

# BAFA Disciplinary Code

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## Prologue — The Spirit of American Football

The BAFA Disciplinary Code sets out BAFA's expectations for the conduct of its members (both individuals and organisations).

It is deliberately couched as a set of principles rather than specific fixed procedures. The expectation is that the disciplinary and appeal committees that implement it will apply common sense and good judgement, and that above all else the spirit of the sport will be upheld at all times.

All participants in the sport, but especially coaches, players and officials, should expect to show appropriate levels of respect towards each other. Those participating in a situation that is physically confrontational by the nature of the sport should play hard and fair while the ball is live, but show restraint and care for their opponents at other times.

## SECTION 1. Basic principles

### Scope and definitions

ARTICLE 1. The BAFA Disciplinary Code applies to:

- a. BAFA participants, i.e.:
  1. players
  2. coaches
  3. officials
  4. directors, officers or employees of BAFA organisations
  5. any other person participating in any activity sanctioned directly or indirectly by BAFA
- b. BAFA organisations, i.e.:
  1. the organisations that are members of BAFA
  2. affiliated leagues or competitions
  3. clubs and their team(s)
  4. any other organisation that is involved in arranging any activity sanctioned directly or indirectly by BAFA

ARTICLE 2. A BAFA game is defined to be:

- a. a regular season or playoff game played by teams in affiliated leagues or competitions
- b. any other game played in Great Britain where at least one of the teams represents a BAFA organisation
- c. any "all-star" or exhibition game played in Great Britain involving BAFA participants

ARTICLE 3. A BAFA event is defined to be:

- a. a BAFA game
- b. a training session organised by a BAFA organisation
- c. any national programme or other representative team event, including those held overseas
- d. any activity overseas where the organisation or participant is representing Great Britain, BAFA or a BAFA organisation

- e. any other activity, including meetings, which is clearly related to American football or associated with BAFA

ARTICLE 4. A BAFA foundation organisation is one of the following:

- a. British American Football League
- b. British American Football Coaches Association
- c. British American Football Referees Association
- d. British Universities American Football League
- e. any other organisation recognised by BAFA as a member organisation

ARTICLE 5. For the purposes of this Code:

- a. an employee is someone who carries out work for a BAFA organisation, whether paid or voluntary
- b. an officer is someone who has a formal or informal role acting on behalf of a BAFA organisation
- c. an accused is a participant or organisation against whom/which a disciplinary charge has been made
- d. an appellant is a participant or organisation who wishes to appeal against disciplinary action taken against them
- e. a match official is a person appointed to supervise a game according to Rule 1-1-4

### **Code of conduct**

ARTICLE 6. A BAFA participant shall at all times act in the best interests of the game and shall not act in any manner which is improper or brings the game into disrepute, including but not limited to:

- a. participating in a game without being registered with BAFA (Exception: participants representing a team from outside Great Britain)
- b. being disqualified from a game
- c. being removed from the field during a game under the provisions of Rule 13-7-2
- d. misconduct before, during or after a BAFA event, including violent conduct, serious foul play, threatening, abusive, indecent or insulting words or behaviour
- e. committing a criminal offence
- f. involvement in betting on any game or competition in which the participant has any involvement, or providing information to any other person that is not publicly available in relation to betting
- g. selling, offering or exposing for sale, either directly or indirectly, a ticket for a game in excess of the face value of the ticket
- h. incurring financial or other costs to the sport as a result of their disregard for BAFA policies and procedures
- i. making or accepting payments to participants that are not explicitly permitted, or causing or encouraging others to do so
- j. discriminating by reason of ethnic origin, colour, race, nationality, political belief, religious belief, age, gender, sexual preference, parental or marital status, pregnancy, class, social background or disability
- k. persistent criticism, disputing or questioning by a participant of calls made by a match official

- l. conduct by a coach that is contrary to the BAFCA Code of Ethics
- m. conduct by an official that is contrary to the BAFRA Code of Ethics
- n. breaching the BAFA welfare policy
- o. breaching the BAFA doping policy
- p. making inappropriate and unauthorised public statements about matters relating to British American football
- q. attempting to breach this Code
- r. inciting or abetting anyone to breach this Code
- s. obstructing any proceedings held under this Code

