

## ALCOVE ANGLING CLUB DISCIPLINARY PROCEDURE

1. Alcorn Angling Club (AAC) publishes its Policies and General Rules<sup>1</sup> both on its website and in the AAC Book. Members agree to abide by these rules as a condition of membership. Breaches should therefore be rare and the result of momentary carelessness or oversight. It should normally be possible to resolve issues with friendly advice and, if it is an AAC Bailiff witnessing the breach, an informal Bailiff's caution without resorting to formal disciplinary action. Occasionally however e.g. for major, deliberate or repeated breaches, it may be necessary to resort to formal disciplinary action, in which case the following procedure will apply.
2. The AAC disciplinary process will be suspended if the incident is subject to statutory action e.g. if it involves safe-guarding issues, criminal activity such as assault, until the legal process is concluded.
3. The AAC Committee shall appoint a Disciplinary Panel of three, comprising the Chairman/woman, who will chair Disciplinary Panel meetings, the Treasurer and one other Member of the AAC Committee. The Secretary shall attend Disciplinary Panel meetings to take minutes but will not take an active part in proceedings.
4. If any Member(s) of the Disciplinary Panel or the Secretary are unavailable or are disqualified from particular Disciplinary Panel meetings because they are:
  - a. directly involved in specific case(s) as complainant, alleged offender or witness
  - b. a relative or close friend of the alleged offender or witness(es)they will be replaced by another Member of the AAC Committee or an AAC Trustee or an Officer of AAC, in that order of precedence.
5. The AAC Disciplinary Procedure is initiated mainly by Bailiffs, who are most likely to witness Members breaching AAC Policies and General Rules in the course of their enforcement duties. However, any Member may initiate the Disciplinary Procedure.
6. When a Bailiff finds a Member breaching AAC Policies or General Rules, he/she shall:
  - a. if the breach is minor:
    - i. caution the Member, noting his/her name and membership number;
    - ii. record details of the breach using the AAC Bailiff Report Sheet;
    - iii. lodge the Bailiff Report Sheet in the folder in the venue storage and forward a copy to the Fishery Manager.
  - b. if the breach is major:
    - i. warn the Member that he/she may be reported to the Committee for it to consider disciplinary action.
    - ii. record details of the breach using the AAC Bailiff Report Sheet.
    - iii. lodge the Bailiff Report Sheet in the folder in the venue storage and forward a copy to the Fishery Manager for him/her to consider whether it should be forwarded to the AAC Chairman/woman.
7. A major breach is defined as:
  - a. refusal to produce a valid membership card.
  - b. refusal to accept a Bailiff's caution.
  - c. maltreatment of fish.
  - d. deliberate breach of the Rules e.g. knowingly using banned tackle; bait etc.

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<sup>1</sup> Match Rules are enforced by the Match Secretary or match organiser.

- e. behaviour that could bring AAC into disrepute or result in legal action against AAC  
e.g. behaviour that could endanger Members or visitors,  
All other breaches are categorised minor.
8. When a Member finds another Member breaching AAC Policies or General Rules, he/she shall:
- a. attempt to locate or call a Bailiff to witness the breach and initiate disciplinary action if necessary.
  - b. if no Bailiff is available, report the breach to the Fishery Manager or any Committee Member, including, if possible:
    - i. his/her own name and contact details.
    - ii. the identity of the alleged offender: ideally name and membership number but, otherwise, information such as a description, photograph (if it can be taken safely) or vehicle registration number.
    - iii. when and where the alleged breach occurred.
    - iv. the nature of the breach, including the specific Policy or General Rule that's been breached.
    - v. identities and contact details of any other witnesses.
9. A Committee Member receiving a report of an alleged breach of AAC Policies or General Rules shall forward the report to the Fishery Manager as soon as possible.
10. When the Fishery Manager receives a report of an alleged breach from an AAC Member, either directly or via a Committee Member:
- a. he/she shall review the report to determine whether or not the report is verifiable i.e. can the alleged offender be unambiguously identified; can the alleged breach be substantiated e.g. are there corroborating witnesses or evidence?
  - b. if the report is not verifiable, he/she will
    - i. take no further action on it.
    - ii. inform the reporting Member that no further action can be taken and why.
  - c. if the report is verifiable, he/she will determine whether the breach is major or minor. If the breach is:
    - i. minor he/she shall:
      - 1. lodge the report in the folder in the venue storage and retain a copy.
      - 2. issue a Bailiff's caution to the offending Member.
    - ii. major, he/she shall:
      - 1. lodge the report in the folder in the venue storage and retain a copy.
      - 2. forward a copy to the Secretary for AAC Chairman/woman consideration.
11. Each month, the Fishery Manager shall:
- a. review the disciplinary folders at each venue to identify any Members who have committed more than 1 breach, not necessarily for the same offence.
  - b. forward the details i.e. copies of the Bailiff Report Sheets/Members' Reports, of any repeat offenders to the Secretary for AAC Chairman/woman consideration.
  - c. provide a synopsis of Bailiff's Cautions to monthly Committee meetings for information.
12. Upon receipt of details of repeat and major offenders, the Secretary shall, for each alleged offender:

- a. forward a copy of the alleged offender's breach(es) to the AAC Chairman/woman for him/her to decide whether or not the alleged offender's membership should be suspended until the disciplinary process is concluded.
- b. forward a copy of the report of the latest alleged breach to the alleged offender; invite him/her to attend the Disciplinary Panel meeting that will consider it to plead his/her case; and inform him/her of the Chairman/woman's decision regarding suspension of his/her membership. The alleged offender must be given at least a week's notice of the meeting and may be accompanied by a friend to give support but not to answer questions on his/her behalf. Failure to attend or send a written response shall be interpreted as acknowledgment that the breach occurred.
- c. forward a copy of the report of the latest alleged breach to Disciplinary Panel Members.
- d. convene a Disciplinary Panel meeting to consider the alleged offences.

