



# GAELIC FOOTBALL & HURLING ASSOCIATION OF AUSTRALASIA

## **RELIGIOUS & RACIAL VILIFICATION POLICY**

The Gaelic Football & Hurling Association of Australasia and its State affiliates understands that religious and racial vilification of any sort is unacceptable, regardless of when or such vilification occurs.

A match official, a player, a Club or a member of the Australasian or State Committee can bring a complaint. Initially the matter is dealt with through confidential conciliation between the persons involved and a conciliator appointed by the committee in charge. If it cannot be resolved in such a way, it is to be referred to either a State committee when it is a State matter or Management Committee when it is at the Australasian level.

Any complaint against a person with a prior offence must be referred to the relevant committee.

The conciliation process is held in confidence to give all parties the opportunity to come together face to face to resolve their differences with the assistance of a suitable independent person appointed by the relevant committee. If the conciliation is successful and parties agree to terms, that will be the end of the matter.

Penalties are to be determined by the relevant committee and these can include suspension, warning, fine or expulsion. All matters discussed in conciliation hearings are to remain confidential.

A Rule To Combat Religious and Racial Vilification

### **1. Religious and Racial Vilification**

#### **1.1 Prohibited Conduct**

No person in their capacity as a member of a Club or, in the course of carrying out their duties or functions e.g. being a person entitled to enter the field of play during the course of or prior to or during any break in play in a game shall 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 the basis of that person's race, religion, colour, descent or national or ethnic background.

#### **1.2 Lodging Complaint**

In the event that it is alleged that a person has contravened Rule 1 a match official, a player, a Club or a member of the Australasian or State Committee may within three days of the day on which the contravention is alleged to have occurred, lodge a complaint in writing with the Secretary or Assistant Secretary of the committee who for the purpose of this policy will be the Complaints Officer. The complaint must outline the circumstances of the allegations made against a person.

### **1.3 Complaints Officer**

The Complaints Officer shall:

- (a) inform the person alleged to have contravened Rule 1.1 of the complaint and provide that person with an opportunity to respond to it in writing
- (b) identify and obtain statements from any available witnesses
- (c) obtain any video evidence available
- (d) arrange for the complaint to be conciliated and take all steps necessary for the complaint to be conciliated.

### **1.4 Confidentiality and No Public Comment**

Subject to 1.6: -

- (a) the particulars of a complaint and the conciliation shall at all times remain confidential; and
- (b) a person shall not publicly comment on or disseminate to any person information concerning a complaint at any time prior to, during or after the conciliation.

#### **Penalty:**

##### **In the case of a Player:**

###### **First Offence:**

\$100 Fine

###### **Subsequent Offences:**

\$200 Fine

##### **In the case of a Club or Official**

###### **First Offence:**

\$200 Fine

###### **Subsequent Offences:**

\$300 Fine

### **1.5 Conciliator**

A conciliation arranged under 1.3 shall be conducted by a suitable person appointed by the committee in charge upon agreement of both parties.

### **1.6 Public Statement**

Where a matter is resolved by conciliation the only public statement that shall be made concerning a complaint and its resolution shall be that agreed upon by the parties.

### **1.7 Unsuccessful Conciliation**

Where the Complaints Officer is of the opinion that the matter has not been resolved by conciliation, the Complaints Officer shall refer the complaint to the State/Management Committee.

### **1.8 Previous Involvement**

Where a person alleged to have contravened Rule 1.1 has previously taken part in a conciliation (other than a person vilified) the Complaints Officer may refer the matter straight to the responsible committee.

### **1.9 Evidence**

In the event that a complaint is referred to a committee under Rule 1, no evidence shall be given to or be accepted by the committee relating to anything said or done in any conciliation carried out pursuant to 1.3.

### 3.

#### **1.10 Australasian/State President**

In the event that a Complaints Officer has not been appointed for the purposes of this Rule or, if appointed, is unavailable to act under this Rule, the Complaints Officer for the purpose of this Rule shall be the relevant State/Australasian President.

#### **1.11 Referring Complaint**

In any case where the Complaints Officer determines to refer the complaint to a committee, the complaint shall be referred to the committee as soon as practicable.

#### **1.12 Time Limit**

Any time limit for the doing of anything referred to in this Rule may be extended by the committee in charge if in the opinion of the committee it is just and equitable to do so.

#### **1.13 Liability of Club**

- (a) In the event that a complaint under these Rules in respect of conduct engaged in by a person is found to have been proven by the Conciliation hearing or where a committee determines that a person the subject of a complaint has been involved in conduct which is unbecoming or prejudicial to the interests of the association, the Club otherwise associated with the person at the time of the conduct shall be deemed to be liable for the conduct of the person and shall pay to the responsible association a penalty which will not exceed \$500
- (b) Regulation 1.13 (a) does not apply to a contravention by a person if in the opinion of the Conciliator or Committee the Club took all reasonable steps to prevent persons associated with the Club from engaging in conduct which contravened the Vilification Rule.