

## Hearing FAQs

### 1. Who will be notified?

- Hearing notices will always be emailed directly to the affected club's Discipline Representative.

### 2. Can I request a Postponement?

- OS 5.4.5 Request for Postponement
  - Any party required to attend a hearing may request one (1) postponement of a hearing. The party must submit a written request which must be received by the Governing Organization no later than four (4) days prior to the date of that hearing, stating the reason for requesting the postponement. All such requests must be accompanied by the correct fee in the form of a recorded payment. Should the request be denied, the fee shall be refunded. The Governing Organization shall have full discretion to refund the "Request For Postponement Fee" if sufficient reason warrants such action.
- 5.4.5.1
  - Any Match Official required to attend does not have to pay the "Request For Postponement Fee" unless he/she is the accused.
- 5.4.5.2
  - In the event that criminal charges are laid as a result of any incident that occurred in a game or in the vicinity of the game's venue after the game, the case shall proceed in accordance with "governing documents", unless the accused requests a postponement of the hearing. Such "Requests for Postponement" shall be granted, but the accused shall remain suspended from all soccer related activity until his/her case is dealt with by the Discipline Hearing Panel.

### 3. Who is required to attend?

- 5.6 Attendance at a Discipline Hearing
  - 5.6.1 The accused individual or Governing Organization or their representative must attend a hearing. Anyone representing an accused must provide a signed proxy from the accused before being allowed to participate at a hearing.
  - 5.6.2 An accused may choose to be accompanied by another adult who may act as an adviser.
  - 5.6.3 An accused less than eighteen (18) years of age must be accompanied by an adult, who shall act as an adviser, failing which the hearing will not proceed and the accused shall be suspended until the hearing is held.
  - 5.6.4 If the accused does not appear, the hearing will not proceed, the accused will be fined in accordance with the "Schedule of Fees, Fines, Bonds and Penalties" as published by the Governing Organization, and the accused will be suspended from all soccer related activities until he/she requests in writing and attends a hearing.
  - 5.6.5 In all cases of alleged Match Official Assault, the following must attend the hearing:
    - a) the accused (notwithstanding Procedure 5.6.1, the accused must attend in person);

- b) the person(s) submitting the report(s);
  - c) the Club representative.
- 5.6.6 Any of the above parties failing to attend may result in disciplinary action being taken.
  - a) An accused person failing to attend a Discipline Hearing, when required to do so, shall be suspended from all soccer related activities until such time that he/she requests, in writing, another hearing and appears at that subsequent hearing, and he/she shall be fined in accordance with the "governing documents" of the organization hearing the case.
  - b) A Governing Organization failing to attend a Discipline Hearing, when required to do so, shall be fined in accordance with the "governing documents" of the organization hearing the case.
- 5.6.7 Failure of an accused, without due cause, to participate in, or remain at, a Discipline Hearing when required to attend.
  - a) An accused person who refused to participate in a Discipline Hearing, or who walked out of the hearing, thus preventing the Discipline Hearing Panel from rendering a decision on the case, shall be suspended from all soccer related activities until such time that he/she requests, in writing, another hearing and appears at that subsequent hearing.
  - b) Notwithstanding Procedure 5.6.7 a), if the Discipline Hearing Panel determines that it has obtained sufficient evidence, prior to the walkout, to render a decision in the normal manner, it shall render its decision.
- 5.6.8 The Discipline Hearing Panel must require that the author of the misconduct report attend the Discipline Hearing where the accused has been charged with a misconduct type that may result in a penalty of one year or greater.
- 5.6.9 The Match Official must attend a Discipline Hearing if required by the Discipline Hearing Panel. Any reasonable expenses incurred by the Match Official shall be reimbursed by the Governing Organization handling the case.

#### 4. What is my role?

- **Advisor**

- 5.7.1. Advisers
  - 5.7.1.1 An adviser is a person eighteen (18) years of age or older who provides advice to any party required to attend a Discipline Hearing, including the Panel, and may not act as a witness nor provide any testimony at the Discipline Hearing. They may not question the competence of the Match Official(s) and may question a witness for clarification purposes only.
  - 5.7.1.2 The Chair of the Discipline Hearing Panel shall notify any advisers that the hearing will be conducted strictly in accordance with Ontario Soccer "governing documents".
  - 5.7.1.3 An adviser may not be granted an adjournment of the hearing on the grounds that he/she is not familiar with Ontario Soccer "Published Rules".

- **Club Representative**

- 5.7.3 Club, Local Referee Association or League Representative

- 5.7.3.1 Each Club / Local Referee Association or League is entitled to send a representative to a Discipline Hearing at which one of its player(s), team official(s), administrator(s) or Match Official(s) is required to attend and may serve as an adviser.
- 5.7.3.2 At a Discipline Hearing for a Match Official Assault case, the Club shall send a representative to the hearing.
- 5.7.3.3 A Club Representative may also serve as an adviser to a party, usually the accused, and is entitled to the full rights of an adviser, in accordance with Procedure 5.7.1.
- 5.7.3.4 At a Discipline Hearing for a Match Official Assault case, the Local Referee Association of the assaulted Match Official shall be requested to send a representative to the hearing.
- **Witness**
  - 5.7.4 Witnesses
  - 5.7.4.1 Each party required to attend a Discipline Hearing as well as the Governing Organization hearing the case, is entitled to bring witnesses. Witnesses must appear in person. Written reports by witnesses are not acceptable.
  - 5.7.4.2 There is no limit to the number of witnesses allowed, but they must add new testimony and the Discipline Hearing Panel can restrict the testimony of witnesses if the testimony given becomes repetitious.