

Softball New Zealand

Zero Tolerance Policy for National Tournaments



Version Control

Version	Author	Comments	Date
1	Softball NZ	Document Creation	03 Mar 2017
2	Softball NZ	On field game incidents – A formal complaint can be received within 7 days of the incident. The previous version allowed 24 hours. Off field incidents – No time limit applies. A formal complaint can be received any time after the incident. The previous version allowed 24 hours.	01 Nov 2018

Overview

Softball New Zealand (SNZ) understands the importance of providing safe and enjoyable environments for all softball participants in New Zealand. SNZ does not tolerate any form of abuse or misconduct, and has adopted this policy to clearly outline the processes and penalties to be applied.

This policy is to be read and applied, where applicable, in conjunction with the SNZ Code of Conduct, SNZ Constitution and its Rule Book.

The penalties outlined within this document are provided as a guide and may be altered at the discretion of the SNZ Management.

Objective

Objectives of this policy are to:

- Remove all unsportsmanlike and abusive behaviour from all aspects of the game of softball in New Zealand
- Protect participants from exposure to such behaviour
- Provide a consistent application of processes and penalties for breaches of the SNZ Code of Conduct.

Application

Policy applies to:

- Administrators, coaches, managers, players, umpires, scorers and spectators in activities or events held by or under the auspices or control of SNZ.

Definitions

Category	Is the Category of Violation as listed in this Policy.
Discipline Committee	The Chief Umpire, STR and the Tournament Administrator will form the discipline committee and adjudicate where necessary.
Game	A game is defined as officially organised softball games that are part of a schedule, roster or draw regardless of competition grades that the player would normally or had normally participated in.
Official	Is any person appointed to an official position of SNZ or Affiliates.
Penalty	Is the punishment imposed as stated in this Policy or imposed by the Disciplinary Committee.
Registered Participant	Is any person appointed to an official position of SNZ or Affiliated organisation.
Spectator	A person observing a game of softball or its associated activities including training, from a position in the immediate vicinity (defined as within hearing) of those activities.
STR	Softball New Zealand Tournament Representative
Umpire	A person controlling and adjudicating a game. This may be an accredited SNZ or Association Umpire, a trainee or a club appointed person acting in the capacity as an umpire.

Policy

A registered participant in organised softball or any spectator will not indulge in any unsportsmanlike behaviour towards other participants, spectators or officials involved in a recognised softball activity including organised training and will adhere to the relevant Code of Conduct.

Unsportsmanlike behaviour will include, but not be limited to:

- a. Verbal abuse and threats
- b. Physical abuse and/or assault
- c. Discrimination
- d. Harassment
- e. Making derogatory statements or gestures
- f. Cheating
- g. Visible dissent of a decision of an umpire or official in an unsportsmanlike manner
- h. Equipment Abuse

(NOTE: Unsportsmanlike behaviour applies to both the instigation of and response to any incident.)

Categories of Offences and Penalties

Unsportsmanlike behaviour has been separated into a number of categories of violation to determine the most appropriate penalty to be applied. These penalties may be amended at any time at the discretion of SNZ.

On diamond umpires will officiate games according to SNZ Rule Book. Umpires will use the discretion given to them in the rules to enforce on diamond behaviour. This includes warning and ejecting players or coaches from the game, or ending the game for due to the violation of certain rules.

The following table identifies penalties that will be given by the discipline committee when incidents are reported to STR. These penalties apply to all administrators, coaches, managers, players, umpires, scorers and spectators at the SNZ tournament.

Category of Violation

Category of Violation	Incident	Penalties		
		1 st Offence	2 nd Offence	3 rd Offence
P1	<ul style="list-style-type: none"> • Use of audible foul language • Disputing judgment or decision of an umpire • Minor equipment abuse • Frivolous complaints (first incident) 	1 Game	2 Game	3 Games
P2	<ul style="list-style-type: none"> • Rough play, barging, pushing etc. • Displays of inappropriate aggressive behaviour • Disparaging or insulting remarks and/or the use of foul language directed toward a player/coach/official/umpire/spectator • Answering back an umpire • Failing to carry out a lawful direction of an umpire 	1 Game	2 Game	3 Games
P3	<ul style="list-style-type: none"> • Answering back an umpire on multiple occasions • Abusing an umpire or official • Deliberately barging with force • Displays of excessive aggressive behaviour • Frivolous complaint (second and further incidents) • Major equipment abuse where there is potential to injure participants and/or spectators 	2 Games Refer Judiciary	4 Games Refer Judiciary	8 Games Refer Judiciary
P4	<ul style="list-style-type: none"> • Fighting after being provoked • Provoking a fight but no further involvement 	3 Games Refer Judiciary	6 Games Refer Judiciary	12 Games Refer Judiciary
P5	<ul style="list-style-type: none"> • Provocation and involvement in fighting • Threatening an umpire, official or player 	6 Games Refer Judiciary	1 Year Refer Judiciary	Refer Judiciary
P6	<ul style="list-style-type: none"> • Physically attacking an umpire 	1 Year Refer Judiciary	Refer Judiciary	Refer Judiciary
P7	<ul style="list-style-type: none"> • Melee 	\$500 fine per club involved and game forfeited Refer Judiciary	Refer Judiciary	Refer Judiciary
P8	<ul style="list-style-type: none"> • Other 	Refer Judiciary	Refer Judiciary	Refer Judiciary

