



# Mordialloc-Braeside Junior Football Club Inc Disciplinary Sub-Committee TOR

## **Set Up of Sub-Committee**

The MBJFC Committee will appoint, within 2 calendar months of the AGM, a Disciplinary Sub-Committee.

The Disc Sub-Comm will be made up of a Chairperson, Vice Chairperson and two (2) other sitting members of the Club's Committee. It must include either of the Club's President, Senior VP, Junior VP and/or Match Committee Chairman. A quorum shall consist of three (3) members, one of whom must be either the Chairman or VC.

The Disciplinary Sub-Committee shall be responsible to the Executive Committee for all matters relating to the inquiry, and outcome, of all disciplinary matters involving Mordialloc-Braeside Junior Football Club member types.

The Disciplinary Sub-Committee shall be responsible for all issues, including but not limited to, any investigations or complaints raised against an opposition Club member, or affiliate of the SMJFL.

If the Disciplinary Sub-Committee is to investigate a matter concerning a member of the Executive Committee of Mordialloc-Braeside JFC, then two (2) Life Members will be asked to join the sub-committee to deal with the investigation.

Where a report is given by the SMJFL and the member is asked to attend a tribunal hearing, the Player Advocate will take the lead role on the inquiry, and will involve only those that he/she deems important to the inquiry.

## **Sub-Committee Terms of Reference**

The Disciplinary Sub-Committee may conduct an inquiry where:

- Any Club Rules, Club By-Laws or Club Codes of Conduct have been breached.
- Any SMJFL By-Laws or Codes of Conduct have been breached.
- Any AFL Laws of the Game or Codes of Conduct have been breached.
- Willful or negligent damage to Club property or the property of other Mordialloc-Braeside Junior Football Club member/s.
- Willful or negligent damage to opposition Junior Football Club property or the property of other opposition Junior Football Club member/s.
- Willful or negligent damage to SMJFL property or property of SMJFL representatives.

## **Sub-Committee Procedures**

To ensure fairness to all Mordialloc-Braeside Junior Football Club members, this document will outline the procedures in place for any disciplinary matters involving a Mordialloc-Braeside Junior Football Club member.

A code of conduct for all Mordialloc-Braeside Junior Football Club members is readily available at [www.mbjfc.net](http://www.mbjfc.net) or upon request to the Club Secretary.

The Disciplinary Sub-Committee may commence an inquiry following the lodgement of a complaint received by the Club Secretary by email or mail. These complaints can be from:

- Opposition Club Secretary or Committee Member
- Current Mordialloc-Braeside Committee Member
- Current Mordialloc-Braeside Junior Football Club Member
- Current Mordialloc-Braeside Junior Football Club Team Official
- A representative of the SMJFL
- A representative of AFL Victoria

The Disciplinary Sub-Committee will initiate an inquiry where it does not relate to a criminal matter. In cases such as this, the Sub-Committee Chairperson will call Victoria Police.

The Disciplinary Sub-Committee will not investigate any complaints made anonymously or verbally.

The Disciplinary Sub-Committee will inform the Mordialloc-Braeside Junior Football Club Executive Committee of the progress of the inquiry at its earliest convenience, and at regular intervals until an outcome has been reached and communicated.

Written records and email correspondence of all complaints, inquiries, outcomes will be stored confidentially with the Club Secretary. The Club Secretary shall also maintain a confidential log of all disciplinary matters investigated by the Mordialloc-Braeside Junior Football Club Disciplinary Sub-Committee, regardless of the outcome.

In the event of a new Club Secretary, all confidential written records and email correspondence will be handed over for storage to the new Club Secretary.

An overview of each incident, inquiry and outcome will be provided to the Mordialloc-Braeside Junior Football Club Executive Committee within 7 days of an outcome being reached and communicated to the member/s involved.

The MBJFC member who has had a complaint lodged against them, will be provided with basic details of the complaint against him/her and will be given the opportunity to

provide either a response in writing to the Disciplinary Sub-Committee, or in person.

A result of an inquiry cannot be established without contact being made with the Club member involved.

