

2017-18 ABL DISCIPLINARY PROTOCOLS

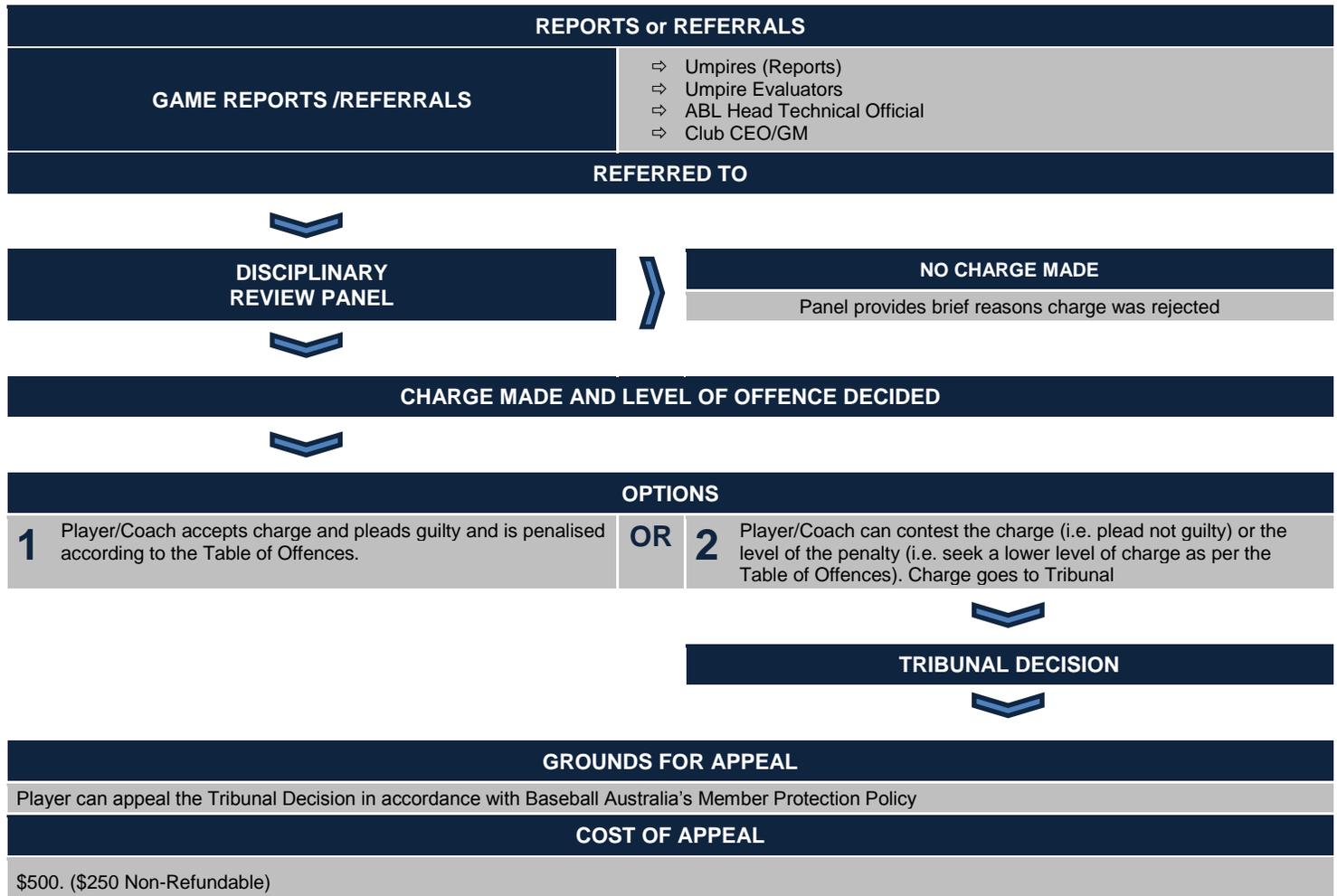


SYSTEM OVERVIEW

The following is provided for summary purposes only. It is a guide and should be relied upon only for quick reference.