ARTICLE 7. A BAFA organisation shall at all times act in the best interests of the game and shall not act in any manner which is improper or brings the game into disrepute, including but not limited to:

- a. a breach of any provision of paragraph 1-6 by a director, officer or employee of the organisation while acting on behalf of the organisation
- b. making a verbal or written agreement in the reasonable knowledge that it can or will not be kept
- c. failing unreasonably to provide game management facilities for a BAFA game that meet the minimum requirements of Rules 1 and 13
- d. failing to keep proper financial, membership or other relevant records as required by law or BAFA policy
- e. failing to ensure that a participant associated with the organisation complies with a penalty or order imposed pursuant to this Code

ARTICLE 8. An aggravating factor in any breach is any reference to any one or a combination of:

- a. ethnic origin
- b. colour
- c. race
- d. nationality
- e. religion
- f. gender
- g. sexual orientation
- h. disability

### **Jurisdiction**

ARTICLE 9. The Disciplinary Authority for proceedings against participants who are alleged to have breached the provisions of paragraph 1-6 shall be the relevant BAFA foundation organisation, provided that:

- a. the participant is or was registered as a member of the BAFA foundation organisation or its affiliate organisations
- b. the matter is within the purview of that BAFA foundation organisation
- c. the BAFA foundation organisation has a disciplinary procedure for dealing with the breach
- d. the BAFA foundation organisation does not waive its right to take action

ARTICLE 10. The Disciplinary Authority for proceedings against organisations that are alleged to have breached the provisions of paragraph 1-7 shall be the relevant BAFA foundation organisation, provided that:

- a. the organisation is or was registered as a member of the BAFA foundation organisation or its affiliate organisations
- b. the matter is within the purview of that BAFA foundation organisation
- c. the BAFA foundation organisation has a disciplinary procedure for dealing with the breach
- d. the BAFA foundation organisation does not waive its right to take action

ARTICLE 11. Where a BAFA foundation organisation is unable to take action under paragraphs 1-9 or 1-10 above, a BAFA Disciplinary Committee shall have jurisdiction.

ARTICLE 12. Where the jurisdiction in a case may reasonably be within the purview of more than one BAFA foundation organisation, the BAFA Disciplinary Officer shall decide which organisation or a BAFA Disciplinary Committee shall have jurisdiction taking into account the primary role of the accused participant or organisation in connection with the breach.

ARTICLE 13. Where a case falls into the jurisdiction of another American football organisation (e.g. EFAF or IFAF), it will not normally be reconsidered by a BAFA disciplinary authority.

ARTICLE 14. A BAFA foundation organisation shall use the prescribed form(s) to notify the BAFA Disciplinary Officer within seven days of the following relating to any disciplinary matter notified or referred to it:

- a. commencement of any proceedings
- b. completion of any proceedings
- c. any significant delay in any proceedings

### **Principles of natural justice**

ARTICLE 15. BAFA, as the national governing body of American Football in Britain, will be the final arbiter of discipline within the sport played in Britain.

ARTICLE 16. All proceedings undertaken by BAFA or a BAFA organisation against a BAFA participant or a BAFA organisation may be conducted at the disciplinary authority's discretion either by hearing or correspondence, and shall conform to the following principles of natural justice:

- a. the accused should be given reasonable notice about the proceedings including details of the accusation
- b. all persons involved in making a decision should declare any personal interest they may have in the proceedings
- c. all decision-makers should be unbiased and act in good faith
- d. proceedings should be conducted so they are fair to all the parties
- e. each party to a proceeding is entitled to ask questions and contradict the evidence of the opposing party
- f. any decision-maker should take into account relevant considerations and extenuating circumstances, and ignore irrelevant considerations
- g. justice should be seen to be done
- h. the accused will be found guilty only if the disciplinary authority finds that, in the balance of probabilities, the evidence proves the offence

