

WALLSEND FOOTBALL CLUB Inc.



DISCIPLINARY PROCEEDINGS POLICY

Season 2011



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INTRODUCTION

Wallsend Football Club Inc operates according a set of core values. In conducting the normal operation of the club it is expected that its members and staff uphold these values. To detail what is expected a Code relating to conduct of players and the protection of the reputation of Wallsend Football Club has been established and this document outlines the process that is applied to address any breaches of that code.



PART I - PRELIMINARY

1 Commencement

(1) This Code commences on 03/02/11 and supersedes all previous Codes of Conduct drafted by The Club.

2 Force and Effect

(1) This Code shall apply to all Players of the Club from the Commencement Date.

(2) All players acknowledge that as a condition of being eligible to play with The Club, that they agree to comply with the terms of this Code.

(3) The effect of this code is to ensure the welfare and reputation of The Club is maintained.

(4) This goal must take all Relevant Considerations into account, as outlined in Part 5.

(5) This code does not apply to non playing members or players who are spectators. They remain subject to the discipline of the General Committee who shall aim to apply penalties consistent with the code

3 Notice and Acceptance

(1) All Members of The Club shall be deemed to have notice of the code and its provisions by the Code being displayed via a prominent link on the front page of the Website, and in the social rooms of The Club.

4 Interpretation

(1) Assault - as defined by the Crimes Act 1900 (NSW).

(2) Commencement Date – 03/02/11.

(3) Defence - See Part 6.

(4) Disciplinary Committee - See Part 2.



- (5) General Committee - the general Wallsend Football Club committee as appointed during the Club AGM.
- (6) Grave Offence - See Part 3.
- (7) Leadership Group- Captains and player representatives as appointed by the Coach and/or committee
- (8) Players of the Club- Includes all individuals registered to play with The Club.
- (9) Members of the Opposition Club- Players and members of clubs within the NNSWF/NF competitions
 - (a) All individuals eligible to play for the opposition whether playing during the relevant incident or not;
 - (b) Officials;
 - (c) Coaching and Administration Staff;
 - (d) Training Staff; and
 - (e) Supporters of the opposition.
- (10) Significant Offence - See Part 3.
- (11) Offence Category- includes Significant Offence, Serious Offence, and Grave Offence. See Part 3.
- (12) Offence - see Part 4.
- (13) Players Advocate- Any one of up to three individuals as appointed during the Club AGM.
- (14) Relevant Considerations - See Part 5.
- (15) Relevant Incident- any incident brought to the attention of the Disciplinary Committee, by any Member of the Club, for investigation.
- (16) Relevant Member- Member of the Club involved in the Relevant Incident.



(17) Reporting Member- Any Member of The Club that brought the Relevant Incident to The Club's attention.

(18) Rules of the Game- as determined by the NNSWF/NF.

(19) Serious Offence- See Part 3.

(20) Success- See Part 5, section 18.

(21) The Club- Wallsend Football Club.

(22) Website - The Club website, being www.wallsendfc.com.au .



PART II—DISCIPLINARY COMMITTEE

5 Creation of the Disciplinary Committee

This section creates the Disciplinary Committee, which will consist of the four (4) elected directors of the Club.

Each member of the Disciplinary Committee has one equal vote which must be used to determine the penalty to be applied to the Relevant Member.

6 Conduct of the Disciplinary Committee

(I) Any Relevant Incident must be heard by the Disciplinary Committee to determine:

- (a) Whether the Relevant Incident is sufficient to fall within an Offence Category;
- (b) Which Offence Category as outlined in Part 3 the Relevant Offence is to be defined;
- and
- (c) Which penalty is to be applied, taking into account the following:
 - the limits imposed by the Offence Category in Part 3;
 - the Penalty limits imposed in Part 4;
 - all Relevant Considerations in Part 5; and
 - Any applicable Defence in Part 6.

7 Timing of Hearings

(I) The Relevant Member will have their hearing within one week of

- (a) The Relevant Incident being reported to the Disciplinary Committee; or



(b) The Relevant Member being notified of the report of the Relevant Incident to the Disciplinary Committee;

whichever is later.

(2) The Relevant Member will be notified of the result of the hearing within one week of the hearing.

(3) The Relevant Member may ask to delay a hearing for work, personal reasons or availability of witnesses for up to one week.

8 Procedure of Hearings

(1) Where a Relevant Incident is scheduled to be heard by the Disciplinary Committee, the Reporting Member must give evidence supporting the Relevant Incident to the Disciplinary Committee.

(2) The Relevant Member may then explain his actions before the Disciplinary Committee with the aid of a Players Advocate.

(3) The Relevant Member may call any witness or person the Relevant Member believes will assist their case to attend the hearing and provide evidence.

(4) Where such witness or person is called by the Relevant Member, the witness or person must be given a reasonable opportunity to be heard by the Disciplinary Committee.

(5) The Disciplinary Committee may question any person that has attended the hearing, at any stage of that hearing.

(6) Once all available evidence has been heard by the Disciplinary Committee, the Disciplinary Committee will discuss the matter in private.

