



1 **Discrimination, Racial and Religious Vilification, Junior District Leagues of South Australia**

1.1 **Prohibited Conduct**

A person who is subject to these Regulations must not act towards or speak to any other person in a manner, or engage in any other conduct which threatens, disparages, vilifies or insults another person (“**the person vilified**”) on any basis, including but not limited to, a person’s race, religion, colour, descent or national or ethnic origin, special ability/disability (including without limitation, disease or illness) or sexual orientation, preference or identity.

1.2 **Lodging Complaint**

If it is alleged that a person has contravened Regulation 1.1 an Umpire, Club or Player may lodge a complaint in writing to the Junior District League complaints officer (as nominated by each individual league) that they are involved with (either the Metro South Junior Football League [MSJFL], Metro West Junior Football League [MWJFL] or North East Metro Junior Football Association inc CDJFL [NEMJFA]). Such complaint:-

- 1.2.1 must provide complete details of the allegations made against the person who is alleged to have contravened Regulation 1.1; and
- 1.2.2 must be lodged by 5:00pm on the third working day following the day on which the contravention is alleged to have occurred.

1.3 **Junior District League (JDL) Complaints Officer**

The JDL Complaints Officer must:-

- 1.3.1 inform the junior club alleged to have contravened Regulation 1.1 of the complaint;
- 1.3.2 provide the junior club alleged to have contravened Regulation 1.1 with an opportunity to respond to it in writing;
- 1.3.3 identify and obtain written statements from any available witnesses;
- 1.3.4 obtain video or other evidence produced through the media (if any); and
- 1.3.5 arrange for and take all steps necessary for the complaint to be conciliated.

1.4 **Confidentiality and No Public Comment**

Subject to Regulation 1.7:-

- 1.4.1 the particulars of a complaint and any conciliation must at all times remain confidential; and



1.4.2 a person who is subject to these Regulations must not publicly comment on or disseminate to any person information concerning a complaint at any time prior to, during or after the conciliation.

1.5 Conciliator

A conciliation arranged under Rule 1.3 must be conducted by the JDL Complaints Officer, or a person appointed by them.

1.6 Education and Counselling

1.6.1 Where a person alleged to have contravened Regulation 1.1 attends a conciliation (other than as a person vilified) and the Conciliator appointed under Rule 1.5 decides that the person has contravened Regulation 1.1 the Conciliator may direct that person to view an educational DVD and receive counselling from a representative who has been approved by the JDL Complaints Officer (who may have been the conciliator) concerning matters referred to in Regulation 1.1

1.6.2 A person who fails to attend an education program when directed to do so under Regulation 1.6.1 will be deemed to have contravened this Regulation 1.6 and may be so charged and dealt with by the individual Executive Committee of the league as to how they see fit.

1.7 Public Statement

Where a complaint is resolved by conciliation, the only public statement that may be made concerning the complaint and its resolution will be such statement as may be agreed by all the parties concerned.

1.8 Unsuccessful Conciliation

Where the JDL Complaints Officer or the Conciliator appointed under Regulation 1.5 is of the opinion that the matter has not been resolved by conciliation, the JDL Complaints Officer must refer the complaint to the SANFL General Manager – Game Development or his/her representative. If the SANFL General Manager – Game Development or his/her representative still can not resolve the matter, then the complaint will be forwarded on to the State Sport Dispute Centre, and they will appoint a Mediator to work with all parties to try and achieve a satisfactory outcome. The State Sport Dispute Centre does charge a cost, and this cost must be picked up by the person/club alleged to have been vilified against.

1.9 Mediation by the State Sport Dispute Centre

In the event that a complaint is referred to the State Sport Dispute Centre for mediation under Regulation 1.8, no evidence shall be given to or be accepted by the State Sport Dispute Centre concerning anything which was said or done in a conciliation carried out under Regulation 1.3. The parties concerned will



complete a mediation agreement as required by the State Sport Dispute Centre and abide by all aspects of the Mediation Agreement.

1.10 Referring Complaint

In any case where the JDL Complaints Officer determines to refer a complaint to the SANFL General Manager – Game Development (who in turn may need to refer the dispute to the State Sport Dispute Centre), the complaint must be referred within 15 working days from the lodgement of the original complaint.

1.11 Time Limit

Any time limit for the doing of anything referred to in this Regulation 1 may be extended by the Chairman of the JDL Committee or by the SANFL General Manager - Game Development if in the opinion of the Chairman of the JDL Committee or by the SANFL General Manager - Game Development as the case may be it is just and equitable to do so.

1.12 Liability of Club

1.12.1 In the event that a complaint under this Regulation 1 in respect of conduct engaged in by a person is found to have been proven by the State Sport Dispute Centre, the Club employing, engaging or otherwise associated with the person at the time of the conduct will be deemed to have committed a breach of this Regulation 1 and may be so charged and dealt with by the individual Executive Committee of the league as to how they see fit.

1.12.2 Regulation 1.12.1 does not apply to a contravention of this Regulation 1, if in the opinion of the State Sport Dispute Centre the Club took all reasonable steps to prevent persons employed, engaged or otherwise associated with the Club from engaging in the conduct which contravenes Rule 1.1.

1.13 False or Misleading Information

A person who:-

1.13.1 in a complaint lodged under Regulation 1.2 or during a conciliation arranged under Regulation 1.5, provides any information or acts in a manner which is in any respect false or misleading or likely to mislead; or

1.13.2 falsely accuses a person of contravening Regulation 1.1;

will be deemed to have committed a breach of this Regulation 1 and may be so charged and dealt with by the individual Executive Committee of the league as to how they see fit.