



## **Balmain & District Football Club Disciplinary Policy & Procedures**

### **1. Definitions**

BDFC, the Club	Balmain & District Football Club
CDSFA, the Association	Canterbury & District Soccer Football Association
Disciplinary Matter	Official caution or dismissal by a match official, a report to the CDSFA by a match official or other CDSFA disciplinary action or a written complaint received by BDFC or the CDSFA
FNSW	Football NSW
Panel	BDFC Disciplinary Panel

### **2. Purpose**

This Disciplinary Policy & Procedures document is to be considered in conjunction with:

- BDFC Code of Conduct
- BDFC Development Program Behaviour Policy
- CDSFA Judiciary Disciplinary & Appeals Regulations
- Football Australia Code of Conduct
- Football Australia Spectator Code of Behaviour
- Football Australia National Member Protection Policy

as amended from time to time.

The purpose of this Disciplinary Policy & Procedures document is to provide a uniform approach for BDFC to deal with any on or off field behaviour by any:

- Player or team official that receives either an official caution or dismissal by a match official
- Player or team official that is reported to the CDSFA by a match official
- Player or team official that is subject to other disciplinary action by the CDSFA
- Club member, parent or supporter that is the subject of a written complaint received by BDFC or the CDSFA

Where an individual listed above is a minor, any action requested of them (such as provision of a written report) may be provided by a parent or guardian. Any sanction imposed will only be imposed on the individual found guilty.

This document will be published on the BDFC website and issued to existing Club members on request. Members will also be required to acknowledge their acceptance of the BDFC Disciplinary Policy & Procedures when registering for Club activities via PlayFootball or any other registration system.

### **3. Imposition of External Fines**

The Club has the right to pass any fine (plus an administrative charge) imposed upon it by an external body, including but not limited to CDSFA, FNSW and Football Australia, onto the appropriate Club member.

In the case of a fine imposed upon a player (or their parent or guardian) or team official, the Club has the right to suspend the player or team official from any Club activity, including matches, pending settlement of the fine. This may include retention of the player's or team official's CDSFA ID Card.

In the case of a fine imposed upon a team, the team officials will be responsible for paying the fine to the Club and seeking reimbursement from the other members of the team. Where possible, payment to the Club will be effected via a deduction from the reimbursement of match official fees. The Club has the right to suspend the team from any Club activity, including matches, pending settlement of the fine. This may include retention of the relevant CDSFA ID Cards.

The schedule of fines is laid out on the relevant section of the Club's website and may be amended from time to time.

### **4. Disciplinary Committee & Disciplinary Panel**

The Disciplinary Committee comprises all members of the BDFC Executive Committee.

Disciplinary Matters listed in Section 2. Purpose will be considered by a Disciplinary Panel comprising any three members of the Disciplinary Committee. Once the Disciplinary Panel for a Disciplinary Matter has been determined, the composition of the Panel will be fixed, save for extraordinary circumstances.

No Panel member may have an interest in the outcome of the disciplinary matter or be related to the Club member the subject of the Disciplinary Matter. Any other potential conflict must be declared and will be considered by the Disciplinary Committee.

The Disciplinary Panel has the right to request the appearance of any Club member who is the subject of a Disciplinary Matter. At least seven days' notice will be provided to the Club member. If the Club member is a minor, then the member's parent or guardian is also required to attend. Where applicable, the Panel may also require the attendance of a team official.

Disciplinary Panel appearances may occur physically or by virtual means, according to the circumstances, and will be conducted in accordance with any applicable public health regulations.

Any Club member required to appear before the Disciplinary Panel has the right to submit a written statement (in addition to, not replacement of, their appearance) and may also submit other documentation, including statements from other individuals, in support of their case. Such submissions must be made at least two days prior to any hearing. The Panel, in its absolute discretion, will decide whether such evidence is to be considered and may request the appearance of any individual making a statement.

Any Club member (not a minor) subject to a Disciplinary Matter and required to appear before the Disciplinary Panel may be accompanied by one nominated support person. This person must be nominated at least two days prior to any appearance, need not be a Club member and is not entitled to address the Disciplinary Panel unless invited to do so by a member of the Panel.

After appearance by the member, The Disciplinary Panel will consider the relevant evidence and make a determination. The member will be notified of the outcome within seven days of the appearance. The determinations that the Disciplinary Panel can make are:

- the member has no case to answer;
- the case is not proven;
- the member is not guilty of any wrongdoing;
- the member is guilty of wrongdoing; or
- further information is required before making one of the above determinations.

