

Solutions

Dispute Management

As with any such situation, managing a dispute is always initially the best option. If the dispute can be mediated and/or discussed between the relevant parties then it will likely ensure a swift and inexpensive outcome for all those involved.

Legal Proceedings

Legal proceedings should always be a last resort for a sporting organisation due to costs and the time involved. In the situation where an organisation is alleging defamation by a member on some form of social media; whilst it is a frustration to the organisation, the financial damage is likely to be minimal.

In light of this, legal proceedings should be considered cautiously given that obtaining an injunction to prevent someone making defamatory comments will incur legal costs in the thousands of dollars in a very short space of time. Most organisations are unlikely to have the resources to be able to justify such financial expense, particularly in a situation where they are not suffering commercial loss as a result.

Social Media Policies

However, as with most legal issues facing sporting organisations, the best solution is **proactivity**.

Arguably, the most important step an organisation can take to protect itself in its use of social media is to make sure all relevant policies and codes of conduct are updated to include references to social media.

It is likely that most organisations will have certain policies, procedures and codes of conduct that all members and participants are subject to. Such documents should include an agreement by the member that their use of social media is governed by the best interest of the organisation and that any use in breach of this could result in termination of their membership.

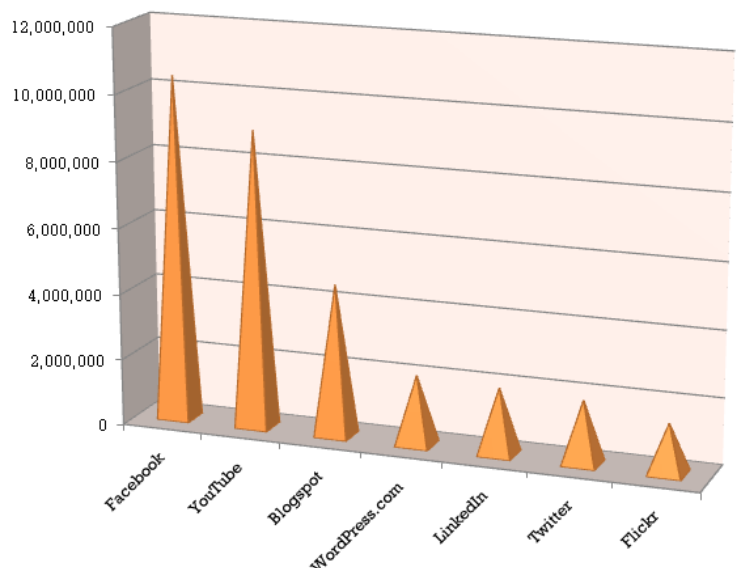
At the end of the day this is the best leverage an organisation has in relation to its members, and an organisation should reserve its right to terminate membership should a member breach social media policies. Organisations therefore should be proactive in updating social media policies whenever necessary.

Legal Advice

One point that may be mentioned in any policy is that personal Facebook threads, forum entries or Twitter posts may be used for the purposes of disciplinary hearings or tribunals. These will allow the organisation to obtain and use any incriminating information if required.

July Australian Social Media Statistics

The Australian population is approximately 22,688,457.



Retrieved from: www.socialmedianews.com.au on 25/08/2011