(7) Any member of the Disciplinary Committee may then, at the conclusion of discussion, propose a penalty to be applied to the Relevant Member.

(8) Each member of the Disciplinary Committee has one equal vote which must be used to determine the penalty to be applied to the Relevant Member.



(9) The penalty will be decided by a majority vote. The process outlined in subsection (6) to (8) will continue until a proposed penalty achieves a majority favourable votes.

(10) Once a majority of votes have been achieved in favour of the penalty, the penalty is set and cannot be vetoed by any Member of the Club, except in accordance with section 9.

9 Review of Hearings

(1) The Relevant Member may approach or contact the entire Leadership Group on the day following the Disciplinary Committee hearing, and plead their case for a review of the decision.

(2) Where the entire Leadership Group believes there to be grounds for review, the entire Leadership Group may take the matter to the Disciplinary Committee within one week of the original hearing, who will review the facts in light of the Leadership Group's comments.

(3) The Disciplinary Committee may then review the decision and penalty, applying the process in section 8 subsection (6) to (10). This decision will be final.



PART III - OFFENCE CATEGORIES

I 0 Significant Offence

(I) Includes, but is not limited to, the following:

- (a) Actions likely to cause the player to be reported under NNSWF rules that would not otherwise be deemed a serious or grave offence;
- (b) Verbal abuse of referees;
- (c) Verbal abuse of Members of the Club;
- (d) Verbal abuse of opposing supporters;
- (e) Disobeying instructions of the Coach or Leadership Group;
- (f) Deliberately causing disharmony among the playing group; (g) Arguing with Members of the Club;
- (h) Vilifying Members of the Club in any manner;
- (i) Endangering the health of Members of the Club;
- (j) Failing to alert coaching, staff of unavailability to play or train;
- (k) Negative comments to Members of the Club regarding on field or training performance, except for members of the Leadership Group;
- (l) Receiving any card due to un-sportsman like behaviour;
- (m) Any action the coaching staff may see causing harm to the club.
- (n) receiving a fourth yellow card in one season
- (o) receiving a red card

I 1 Serious Offence

(I) Includes the following:

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- (a) Physically dangerous actions towards Members of the Club or Members of the Opposition Club that do not amount to Assault however are outside the Rules of the Game;
- (b) Assault of Members of the Opposition Club during a game, who are deemed to be taking part in that game;
- (c) Racial Vilification;
- (d) Playing or training under the influence of illegal drugs or alcohol;
- (e) Intentionally damaging Club property; and
- (e) Receiving a sixth yellow cards in one season.
- (f) Receiving a second red card in one season

12 Grave Offence

(1) Includes the following:

- (a) Assault of Members of the Club;
- (b) Assault of Members of the Opposition Club who are not deemed to be taking part in a game;
- (c) Any offence under the Crimes Act 1958 (Vic) that has a sufficient connection with The Club; and
- (d) Disclosing confidential information to any person not associated with the club.
- (e) Assault of referees
- (f) Receiving an eighth yellow card in one season
- (g) Receiving a third red card in a season



PART IV - PENALTIES

13 Significant Offence

(1) First Significant Offence- a suspension of up to 1 game and/or a warning; and/or community service will be given.

(2) Second Significant Offence- Suspension from playing for 2 games and/or suspended sentence for up to 4 games; and/or community service.

(3) Third and Subsequent Significant Offences- Suspension from playing for 2 games to indefinite; suspended sentence of up to 4 games and/or community service.

14 Serious Offence

(1) First Serious Offence- Suspension from playing or suspended sentence for 1 to 4 games; and/or community service.

(2) Second and Subsequent Serious Offences- Suspension from playing for 4 games to indefinite and/or community service.

15 Grave Offence

(1) First Grave Offence- Suspension from playing for 4 games to indefinite.

(2) Second and Subsequent Grave Offences- Registration cancelled, and permanent ban from the club.

16 Suspended Sentences

(1) The maximum penalties in Part 4 do not include any suspended penalty that may have been previously incurred, and is required to be served in addition to penalties imposed from a subsequent offence.

(2) In the event of delivering a suspended sentence, the Disciplinary Committee must specify the duration of the suspended sentence, as well as the amount of matches.

I.e.



suspended sentence of 3 matches for 1 year. In this case, after one year without a further offence, the suspended sentence shall cease.

17 NNSWF/NF Reports

(1) Where an offence has been reported by the NNSWF/NF and heard within the respective tribunal, and the facts resulting in the report are substantially similar to the facts resulting in a Disciplinary Committee hearing, then any determination by the NNSWF/NF tribunal will overrule any determination by the Disciplinary Committee.

(2) In this event, no penalty may be applied by the Disciplinary Committee for the same, or substantially similar, offence.

18 Community Service

(1) Community service shall consist of any or all of the following:

- (a) Bar service;
- (b) Canteen service;
- (c) Field maintenance;
- (d) Junior development/assistance;
- (e) Facility cleaning/maintenance;
- (h) Any other matter as determined by the Disciplinary Committee in accordance with procedure outlined in section 8, subsection (6) to (10).

(2) The length of community service is to be determined in accordance with the Disciplinary Committee procedure outlined in section 8, subsection (6) to (10).



