



ENFIELD ROVERS FOOTBALL CLUB

INTERNAL JUDICIARY PROCESS

Internal Disciplinary Process & Procedures

1.0 - General

Disciplinary matters – applying to all matters of Enfield Rovers Football Club (“the Club”) – will be dealt with by the officers appointed to the Disciplinary Committee of the Club in the first instance, and if appointed, a Disciplinary Committee, with subsequent review by the full Executive Committee.

All members of the Club when registering agree to fully comply with the Club’s Code of Conduct, specific Codes of Conduct for their role(s) and other Policies as presented on the Club website and be bound by those terms.

Disciplinary action against individual Club members or entire teams, including expulsion, may be taken for offences of misconduct or breach of Club rules. However, it is recognised and accepted that every member:

- Has the right to expect fair and consistent treatment
- Has the right to adequate notice from the Club
- Has the right to appeal against the classification of the incident or Disciplinary Committee’s decision in all disciplinary matters
- Has the right to representation

No member will be expelled for the first breach of Club’s rules except in cases of “gross misconduct”. However, all disciplinary actions taken by Enfield Rovers Football Club will be duly recorded and placed on file for reference at a future date.

It is also noted that any suspension handed out by the CDSFA to any Enfield Rovers FC club member will also be dealt with by the internal Disciplinary Committee. Collection of ID Cards of suspended members will no longer be collected at the

canteen on weekends. All player ID Card collection will be done during the week on a selected day nominated by the Disciplinary Committee.

Red carded players will need to pay the CDSFA red card fine on the day of collection by Direct Deposit/Eftpos. Account details will be provided by the Disciplinary Committee.

Note: first offence \$55, second/third offence \$80 (incl. club admin fee)

2.0 - Offences Leading to Disciplinary Action

The actions by members may be interpreted by the Appointed Officers to lead to Disciplinary Action, however the lists are not to be considered as fully inclusive or covering all possible offences.

“Misconduct” is the carrying out of an offence considered to be of a minor nature (unless frequently repeated) and will normally incur a written warning from the Appointed Officers together with a demand for full and appropriate corrective action. Examples of offences that may be considered misconduct include:

- Discourteous, crude or offensive behaviour at games, training sessions or organised Club events
- Conduct of an unsafe nature
- Offensive disregard for club equipment or property
- Refusal to carry out reasonable instructions issued by club officials or organisers
- Failure to attend or participate in club meetings that have been previously committed to in the name of the Club by either an individual or team, where this is likely to have an effect on other club members.
- Failure to comply with or adhere to the relevant code of conduct for their position within the club
- Any other actions of similar gravity to the above, at the discretion of the Appointed Officers.

Repetition of the above offences or failure to comply with any demands made in writing by the Appointed Officers may result in further action by the Executive Committee leading to a Disciplinary Hearing.

“Serious Misconduct” is the carrying out of an offence of such gravity that in the opinion of the Executive Committee it warrants an Enfield Rovers Football Club Disciplinary Hearing.

Examples of offences, which may be considered as serious misconduct include:

- Misconduct offences above if especially grave or repeated
- Deliberate or consistent breaches of club rules
- Any attempt to achieve gains or advantage over others by unfair or unscrupulous means
- Use of threatening or abusive behaviour
- Coaching or playing whilst under the influence of drugs or alcohol
- Malicious interference with club equipment or property
- Disregard for one's own or other people's safety
- Any other action, which in the opinion of the Appointed Officers may bring the sport or Enfield Rover Football Club into disrepute, or which left unpunished, may result in the detriment of the Club or its members.

“Gross Misconduct” is action of such seriousness that the Appointed Officers will require the immediate exclusion of the member from the club. The Appointed Officers may – by means of a full Executive Committee decision – summarily exclude such a member without invoking a Disciplinary Hearing. The excluded member will have the right to a disciplinary hearing as soon as it can be arranged but will remain excluded until and unless such a hearing overturns the management decision.

Examples of gross misconduct are: -

- Physical violence of assault towards other persons at a Club event, game or training including serious threatening, intimidating or forceful behaviour
- Theft or misappropriation
- Reckless disregard of safety and basic safety rules
- Being convicted of criminal offences involving physical violence or abuse
- Other acts that are considered to be of an extremely serious nature perpetrated against the Club, its members or any other party.
- Child Protection – if the matter relates to a child protection issue please follow the Child Protection procedures for dealing with a complaint then follow the Disciplinary Procedure.

