



England Handball Association

Competitions and Disciplinary procedures

2018-19

Updated: August 2018

1 Table of Contents

2 OVERVIEW	2
3 DISCIPLINARY AND APPEALS	2
3.1 THE COMPETITIONS DISCIPLINARY COMMITTEE	2
3.2 DISCIPLINARY HEARINGS	3
3.3 CDC GENERAL PRINCIPLES	3
3.3.1 BANS/SUSPENSIONS AND SANCTIONS	3
4 CDC INTERVENTION/ACTION	4
4.1 ON COURT MATTERS	4
4.1.1 FOR ON-COURT EVENTS:	4
4.1.2 REPORT AND DISCIPLINARY PROCESS	5
4.1.3 ON COURT CDC PROCESS:	5
4.2 OFF-COURT MATTERS	7
4.2.1 OVERVIEW	7
4.2.2 FOR OFF-COURT MATTERS:	7
4.2.3 OFF COURT CDC PROCESS:	8
4.3 INCIDENTS REPORTED BY A CLUB/OFFICIALS RELATED TO A FIXTURE:	9
4.3.1 OTHER REPORT CDC PROCESS:	9
4.3.2 OTHER INCIDENTS:	ERROR! BOOKMARK NOT DEFINED.
5 APPEALS	10
5.1 APPEALS PROCESS OVERVIEW	10
5.2 APPEALS FOR ON COURT MATTERS	11
5.2.1 WHAT CAN YOU APPEAL?	11
FOR INCIDENTS REPORTED BY A REFEREE AND/OR MATCH OFFICIALS:	11
5.3 APPEALS FOR OFF COURT MATTERS	11
5.3.1 WHAT CAN YOU APPEAL	11
APPEALS ARE PERMITTED AGAINST BOTH DECISION AND SANCTION	11
5.4 OTHER EHA CASES:	12
5.5 FURTHER APPEAL	12

2 Overview

The objective of this document is to provide an overview of the EHA's Competitions Disciplinary Committee (CDC) and disciplinary functions. It outlines the processes leading up to the issuing of charges, the timetable for bringing cases to a disciplinary hearing, the sanctions available to a disciplinary panel and the various appeals procedures.

It covers the two main categories of issues:

- A. On-court events**
- B. Off-court matters** (e.g. doping, administrative and financial irregularities and child protection)
- C. Appeals**

3 Disciplinary and Appeals

England Handball, through the CDC, shall have responsibility for disciplinary matters relating to clubs, players, and coaches and under the EHA's sphere of influence.

England Handball's jurisdiction covers all England Handball approved competitions and all other matches (e.g. friendly matches and international matches) which have been organised by England Handball.

Whilst England Handball may authorise regional/county associations to set regulations for competitions within the remit of their respective competitions/associations, where disputes occur, England Handball may intervene and, as such, England Handball rules regulations and/or procedures shall take precedence.

3.1 The Competitions Disciplinary Committee

The Competitions Disciplinary Committee (CDC) is responsible for overseeing the compliance with EHA's rules and regulations, and for progressing action against clubs, players, coaches and officials that breach those rules.

The CDC shall be responsible for the administration of disciplinary hearings, the administration of disqualifications, and establishing the automatic suspension.

The CDC consists of:

- 1 x Independent Chair (selected and appointed by the EHA Appointments Committee)
- 4 x Committee Members (drawn from persons outside the EHA membership who have appropriate experience and expertise: e.g. as a member of a technical rules committee in another sport).

CDC Members are to be selected by the CDC Independent Chair and the England Handball CEO by open invitation to volunteers with the appropriate knowledge and skills to ensure the rules are applied and any disciplinary actions are processed in a fair manner.

If a matter involving a potential increase to an automatic ban or an alleged breach of England Handball rules arises, the CDC will decide whether to investigate, assess any evidence and decide whether the evidence warrants a charge. The CDC will then act on behalf of England Handball in holding a disciplinary hearing to consider any charge.

The CDC is also involved in any review of the England Handball's rules and regulations in areas such as discipline and doping control.

With regard to safeguarding and child protection and the sensitive nature of such issues, such matters shall be dealt with under England Handball's separate Safeguarding Policy and processes.

3.2 Disciplinary Hearings

Disciplinary hearings are convened by the CDC to hear claims for wrongful disqualification, mistaken identity, technicality issues and any other disciplinary charges related to a potential increasing of an automatic ban.

As with all charges brought by CDC, the investigation and disciplinary action is a confidential process between the parties under investigation and CDC. Should any party divulge or comment about any information relating to the investigation and/or disciplinary hearing, they shall also be in breach of the regulations. The Non-Executive Director responsible for Membership & Disciplinary should chair any appeals against decisions of the CDC.

