



# Black card disciplinary policy

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## Introduction

This document sets out the procedures and potential sporting sanctions relevant when a black card has been issued at a Fencing Ireland affiliated event.

Fencing Ireland recognises that offences warranting black cards are serious and the behaviours involved are not in keeping with the sportsmanship or the ethos of the sport of fencing. All such offences will be treated in a manner consistent with that recognition.

## Timeline

Fencing Ireland will strive to adhere as closely as possible to the following timeline when addressing black card offences.

Time	Action
0 hour	Black card issued
0-36 hours	Report(s) filed
0-48 hours after reports filed	Meeting of disciplinary committee
0-24 hours after meeting	Decision issued
0-72 hours after time of decision email	Window for appeal

## Black card reporting

When a black card is issued at a Fencing Ireland affiliated event reports are required from each of the following:

- The person who issued the black card, e.g. match referee
- Head of Directoire technique, if different from the person who issued the black card.

Each report on a black card should:

- Include details on the event and match in question,
- Stipulate the rule(s) under which the card was issued and what 'group' of offence is relevant, e.g. "t.123 - Offence against sportsmanship - 4th group",

- Include a factual account of events relevant to the card (both the context and actions leading to the decision to present the card as well as the fencer's reaction to receiving the card)

Report to be filed via online form: <https://forms.office.com/e/BTcuppZvn1>

## Fencing Ireland Disciplinary Structure

### Fencing Ireland Disciplinary Coordinator

The Fencing Ireland Disciplinary Structure will be administered and coordinated by Fencing Ireland Disciplinary Coordinator who shall be appointed by the board of Fencing Ireland to serve until they step back from the role or are removed by the board of Fencing Ireland. The Coordinator may also be a member of the Disciplinary Panel (see below) but is not required to be.

There will also be a deputy Coordinator from a different club who can serve as Coordinator where there is a potential conflict of interest for the Disciplinary Coordinator.

The duties of the Fencing Ireland Disciplinary Coordinator include:

- Receiving notice of black card being issued,
- Maintain records of documents and stats relevant to disciplinary procedures including but not limited to:
  - Black cards issued,
  - Decisions and suspensions issued,
  - Appeals and relevant decisions,
- Administering Fencing Ireland Disciplinary Committees including:
  - Selecting members for the committee,
  - Nominating a chair of for each committee,
  - Circulating report(s) to panel ahead of meeting,
  - Disseminating the committee's decision following the meeting,
- Administering the appeals process in line with the details set out below, see 'Appeals',
- Supervision of the disciplinary structure, including:
  - Monitoring efficiency of systems involved,
  - Proposing changes to these systems and procedures,
  - Identifying other areas in which disciplinary procedures are necessary in keeping with Fencing Ireland activities and proposing policies to the board regarding same.

### Fencing Ireland Disciplinary Panel

Up to ten people will make up the Fencing Ireland Disciplinary Panel, ideally at least six. From this panel, a smaller committee of three will be drawn to deliberate as required on each black card offence (see 'Fencing Ireland Disciplinary Committees' below).

The primary purpose of this larger panel is to allow the disciplinary process the flexibility to draw on a range of pre-selected people to respond to black card offences in a timely manner fitting with the desired timeline set out above.

Members of the Fencing Ireland Disciplinary Panel will be appointed by the board of Fencing Ireland. The intention is for panel members to be appointed for a term of 4 years to coincide with the Olympic cycles, but the board of Fencing Ireland will apply its judgement to appoint members for suitable periods of time as necessary.

The panel will, in so far as is possible, include a range of different opinions and people including variety of gender, age, weapon fenced, club affiliation, and so forth.

## **Fencing Ireland Disciplinary Committees**

When a black card has been issued at a Fencing Ireland affiliated event, a meeting of a Fencing Ireland Disciplinary Committee will be held to assess the reports and decide on what, if any, sanction is relevant.

The committee will consist of three people drawn from the Fencing Ireland Disciplinary Panel. Where possible, the three panel members chosen to meet will be selected with the aim of avoiding conflicts of interest, e.g. not from same club as black card recipient (and possible 'victim' of the offence where that is a relevant concern), and not the referee who issued the card or the DT of the event where it was issued. Selection will also consider the need for prompt decisions and the adherence to the ideal timeline of disciplinary procedures set out in this document.

## **Disciplinary Committee meeting**

A meeting of a Fencing Ireland Disciplinary Committee may take place either in person, via an online meeting platform, or a combination thereof.

This committee will:

- Meet within 48 hours of the Disciplinary Coordinator receiving a report regarding a black card being issued (see timeline above),
- Consider the report(s) submitted regarding the issue,
- Consider the historical behaviour, good and bad, of the person to whom the card was issued.
- Issue a decision in line with the guidelines set out below

## **Decision**

The Fencing Ireland Disciplinary Committee decision's to be sent out by the Disciplinary coordinator within 24 hours of the committee's decision

Decision to be sent to the following recipients:

- affected party or their parent/guardian if affected party is under 18
- Secretary of Fencing Ireland

Affected party or their parent/guardian if under the age of 18 is to be notified via email to email address registered on Fencing Ireland membership system.