3.0 Disciplinary Procedure

The Disciplinary Procedure can be triggered by any of the following:

- a written complaint from a member, another team or club within the CDSFA governing body, the ground official or any other party involved in the matter.
- The Executive Committee may also decide to trigger the disciplinary procedure if they believe an incident has taken place that has not been officially reported but that it is in the interest of the club and the welfare of its members for it to be investigated

The Executive Committee may nominate a Grievance Officer, who will be responsible for gathering any required evidence and statements from witnesses.

If a disciplinary committee is required it will be appointed by the clubs Executive Committee who reserve the right to identify individuals either from within themselves, or to form an independent group, which will be made up most likely of committee members. Other relevant individuals maybe requested to join if specific knowledge is required to manage the disciplinary case.

On receipt of the complaint, the Executive Committee will decide whether the complaint falls within the scope of this disciplinary code. If in their opinion it does, then the Appointed Officers will decide as to the type of offence as per above.

If the offence is considered to be one of simple misconduct:

- The Disciplinary Committee will write to the member with a formal written warning including the demand for an apology or other corrective action the Appointed Officers may deem appropriate.
- The Appointed Officers will also attempt to communicate their planned action regarding the incident to the complainant and or affected individual(s). This is only to understand if there is likely to be further escalation prior to informing the defending party of the accused incident(s).
- A disciplinary file will be opened by the Appointed Officers in which will be placed copies and records of the original complaint, together with the written warning and any other correspondence.
- The action outlined above will normally finalise the process unless any of the parties involved object strongly to the Appointed Officers decision in which case they may appeal directly to the Executive Committee for a final decision.

Should the complaint be considered by the Appointed Officers as one of serious misconduct, then the following procedure will be implemented: –

- The Appointed Officers will research evidence presented and, if possible, will obtain further written evidence, witness statements, etc.
- If necessary, the Appointed Officers will consult all relevant witnesses for supportive evidence
- Advise complainant that if a disciplinary hearing is called, then the complainant and all relevant witnesses may be obliged to attend and give evidence in person. (Non-attendance at a hearing will only be allowed in certain circumstances, i.e. Ill-health, threat of violence or intimidation etc). In such circumstances a written declaration must be submitted to the Disciplinary Committee
- In cases of disputes of a personal nature, the Appointed Officers will attempt to resolve the situation amicably and to the mutual satisfaction of the parties concerned
- If settlement cannot be agreed between the parties, or if the offence merits it, then a disciplinary hearing will be arranged as soon as possible

4.0 Disciplinary Hearing

The Executive Committee will appoint a disciplinary committee which will typically consist of:

- a Disciplinary Chairperson, and
- two (2) members from the Club Committee Board

The Disciplinary Committee will appoint a chairperson who shall take charge of the hearing and all questions will be addressed through this chairperson.

The Appointed Officers will normally undertake the following actions and present the outcomes to the Disciplinary Hearing:

- All witnesses to be interviewed and all written evidence to be reviewed and presented to the hearing
- No witnesses or statements can be introduced at the hearing without prior notice and copies of all written evidence produced for consideration prior to the hearing, are to be made available in advance to the parties
- The Disciplinary Committee may adjourn the hearing to allow further evidence to be referred to if the Disciplinary Committee considers it fair to do so

- After the Disciplinary Committee has reached a decision, the member subject of the complaint is to be notified in writing of such decision and informed of any penalties within 5 days of the decision being reached. Penalties will be effective from the date of the decision.
- If new evidence becomes available or feedback is received from an external body, then this can be reconsidered by the Disciplinary Committee

5.0 Penalties

Following the hearing, the Disciplinary Committee will apply such penalties as the Disciplinary Committee consider appropriate, including temporary or permanent expulsion of the member from the club, such penalties will have immediate effect.

6.0 Appeals

If an appeal of the decision or penalty is to be made, then written notice by way of email is to be sent to the Disciplinary Chairperson within 48 hours of being notified of the decision. No appeal will be valid or considered after that period has elapsed. It will not be sufficient to state “I wish to appeal”, the member must give full written grounds for the appeal, stating exactly what is being appealed against and the reasons for this.

An appeal together with full and recorded argument may be considered relative to:

- the decision, or
- the penalty

An appeal hearing will be convened as soon as practicable and will consist of an Appeal Committee of at least 1 member of the Executive Committee who did not take part in the first hearing as well as Disciplinary Chairperson (and the club President who will have the casting vote).

- New evidence cannot be presented at the appeal hearing.
- The Appeal Committee shall have power to amend or revoke any decision made at the previous disciplinary hearing.