



MEMBER PROTECTION POLICY

VERSION 1.1

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MEMBER PROTECTION POLICY

1. Introduction

The objects for which the Association is established are to encourage and promote the game of cricket in the Sutherland Shire.

2. Purpose of Our Policy

The main objective of the Sutherland Shire Cricket Association - SSCA (“our”, “us” or “we”) Member Protection Policy (“policy”) is to maintain responsible behavior and the making of informed decisions by members and other participants in this Association.

This policy outlines our commitment to a person’s right to be treated with respect and dignity, and to be safe and protected from discrimination, harassment and abuse.

Our policy informs everyone involved in our Association of their legal and ethical rights and responsibilities and the standards of behavior that are expected of them. It also covers the care and protection of children participating in our Association’s activities.

3. Who Our Policy Applies To

This policy applies to everyone involved in the activities of our Association whether they are in a paid or unpaid/voluntary capacity and includes:

- a) All Association committee members, administrators and other Association officials;
- b) coaches and assistant coaches and other personnel participating in events and activities, including camps and training sessions;
- c) support personnel, including managers, physiotherapists, psychologists, masseurs, sport trainers and others;
- d) umpires and other officials;
- e) players;
- f) members, including any life members;
- g) parents; and
- h) spectators;

Our Association requires that our Clubs adopt a Member Protection Policy on similar terms that applies to Club members.



4. Extent of Our Policy

Our policy covers all matters directly and indirectly related to the Sutherland Shire Cricket Association and our activities. In particular, the policy governs unfair selection decisions and actions, breaches of our code of behavior and behavior that occurs at training sessions, in our facilities, at social events organised or sanctioned by the Association (or our sport), and on away and overnight trips. It also covers private behavior where that behavior brings our Association or sport into disrepute or there is suspicion of harm towards a child or young person.

5. Association Responsibilities

We will:

- a) adopt, implement and comply with this policy;
- b) appoint a Member Protection Information Officer (**MPIO**) and undertake online training delivered by Play by the Rules;
- c) ensure that this policy is enforceable;
- d) publish, distribute and promote this policy and the consequences of any breaches of this policy;
- e) promote and model appropriate standards of behavior at all times;
- f) deal with any complaints made under this policy in an appropriate manner;
- g) deal with any breaches of this policy in an appropriate manner;
- h) recognise and enforce any penalty imposed under this policy;
- i) ensure that a copy of this policy is available or accessible to all people and organisations to whom this policy applies;
- j) review this policy every 12-18 months; and
- k) seek advice from and refer serious issues to our Association, State or Territory Cricket Association and Cricket Australia.

Serious issues include unlawful behavior that involves or could lead to significant harm and includes criminal behavior (e.g. physical assault, sexual assault, child abuse) and any other issues that our State or Territory Cricket Association and Cricket Australia request to be referred to them.

6. Individual Responsibilities

Everyone associated with our Association must:

- a) make themselves aware of the contents of this policy;
- b) comply with all relevant provisions of this policy, including the standards of behavior outlined in this policy;
- c) consent to the screening requirements set out in this policy, and any state or territory Working with Children checks if the person holds or applies for a role that involves regular unsupervised contact with a child or young person under the age of 18, or where otherwise required by law;



- d) consent to the screening requirements set out in this policy, and any state or territory Working with Children checks or National Police Checks as requested from time to time by the Association, recognising that such request may not be required by law (such as parents of members and umpires);
- e) treat other people with respect;
- f) always place the safety and welfare of children above other considerations;
- g) be responsible and accountable for their behavior;
- h) follow the guidelines outlined in this policy if they wish to make a complaint or report a concern about possible child abuse, discrimination, harassment, bullying or other inappropriate behavior; and
- i) comply with any decisions and/or disciplinary measures imposed under this policy.

7. Protection of Children

7.1. Child Protection

The SSCA is committed to the safety and wellbeing of children and young people who participate in our Associations activities or use our services. We support the rights of the child and will act at all times to ensure that a child safe environment is maintained. We also support the rights and wellbeing of our staff and volunteers and encourage their active participation in building and maintaining a secure and safe environment for all participants.

SSCA acknowledges the valuable contribution made by our staff, members and volunteers and we encourage their active participating in providing a safe, fair and inclusive environment for all participants.

7.2. Identifying and Analysing Risks of Harm

The SSCA has in place a Risk Management Plan, which includes a review of our existing child protection practices, to determine how child-safe our organisation is and to identify any additional steps we can take to minimise and prevent the risk of harm to children because of the action of an employee, volunteer or another person.

