



SECTION  
04

# DEALING WITH ALLEGED BREACHES OF THE CODE OF BEHAVIOUR

THIS GUIDANCE FORMS PART OF  
THE CODE OF BEHAVIOUR (UNDERAGE) &  
CHILD SAFEGUARDING POLICY STATEMENT



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## 1. INTRODUCTION

- 1.1 The Code of Behaviour (Underage) is a joint code of good practice in accordance with Rule published by:-**
- 1.1.1 The Gaelic Athletic Association (“the GAA”);
  - 1.1.2 Ladies Gaelic Football Association (“the LGFA”);
  - 1.1.3 The Camogie Association;
  - 1.1.4 GAA Handball Ireland;
  - 1.1.5 Rounders Council of Ireland.  
(collectively “the Associations”)
- 1.2** The Code of Behaviour (Underage) outlines the standards of practice required of those participating in underage games and activities, regardless of what role they may play and in doing so, brings together the collective good practice experiences of our Associations while also recognising the legislative, organisational and statutory guidance that governs our work with young people and children.
- 1.3** Our Associations are committed to creating and maintaining a safe and enjoyable environment for all young people and children who participate in our games and other activities. In upholding this principle, our Associations will continue to abide by and integrate child welfare legislation and statutory guidance into our work in all jurisdictions in which we operate.
- 1.4** The welfare of the child shall always be our paramount consideration, whether it is on the playing fields, in the training of our underage players, in the recruitment of our coaches or the many other developmental and social opportunities that we offer our underage players on a regular basis.
- 1.5** The promotion and implementation of the Code of Behaviour (Underage) is everybody’s responsibility.
- 1.6** Unfortunately, breaches of the Code of Behaviour (Underage) may occur from time to time, some of which may be minor breaches and some of which may be major breaches. Breaches may happen for a number of reasons including, but not limited to, carelessness, poor practice, and a lack of understanding or there may be, in some instances, deliberate or calculated breaches of the Code of Behaviour (Underage).
- 1.7** This document, Dealing with Alleged Breaches of the Code of Behaviour (Underage), forms part of the Code of Behaviour (Underage) and sets out the procedures to be followed in the event of alleged breach of the Code of Behaviour (Underage), the level of disciplinary procedures that may be applied following a breach and the sanctions that may be imposed for breaches of the Code of Behaviour (Underage).
- 1.8** Some alleged breaches of the Code may be dealt with informally (4.1 – 4.8) or a decision may be made to process alleged breaches in a formal manner in accordance with the structures outlined in sections 5.1 to 5.18.

## 2. GENERAL PROVISIONS FOR DEALING WITH AN ALLEGED BREACH OF THE CODE OF BEHAVIOUR (UNDERAGE)

### 2.1 Status

- 2.1.1. Breaches of the Code of Behaviour (Underage) may also be a breach of the rules of the relevant Association.
- 2.1.2. In circumstances where an allegation could constitute a breach of the Code of Behaviour (Underage) or a breach of rule, it shall be dealt with under the rules of the relevant Association and the disciplinary procedure contained in the rules, unless it is determined, in accordance with paragraph 5.1.8 below, that the allegation should be dealt with under the provisions of the Code of Behaviour (Underage).
- 2.1.3. Members of the GAA, LGFA, Camogie, Rounders and Handball Associations are obliged to cooperate with the informal or formal procedures for Dealing with Alleged Breach of the Code of Behaviour (Underage) as outlined in sections 3-5 below. Any failure to do so shall be dealt with in accordance with the disciplinary procedures of the relevant Association's rules.

### 2.2 False Allegations

- 2.2.1 Any member found to have made a false or vexatious allegation shall be dealt with in accordance with the disciplinary procedures in the relevant Association's rules.

### 2.3 Allegations of Abuse

- 2.3.1 Allegations of abuse shall be dealt with in accordance with the provisions of the Guidance for Dealing with and Reporting Allegations or Concerns of Abuse, and not under the provisions below.

### 2.4 Role of Children's Officer

- 2.4.1 The Children's Officer at Club, County, Provincial and National levels shall have a central role to play in promoting and implementing the Code of Behaviour (Underage). The Children's Officer may be called upon to facilitate a Code Hearings Committee although not in membership of that Committee or may (see [Section 4](#) of this document) deal with an alleged breach of the Code in an informal manner.
- 2.4.2 Due to their role(s) it is not permitted for a Children's Officer to be in membership of any Committee, at Club, County, Provincial or National level dealing directly with an alleged breach of the Code that has arisen within their County. Should such an alleged breach be discussed at any Committee, to which the Children's Officer is a member, they must absent themselves from the meeting while the matter is being discussed.

