



## FSC REFEREES

### POLICY ON DISCIPLINING OF MEMBERS

#### Preamble

The role of a referee is of utmost importance in ensuring the integrity and reputation of the Game.

Referees are the representatives of the Administration of the Game on the Field of Play and their actions and behaviour in administering the Laws of The Game and controlling matches **must be beyond reproach**.

The significance of the role leads to a **higher level of accountability** for all actions that are not in the best interests of the Game or reflect adversely on the integrity, honesty, reputation and standing of the referee, FSC Referees or referees generally.

It is important to recognise that, when taking the role of a referee, you are assuming a role that demands the highest standards of behaviour both on and off the field to ensure:

- Your reputation as a referee is not compromised
- The reputation of referees generally is not compromised.

It is a difficult task often carried out in stressful and difficult environments, however, a referee can never allow their behaviour to reflect anything but the highest standard in whatever role they may be associated with in the Game of Association Football including that of spectator, coach, player, official or any other activity in which the Game, themselves as a referee or referees generally might be adversely affected.

If, whilst refereeing, others take inappropriate action either against you or the Game, it is incumbent on Football bodies to support you and your colleagues and many processes and procedures are in place to ensure this occurs.

Nevertheless, there are times when a Member's behaviour may not be up to standard and this Policy is designed to deal with these cases. It is incumbent on FSC Referees to ensure the reputation of referees and the game is appropriately protected in such circumstances.

#### Member of FSC

All FSC Referees are bound by the FSC Referees' Code of Conduct in addition to other FSC Policies which can be found on the FSC website.

However, a Member of FSC Referees is, by definition in the FSC Constitution, also a Member of

FSC and is consequently bound by all Regulations Policies and Codes of Conduct relevant to Members of FSC. This includes coverage by, including, but not limited to, the FSC Disciplinary and Disputes Regulations, FFA, FNSW and FSC Codes of Conduct, Policies, and Regulations.

### **Aim and Purpose of the Policy**

This Policy enables FSC Referees to, when necessary, exercise their own peer considerations of inappropriate behaviour by FSC Referee Members whether committed:

- as a referee or
- whilst acting in another role (eg player, spectator, coach, club official etc),

which has the capacity to adversely affect the individual's reputation and standing as a referee or the reputation and standing of referees generally.

### **Offences Committed as a Player, Coach, Club or Team Official Reported by the Match Official or Ground Officials. (ie Red Cards, Expulsion from Technical Area, Incident Reports etc.)**

Where a Member participating in any of the above roles is the perpetrator of any of the offences listed below, to be dealt with by the controlling football body under its Disciplinary processes, following any finding of the Football Disciplinary body, the referee Member will be subject to the following:

| <b>Offence</b>                                                        | <b>Sanction</b>                                                                                                                                                                            |
|-----------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>R1 Serious Foul Play</b>                                           | <b>Suspension from Refereeing for the same number of WEEKS as from playing.</b>                                                                                                            |
| <b>R2 Violent Conduct</b>                                             | <b>Suspension from Refereeing for the same number of WEEKS as from playing PLUS appearance before Council if suspension in excess of 5 weeks</b>                                           |
| <b>R3 Spitting at an opponent or any other person</b>                 | <b>Suspension from Refereeing for the same number of WEEKS as from playing PLUS appearance before Council if suspension in excess of 5 weeks</b>                                           |
| <b>R4/R5 Denying Goal Scoring Opportunity</b>                         | <b>No additional Sanction</b>                                                                                                                                                              |
| <b>R6 Use of Offensive, Insulting or Abusive language or gestures</b> | <b>Suspension from Refereeing for the same number of WEEKS as from playing plus appearance before Council if for Discriminatory (ie racist, religious, ethnic or sexist etc) language.</b> |
| <b>R7 Second caution in same match</b>                                | <b>No additional Sanction unless other offences following the issue of the second caution are reported in which case the suspension will reflect the disciplinary outcome</b>              |

All the above suspensions are in weeks not matches. This means that a referee sent off in a junior game receiving a three game suspension cannot be appointed to referee for three weeks even if this means that the number of games he/she might have refereed in that time will exceed three.

The same criteria will apply to any Member who might be acting as Coach, Team Manager or other role in the Technical area on match day and is removed by the match official and dealt with through the Football body's Disciplinary processes.

**Any of the above offences committed against a match official will require an appearance before the FSC Referees' Council.**

**Offences committed as a Coach, Official, Spectator or otherwise as listed in FSC Disciplinary Regulations in Causes 22.5 or 22.6 will be dealt with by the FSC Referees Council and, in general, suspensions from refereeing will be at least equivalent to those issued for the Role but will be likely to also incur a loading.**

### **Complaints to be in Writing**

Where a written report/complaint is received by Football South Coast regarding an FSC registered Referee the complaint will be referred to the Disciplinary Commissioner (DC).