7.3. Developing Codes of Conduct for Adults and Children

We will develop and promote a code of conduct that specifies standards of conduct and care we expect of adults when the deal and interact with children, particularly those in our care. We will also implement a code of conduct to promote appropriate behavior between children.

The codes will clearly describe professional boundaries, ethical behavior and unacceptable behavior. (See Attachment 2)

7.4. Choosing Suitable Employees and Volunteers

The SSCA will ensure that the organisation takes all reasonable steps to ensure that it engages the most suitable and appropriate people to work with children, especially those in positions that involve regular unsupervised contact with children. This may be achieved using a range of screening measures. Such measures will aim to minimise the likelihood of engaging (or retaining) people who are unsuitable to work with children.



The SSCA will ensure that Working with Children checks and criminal history assessments are conducted for employees and volunteers working with children, where an assessment is required by law. If a criminal history report is obtained as part of the screening process, the SSCA will ensure that the criminal history information is dealt with confidentially and in accordance with relevant legal requirements. (See Attachment 1.2)

7.5. Support, Train, Supervise and Enhance Performance

The SSCA will ensure that all our employees and volunteers who work with children have ongoing supervision; support and training. Our goal is to develop their skills and capacity and to enhance their performance so we can maintain a child-safe environment in our Association.

7.6. Empower and Promote the Participation of Children In Decision-Making And Service Development

The SSCA will promote the involvement and participation of children and young people in developing and maintaining a child-safe environment in our Association.

7.7. Report and Respond Appropriately to Suspected Abuse and Neglect

The SSCA will ensure that employees and volunteers are able to identify and respond appropriately to children at risk of harm and that they are aware of their responsibilities under state laws to make a report if they suspect on reasonable ground that a child has been, or is being, abused or neglected (See Attachment 4).

In addition to any legal obligations, if any person believes that another person or organisation bound by this policy is acting inappropriately towards a child or is in breach of this policy they may make an internal complaint.

Please refer to our complaints procedure in section 10 of this policy.

Any person who believes a child is in immediate danger or in a life threatening situation, should contact the police immediately.

7.8. Supervision

Children under the age of 18 must be supervised at all times by a responsible adult. We endeavor to provide an appropriate level of supervision at all times. If a member finds a child under the age of 18 is unsupervised, they should assume responsibility for the child's safety until the child's parent/guardian or supervisor is located.

For reasons of courtesy and safety, parents must collect their children on time. If it appears a member will be left alone with just one child at the end of any Association activity, they will ask another member to stay until the child is collected.

7.9. Transportation

Parents and or guardians are responsible for organising the transportation of their children to and from Association activities (e.g. training and games). Where we make arrangements for the transportation of children (e.g. for away matches or overnight trips), we will conduct a risk assessment that includes ensuring vehicles are adequately insured, the driver has a current and appropriate licence for the vehicle being used and the appropriate safety measures are in place (e.g. fitted working seatbelts).

7.10. Taking Images of Children

Images of children can be used inappropriately or illegally. We require that members, wherever possible, obtain permission from a child's parent or guardian before taking an image of a child that is not their own. We will also make sure that the parent or guardian understands how the image will be used.



To respect people's privacy, we do not allow camera phones, videos and cameras to be used inside changing areas, showers and toilets which we control or are used in connection with our Association.

When using a photo of a child, we will not name or identify the child or publish personal information, such as residential address, email address or telephone number, without the consent of the child's parent or guardian. We will not provide information about a child's hobbies, interests, school or the like as this can be used by paedophiles or other persons to "groom" a child.

We will only use images of children that are relevant to our Association's activities and in a manner that promotes our Association. We will seek permission from a child's parent or guardian before using their images.

8. Discrimination, Harassment and Bullying

Our Association is committed to providing an environment in which people are treated fairly and equitably and that is, as far as practicable, free from all forms of discrimination, harassment and bullying.

We recognise that people may not be able to enjoy themselves or perform at their best if they are treated unfairly, discriminated against, harassed or bullied.

8.1. Discrimination

Unlawful discrimination involves the less favourable treatment of a person on the basis of one or more of the personal characteristics protected by State or Federal anti-discrimination laws.

Discrimination includes both direct and indirect discrimination:

- a) **Direct discrimination** occurs if a person treats, or proposes to treat, a person with a protected personal characteristic unfavourably because of that personal characteristic.
- b) **Indirect discrimination** occurs if a person imposes, or proposes to impose, a requirement, condition or practice that will disadvantage a person with a protected personal characteristic and that requirement, condition or practice is not reasonable.

For the purpose of determining discrimination, the offender's awareness and motive are irrelevant.