13. The Disciplinary Panel meeting shall:

- a. be held within 4 weeks of the Secretary receiving the report of an alleged offence.
- b. be attended by Disciplinary Panel Members, the alleged offender (and supporter) and witnesses only.
- c. be minuted by the Secretary.
- d. hear evidence and adjudicate upon only the final offence, unless two or more alleged breaches relate to the same incident, in which case all new offences shall be considered. For 2nd and 3rd time offenders, earlier breaches shall be considered proven by virtue of the offender having previously appeared before the Disciplinary Panel or accepted Bailiff's Caution(s).
- e. consider its verdict with only Disciplinary Panel Members present i.e. the alleged offender and witnesses shall leave.

14. If the Disciplinary Panel finds the case before them proven, it shall:

- a. if the Member is a first time major offender or a 2nd time offender, either or both of which may be major, award a penalty depending on the severity of the offender's accumulated offences and any mitigating factors:
  - i. no further action.
  - ii. a written warning.
  - iii. a limited suspension, with a date on which it comes into effect e.g. to allow time for the offender to be informed, and which must be served in full before the offender can fish AAC's waters again.
  - iv. sine die expulsion from AAC.
- b. if the Member is a 3rd time offender, whether or not any or all of the offences are minor, expel the offender from AAC sine die with immediate effect.

15. No refunds of subscriptions or other payments will be given either for periods of suspension or upon expulsion

16. The Secretary shall:

- a. distribute draft minutes to the Disciplinary Panel and alleged offender (only the part at which the alleged offender was present; not the Disciplinary

Panel's subsequent deliberations) for them to confirm their accuracy or to request amendments.

- b. inform the offender of the Disciplinary Panel's decision within 7 days either by e-mail or hard copy.
- c. retain the minutes and other records pertaining to the process. They shall be kept confidential and in compliance with the Data Protection Act 2018 and the UK General Data Protection Regulation.
- d. Forward the names of suspended or expelled Members to the Membership Secretary.

17. Offenders have the right to appeal to the full AAC Committee. Appeals must be made in writing to the Secretary within one week of offender being informed of the Disciplinary Panel's decision, stating the grounds for the appeal i.e:

- a. that the Disciplinary Panel's sanction(s) were excessively harsh. A sine die suspension based on "3 strikes and you're out" may not be appealed on these grounds.
- b. new evidence that was not presented to the Disciplinary Panel.

Simply disputing the Disciplinary Panel's decision based on the evidence available to it is not a valid ground for an appeal. Proof of posting or e-mail shall be taken as proof that the Appellant has been informed.

18. Upon receipt of an appeal, the Secretary shall:

- a. inform Members of the AAC Committee, including the basis for the appeal.
- b. convene an Appeal meeting. Appeals will normally be heard immediately before routine Committee meetings unless this would involve unreasonable delay, in which case the Secretary shall arrange an alternative date and time.
- c. inform the Appellant:
  - i. of the time and place of the Appeal meeting, giving him/her at least a week's notice and that:
  - ii. that he/she may be accompanied by a friend to give support but not to answer questions on his/her behalf
  - iii. that failure to attend or provide a reasonable explanation for non-attendance shall be interpreted as the Appeal having been withdrawn.
  - iv. that any sanction handed out by the Disciplinary Panel remains in place pending the Appeal.

19. The Committee shall:

- a. be quorate.
- b. be attended by Committee Members, the Appellant (and supporter) and witnesses only.
- c. be minuted by the Secretary.
- d. hear evidence and adjudicate upon only the grounds for the Appeal. The meeting is not a rerun of the Disciplinary Panel meeting.
- e. consider its verdict with only Disciplinary Panel Members present i.e. the Appellant and witnesses shall leave.

20. The Committee may:

- a. uphold the Disciplinary Panel's decision.

- b. vary, upwards or downwards, the sanctions applied by the Disciplinary Panel.
- c. allow the Appeal, in which case the sanctions decided by the Disciplinary Panel, including any "strikes" counting towards the Appellant's "3 and you're out", shall be cancelled.

21. The Secretary shall:

- a. distribute draft minutes to the Committee and Appellant (only the part at which the Appellant was present; not the Committee's subsequent deliberations) for them to confirm their accuracy or to request amendments.
- b. inform the Appellant of the Committee's decision within 7 days either by e-mail or hard copy.
- c. retain the minutes and other records pertaining to the process. They shall be kept confidential and in compliance with the Data Protection Act 2018 and the UK General Data Protection Regulation.
- d. Forward the names of suspended or expelled Members to the Membership Secretary.