Notwithstanding automatic penalties, which shall be implemented for on-court matters, the CDC effectively acts as an independent tribunal considering cases, deciding on guilt or otherwise and determining penalties.

Where a referee submits a report describing the incident, the CDC shall decide the category of the offence which are described in Appendix C. Depending on the category, for further sanctions on top of an automatic ban and/or where normal disciplinary procedures apply, the CDC decides on behalf of England Handball in relation to these matters.

3.3 CDC General principles

3.3.1 Bans/Suspensions and Sanctions

- A ban/suspension is applicable to all England Handball activity – Coaching, Playing and Refereeing.
- Bans/suspensions in under-14/under-16/under-19 competition are only applicable to the their relevant league.
- Bans/suspensions in the England Handball league or cup are relevant to all competition i.e. bans must be served in the next competitive fixture.

- “Player X is banned from activity until his / her team [insert name of team], have completed a total of X competitive regulated matches”

The CDC has the authority to apply bans across multiple competition where deemed appropriate.

All decisions will be published on the England Handball website in the following format.

- Example Club - Player Reg 118118 - Team A - Rule 8.10.1 Breach - Suspended in Cup until 25.02.2018
- Example Club - Player Reg 119119 - Team B - Rule 8.10.1 Breach- Suspended in all competition until 30.03.2018

4 CDC Intervention/Action

EHF guidelines aimed at avoiding the “re-refereeing” of matches generally prevent the England Handball from taking disciplinary action on incidents, which are seen and dealt with at the time by the match officials (this includes taking no action).

As a general rule, if the match officials see an incident and have jurisdiction to take action, England Handball cannot act retrospectively. For instance, these guidelines prevent England Handball from upgrading/downgrading sanctions based on retrospective advice provided by the match referee.

Notwithstanding automatic sanctions or penalties that may apply for on-court matters, the CDC, on behalf of England Handball, applies the same process for all categories of cases.

The procedure is outlined below.

4.1 On Court Matters

In the interests of all England Handball approved competitions, the CDC shall give priority to disciplinary matters concerning on-court incidents and players. Cases should be as far as reasonably possible concluded before the next match in which the persons involved are due to play.

To aid this process, England Handball shall allow the use of video evidence by both the CDC (to support charges) and by defendants (for wrongful dismissal / mistaken identity claims).

4.1.1 For on-court events:

- Evidence generally comes from referees’/match officials’ reports.
- Where on such occasions referees and/or match officials issue disqualifications with an obligatory report (blue card) describing the incident, the minimum standard ban shall be enforced.

Note:

- Automatic sanctions can only be applied if a blue card has been shown, which notifies the teams and official of the automatic minimum ban
- A notice that a report will follow has been recorded on the match

- The CDC shall decide on the category of the offence committed. See Appendix C
- Depending on the category or aggravating circumstances, further sanctions on top of an automatic ban may apply.
- Clubs shall also have the right to cite players, team officials etc.

The use of video footage for on-court events may also be submitted to the CDC in regard to breaches in regards to any offence. (Note: where a report is received from a club citing infringements as described above, such a report shall be passed on to the CDC which shall follow the process for on-court matters.)

4.1.2 Report and Disciplinary Process

In the event of an official or team wishing to write a report following an England Handball fixture the following process must be applied.

Where breaches in discipline by players, team officials etc. are reported outside the court but within the sphere of influence of the match referees and officials, they shall be dealt with as on-court events. This includes Incidents occurring just before or just after the playing time.

4.1.3 On Court CDC Process:

“Information requested from the parties by EHA or the CDC must be provided in the form and format and within the timeframe designated by this document or dictated by the CDC in individual cases.”

Stage 1

- Incident occurs prompting a report from an official or team.
- Team or official must cross the score sheet in the appropriate box, indicating a report is to follow post-match.
- A report must be submitted on an England Handball Report form a maximum of 72 hours post-match to the Competitions and Events Manager.

Note – Reports not written on the appropriate form or within the time frame cannot be accepted.

Stage 2

- The appropriate parties (e.g. both teams and officials) are informed that a report has been received and will be passed to the independent Competitions Disciplinary Committee (CDC) for their review.
- The accompanying report is shared with both teams for their information.

Stage 3

- England Handball Association investigates the matter and submits evidence to the CDC along with the report.

Stage 4

- CDC reviews the information and requests any further information it deems necessary from the EHA, Referees or the parties concerned at their

discretion. (Information requested must be provided in the appropriate form and format.)

Stage 5

- CDC reviews the information and comes to a conclusion. This decision is sent to England Handball who disseminates to the appropriate parties and informs the England Handball office of the decision.