In the event that the member is found guilty of wrongdoing, the Panel may impose any or all of the following sanctions:

- No further action
- Verbal or written warning about future conduct
- Suspension from attending matches (number of matches)
- Suspension from attending matches (period of time)
- Suspension from some or all other Club activities (period of time)
- Permanent exclusion from BDFC
- Recommendation to CDSFA of permanent exclusion from any CDSFA member club.
- Written letters of apology to concerned individuals
- Placement of a good behaviour bond, amount, term and conditions to be determined by the Panel
- Monetary fine
- A requirement to volunteer time in one or more capacities to assist the Club
- A suspended version of any of the above

Failure to comply with any sanction imposed may result in the imposition of one or more of the remaining sanctions listed above. The Club reserves the right to notify the CDSFA of any disciplinary sanction imposed on a member.

Suspension for a number of games can only be served by a registered member. Suspension for a period of time can be served whilst registered or unregistered. For the avoidance of doubt, this means that a member who is de-registered, or elects not to re-register, whilst there are outstanding matches in a period of suspension will have to serve any remaining portion of the suspension should they register with the Club in the future.

In certain circumstances, the Panel may determine that an offer of sanction will be made without the requirement for the Club member to attend a hearing. In such cases the Club member has the right to accept the sanction or request to appear before the Panel.

## **5. Player or Team Officials Subject to Disciplinary Matters**

If requested by BDFC, the player or team official who is the subject of the Disciplinary Matter will, within five days of notification by BDFC to the player or team official, complete a written report and forward it to the Club's Disciplinary Committee. BDFC may also request a written report from any team official of the player's or team official's team.

Failure by the player or team official to provide the requested written report will result in immediate suspension from all Club activities.

The Disciplinary Committee has the right to dismiss the matter or to convene a Disciplinary Panel. The player or team official concerned will be notified of the decision within five days of receipt of the written report.

In general, players or team officials who receive an official caution or dismissal by a match official will be dealt with by the Association in accordance with the CDSFA Judiciary Disciplinary & Appeals Regulations. BDFC will not normally take further action in respect of a player or team official who receives either an official caution or dismissal by a match official unless:

- the dismissal is for an offence falling into one of the classifications listed in Appendix 1, as classified by the CDSFA;
- the player or team official is adjudged by BDFC to be a persistent offender;
- the player or team official is reported to the CDSFA by the Match Official (other than as part of the Match Report); or
- the player or team official is subject to other disciplinary action by the CDSFA.

A persistent offender is defined as a player or team official who receives:

- five or more official cautions for any reason from a match official in a single season;
- two or more dismissals for any reason from a match official in a single season; or
- three or more dismissals for any reason from a match official in consecutive seasons;
- five or more dismissals for any reason from a match official whilst a member of any club under the jurisdiction of FNSW or any other recognised federation or association; or
- two or more Disciplinary or Administrative notices or penalties from the CDSFA.

Notwithstanding the above, BDFC reserves the right to take disciplinary action against any player or team official that receives an official caution or dismissal by a match official.

BDFC may, in its absolute discretion, stand down from some or all Club activities (including matches) any player or team official who is subject to a Disciplinary Matter pending the outcome of the Disciplinary Matter.

## **6. Club Members, Parents or Supporters who are the subject of a Written Complaint Received by BDFC or the CDSFA**

Within five days of receiving the complaint, the Disciplinary Committee will determine whether the Club member, parent or supporter is required to respond to the complaint. If a response is required, the Club member, parent or supporter will be notified and required to provide a written response within five days of such notification. BDFC may also request a written report from any other relevant person.

Failure by the Club member, parent or supporter to provide the requested written report will result in immediate suspension from all Club activities and, in the case of a parent or guardian, may also result in the suspension of their child or children from all Club activities.

Where a supporter is not a Club member or cannot be identified, the player or team associated with that supporter or unidentified person may be stood down from all Club activities until the supporter or unidentified person is identified and / or until the disciplinary matter is resolved.

The Disciplinary Committee has the right to dismiss the matter or to convene a Disciplinary Panel. The Club member, parent or supporter concerned will be notified of the decision within five days of receipt of the written report.

BDFC may, in its absolute discretion, stand down from some or all Club activities (including matches) any member who is subject to a Disciplinary Matter pending the outcome of the Disciplinary Matter.

## **7. Appeals Procedure**

To ensure that the Club maintains a fair, balanced and reasonable position in all Disciplinary Matters, any disciplinary sanction imposed will be open to an appeal process.

Any appeal against a disciplinary sanction must be made in writing to the Secretary of BDFC within seven days of the sanction being notified to the member.

The Secretary of BDFC (or, in their absence, another Executive Committee member) will convene an Appeals Panel comprised of three BDFC members. The members of the Appeals Panel may be Executive Committee members who were not members of the original Disciplinary Panel or any other BDFC member considered to be appropriately qualified by the Secretary or convening Executive Committee member. At least one member of the Appeals Panel must be an Executive Committee member.