- i. the balance of probabilities is a sliding scale: the more serious the allegation, the less likely it is that the event occurred and hence the stronger the evidence needed that it did occur
- j. where matters are dealt with by personal hearing, the accused is given a reasonable opportunity to attend the hearing and participate in it, accompanied by a friend (who is not legally qualified) if they so wish
- k. where matters are dealt with by correspondence, the accused or a friend (who is not legally qualified) is given reasonable opportunity to view the evidence and respond to the allegations
- l. where the accused refuses to answer questions or provide reasonable explanation for their actions, that refusal may be used against them
- m. penalties taken against a guilty party shall be proportionate to the offence
- n. where the accused admits to the offence at the first available opportunity, a more lenient penalty is imposed
- o. where any breach is proven to be motivated by or aggravated by one or more aggravating factors, a more serious penalty is imposed
- p. penalties for repeat offenders should be more serious than for a first offence

ARTICLE 17. Where a case is dealt with by a BAFA foundation organisation, the accused has the right of appeal to a BAFA Appeals Committee on the grounds that:

- a. significant evidence was not available to the disciplinary authority (although the appellant would have to show why any new evidence was significant to the case and why it was not submitted originally)
- b. the penalties imposed are unreasonably severe
- c. the procedure undertaken for disciplinary or appeal matters was unfair to a significant extent

ARTICLE 18. A disciplinary authority may determine timescales and procedures for its own purposes, but these will only be applicable if notified to BAFA in advance.

ARTICLE 19. Proceedings dealt with by a BAFA foundation organisation that do not conform to the principles of paragraphs 1-16 or 1-17 may be appealed to a BAFA Appeal Committee. However, a technical breach of these principles that in the balance of probabilities did not affect a decision or the outcome of a process shall be disregarded.

ARTICLE 20. A disciplinary authority shall have the power to require of any participant upon reasonable notice:

- a. his or her attendance to answer questions and provide information; and/or
- b. the production of documents, information or other material in whatever form held

ARTICLE 21. Proceedings will not normally be commenced more than 6 months after any event to which it relates. Where the accused has taken steps to conceal the breach, the 6 months will be counted from when the breach came to light.

ARTICLE 22. All BAFA foundation organisations shall recognise penalties imposed by other BAFA foundation organisations.

ARTICLE 23. BAFA may recognise the disciplinary rules and sanctions of any other sporting body (and institution which may be involved in the management of a team) and any person suspended or banned by any other sporting body may be suspended or banned concurrently by BAFA. Before imposing any such concurrent suspension or ban, however, a BAFA disciplinary committee must grant the person the opportunity to offer an explanation.

ARTICLE 24. The BAFA Disciplinary Officer may provide an opinion on the interpretation of this Code. Such an opinion shall be binding unless subsequently overridden by a decision of the BAFA Board.

ARTICLE 25. The BAFA Disciplinary Officer may from time to time determine procedures to be followed where not otherwise specified in this Code. Such procedures shall be binding on all participants.

## **SECTION 2. Game regulations**

### **Registration and rosters**

ARTICLE 1. All players, coaches, sideline personnel and match officials participating in a BAFA game must be registered with BAFA at the time of the game (Exception: participants representing a team from outside Great Britain).

ARTICLE 2. Teams shall provide the referee with a roster of their players and sideline personnel (showing BAFA registration number, forename, surname and jersey number or sideline role) before each game. A player may appear on the roster under more than one jersey number to enable him to change number during the game (informing the referee when he does so).

ARTICLE 3. The roster must clearly state the names and (where required) registration numbers of all team coaches, and indicate who is the head coach.

ARTICLE 4. Persons serving a suspension or for whom an appeal has been lodged must be included and clearly marked. If a suspended person is not so marked, he shall not be considered as having served the suspension. It is a team's responsibility to know who is suspended and to correctly mark them.

ARTICLE 5. Additions to the roster form shall not be permitted after the game has kicked off.

ARTICLE 6. The referee shall provide each team with a list of the match officials.

ARTICLE 7. The game shall not start until all lists have been provided.

ARTICLE 8. If a squad member in uniform does not appear on his team's roster form then, upon discovery, he shall be disqualified from the game. (If discovered after disqualification for another offence it will count as two disqualifications.)