The DC, in consultation with the Head of the Referees' Council may, at their discretion:

- (i) Determine that no action is necessary
- (ii) Determine whether investigation is necessary and/or appropriate.
- (iii) Refer to the Referees' Council or its nominated Disciplinary Committee delegates (Council or delegates) consisting of at least three (3) members.
- (iv) In exceptional circumstances refer the incident to a General Purpose Tribunal (GPT) under FSC Disciplinary and Disputes Regulations.

This GPT to be nominated by the Disciplinary Commissioner and must include at least one non active person who is a member of the Referees' Council or former member of the Council or its predecessor, ISRA, or other association equivalent.

- (v) Subject to the seriousness of the allegations, determine that the referee concerned should be removed from appointments until investigations and/or hearings have been completed.

## **Process of Investigation**

Where an investigation is necessary, the member shall be given notice of the receipt of the complaint in writing, including a copy of the complaint, and shall be given at least seven (7) days' notice to respond.

Should other information be sought from the complainant or other witnesses, the details of this information should also be provided to the complainant.

Any member requested to appear before the Council (or its delegates) shall be notified in writing. Such notification shall include full details for the reason for their appearance and shall provide the member with:

- Any written complaint received (the DC and the Chair may exclude irrelevant information or identities from the information provided at the time of distribution, but if required, the identities should be made available at the hearing)
- At least seven (7) days' notice of the hearing (this period can be shortened by mutual agreement between the Council or delegates and the Member but the member must request or agree to any shortening of the timeframe in writing)
- The date time and place for the hearing
- Full details of any possible charges that might lead to Sanctions being applied.
- An indication that the member will be provided with full opportunity to respond to the allegations. This may include a request that a written response is provided by the member 24 hours prior to the hearing.

## **Possible Sanctions**

Where inappropriate conduct against a member is determined the Council or Delegates may issue the following Sanctions either exclusively or as a combination:

- Expel the Member from Football South Coast Referees
- Suspend the Member from Membership for a specified period of time
- Fine or censure a member - in which case the fine may be a specified amount or equivalent to a specified match fee or combination of match fees to a daily maximum.
- Suspend the Member from Appointments for a number of matches, weeks or period of time – in the latter case the period of time must be specified.
- Issue directions to the Member which must be followed
- Formally warn/reprimand a Member or
- Dismiss the case.

## **Suspension of Certain Sanctions**

It should be noted that any suspension from refereeing for a period of time or any fine or parts thereof of both, may be suspended for a period of time to be applied in the case of any future occurrence within the specified timeframe should there be any future occurrence or breach.

Where such suspended sentences are determined full details under which the suspended sentence would be applied must be notified to the Member

## **Pre-Determination of Recommended Sanctions**

Should the Disciplinary Commissioner, in consultation with the Head Council consider that, based on all reports received, there is, on the balance of probabilities, a significant chance the complaint is valid and that Sanctions will be applicable, they may recommend to the Member certain applicable Sanctions for the Member's acceptance.

The correspondence should ensure:

- the Member is aware the Sanctions are recommended for acceptance but the decision to accept them is the Member's
- a date by which the Member's decision is to be made is given
- the Member is aware that, should they not accept the Sanctions, the case will be heard by the Referees' Council or any other Tribunal (eg General Purpose Tribunal) considered appropriate by the DC for the offence.

## **Procedure at Hearing**

The Head of Council (or Chair of the Disciplinary Delegates) must ensure the Member has every opportunity to present their case in response to the allegations made.

The Member has the right to have a support person in attendance but such person shall not be a witness whose evidence is being relied on by either party.

Where the Member is a minor or any witness is a minor and has been asked to appear they **MUST** be accompanied by a responsible person – parent or guardian or a person with written approval from the parent or guardian to accompany the minor.

The Member may present written or verbal submissions in answer to the allegations.

Written submissions may be provided by any witness the Member wishes to give

evidence. Any written submission MUST be provided at least 24 hours prior to the hearing to allow the members of Council to review the submission. A witness may not give verbal evidence without having submitted the statements referred to above within the required timeframe

Where a witness provides a written statement the Chair may determine at their discretion that they wish to question the witness and, in such cases, issue an invitation for the witness to appear or to give evidence by phone.

### **Determination**

Where the Council or its delegates find on the balance of probabilities that the complaint is proven, they may, by resolution, apply any of the Sanctions from the list above consistent with the broad application of the Table of Offences guidelines.

The Chair shall ensure that FSC shall, as soon as practicable, but no later than 72 hours following the hearing, cause a notice in writing to be served on the Member:

- Setting out the resolution of the Council or its delegates and, if needed the grounds on which it is based and
- Advising the Member of their right of appeal and the process for this to happen.

Where a Member has been expelled or suspended for a specified period, then the Member shall not be entitled to appointments until the outcome of any appeal lodged, or his suspension period has been served. (Suspension could include all activities of Refereeing or from officiating at any fixture.)

