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## **WERRIBEE DISTRICTS FOOTBALL CLUB RACIAL AND RELIGIOUS TOLERANCE POLICY**

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### **Section 1 Commitment**

- 1.1. The *Werribee Districts F.C.* is committed to an environment which promotes racial and religious tolerance by prohibiting certain conduct and providing a means of redress for victims of racial and religious vilification and/or racial discrimination.
- 1.2. The Club is bound by the relevant state legislation *and* the *Racial Discrimination Act 1975 (Cth)*. This Policy is consistent with the Australian Football League's own Racial and Religious Tolerance Policy. This Policy is not in substitution of the legislation.
- 1.3. The Club will ensure that this Policy is communicated to spectators and participants of the Club.
- 1.4. Nothing in this Policy prevents a person lodging a complaint in relation to racial and religious vilification and/or racial discrimination under the legislation. In the event a complaint is made under this policy the Club shall ensure that the parties are informed of their rights.

### **Section 2 Prohibited Conduct**

#### **2.1 Racial and Religious Vilification**

No person in his/her capacity as a spectator or participant in the League in the course of carrying out his/her duties or functions as or incidental to being a participant in the League shall engage in conduct that offends, humiliates, intimidates, contempts, ridicules, incites, threatens, disparages, vilifies or insults another person on the basis of that person's race, religion, colour, descent or national or ethnic origin.

#### **2.2 Serious Racial and Religious Vilification**

No person in his/her capacity as a spectator or participant in the Club in the course of carrying out his/her duties or functions as or incidental to being a participant in the Club shall intentionally engage in conduct that he/she knows is likely to incite hatred against another person, or threaten physical harm or incite hatred in others to cause physical harm to a person or to a person's property because of that person's race, religion, colour, descent or national or ethnic origin.

#### **2.3 Racial and Religious discrimination**

No person in his/her capacity as a spectator or participant in the Club in the course of carrying out his/her duties or functions as or incidental to being a participant in the Club shall engage in conduct that discriminates, directly or indirectly against another person on the basis of that person's race, religion, colour, descent or national or ethnic origin.



## 2.4 Victimization

2.4.1 No person in his/her capacity as a spectator or participant in the Club in the course of carrying out his/her duties or functions as or incidental to being a participant in the Club shall victimise another person.

2.4.2 A person will victimise another person (the victim) if:

- (a) the person subjects or threatens to subject the victim to any detriment because the victim (or a person associated with the victim) intends to or has lodged a complaint in contravention of this Policy; or
- (b) the person assists, requests, induces, encourages or authorises another person to subject the victim to any detriment because the victim (or a person associated with the victim) intends to or has lodged a complaint in contravention of this Policy.

## Section 3 Authorised Persons

3.1 The Club has arranged for any complaints and / or breach of this policy the Secretary will be the first point of contact to ensure that any breach is responded to in an equitable and prompt manner.

3.2 The President of the Club (**the President**) is the senior decision-maker in the Club's Complaints Process. Therefore, should the President be absent for a significant period, the Vice President will act on his/her behalf unless another person has been nominated by the President.

## Section 4 Confidentiality and Records

4.1 Confidentiality must be maintained throughout the complaints process. All parties to a complaint, the President (or Delegate), the Secretary, any witnesses and the Conciliator must all agree to confidentiality.

4.2 The Club shall ensure that any documents relating to a complaint shall remain confidential and be retained for 7 years from the date that the complaint is made.

## Section 5 Inter club Breach of the Policy

In the event that it is alleged that a spectator or participant from another Club has contravened this Policy:



- 5.1 an Umpire, spectator or participant of the Club may by 5.00pm on the first working day following the day on which the contravention is alleged to have occurred, lodge a complaint in writing to the Secretary;
- 5.2 the Secretary where the complaint was made shall, by 5.00pm on the next working day following the day that the complaint was lodged with the Club, lodge the complaint with the League's Complaints Officer;
- 5.3 the Secretary will take no further action once the complaint has been lodged with the League unless otherwise instructed by the League's Complaints Officer.

### **Section 6 Intra Club Breach of the Policy**

In the event that it is alleged that a participant of the Club has contravened this Policy an umpire, spectator or participant may by 5.00pm on the first working day following the day on which the contravention is alleged to have occurred, lodge a complaint in writing with the Club's Secretary.

### **Section 7 Management of Intra Club Complaints**

The Club's Secretary:

7.1 make every effort to ensure that:

- 7.1.1 confidentiality is maintained at all times during the complaints process and that the outcome of the complaints process remains confidential;
- 7.1.2 any breach of confidentiality is referred to the WRFL League's Tribunal
- 7.2 inform the person alleged to have contravened the Policy (**the respondent**) of the complaint and provide the respondent with an opportunity to respond to it;
- 7.3 inform only the President of the Club or Nominee, that a Complaint has been received by the Complaints Officer;
- 7.4 obtain written statements from any witnesses identified by both parties to the complaint;
- 7.5 where available, obtain any other evidence;
- 7.6 arrange for the complaint to be conciliated, by an independent conciliator agreed upon by both parties;
- 7.7 take all steps necessary for the complaint to be conciliated within 5 working days from the day on which the incident is alleged to have occurred;
- 7.8 refer the complaint to the League's Tribunal:



- 7.8.1 when the complainant informs the Secretary that the matter has not been resolved through conciliation. The Secretary will if requested by the complainant, take all steps necessary for the complaint to be referred to League's Tribunal within 5 working days from when the conciliation failed;
  - 7.8.2 directly when a respondent has previously taken part in conciliation as a respondent of a complaint;
  - 7.8.3 when both the Secretary and President have determined that the complaint was lacking in substance and was made vexatiously;
  - 7.8.4 when both the Secretary and President determine that under the relevant sections of the state legislation the complaint could be considered as "serious", he/she will take all steps necessary for the complaint to be referred to the League's Tribunal within 5 working days from the day on which the incident is alleged to have occurred;
- 7.9 ensure that any time limit referred to in this Policy may be extended by the Club if in the opinion of the President of the Club it is just and equitable to do so;
- 7.10 ensure that where a matter is resolved by conciliation the only public statement that shall be made shall be agreed to by both parties to the complaint and the Club's President and that the terms of any settlement are finalised to the satisfaction of the complainant and respondent and signed by the parties and the conciliator.