Decision document must set out:

- reasons for decision, and

- a summary of the reported factual events which contributed to the decision

The committee chair will draft the decision document and will allow the other committee members an opportunity to provide input on the text to ensure it is an accurate representation of what was agreed in the meeting before it is sent out.

Decisions will be issued using the Fencing Ireland template. It can be accessed here: - template to be hosted on new Microsoft system - [LINK WILL GO HERE](#).

Possible decisions available to committee	Notes
<p>1 Black card was unwarranted - card rescinded, no further punishment.</p> <ul style="list-style-type: none"> <li>• If the black card meant a penalised fencer or team was removed from the results list of a competition, they shall be returned to the competition results at the latest stage in which they competed; e.g. if a fencer was penalised with a black card in the middle of a table of 16 match, they will be returned to the results list as if they had lost that table of 16 match in normal circumstances. Penalised fencers/teams may not be awarded a final result higher than the matches they actually fenced warrant.</li> </ul>	<p>As a matter of course, Fencing Ireland supports our referees and DTs. The rescinding of a black card should be reserved for exceptional cases where there is incontrovertible evidence to show there is absolutely no doubt that the card was incorrectly applied.</p>
<p>2 Letter of censure for cases where a black card was warranted but a suspension deemed to be unreasonable</p>	<p>Fencers who have previously received a letter of censure for a black card offence will not be eligible to receive this penalty - repeat offenders will be suspended, see 3 below.</p>

Possible decisions available to committee	Notes
<p><b>3</b> Suspension from competition</p> <ul style="list-style-type: none"> <li>• Suspension counted based on the active season - season runs 1 Sept to last day of Nationals. <ul style="list-style-type: none"> <li>- Where a black card is deemed warranted this should be the default response</li> <li>- 60 days is to be seen as the standard suspension - longer suspensions may be considered for repeat offenders or particularly serious offences</li> <li>- Longer suspensions may be considered in cases of very serious offences and/or where a member has a history of repeatedly being issued black cards.</li> </ul> </li> <li>• Suspended includes all competition activity - fencing, refereeing, coaching, spectating, being part of a Directoire Technique, or any other role.</li> <li>• Suspended fencers cannot represent Ireland at international events during their period of suspension <ul style="list-style-type: none"> <li>- this includes as a fencer, referee, coach, or in any other official capacity.</li> </ul> </li> </ul> <p>Suspensions will apply only to specific individuals who committed offences even in cases where the black card resulted in a team being expelled from a competition.</p>	<p>Given the serious nature of black card offences, a suspension is to be seen as the standard response from a Fencing Ireland Disciplinary Committee.</p>

## Communication of decisions to other national or international bodies

For fencers who either represent other countries internationally or hold associate membership, Fencing Ireland will forward information related to any suspension to their national federation.

Given our proximity and the number of fencers who compete both in Ireland and Northern Ireland, NI Fencing should be informed of suspensions which may be relevant for them and which they may wish to apply to events in their jurisdiction.

Communication of suspensions to other relevant countries or bodies (for example, the FIE) should be considered on a case by case basis and carried out as needed or as required by other regulations.

## Appeals

When the application of a black card has been upheld, the affected party has a right of appeal. The information relevant to the appeal process will be communicated in the same email as that providing information regarding the Fencing Ireland Disciplinary Committee's decision on the matter.

## Appeals process

A party penalised with a black card upheld by a Fencing Ireland Disciplinary Committee decision has 72 hours from time of the email notifying them of sanction to appeal that decision. For black cards arising from individual events, only the individual concerned, or their parent/guardian if the individual is under the age of 18, may lodge an appeal. In

the case of a black card issued at a team event, the individual or the club represented by the team may lodge an appeal.

An appeal against a decision suspends the decision and any associated suspension until after the appeal has been considered.

Appeal must include a written document setting out the reasons for the appeal - see 'Grounds for appeal' below.

Appeals will be reviewed by the Fencing Ireland Disciplinary Committee who issued the initial ruling to decide if there are reasonable grounds for appeal.

If they deem that there is a case worth discussing, the committee may decide to convene a meeting to discuss the appeal. This meeting should happen within 72 hours of receipt of appeal. The committee's decision regarding the appeal will be sent out within 24 hours after the meeting.

Alternatively, the committee may agree that there is no merit in the appeal and to dismiss the appeal without the need for a meeting. This decision will be sent out within 24 hours of the consensus being reached.

## Grounds for appeal

Potential relevant grounds for appeal are limited to:

- Misunderstanding or misinterpretation of a rule leading to the issuing of the black card, or
- Unreasonable harshness of sanctions imposed.

In keeping with FIE rule t.172 - "No appeal can be made against the decision of the Referee regarding a point of fact [...] A point of fact includes, but is not limited to, any ruling by the referee analysing what happened on the piste, such as the validity or priority of a hit, whether a fencer left the side or end of the piste or if a person's behaviour is a Group 3 or Group 4 offence." - the factual basis of the the offence may not be appealed.

Ignorance of the rules will not be to excuse breaking the rules.

A person's status in the sport - e.g. international fencer, high level coach, etc. - will in no way allow that person to receive special treatment or lower levels of sanctions.