



MACARTHUR FOOTBALL ASSOCIATION Inc.

PO Box 951 Campbelltown 2560
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Website www.macarthurfootball.com.au
ABN 82 138 352 399

The MFA Special Purposes Committee Hearing Procedures & Information Sheet

THE SPECIAL PURPOSES COMMITTEE

The Special Purposes Committee (SPC) has the authority to investigate and determine any breach of Macarthur Football Association Inc. Disciplinary & Judiciary Regulations by any member, Football Club and/or Participant referred to it by the MFA Office. The SPC is not a Court of Law. The SPC is not bound by the laws of evidence. The SPC is required to apply the common law of procedural fairness. The SPC does not operate on proof beyond reasonable doubt. Allegations are determined on the balance of probability; that is the alleged conduct is more probable than not to have occurred.

SPC PROCEDURES

The Chair of the SPC and all SPC panel members introduce themselves and explain their football affiliations. Each person in attendance will be asked to introduce themselves, state their position within the Club, and whether or not they were witnesses to the incident subject of allegations. The Chair will determine the order of witnesses and will lead all questioning. The SPC generally uses an 'inquisitorial' approach during the hearing. The Chair will ask questions to clarify / expand on any evidence presented by the parties. The Chair will provide each SPC member with an opportunity to separately question individual witnesses. Opposing parties are generally not permitted to directly cross examine witnesses. The Chair instead allows evidence to be tested by having questions or challenges to evidence 'put' through the Chair. The Chair reviews the question, determines relevance, and either allows the question to proceed or re-frames it to properly test the evidence. The Chair alone rules on the admissibility or relevance of questions posed during the hearing.

REQUIREMENT TO PARTICIPATE AND ACT HONESTLY

If a person or entity fails or refuses to give evidence to the SPC, the SPC may request the MFA Office to suspend the person or entity until they give evidence.

The SPC infers that there is no right to remain silent.

All parties must behave with decorum and respect for each other and the SPC members during the hearing. The Chair has the authority to eject any person at any time for failure to maintain appropriate standards of behaviour during the hearing. All people giving evidence before an SPC are expected to exercise the strictest honesty and truthfulness when giving evidence either in person or in writing. If the SPC were to form a view that a witness or participant had wilfully or negligently, directly or indirectly mislead the SPC, the matter would be reported to the MFA Office for consideration of fresh proceedings for contempt of the SPC. In cases where contempt has been

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proven, significant penalties have been imposed including fines, suspensions, and loss of club competition points.

PENALTY DISCOUNTS FOR EARLY PLEA

Discounts are applied at the discretion of the SPC.

DETERMINATION

The SPC has the authority to impose a range of penalties under MFA Disciplinary & Judiciary Regulations. Parties to the hearing will receive written reasons for decision as soon as practicable after the hearing.

APPEAL

Pursuant to Item 16.2(i), there are no grounds to appeal a decision by the SPC in relation to a charge of Misconduct and Disrepute.

ENQUIRIES PRIOR TO THE HEARING

In the event of any issues or concerns before the hearing, it is recommended that you act quickly to obtain advice or assistance.

You should firstly contact Salv Carmusciano, General Manager Macarthur Football Association Ph. 4625 1499; email salv@macarthurfootball.com.au

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