How the system works:

| | |
|---|---|
| A. Lodgement of a report | The ABL Disciplinary Review Panel (DRP) will assess all Official Game Reports lodged in respect of potential reportable offences. |
| B. Determination of type of offence and appropriate charge (if any) | Following review of each Game Report, the DRP will determine whether the Player/Coach is to be charged with a reportable offence, and if so, the appropriate type of reportable offence. There are three (3) levels of reportable offences. <ol style="list-style-type: none"> 1. Classifiable Offence 2. Direct Tribunal Offence. 3. Fixed Financial Offence. |
| C. Options available to a player/coach charged with a reportable offence | A player/coach charged with a reportable offence may: <ol style="list-style-type: none"> 1. Plead guilty, in which case, the relevant sanction (the fixed penalty) for the reportable offence will apply; 2. Dispute the charge or the severity of the fixed penalty, in which case the matter will be directed to and decided by the ABL Tribunal. The Tribunal may impose a greater penalty than the fixed penalty. The ABL Tribunal will normally consider the matter via telephone conference call. |
| D. Appeal of a Tribunal decision | The charged player/coach (not the Team) may appeal from the decision of the ABL Tribunal in accordance with Baseball Australia's Member Protection Policy. The cost of the appeal is \$500. This fee must be lodged with the ABL at the time of filing the appeal. If the appeal is successful, \$250 will be refunded to the charged player/coach. If the appeal is unsuccessful the \$500 is forfeited. |



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Classifiable Offences will be classified as “low”, “medium”, “high” or “extreme” and the base sanctions will reflect accordingly.

| CLASSIFIABLE OFFENCE | LEVEL | BASE SANCTION | EARLY GUILTY PLEA |
|--|---------|-----------------------|-----------------------|
| Abusive, insulting, threatening, obscene language towards or in relation to an Umpire | Low | \$25 fine | No Penalty |
| | Medium | 1 Game + \$50 fine | \$50 Fine |
| | High | 2 Games + \$100 Fine | 1 Game + \$50 Fine |
| | Extreme | 4 Games + \$500 Fine | 3 Games + \$250 Fine |
| Physical Altercation (Intentional) | Low | 1 Game + \$50 Fine | \$50 Fine |
| | Medium | 2 Games + \$150 Fine | 1 Game + \$100 Fine |
| | High | 4 Games + \$500 Fine | 3 Games + \$250 Fine |
| | Extreme | 8 Games + \$2000 Fine | 4 Games + \$1000 Fine |
| Physical Altercation (Careless) | Low | \$25 fine | No Penalty |
| | Medium | 1 Game + \$50 Fine | \$50 Fine |
| | High | 2 Games + \$100 Fine | 1 Game + \$50 Fine |
| | Extreme | 4 Games + \$500 Fine | 2 Games + \$250 Fine |
| Careless Contact with an Umpire | Low | \$150 Fine | \$100 Fine |
| | Medium | 2 Games + \$200 Fine | 1 Games + \$150 Fine |
| | High | 6 Games + \$400 Fine | 4 Games + \$250 Fine |
| | Extreme | Referred to Tribunal | Referred to Tribunal |

Direct Tribunal Offences are those Reportable Offences (specified in the table below) which are referred by the DRP directly to the ABL Tribunal for determination without grading (i.e. without an assessment of the offence using the Classification Table):

| DIRECT TRIBUNAL OFFENCES | |
|---|--|
| Intentional Contact with and Umpire | Careless Contact with an Umpire (Extreme) |
| Spitting on or at an Umpire or Other Person | Attempting to strike an Umpire |
| Any Classifiable or Fixed Financial Offence which attracts a base sanction that the DRP finds inappropriate | Any other act of serious misconduct which the DRP considers appropriate to refer to the Tribunal |

Fixed Financial Offences are Reportable Offences which attract a fixed financial sanction only (as per the following table).

| FIXED FINANCIAL OFFENCES | BASE SANCTION (EARLY GUILTY PLEA SANCTION IN BRACKETS) | | |
|--|--|----------------------|-----------------------------|
| | FIRST OFFENCE | SECOND OFFENCE | THIRD & SUBSEQUENT OFFENCES |
| Instigator of Fight or Physical Confrontation | \$200 (\$100) | \$350 (\$200) | \$500 (\$350) |
| Attempt to strike, hit, kick, trip a player | \$150 (\$100) | \$250 (\$150) | \$400 (\$250) |
| Unavoidable/Incidental contact with an Umpire | Written Warning | \$100 (\$50) | \$400 (\$250) |
| Leaving position on the field to partake in a Physical confrontation | \$50 (\$25) | \$100 (\$50) | \$250 (\$150) |
| Pitchers Intentionally Throwing at Hitters | \$100 (\$50) | \$150 (\$100) | \$250 (\$150) |
| Obscene gesture | \$50 (\$25) | \$100 (\$50) | \$250 (\$150) |
| Racial, Sexual or Religious vilification | \$250 (\$150) | Referred to Tribunal | Referred to Tribunal |
| Unreasonable/ unnecessary contact with a Player/Person | \$150 (\$100) | \$250 (\$150) | \$400 (\$250) |
| Throwing of Equipment/ Damage to Facility/ Field | \$100 (\$50) | \$150 (\$100) | \$250 (\$150) |
| Not leaving playing area following an ejection | \$100 (\$50) | \$150 (\$100) | \$250 (\$150) |
| Prohibited uniforms or equipment | \$100 (\$50) | \$150 (\$100) | \$250 (\$150) |
| Deliberate Time wasting | \$50 (\$25) | \$100 (\$50) | \$250 (\$150) |
| Any other act of misconduct that is not a Classifiable Offence or Direct Tribunal Offence | The financial sanction for a first, second, third or subsequent act of misconduct will be determined by the DRP in its absolute discretion | | |



