



MSJRFLC DISCIPLINARY POLICY

Please see attached the Macquarie Sub Junior Rugby League Football Club Disciplinary Policy.

This Policy outlines the process to be followed by members, players and the MSJRFLC Disciplinary Committee in the event of any incident, complaint or other matter involving unsatisfactory conduct exhibited during training, game days or other club sanctioned or sponsored events.



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1. DEFINITIONS

Ancillary Committee Member means a member of the MSJRLFC Ancillary Committee as defined in Schedule 1 of the MSJRLFC Constitution (as amended from time to time).

Complainant means the person making the Complaint.

Complaint means a written complaint alleging a breach of conduct by any person covered by this Policy.

CRL means Country Rugby League NSW or any of its successors or assigns.

Disciplinary Committee means the Disciplinary Committee defined in Schedule 1 of the MSJRLFC Constitution (as amended from time to time).

HVCC Rules means the Hunter Valley Competition Committee Rules (or any replacement rules) in place from time to time.

Incident Report means any report made in writing to MSJRLFC in relation to an incident occurring involving a member of the MSJRLFC but does not mean any incidents occurring on-field or involving any Referee.

MSJRLFC means Macquarie Sub Junior Rugby League Football Club.

NJRLA means Newcastle Junior Rugby League Association or any of its successors or assigns.

Policy means this Policy document (as amended from time to time).



2. PURPOSE

The purpose of this Policy is to ensure that appropriate levels of discipline and behaviour are maintained within MSJRLFC and that all club rules and regulations, NRJLA rules, HVCC Rules and regulations, CRL rules and regulations are adhered to at all times, whether at home or away.

3. MATTERS TO WHICH THIS POLICY RELATES

The Disciplinary Committee will hear and determine written complaints made against any of the following persons insofar as the conduct the subject of the complaint relates to that individual's behaviour at training, game days or other club sanctioned or sponsored events:

- a) A Committee Member (whether a member of the Executive Committee or a member of the Ancillary Committee);
- b) A Coach, Manager, Leaguesafe or FAO;
- c) A player (whether registered or not);
- d) Any person assisting or volunteering the MSJRLFC (whether or not a member of either the Executive Committee or Ancillary Committee); or
- e) A spectator.

Please note that the Disciplinary Committee does not have the jurisdiction to hear complaints in relation to player's on-field behaviour or complaints about referee conduct.

For absolute clarity, the Disciplinary Committee will not be drawn on to investigate or resolve matters outside of the scope of this Policy.

4. ROLE OF THE DISCIPLINARY COMMITTEE

1. The Disciplinary Committee will oversee the management of Complaints brought under this Policy.
2. The President (or his/her nominee) will act as the Chairperson of the Disciplinary Committee.
3. In the circumstances where a Complaint is brought against a member of the Disciplinary Committee, the President will substitute a suitable member of the Executive Committee for the member of the Disciplinary Committee who is the subject of the Complaint.
4. The Disciplinary Committee will meet at the direction of the Chairperson as and when required.
5. Hearings and investigations undertaken by the Disciplinary Committee will be managed in the strictest of confidence.



5. THE ROLE OF THE EXECUTIVE COMMITTEE

1. The Executive Committee will act as an appeal body to whom appeals may be raised from decisions made by the Executive Committee.
2. Any appeals of decisions made by the Disciplinary Committee must be made in writing to the Secretary of the MSJRFLC within two (2) days of the decision which is to be appealed.
3. Following receipt of any notice of appeal being provided under clause 5.2, the Secretary will:
 - a. provide details of the appeal, together with a copy of the original Complaint and a copy of the decision made by the Disciplinary Committee to the members of the Executive Committee; and either
 - i. Add the appeal as an agenda item to the Executive Committee Meeting scheduled to be held the following week; or
 - ii. In the event that there is no ordinary Executive Committee Meeting scheduled for the following week, notify members of the Executive Committee of a Special Executive Committee meeting date.
4. The only business to be conducted at any Special Executive Committee Meeting convened under clause 5.3.a.ii is to be the appeal of the decision held by the Disciplinary Committee.
5. The Executive Committee is to consider the appeal on its merits and must make a decision whether to:
 - a. Uphold the original decision of the Disciplinary Committee; or
 - b. Reject the original decision of the Disciplinary Committee and instead substitute a decision made by the Executive Committee in accordance with clause 5.6.
6. Any decision of the Executive Committee under clause 5.5 is to be made by a majority of votes of Executive Committee members present at the Executive Committee Meeting or Special Executive Committee Meeting.
7. Following any decision made by the Executive Committee under Clause 5.5, the Secretary will notify the respective parties in writing of the decision.
8. Unless the matter being appealed to the Executive Committee involves matters which may be pursued further in accordance with NJRLA or CRL or any other governing body, any decision made by the Executive Committee on any appeal matter is final and binding on all parties.

