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**White Hills Bowls Club Inc. (WHBC)**

**Regulation #2.2**

**Methodology of Reporting Incidents**

**Schedule of Incidents**

**&**

**Penalties**

**White Hills Bowls Club Inc. (WHBC)**

**Regulation #2.2 – Methodology of Reporting & Schedule of Incidents**

**Regulation - Rule Ratification / Alteration**

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| --- | --- | --- |
| **Date** | **Regulation Sect** | **What happened** |
| 1/5/2020 | Regulation | Split – Code of Conduct & Reportable Incidents**To- Code of Conduct Reg 2.1 and Methodology of Reporting Incidents & Schedule of Incidents Reg 2.2** |
| 6/5/2020 | Section 3 | Include - **3. Complaint Administration Officer – Administration of Complaint File WHBC Report Sheet Form #1** |
| 6/5/2020 | App “A” | **Include - Points Allocated Penalties** |
| 8/5/2020 | Definitions | Inserted – ***“activities associated with the WHBC”*****1. Not permitted to represent the club in any manner (player and/or spokesperson)****this also includes any State / BBD sanctioned competitions****2. Not permitted to wear any part of the club uniform in any tournaments and/or social activities****3. Not permitted to enter club premises which include all buildings, greens and surrounds out of sight and hearing of the rinks)****4. Not permitted to contact any member re: Club Governance including selection of club teams****5. Not to attend home matches and refrain from attending away matches where club members are competing and****6. Required to return all keys issued to you over the past number of years to the Club Secretary.** |
| 15/06/2020 | Regulation | Adopted by WHBC Board of Management |
|  | Regulation | Ratified by the Board |
| 21/02/2022 | Regulation | ***Inserted - Rule 3. “advise the Board of Management”******Add:*** ***Rule 3.4 The CAO will complete the CAO Report to the Board of Management (Form # 1B) with a recommendation.******Rule 3.5 The Board of Management may confirm, revise or reject the CAO’s recommendation.*** |
| 21/02/2022 | Regulation | Adopted by WHBC Board of Management  |
| 04/03/2021 | Update | Club members advised via email / Newsletter 20220304 |
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White Hills Bowls Club Inc. (WHBC)

Regulation #2.2. – Methodology of Reporting Incidents & Schedule of Incidents

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White Hills Bowls Club Inc. (WHBC)

Regulation #2.2 – Methodology of Reporting Incidents & Schedule of Incidents

**Glossary / Definitions**

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| Term | Definition |
| *“Abuse towards umpire”* | The abuse can be [verbal abuse](https://en.wikipedia.org/wiki/Verbal_abuse)(such as [name calling](https://en.wikipedia.org/wiki/Namecalling)), or [physical abuse](https://en.wikipedia.org/wiki/Physical_abuse) (such as [punching](https://en.wikipedia.org/wiki/Punch_%28combat%29)).In the WHBC physical contact with an umpire is a reportable offence. The use of minor indecent language or threatening behaviour are reportable offences in the WHBC. Abuse in general terms would be acts akin to alleging the umpire is cheating, that he has accepted a bribe or anything that impinges upon the character of the umpire. The actual abuse does not necessarily need to be heard by the umpire but would require another person to refer the incident to the CAO at the WHBC. |
| *“activities associated with the WHBC”* | 1. Not permitted to represent the club in any manner (player and/or spokesperson)this also includes any State / BBD sanctioned competitions2. Not permitted to wear any part of the club uniform in any tournaments and/or social activities3. Not permitted to enter club premises which include all buildings, greens and surrounds out of sight and hearing of the rinks)4. Not permitted to contact any member re: Club Governance including selection of club teams5. Not to attend home matches and refrain from attending away matches where club members are competing and6. Required to return all keys issued to you over the past number of years to the Club Secretary. |
| *“Balance of Probabilities”* | “One party's case needs only be more probable than the other. The corollary of this is the rare occurrence when the evidence is evenly balanced. In that case, victory goes to the defendant as the burden of proof is with the plaintiff, who initiates legal proceedings” |
| *“Board of Management” (BoM)* | The elected officials that are to govern the White Hills Bowls Club Inc. |
| *“Bring the game of bowls into disrepute”* | A Participant shall at all times act in the best interests of the **game** and shall not act in any manner which is improper or **brings** the **game into disrepute** or use any one, or a combination of, violent conduct, serious foul play, threatening, abusive, indecent or insulting words or behaviour.” By way of example a current player convicted of a drug offence and it is known that he plays bowls could bring the game into disrepute. An administrator of a bowls club could be held to bring the game of bowls into disrepute if found to have stolen from the bowls club or others associated with bowls. A coach of a bowls side is convicted of Family Violence. |
| *“Complaints Administration Officer (CAO)”* | The official selected by the WHBC Board of Management to manage all complaints |
| *“Disrespectful behaviour”* | To disrespect someone is to act in an insulting way toward them. When you disrespect people, you think very little of them. Disrespect is all about not showing respect. It’s about showing the opposite of respect, by acting rude, impolite, and offensive. |
| *“Egregious misconduct”* | Egregious meaning outstandingly bad, shocking in nature and Misconduct meaning unacceptable or improper behaviour. Example - a player is reported for using threatening language, the player before departing escalates incident by using extreme indecent language and gestures and continues to make threats. Offence to be utilised along with minor , moderate and significant incidents that may have also been committed. |
| *“Intimidating Play”* | To frighten or scare an opponent during a game by action, deed or verbal interaction. |
| *“Malicious Game Play”* | In reference to throwing a “bowl” in such way that could have the possible effect of injuring another player or spectator. Any act that could be construed as dangerous and done with malicious intent. |
| *“Natural Justice”*  | The key elements to natural justice are as follows:1. That the person charged with the offence has the right to know what they have allegedly done. To comply with this obligation, it is necessary for not only the rule which has been breached to be quoted, but also the person is entitled to know the particulars of what they allegedly have done.
2. The tribunal must not be biased. This is often where natural justice fails in that the tribunal is biased. Often some excuse is used to justify persons who have prejudged the matter sitting in the determination of the matter.
3. The person is entitled to be heard in their own defence. A reasonable opportunity needs to be given to the person and where there is a reasonable explanation adjournment should be given to fully allow a person the opportunity to be heard.

