

Statement from the Holman Barnes Group Disciplinary Committee

Dear Members,

Holman Barnes Group has now completed a thorough disciplinary process in relation to the conduct of three members who held Directorships on the Board.

In order to maintain the integrity and confidentiality of that disciplinary process, the Club refrained from engaging publicly, including with the media, while this process was underway.

In light of the recent media articles, the Club feels it appropriate to provide you, our members, with accurate facts about the disciplinary process.

How we got here

During the course of the disciplinary process we maintained a respectful silence - despite the unjustified criticism and misinformation.

We did so because we take our responsibilities as directors seriously and we hope this clarifies why.

The Western Suburbs Leagues Club Limited (**Club**) received a considerable number of complaints alleging misconduct against three members who held Directorships. The majority of the complaints were made via our whistleblower channels.

The complaints were treated in line with the Club's whistleblower policy, as well as the whistleblower provisions in the Corporations Act, which are in place to protect individuals who make disclosures about misconduct or an improper state of affairs or circumstances in relation to the Club or a related body corporate.

One of the key protections afforded to whistleblowers under both the Club's policy and the legislative provisions is confidentiality.

As a Club, if we don't protect the sanctity of whistleblowers and investigate complaints we've received alleging misconduct, we're not doing our job.

Due to the volume of complaints and serious nature of the allegations, Holman Barnes Group sought legal advice in relation to the management of the complaints.

Following legal advice, and in accordance with the Club's constitution, the Club's disciplinary committee took appropriate steps. The Club's constitution mandates the requirements for the formation and structure of the disciplinary committee and the disciplinary committee followed the prescribed process.

Investigative and disciplinary process

Holman Barnes Group's lawyers appointed an external investigator to undertake an investigation into the complaints, and the investigator gathered evidence relevant to the complaints. The investigator invited all parties to the allegations, including the complainants, the three members alleged of misconduct (respondents) and witnesses, to participate in confidential interviews.

Following this process, the disciplinary committee, respondents and their legal counsel were provided with a schedule of the investigator's findings prior to the disciplinary hearings.

The external investigator determined:

1. one respondent engaged in aggressive, offensive, intimidatory, threatening and unreasonable conduct;
2. one respondent engaged in aggressive, humiliating, undermining, intimidatory and unreasonable conduct; and
3. one respondent engaged in intimidating, inappropriate and unreasonable conduct.

As stated above, the disciplinary hearings were conducted in accordance with the Club's constitution, ensuring all due procedural fairness and sensitivity to the complainants and the individual respondents.

The disciplinary process is now complete and the individual respondents were notified of the outcome.

It was determined through the disciplinary process that, due to their conduct, the respondents' respective memberships be cancelled for certain periods of time. Conditions for re-admittance to membership were also imposed.

The decisions were not taken lightly, or without fair process.

It was found that the conduct of the respondents failed to comply with the Club's Constitution, was prejudicial to the interests of the Club, and unbecoming of a member.

It was also found that the conduct of certain respondents was in breach of the obligations set out in the Club By-Laws, including:

- By-law 5d: intimidating, harassing or bullying other persons on Club premises, and
- By-law 5e: conducting self in an offensive manner which is prejudicial to the good order of the Club, or to the comfort or welfare of any member or use any offensive language.

Further, and importantly in this specific situation, as the three respondents held Directorships and/or the Chairmanship at the time of the events, the conduct was also in breach of the obligations set out in the Western Suburbs Leagues Club Directors Handbook.

The Western Suburbs Leagues Club Directors Handbook is clear in its language about the conduct of Directors. It states *“in pursuing the objectives of the Club, Directors have an obligation to set the right tone and culture of the Club, behave with the highest standards of ethics, promote ethical and responsible decision-making, including acting in the best interests of the Club; acting with high standards of personal and professional integrity; and promoting Board solidarity, including in the event of disagreement, making every effort to resolve the issues and avoid dissension.”*

Importantly it also states plainly the requirements for members holding the position of Chair. Those are: *“to seek to promote constructive and respectful relations between Board members, as well as between the Board and management.”*

Holman Barnes Group has zero tolerance for the conduct that was found to have occurred.

The conduct was reported by numerous individuals and investigated by an external investigator. The Group is absolutely confident in the findings of the investigation and the process that was followed.

The Club does not intend to provide further detail on the allegations. That would be inappropriate and contravene our responsibilities to the individuals impacted by these matters, including the whistleblowers.

However, rest assured, the conduct that led to the outcomes was not trivial. Equally, be confident that a fair and thorough process was followed to determine the veracity of the complaints, and the penalties determined were appropriate. Throughout this process, the Club's policies and Constitution were upheld.

As in other Club statements, we reiterate that **Holman Barnes Group disciplinary proceedings have no bearing on the Wests Tigers or the football department of Wests Tigers.**

Holman Barnes Group has at all times operated with integrity and appropriate discretion regarding the complaints that instigated this process.

Similarly, we ask you, our members, to treat this statement with an appropriate level of sensitivity, empathy and discretion. It is an extremely private and personal matter for all involved. The recent mainstream and social media attention not only disparages and harms the sound reputation of our highly successful organisation; it also serves to damage the physical and mental wellbeing of those involved. Please be respectful of this.