### 3. REPORTING AN ALLEGED BREACH OF THE CODE OF BEHAVIOUR (UNDERAGE)

**3.1 An allegation of a breach of the Code of Behaviour (Underage) may be made by any person or persons (“the Complainant”) to one of the following as appropriate in the circumstances:-**

- 3.1.1 The Club Children’s Officer;
- 3.1.2 The County Children’s Officer;
- 3.1.3 The National Children’s Officer;
- 3.1.4 The Secretary of the Club Executive Committee;
- 3.1.5 The Secretary of the County Committee;
- 3.1.6 The Secretary of the Child Safeguarding Committee

**3.2** While an allegation of an alleged breach of the Code of Behaviour (Underage) may initially be made verbally or in writing it must be submitted in writing by a complainant so as to enable it to be processed formally and should include the following information:

- 3.2.1 The complaint must contain the time, date, venue and provision of the Code of Behaviour (Underage) that has been allegedly breached, the identity and names of any person(s) allegedly involved and the name(s) of person(s) who may have witnessed the alleged breach. The complaint must contain the name and contact details of the complainant.

**3.3** Any failure to provide the information outlined at clause 3.2.1 above shall not invalidate an allegation.

**3.4** Anonymous complaints can be difficult to deal with, however they cannot be ignored. All such complaints relating to inappropriate behaviour/poor practice should, in accordance with section 3.1, be brought to the attention of the relevant person and assessed for processing if possible.

#### 4. INFORMAL PROCEDURES FOR DEALING WITH ALLEGED BREACHES OF THE CODE OF BEHAVIOUR (UNDERAGE)

- 4.1** It is acknowledged that certain breaches of the Code of Behaviour (Underage) that occur at Club, County or National level may be instances of poor practice which may appropriately be dealt with in an informal manner.
- 4.2** Where an allegation has been made to the Club, County or National Children's Officer, the Children's Officer will consider the allegation and establish the facts and the context of the allegation.
- 4.3** Where the Children's Officer is of the view that the allegation is serious (because of the gravity of the allegation or for some other reason) he/she shall refer the allegation to the Secretary of the Club Executive Committee, the Secretary of the County Committee or the Code of Behaviour (Underage) Club Determining Committee, the Code of Behaviour (Underage) County Determining Committee or the Code of Behaviour (Underage) National Determining Committee as appropriate to be dealt with in accordance with the formal procedure set out at clause 5 below.
- 4.4** Where the Children's Officer is of the view that the allegation of a breach of the Code of Behaviour (Underage) may be appropriately dealt with in an informal manner, he/she shall be responsible for dealing with the alleged breach informally and agreeing the procedure to be followed with the parties. This could involve meeting with the person(s) against whom an allegation has been made and resolving the matter amicably and by agreement.
- 4.5** A decision by the Children's Officer to deal with an alleged breach of the Code of Behaviour (Underage) in an informal manner should be communicated in confidence to the relevant Club, County or National Committee Chairperson or Secretary in confidence, and in advance of commencing the informal process.
- 4.6** If an alleged breach of the Code of Behaviour (Underage) is resolved informally, the Club, County or National Children's Officer will note the outcome in writing.
- 4.7** In the event that either party to the allegation objects to the allegation being dealt with informally, the Club, County or National Children's Officer shall refer the allegation to the Code of Behaviour (Underage) Club Determining Committee, the Code of Behaviour (Underage) County Determining Committee or the Code of Behaviour (Underage) National Determining Committee as appropriate to be dealt with in accordance with the formal procedure set out at clause 5 below.
- 4.8** In the event that:-
- 4.8.1** It is not possible to resolve the issue, the subject matter of the allegation, in an informal manner the Club, County or National Children's Officer shall refer the allegation to the Code of Behaviour (Underage) Club Determining Committee, the Code of Behaviour (Underage) County Determining Committee or the Code of Behaviour (Underage) National Determining Committee as appropriate in the circumstances; or
- 4.8.2** The person against whom the allegation has been made or the complainant, is dissatisfied with the outcome of the informal procedure, he/she may refer the matter to either the Code of Behaviour (Underage) Club Determining Committee, the Code of Behaviour (Underage) County Determining Committee or the Code of Behaviour (Underage) National Determining Committee as appropriate in the circumstances.

