responsibility for disciplinary issues for all affiliated national tournaments including Scottish Touch Series events.
5. This guidance applies only to incidents where a referee has deemed that the player should be dismissed for the remainder of the game or where the player has received two or more dismissals for a period of time within the same day. Any lesser violation should be dealt with in the appropriate manner by match officials in accordance with the FIT playing rules.
6. In accordance with their duty of care, Tournament Organisers may prevent any participant from taking part in later games on the same game day if in their considered opinion the safety of match participants may be put at risk. In such a situation, it is expected that the Tournament Organiser refers the case to a Disciplinary Panel using the process in this guide to consider additional sanctions.
7. The handling of disciplinary issues for international events is out-with the scope of this guide and is subject to the relevant Federation of International Touch and European Federation of Touch policies. However, the STA reserves the right to retroactively invoke this process to any of its members participating in such events.

8. Affiliated Touch Clubs may at their discretion impose additional sanctions on the Player but must as a minimum comply with the Disciplinary Panel's decision. It is suggested that Affiliated Touch Clubs await the outcome of the disciplinary process and act to complement the Panel's verdict, especially to help avoid a repeat offence.

#### **LAYOUT**

9. This guide breaks the process down into simple steps, however it is important that you read through all pertinent sections so that you know the part of the process that relates to you and what your responsibilities are.

10. This guide presents information in chronological order, splitting tasks into those before, during and after the disciplinary process. Deadlines (**in bold**) must be met at all times or this will lead to difficulties for all parties. It is vital that all pre-process tasks are completed prior to the season to avoid undue delay and confusion.

#### **CONFLICT OF INTEREST**

11. If at any time there is a conflict of interest present, this should be announced by the relevant party and they should withdraw from the process immediately. It is important therefore to have a reserve available at every stage of the process. Any individual not owning up to a relevant conflict of interest may be subject to disciplinary procedures.

## B. ACTIONS FOR ALL PARTIES INVOLVED IN THE PROCESS

### **THE REFEREE**

#### *Before*

1. Read and understand this guidance

#### *During*

1. Ensure that at the time of the Incident you obtain the name of Player(s) involved and anyone who could act as a neutral and credible witness.
2. Immediately advise the Disciplinary Officer, tournament organiser and Regional/ National Referee Director that a player has been dismissed from the match. You should provide the name of the player and their team name.
3. Complete the Incident Report Form (copies are available to download at <http://www.scottishtouch.org.uk/refereeing/disciplinary-procedures/>).
  - a. Request any buddy referee to check your statement and add their own comments.
  - b. Agree with any buddy referee on the recommended length of any suspension. A two week suspension is the default but you may elect to recommend no further ban (0 weeks) to a life-time ban.
  - c. Email the form to the STA/ RA Disciplinary Officer **no later than 48 hours after the Incident**.
4. You should advise the STA/ RA Disciplinary Officer of your availability for any hearing if this is required. You may have one referee representative accompany you for support.

#### *After*

1. You have the right to hear the outcome of the process. You should be advised by the Disciplinary Officer as soon as the process is complete.

## **THE ASSOCIATION (THE REGION OR STA)**

*Before*

1. Appoint a Disciplinary Officer. This individual has responsibility for managing the overall process for the association. If the Disciplinary Officer is not available, the President shall assume this task.
2. Ensure that a Disciplinary Panel roster has been assembled.

*After*

1. Ensure that accurate records are held and retained for any breaches of the Disciplinary Code, referee reports, Panel deliberations, the outcomes of any hearings and any other pertinent papers. Such papers must be held by the association in accordance with STA policy for information handling.

## **THE DISCIPLINARY OFFICER**

*Before*

1. Assemble a Disciplinary Panel roster. This should consist of 6 people and preferably include an even gender split. Ideally the panel should consist of a mix of experienced referees, players and/ or administrators.

*During*

1. Once advised of a dismissal, contact 3 individuals from the Disciplinary Panel roster to form a Panel. In forming a panel you should:
  - a. Advise the Panel member of the name of the Player and their team name;
  - b. Ask whether any Panel member has any Conflict of Interest. If they do, call on a reserve panel member;
  - c. Arrange for a date that the Panel can meet. **This needs to be within 96 hours of the Incident;**
  - d. Arrange for a suitable venue and reimbursement of any expenses incurred; and
  - e. Appoint one of the Panel members to chair the meeting.
2. You should liaise with the Panel to ensure they have all pertinent documents (including the referee report) at their disposal.