The member has the right to appear before the Appeals Panel and the Appeals Panel can request an appearance by or statement from any individual that it believes is relevant to the matter, including the members of the Disciplinary Panel.

The Appeals Panel can dismiss the case, absolving the member of any wrongdoing, uphold the findings and sanction of the Disciplinary Panel and substitute, reduce or increase any sanction imposed by the Disciplinary Panel. The decision of the Appeals Panel is final.

The Club, in its absolute discretion, will determine whether any sanction imposed by the Disciplinary Panel is stayed during the appeals process.

## **8. External Disciplinary Matters**

This disciplinary policy does not preclude any matter it considers from also being considered by an external body including, but not limited to, the CDSFA, FNSW, Football Australia or the police.

To the extent that civil or criminal proceedings are brought against a member in relation to a matter also being considered under this policy, the Club will carefully consider any implications and may choose to pause, suspend or terminate any actions or proceedings on its part.

For the avoidance of doubt, whilst the Disciplinary Committee, Disciplinary Panel or Appeals Panel may, at its discretion, take into account the outcome of any external procedure, there is no requirement for the determination of the Disciplinary Panel or Appeals Panel to be consistent with that outcome.

## **9. Club Constitution**

Clause 6.2(a) of the BDFC Constitution gives the Club the absolute right to reject an application for membership (ie a registration request). The Club is not compelled to provide any reason for such rejection.

## Appendix 1

CDSFA Judiciary Disciplinary & Appeals Regulations Offence Classifications which may result in further action by BDFC

**Table A: Offences by Players**

<b>Classification</b>	<b>Offence</b>
R2	Violent conduct.
R2-01	Excessive conduct when the ball is not in play or playing distance.
R2-02	Violent conduct when the ball is not in play or playing distance.
R2-03	Serious and / or premediated violent conduct when the ball is not in play or playing distance.
R2-04	Serious violent conduct that has caused bodily harm or responsibility for a violent melee.
R3	Spitting at an opponent or any other person.
R3-01	Spitting at or towards an opponent or any other person.
R3-02	Spitting on an opponent or any other person.
R6	Offensive, insulting, abusive or intimidating language and / or gestures.
R6-01	Using language and / or gestures in frustration.
R6-02	Using language and / or gestures directed at another person.
R6-03	Incitement to violence, or repeated use of offensive language and / or gestures, to another person.
R6-04	Use of discriminatory, homophobic, racist, religious, ethnic or sexist language and / or gestures.

**Table B: Offences by Participants Against Match Officials**

<b>Classification</b>	<b>Offence</b>
B-01	Fail to abide or comply with a direction from a Match Official.
B-02	Disputing a decision of a Match Official or dissent.
B-03	Using language or gestures in frustration.
B-04	Using offensive, insulting or abusive language and / or gestures (isolated incident).
B-05	Using offensive, insulting or abusive language and / or gestures (repeated and / or excessive conduct).
B-06	Indecent gestures.
B-07	Provocation or incitement of hatred or violence.
B-08	Use of discriminatory, homophobic, racist, religious, ethnic or sexist language and / or gestures.
B-09	Threatening or intimidating language or conduct towards a Match Official.
B-10	Threat of physical violence towards a Match Official or their family or property.
B-11	Inappropriate contact with a Match Official.
B-12	Pushing a Match Official.
B-13	Tripping a Match Official.
B-14	Striking a Match Official with a ball or other object.
B-15	Punching, kicking, elbowing or striking a Match Official.
B-16	Spitting at or towards a Match Official.
B-17	Spitting on a Match Official.

**Table C: Other Offences by Participants**

<b>Classification</b>	<b>Offence</b>
1	Inciting the crowd. Causing the crowd to behave aggressively, abusively or violently.
2	Attacking or fighting with spectators.
3	Bringing the game in Disrepute.
4	Deliberately misleading BDFC, CDSFA or any of their appointed officials.
5	Spitting at or on spectators.
8	Spectator attacking or fighting with players, team, Club or match officials.
9	Use of a foreign object to intimidate and / or cause harm to person or property.
12	Failure to follow any reasonable direction of a Match Official, Club or CDSFA employee or official in relation to conduct and / or behaviour at a Match.
14	Damaging property or equipment before, during or after a Match.
15	Betting, match-fixing or corruption (as per clause 4 of the Football Australia Code of Conduct).
16	Breaching a Suspension or Notice of Suspension.
17	Other action or behaviour in breach of the Football Australia Code of Conduct, the Football Australia Spectator Code of Behaviour and / or the Football Australia National Member Protection Policy not identified elsewhere in this table.