



IFP RESOLUTION

POLICY AND PROCEDURES

JUDICIAL PROCEDURES

1 General

In all processes of the Federation, the judicial bodies of the Federation will provide fair procedures to all parties involved and will respect their fundamental rights.

2 Disciplinary and Appeal Processes

2.1 Disciplinary/Appeal Steps

- 2.1.1 Any evidence of misconduct to be sent in first instance to the President (who may also institute proceedings using other evidence).
- 2.1.2 President advises the Board of Directors of alleged misconduct.
- 2.1.3 A Disciplinary Committee (DC) appointed by the Board investigates.
- 2.1.4 Investigation coordinated by DC with respondent having the right to make representations and to supply evidence. DC may authorize personal hearing for serious or complex cases.
- 2.1.5 DC reports to full Board of Directors with the decision, and if the misconduct charge is sustained by at least a majority of the Board, the penalty.
- 2.1.6 Penalties can include a suspension of IFP membership for a period, and/or dismissal from IFP. Where the penalty is dismissal from IFP, Board of Directors (other than anyone charged with an offense) votes on the penalty: a simple majority in favor confirms the penalty – failure to secure a majority causes the penalty to be reconsidered by DC and a new penalty proposed.
- 2.1.7 Any appeal must be lodged with the President within 14 days. 2.1.8 Any findings of guilt and penalty applied may be made public at the discretion of the Board.

3 General Disciplinary and Appeal Processes

These Regulations are created by the IFP to control how disciplinary action can be instituted.

3.1 Applicability

- 3.1.1 The term “respondent” in these Regulations will refer to the player, competition official, or other person who is alleged to have committed the offense in question. If a Member Association is alleged to have committed the offense, “respondent” will refer to the representative designated by the Member Association to represent it in the proceedings.
- 3.1.2 A protest or appeal will be submitted in writing to the relevant body and will set out the facts, reasons and evidence on which it is based. It will be accompanied by a deposit of \$100 USD or equivalent, which amount will be refunded if the protest or appeal is allowed.
- 3.1.3 A decision is considered as delivered when received by the person concerned or his member federation. A protest or appeal is validly made if it is received by email before midnight on the last day of the deadline which, unless otherwise specified, is 14 days after the relevant body has delivered the decision.
- 3.1.4 The lodging of a protest or of an appeal will not have the effect of suspending the decision at stake or any penalty imposed. However, the protester or appellant may submit a request for suspension of the decision or penalty and the body hearing the appeal or the protest will rule on the request.
- 3.1.5 For all situations not covered by these Judicial Procedures, the judicial bodies of the Federation will apply United States law.

4 Disciplinary Committee

- 4.1 The IFP Board of Directors has the power to appoint a standing Disciplinary Committee to deal with disciplinary matters as they arise or to appoint a specific Disciplinary Committee to deal with a particular alleged offense.
- 4.2 A Disciplinary Committee will comprise the Chair, who will conduct any meeting of the Committee, and two other members. All members of a Disciplinary Committee must be members of the Board of Directors. Two members must be present at a meeting to form a quorum, and the Chair will have a casting vote in the case of equality.
- 4.3 A member of a Disciplinary Committee may not be a witness or give written evidence in a particular case, and must not have been an official at an event where an alleged offense took place, or a witness to the alleged offense.

5 Disciplinary Process

- 5.1 It will be permissible to consider an alleged offense using only written reports and evidence. In such cases, the Disciplinary Committee must take its decision based only on the written reports and evidence, and any submission from the respondent or the respondent’s Member Association. However, alleged offenses against the dope-testing regulations must be heard at a meeting to which the respondent concerned is invited.

- 5.2** Any respondent who is alleged to have committed an offense must be informed in writing via their Member Association of the fact that a Disciplinary Committee is considering the alleged offense, and outlining the nature of the evidence available.
- 5.3** For all but hearings for offenses against the dope-testing regulations, copies of any written evidence or reports will be sent with the letter about the alleged offense. This is to allow the respondent to be aware of the evidence and to permit a written submission to be made stating any facts and circumstances from the respondent's viewpoint, and/or the Member Association's viewpoint.
- 5.4** When a respondent attends a Disciplinary Committee meeting, the respondent will be entitled to be accompanied by an adviser or representative, together with an interpreter if desired, as meetings will be conducted in English, the official IFP language.

6 Timescale and Venue

- 6.1** Any disciplinary Committee meeting will be convened as quickly as is practicable following receipt of evidence of misconduct.
- 6.2** The venue for a Disciplinary Committee meeting will be set by the IFP.
- 6.3** At a Disciplinary Committee meeting, any expenses of a respondent, any adviser or representative and interpreter, together with the expenses of any witnesses called by the respondent must be met by the respondent or the respondent's Member Association.
- 6.4** Expenses of the meeting room, administration, and travel and subsistence of the committee and any persons requested to attend by the IFP will be met by the IFP.

