



松濤館流空手協会国際

DISCIPLINARY POLICY

SKKK Disciplinary Procedure

SKKK may revoke membership if certain membership criteria are not met, or if the conduct of a member or the Dojo they represent is deemed to be inappropriate – for example:

If any individual member or group member...

- has brought or could bring the reputation of SKKK into disrepute;
- has brought or could bring the reputation of traditional karate into disrepute;
- results in SKKK private business being brought into the public domain;
- impedes the legitimate activities of SKKK;
- gives good reason to believe the member may be misrepresenting his/her/the organisation's membership status;
- gives good reason to believe there has been a serious breach of SKKK's Codes of Conduct or Child & Vulnerable Persons Policy or that conduct is not appropriate in the circumstances;
- does not return membership fees regularly, [which is required as a condition of membership];
- does not fulfil the obligations set them, if in a specific role within SKKK;
- conducts themselves in a way that is deemed improper by either the Executive Committee, the Technical Committee or Grievance Panel;
- subsequent to an enquiry by the relevant Panel, if upheld can result in membership of SKKK being withdrawn.

Information considered under this procedure will be sent to a panel, known as the Grievance Panel. The Panel is made up of three people and will usually consist of two members of a Committee and one independent person from a member group. This Panel can:

- seek further information from the member, the informant or a third party
- accept the information as being a good and/or sufficient reason to implement withdrawal of membership, and, pending appeal, terminate membership of SKKK in no less than 28 days.
- suspend membership rights pending the outcome of any appeal.
- reject the information and close the case.

The Grievance Panel, pending the completion of the Appeal, can suspend the member's rights of membership when the information is considered of sufficient seriousness and/or because it alleges:

- physical or emotional harm has been deliberately caused and/or a breach of the Child & Vulnerable Persons Policy and/or
- the gross exploitation of the public is involved and/or
- has brought or could bring the reputation of SKKK into disrepute;
- has brought or could bring the reputation of traditional karate into disrepute;
- brings SKKK's private business being brought into the public domain;
- impedes the legitimate activities of SKKK;
- the member may be misrepresenting his/her/the organisation's membership status;
- there has been a serious breach of SKKK's Codes of Conduct or that conduct is not appropriate in the circumstances;
- membership fees have not been regularly returned or submitted, which is required as a condition of membership;
- the obligations set an office bearer have not been prosecuted satisfactorily, if in a specific role within SKKK;
- that an individual or group has conducted themselves in a way that is deemed improper;
- a serious breach of law, on the part of the group or individual concerned.

Procedure

Information is obtained by SKKK concerning an individual or organisational member which suggests the matter should be considered under this Grievance Procedure.

The individual or organisational member must be named.

The information submitted must include supporting evidence of the allegations wherever possible.

The information, as far as possible, should not be anonymous. SKKK does not encourage the submission of anonymous information. Any such submissions will be considered in accordance with the relevant protocol and in the interests of public protection and where possible will always remain confidential. Any breach of this confidence, unless likely to cause a breach of law, will itself constitute reasons for withdrawal of membership.

By way of notification the member will be forwarded information to be considered by the Grievance Panel under this procedure. The member will be given details of the procedure to be followed and is not expected to make any response at this stage.

This information will be forwarded to the Grievance Panel. The Panel will exercise its powers as outlined above. If further information is requested by the Panel from another source, this too will be circulated to the member.

The member will be notified of the Grievance Panel's decision within 14 days of the decision being received.

If the Panel decides not to implement withdrawal of membership, the case will be closed and the parties notified of this decision.

If the Panel decides to implement withdrawal of membership, the member will be given the reasons why this has been implemented and notified that his/her/the organisation's membership will be terminated in no less than 28 days from the date of notification of the Panel's decision, subject to appeal. The member may exercise his/her/the organisation's right to be heard by lodging an appeal in writing within the 28 days to the Chairman of the SKKK. On receipt of intention to appeal, the Chairman of the SKKK will arrange an Appeal Panel, which will include an independent person from a member group. All panel members will have had no previous involvement in the matter, must be unknown to the Appellant or any other person involved in the case to the extent that there may be a conflict of interest. An appeal date will be set at the earliest opportunity and relevant parties notified.

