

VICTORIAN METROPOLITAN CRICKET UNION  
COMMUNITY CRICKET MEMBER PROTECTION BY-LAW

This document was passed by the V.M.C.U. and Affiliated Associations from 1st July 2003, it is now appropriate to bring it back to the attention of Associations and Clubs as under this document all Associations and Clubs are due to have invoked several of its rules.

- 1.1 The purpose of this By-law is to provide guidelines for the protection of the health, safety and well being of all persons who participate in the activities of Community Cricket Peak Bodies, Regions and Affiliated Associations and Clubs.
- 1.2 This By-law sets out the procedures to be followed in dealing with Harassment (both sexual and religious) and other forms of inappropriate behaviour in an effective, appropriate and timely manner. The By-law provides a procedure for informal and formal resolution of complaints and a procedure for the appeal of such complaints.

Associations and Clubs were required to comply with clauses 6&7 (Screening and Harassment) from 1ST JULY 2004

Responsibilities under the By-law

Affiliated Associations and Clubs must

- (a) Adopt and comply with this By-law
- (b) Recognise and enforce any penalty imposed under this By-law
- (c) Publish and distribute and promote this By-law to its members and make it available for inspection or provide a copy.
- (d) Make amendments to its constitution, rules or by laws in order for this By-law to be enforceable.
- (e) Use any forms, contracts and clauses prescribed by a Community Cricket Peak Body in order to give effect to this By-law

1 SCREENING

Screening is mandatory for all Affiliated Associations, Clubs and Regions for preferred applicants and existing appointees in the following roles

- (a) Coaches who applied or seeking appointment by Community Cricket Peak Bodies Regions, Associations and Clubs for a reward.
- (b) Volunteer personnel appointed or seeking appointment by Community Cricket Peak Bodies, Region, Associations or Clubs who will or likely to travel with teams of players UNDER 18 YEARS OF AGE
- (c) Persons appointed or seeking appointment by Community Cricket Peak Bodies, Regions, Associations or Clubs to a role in which that person is likely to have individual and unsupervised contact with players UNDER 18 YEARS OF AGE

Screening is not mandatory but highly recommended for preferred applicants or appointees in roles involving players over 18 years of age in circumstances similar to the above.

Screening should encompass

- 1 checking the applicants referees
- 2 Interviewing the applicant as to their suitability for the proposed role and their suitability for involvement with children under 18 years of age.
- 3 Obtaining a police check of applicants and appointees every two years

## PROHIBITED PERSON DECLARATION

In addition to screening all applicants should produce a Prohibited Person Declaration.

"Prohibited Person" means a person who has been convicted of a serious sex offence.

"Prohibited Person Declaration" means a declaration in relation to serious sex offences as set out in the document.

If a declaration is not produced or reveals that the person is a prohibited person the following must be applied

- (a) In the case of a preferred applicant, not appoint the person to any of the roles
- (b) In the case of an existing appointee, steps must be taken to remove the person to another role or end the appointment
- (c) All information in the Prohibited Person Declaration must be kept confidential to the person appointed to the task of making such appointment.

## 2 SEXUAL HARASSMENT AND RELIGIOUS VILIFICATION

Harassment is any behaviour by a person or organisation to whom this By-law applies which is offensive, abusive, belittling or threatening and which is directed at a person or a group of people because a particular characteristic of that person or group of people. The behaviour must be unwelcome and the sort of behaviour a reasonable person would recognise as being unwelcome and likely to cause the recipient to feel offended, humiliated or intimidated. Whether or not the behaviour is harassment is to be determined from the point of view of the person receiving the harassment.

Applies to Office Bearers of Associations and Clubs, Employees, Coaches, Umpires, Officials involved in regulation of the sport, Players, Parents, Sponsors and any other person or organisation who is a member of an Affiliated Association or Club.

Regions and Affiliated Associations and Clubs shall be requested to comply with this By-law as from 1st July 2004

Affiliated Associations and Clubs should appoint a Member Protection Officer and a Mediator to fulfil the functions set out in clauses 13, 14 & 15 of the document and publish, display the name and contacts of such persons to its members.

(If the matter can be resolved in house and as a first point of contact for the complaint)

Notwithstanding the above and clauses 5.1 & 5.2 affiliated associations and clubs are not required to establish procedures for dealing with complaints and hearings under this By-law. Such complaints and hearings are to be dealt with by the Community Cricket Peak Body (V.M.C.U.)

Several options are available under this By-law to the complainant and the Protection Officer and Mediator to resolve the settlement of the complaint should explore these.

## 4 CODE OF BEHAVIOUR

At the back of the document are codes of behaviour in support of the Spirit of Cricket, which should be made aware to all participants and complied with. Also there is the Prohibited Persons Declaration form from which it should be activated.

This paper is a concise version of the full document which should be availed of by all Associations and Clubs to bring them up to date with formalities in this very important area of safe management and for the protection of volunteers of Associations and Clubs.

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V.M.C.U.