8.2. Harassment

Harassment is any unwelcome conduct, verbal or physical, that intimidates, offends or humiliates another person and which happens because a person has a certain personal characteristic protected by State or Federal anti-discrimination legislation.

The offensive behavior does not have to take place a number of times; a single incident can constitute harassment.

Sexual harassment is one type of harassment. Sexual harassment involves unwelcome conduct, remarks or innuendo of a sexual nature. It covers a wide range of behaviours and can be verbal, written, visual or physical. Sexual harassment is not limited to members of the opposite sex.



Every person is covered by the anti-discrimination laws that apply in their State as well as the Federal anti-discrimination laws.

The following is a list of all the personal characteristics that apply throughout Australia:

- a) gender;
- b) race, colour, descent, national or ethnic origin, nationality, ethno-religious origin, immigration;
- c) national extraction or social origin;
- d) marital status, relationship status, identity of spouse or domestic partner;
- e) pregnancy, potential pregnancy, breastfeeding;
- f) family or carer responsibilities, status as a parent or carer;
- g) age;
- h) religion, religious beliefs or activities;
- i) political beliefs or activities;
- j) lawful sexual activity;
- k) sexual orientation and gender identity;
- l) profession, trade, occupation or calling;
- m) irrelevant criminal record, spent convictions;
- n) irrelevant medical record;
- o) member of association or organisation of employees or employers, industrial activity, trade union activity;
- p) physical features;
- q) disability, mental or physical impairment;
- r) defence service; and
- s) personal association with someone who has, or is assumed to have, any of these personal characteristics.

Legislation also prohibits:

- a) racial, religious, homosexual, transgender and HIV/AIDS vilification; and
- b) victimisation resulting from a complaint.

8.3. Bullying

The SSCA is committed to providing an environment that is free from bullying. We understand that bullying has the potential to result in significant negative consequences for an individual's health and wellbeing, and we regard bullying in all forms as unacceptable at our Association.

Bullying is characterised by repeated, unreasonable behavior directed at a person, or group of persons, that creates a risk to health and safety. Bullying behavior is that which a reasonable person in the circumstances would expect to victimise, humiliate,



undermine, threaten, degrade, offend or intimidate a person. Bullying behavior can include actions of an individual or group.

Whilst generally characterised by repeated behaviours, one off instances can amount to bullying.

The following types of behavior, where repeated or occurring as part of a pattern of behavior, would be considered bullying:

- a) verbal abuse including shouting, swearing, teasing, making belittling remarks or persistent unjustified criticism;
- b) excluding or isolating a group or person;
- c) spreading malicious rumours; or
- d) psychological harassment such as intimidation.

Bullying includes cyber-bullying which occurs through the use of technology. New technologies and communication tools, such as smart phones and social networking websites, have greatly increased the potential for people to be bullied through unwanted and inappropriate comments. We will not tolerate abusive, discriminatory, intimidating or offensive statements being made online.

If any person believes they are being, or have been, bullied by another person or organisation bound by this policy, he or she may make a complaint. (Refer to Item 10 of this policy.)

9. Inclusive practices

Our Association is welcoming and we will seek to include members from all areas of our community.

The following are examples of some of our inclusive practices.

9.1. People with a disability

The SSCA will not discriminate against any person because they have a disability. Where it is necessary, we will make reasonable adjustments (e.g. modifications to equipment and rules) to enable participation.

9.2. People from diverse cultures

We will support, respect and encourage people from diverse cultures and religions to participate in our Association and where possible we will accommodate requests for flexibility (e.g. modifications to uniforms).

9.3. Sexual & gender identity

All people, regardless of their sexuality or gender identity, are welcome at our Association. We strive to provide a safe environment for participation and will not tolerate any form of discrimination or harassment because of a person's sexuality or gender identity.



10. Responding to Complaints

10.1. Complaints

Our Association takes all complaints about on and off-field behavior seriously. Our Association will handle complaints under this policy, based on the principles of procedural fairness, and ensure:

- a) all complaints will be taken seriously;
- b) the person making the complaint (complainant) will be given full details of what is being alleged against them and have the opportunity to respond to those allegations;
- c) irrelevant matters will not be taken into account;
- d) decisions will be unbiased; and
- e) any penalties imposed will be reasonable.

More serious complaints may be escalated by the Association Secretary to State or Territory Cricket Association and Cricket Australia.

If the complaint relates to suspected child abuse, sexual assault or other criminal activity, then our Association may need to report the behavior to the police and/or relevant government authority.

