



Emerald Football Netball Club

RACIAL AND RELIGIOUS TOLERANCE POLICY

The Emerald Football Netball Club 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. The club is bound by the Racial and Religious Tolerance Act 2001 (Vic), the Racial Discrimination Act 1975 (Cth) and the Equal Opportunity Act 1995 (Vic) (**the legislation**). This policy is consistent with the legislation and the Australian Football League's rule 7.3. **This policy is "not" a substitution of the legislation.**
2. The club will ensure that this policy is communicated to spectators and participants of the club. It will also ensure that participants of the club receive anti-racial and religious vilification and racial discrimination training.
3. 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 - DEFINITIONS

"Complaints process" means the procedure outlined in sections 6, and 7 of this policy.

"Club" means The Emerald Football Netball Club Inc.

"Engage in conduct" includes use of the internet or e-mail to publish or transmit statements or other materials.

"League" means the Yarra Valley Mountain District Football League.

"Authorised person" means the President of the Emerald Football Netball Club Inc.

"League complaints officer" means the Leagues General Manager.

"Detriment" includes humiliation and denigration

"Discrimination" means for the purpose of this policy, conduct based on a person's race, religion, colour, descent or national or ethnic origin. Discrimination may be direct or indirect. Direct discrimination means treating or proposing to treat another person less favourably on the basis of a person's race, religion, colour, descent or national or ethnic origin. Indirect discrimination means imposing or intending to impose a requirement that a person of a particular race, religion, colour, descent or national or ethnic origin cannot comply with, but which a higher proportion of people without that attribute (or with a different attribute) can, when it is not reasonable in the circumstances to do so.

"Participant" includes a player, director, officer, volunteer to and agent of the Emerald Football Netball Club Inc.

"Spectator" is a person that attends a football game or event conducted by the club or the league.

SECTION 3 - PROHIBITED CONDUCT

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 engage in conduct that offends, humiliates, intimidates, contempt's, ridicules, incites, threatens, disparages, vilifies or insults another person on the basis of that persons race, religion, colour, descent or national or ethic origin.

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.

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 persons race, religion, colour, descent or national or ethnic origin.

Victimisation

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

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

The person subjects or threatens to subject the victim, or a person who acts as a witness, 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 or a person who acts as a witness, 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 4 - AUTHORISED PERSON

The club president shall ensure that any breach of this policy is responded to in an equitable and prompt manner.

The club shall appoint an authorised person as the senior decision maker in the club's complaints process. Should the authorised person be absent for a significant period, he/she must nominate a person to act on his/her behalf should the process need to be enacted.

SECTION 5 - CONFIDENTIALITY AND RECORDS

1. Confidentiality must be maintained throughout the complaint process. All parties to a complaint, the authorised person (or delegate), the league's complaints officer, any witnesses and the conciliator must all agree, in writing, to the maintenance of confidentiality. No person involved in the complaints process shall publicly comment on any aspect of the complaints process without the prior written agreement of all parties.
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 6 - INTER CLUB BREACH OF THE POLICY

In the event that it alleged that a spectator or participant has contravened this policy:

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 with the club's authorised person.
2. The club's authorised person shall, by 5.00pm on the next working day following the day that the complaint was lodged, lodge a complaint with the league's complaints officer.
3. The club's authorised person will take no further action once the complaint has been lodged with the league unless otherwise instructed by the league's complaints officer.

SECTION 7 - MANAGEMENT OF COMPLAINTS

Following the lodgment of the complaint to the league the management of such complaint shall be in accordance with the Yarra Valley Mountain District Football League's Racial and Religious Tolerance Policy.

SECTION 8 - TIMING

Emerald Football Netball Club undertakes to implement the actions outlined in this policy, beginning on 1/2/2007.

SECTION 9 - POLICY REVIEW

This policy will be reviewed two yearly. This will ensure that the policy remains current and practical.