



# Code of Conduct

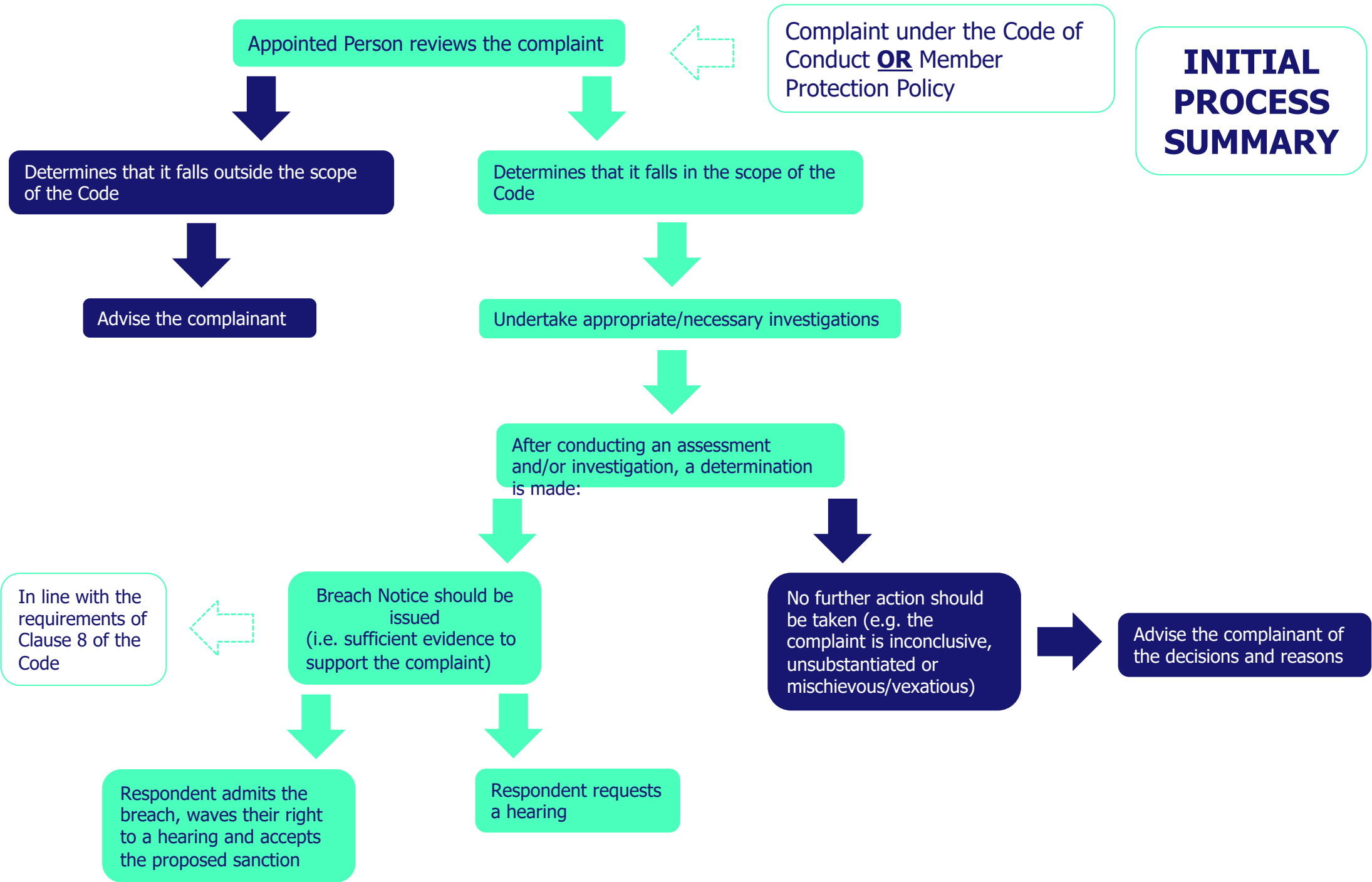
# Information for Committees

**RUGBY**  
**AU**

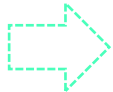
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# INITIAL PROCESS SUMMARY