10.2. Complaint Handling Process

When a complaint is received by our Association, the person receiving the complaint (e.g. Secretary, President) will:

- a) listen carefully and ask questions to understand the nature and extent of the concern;
- b) ask what the complainant how they would like their concern to be resolved and if they need any support;
- c) explain the different options available to help resolve the complainant's concern;
- d) inform the relevant government authorities and/or police, if required by law to do so; and
- e) where possible and appropriate, maintain confidentiality but not necessarily anonymity.

Once the complainant decides on their preferred option for resolution, the Association will assist, where appropriate and necessary, with the resolution process. This may involve:

- a) supporting the person complaining to talk to the person being complained about;
- b) bringing all the people involved in the complaint together to talk objectively through the problem (this could include external mediation);
- c) gathering more information (e.g. from other people that may have seen the behavior);



- d) seeking advice from our district, regional, state and/or national body or from an external agency (e.g. State Department of Sport or anti-discrimination agency);
- e) referring the complaint to the to the State or Territory Cricket Association if the matter is a serious or criminal complaint; and/or
- f) referring the complainant to an external agency such as a community mediation centre, police or anti-discrimination agency.

In situations where a serious or criminal complaint is referred to our State or Territory Cricket Association and an investigation is conducted, the Association will:

- a) co-operate fully with the investigation;
- b) where applicable, ensure the complainant is not placed in an unsupervised situation with the respondent(s); and
- c) act on our State or Territory Cricket Association's recommendations.

At any stage of the process, a person can seek advice from an anti-discrimination commission or other external agency and, if the matter is within their jurisdiction, may lodge a complaint with the anti-discrimination commission or other external agency.

Complaints of a criminal nature should be reported to police immediately.

10.3. Disciplinary Sanctions

Our Association may take disciplinary action against anyone found to have breached our policy or made false and malicious allegations. Any disciplinary measure imposed under our policy must:

- a) be applied consistent with any contractual and employment rules and requirements;
- b) be fair and reasonable;
- c) be based on the evidence and information presented and the seriousness of the breach; and
- d) be determined by our constituent documents, by Laws and the rules of the game.

Possible sanctions that may be taken include:

- a) a direction that the individual make verbal and/or written apology;
- b) a direction that the individual undertake and complete a course (such as those offered by Play by the Rules);
- c) counselling of the individual to address behavior;
- d) withdrawal of any awards, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by our Association;
- e) suspension or termination of membership, participation or engagement in a role or activity;
- f) de-registration of accreditation for a period of time or permanently;
- g) a fine; or



- h) any other form of discipline that our Association considers reasonable and appropriate.

10.4. Appeals

The complainant or respondent may be entitled to lodge an appeal against a decision made in relation to a complaint (including a decision where disciplinary sanctions are imposed by our Association) to our State or Territory Cricket Association.

Appeals must be based on any right of appeal provided for in the relevant constituent documents, rules, regulations or by laws.



Attachment 1.1: Member Protection Declaration

The SSCA has a duty of care to all those associated with our Association and to the individuals and organisations to whom this policy applies. As a requirement of our Member Protection Policy, we must enquire into the background of those who undertake any work, coaching or regular unsupervised contact with people under the age of 18 years.

I, (name) of

.....

..... (address) born

...../...../.....

sincerely declare:

- a) I do not have any criminal charge pending before the any court.
- b) I do not have any criminal convictions or findings of guilt for sexual offences, offences related to children or acts of violence, fraud or any drug offences.
- c) I have not had any disciplinary proceedings brought against me by an employer, sporting organisation or similar body involving child abuse, sexual misconduct or harassment, other forms of harassment or acts of violence, fraudulent acts or drug offences.
- d) To my knowledge there is no other matter that the Association may consider to constitute a risk to its members, employees, volunteers, athletes or reputation by engaging me.
- e) I will notify the President of the Association immediately upon becoming aware that any of the matters set out in clauses (a) to (d) above has changed.

Declared in the State/Territory of

.....

on/...../.....(date)

Signature

Parent/Guardian Consent (in respect of a person under the age of 18 years)

I have read and understood the declaration provided by my child. I confirm and warrant that the contents of the declaration provided by my child are true and correct in every particular.

Name:

Signature:

Date:



Attachment 1.2:

Working with Children Check Requirements

Working with Children checks aim to create a child-safe environment and to protect children and young people involved in our sport from physical and sexual harm.

They assess the suitability of people to work with children and young people and can involve:

- a) criminal history checks;
- b) signed declarations;
- c) referee checks; and
- d) other relevant background checks to assess a person's suitability to work with children and young people.

Working with Children check requirements vary across Australia. [Fact Sheets](#) for each state and territory are available on the Play by the Rules website: www.playbytherules.net

Detailed information, including the forms required to complete a Working with Children check, are available from the relevant agencies in each state and territory.