Stage 6

- If an appeal is received and approved by the EHA, all information goes to the CDC appeal board, which will review all the information and submit their final decision.

4.2 Off-Court Matters

Timetables for investigation and assessment of evidence differ on a case-by-case basis and will inevitably be longer than those for on-field misconduct where video evidence may be available and where the amount of evidence is usually small and straightforward.

Powers of inquiry shall enable England Handball to require the appropriate parties (clubs, officials, participants etc.) to provide documents and other information. As well as attend personal interviews if appropriate.

It should be noted that not all cases result in charges being brought. Certain cases will not proceed due to lack of evidence or due to the fact that the conduct simply does not constitute a breach of England Handball rules and regulations.

Certain other cases may result in England Handball writing to a participant via CDC to remind them of their responsibilities. This is not a formal warning (which can only be delivered after a disciplinary hearing) but is generally an indication that "the conduct may be in breach of the rules and regulations but formal disciplinary action is not justified and/or appropriate in the circumstances."

Decisions taken shall be based on the realistic prospect of whether the charge will be found proven. Any policy factors are also considered. Notwithstanding automatic sanctions the CDC can issue the following decisions: To charge, to warn, to take no action

4.2.1 Overview

The scope of the CDC off-field remit includes:

- Administration
- Transfers
- Doping Control
- Betting
- Financial irregularities
- Racism
- Media /comments
- Mass Confrontations
- Improper Conduct e.g. breaches of the EHA Code Of Conduct etc.

Note – It is possible for these areas of infraction to be encompassed in on court matters e.g. Game Day management/administration and the fielding of illegal players.

4.2.2 For off-court matters:

- Information can come from a variety of sources, including complaints from players and team officials, members of the public, video footage, interviews and England Handball investigation.
- External specialists (e.g. legal, investigative, and financial) may occasionally be used as appropriate. Clubs shall also have the right to report players/team officials etc. to the referee and/or the CDC in regard to breaches in rules and discipline.

- Assess information/evidence – the CDC will assess the weight and admissibility of evidence obtained.
- External experts can be used as required.
- England Handball has jurisdiction over domestic matters. Where there are international aspects, England Handball shall refer to EHF/IHF as appropriate.

Once charges are issued, participants have seven days to respond. Personal representation is allowed at hearings. Where participants are found by the CDC to have breached any of England Handball's rules and regulations in these areas, the CDC is responsible for making any decision regarding possible sanction.

4.2.3 Off Court CDC Process:

“Information requested from the parties by EHA or the CDC must be provided in the form and format and within the timeframe designated by this document or dictated by the CDC in individual cases.”

Stage 1

- Incident occurs prompting a report from an official, team or person.
- A report is submitted on an England Handball Report form to the Competitions and Events Manager.

Note – Reports not written on the appropriate form cannot be accepted.

Stage 2

- The CDC is informed and initially assesses the information to decide if the case falls within the remit of the CDC.
- If the case is not deemed to be within the remit of the CDC, the case is dismissed at this stage.
- If the case is deemed to be within the remit of the CDC, the case progresses to stage 3.

Stage 3

- The appropriate parties (e.g. teams and or officials) are informed that a report has been received; this report is shared with the accused party/parties.
- The accused party/parties are provided 72 Hours to respond. (Information requested must be provided in the appropriate form and format.)
- CDC reviews the information and requests any further information it deems necessary from the EHA, Referees or the parties concerned at their discretion.

Stage 4

- CDC reviews the information and comes to a conclusion.
- This decision is sent to England Handball who disseminates to the appropriate parties and informs the England Handball office of the decision.

Note - In certain circumstance and if deemed necessary the CDC has the authority to convene in person hearings.

4.3 Incidents reported by a club/officials related to a fixture:

Applies only to the more serious sending-off offences where the match officials did not see the incident. The CDC shall deal with this type of action, video evidence can be utilised if available. In order for any action to be taken there will need to be clear and substantial evidence.

It should be noted that not all cases result in charges being brought. Certain cases will not proceed due to lack of evidence or due to the fact that the conduct simply does not constitute a breach of the England Handball's rules and regulations.

Certain other cases may result in England Handball writing to a participant via CDC to remind them of their responsibilities. This is not a formal warning (which can only be delivered after a disciplinary hearing), but is generally an indication that "the conduct may be in breach of the rules and regulations but formal disciplinary action is not justified and/or appropriate in the circumstances."

Decision on action: charge/warning/no action. Decisions taken shall be based on the realistic prospect of whether the charge will be found proven. Any policy factors are also considered. Notwithstanding automatic sanctions the CDC can issue the following decisions: To charge, to warn, to take no action.