There are a couple of other issue which are not strictly principles of natural justice but lead to the provision of natural justice.1. The right of the person charged to receive all of the material which has been provided to the tribunal in sufficient time to enable them to consider the material to enable appropriate submissions to be made and potentially conflicting evidence to be provided.
2. It is often considered that the right to be legally represented is a right of natural justice. That is not the case. Often rules of organisations in fact strictly prohibit the right to be legally represented before the tribunal. Tribunals should act fairly in that regard in all of the circumstances and consider the ability of the person to represent themselves, particularly in matter which has serious consequences. I think careful consideration needs to be given as to whether a person should be allowed to be represented by competent counsel.
3. There is a requirement to reach a reasoned and unbiased decision. Unless the rules of the organisation provide, there is no strict obligation for the tribunal to provide reasons.
4. The final matter is a requirement that if there are rights of appeal from the tribunal, that the respondent is notified of those appeal rights.
 |
| *“Sledging”*  | A term to describe the practice whereby some players seek to gain an advantage by insulting or verbally intimidating the opposing player. The purpose is to try to weaken the opponent's concentration, thereby causing them to make mistakes or underperform. |
| *“Unsportsmanlike conduct”* | Unsportsmanlike conduct (also called unsporting behaviour or ungentlemanly conduct or bad sportsmanship or poor sportsmanship) is a [foul](https://en.wikipedia.org/wiki/Foul_%28sports%29) or offense that violates the sport's generally accepted rules of [sportsmanship](https://en.wikipedia.org/wiki/Sportsmanship) and participant conduct. Examples include [verbal abuse](https://en.wikipedia.org/wiki/Verbal_abuse) or taunting of an opponent, an excessive celebration following a scoring play, or feigning injury. |
| *“Vilification - Racial, Religious and Gender”* | Means a person must not, by a public act, incite hatred towards, serious contempt for, or severe ridicule of, a person or group of persons on the ground of their **race** by threatening or inciting other to threaten physical harm to the person, or members of the group, or to property of the person or members of the group. Behaviour that is likely to be racial, religious or gender vilification includes -* speaking about a person’s race, religion or gender in a way that could make other people hate or ridicule them
* publishing claims that a racial, religious or gender group is involved in serious crimes without any proof
* repeated and serious spoken or physical abuse about the race, religion or gender of another person
* encouraging violence against people who belong to a particular race, religion or gender also includes damaging their property
* encouraging people to hate a racial or religious group using flyers, stickers, posters, a speech or publication, or using websites or email.