Contact the Office of the Children's Guardian

Website: www.kidsguardian.nsw.gov.au/check

Phone: 02 9286 7276

Travelling to other states or territories

It is important to remember that when travelling to other states or territories, representatives of sporting organisations must comply with the legislative requirements of that particular state or territory.

In certain jurisdictions, temporary, time limited exemptions from working with children checks may be available for interstate visitors with a Working with Children check in their home state.

The laws providing interstate exemptions are not consistent across Australia.

If an employee or volunteer for your Association is travelling interstate to do work that would normally require a working for children check, you will need to check the relevant requirements of that state or territory.



Attachment 2: Code of Conduct

Section 1 | Provision and purpose of the Code

A2.1.1 The Association shall apply a Code of Conduct based on sportsmanship, fair play, and consideration for the efforts and responsibilities of others.

A2.1.2 At all times, on and off the field, at Association functions, matches and in relation to Association management affairs, officials, players and all others to whom this Code applies must conduct themselves in an appropriate manner to promote the good name of cricket, the work of the Association and Club which the individual may be a member of or is representing.

A2.1.3 Breaches of the Code may lead to disciplinary action.

Section 2 | Application

A2.2.1 The Code applies to all players, club members, officials and others participating in the activities of the Association, and having affiliation with the Association as per the Association Constitution

A2.2.2 When playing the game, players must conduct themselves in a sportsmanlike manner. Swearing, sledging, the display of disagreement with rulings or decisions by verbal comment or gestures, and any other conduct likely to be prejudicial to the good name of the sport and the interests of the Association is totally unacceptable.

A2.2.3 All officials, coaches, managers, club supporters and others having membership of the Association, attending matches organised by or involving Association representation, must conduct themselves in a sportsmanlike manner at all times. Actions and behavior likely to bring the Association or the game of cricket into disrepute are unacceptable.

A2.2.4 Anyone entering the field of play at any time without the prior approval of the umpires controlling the match, except in the case of medical emergency or accident requiring immediate response in the interests of player or umpire welfare, are in breach of the Code.

A2.2.5 Club members attending matches as spectators who interfere with the conduct of matches, or with the work of club officials carrying out their duties, or act in a manner detrimental to the good of the game, are in breach of the Code.

A2.2.6 Club members who interfere with the responsibilities of Association management, or who, through their actions, undermine the authority and functions of the Association, are in breach of the Code.

Section 3 | Complaints

A2.3.1 Any club member, official, player, umpire, or member of Association management may lodge a complaint.

A2.3.2 Complaints must be lodged in writing through the secretary of their club to the Secretary and received within seven days of the alleged occurrence. The complaint must state the nature of the allegation and all the circumstances

relating to the matter. In instances of bad language leading to a complaint, the complainant must be prepared to specify the words used and the context in which delivered.

Section 4 | Rules of the Code

A2.4.1 Persons bound by the Code must not engage in disorderly or improper conduct or behavior. Disorderly or improper conduct or behavior includes, but is not restricted to, a person:

- a) Assaulting, attempting to assault or abusing (verbally or physically) an umpire, player, official or spectator
- b) Disputing, as distinct from reasonably questioning, an umpire's decision, or reacting in an obviously provocative manner towards an umpire;
- c) Using crude or abusive language, or hand signals or other gestures;
- d) Engaging in sledging;
- e) Engaging in any form of conduct or behaviour inconsistent with the Spirit of Cricket or likely to bring the game into disrepute
- f) Agreeing or attempting to agree to produce a match result by methods such as unusual declarations, deliberate loss of wickets, or any other action that offends against the principles of fair play
- g) Engaging in any conduct, act towards or speak to any other person in a manner which offends, insults, humiliates or vilifies such person on the basis of that person's disability, race, religion, colour, descent, ethnic origin, sexual orientation or gender identity.
- h) Refusing to supply that person's name and that person's address when required by another person who is lodging a report

Clarifying Note:

SSCA Member Protection policy applies to all persons (players, spectators, umpires, parents, and children) involved in approved competition matches

For the purposes of the Code, sledging is defined as the giving of comments, insults and/or gestures by a player of one team to another of the opposition team causing personal offence and distraction such as to detract from that player's ability to play the game.

It would be expected that any player subjected to sledging will request that such actions discontinue immediately. Failure by the offender to do so will constitute a prima facie case of sledging.

In this event the player subjected to sledging should report it immediately to the umpire who may take action under Law 41 of the Laws of Cricket. Following the day's play, the player and/or the umpire should also report the incident should either wish to make a complaint of a breach of the Code.