This includes but is not limited to:

- Violent conduct
- Serious foul play
- Spitting
- Offensive/insulting/abusive language or behaviour

The purpose is to put the player in the same position as if the match officials had seen the incident. The CDC is guided by a referee's view of whether the incident merited a disqualification with report.

The processes mirror the timings and sanctions that would apply had any of the match officials seen the incident and the referee then disqualified the player.

4.3.1 Other incidents reported to the CDC

This follows the off court procedure detailed in in 4.2.3

5 Appeals

The appeal is a process, which allows clubs, players, coaches and officials the opportunity to challenge a decision made by the CDC on grounds that the decision reached, was unfair.

Nevertheless for an appeal to proceed it is of the utmost importance that the process employed by the CDC and club are confidential

Notwithstanding an appellant's right to gather evidence in support their case, any club, player, coach or official found canvassing and/or distributing material (other than to the CDC or Appeals Panel) to influence a decision of disciplinary hearing/appeal shall be deemed to be in breach of the disciplinary/appeal regulations. As a result, the appeal shall be dismissed.

An independent person, chairs England Handball's Appeals Panel, for Board members to sit on an appeals panel

An appeal board made up of three persons, with an independent, hears appeals. **These persons cannot be a member of a club from the league in which the player is participating.**

Where a penalty is rescinded from one player and awarded to another, the player receiving the penalty has the right of appeal to an Appeal Panel chaired by the Non-Executive Director (Membership & Disciplinary).

5.1 Appeals process overview

The club, player, coach or official concerned shall always have the right to appeal, unless the offence committed carries an automatic ban/sanction.

Clubs must submit their objection by 17:00, three working days after the Sanction has been received.

This includes:

- The required fee and proof of transfer (£50)
- Any evidence to support the claim

The sanction remains in place until the appeal is concluded

- If a decision is upheld all monies shall be forfeit
- If a decision is overturned all monies shall be returned

There is no right to personal representation for either the participant or the CDC - the appeal is considered solely on submitted evidence.

Every effort shall be made to ensure disciplinary cases and objections are heard before the player's next match, and on this basis, only written and video submissions shall be permitted.

There shall be no personal representation for either the player or England Handball. If the matter cannot be considered before the next match, the player may, in the meantime, play subject to England Handball having received notification and fee of his/her intention to object.

5.2 Appeals for on Court Matters

Where conflicting written evidence is received without the support of video evidence it is very unlikely that the appeal will succeed.

5.2.1 What can you appeal?

For incidents reported by a referee and/or match officials:

5.2.1.1 Wrongful disqualification/mistaken identity within a report

Appeals are permitted against the decision and the suspension. In successful cases, the card/sanction in question is transferred to the correct player. However, "the onus rests on the player concerned to prove the dismissal was wrongful or that it was a case of mistaken identity".

The CDC may increase the penalty if they deem a claim to be frivolous, i.e. abusing the system.

5.2.1.2 Where the CDC has increased a penalty.

Appeals against an increased penalty are allowed against the increasing of suspension only.

5.2.1.3 Incidents not seen by the match officials:

Appeals are only permitted for suspensions and not the decision of guilt or other sanctions.

There is no right to personal representation for either the participant or the CDC - the appeal is considered solely on submitted evidence.

5.2.1.4 For other incidents

- Appeals are allowed against both the decision and sanction.
- Appeals are not permitted for claims for wrongful dismissal/mistaken identity.

Representation is allowed for both sides in these cases.

5.3 Appeals for off Court Matters

5.3.1 What can you appeal?

Appeals are permitted against both decision and sanction

Participants have 5 working days to appeal from date of receipt of the decision or written reasons from the CDC.

5.4 Other England Handball Cases:

Appeals regarding decisions taken by the CDC on incidents, which do not fall within the above categories, and incidents involving non-players are dealt with as quickly as possible.

These include:

- Mass confrontations: typically reported by match officials, and their opinion sought on potential action;
- Improper conduct: match officials' opinions sought;
- After match incidents;
- Personal representation is allowed at hearings, which take place as soon as possible.

5.5 Further Appeal

Clubs, players, coaches and officials shall have, in specific circumstances, the further right of appeal to arbitration (Which shall be conducted through a third-party organisation with experience of dealing with such cases. Such an appeal shall be sanctioned upon an appeal being received in writing and accompanied by a deposit of £300. Such an appeal must also be received within seven days of the outcome of the original appeal.

Note: where discipline is exercised under different regulations, for example standing orders or for other league regulations, then those regulations shall take precedence. However, in all instances appellants, except where regulations elsewhere state otherwise, must pay a financial deposit. Appellants shall be entitled to be represented at a disciplinary hearing and shall undertake to meet any expenses incurred by the Court of Arbitration.