- Note 1: *Melee involves multiple players per team involved in the incident*
- Note 2: *Items P3 to P6 shall invoke an automatic ejection from the game involved*
- Note 3: *Any suspension applies to the next game/s which the offender would otherwise normally have participated in (i.e. grade registered in) regardless of level of competition including representation*
- Note 4: *Note special provisions apply in relation to offences involving trainee and club appointed (non-accredited) umpires*
- Note 5: *'Audible' means to be able to be **clearly** heard by spectators*

Disciplinary Process

1. Any player/coach/team member ejected will be required to appear before the Discipline Committee before 10pm on the day of the ejection (may bring a support person). The Chief Umpire, STR and the Tournament Administrator will form the Discipline Committee and adjudicate.
Note there are exceptions to the rule:
 - Individuals ejected for technical reasons will be exempt from appearing before the Discipline Committee and will receive no further penalty. Please refer to Appendix A for exceptions.
 - In the event there is an ejection on the last day of the tournament the process will be as follows:
 - I. Judiciary is held as soon as possible after the incident. If the incident is during the grand final then the judiciary will take place post prize giving. In the event a member(s) of the judiciary or the person(s) ejected is unable to attend due to travel reasons or exceptional circumstances then the following will occur.
 - II. The judiciary meets via phone conference within 48 hours of the final with the person in question dialling in at a designated time.
2. Anyone required to face the Disciplinary Committee who is under the age of 16 must have a support person with them who is over the age of 18 to help represent them.
3. The ejected player/official is suspended from any games between the time he/she is ejected and the outcome decided by the Committee.
4. If the player/coach/team member refuses to attend the discipline committee meeting they will not be permitted to play any competition games at any level for any team until they appear.
5. If anyone flouts this rule and participates in any game the team they play for will not receive competition points until the said person has attended the judiciary.
6. The Umpire who has ejected the player/coach/team member will be required to provide a written report to be presented at the judiciary by the Chief Umpire.
7. If the Chief Umpire has ejected the player then they will excuse themselves from the judiciary for this hearing and a third member will be elected by the STR to take his/her place.
8. The STR will maintain a written record of proceedings to record relevant statements and discussion points.
9. The Disciplinary Committee will announce their decision at the meeting orally and will provide a written statement of their decision by 10am the next day.

On Field (The Game) Incidents

a. Team Members (Players & Officials)

The incident should be reported in writing to the STR as soon as possible but within 7 days.

b. Other Official or Umpire

The incident is to be reported to the STR as soon as possible but within 7 days.

Off Field (Non-Game) Incidents

a. Registered Participant

Any person witnessing any unsportsmanlike acts or possible breaches of Code of Conduct by any registered participant may report the incident to the STR. Such report should be verbally communicated as soon as possible and then lodged in writing. On receipt of the report, an enquiry will be undertaken by a person appointed by SNZ Management.

b. Parents and Spectators

Any person witnessing any unsportsmanlike acts or alleged breaches to the Code of Conduct, by any spectator may report the incident to the STR as soon as possible and preferably in writing within 24 hours of the incident.

Harassment/Discrimination Incidents

A person who is aggrieved by the actions of another person in terms of harassment or discrimination may lodge a complaint to the STR.

Disputing an Umpire's Decision

Disputing an umpire's decision is not permitted in any circumstance where the decision is a question of judgement. Questions on interpretation should be quickly resolved or a protest entered. Protracted haggling about interpretation is not permitted.

Notwithstanding, questioning a decision based on interpretation of rules is subject to appeal conditions. In practice, someone may not question the umpire's judgement, but if they have erred through a lack of understanding of the rules then this is permitted as an appeal not a dispute.

Querying an Application of the Rules

If a team coach or captain believes a decision regarding an application of a rule is incorrect, he/she may lodge a Protest in accordance with the SNZ Rule Book.

If an umpire is of the opinion that they may have made an error, they may seek assistance from the other umpire/s on the game and if necessary, reverse their previous decision as prescribed in the SNZ Rule Book.

All protests shall be lodged in accordance with the SNZ Rule Book.

Acknowledge and Acceptance

Where an individual is reported for an offence under the parameters contained within this document, they may desire to accept the automatic penalty (as prescribed within penalties) without a hearing or appeal being an “early guilty plea”. In these cases the penalty will be halved with the exception of:

- a. A minimum 1 game suspension applies and
- b. Any Category P6.

The individual must acknowledge written acceptance of the incident and the resulting penalty. This notification must be received by the STR before 10pm the day after the incident.

Appeal

After being advised of the judiciary decision the player/official has the right of appeal. The player/official must not partake in any game fixtures until the appeal has been heard.