Vilification is behaviour that incites hatred, serious contempt for, or revulsion or severe ridicule of a person or group of people because of their gender, ability, cultural background, religion and sexual orientation. The legal **definition** is conduct that 'incites hatred, serious contempt, revulsion or severe ridicule. |
| *“WHBC”* | White Hills Bowls Club Inc. |

**1. Purpose of Regulation**

1.1 To indicate to players, officials and members of the public what are considered offences against the rules and regulations of bowls of the White Hills Bowls Club (WHBC). To 1.1.2 To indicate to players, officials and members of the public how the administration of the Penalty

1.2 To guide and assist persons, including those not generally aware of the rules of bowls and the regulations of the WHBC on the correct wording of offences and the meaning of the terminology used.

1.3 To assist all persons, who wish to convey information, to the WHBC, of an incident deemed worthy of reporting which violates the rules of bowls or against the regulations of the WHBC.

1.4 To assist persons in the completion of the Report Sheet utilised by the WHBC.

**2. Methodology of Completing WHBC Report Sheet**

2.1 The Report Sheet 1 used by the WHBC should be completed by inserting the following on the Sheet –

2.1.1 How? (The information to be placed in the Description of the Incident)

* How was the offence committed or attempted?

2.1.2 Why? (The information to be placed in the Description of the Incident)

* If able, describe why you think the incident occurred
* Why were the parties involved, was there an “incident” or actions before the reported incident happened?

2.1.3 When? (The information to be placed in area on Sheet covering Date and Time of Incident(s)

* If needed you can put between times and / or dates if required

2.1.4 Where? (The information to be placed in area on Sheet covering Location of Incident(s)

* Location on the rink, spectator area or within clubrooms.
* Location outside the playing field (if applicable)
* At which end of rink did it occur (if applicable)

2.1.5 Who? (The information to be placed in area on Sheet covering Reported Person, Club Associated With etc.)

* The reported person(s) details
* The reporting persons details
* Name etc of witnesses if applicable should be placed in Description of Incident under heading Witnesses to Incident (if applicable).
* If Umpire report, name of other umpire should be placed in Description of Incident under heading Witnesses to Incident (if applicable, applies also to club umpire.

2.1.6 What occurred? (The information to be placed in the Description of the Incident)

* Describe the incident
* If threatening, sledging or abusive language please put down the words used, how loud and if possible, in your opinion could they be heard outside the rink of play
* If striking or kicking incident please indicate what hand or foot was used, if hand was it an open or closed fist and to where was contact made.
* The information required if a bowl or another piece of equipment is used is much the same, force used, what part did it strike or nearly strike
* Supply a narrative that covers the alleged offence eg “Malicious Game Play”, what part was malicious, are you happy that the act was intentional?

**3. Complaint Administration Officer – Administration of Complaint File – Allocation of Penalty or Penalties.**

3.1 The Complaints Administration Officer (CAO) will receive the WHBC Report Sheet, Form #1 within 72 hours of the incident unless it is the result of a failed mediation process (refer to Regulation #3 – Mediation Policy)

3.2 On receipt of the WHBC Form #1 the CAO will –

* if the matter is of such a trivial matter that nothing will occur;
* decide if there is a need for an Investigation Officer to be appointed;
* decide if it is minor, moderate, or significant incident
* advise the Board of Management

3.3 If the CAO decides it is a minor or moderate incident that warrants points allocation only (as per Schedule “A” of this Regulation) then the CAO will –

3.3.1 correspond with the complainant if the narrative is insufficient in WHBC Form #1 and ask that they amplify certain details; and / or

3.3.2 correspond with the respondent and request, in a written format, a response to the allegation about the alleged incident; and / or

3.3.3 within 7 days of 3.3.1 and 3.3.2 whether correspondence has been received or not the CAO must decide, on the “balance of probabilities”, if the allegation in relation to the incident has been proven;

3.3.4 if proven or unproven the CAO will correspond with the respondent and complainant, within 72 hours, of 3.3.3 and inform the them that –

3.3.4.1 the incident is now closed as the incident is unproven; or

3.3.4.2 the incident, having been proven, the respondent and complainant will be notified of the allocated penalty.

3.3.5 The CAO will notify the respondent, in writing of the allocated penalty and the respondent may –

3.3.5.1 accept the decision of the CAO and that by not notifying the CAO of an appeal that their penalty commences within 72 hours of being notified as per 3.3.4.2; or

3.3.5.2 appeal the allocated penalty (appeal will be heard by the WHBC Tribunal) by completing the WHBC Appeal Form – Form #3 and sending to the CAO within 72 hours of being notified as per 3.3.4.2.