3. You must advise the tournament organiser, referees, the Player and their team captain of the date, time and venue of the hearing and that they may be called upon to attend. No documentation should be shared with the Player, referees or tournament organiser.
4. On completion of the hearing, you should ensure that the chair of the Panel delivers its report to you **within 24 hours** of the hearing. You should report that decision to the tournament organiser, referees, the Player and their team captain immediately. The referees should receive this information in a separately addressed email. You should also advise the Player of his/her right to appeal. Any appeal must be in writing (an email is acceptable) and received **within 48 hours** of your email with the Panel's decision.
5. If the Player chooses to appeal the decision, the matter is referred to the Disciplinary Appeals Panel – see the boxed text below. You should:
  - a. Advise the Appeals Panel member of the name of the Player and their team name;
  - b. Ask whether any Appeals Panel member has any Conflict of Interest. If they do, call on a reserve panel member;
  - c. Arrange for a date that the Appeals Panel can meet. **This needs to be within 72 hours of the appeal**; and
  - d. Arrange for a suitable venue and reimbursement of any expenses incurred.

At **Regional** Association level, the Disciplinary Appeals Panel consists of the President, the Disciplinary Officer (you) and the Referee Co-ordinator. Any regional association committee member may act in reserve.

At **STA** level, the Disciplinary Appeals Panel consists of the President, the Disciplinary Officer (you) and Director of Volunteer Management. Any STA Board member may act in reserve.

At either level, no member of the Disciplinary Panel may also sit on the Disciplinary Appeals Panel for any single case.

6. You should liaise with the Disciplinary Appeals Panel to ensure they have all pertinent documents (including the referee report and Panel report) at their disposal.
7. You should attend and minute the appeal hearing while the President chairs it.
8. You should report the Disciplinary Appeals Panel's final decision in writing to the tournament organiser, referees, the Player and their team captain **within 24 hours** of the end of the appeal hearing. This decision is final. Note that if the appeal is declined, a further 2 weeks should be added to the length of any playing ban.

*After*

1. Ensure that all papers and emails relating to the disciplinary process are retained in accordance with STA policy for information handling.
2. (if Regional Disciplinary Officer) ensure that the STA Disciplinary Officer is made aware of any playing ban. (if STA Disciplinary Officer) record the ban and notify Regional Associations as appropriate.

## **THE DISCIPLINARY PANEL / APPEALS PANEL**

*Before*

1. Read and understand this guidance

*During*

1. When advised by the Disciplinary Officer of the name of the Player and team, consider whether a Conflict of Interest applies. If so then this must be declared immediately.
2. Ensure you have read and understood the referee report and any other pertinent information prior to the meeting.
3. At the Panel meeting, you should schedule interviews with the referees, the Player, tournament organiser and anyone else (including neutral witnesses) you deem pertinent. You should ensure the Disciplinary Officer knows who is required to attend. No witness should be in the room together – each must be interviewed separately. Telephone or video-link interviews are acceptable.
4. Ensure that the Panel chair completes a report as a record of proceedings including the Panel's decision on any playing ban or other sanction. Ideally this report should be completed at the conclusion of the meeting. See Annex A for a report template. Guidance for the length of any ban is provided at Annex B.
5. Ensure the report is sent to the Disciplinary Officer **within 24 hours** of the close of the Panel meeting.

## **THE PLAYER**

*During*

1. After the Incident, you should ensure that your team captain has your contact details. To facilitate the process, you should consent to having your contact details passed on to the tournament organiser and Disciplinary Officer. This can be done through your team captain if you prefer.
2. You may find it useful to write down your account of the Incident and share that with your team captain and the Disciplinary Officer – this should be **done no later than 48 hours** after the Incident. The Disciplinary Officer will pass this account on to the Panel who will use it to inform their decision.
3. You may also find it useful to familiarise yourself with this guidance.
4. You should be sent an email from the Disciplinary Officer advising you of a Disciplinary Panel meeting to take place **no later than 72 hours** after the Incident. Contact the Disciplinary Officer if you do not receive any such email or ask your team captain to do so.
5. You should make yourself available for the Panel meeting if possible though you may brief someone to represent you if you wish. You may have one person with you to support you. You have the option to call or video-link into the hearing if you prefer.
6. You should be copied into an email from the Disciplinary Officer advising you of the Panel's decision **no later than 48 hours** after the meeting. Contact the Disciplinary Officer if this does not happen or ask your team captain to do so. This email will offer you the right of appeal against the decision. You should note that if an appeal is not upheld, any playing ban is automatically extended by 2 weeks.
7. You should email the Disciplinary Officer **no later than 48 hours** after his/her email with your decision to either accept the Panel's decision or to appeal it. You may ask your team captain to reply on your behalf. You should note that if an appeal is not upheld, any playing ban is automatically extended by 2 weeks.
8. If you choose to accept the Panel's decision see step 11. If you choose to appeal, a Disciplinary Appeals Panel will be convened **within 72 hours of your reply**. You should receive an acknowledgement from the Disciplinary Officer along with details of the time, date and venue for the Disciplinary Appeals Panel meeting.
9. You should make yourself available for the Disciplinary Appeals Panel meeting if possible though you may brief someone to represent you if you wish. You may have one person with you to support you. You have the option to call or video-link into the hearing if you prefer.
10. You should receive an email from the Disciplinary Officer advising you of the Appeal Panel's decision **no later than 24 hours** after the meeting.