### **Incident reports**

ARTICLE 9. The referee (or another match official) for each game shall report all incidents of:

- a. disqualified players
- b. persons removed under Rule 13-7-2
- c. persons not appearing on the roster form
- d. allegations that teams played unregistered or suspended players
- e. breach of mandatory game management requirements as set out in Rules 1 and 13

ARTICLE 10. Any match official (including an assessor who has been officially appointed to attend the game) may report any incident of:

- a. misconduct by any BAFA participant

ARTICLE 11. An authorised officer of a BAFA organisation may, after viewing a video (or other record) of a game, report any incident of:

- a. foul play that in their opinion should have resulted in disqualification of a player

- b. a person participating in the game who did not appear on the roster form
- c. a person participating in the game while suspended
- d. misconduct by any BAFA participant

ARTICLE 12. Any match official who has made a report (or an authorised officer of BAFRA acting on their behalf) may withdraw a report submitted as above if, after viewing a video (or other record) of a game, it is realised that the report was submitted in error, or that the foul committed was not on reflection flagrant enough to warrant disqualification.

ARTICLE 13. Referees' reports must be made in the first instance by 8pm on the Monday following a weekend game, or within 48 hours of any other game. Further reports must be submitted to arrive normally within 7 days.

ARTICLE 14. Reports shall be made to the BAFA Disciplinary Officer, who will forward them to the relevant disciplinary authority or deal with them under this Code.

### **SECTION 3. Penalties**

ARTICLE 1. All monetary figures given here may be halved in youth, junior and student leagues.

ARTICLE 2. All fines and fees shall be paid to BAFA, though a disciplinary authority with jurisdiction in a case may collect them on BAFA's behalf.

#### **Penalties for disqualification from a game**

ARTICLE 3. Players disqualified from a game shall be given an automatic playing suspension and fined as follows:

Offence	Suspension	Fine	Note
First offence	1 game	£20	(No suspension if the disqualification was simply for being "not on roster")
Second offence	2 games	£50	
Third offence	12 months	£100	

ARTICLE 4. A disqualification shall be considered as "spent" 12 months after it takes place.

ARTICLE 5. Suspensions will have immediate effect and fines will become immediately due unless an appeal is lodged with the BAFA Disciplinary Officer by 8pm on the second day following the game, and followed up in writing to arrive on or before the fifth day following. Any appeal not so notified will be void.

ARTICLE 6. Appeals must be accompanied by a £50 fee, which will be retained if the appeal is unsuccessful. Any appeal not accompanied by the fee will be void. The appeal may be made either by the player himself or on his behalf by his organisation.

ARTICLE 7. Appeals against disqualification may only be made on the grounds that:

- a. the person who committed the foul was not the one disqualified (mistaken identity), or
- b. no foul was committed (there must be clear evidence that the match officials misapplied a rule)

ARTICLE 8. No appeal will be upheld on the grounds that a foul was committed but was not flagrant enough to warrant disqualification (this must be left entirely to the judgement of the match official).

ARTICLE 9. All appeals must be supported by video or other evidence.

ARTICLE 10. Appeals will be heard by an appropriate disciplinary authority normally within no less than 3 and no more than 14 days of the disqualification, provided all parties have had a reasonable opportunity to submit evidence.

### **Additional penalties as a result of an appeal**

ARTICLE 11. Where a disciplinary authority denies an appeal and believes that the appeal was made (i) on unreasonable or substantially mistaken grounds; or (ii) substantially in order to permit a player to play in a game for which he was otherwise suspended; or (iii) for vexatious reasons; then the player's suspension and fine shall be doubled.

ARTICLE 12. A team that permits a suspended person to participate will forfeit the game and be subject to disciplinary action.

### **Penalties for roster form breaches**

ARTICLE 13. For failure to include a player or member of sideline personnel on the roster form, the team shall be fined £20 for each person omitted.

### **Penalties for other breaches**

ARTICLE 14. A disciplinary authority may impose one or more of the following penalties against a BAFA participant:

- a. issue them with a written warning concerning their conduct
- b. issue a fine of no more than £100 for a first offence
- c. issue a playing suspension for a stipulated number of games
- d. issue a total suspension from all or certain specified BAFA events for a stipulated period of time or number of games
- e. prohibit them serving as a director or officer of a BAFA organisation for a stipulated period of time

ARTICLE 15. A disciplinary authority may impose one or more of the following penalties against a BAFA organisation:

- a. issue them with a written warning concerning their conduct
- b. issue a fine of no more than £500 for a first offence
- c. if a team, disqualify them from a competition (or part thereof), deduct a stipulated number of league points, or prohibit them from entering international competition or playing overseas for a stipulated period of time
- d. suspend them from a parent organisation for a stipulated period of time

ARTICLE 16. Any penalty may be suspended for a stipulated period. The penalty will become applicable if the accused is found guilty of any further offence within that period, unless there is a good reason not to impose it.