PART V - RELEVANT CONSIDERATIONS

19 Relevant Considerations

(1) Relevant Considerations to be taken into account in determining penalty include the following in order of priority:

- (a) Whether the Relevant Incident, if witnessed by a NNSWF/NF official, would have resulted in a penalty at the NNSWF/NF tribunal;
- (b) Interests of justice of the individual Members of the Club involved in the Relevant Incident;
- (c) On-field Success of The Club;
- (d) Any malice or intent exhibited by the Relevant Member;
- (e) Prior record of the Relevant Member regarding the Code of Conduct;
- (f) Commitment to the Club as demonstrated through on and off field performance;
- (g) Remorse shown by the Relevant Member;
- (h) Likelihood of the Relevant Member re-offending;
- (i) Effect of the Relevant Member missing games on the individual, and The Club;
- (j) Seniority of the player (i.e. senior players should be setting an example);
- (k) Any other relevant matter.

20 Success of the Club

(1) Success is defined by the following factors:

- (a) On field performance;
- (b) Availability of players to take part on-field;



- (c) Avoiding incidents that would require attendance of The Club or Members of The Club at the NNSWF/NF Tribunal;
- (d) Maintaining a disciplined and successful reputation in the NNSWF/NF competitions; and
- (e) Maintaining the financial viability of the Club.



PART VI - DEFENCES

In setting any penalties, the Disciplinary Committee, at their discretion, may take into account ;

21 Proportionate Force

(I) A Relevant Member may be considered for lighter sentences under the Code of Conduct where:

- (a) Their actions were solely in response to actions of a Member of the Opposition Club;
- (b) The Relevant Incident occurred during the course of a Football Match between players of that football match, including just prior, and just subsequent to, the game, as well as half time;
- (c) The Relevant Incident was instigated by the Member of the Opposition Club; and
- (d) Only proportionate force was used by the Relevant Member.

22 Physical Danger of Team-mate

(I) A Relevant Member may be considered for lighter sentences under the Code of Conduct where:

- (a) A Member of The Club is subject to physical danger in a dispute with a Member of the Opposition during the course of a Football Match between players of that football match, including just prior, and just subsequent to, the game, as well as, half time;
- (b) The Relevant Member was of the opinion that the Member of the Club required assistance to prevent such physical danger;
- (c) The relevant member was the first person to assist in that dispute; and
- (d) Only proportionate force was used by the Relevant Member.



BY ORDER OF THE GENERAL COMMITTEE.

Wallsend Football Club CODE OF CONDUCT must be adhered to at all times when representing the club. Failure to adhere to the code of conduct can lead to disciplinary action as determined by the disciplinary committee. The Code of Conduct is shown in the player information package.

A summary of disciplinary proceedings is outlined below.

ON FIELD: Any action which jeopardizes the welfare or reputation of the team or team mates shall cause the offender to explain his actions before the coaching staff and one senior member of the committee. This will be known as the Disciplinary Committee. Players may have one of the nominated three(3) advocates attend with them. A player may ask to have any witness or person helpful to their case appear before the committee. A player may ask to delay a hearing for work, personal reasons or availability of witnesses for up to one week. If an action is found by the committee then it will be categorized as minor, serious or grave.

MINOR OFFENCE 1st time - a warning will be given.

MINOR OFFENCE 2nd time - possible suspension from playing or suspended sentence.

MINOR OFFENCE 3rd time (or worse) - suspended from playing from 1 game to indefinite.

SERIOUS OFFENCE 1st time-suspended sentence or suspended for 1 to 4 games.

SERIOUS OFFENCE repeat-suspended indefinitely or registration cancelled.

GRAVE OFFENCE 1st time-suspended indefinitely or registration cancelled.

GRAVE OFFENCE repeat- registration cancelled.

All players will have their hearing and results within one (1) week of notification they must appear before the Disciplinary Committee. In the event of the player asking for a delay, the week will start from the time of the hearing's commencement.



MINOR OFFENCES include: actions likely to cause the player to be reported under NNSWF/NF rules, referee abuse, team mate abuse, interaction with opposing supporters, disobeying coaching instructions, deliberately causing disharmony among the playing group, arguing with team mates, coaching or support staff, vilifying in any manner, team mates, coaching or support staff, endangering the health of team mates or self, failing to alert coaching, staff of unavailability to play or train or any action the coaching, staff may see causing harm to the club, receiving a fourth yellow card, receiving a red card.

SERIOUS OFFENCES include: physically dangerous actions towards team mates, opposition or others, playing or training under the influence of illegal drugs, playing or training while intoxicated with alcohol, receiving a sixth yellow card in a season, receiving a 2nd red card in one season, for language abuse of trainers or water carriers, including opposition.

GRAVE OFFENCES include: physical attacks on team mates, coaching and support staff, physical attacks on any non playing personnel from another club, disclosing confidential information to opposing teams, racial vilification of opponents, team mates or any person at the ground, receiving an eighth yellow card in a season, receiving a third red card in a season.

23 Signing of the Code of conduct register

All players need to sign the clubs Code of Conduct/Club Rules register in order to be registered with the club