## 5. FORMAL PROCEDURE FOR DEALING WITH AN ALLEGED BREACH OF THE CODE OF BEHAVIOUR (UNDERAGE)

### 5.1 Consideration of allegation – Determining Committee

- 5.1.1 Club Executive Committees, County Committees of the GAA, LGFA, Camogie and the Child Safeguarding Committee shall each appoint a Determining Committee, comprising of two of its members.
- 5.1.2 Where two or more Club amalgamate for the purpose of fielding underage team(s) at any level the Club Executive Committee representing each of the amalgamating Clubs shall endorse the membership of one of the Clubs' Determining Committees who shall act as the Club Determining Committee for the amalgamated unit.
- 5.1.3 The Secretary of the Club Executive Committee, the relevant County Committee or the Child Safeguarding Committee, or any other person referred to in 3.1, shall refer any allegations in respect of an alleged breach of the Code of Behaviour (Underage) that he/she receives from a complainant to the relevant two person Determining Committee.
- 5.1.4 The Club Executive Committee appointed Club Determining Committee shall be responsible for initial consideration and investigation of any allegation forwarded to them.
- 5.1.5 County Committees of GAA, LGFA and Camogie, shall each appoint a County Determining Committee who shall be responsible for initial consideration and investigation of any allegation forwarded to them.
- 5.1.6 The Child Safeguarding Committee shall appoint a Determining Committee to investigate and consider allegations at Provincial and National level and may also investigate and consider allegations at Club and County level as are referred to it.
- 5.1.7 If a nominee is temporarily or otherwise removed from a Determining Committee, the Committee that appointed them shall appoint a different nominee in accordance with 5.1.1.

#### Conflict of interest

- 5.1.7 If an individual appointee to a Determining Committee is conflicted in relation to the parties to or the subject matter under consideration, that individual shall notify their respective nominating Committee and shall not be involved in investigating or considering the allegation and shall be removed from the Determining Committee.

#### Breach of Code or breach of Rules

- 5.1.8 In circumstances where an allegation could constitute a breach of the Code of Behaviour (Underage) or a breach of rule of the relevant Association, the relevant Determining Committee or the Code of Behaviour (Underage) Hearings Committee may as the case may be, determine in its absolute discretion that the allegation shall be dealt with under the Code of Behaviour (Underage). If no such determination is made, the allegation shall be dealt with in accordance with the disciplinary procedures set out in the rules of the relevant Association.



## 5.2 Investigation of an allegation at Club/County/National level

- 5.2.1 Provided that the allegation is to be dealt with under the Code of Behaviour (Underage), the relevant Determining Committee (see 5.1.1-5.1.5) may investigate any allegation that has come to its attention as it considers appropriate.
- 5.2.2 Where the relevant Determining Committee (see 5.1.1-5.1.5) deems it necessary to conduct an investigation, it may carry out the investigation or delegate the investigation to one or more of its members as it considers appropriate in the circumstances.
- 5.2.3 The level of investigation required will depend on the circumstances. It may involve interviewing and taking statements from the Complainant and/or the Respondent, members or witnesses and/or reviewing relevant documents.
- 5.2.4 If the Respondent is under 18 years of age, meetings or interviews should not take place with the Respondent without the presence of his or her parent or guardian, unless the Respondent's parents or guardians have been notified of the allegation and invited to attend the meeting or interview but have refused to do so. In circumstances where the Respondent's parents or guardian refuse to accompany him or her to a meeting or interview, the Respondent shall be entitled to be accompanied to the meeting or interview by an adult of his/her choosing. If the Respondent chooses not to be accompanied to the meeting by an adult, the meeting or interview may proceed.
- 5.2.5 If a witness is under 18 years of age, meetings or interviews should not take place with the witness without the presence of his or her parent or guardian or of a nominated adult on behalf of the parent/guardian, unless their parent(s) or guardian(s) have been notified of the meetings or interview and invited to attend and have refused to do so. In circumstances where the parent(s) or guardian(s) of a witness who is under 18 years of age refuse to accompany him or her to a meeting or interview, or nominate a person in their place, the witness shall be entitled to be accompanied to the meeting or interview by an adult of his/her choosing. If they choose not to be accompanied to the meeting by an adult, the meeting or interview may proceed.
- 5.2.6 The investigation is solely for the purpose of fact-finding.
- 5.2.7 At the conclusion of the investigation, the relevant Determining Committee may decide:-
- 5.2.7.1 That no further action should be taken;
  - 5.2.7.2 To refer the allegation to a Club, County or National Children's Officer to deal with the allegation informally;
  - 5.2.7.3 To refer the allegation for hearing to the Club, County or National Code of Behaviour (Underage) Hearings Committee; or
  - 5.2.7.4 To refer the allegation to be dealt with under the relevant Associations disciplinary rules.
- 5.2.8 **GAA Code of Conduct:** When consideration is given as to whether an alleged breach of the Code of Behaviour (Underage) is best dealt with under the Code or under other rule provisions it may be necessary to explore, in the case of a member of the GAA, if the GAA

Code of Conduct for Members, Officers, Players, Parents/Guardians, Mentors, Supporters, Match Officials, Team and Units could apply to the case as referred.