6. COMPLAINT PROCESS

1. A Complaint must be in writing and signed by the Complainant prior to any action being taken to investigate the Complaint by any member of the Disciplinary Committee.
2. A Complaint made by made via:
 - a. an Incident Report;
 - b. a letter addressed to the Chairperson of the Disciplinary Committee; or
 - c. an email addressed to the President of MSJRLFC.
3. A Complaint must be directed to the Chairperson of the Disciplinary Committee at first instance.
4. As soon as practicable after receiving a Complaint, the Chairperson must:
 - a. cause an investigation to commence; and
 - b. will nominate a meeting date for the Disciplinary Committee members for a day in the week following receipt of the Complaint.
5. The Chairperson will advise the Complainant and the person the subject of the Complaint the date and time of any meeting to be conducted under clause 6.4.b.
6. Upon any notification being issued under clause 6.5:
 - a. the Complainant and /or the person subject to the Complaint will be entitled to nominate witnesses to the matter set out in the Complaint; and
 - b. be entitled to have those witnesses attend at the meeting to provide evidence in support of what was witnessed in relation to the Complaint.
7. In the event that the person who is the subject of the Complaint is a registered player, the Chairperson may use his or her discretion (having regard to the seriousness of the Complaint) to suspend the player from training, playing or attending Keith Barry Oval until the matter is finalised by the Disciplinary Committee.
8. In the event that the person who is the subject of the Complaint is an Executive or Ancillary Committee member, the Chairperson may use his or her discretion (having regard to the seriousness of the Complaint) to suspend that Committee Member from their respective duties until the matter is finalised by the Disciplinary Committee.
9. In the event that the person who is the subject of the Complaint is neither a player, nor an Executive or Ancillary Committee member, the Chairperson may still impose such restrictions as he or she sees fit on the person the subject of the Complaint (having regard to the seriousness of the Complaint).
10. The Chairperson has the discretion not to action any false, vexatious or misleading Complaints.

11. The Disciplinary Committee will not become involved in any matter involving a registered player that is forwarded to NJRLA or CRL for investigation however the Disciplinary Committee reserves its rights to penalise the player after finalisation of any investigation by NJRLA or CRL if considered appropriate to do so by a majority of the Disciplinary Committee.
12. Meetings held by the Disciplinary Committee will be recorded by a digital audio recording device and/or a video recording device.
13. Meetings of the Disciplinary Committee will have any outcomes advised in writing as soon as practicable following finalisation of the matter.
14. Complaints brought before the Disciplinary Committee will be decided by a majority vote.
15. In the event that a Complainant or the person the subject of the Complaint is unsatisfied with the outcome of a Disciplinary Committee meeting, either will have a limited right of reply to the MSJRLFC Executive Committee.

7. OUTCOMES

1. In all cases where a person who is the subject of a Complaint pleads guilty to the conduct complained of, consideration will be given to a more lenient penalty.
2. Neither the Disciplinary Committee nor the Executive Committee will tolerate any argumentative, harassing or bullying behaviour from any party in relation to a Complaint.
3. Should either of the Disciplinary Committee or the Executive Committee be exposed to any behaviours set out in clause 7.2, they will be at liberty to:
 - a. either defer decision of the Complaint until the behaviour subsides; or
 - b. alternatively summarily dismiss the Complaint and make a decision not to proceed.
4. Where a Complaint is dismissed according to clause 7.3.b by the Disciplinary Committee there will be no right of appeal to the Executive Committee.
5. The Disciplinary Committee or Executive Committee is at liberty to suspend or dismiss any party engaged in or displaying behaviours set out in clause 7.2 for an appropriate period of time having regard to the type of behaviour being displayed.



8. PENALTIES

1. Penalties which may be considered as appropriate by the Disciplinary Committee or Executive Committee in relation to Complaints include but are not limited to:
 - a. Warnings;
 - b. Suspended sentences;
 - c. Suspension from training, games or attendance at Keith Barry Oval;
 - d. Expulsion from MSJRLFC;
 - e. Reporting the matter to a responsible judiciary of any appropriate governing body; or
 - f. Reporting the matter to the NSW Police (if it involves allegations of criminal conduct).

9. NOTIFICATIONS

1. Any decision made by the Disciplinary Committee will be reported to:
 - a. The person who is the subject of the Complaint;
 - b. The person who is the Complainant; and
 - c. The Executive Committee.
2. Any decision made the Executive Committee in relation to an appeal heard from the Disciplinary Committee will be reported to:
 - a. The person who is the subject of the Complaint; and
 - b. The person who is the Complainant.
3. The Disciplinary Committee and/or the Executive Committee may decide (having regard to the nature and/or seriousness of the Complaint) that the decision may also require notification to the following:
 - a. NJRLA;
 - b. CRL;
 - c. Any other appropriate governing body.
4. Should the Disciplinary Committee or Executive Committee decided that further parties need to be notified under clause 9.3, written advice will be provided in the decision made by the Disciplinary Committee or Executive Committee under clause 9.1 or 9.2.

***** END OF POLICY *****