A2.4.2 The captain of the team must ensure that all players – including substitute fielders – comply with the Code

A2.4.3 If a player breaches the Code under Section 4.1, the captain of that team is also considered to have breached the Code.

A2.4.4 A person accused of breaching the Code must not be denied natural justice in responding to any allegations.

Section 5 | The Judiciary Committee

A2.5.1 A Judiciary Committee shall hear all alleged breaches of the Code.

A2.5.2 The Judiciary Committee will consist of 3 members - the President, a Vice President and one other member of the Executive. If required, the Management Committee may appoint a suitable replacement member.

A2.5.3 The Secretary will be the Secretary to the Judiciary Committee.

A2.5.4 A quorum for the Judiciary Committee is three members

A2.5.5 No person may be a member of a Judiciary Committee if that hearing involves an alleged offender or complainant connected with an affiliated club or body of which they are an active member.

A2.5.6 It is the responsibility of the Judiciary Committee to investigate the matter to the extent necessary to ensure that justice is done and the person responding to the allegation is afforded a fair and proper hearing.

A2.5.7 Any appeal arising from the Judiciary process should be determined by an appeal hearing. The appeals hearing should be carried out within 7 days of receiving notice of appeal. No person involved in the initial Judiciary Committee investigation may hear an appeal.

A2.5.8 If insufficient members of the Management Committee are available to provide an appeal hearing, the Management Committee may appoint external persons who have had no prior involvement in the matter as Associate Members of the Association for the duration of the matter, for the purposes of providing an independent and unbiased hearing.

A2.5.9 An appeal must be provided in writing and lodged with the Secretary within seven days of receiving the decision of the Judiciary Committee. It must contain the grounds on which the appeal is based. An appeal may be lodged against the decision of the Committee or against the severity of the penalty determined.

A2.5.10 The Judiciary Committee must address the requirements of Natural Justice and Procedural Fairness in any process before it. Key points of the process are:

- It is a non-legal process with emphasis on natural justice, fair play, and procedural fairness.
- It avoids application of the rules of evidence to facilitate a non-legal environment.
- It sets out the nature of the breach clearly and specifically so that the person “charged” may have clear understanding and the right to respond in defence of the allegations.

- It provides for the hearing and taking of evidence from minors.
- It provides for any person accused to have a non-participatory/observer witness in attendance.
- It seeks to resolve all matters speedily yet not with unseemly haste such as to disadvantage any party.
- It aims to be corrective rather than punitive but shall provide for fines and suspensions.
- It has the power to direct Clubs to take actions arising out of the outcome of such hearings.
- It has the power to hear any such part of any hearing in camera.
- All information heard in the judicial process shall be confidential to the Judiciary Members.
- It provides for an appeal process.

A2.5.11 Within seven days of an alleged breach of the Code being referred to a Judiciary Committee the Secretary must:

- Give the person who is the subject of the proposed hearing a copy of all reports received by the Association Secretary; and
- Give that person's Club Secretary a copy of such reports; and
- Give the person(s) who are the subject and initiator of the report notice to appear before the Judiciary Committee. The notice must include the time and place for the hearing. The hearing must be at least 72 hours after the time that the person receives such notice.
- ask the person who reported the breach to appear at the Judiciary hearing by giving notice to that person, if the Association deems it appropriate
- convene the Judiciary hearing as soon as practicable and preferably before the next playing date of the competition.

Clarifying Note: *Any notice sent by Post is deemed to have been received two working days after the date of posting. Any notice sent by email is deemed to have been received twenty-four hours after the time of sending.*

A2.5.12 If the Judiciary Committee is satisfied that proper notice was served, it may conduct the proceedings in the absence of the person given notice to appear, and, if necessary, the person who has made the complaint.

A2.5.13 The Judiciary Committee must verbally advise the person, who is the subject of the report, its decision as soon as possible after the hearing

A2.5.14 As soon as practicable after the hearing the Judiciary Committee must give written notice of its decision to:

- The person who is subject of the report; and
- That person's Club; and
- The person who lodged the report.

A2.5.15 If a person who was given notice to appear fails to do so, and the Judiciary Committee proceeds, it may subsequently set aside any order made in the absence of that person, upon receipt of advice satisfactory to it, that the person did not receive the notice. The Judiciary Committee shall then determine on the facts available to it whether to proceed or dispense with the matter.

Section 6 | Penalties for breaches of the Code

A2.6.1 Without limiting the range of penalties it may impose, the Judiciary Committee may:

- Issue a warning in the form of a reprimand to the person appearing before it;
- Impose a fine;
- Suspend or disqualify that person for a specified period of time;
- Apply any combination of the three penalties above; or
- Otherwise deal with the person.