### **Appeal**

The Member may appeal to the FSC Referees' Appeals Committee by lodging notice with FSC Administrator, seeking review of the finding to set it aside or vary the Sanctions imposed.

The following are the only grounds of appeal:

- The member was not afforded a reasonable opportunity to present their case
- Severity of Sentence where the suspension is longer than three (3) weeks or a fine is greater than one weeks' match fees
- The decision of the Tribunal was affected by actual bias (Evidence must be provided with the Notice of Appeal)
- The decision was not one open to the Council or its delegates based on evidence presented
- FSC or an FSC Referees member complainant may appeal on the basis of leniency of a decision.

### **Notice of Appeal**

If a member wishes to appeal they must submit the notice in writing within seven (7) days of

receiving Notice of the decision of the Council of its delegates.

The Notice of Appeal must contain the following information:

- The name of the party lodging the Appeal and
- The grounds upon which the party seeks to rely from those listed above.

A party must not submit any new material which was not before the Tribunal except where special dispensation is granted by the DC in consultation with the Head of Council. For such to occur, special or exceptional circumstances must be demonstrated.

### **FSC Referees' Appeals' Committee**

The Appeals Committee shall consist of three (3) persons.

No members will be active referees.

At least two (2) shall preferably be Life Members of FSC Referees, one of whom shall be designated Chair of the committee for the hearing.

One member at any time may be a member of FSC Disciplinary Tribunals or an independent person considered appropriate by the Head of Council and the DC.

### **Findings open to an Appeals Committee**

The Appeals Committee may after hearing all the evidence, pass by a majority vote, based on balance, of probabilities that the appeal:

- Has been upheld:
  - either wholly where the Sanction may be removed or
  - in part where the Sanction may be modified
- Has been dismissed and the penalty stands or
- Was vexatious and had no or little possibility of succeeding and the Sanction should be increased. In such cases a 20% loading (to the nearest whole number above) may be applied to the original Sanction.

### **Notice of Hearing**

A notice of hearing setting out the time and place of the Appeal hearing will be sent within five (5) days of the request for the Appeal.

The notice will also:

- set out the grounds of appeal to enable other parties if any, to prepare a response

- contain all relevant information received
- advise persons required to attend
- advice to refer to this Policy
- Specific mention of the right of the Appeals Committee to increase the Sanction should it regard the Appeal as vexatious or frivolous with no possibility of success.

### **Procedure for Appeals Hearing.**

The Appeals Hearing shall be heard as soon as practicable after lodgement of the Notice of Appeal but no later than twenty one (21) days after lodgement.

Affected parties may give evidence as requested by the Chair.

The Committee shall give its decision as soon as possible after the hearing has been held and the parties must be advised within seven (7) days of the result.

### **Appeals From a decision of the Referees' Appeals Committee**

Should a member wish to appeal a decision of the FSC Referees' Appeals Committee, they must submit an Appeal to the FSC Appeals' Board as detailed in the FSC Disciplinary Regulations

#### **Clause 9.8 APPEALS AGAINST A DECISION OF A FSC MEMBER APPEALS COMMITTEE.**

Such appeals must be lodged within 7 days of receipt of the decision by FSC Referees' Appeals Committee.

For the purposes of Sub Clauses vii and viii of that Clause this Policy would be adequate.



# Schedule of Offences

**Schedule of Suggested Sanctions for Application by a Referees' Disciplinary Tribunal**  
**For**  
**Breach of FSC Referees' Code of Conduct**

| <b>Breach Type</b> | <b>First Offence</b>                                                              | <b>Second Offence</b>                                       | <b>Third and Subsequent</b>                            |
|--------------------|-----------------------------------------------------------------------------------|-------------------------------------------------------------|--------------------------------------------------------|
| Minor              | Counselling                                                                       | Formal Warning and/or Fine to \$20                          | Fine \$20min – match Fee maximum                       |
| Medium             | Formal Warning and/or Fine up to Match Fee                                        | Fine Match Fee and or Suspension to three games             | Fine to match fees for day and suspension to six weeks |
| Serious            | Formal Warning and fine up to Daily match Fees and/or suspension up to six months | Fine to Daily Match Fees and/or suspension to twelve months | Suspension of membership as determined                 |
| Extremely Serious  | Suspension of membership as determined.                                           |                                                             |                                                        |

It is not possible to outline every case a breach that might occur but the following is meant as a guide to the Tribunals considering cases.

## **Minor Breach:**

Inappropriate comments about other Members, Clubs, Players, Coaches or officials in public.

## **Medium Breach:**

Breach of FSC Social media Policy – ie inappropriate use of social media through public criticism of FSC or its decisions, FSC Referees, Clubs, players, officials etc.

## **Serious Breach:**

Inappropriate language (discriminatory, abusive, insulting or offensive) or gestures to players, officials, spectators.

## **Extremely Serious Breach:**

Assault of a fellow Member, player, coach, team official or spectator.

Betting on games in which officiating

Acceptance of bribes