

## DISCIPLINE POLICY

Boxing BC

October 9, 2021



### **PURPOSE**

1. Membership and participation in the activities of Boxing BC offer many benefits and privileges. At the same time, members and participants are expected to fulfill certain responsibilities and obligations, including complying with Boxing BC's Code of Conduct. This Code of Conduct identifies the standard of behaviour that is expected of members and participants. Those who fail to meet this standard may be subject to the disciplinary procedures set out in this policy.

### **APPLICATION**

This policy applies to all categories of Boxing BC members and to all individuals participating in activities with Boxing BC. These include, but are not limited to, athletes, coaches and officials.

This policy applies to all disciplinary matters that may arise during the course of Boxing BC's business, activities and events including, but not limited to, competitions, practices, training camps, and travel associated with competitive activities.

Disciplinary infractions occurring within the business, activities or events of provincial associations, including clubs under provincial jurisdiction, will be dealt with through the policies and procedures of such provincial associations. Provincial associations are encouraged to adopt procedures that are consistent with this policy.

The Chair of the Discipline Committee (hereafter referred to as the "Chair") and the Executive Director of Boxing BC are responsible for overseeing and implementing the procedures set out in this policy and will, at all times, ensure that such procedures are carried out in a timely manner. In the event the Chair and/or Executive Director are unable to fulfill such responsibilities, the Board will appoint a designate.

### **REPORTING AND INFRACTION**

Any individual may report a disciplinary infraction to the Chair in writing. The Chair, in his/her sole discretion, will determine if the infraction is best dealt with as a "minor" or a "major" infraction.

## **MINOR INFRACTION**

Minor infractions are single incidents of misconduct that breach the Code of Conduct, but do not result in physical and/or emotional harm to others. Disciplinary situations involving minor infractions may be dealt with by the Chair, or another appropriate individual having authority over the individual involved. This individual may include, but is not restricted to, a Board member, Committee, staff person, coach, organizer or manager.

Minor infractions shall be addressed informally. The procedure for addressing minor infractions may be determined at the discretion of the Chair, or the individual having authority, provided the individual being disciplined is told the nature of the infraction.

Disciplinary sanctions for minor infractions may include the following:

- (a) verbal or written reprimand;
- (b) verbal or written apology;
- (c) suspension from the current activity or competition;
- (d) any other similar sanction considered appropriate for the offence.

## **MAJOR INFRACTION**

Major infractions are instances of misconduct that violates the Code of Conduct and that result, or have the potential to result, in physical and/or emotional harm to other individuals, or that would have a significant negative impact on the reputation of Boxing BC or the sport of boxing as a whole.

Where the Chair determines that an infraction is to be dealt with as a major infraction, the Chair will notify the individual alleged to have committed the infraction as soon as possible, and will provide the individual with a copy of the written report and a copy of this policy.

Major infractions occurring within competition may, if necessary, be dealt with immediately by the appropriate individual with authority (i.e. the Boxing BC representative at a national event, or the tournament director at all other tournaments). For greater certainty, it is understood that referees will control infractions/penalties during actual bouts, and are responsible for dealing with athlete misconduct during the bouts.

## **PROCEDURES FOR RESPONDING TO A MAJOR INFRACTION**

Depending on the nature and severity of the infraction, the Chair may appoint an independent individual to conduct an investigation. If this individual is appointed, the Investigator will carry out the investigation in a timely manner

and at the conclusion of the investigation, the investigator will submit a written report to the Chair.

If an investigation was carried out, and upon receiving the written report of the investigator, the Chair will decide if the complaint should be dealt with informally or through the formal procedures set out herein.

If the matter is to be addressed through the formal procedures set out herein, the Chair may determine that the alleged infraction is of such seriousness as to warrant an interim suspension of the individual from activities with Boxing BC Canada pending a review of the complaint in accordance with the formal procedures.

### **FORMAL PROCEDURES / HEARING**

If the Chair determines that the complaint should be dealt with through the formal procedures set out herein, the complaint will be addressed by way of a hearing.

Upon determining that the complaint will be addressed by way of a hearing, the Chair will refer the complaint to the Discipline Committee, consisting of the Chair and three additional unbiased individuals. The role of the Chair, with assistance from the Executive Director, will be to coordinate the administrative work of the Committee and ensure that the procedures of this policy are properly carried out. The Chair will not carry a vote on the Discipline Committee.

