

AUSTRALIAN FOOTBALL INDUSTRY EDUCATION

VILIFICATION AND
DISCRIMINATION





A vertical photograph on the left side of the page shows a blurred AFL player in a black and white uniform running on a green field. In the background, another player in an orange and black uniform is visible. The image is out of focus, emphasizing the text on the right.

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VILIFICATION AND DISCRIMINATION

Welcome to the AFL's Vilification Education Resource. This DVD has been shown at all AFL clubs and aims to educate the AFL Industry on the harms associated with all types of vilification as well as the AFL's commitment to eradicate vilification of all forms.

This resource is consistent with the AFL's Vilification Policy which aims to promote an inclusive environment for all people within the AFL Industry irrespective of their personal characteristics, status or orientation.

The resource is also designed to support and compliment AFL Victoria and your League's Vilification and Discrimination Policy. This booklet outlines key roles and responsibilities as defined by this policy.

AFL Victoria and your League's Vilification and Discrimination Policy prohibits language and behaviour that vilifies on the basis of:

- ▶ Race
- ▶ Religion
- ▶ Gender
- ▶ Colour
- ▶ Sexual preference, orientation or identity
- ▶ Special ability or disability

Club Complaints Officer

All clubs are required to appoint a **Club Complaints Officer**. In the case of a vilification complaint, the **Club Complaints Officer** plays a vital role in ensuring the well being of any individual implicated in a complaint, as well as its timely resolution. The AFL and AFL Victoria would like to reiterate the significance of this role and outline some of the responsibilities associated with it. These include:

- ▶ Understanding the aspirational goals of the AFL Vilification Policy
- ▶ Understanding your League's Vilification and Discrimination Policy and its procedure
- ▶ Ensuring that all club members are aware of who to contact in the event of an incident
- ▶ Understanding who the **League Complaints Officer** is
- ▶ Understand that confidentiality agreements must be maintained by all parties
- ▶ Understanding the rights and responsibilities of parties involved in a complaint

The **Club Complaints Officer** is the initial contact point for all club participants who would like to lodge a complaint under your League's Vilification and Discrimination Policy. It is the responsibility of the club and the **Club Complaints Officer** to ensure that all club participants are aware of who the **Club Complaints Officer** is.

When notified of an **Inter Club Complaint** (where the two parties involved are from different clubs), the **Club Complaints Officer** is responsible for notifying the **League Complaints Officer** by 5pm the next working day after the receiving the complaint.

In the case of an **Intra Club Complaint** (where the two parties involved are from the same club), the **Club Complaints Officer** is responsible for attempting to resolve the complaint informally. If this can't be achieved, the complaint must then be referred to the **League Complaints Officer**.

FOR MORE INFORMATION:

- ▶ Speak to your Club Complaints Officer
- ▶ Read through the Policy
- ▶ Contact your League
- ▶ www.aflvic.com.au

League Complaints Officer

Each League is obligated to appoint a **League Complaints Officer**, who will be the League CEO, General Manager or other appropriate person within the league. The **League Complaints Officer** is the league's central contact person in managing all complaints that are referred to the league. It is the responsibility of the **League Complaints Officer** to:

- ▶ Understand the aspirational goals of the AFL Vilification Policy
- ▶ Understand your League's Vilification and Discrimination Policy and its procedure
- ▶ Ensure that all clubs understand who the League Complaints Officer is
- ▶ Understand the confidentiality obligations of all parties
- ▶ Have an appropriately trained Conciliator(s) available in the event of a complaint
- ▶ Have an appropriately trained Investigator(s) available in the event of a complaint
- ▶ Ensure ongoing education of affiliated clubs
- ▶ Promoting the importance of inclusion at affiliated clubs
- ▶ Understand all record keeping and reporting responsibilities

Following a complaint, it is the responsibility of the **League Complaints Officer** to inform the **Club Complaints Officer** that a complaint has been made against a representative of that club. The **League Complaints Officer** must collect any evidence relating to the complaint and provide the person against whom a complaint has been made with the opportunity to respond.

If possible, the **League Complaints Officer** should attempt to achieve informal resolution between the two parties. If this isn't possible, it is the responsibility of the **League Complaints Officer** to refer the complaint to conciliation.

In circumstances where the complaint can't be resolved through conciliation, the **League Complaints Officer** may refer the matter to investigation to explore aspects of the allegation or circumstances surrounding the complaint. The appointed investigator must report any findings of this investigation to the **League Complaints Officer**.

Depending on the investigation report, the **League Complaints Officer** may refer the complaint to the relevant Tribunal for determination or take other action based on the complaint. The Tribunal will be constituted in accordance with the Rules and Regulations of the league. The Tribunal will determine the merit of the complaint based on the evidence presented to it and, if satisfied that sufficient grounds exist, impose a penalty it deems reasonable, having regard to its powers under the Rules and Regulation of the League in force at the time of hearing.

Where either party is unsatisfied with the decision made by the League Tribunal, they may ask the **Club Complaints Officer** to request the League to establish a panel to hear an appeal in accordance with the League's Appeal Regulations.

Complaint Process

STEP 1

An Incident

Specified conduct that discriminates or vilifies.

A Complaint

May be made by an Umpire, spectator or participant of a club. It must be lodged with the Club Complaints Officer by 5pm the next working day after the game.

Intra Club Complaint

If the complaint relates to two or more people within the one club, the Club's Complaints Officer will manage the process. If this can't be resolved, the League Complaints Officer must be informed.

Inter Club Complaint

If the complaint relates to two or more people from different clubs the Club Complaints Officer must refer to League Complaints Officer.

STEP 2

League Complaints Officer

The League Complaints Officer decides the path the complaint will take. This may include:

- ▶ Informal Resolution
- ▶ Informing the alleged person of complaint and provide opportunity to respond
- ▶ Obtaining written statements from any witnesses

Informal Resolution

In both Intra Club and Inter Club, parties can attempt to achieve informal resolution. This is where parties to a complaint are satisfied that resolution has been achieved prior to a formal conciliation meeting. This may include an apology or a retraction.

STEP 3

Conciliation

The League Complaints Officer refers the matter to conciliation. The conciliation shall be conducted by an independent Conciliator. The complaint and conciliation is heard in confidence. The League Complaints Officer may refer to the Investigation Officer to clarify facts.

STEP 4

Resolution: Yes or No?

NO

YES

NO

League Complaints Officer may refer to League Investigation Officer to clarify facts and provide a recommendation to the League. This can be: refer to the Tribunal/Disciplinary Body, take no further action due to insufficient evidence or to proceed at League's discretion.

NO

YES

The Tribunal

The Complaints Officer may refer the matter to the Tribunal/Disciplinary Body. Complaint is heard in confidence.

Decision

Tribunal/Disciplinary body determines the matter, but may be referred to appeal in accordance with League Rules where the Complainant or Respondent is unsatisfied with the Tribunal/Disciplinary Body Decision.

Complaint Resolved

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AFL Industry Education
Building excellence through education