ARTICLE 17. A written warning may only be imposed for a first offence and where the offence is determined to be minor.

ARTICLE 18. The penalty for a second offence in any category will normally be double the penalty for a first offence. The penalty for a third offence in any category will normally be treble the penalty for a first offence. The penalty for a fourth offence will normally involve a period of suspension from the sport for a number of years.



## Suspensions

ARTICLE 19. There are three types of suspension:

- a. A playing suspension is where a player is suspended from playing in a game. While suspended, he may stand in his team area during the game, provided that he is not in uniform (exception – he may wear a jersey in his team's colours) and that he is wearing the necessary credentials.
- b. A total suspension is where a participant is suspended from any participation in a game. While suspended, he may not enter the field (as defined in Rule 2-31-1) nor communicate in any way with anyone who is in the field during the game. In exceptional cases, a disciplinary authority may impose a total suspension on a player.
- c. An organisational suspension is where an organisation is prohibited from playing games, entering international competition or playing overseas or other BAFA events.

ARTICLE 20. The general principle is that a participant who is suspended (or any team or other organisation with which they are affiliated) cannot influence to their advantage the game(s) in which the suspension shall be served.

ARTICLE 21. Normally, a suspension for a stipulated number of games applies to the next scheduled game(s).

- a. This will normally be the next game on the team's schedule.
- b. However, suspensions resulting from a competitive game (i.e. a regular season or playoff game) will apply only to competitive games.
- c. If there is any question as to a team's schedule, the one notified to BAFRA will take precedence.

ARTICLE 22. A suspension for a stipulated period of time applies to all relevant BAFA events that occur before the period of suspension ends.

ARTICLE 23. Schedules cannot be rearranged to alter the game(s) for which a suspension is served. The recognised schedule at the time of the incident that led to the suspension shall apply.

- a. If a regular season or playoff fixture is arranged to take place before the date of the game, the suspension will apply to the original game and the person will be eligible to participate in the re-arranged game.
- b. Further, if a fixture is cancelled at any time up to its kickoff, the suspension will carry forward to the next scheduled game.

ARTICLE 24. A suspended participant who has not completed a suspension, and who wishes to transfer organisation, carries their suspension with them to their new organisation. If there is a hiatus between the end of membership of one organisation and the beginning of membership of the other, and during this time, the new organisation plays games, these games shall be counted towards meeting the suspension unless the BAFA Disciplinary Officer rules this to be unfair.

ARTICLE 25. A participant suspended for a period of more than 5 years (including "for life") may appeal to a BAFA Appeals Committee for reinstatement at any time after 5 years of their sentence has elapsed. The BAFA Appeals Committee shall normally permit reinstatement if it is satisfied there are reasonable grounds to believe that the participant shows remorse for their previous offence(s) and is unlikely to reoffend.

## **SECTION 4. Procedures for BAFA disciplinary and appeal proceedings**

### **General principles**

ARTICLE 1. A BAFA disciplinary proceeding is a proceeding of a sports association and not of a Court.

ARTICLE 2. The Convener shall be:

- a. for a disciplinary matter, the BAFA Disciplinary Officer
- b. for an appeal arising from a case considered by a BAFA Disciplinary Committee or another disciplinary authority, the BAFA Appeals Officer

ARTICLE 3. Once notified of a matter, and having assured that the matter is within BAFA's jurisdiction, the Convenor shall constitute a Disciplinary/Appeals Committee to deal with the case.

ARTICLE 4. The Convenor shall:

- a. appoint a chair of the Committee
- b. appoint at least two other persons to be members of the Committee
- c. in consultation with the chair and the accused/appellant, decide whether the matter is best dealt with by hearing or correspondence

ARTICLE 5. The chair and members of the Committee shall be persons who have had no previous major involvement in the matter under consideration. Normally, the members of the Committee will be drawn from different BAFA foundation organisations and there should not be more than one member from the member organisation of which the accused/appellant is a member or with whom they are affiliated.