An appeal may be lodged in writing to the STR within 24 hours of the delivery of the judiciary decision. An appeal can be lodged by:

- a player or official sanctioned by the disciplinary panel, or their club/association on their behalf
- a victim of illegal and/or foul play for which the oppositions player/official was referred to the disciplinary panel, or their club/association on their behalf
- The chief umpire

A written appeal must state the date of the decision appealed against, specific part of ruling being appealed and the specific grounds for appeal. An appeal must specify the specific point of appeal. Only that point will be considered by the panel. An appeal panel may not review the entire matter. Appeals must be accompanied by a non-refundable payment of \$100 to be received by the STR at the time of the appeal being lodged. Failure to make such payment will result in an invalid appeal

The Appeal Panel will be put together by the SNZ Board and will comprise of three independent (of the incident and the judicial hearing) members. No Panel member may sit on the panel where a conflict of interest could arise. The Appeal Panel has the power to quash, vary or increase any sanction imposed by the judiciary. The appellant has the burden of proving the decision being challenged should be overturned or changed.

Appeal Panel Procedure

- Appeal will be read out to those present
- All other parties other than panel members and the appellant (and their support member if present) shall leave the room
- The appellant will be asked if they wish to proceed with the appeal.
- If the appellant decides not to proceed the appeal will be formally closed and notice will be given.
- Where the appellant advises they wish to continue they may then present their appeal points as per their written appeal. They cannot introduce new points.
- The Appeal Panel may question the appellant
- The appellant and support member (if present) then leave the room.
- The Appeal Panel may call other parties they wish to question
- The Panel will consider their decision in private. A majority shall be sufficient to validate a decision
- The decision will be communicated to all parties as soon as practically possible. The Panel will call all parties into the meeting and deliver a short oral decision at the conclusion of the hearing.
- A more detailed written account of the reasons will be given to all affected parties within 24 hours of the conclusion of the hearing.

The appeal decision rendered from the Appeal Panel shall be final and no further appeals will be heard.

Serving of Penalties

Penalties are effective immediately and apply to the next game in which the offender would otherwise normally have participated in. This includes any national, regional association or club games held outside the parameters of the tournament.

Penalties not completed by the end of the current playing season shall carry over to the next and, if necessary, to a subsequent playing season.

Register of Suspensions/Penalties

SNZ shall maintain a register of penalties or suspensions which is to detail the persons full name and address, the category of offence, penalty invoked, the date invoked and the date penalty will be served out.

A person's prior record will not be considered for cumulative offence penalties after the following time has elapsed from a previous infringement:

- a. Suspension from 0 – 4 games, 1 year from completion of last penalty served
- b. Suspension from 6 – 12 games, 2 years from completion of last penalty served
- c. Suspension for 1 year, 5 years from completion of last penalty served

SNZ shall inform an Association of a suspended person transferring to another Association whilst still serving a penalty.

Unfair Action

Where an official or umpire has, in the opinion of the coach, team or club official, not adjudicated or administered fairly then a complaint may be lodged with the STR for investigation and, if necessary, further action. The SNZ Board will appoint an independent person to conduct the investigation.

Frivolous or Malicious Complaints

Upon investigation of a complaint, should the person conducting the complaint find that it is frivolous, a warning will be given in the first instance. If a complaint is deemed to be malicious the person making the complaint shall be brought to appear before the SNZ Board or delegated sub-committee.

Appendix A - Technical Ejections

1. **Under Rule 3 – Equipment - Section 5 – Shoes** - Failure to comply with the provisions of Section 5, after a warning from the umpire, shall result in the ejection of the team member from the game.
2. **Under Rule 4 – Coaches, Players and Substitutes - Section 1 – Coaches** - any infraction shall result in a warning for the first offense. Any subsequent infraction by a coach/manager of the same team shall result in the ejection of the Head Coach.
3. **Under Rule 4 – Coaches, Players and Substitutes - Section 5 – Designated Player (Fast Pitch Only)** - the provisions of Rule 4 Sec.8 and penalties for violations apply. Placing the DP in a position in the batting order other than his starting position is considered an Illegal Re-Entry and results in the ejection of both the manager/coach (whose name appears on the line-up card) and the DP, or his substitute.
4. **Under Rule 4 – Coaches, Players and Substitutes - Section 5 – Designated Player (Fast Pitch Only)** - the provisions of Rule 4 Sec.8 and penalties for violations apply. Placing the FLEX in a position in the batting order other than that of the starting DP, is an illegal re-entry and results in the ejection of both the manager/coach (whose name appears on the line-up card) and the Flex, or his substitute.
5. **Under Rule 4 – Coaches, Players and Substitutes - Section 7 – Re-entry** - The penalty for an Illegal Re-Entry is: the ejection of both the manager/coach (whose name appears on the line-up card) and the Illegal Substitute.
6. **Under Rule 5 – The Game - Section 8 – Charged Conferences – Offensive Conferences** - a second charged conference shall result in the ejection of the manager or coach insisting on another charged conference.
7. **Under Rule 7 – Batting - Section 1 – The On Deck Batter** - when using other than a legal bat while loosening up, the illegal equipment must be removed from the game. Continued use

of the equipment after removal would subject the player using such equipment to ejection from the game.