A2.6.2 The Association may suspend the operation of any Penalty on any terms as it sees fit.

A2.6.3 Any player suspended for any offence will not take part in any matches while under suspension.

A2.6.4 If a player is found guilty of an offence and is suspended by the Judiciary Committee, their team will incur a penalty of four competition points. The Judiciary Committee has the discretion to waive this penalty.

Clarifying Note: *The competition points penalty may only be applied once per match.*

A2.6.5 Any fine must be paid to the Association within 30 days of the person being notified that the fine has been imposed

A2.6.6 A person is ineligible for selection or participation in, or appointment to, any match or fixture set down by the Association until any fine imposed on him/her has been paid or penalty served.

A2.6.7 Where the person who lodged the complaint is a member of the Sutherland Shire Cricket Umpires Association or the NSW Cricket Umpires Association, the Secretary must give written notice to that body setting out the details of the Judiciary Committee's report and findings.

A2.6.8 Any person who fails to present themselves at a hearing of the Judiciary Committee without just cause and having been given due notice of their attendance being required, will be deemed guilty of misconduct and will be liable for such a penalty as is determined by that Committee

Section 7 | Restrictions

A2.7.1 A person, other than an employee of the Association or an affiliated club, who has been suspended, fined, or otherwise dealt with by the Judiciary Committee and who has not been completely exonerated on appeal:

- is prohibited from acting in any administrative position or as an office bearer of an affiliated club or the Association; and
- is prohibited from acting as the captain, manager, or coach of any team taking part in a fixture conducted by the Association or an affiliated club; and



- is ineligible to be a Delegate to, or Office Bearer of, the Association until the expiration of any suspension, or any fine imposed has been paid.

Section 8 | Record keeping

A2.8.1 The Secretary of the Association shall keep all records of proceedings and decisions relating to Judiciary hearings for a period not exceeding two years at which time the records shall be destroyed.



Attachment 3: Reporting Requirements and Documents

RECORD OF COMPLAINT

Name of person receiving complaint		Date:
Complainant's Name	<input type="checkbox"/> Over 18	<input type="checkbox"/> Under 18
Complainant's contact details	Phone: Email:	
Complainant's role/status in SSCA	<input type="checkbox"/> Administrator (volunteer)	<input type="checkbox"/> Parent
	<input type="checkbox"/> Athlete/player	<input type="checkbox"/> Spectator
	<input type="checkbox"/> Coach/Assistant Coach	<input type="checkbox"/> Support Personnel
	<input type="checkbox"/> Employee (paid)	<input type="checkbox"/> Other (detail):
	<input type="checkbox"/> Official	
Name of person complained about	<input type="checkbox"/> Over 18	<input type="checkbox"/> Under 18
Person complained about role/status in SSCA	<input type="checkbox"/> Administrator (volunteer)	<input type="checkbox"/> Parent
	<input type="checkbox"/> Athlete/player	<input type="checkbox"/> Spectator
	<input type="checkbox"/> Coach/Assistant Coach	<input type="checkbox"/> Support Personnel
	<input type="checkbox"/> Employee (paid)	<input type="checkbox"/> Other (detail):
	<input type="checkbox"/> Official	
Location/event of alleged issue		
Description of alleged issue		



<p>Nature of complaint (category/basis/grounds)</p> <p>Can tick more than one box</p>	<input type="checkbox"/> Harassment <input type="checkbox"/> Discrimination <input type="checkbox"/> Sexual/sexist <input type="checkbox"/> Selection dispute <input type="checkbox"/> Coaching methods <input type="checkbox"/> Sexuality <input type="checkbox"/> Personality clash <input type="checkbox"/> Verbal abuse <input type="checkbox"/> Race	<input type="checkbox"/> Bullying <input type="checkbox"/> Physical abuse <input type="checkbox"/> Religion <input type="checkbox"/> Disability <input type="checkbox"/> Victimisation <input type="checkbox"/> Pregnancy <input type="checkbox"/> Child Abuse <input type="checkbox"/> Unfair decision <input type="checkbox"/> Other (detail)
<p>What they want to happen to fix issue</p>		
<p>Information provided to them</p>		
<p>Resolution and/or action taken</p>		
<p>Follow-up action</p>		

Procedure For Handling Allegations Of Child Abuse

If you believe a child is in immediate danger or a life-threatening situation, contact the Police immediately on 000.

Fact sheets on reporting allegations of child abuse in different states and territories are available at www.playbytherules.net.au

We will treat any allegation of child abuse or neglect promptly, seriously and with a high degree of sensitivity.