## *After*

1. If you are subject to any ban then you should receive an email from the tournament organiser advising you of such and confirming the date you may resume playing. Unless otherwise noted by the Panel, you may attend as a spectator but may not take any active (incl. coaching) part in any match while the ban is in force.
2. Note that a ban covers all affiliated tournaments in Scotland so if you are in any doubt you should consult with the Disciplinary Officer to see whether other events affect the date at which you are permitted to resume playing.

## **THE TOURNAMENT ORGANISER**

### *Before*

1. Read and understand this guidance

### *During*

1. Speak to any referees and players involved in the Incident alongside anyone you feel could act as a neutral and credible witness. With their permission note their names and contact details with a view to sending these to the Disciplinary Officer.
2. Ask the referees officiating the match to complete an Incident report form and have them send it to the Disciplinary Officer. You may advise the Player of his right to draw up an account of the Incident for sending on to the Disciplinary Officer.<sup>1</sup>
3. Ensure all parties are aware of this guidance.
4. You should be copied into an email from the Disciplinary Officer advising you of a Disciplinary Panel meeting to take place **no later than 72 hours** after the Incident. Contact the Disciplinary Officer if this does not happen.
5. You should make yourself available for the Panel meeting if possible though you may brief someone to represent you if you wish. You might not be called – that is for the Panel to decide.
6. You should be copied into an email from the Disciplinary Officer advising you of the Panel's decision **no later than 24 hours** after the meeting. Contact the Disciplinary Officer if this does not happen.

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<sup>1</sup> If it is the Tournament Organiser who has cited the Player to appear before the Panel then it is the Tournament Organiser who compiles the report.

7. You should be copied into an email from the Player or their team captain advising the Disciplinary Officer whether to accept or appeal the Panel's decision **no later than 48 hours** after the Disciplinary Officer's email to the Player (at step 6 above).
8. If the Player chooses to appeal, a Disciplinary Appeals Panel will be convened. You should receive an email from the Disciplinary Officer advising you of the Appeal Panel's decision **no later than 24 hours** after the meeting.

*After*

1. You have a shared duty with the Player and the Team Captain to ensure that the playing ban is enforced for your league. Note that a ban covers all affiliated tournaments in Scotland so if you are in any doubt you should consult with the Disciplinary Officer to see whether other events affect the date at which the Player can resume playing.
2. You should email the team captain and Player to confirm the date he/she may resume playing in your league. Unless otherwise noted by the Panel, the Player may attend as a spectator but may not take any active (incl. coaching) part in any match while the ban is in force. No ban starts until the disciplinary process is complete.

## **ANNEX A – DISCIPLINARY PANEL REPORT TEMPLATE**

<b>Disciplinary Panel Report</b>			Ref: 2013/001
Name:		Referee(s):	
Team:			
League:			
Incident Date:		Region:	
<b>Summary of Panel's Deliberations:</b>			
<b>Panel Verdict on additional sanctions for player (note this paragraph will be repeated in writing to the player by the Disciplinary Officer):</b>			
<b>Signature (Chair)</b>	(name)	(date)	
<b>Signature (Panel Member)</b>	(name)	(date)	
<b>Signature (Panel Member)</b>	(name)	(date)	

## ANNEX B – GUIDANCE FOR SANCTIONS

Note that the list overleaf is not exhaustive and the length of ban is dependent on many factors and rests entirely at the discretion of the Disciplinary Panel/ Appeals Panel. It has been reproduced with kind permission by Touch Football Australia.

A minimum suggested penalty and a maximum suggested penalty have been included with each of the infringements listed. The spread between the minimum and maximum suggested penalties has deliberately been made wide to provide a large range of possible penalties. However, these are only suggested minimum and maximum penalties and the Disciplinary Panel may determine that it is appropriate to impose a higher or lower penalty.

As each matter must be judged upon its own merits, it is highly likely that individual cases of what might appear to be 'similar' infringements will actually receive different penalties due to the possibility of differing circumstances surrounding the incidents.

Each individual case must be judged entirely upon its own merits. The Disciplinary Panel upon hearing all the evidence presented may decide to waive the imposition of any penalty, or award a lesser or greater penalty than the suggested minimum or maximums.

Any penalty that may be imposed by the Panel is to discourage unacceptable behaviour from members, either on or off the field of play.