- 5.3** In circumstances where the relevant Determining Committee refers the allegation to the Club or County Hearings Committee or National Hearings Committee or refers the allegations to be dealt with under the relevant Associations disciplinary rules, it shall prepare a report (“the Report”).
- 5.4** In the event that the relevant Determining Committee omits from the Report evidence that is subsequently shown to be relevant, this shall not of itself affect the validity of the Report.
- 5.5 The Report shall contain:**
- 5.5.1 The identity of any person(s) or Unit(s) against whom action is being taken (“the Respondent”);
  - 5.5.2 A statement of the alleged breach quoting the provision(s) of the Code of Behaviour (Underage) it is alleged has been breached;
  - 5.5.3 Copies of all relevant documents available to the relevant committee (including where appropriate, the original allegation); and
  - 5.5.4 A list of witnesses, if any, who will be required to attend the hearing on behalf of the relevant committee. This list may be updated at any stage up to 24 hours before any hearing.
- 5.6 Appointment of the Club Code of Behaviour (Underage) Hearings Committee (“The Club Code Hearings Committee”)**
- 5.6.1 The Club Executive Committee shall appoint the Club Code Hearings Committee consisting of three individuals to hear allegations of breaches of the Code of Behaviour (Underage) at Club level.
  - 5.6.2 Where two or more Clubs amalgamate for the purpose of fielding underage team(s) the Club Executive Committee representing each of the amalgamating Clubs shall endorse the membership of one of the Clubs’ Code of Behaviour (Underage) Hearings Committee who shall act as the Club Code Hearings Committee for the amalgamated unit.
  - 5.6.3 In appointing the Club Code Hearings Committee, the Club Executive Committee will have regard to the extent of integration of the Associations in the particular Club (if any) in selecting the Hearings Committee.
  - 5.6.4 Any allegation of failure to comply with the obligation to have regard to the extent of integration of the Associations in a particular Club, shall not undermine the validity of the committee as appointed or its decision.
  - 5.6.5 If an individual appointed to the Club Code Hearings Committee is conflicted in relation to the parties to or the subject matter of the Report, that individual shall notify the Club Executive Committee of the conflict and shall be removed from the Club Code Hearings Committee.
  - 5.6.6 If an individual is removed from the Club Code Hearings Committee, the Executive Committee shall appoint a different individual to the Club Code Hearings Committee on a temporary or permanent basis.
  - 5.6.7 The Club Code Hearings Committee shall appoint from within its membership a Chairperson

and a Secretary.

5.6.8 Members of the Club Determining Committee, and the Club Children’s Officer, may not be members of the Club Code Hearings Committee.

5.6.9 The Club Code Hearings Committee shall hear allegations of breaches at Club level and may also hear allegations of breaches if referred to it and deemed relevant to the Club.

### **5.7 Appointment of the County Code of Behaviour (Underage) Hearings Committee (“The County Code Hearings Committee”)**

5.7.1 The GAA, LGFA and Camogie County Committees shall each ratify the membership of the County Code of Behaviour (Underage) Hearings Committee.

5.7.2 The County Code Hearings Committee shall consist of three individuals, including a nominee from each of the GAA, the LGFA and the Camogie Association. If a nominee is not proposed from one of the Associations, the other two Associations shall by agreement appoint an individual in their place.

5.7.3 If an individual appointed to the County Code Hearings Committee is conflicted in relation to the parties to or the subject matter of the Report, that individual shall notify their nominating County Committee of the conflict and shall be removed from the County Code Hearings Committee.

5.7.4 If a nominee is temporarily or otherwise removed from the County Code Hearings Committee, the County Committee that appointed them shall appoint a different nominee from the same Association as the removed nominee on a temporary or permanent basis.

