

DISCIPLINARY COMMISSION

In the Matter of

Basketball England

v

Jorvik Warriors

COMMISSION

The Commission members appointed by Basketball England were:

Chairman: Gerald Daish

Member: Tom Cleeve

Member: Vicky Collins

Colin Hills acted as Secretary to the Commission.

A disciplinary hearing took place online via Microsoft Teams on 12th July 2023 commencing at 5pm. Jorvik Warriors were not represented.

CHARGES

Basketball England charged Jorvik Warriors on 9th June 2023 with a breach of Disciplinary Code 5.6: Failed to ensure Club Officials, players or spectators conducted themselves in an orderly fashion, bringing the game into disrepute.

It was alleged that language and/or behaviour was used towards the match officials at the end of the game that was threatening and/or abusive. This includes the comments "you are f...in disgrace", and/or "you are a cheat" and/or "dirty cheat".

RESPONSE

Jorvik Warriors accepted the charge and requested that the matter be dealt with on the basis of correspondence only.

RULES

Rule 5.6 of Basketball England's Disciplinary Code states that a Club is responsible for ensuring its Officials, Spectators, and all persons purporting to be its supporters or followers, conduct themselves in an orderly fashion and refrain from any behaviour that in the opinion of The Association brings the game into disrepute.

DOCUMENTATION

i. Charge letter

- ii. Initial report from the League
- iii. Report from Dave Smith, Match Official
- iv. Statement from [REDACTED], Match Official
- v. Incident Report provided by League
- vi. Scoresheet

COMMISSION'S FINDINGS

The Commission found that the evidence in the documentation supported the charge and that Jorvik Warriors, in accepting the charge, had offered no explanation of the offending behaviour or apology.

SANCTION

The Commission found the offence to be of 'mid' level of seriousness and considered the sanction in accordance with Basketball England's Sanction Guidelines.

Aggravating Factors

- more than one incidence of abusive remarks;
- absence of any explanation, or details of internal club action taken by Jorvik Warriors, in response to the charge.

Mitigating Factors

- acceptance of the charge.

Record

- Jorvik Warriors have a clean disciplinary record to date.

Taking into account the aggravating and mitigating factors and the club's good disciplinary record, the Commission imposed the following sanction.

Fine: £50.00.

RIGHT OF APPEAL

There is a right of appeal against this decision under Basketball England regulations.

Chairman Gerald Daish

Date 12/07/2023