3.4 The CAO will complete the CAO Report to the Board of Management (Form # 1B) with a recommendation.

3.5. The Board of Management may confirm, revise or reject the CAO’s recommendation.

**Schedule “A” of Reportable Incidents**

**MINOR INCIDENTS (2 points per offence allocated by CAO)**

* Minor indecent, obscene or insulting language to Umpire
* Minor indecent, obscene or insulting language to opponent, own team member or spectator
* Engage in a melee with opponent (s) or own members
* Acting in manner disrespectful to Umpire (Must detail in description on page 1, of the Report Sheet, the “manner”)
* Abuse towards umpire
* Minor equipment abuse - nil damage, nil person threatened by action.
* Engage in intimidating play against an opponent (Must detail “intimidating” in description on page 1 of Report Sheet)
* Sledging an opponent or own player
* Other — Minor incident – list in description of page 1

**MODERATE INCIDENTS** **(3 points per offence unless indicate by \* that referral to Tribunal Chair for possible hearing at discretion of COA)**

* \*Use threatening language to Umpire
* \*Use threatening language to opponent, own team member or spectator
* Sustained dissent to Umpires ruling (Instantaneous penalty)
* \*Act in threatening manner to Umpire (Must detail in description on page 1, of the Report Sheet the “manner” (Instantaneous penalty)
* \*Act in threatening manner to opponent, own team member or spectator (Must detail in description on page 1 of the Report Sheet the “manner”) (Instantaneous penalty)
* Minor equipment abuse—minor damage or person could have been injured or persons in vicinity of thrown equipment
* Sustained audible indecent, obscene or insulting language to Umpire.
* Sustained audible indecent, obscene or insulting language to opponent, own team member or spectator
* \*Spitting on or at an Umpire (Instantaneous penalty)
* \*Spitting on or at an opponent or own team member (Instantaneous penalty)
* \*Engage in malicious contact with an opponent (Must detail in description on page 1 of the Report Sheet the “malicious”)
* \*Disobeying an umpire’s direction
* \*Unsportsmanlike conduct
* Use abusive hand signals or gestures
* Use abusive body language or gestures
* Umpire, player(s) or scorers consume alcohol during game
* Umpire, player(s) or scorers use performance enhancing drugs or stimulants during or before play
* \*Approach uniformed member of selection committee to discuss selection matters
* \*Approach member of selection committee and use threatening behaviour or language, intimidating language or behaviour or behave in manner that is disrespectful.
* \*Vilification— (List either racial, gender or religious) Full details in description Page 1 of the Report Sheet

**Schedule “A”**

**SIGNIFICANT INCIDENTS (All Tribunal appearances)**

* Major equipment abuse—Property damaged, person injured, or person endangered to be injured
* Bring game of bowls into disrepute
* Breach a suspension or disqualification
* Conduct that endangers safety and / or wellbeing of another (player, umpire, official or spectator)
* Attempt at conduct that endangers safety and / or wellbeing of another (player, umpire, official or spectator)
* Contact with Umpire
* Strike an Umpire
* Attempt to strike an Umpire
* Strike another player or person (identify in description)
* Attempt to strike another player or person (identify in description)
* Sustained wrestling with an opponent or any other person
* Malicious game play
* Egregious Misconduct. Includes major Code of Conduct Breaches.

**Points Allocated Penalties**

**A. Six (6) points *but less* than Eight (8) points in calendar year.**

* 6 or more points accumulated in a calendar year
* equals 2-week suspension;
* removed from all activities associated with the WHBC.

**B.     Eight (8) points *but less* than Eleven (11) points in calendar year**

* the above 6 points (at A.) plus another 2 more additional points (total 8 points), in the same calendar year
* equals 3 weeks suspension;
* removed from all activities associated with the WHBC.

Therefore, if respondent receives a 2-week suspension for the scenario at A. then gets another 2 points in the same calendar year they receive another 3-week suspension, making a total of 5 weeks for the calendar year.

C.     **Eight (8) points *plus* another Three (3) points in calendar year**

* total 11 points in the same calendar year
* equals 6 weeks suspension;
* removed from all activities associated with the WHBC.

Therefore, if respondent receives a 2 week suspension for the scenario at A. then gets another 3 weeks for B. in the same calendar year (total 5 weeks) they then get another 6 weeks disqualification at C., making a total of 11 weeks for the calendar year.

D. Twelve (12) or more points accrued in calendar year

* the person must appear before the WHBC Tribunal (referred by CAO).