5.7.5 The County Code Hearings Committee shall appoint from within its membership a Chairperson and a Secretary.

5.7.6 Members of the County Determining Committee and the County Children’s Officer may not be members of the County Code Hearings Committee

5.7.7 The County Code Hearings Committee shall hear allegations of breaches at County level and may hear allegations of breaches at Club level if referred to it.

### **5.8 Appointment of the National Code of Behaviour (Underage) Hearings Committee (“The National Code Hearings Committee”)**

5.8.1 The Child Safeguarding Committee shall appoint the National Code Hearings Committee consisting of three individuals, one of whom it shall nominate as the Chairperson.

5.8.2 The National Code Hearings Committee shall hear allegations of breaches at Provincial and National level and may hear allegations of breaches at Club and County level if referred to it.

5.8.3 If any individual appointed to the National Code Hearings Committee is conflicted in relation to the parties to or the subject matter of the Report, that individual shall notify the Child Safeguarding Committee of the conflict and shall be removed from the National Hearings Committee.

- 5.8.4 If an individual is removed from the National Code Hearings Committee, the Child Safeguarding Committee shall appoint a different individual on a temporary or permanent basis to the National Hearings Committee while the allegation of breach is being heard.
- 5.8.5 The National Hearings Committee shall appoint from within its membership a Secretary.
- 5.8.6 Members of the National Determining Committee and the National Children's Officer may not be members of the National Code Hearings Committee.
- 5.8.7 The National Code Hearings Committee shall hear allegations of breaches at Club, County or National level if referred to it.

### 5.9 Case Presenter

Where the relevant Determining Committee refers the allegation to the Club, County or National Code of Behaviour (Underage) Hearings Committee the Determining Committee shall also appoint a Case Presenter from within its membership or may by agreement request the complainant to present the case, or may appoint a Case Presenter of its choosing.

### 5.10 Notification of Hearing

- 5.10.1 The Chairperson of the relevant Club Code Hearings Committee, County Code Hearings Committee or National Code Hearings Committee shall notify the person against whom the allegation has been made ("the Respondent") and his or her parents, if the Respondent is under 18 years of age, the Complainant, the Case Presenter, the relevant Hearings Committee members of the following:
  - 5.10.2 The date, time, and location of the hearing which must commence within 21 days of the relevant Hearings Committee Chairperson receiving a copy of "the Report".
  - 5.10.3 A copy of the Report;
  - 5.10.4 The Respondent's right to be accompanied to the hearing and to cross examine witnesses;
  - 5.10.5 If the Respondent is under 18 years of age, he/she will be informed that his/her parent have been notified and invited to the hearing;
  - 5.10.6 A list of witnesses that will attend and inviting the Respondent and Complainant to call witnesses.

### 5.11 The Hearing at Club, County National Level ("the Hearing")

- 5.11.1 If the Respondent is an individual member, that Respondent shall attend the Hearing personally and may be represented by one full member of his or her Club or Unit.
- 5.11.2 If the Respondent is not a member, that Respondent shall attend the Hearing personally and may be represented by a nominated colleague.
- 5.11.3 If the Respondent is a Club, that Club shall be represented at the Hearing by a maximum of two of its full members.
- 5.11.4 If the Respondent is under 18 years of age, that Respondent may attend personally and be accompanied by one full member of their Club/Unit together with their parent(s) or guardian(s) or can be represented by their parent(s) or guardian(s) accompanied by one full member of their Club/Unit. (See also 5.2.4).

- 5.11.5 The Case Presenter [see 5.9] shall attend the Hearing and present the evidence contained in the Report and may call witnesses as deemed relevant by the Hearings Committee.
- 5.11.6 The relevant Code Hearings Committee will decide on matters of procedure and may adjourn Hearings and take such steps as are necessary and appropriate to the Hearing.
- 5.11.7 Any person found by the relevant Code Hearings to have deliberately given false evidence, whether orally or in writing, or to have deliberately misled any hearing shall be dealt with in accordance with the Disciplinary Procedures provided for by the Associations in their rules.
- 5.11.8 No evidence shall be given or submissions made in the absence of any party to the Disciplinary Action unless they fail to attend at the Hearing without reasonable explanation. If evidence is so given through inadvertence, it shall be repeated in the presence of all parties, so that no prejudice is caused to the party previously absent.
- 5.11.9 The relevant Code Hearings Committee, on consideration of the 'Report' and any other documentation forwarded to them for the purpose of the Hearing, may decide not to direct that a Hearing should take place if they believe the matter should be heard elsewhere. The relevant Code Hearings Committee shall return all documents to the relevant Determining Committee (see 5.1.1 – 5.1.5) outlining the reason(s) for their decision. Any such decision would not constitute the commencement of the Hearing.
- 5.11.10 In circumstances where a witness, who is under 18 years of age is subject to cross examination during the Hearings, any such interaction must take place in an age appropriate manner and under the strict guidance of the Chairperson of the Hearings Committee.
- 5.11.11 Minutes or detailed notes of the Hearing should be retained and made available if required to to the Complainant, the Respondent and the relevant Determining Committee who referred the allegation to the Hearings Committee in order to clarify key issues discussed, evidence submitted and decision(s) taken. The minutes/notes may be required to ensure accuracy of the decision(s) taken and in the event of an appeal.