All people working with SSCA in a paid or unpaid capacity have a duty to report any concerns to the appropriate authorities, following the steps outlined below.

Step 1: Receive the allegation

If a child or young person raises with you an allegation of child abuse or neglect that relates to them or to another child, it is important that you listen, stay calm and be supportive.

Do	Don't
Make sure you are clear about what the child has told you	Do not challenge or undermine the child
Reassure the child that what has occurred is not his or her fault	Do not seek detailed information, ask leading questions or offer an opinion.
Explain that other people may need to be told in order to stop what is happening.	Do not discuss the details with any person other than those detailed in these procedures.
Promptly and accurately record the discussion in writing.	Do not contact the alleged offender.

Step 2: Report the allegation

Immediately report any allegation of child abuse or neglect, or any situation involving a child at risk of harm, to the police and/or the relevant child protection agency. You may need to make a report to both.

Contact the relevant child protection agency or police for advice if there is any doubt about whether the allegation should be reported.

If the allegation involves a person to whom this policy applies, then also report the allegation to the State or Territory Cricket Association so that it can assist manage the situation.

Step 3: Protect the child and manage the situation

The President and Management Committee will assess the immediate risks to the child and take interim steps to ensure the child's safety and the safety of any other children. This may include redeploying the alleged offender to a position where there is no unsupervised contact with children, supervising the alleged offender or removing/suspending him or her until any investigations have been concluded. Legal advice should be sought before any interim steps are made if the person is an employee of the SSCA.

The President and Management Committee in consultation with the State or Territory Cricket Association will consider what services may be most appropriate to support the child and his or her parent/s.



The President and Management Committee in consultation with the State or Territory Cricket Association will consider what support services may be appropriate for the alleged offender.

The President and Management Committee in consultation with the State or Territory Cricket Association will seek to put in place measures to protect the child and the alleged offender from possible victimisation and gossip.

Step 4: Take internal action

At least three different investigations could be undertaken to examine allegations that are made against a person to whom this policy applies, including:

- a) a criminal investigation (conducted by the police)
- b) a child protection investigation (conducted by the relevant child protection agency)
- c) a disciplinary or misconduct inquiry/investigation (conducted by the Association, State or Territory Cricket Association and/or Cricket Australia or independent body).

SSCA will assess the allegations and determine what action should be taken in the circumstances and may consult with the State or Territory Cricket Association and/or Cricket Australia as required. Depending on the situation, action may include considering whether the alleged offender should return to his or her position, be dismissed, banned or suspended or face other disciplinary action.

If disciplinary action is undertaken, we will follow the procedures set out in Clause 10 of this policy.

Where required we will provide the relevant government agency with a report of any disciplinary action we take.

Contact details for advice or to report an allegation of child abuse:

Early Childhood Education Directorate, NSW Department of Education

Address: Locked Bag 5107
PARRAMATTA NSW 2124

Website: education.nsw.gov.au

Email: ececd@det.nsw.edu.au

Phone: **1800 619 113 (toll free)**

Fax: (02) 8633 1810



CONFIDENTIAL RECORD OF CHILD ABUSE ALLEGATION

Before completing, ensure the procedures outlined in Procedure for Handling Allegations of Child Abuse have been followed and advice has been sought from the relevant government agency and/or police.

Complainant's Name (if other than the child)		Date Formal Complaint Received:
Role/status in sport	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Athlete/player <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Official	<input type="checkbox"/> Parent <input type="checkbox"/> Spectator <input type="checkbox"/> Support Personnel <input type="checkbox"/> Other (detail):
Child's name		Age:
Child's address		
Person's reason for suspecting abuse (e.g. observation, injury, disclosure)		
Name of person complained about		
Role/status in sport	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Athlete/player <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Official	<input type="checkbox"/> Parent <input type="checkbox"/> Spectator <input type="checkbox"/> Support Personnel <input type="checkbox"/> Other (detail):
Witnesses (if more than 3 witnesses, attach details to this form)	Name (1): Contact details: Name (2): Contact details: Name (3): Contact details:	



Interim action (if any) taken (to ensure child's safety and/or to support needs of person complained about)	
Police contacted	Who: When: Advice provided:
Government agency contacted	Who: When: Advice provided:
President and/or MPIO contacted	Who: When:
Police and/or government agency investigation	Finding:
Internal investigation (if any)	Finding:
Action taken	
Completed by	Name: Position: Signature: Date:
Signed by	Complainant (if not a child) Date:

This record and any notes must be kept in a confidential and safe place and provided to the relevant authorities (police and government) should they require them.