If the result of an inquiry by the Disciplinary Sub-Committee shows that an act of misconduct has taken place by a Mordialloc-Braeside Junior Football Club member/s, the Disciplinary Sub-Committee shall notify the Club member of any sanction being imposed. Notification must be made in writing (by letter or email) within 4 days of an outcome being reached, clearly outlining the reason/s for the sanction.

The Disciplinary Sub-Committee Chairman will uphold and manage sanctions taken against Mordialloc-Braeside Junior Football Club member/s.

If the Mordialloc-Braeside Junior Football Club member involved is under 18 years of age, all correspondence and communications, shall be addressed to, and handled in conjunction with, the parent/guardian of the member.

At no time, will a Club member involved in an inquiry who is under 18 years of age, be contacted and/or interviewed without the presence of his/her parent/guardian.

### **Sub-Committee Process**

1. A written, or emailed, complaint against a Mordialloc-Braeside Junior Football Club member must be given to the Club Secretary.
2. The Club Secretary will add the complaint received onto the Club's confidential incident log.
3. The Club Secretary will forward the complaint to the Disciplinary Sub-Committee along with contact details of both the complainant, and the Mordialloc-Braeside Junior Football Club member who the complaint has been received about.
4. As soon as reasonably practical, the Disciplinary Sub-Committee may meet to review the complaint and consider to:
  - a. Take no action except to record the complaint or
  - b. Initiate an inquiry and/or investigation.
5. If an investigation is initiated, it is expected that the interviews will be held in the shortest time practical but allowing for:
  - a. All evidence to be collected
  - b. The Mordialloc-Braeside Junior Football Club member to be accompanied by a parent/guardian or friend/representative
6. If the Mordialloc-Braeside Junior Football Club member refuses to attend an interview being conducted by the Disciplinary Sub-Committee, the Chairperson may, at his/her discretion, continue with the investigation.
7. Written statements by the Mordialloc-Braeside Junior Football Club member or witnesses can be taken into account.

8. The Disciplinary Sub-Committee Chairman must outline at the start of the interviews the purpose of the interview to all those present.
9. Once all interviews have been conducted, the Disciplinary Sub-Committee will meet to determine an outcome. A decision must be made by a majority vote.
10. The findings from the inquiry will be given to the Mordialloc-Braeside Junior Football Club member within 4 days of an outcome being reached.
11. An overview of the findings from the inquiry will be given to the MBJFC Executive Committee within 4 days of an outcome being reached.

### **Disciplinary Sanctions**

The Mordialloc-Braeside Junior Football Club Disciplinary Sub-Committee shall have the power to impose a sanction and/or penalty, as it sees appropriate. The options included, but are not limited to:

- Verbal warning (lodged on the Club's confidential incident log)
- Written warning (lodged on the Club's confidential incident log and a copy of the written warning kept with the Club Secretary)
- Written apology to another Mordialloc-Braeside Junior Football Club member, opposition club member, SMJFL representative or AFL VIC representative where applicable (a copy of the written apology kept with the Club Secretary)
- A request for financial compensation to meet any damage/theft of property
- To ban a playing member for one or more matches, or a specified period of time
- To ban a parent member from attending all Club sanction training sessions, matches, Match Reports, Club functions for one or more matches, or a specified period of time
- Suspension of membership for a specified period of time
- Expulsion of membership from the Mordialloc-Braeside Junior Football Club
- To suspend a ban on a playing member for one or more matches, or a specified period of time
- To suspend a ban on a parent member from attending all Club sanction training sessions, matches, Match Reports, Club functions for one or more matches, or a specified period of time

### **Appeal**

An appeal against the Disc Sub-Comm findings can be made by submitted a written, or emailed, appeal directly to the Club President.

The Club President will then call an Executive Committee meeting, including the Disc Sub-Comm Chairperson, to review the investigation notes, interview overview and outcome reached. The MBJFC President will then determine the outcome of the appeal, and will communicate the decision to all involved. There will be no right of appeal against any decisions made by the Club President in this instance.

Updated July 2018