The Disciplinary Panel may impose a sanction which is partly or wholly suspended which may be used to encourage participants to improve their behaviour in future. Sanctions may also be mitigated by suggested positive courses of action which involve making a contribution back to the sport of Touch, e.g. attending a referee course.

These sanctions are for the Disciplinary Panel to consider and do not affect the power that Tournament Organisers have to enforce an immediate sanction to protect the safety of participants. However, the Disciplinary Panel should consider any such pre-applied sanction when considering the length of any further sanction.

### Infringements against another Player

Infringements	Example	Minor Incident	Major Incident	Recommendation
<b>Bad sporting behaviour</b>	Claiming a touch when it has not occurred	Minimum 1 game suspension	Maximum of 12 games or 3 months suspension	Any action considered not to be in the spirit of the game of Touch Football should receive a penalty.
<b>Condescending language or signals</b>	Sledging	Minimum 1 game suspension	Maximum of 12 games or 3 months suspension	Speaking in a condescending manner, or using condescending signals towards another participant should receive a penalty
<b>Offensive language or signals</b>	Swearing	Minimum 2 games suspension	Maximum of 24 games or 6 months suspension	Use of offensive language or signals towards another participant should receive a penalty.
<b>Deliberately pushing, grabbing or tripping</b>	Pushing, grabbing or tripping	Minimum 3 games suspension	Maximum 48 games or 12 months suspension	Deliberately pushing, grabbing or tripping another participant should receive a penalty.
<b>Deliberately using an elbow, forearm or shoulder</b>	Impact through elbow, forearm or shoulder	Minimum 4 games suspension	Maximum life suspension	Deliberately using an elbow, forearm or shoulder on another participant should receive a penalty
<b>Deliberately striking, with an open hand</b>	Slapping – with the intent to connect	Minimum 4 games suspension	Maximum 48 games or 12 months suspension	Deliberately striking, with an open hand, another participant should receive a penalty
<b>Deliberately striking, with a closed fist</b>	Punching – with the punch thrown with the intent to connect	Minimum 6 games suspension	Maximum life suspension	Deliberately striking, with a closed fist, another participant should receive a penalty
<b>Participating in a fight</b>	Connection of one or more punches thrown by two or more participants	Minimum 8 games suspension	Maximum life suspension	In any fight, both the instigator/s and the retaliator/s shall be treated in an equal manner. It is recommended that anyone participating in a fight should receive a penalty.

### Infringements against a Referee or Official

Infringements	Example	Minor Incident	Major Incident	Recommendation
<b>Bad sporting behaviour</b>	Continual backchat	Minimum 2 games suspension	Maximum of 24 games or 6 months suspension	Any action considered not to be in the spirit of the game of Touch Football should receive a penalty
<b>Condescending language or signals</b>	Sledging	Minimum 2 games suspension	Maximum of 24 games or 6 months suspension	Speaking in a condescending manner, or using condescending signals towards a referee or official should receive a penalty
<b>Offensive language or signals</b>	Swearing	Minimum 4 games suspension	Maximum 48 games or 12 months suspension	Use of offensive language or signals towards a referee or official should receive a penalty
<b>Deliberately pushing, grabbing or tripping</b>	Pushing, grabbing or tripping	Minimum 6 games suspension	Maximum life suspension	Deliberately pushing, grabbing or tripping towards a referee or official should receive a penalty
<b>Deliberately using an elbow, forearm or shoulder</b>	Impact through elbow, forearm or shoulder	Minimum 8 games suspension	Maximum life suspension	Deliberately using an elbow, forearm or shoulder on towards a referee or official should receive a penalty
<b>Deliberately striking, with an open hand</b>	Slapping – with the intent to connect	Minimum 8 games suspension	Maximum life suspension	Deliberately striking, with an open hand, towards a referee or official should receive a penalty
<b>Deliberately striking, with a closed fist</b>	Punching – with the punch thrown with the intent to connect	Minimum 12 games suspension	Maximum life suspension	Deliberately striking, with a closed fist, towards a referee or official should receive a penalty

### Other Infringements

Infringements	Example	Minor Incident	Major Incident	Recommendation
Deliberate breach of competition or tournament rules of eligibility Participating while suspended in any TFA affiliate or event Continual send offs throughout a competition	Unregistered players	Suspended remainder of competition or tournament	Maximum of 24 games or 6 months suspension	Breach of the Rules of Eligibility for that Tournament should receive a penalty
	Currently serving a suspension	Increased sentence by half the original suspension	Increased sentence by the full amount of time originally suspended	Anyone participating in a game of Touch Football whilst under suspension should have the original suspension increased
	After serving an automatic suspension for a send off, incidents occur again	Minimum 2 games suspension	Increased penalty if any of the above infringements have occurred	Summoned to appear before the tribunal to show cause why they should not receive an increased penalty