## 5.12 Decision

- 5.12.2 At the conclusion of the hearing, the relevant Hearings Committee will retire to consider its decision as to whether the alleged breach of the Code of Behaviour (Underage) occurred and what sanction (if any) is appropriate and proportionate in the circumstances.
- 5.12.3 A decision shall be made by the majority of the members of the relevant Hearings Committee presiding over the Hearing.
- 5.12.4 The decision shall be recorded and shall be notified to the Complainant, the Respondent and the relevant Determining Committee who referred the allegation to the Hearings Committee.

## 5.13 Sanctions

The following sanctions are available to the Hearings Committees if it finds that there has been a breach of the Code of Behaviour (Underage) :-

- 5.13.1 Conditions in respect of the membership or level of participation that a person may have including, but not limited to, training or re-training of members appropriate to their roles and interaction with children and young people in the relevant Association;

- 5.13.2 Restrictions on the manner and level of participation that a person may have in the relevant Association;
- 5.13.3 Debarment in respect of a member from identified privileges of the relevant Association such as playing games, attending games, holding office, handling funds, attending occasions other than games etc.

#### 5.14 Safeguarding compliance – Child Safeguarding Committee temporary action

- 5.14.1 All members, teams and other units participating in activities and games for children and young people within the Gaelic Games Associations must at all times be safeguarding compliant in accordance with Association Child Safeguarding procedures and legislative requirements.

The Child Safeguarding Committee may, at any time, make a determination that a team, unit, or member is non-compliant with Association child safeguarding procedures or in breach of the Code of Behaviour (Underage) (a “Determination of Non-Compliance”). If such a Determination is made, the team, unit, or member shall be notified in writing.

The team, unit, or member in receipt of a Determination of Non-Compliance shall not be permitted to participate in any competitions, games or activities under the jurisdiction of any of our Associations (GAA, LGFA, Camogie, Rounders or Handball) from the date of receipt (or deemed date of receipt) of notice of the Determination of Non-Compliance until the Child Safeguarding Committee has determined that it is in compliance (“a Determination of Compliance”). The Child Safeguarding Committee shall review a Determination of Non-Compliance no later than two weeks after it has been made and shall review it at intervals of no more than four weeks thereafter. Where a team, unit or member remains non-compliant, a further Determination of Non-Compliance shall be made and notice of that Determination shall be given to the team, member or unit concerned.

If a team, unit or member in receipt of a Determination of Non-Compliance wishes to appeal a Determination of Non-Compliance, it/they may appeal this decision to the Child Safeguarding Appeals Panel by submitting their appeal to the Secretary of the Child Safeguarding Appeals Panel ([cwpappeals@gaa.ie](mailto:cwpappeals@gaa.ie)) within three days of receipt of the Determination of Non-Compliance.

The Secretary of the Child Safeguarding Committee shall notify relevant County, Provincial or National Committees of a Determination of Non-Compliance and the County, Provincial or National Committee concerned shall ensure that the sanction attached to the Determination of Non-Compliance is applied. Failure by the relevant Committee to enforce this sanction shall result in disciplinary action, in accordance with Association Rules.

#### 5.15 Appeals

- 5.15.1 A Respondent who is aggrieved by the decision of the relevant Hearings Committee, or by a temporary safeguarding non-compliance order agreed by the Child Safeguarding Committee, may appeal the decision by serving notice in writing (“the Appeal”) to the Secretary of the Child Safeguarding Appeals Panel (“the Appeals Committee”), within three days from the date and time of notification of the decision. Email [cwpappeals@gaa.ie](mailto:cwpappeals@gaa.ie)

- 5.15.2 The Appeal shall be signed by the Appellant, or in the case of a Club or Unit, by its Secretary and shall set out the grounds of appeal.
- 5.15.3 The Secretary of the Appeals Panel shall notify the Chairperson of the Appeals Panel that an Appeal has been lodged.