FURTHER EXPLANATION OF KEY TERMS AND ISSUES

| | |
|--|--|
| CARELESS CONDUCT | <p>Conduct is “Careless” where it is not intentional, but constitutes a breach of the duty of care owed by the Player/Coach.</p> <p>In relation to Umpires any conversation must be conducted from at least an ARM’S-LENGTH DISTANCE AWAY FROM THE UMPIRE. A Player/Coach that moves closer than an arm’s-length distance from an umpire during a conversation or argument forfeits any benefit-of-the-doubt if there is physical contact (including incidental contact) with the umpire. Other hostile behaviours or actions such as throwing or kicking dirt on an umpire will be punished as if the Player/Coach had made physical contact with the umpire.</p> |
| UNAVOIDABLE/INCIDENTAL CONTACT WITH UMPIRES | <p>Contact that is either Unavoidable or Incidental may be excused with a written warning in the First offence. Unavoidable/Incidental contact shall differ from Careless contact as Careless contact could have been avoided if the Player/Coach had maintained their duty of care.</p> <p>Example: Careless Contact may be when a Manager accidentally comes into contact with an umpire while engaged in conversation at <u>closer</u> than an arm’s length. The Manager would be deemed to have breached his duty of care by being closer than necessary.</p> <p>Conversely, if a Manager stumbled into an Umpire from <u>greater</u> than an arm’s length, or if the Umpire moved towards the Manager (such as circumstances in which an Umpire is attempting to diffuse an argument by inserting himself between the Manager and another Umpire) such contact may be deemed Incidental.</p> |
| INTENTIONAL CONDUCT | <p>Whether or not a Player/Coach intentionally commits a Reportable Offence depends upon the state of mind of the Player/Coach when he does the act with which he is charged. In some cases, the evidence that the act provides may be so strong as to compel an inference of what his/her intent was, no matter what he may say about it afterwards. If the immediate consequence of an act is obvious and inevitable, the deliberate doing of the act carries with it evidence of an intention to produce the consequence.</p> <p>For example, a punch/strike will be regarded as Intentional where a Player/Coach delivers a blow to an opponent with the intention of striking him. The physical fact of the punch is strong evidence of intention to strike.</p> |
| FIELD PERSONNEL LEAVING THEIR POSITION TO PARTICIPATE IN CONFRONTATIONS | <p>Field Personnel are players/coaches/managers/trainers.</p> <p>The position of Field Personnel is considered to be wherever the individual is located (dugout, bullpen, coaching box, defensive position, etc.) at the time a confrontational situation develops. Anyone who leaves his or her position to participate in a confrontation will face mandatory minimum penalties by way of Fixed Financial penalty; these will carry heavier penalties if the charged person is deemed by the ABL General Manager to be an instigator or combatant. The Instigator of a Confrontation is defined as where the person’s conduct results in retaliatory action which leads to a Confrontation. The offence of Instigator of Confrontation is in addition to the offence of Leaving your Position to participate in a Confrontation which may have the effect of a Player/Coach being found guilty of both offences. Example of instigating a confrontation will include but not be limited to: a pitcher judged to have intentionally delivered a pitched ball at a batter, a pitcher leaving the pitcher’s mound and initiating a confrontation, a batter/runner charging or pursuing the pitcher, fighting, etc.</p> <p>Field Personnel involved in a confrontation while remaining at his/her position and judged to have been defending themselves and not contributing to the incident will not be ejected, fined or suspended.</p> <p>If a violation of this policy does occur and a confrontation develops, the field managers/coaches are expected to leave their position as necessary, in an attempt to bring the violator(s) from their team under control. Staff should not involve themselves in physically restraining personnel from an opposing team.</p> |