

VIA EMAIL

November 27, 2020

Attention: BC Soccer Members and Affiliated Clubs

From: Dave Jones, Judicial Chair of BC Soccer

Re: BC Soccer Judicial Update – Deferring Suspensions

Dear Members and Affiliated Clubs,

As you're aware, BC Soccer sent [a memo](#) to its members and affiliated clubs on March 13, 2020 which suspended soccer activity due to concerns over the spread of COVID-19, and in accordance with Canada Soccer's direction. Subsequent to this directive on suspension of play, [a secondary memo](#) was circulated by the Judicial Chair of BC Soccer addressing how term suspensions may be served during the suspension of soccer activity. This secondary memo indicated that those term suspensions would be put on hold, effectively extending the length of the suspension, due to the COVID-19 pandemic. The memo further went on to outline that case-by-case review may be considered pending further details on the return to play progress.

Since then a letter has been received from the Vancouver Island Soccer League seeking a review of the above direction.

Considerations:

- There are numerous factors to consider when looking to extend or amend a period of suspension beyond what was imposed, including ensuring that procedural fairness is maintained in order to protect the integrity of the discipline system.
- Disciplinary sanctions imposed before the COVID-19 suspension of play occurred, did not factor in the suspension of all soccer related activities due to an unforeseen pandemic.
- It is foreseeable that any future suspension imposed may now, in light of the restricted level of soccer play, contain additional wording, or commentary, that may address the suspension of play, and the impact upon an individual's length of suspension.

In this matter, and all other suspensions being served under similar circumstances, the following direction is provided:

1. All suspensions issued for a defined period of time that were imposed, and commenced, prior to the suspension of play on March 13, 2020 are to be served without interruption, along a continuous time schedule from the date the suspension commenced.

2. Suspensions issued for a specified number of matches, continue to be served in relation to missing matches that are scheduled and played.

Rationale:

The [Judicial Code and Policies of BC Soccer](#), including the Sanctioning Tables, provides for a variety of sanctions to be imposed upon an individual as the result of being found to have committed misconduct. Sanctions, while varying, include differing formats of suspensions, from missing a defined number of matches, to serving a suspension for a defined period of time. It is the responsibility of the Discipline Panel to select and impose the term of suspension upon the individual.

Once the disciplinary sanction is determined and imposed, it is not within the realm of procedural fairness to alter that term of suspension, unless additional information or inappropriate activity has been placed upon the individual who is serving the suspension. While it may be seen that those players affected by a term suspension may have been granted a benefit from the COVID-19 suspension of play, it is not the result of any one individual's action, or behaviours, and as such, they cannot have their "sanctions" extended with good cause, or without an additional process. The suspension of soccer activity by BC Soccer and Canada Soccer cannot stop the clock or time period for many aspects of the matches, including players aging out of opportunities for specified age-based championships, or simply missing their last year of youth soccer due to a suspension of soccer activities.

Suspensions for a defined time-period should be served within a continuous timeframe.

Sincerely,

Dave Jones
Judicial Chair of BC Soccer