#### **5.16 Appointment of the Appeals Panel**

- 5.16.1 The Associations shall have an Appeals Panel comprised of no more than ten individuals which include representatives from each of the Associations.
- 5.16.2 The Chairperson of the Appeals Panel shall appoint an Appeals Committee comprised of three members from the Appeals Panel to consider an appeal from a decision of the relevant Hearings Committee.

#### **5.17 Notification of the Appeal and the Appeal Hearing**

- 5.17.1 All parties to any original Hearing shall have the right to be present at the hearing of an Appeal.
- 5.17.2 An appeal shall take place within 21 days of the receipt of the appeal except in exceptional circumstances.
- 5.17.3 A copy of the Appeal, together with notification of the place, date and time of the Appeal Hearing shall be sent by the Secretary of the Appeals Committee to all parties of the original Hearing.
- 5.17.4 The Appellant may only call witnesses who gave evidence in the original Hearing.
- 5.17.5 An Appeal shall be limited to the matters raised in the Appellant's Appeal as originally lodged and shall be upheld only where (i) there has been a clear infringement or misapplication of the Code of Behaviour (Underage) by a Hearings Committee or (ii) the Appellant's Right to a fair hearing has otherwise been compromised to such an extent that a clear injustice has occurred. No determination of fact by a Hearings Committee shall be set aside unless shown to be manifestly incorrect.
- 5.17.6 The Appeal's Committee appointed to hear the appeal shall not have been connected to the investigation or the complaint previously, and no member of the Appeal's Committee shall have been a member of the Hearings Committee considering the original Report

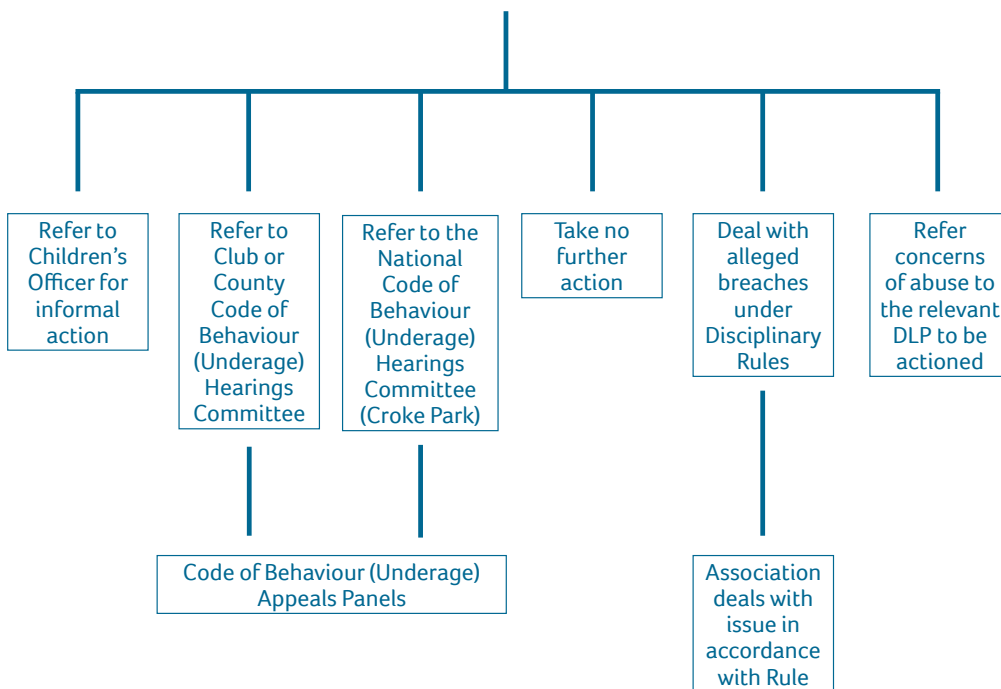
#### **5.18 Appeals Decision**

- 5.18.1 A decision shall be made by the Appeals Committee on foot of the Appeal and such decision shall be notified to the Appellant, the Hearings Committee, and any other relevant party. In the event of the Appeal being upheld, the Appeals Committee shall either:
  - 5.18.1.2 Annul the decision appealed against and direct no further action be taken by the Hearings Committee;
  - 5.18.1.3 Remit the matter for re-hearing or re-processing by the appropriate committee (with or without recommendations as to procedure), or
  - 5.18.1.4 Substitute its own decision on the matter.