The Committee will decide whether to conduct the hearing by way of (a) a review of documentary evidence, (b) oral hearing or (c) by way of a combination of these two methods. If the Committee decides to conduct an oral hearing, it may decide to do so in-person or by teleconference. The Committee will have regard to the nature of the allegations and the potential consequences in relation thereto when determining the form of the hearing.

The Committee may determine that the circumstances of the infraction warrant a preliminary meeting in advance of the hearing. The Committee may delegate to one of its members the authority to deal with these preliminary matters, which may include, but are not limited to:

- (a) determining the date and location of the hearing;
- (b) setting timelines for the exchange of documents;
- (c) clarifying issues relating to the infraction;
- (d) determining the order and procedure of the hearing;
- (e) determining the evidence to be brought before the hearing;

- (f) identifying potential witnesses; or
- (g) any other procedural matter that may assist in expediting the hearing.

The committee will govern the hearing as it sees fit, provided that:

- (a) the individual being disciplined will be given 10 days written notice of the day, time and place of the hearing;
- (b) the individual being disciplined will receive a copy of the Investigator's report, if any investigation was carried out;
- (c) A quorum will consist all four Committee members, and decisions will be by majority vote where the Chairperson carries no vote;;
- (d) in the case of an oral hearing, the individual being disciplined may be accompanied by a representative;
- (e) in the case of an oral hearing, the individual being disciplined will have the right to present evidence and argument;
- (f) the Committee may request that any witness or any other person be present at the hearing or submit written evidence in advance of the hearing;
- (g) if the individual being disciplined chooses not to participate in the hearing, the hearing will nonetheless proceed;
- (h) the hearing will be held in private;
- (i) once appointed, the Committee will have the authority to abridge or extend timelines associated with any aspect of the hearing.

After the hearing, the Committee will determine whether or not the individual has breached the Code of Conduct and if so, the appropriate sanction to be imposed as well as any additional measures necessary to mitigate the harm suffered by others as a result. The Committee's written decision, with sufficient reasons, will be distributed to all parties and to the Executive Director and the President within 14 days of the conclusion of the hearing.

Where the individual acknowledges liability, he or she may waive the hearing, in which case the Committee will determine the appropriate disciplinary sanction. The Committee may hold a hearing for the purpose of determining an appropriate sanction or it may determine the appropriate sanction in the absence of a hearing.

Where the Committee determines that the allegations of misconduct are false, vexatious, retaliatory or frivolous, the Committee may direct that there be disciplinary action against the complaint.

The decision of the Committee will be final and binding upon the individual being disciplined and Boxing BC, subject only to an appeal pursuant to the policies of Boxing BC.

## **SANCTIONS**

The Committee may apply the following disciplinary sanctions individually or, for major infractions, in combination:

- (a) written reprimand;
- (b) removal of certain privileges of membership;
- (c) suspension from certain events which may include suspension from the current competition or from future teams or competitions;
- (d) suspension from certain Boxing BC activities such as competing, coaching or judging for a designated period of time;
- (e) suspension from all Boxing BC activities for a designated period of time;
- (f) expulsion from membership;
- (g) publication of the decision;
- (h) other sanction as may be considered appropriate for the offence.

Unless the Committee decides otherwise, any disciplinary sanctions will commence immediately. Failure to comply with a sanction as determined by the Committee will result in automatic suspension of membership or participation in Boxing BC until such time as the sanction is complied with.

In applying sanctions, the committee may have regard to the following aggravating or mitigating circumstances:

- (a) the nature and severity of the infraction;
- (b) the extent to which others have been harmed by the infraction;
- (c) the cooperation of the individual being disciplined in the proceedings under this policy;
- (d) whether the incident is a first offence or has occurred repeatedly;

- (e) the individual's acknowledgement of responsibility;
- (f) the individual's remorse and post-infraction conduct;
- (g) the age, maturity or experience of the individual;
- (h) whether the individual retaliated, where the incident involves harassment;
- (i) the individual's prospects for rehabilitation.

### **CONFIDENTIALITY**

Where the reported behaviour may constitute harassment, or is of a similar sensitive nature, Boxing BC will keep all proceedings under this confidential, except where disclosure is directed by the Committee as part of a sanction, is required by law or is in the best interests of the public.

### **ALLEGATION OF MISCONDUCT INVOLVING COACHES**

Where the Chair receives a complaint of misconduct about a coach who is a member of the Canadian Professional Coaches Association (CPCA), this complaint will be referred to CPCA to be dealt with pursuant to its conduct and disciplinary procedures.

### **APPEALS PROCEDURES**

Except where otherwise provided, the decision of the Committee may be appealed in accordance with Boxing BC's Appeal Policy.