7 Committee Meeting Guidelines

- 7.1** A Disciplinary Committee meeting will be conducted without formal rules of procedure, but adhering to the following general principles:
- 7.2** The Chair is in charge of the meeting and any rulings from the Chair are binding.
- 7.3** The only people who may be present at the meeting are the Committee, a Minute Secretary, the respondent, the respondent's adviser or representative, an interpreter, a representative of the respondent's Member Association, a person introducing the evidence to substantiate the alleged offense, and a particular witness. Additional observers without the right of speaking may be present at the discretion of the Chair.
- 7.4** The Chair will start the meeting by introducing those present and explaining each person's role.
- 7.5** A person introducing the evidence (who must not be a member of the Disciplinary Committee) will first of all summarize the case against the respondent and will then introduce the evidence available. In the case of written evidence, the respondent through his/her Member Association will be sent a copy a reasonable time in advance of the meeting.
- 7.6** For each piece of evidence, the respondent, the respondent's adviser or representative, and the representative of the respondent's Member Association will have the right to ask questions.
- 7.7** If a witness or expert is called, questions may be asked of the witness by the respondent, the respondent's adviser or representative, and the representative of the respondent's Member Association.

- 7.8** After the evidence against the respondent has been presented, the respondent or the respondent's adviser or representative may introduce additional evidence or call witnesses or experts.
- 7.9** Any member of the Disciplinary Committee may ask questions of any witness.
- 7.10** The Committee has powers to call for evidence and witnesses (including experts) as and when it deems fit, to assist in the proceedings.
- 7.11** After all evidence and witnesses have been heard, the respondent or the respondent's adviser or representative will be given an opportunity to summarize the respondent's point of view.
- 7.12** The Committee will consider their decision with no other person present.
- 7.13** If the Committee decision is that the respondent is found guilty of the alleged offense then, before deciding on any penalty, the respondent or the respondent's adviser or representative will be given the opportunity to make a statement.
- 7.14** With no other person present, the Committee will consider what penalty, if any, is to be applied and will then announce it.
- 7.15** The decision and any penalty will be confirmed in writing as soon as possible after the meeting to the respondent through the respondent's Member Association.
- 7.16** The fact that a Disciplinary Committee meeting is being held, the name of the respondent and the proceedings themselves will normally be kept confidential by the IFP. This will not preclude the IFP from confirming outline details if it is evident that the media are aware of the meeting. The decision of the Committee will be publicized at the IFP Board of Director's discretion.

8 Appeals

The respondent (or the respondent's Member Association) may appeal against a Disciplinary Committee decision.

8.1 Appeal Requirements

- 8.1.1 An appeal will only be valid if it is made in writing within 14 days of the Disciplinary Committee decision.
- 8.1.2 The appeal will state the grounds for the appeal.
- 8.1.3 The appeal will be accompanied by a deposit of \$100 USD, which will not be returned to the respondent.
- 8.1.4 The IFP Board of Directors will appoint an Appeal Committee to deal with each specific appeal. The Appeal Committee will consist of three members, none of whom must have been present in any capacity at any initial Disciplinary Committee that dealt with the particular case.
- 8.1.5 The general procedure of the Appeal Committee will follow that of a Disciplinary Committee.
- 8.1.6 An Appeal Committee can reverse a finding of guilt, or can vary the penalty imposed by the original Disciplinary Committee. Variation of a penalty can be to increase or decrease any element of the penalty, as the Appeal Committee at its sole discretion sees fit.

9 Penalties and Financial Compensation

The Constitution specifies the following: The judicial bodies of the IFP have the power to make decisions and impose penalties and can impose the following penalties.

9.1 Penalty Guidelines

- 9.1.1 Reprimand - oral or written issued by the Disciplinary Committee.
- 9.1.2 Exclusion or suspension - formal notice issued by the Disciplinary Committee.
- 9.1.3 Disqualification - formal notice issued by the Disciplinary Committee.
- 9.1.4 Ban from competition - formal notice issued by the Disciplinary Committee.
- 9.1.5 A combination of the penalties listed above or other appropriate measures agreed by the Board of Directors.
- 9.1.6 Any suspension is from all competitive events for such time as is seen fit, including possibly for life.
- 9.1.7 Suspension of a player or official may be imposed by the Executive Officers or Board of directors, where there is strong evidence of serious misconduct, until a hearing takes place.

APPROVED by the BOARD OF DIRECTORS and made effective as of February 1, 2020

Pat Murphy, President