The Appellant will have an opportunity to respond and be given a deadline for response and submission of any supporting evidence.

The Appellant is entitled to be accompanied by someone to support him/her as a 'friend' and who can represent them. If the Appellant is an organisation, a representative will be nominated by the organisation and is entitled to be accompanied by someone to support him/her as a 'friend' and who can represent them.

Submissions from the Appellant must be received by the Chairman of the SKKK not less than 28 days prior to the date set for the Appeal Hearing. A folio of papers will be circulated to the Appeal Panel and Appellant not less than 14 days prior to the Appeal Hearing. The Chair of the Appeal Panel may take advice on these papers and procedural matters from the Chairman of the SKKK, who may in turn seek advice from a relevant person as may be deemed appropriate.

Any new information arising within the final 14 days will be made available to the Appellant and the Appeal Panel and must be in the form of short oral or written submissions.

The Chair of the Appeal Panel and the Appellant may call witnesses to attend the Appeal Hearing. If the Appellant wishes to call any witness(es), he/she/the organisation must notify the Chairman of the SKKK of the names and details of such witnesses not less than 28 days prior to the date fixed for the Appeal Hearing. Attendance will only be permitted by the Chair of the Appeal Panel if a witness has supplied a written statement which needs clarification. The Appeal Panel has discretion to refuse attendance by a witness if it reasonably believes that such attendance is not relevant or will not add any weight to the issue(s) being considered. Witnesses may be questioned by the Appeal Panel and by the Appellant. The complainant/informant will usually be called as a witness to the Appeal Hearing.

The refusal or failure of the Appellant to attend the Appeal Hearing without good and/or sufficient reason and with sufficient notice in the circumstances will be notified to the Chair of the Appeal Panel. What constitutes good and/or sufficient reason and notice shall be solely at the discretion of the Chair of the Appeal Panel, who may take advice on the matter from the Chairman of the SKKK. The Appeal Panel will decide what course of action to take in these circumstances, ie either continue in the absence of the Appellant, defer the Hearing to another date, or terminate the proceedings.

Failure to renew membership by a Member Complained Against during the course of a matter being dealt with under this Procedure, will not normally terminate the Procedure. A member's resignation from membership of the Association will not normally terminate nor invalidate the hearing of a matter by the Association and for the purpose of this procedure, the individual or the organisation will continue to be regarded as a member of the Association.

The Appeal Panel

The Appeal Panel is independently constituted and is normally made up of three people: usually two members of the Association and one independent lay person.

The task of the Appeal Panel is to decide whether the decision of the Panel was just and fair in all the circumstances and to then decide, subject to any additional information submitted, whether the appeal should be allowed or denied.

Format of Appeal Hearing

At any time during the Appeal Hearing, the Appeal Panel and/or Appellant may ask for a recess to consider issues that have arisen in the course of the hearing.

On the day of the Appeal Hearing the following protocols will normally be observed:

The Clerk summarises the case on behalf of the Association.

The Appellant has the opportunity to verbally present his/her/the organisation's case.

The Appeal Panel will question the Appellant.

The Appeal Panel and the Appellant may question any witnesses called in relation to their written submissions made.

The Appellant has an opportunity to make a closing statement.

When the Chair is satisfied that the Appeal Panel has gained all the clarification required, the parties withdraw.

The Appeal Panel deliberates on the written and oral submissions made and decides whether the Appeal should be allowed or denied.

The Chair of the Appeal Panel formally notifies the Head of Professional Conduct of the decision of the Panel in writing.

If the Appeal is allowed, the Chairman of the SKKK. will formally notify in writing the Appellant and relevant parties involved in the case of the Panel's decision and the case is closed.

If the Appeal is denied and membership of SKKK. is to be terminated, the Chairman of the WJKA will formally notify the Appellant in writing of the Appeal Panel's decision within 14 days of the Appeal Hearing. This decision is final.