Code of Conduct Panel established by the Relevant Organisation



Code of Conduct Committee appointed

- 3 members of the CoC Panel
- Chairperson
- Independent, impartial, fair

**HEARING SUMMARY**

Issue a hearing notice to the Relevant Person or Organisation to attend the hearing

**All** Relevant Persons or Organisations must be given the opportunity to produce evidence, submissions and attending the hearing

Committee makes a determination:

- Sanctioning Process
- a) Consider the factors in Clause 13.2 of the Code to determine the seriousness of the breach
  - b) Consider the aggravating and/or mitigating facts in Clause 13.4 of the Code in determining the sanction



An alleged breach of the Code has been proven & sanction imposed

Alleged breach of the Code has not been proven

Advised to the parties including the complainant in writing

Advised to the parties including the complainant in writing and advise of right of appeal

# Code of Conduct Committee - Establishment

- Each Relevant Organisation is required have a Code of Conduct Panel from which individuals are selected to form a Code of Committee when required;
- Where a respondent requests a hearing a Committee of 3 members shall be convened;
- The Relevant Organisation shall endeavour to conduct the hearing within 14 days from the day that the Committee is convened.

# Code of Conduct Committee - Procedures

- Hearings shall be conducted with as little formality and with as much expedition as possible;
- Principles of procedural fairness shall be adopted;
- The Committee has discretion as to who can attend a hearing in addition to the parties/representatives, including calling experts to provide specialist advice if required;
- The parties have the right to be represented by a legal practitioner;
- All communication with the Committee should include the parties;
- The Committee has discretion to hear/receive evidence as it sees fit; and
- The Committee shall seek to ensure that proceedings are heard in the presence of all relevant parties to the complaint.

## Committee has the power to determine:

- That an alleged breach has been found proven and impose an appropriate sanction;
- That an alleged breach has not been found proven and impose no sanction;
- That a breach of the Code other than what was initially alleged has been proven and impose a sanction;

The Committee may deliver an oral decision at the conclusion of the hearing or reserve its decision and the Committee's reasons will then be put in writing and communicated to the parties.

# Sanctioning Process – Step 1

**The Committee shall determine the seriousness of the breach(es) committed.**

Factors for consideration in this determination shall include:

- the nature and gravity of the breach and the impact of the offending;
- the degree to which the conduct was intentional;
- the degree to which the consequences of the conduct were reasonably foreseeable at the time the conduct took place;
- the degree to which the behaviour or conduct may have caused offence;
- the degree to which the conduct impacted on the integrity of a rugby activity; and
- the degree to which the conduct caused reputational damage.

## Sanctioning Process – Step 2

**Consider aggravating/mitigating factors in determining an appropriate sanction.**

Aggravating/mitigating factors for consideration include:

- the presence and timing of an acknowledgement of culpability/wrong-doing;
- disciplinary record and/or good character;
- conduct prior to and at the hearing;
- remorse for the conduct including any steps taken to rectify any wrongdoing;
- any directives from a Relevant Organisation regarding match official abuse.



# Sanctioning Process – Step 3

## Imposing an appropriate sanction.

Sanctions may include:

- A reprimand and/or warning;
- A direction to provide a verbal or written apology;
- A direction to undertake a training/education/counselling program;
- A fine and/or compensation;
- Placing conditions on or the removal of accreditation;
- Removal or withdrawal of awards or achievements;
- Suspension for a number of matches or period of time, including from any involvement in rugby (playing, coaching, officiating);
- Exclusion orders from rugby grounds;
- Withdrawal of other benefits of membership; and
- Deduction or cancellation of competition points.