APPENDIX 1. PROCESSING AN ALLEGED BREACH OF THE CODE AT CLUB LEVEL

**DEALING WITH ALLEGED BREACHES OF THE CODE OF BEHAVIOUR (UNDERAGE) AT CLUB LEVEL**

Alleged Breach of the Code forwarded to and considered by the Code of Behaviour (Underage) Club Determining Committee

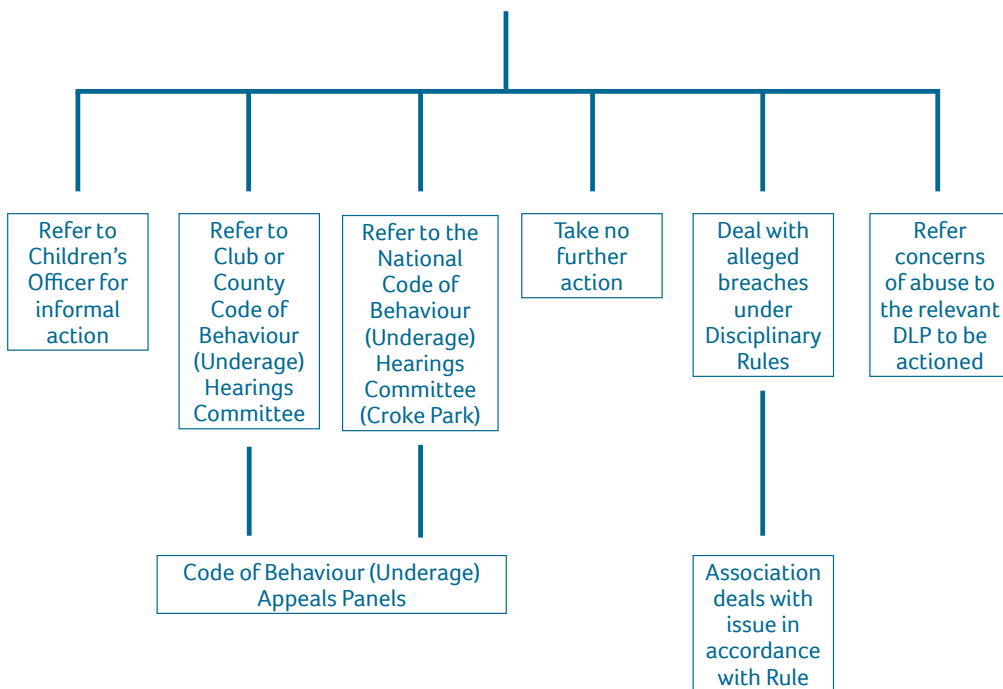




APPENDIX 2. PROCESSING AN ALLEGED BREACH OF THE CODE AT COUNTY LEVEL

**DEALING WITH ALLEGED BREACHES OF THE CODE OF BEHAVIOUR (UNDERAGE) AT COUNTY LEVEL**

Alleged Breach of the Code forwarded to and considered by the Code of Behaviour (Underage) County Determining Committee



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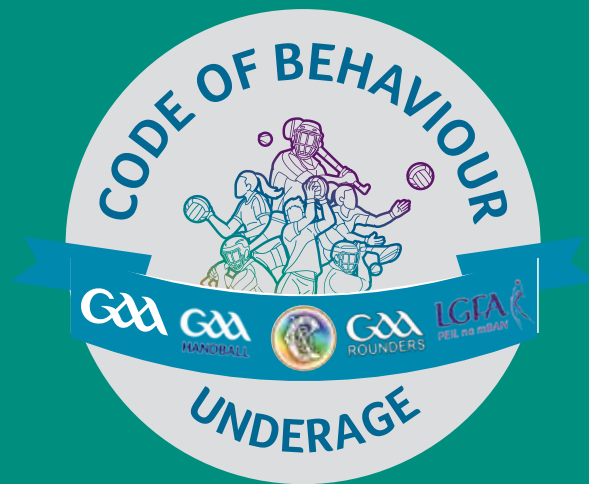
SECTION  
**04**

# DEALING WITH ALLEGED BREACHES OF THE CODE OF BEHAVIOUR

**NOTAÍ**

SECTION  
**04**

# DEALING WITH ALLEGED BREACHES OF THE CODE OF BEHAVIOUR



Produced by the Child Safeguarding Committee in association with  
Cumann Lúthcleas Gael, Cumann Camógaíochta, Cumann Peil na mBan,  
Liathróid Láimhe CLG na hÉireann and Comhairle Cluiche Corr na hÉireann.