

## Policy

1. The Northern Ireland Judo Federation (NIJF) believes that Judo, as a sport, should be enjoyed by everyone in an environment that is safe and free from bad behaviour, poor sportsmanship, negligent administration, bullying, racial, sexual, ethnic or religious harassment and any form of child abuse.
2. The conduct of an NIJF member not only affects the standing of that member, but also that of other members, the member's club, the NIJF, the British Judo Association (BJA) and the sport of Judo in general. All complaints against a member will be dealt with efficiently and fairly in accordance with the Rules, Bylaws, Policies and Codes of the NIJF/BJA to which that member has, by applying for or accepting an NIJF Judo Membership, agreed to abide by.

## Procedure

3. At all times a complaint against an NIJF member must, initially, be made to that member's affiliated club using their conduct and complaints policy and procedure.
4. Wherever possible, complaints must be in writing or by email and include the name and address of complainant. The Conduct and Complaints Commission reserves the right to investigate complaints received anonymously if justified.
5. The Conduct and Complaints Commission Chairman (or deputy) will make an assessment of the complaint and may refer it to any appropriate outside agency, other BJA Commission (i.e. Referees, Club or Area Committee), seek an informal resolution or allocate to an Investigator dependent on the circumstances and seriousness of the complaint. (It should be noted that a Police or Social Services investigation will take priority and no action will be taken by the Conduct and Complaints Commission until that investigation and any resulting criminal proceedings has concluded.)
6. When allocated to an Investigator he/she will inform the complainant that they are dealing with the matter and inform them that their details will be disclosed to the person complained against and the likely time-scales of the investigation. They will also inform the person complained against that they are subject of a complaint, an outline of the complaint, who made the complaint and seek a brief response to the complaint.
7. The Investigator will then conduct an investigation that is thorough, proportionate, relevant and fair to all parties. Contact with witnesses will usually be via telephone or email but may be by face to face meetings. When contact is made by phone, a reasonable note of the conversation will be made and confirmation of the conversation will usually be sought by email.
8. Full disclosure of all relevant statements, including those that may undermine the case will be disclosed to the person complained against and they will be given an opportunity to respond. The Investigator may also ask any appropriate questions of them and ask for any evidence or witness that supports the person complained against.
9. The Investigator will then complete a report and attach all notes/statements obtained during the investigation. This will be disclosed to the person complained against and they will be asked, in writing, if they wish to make any written presentation to the Conduct and

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- Complaints Commission that will hear their case including any procedural points, within 14 days.
- 10 The Investigator will submit their report, and any submission by the person complained against, to the Chairman of the Conduct and Complaints Commission who will decide, dependent on the complexity of the case, to either circulate the report and submission to Commission members by mail/email for adjudication, or to hold a formal Panel. If considered by emails, all Commission members may ask any questions of the Investigator or other Commission members.
  - 11 A formal Panel will consist of the Chairman and at least one other Commission member and the Investigator.
  - 12 No personal appearance will be allowed by the complainant nor the person complained against at the Conduct and Complaints Panel.
  - 13 The Panel will decide the case using 'the balance of probabilities' as the burden of proof and will find the case as 'Proven' or 'Not Proven'.
  - 14 If the case is found to be 'Proven', the Commission will decide upon an appropriate sanction. This may range from 'words of advice' to expulsion. The Commission reserves the right to take into consideration any previous finding against the person.
  - 15 The Chairman of the Conduct and Complaints Commission will write to the complainant and the person complained against within seven days notifying them of the outcome.
  - 16 If the Conduct and Complaints Commission is considering a sanction of a suspension or expulsion, the Hearing will be suspended to allow a personal appearance at a re-convened Panel by the subject of the complaint.
  - 17 In such circumstances, the Chairman of the Conduct and Complaints Commission will arrange a new Hearing date when the same Panel members and the subject of the complaint are available. Whenever possible, this will be within one month of the original Hearing.
  - 18 At any such re-convened Hearing the person complained against may bring a friend or legal representative. It should be noted that no costs or expenses will be paid by the NIJF to any person appearing before the Panel. The purpose of the Hearing is not to re-hear the case. After the Chairman has outlined the finding against them, they will be allowed a combined total of 20 minutes to present any mitigation to the Panel. It must be emphasised that only mitigation as to action will be heard. The Panel will then retire to consider an appropriate sanction.
  - 19 The Chairman of the Conduct and Complaints Commission will notify the complainant and the person complained against of the Panel's decision within seven days.
  - 20 The Board of the NIJF shall have the right to temporarily suspend a member's Membership, pending an investigation, if it feels that the member may appear to pose a threat, mentally or physically, to other members of the NIJF. This is not an assumption of guilt of the

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member under investigation. On completion of the investigation, the member's Membership is to be either restored or action taken as at paragraph 16 of this document.

- 21 The Chair of the NIJF reserves the right, in exceptional circumstances, to alter, or amend, these procedures so long as the investigation and adjudication remains fair to all parties. Where there has been a procedural error, the Chair of the NIJF may direct the Conduct and Complaints Commission to re-hear the case or make any further investigation considered necessary.

## Appeal Procedure

- 22 The appellant shall have the right of appeal to the BJA.

Any Appeal must be made within ten working days, in writing, to the Chairman of the BJA Conduct and Complaints Commission. Notification that an appeal has been lodged must be submitted to the Chair of the NIJF at the same time.

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