

SCHEDULE C
SUMMARY OF FINDINGS FOR PUBLICATION

On 11 August 2026, the AFL Commission confirmed the appointment of James W. S. Peters AM KC and Ben Holding to investigate the circumstances surrounding a letter dated 12 February 2024 (**Letter**) from the Geelong Football Club (**Geelong**) to its player, Jake Kolodjashnij (**Mr Kolodjashnij**). They were asked to advise about whether Geelong breached AFL Rules 4.3(a) or 28.3(c), and whether Geelong or any other person otherwise engaged in inappropriate or improper conduct. They provided their report to the AFL on 26 August 2026. The findings may be summarised as follows:

Circumstances in which Geelong drafted the Letter

1. On 25 November 2023, Mr Kolodjashnij went before an AFL Concussion Panel. The AFL Concussion Panel reached an uncertain, “amber” finding in relation to the risk of Mr Kolodjashnij continuing to play contact sport.
2. In late 2023 and early 2024, Geelong consulted extensively about the risk of Mr Kolodjashnij continuing to play AFL. Geelong consulted with the AFL, the AFL Chief Medical Officer, Club doctors, various insurance representatives and Mr Kolodjashnij and his family. Mr Kolodjashnij told Geelong he was strongly seeking to continue playing.
3. On 1 February 2024, Geelong management recommended to its Board that Mr Kolodjashnij be permitted to continue playing AFL football but that the Club should ask him to agree to an “Acknowledgement of Risk” document, in which Mr Kolodjashnij would assume the legal risk of any future concussions. The Board adopted that recommendation.
4. From 2 February 2024 to 12 February 2024, Geelong drafted the Letter based on wording provided by Mr Kolodjashnij’s representative. The wording included that Mr Kolodjashnij would take upon himself the legal risk of loss, damage or injury of any kind arising as a result of concussion. The Letter did not go back before the Board.
5. A number of people reviewed the Letter, including doctors, their insurers, Mr Kolodjashnij, his family and his insurance representative. Mr Kolodjashnij agreed to the Letter on 12 February 2024.

6. Geelong did not lodge the Letter with the AFL or AFL Players Association (AFLPA). Geelong briefly considered the question of whether the Club needed to inform the AFLPA. It did not believe that step was required because, in its view, the Letter did not vary Mr Kolodjashnij's playing contract.

Inquiry process

7. We conducted our inquiry between 11 August 2026 and 23 August 2026. We interviewed ten relevant people from Geelong and the AFL. We required production of, and considered, various emails and other documents from the AFL and Geelong.

Findings

8. We found that Geelong breached Rule 4.3(a). We considered, as a matter of proper construction of the Letter, that the Letter was a variation to Mr Kolodjashnij's playing contract. It purported to vary Mr Kolodjashnij's right to make an injury-related claim against Geelong. The variation resulted in Mr Kolodjashnij becoming contracted by Geelong on terms outside the standard playing contract in the form prescribed by the AFL and AFLPA.
9. We also found that Geelong's failure to lodge the Letter with the AFL was a breach of AFL Rule 28.3(c). We considered the breach occurred because of a failure by Geelong to appreciate that lodgement was required by both the AFL Rules and the conditions of the standard playing contract. While Geelong told the AFL about its intention at least to enter into some kind of acknowledgment of risk document with Mr Kolodjashnij, the onus was on Geelong to ensure compliance with the AFL Rules.
10. We carefully considered whether Geelong (or any other person) intentionally concealed the existence of the Letter from, or sought to deceive, the AFL and AFLPA. In our view, there was no such intention. The breach occurred because of a failure by Geelong to consider the effect of the relevant AFL Rules. We made that finding for several reasons, including the number of people who were aware of the Letter, that Geelong had little to gain from concealment, and that Geelong made full and frank disclosures to us. The Letter was drafted by Geelong management, and there was no evidence that the Board reviewed the terms of the Letter as part of its adoption of the recommendation of Geelong management.
11. We did not find that Geelong, its current or former directors, officers or employees, or any AFL representatives otherwise engaged in inappropriate or improper conduct warranting

further action under the AFL Rules, including conduct unbecoming or likely to prejudice the interests or reputation of the AFL.

12. We found that Geelong took careful and detailed steps to assist Mr Kolodjashnij to understand the risks and make an informed decision about whether to continue to play contact sport. Mr Kolodjashnij was not coerced into signing the Letter. We do not make any adverse findings against Geelong or its Board for deciding to enter into an agreement with Mr Kolodjashnij seeking to mitigate the legal exposure to Geelong and its personnel, despite that Geelong has now stated that the "waiver" went "further than intended". We found that Geelong also noted that the "Acknowledgement of Risk" document would not relieve Geelong of its obligation to act in Mr Kolodjashnij's best interest.
13. There were competing considerations for Geelong, including its duty to keep Mr Kolodjashnij safe alongside its obligations to continue his employment under his SPC, the need to consider the view of its insurance broker, the views of the doctors' insurers, and other legal considerations.
14. We recommended Geelong be sanctioned for breaching AFL Rules 4.3(a) and 28.3(c). The AFL Commission should penalise Geelong for failing to consider the application of those Rules. It should also take into account several other factors in imposing penalty, including that Geelong faced a complex and novel situation, took careful steps to ensure Mr Kolodjashnij made an informed decision about his AFL career, did not intentionally breach the Rules and has expressed appropriate contrition.