



## VICTORIAN AMATEUR FOOTBALL ASSOCIATION

### VAF A VILIFICATION AND DISCRIMINATION POLICY

The Victorian Amateur Football Association (VAF A) is committed to fostering an enjoyable environment by prohibiting certain conduct and providing a means of redress for victims of vilification and discrimination.

The VAF A intends to foster and maintain a sporting environment which promotes understanding, accepts the unique differences of all persons affiliated with or interested in Australian Football, and recognises the need to prohibit discriminatory or vilifying conduct.

VAF A has regard to the overarching [AFL National Vilification and Discrimination Policy](#), as well as other applicable AFL Victoria Policies including the [Australian Football Member Protection Policy](#).

This document establishes the means of redress for any player, spectator, employee or volunteer involved with a club affiliated with the VAF A or any umpire registered and affiliated with the VAF A aggrieved by what they reasonably consider to be vilification or discrimination based on their individuality.

#### **Prohibited Conduct**

No player, spectator, umpire, employee or volunteer involved with a club affiliated with the VAF A may engage in conduct which may reasonably be considered to incite hatred towards, contempt for, ridicule of or discrimination against a person or group of persons on the ground of their:

- i. Age
- ii. Race;
- iii. Religion;
- iv. Gender;
- v. Colour;
- vi. Sexual preference, orientation or identity;
- vii. Special ability or disability

## **Appointment of the VAFA Tribunal Coordinator**

The VAFA may appoint a VAFA Tribunal Coordinator who may liaise with clubs to ensure that any breach of this Policy is responded to in an equitable and prompt manner in accordance with this Policy.

## **Intra-Club Preliminary Resolution Process**

In the event that it is alleged that a person from one club has engaged in prohibited conduct in breach of this Policy towards a person from another club, the Secretary of the club alleged to have been the subject of the prohibited conduct is required by 5.00pm on the first working day following the day on which the prohibited conduct is alleged to have occurred, or by 12 noon on the Monday following a match in which a breach has alleged to have arisen, to lodge a complaint or protest with the VAFA Tribunal Coordinator. The request may be accompanied by all relevant documents and/or a detailed description of the complaint or protest as well as an administration fee of \$350 as per VAFA Rule 125. In exceptional circumstances, the club may request in writing to the VAFA Chief Executive Officer an extension of a further two (2) working days to lodge their complaint or protest. Granting an extension is at the sole discretion of the VAFA Chief Executive Officer.

Once the complaint or protest has been lodged with the VAFA Tribunal Coordinator, the club alleged to have been the subject of the prohibited conduct and the club alleged to have engaged in the prohibited conduct may take all reasonable steps to achieve an informal resolution, arrangement or understanding in relation to the complaint or protest. Such informal arrangements or agreements may involve a verbal apology or a retraction.

If following the complaint or protest being lodged an informal resolution is not achieved or it is reasonably believed by the club alleged to have been the subject of the prohibited conduct that the club alleged to have engaged in the prohibited conduct is incapable of an informal resolution, the Secretary of the club alleged to have been the subject of the prohibited conduct is required to notify the VAFA Tribunal Coordinator of this outcome.

## **Inter-Club Preliminary Resolution Process**

In the event that it is alleged that a person from one club has engaged in prohibited conduct in breach of this Policy towards a person from within the same club, the Secretary of the club alleged to have been the subject of the prohibited conduct is required by 5.00pm on the first working day following the day on which the prohibited conduct is alleged to have occurred, or by 12 noon on the Monday following a match in which a breach has alleged to have arisen, to lodge a complaint or protest with the VAFA Tribunal Coordinator. The request may be accompanied by all relevant documents and/or a detailed description of the complaint or protest as well as an administration fee of \$350 as per VAFA Rule 125. In exceptional circumstances, the club may request in writing to the VAFA Chief Executive Officer an extension of a further two (2) working days to lodge their complaint or protest. Granting an extension is at the sole discretion of the VAFA Chief Executive Officer.

Once the complaint or protest has been lodged with the VAFA Tribunal Coordinator, the club alleged to have been the subject of the prohibited conduct may take all reasonable steps to achieve an informal resolution, arrangement or understanding in relation to the complaint or protest. Such informal arrangements or agreements may involve a verbal apology or a retraction.

Updated: July 2021  
Review Date: Annually

If following the complaint or protest being lodged an informal resolution is not achieved, the Secretary of the club alleged to have been the subject of the prohibited conduct is required to notify the VAFA Tribunal Coordinator of this outcome.

### **Conciliation Resolution Process**

In circumstances where an intra-club or inter-club informal resolution has not been reached following the complaint or protest being lodged, the VAFA Tribunal Coordinator may offer voluntary conciliation to the club alleged to have been the subject of the prohibited conduct in an attempt to facilitate an agreed resolution.

Where the club alleged to have been the subject of the prohibited conduct consents to the conciliation process, the VAFA Tribunal Coordinator may take all steps necessary for the complaint or protest to be conciliated following the complaint or protest being lodged.

Prior to the conciliation process, the VAFA Tribunal Coordinator may:

- i. Ensure the club alleged to have engaged in the prohibited conduct is informed of the complaint or protest and the informal resolution process and be provided with an opportunity to respond to the complaint or protest;
- ii. Ensure that the VAFA Chief Executive Officer is informed that a complaint or protest has been received;
- iii. Obtain statements from any witnesses identified by either the club alleged to have engaged in the prohibited conduct or the club alleged to have been the subject of the prohibited conduct;
- iv. Appoint a conciliator to conciliate the complaint or protest

### **Investigation Process**

In circumstances where a complaint or protest has not been resolved by an informal resolution and/or by conciliation, the club alleged to have been the subject of the prohibited conduct may request the complaint or protest to be referred to an Independent Investigation Officer appointed by the VAFA to formally investigate aspects of the complaint or protest and determine whether, in their opinion, there is a case to answer.

### **Tribunal Hearing**

If the Independent Investigation Officer determines, in their opinion, that there is a case to answer after their investigation into the alleged incident(s), the VAFA Tribunal Coordinator may refer the charge to be heard by the VAFA Independent Tribunal to determine whether the charge should be sustained and if sustained what penalty is applicable.

The decision and findings of the VAFA Independent Tribunal may be final and binding.

## **Confidentiality and Records**

Confidentiality must be maintained throughout the entire resolution process. The VAFA, the clubs and all players, spectators, umpires, employees or volunteers involved with a complaint or protest must all agree to the maintenance of confidentiality. Any breach of confidentiality may be referred directly to the VAFA Tribunal.

The VAFA may ensure that any documents relating to a complaint or protest may remain confidential.