ARTICLE 6. The Convenor is not a member of the Disciplinary/Appeals Committee, but shall have the right to attend any hearing and be copied in on all correspondence relating to a matter. The Convenor's advice may be sought by the Committee or any party on interpretation of this Code or any other matter relating to the proceedings.

ARTICLE 7. Any BAFA Disciplinary Committee or BAFA Appeals Committee business may be conducted by means of a hearing and/or by correspondence. In either case, any reasonable technology may be used to facilitate the business and the input of the participants provided the principles of natural justice are maintained.

ARTICLE 8. The costs of conducting a hearing or correspondence shall be borne by BAFA except:

- a. where the costs of the hearing or correspondence are caused or increased due to a request or action by the accused/appellant; AND
- b. the Committee finds against the accused/appellant

In such cases, the Committee may order that the accused/appellant shall pay all or part of the costs.

ARTICLE 9. All Disciplinary Committee and Appeals Committee matters shall be dealt with as soon as is practically possible.

### **Specific principles for appeals**

ARTICLE 10. Appeals relating to cases handled by a BAFA Disciplinary Committee or another disciplinary authority shall normally be notified to BAFA within 28 days of the finding being issued in writing.

ARTICLE 11. A BAFA Appeals Committee shall not substitute its judgement for that of any disciplinary authority, except that it may:

- a. Order that a disciplinary authority shall reconsider a case in the light of new evidence that could not reasonably have been available to the disciplinary authority at the time it considered the case.
- b. Determine that the procedure in a disciplinary case was conducted so incorrectly as to bring into reasonable doubt the finding of a case, and order that the case be reconsidered either by the original disciplinary authority or by a BAFA Disciplinary Committee.
- c. Determine that the sanction imposed in a case was unreasonably severe or unreasonably lenient, and order that the case be referred back to the disciplinary authority for a reasonable sanction to be imposed. (The Appeals Committee may recommend a reasonable sanction, or recommend a range within which a sanction would be thought reasonable.)

ARTICLE 12. A BAFA Appeals Committee shall not normally consider any case dealt with by a BAFA foundation organisation until it has been dealt with by the final appeals process of that BAFA foundation organisation. This can be waived with the agreement of the BAFA foundation organisation concerned.

ARTICLE 13. Any appeal against the decision of a BAFA Appeals Committee shall be made within 28 days to a tribunal of arbitrator(s) appointed in accordance with the Rules (as amended from time to time) of Sport Resolutions (Company No. 3351039) and the decision of those arbitrator(s) shall be final and binding on all concerned. The parties shall be deemed to have waived irrevocably any right to appeal, review or recourse to a court of law.

### **Procedures for reviewing cases**

ARTICLE 14. The BAFA Disciplinary Officer may, in exceptional circumstances where in his view a sanction imposed by a disciplinary authority is wholly inappropriate, appeal against the sanction imposed.

ARTICLE 15. Additionally, in exceptional circumstances, where a participant or organisation has been cleared of the charges faced, the BAFA Disciplinary Officer shall have the right to appeal against that finding.

### **Appointments**

ARTICLE 16. The BAFA Disciplinary Officer and the BAFA Appeals Officer shall be appointed from time to time by the BAFA Board.

ARTICLE 17. Where the BAFA Disciplinary Officer or the BAFA Appeals Officer is unavailable for a significant period of time, the BAFA Board shall appoint a deputy as appropriate until the officer is available again.

ARTICLE 18. Wherever practicable, the chair and members of a BAFA Disciplinary Committee shall be persons who have been trained in this Code and its application.

ARTICLE 19. Wherever practicable, the chair and members of a BAFA Appeals Committee shall be persons who:

- a. have been trained in this Code and its application, and
- b. are of considerable standing and experience in British American football (e.g. officers of BAFA or its member organisations of several years' experience).

ARTICLE 20. Wherever practicable, the chair and members of a disciplinary committee convened by a BAFA foundation organisation shall be persons who have been trained in this Code and its application.