



POLICY TITLE:

DRAFT Discipline and Suspension Policy

RELATED POLICIES:	Players and Officials Code of Conduct Bowls Australia Complaints, Disputes and Discipline Policy Bowls Australia National Integrity Framework (NIF)
RESPONSIBLE OFFICERS:	Chief Executive Officer
AUTHORITY:	Chief Executive Officer
APPLICABLE FORMS:	
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NOTE: Reference to “Club, Regional Authority or Bowls Tasmania” in this policy means just one of them – for example if it is a Club discipline matter, then reference to “Club, Regional Authority or Bowls Tasmania” means “Club” throughout the policy.

1. INTRODUCTION

- 1.1 This policy provides guidelines, procedures and penalties for conduct breaches by Members of Clubs that are not covered by Bowls Australia's National Integrity Framework.
- 1.2 In particular, it sets out guidelines and procedures for disciplinary action against Members by:
 - 1.2.1 Clubs;
 - 1.2.2 Regional Authorities and Clubs where a suspension or expulsion is beyond a Club;
 - 1.2.3 Bowls Tasmania and Clubs where a suspension or expulsion is beyond a Club and Regional Authority; and
 - 1.2.4 Bowls Australia and Clubs where a suspension or expulsion is beyond a Club, Regional Authority and Bowls Tasmania.
- 1.3 The policy provides guidelines to assist in investigating complaints.
- 1.4 The policy sets out guidelines to be followed to deal with matters referred to a Disciplinary Committee.
- 1.5 The policy also details a list of suggested suitable penalties that may need to be imposed upon a Member who has breached Bowls Tasmania, Regional Authority or Club rules.
- 1.6 The policy is mandatory for Bowls Tasmania and its three Regional Authorities and is recommended for use by Clubs in Tasmania.

2. NATIONAL INTEGRITY FRAMEWORK

- 2.1 If any part of this policy is inconsistent with the National Integrity Framework (NIF) and its processes, the NIF will take precedence.
- 2.2 The following prohibited conducts come under the umbrella of the Bowls Australia's NIF and Sports Integrity Australia, namely:
 - 2.2.1 Safeguarding Children and Young People Policy;
 - 2.2.2 Member Protection Policy - Covering abuse, bullying, harassment, sexual misconduct, discrimination, victimisation or vilification;
 - 2.2.3 Competition Manipulation and Sport Gambling Policy; and
 - 2.2.4 Improper Use of Drugs and Medicine Policy.
- 2.3 The above prohibited conducts are not covered under this policy and should be referred in the first instance to Bowls Tasmania who in turn will refer them to Bowls Australia. All other conduct can be dealt with by Clubs, Regional Authorities and Bowls Tasmania.
- 2.4 These core prohibited conducts are underpinned by the Bowls Australia's Complaints, Disputes and Discipline Policy which outlines how anyone who has breached a NIF prohibited conduct is held accountable. The Bowls Australia Complaints, Disputes and Discipline Policy is to be read in conjunction with and will take precedence over this Policy

3. CLUB DISCIPLINARY ACTION

- 3.1 Matters which may be referred to a Club Disciplinary Committee include an allegation referred to a Club that a Member with Playing Rights has:
 - 3.1.1 Breached, failed, refused or neglected to comply with the Club Constitution, any club rules or any resolution or determination of the Club Board.
 - 3.1.2 Breached club rules whilst competing in a club event.
 - 3.1.3 Acted in a manner unbecoming of a Member or prejudicial to the objects and interests of the club or the sport of bowls;
 - 3.1.4 Brought themselves, another member, the club or the sport of bowls into disrepute.
- 3.2 Suspension or Expulsion by a Club of a Member with Playing Rights
 - 3.2.1 When a Member who has playing rights has been suspended or expelled by a club for a breach of club rules, the club shall advise the Regional Authority within fourteen(14) days of the suspension or expulsion being confirmed providing details of the suspension or expulsion including the length of the penalty.
 - 3.2.2 The Secretary of the Regional Authority will advise their Board of the notification of the suspension or expulsion.
 - 3.2.3 Given this is a breach of club rules and for the avoidance of doubt, the Club Member in question may continue playing bowls at competitions and events at clubs other than his/her "home" club where the suspension applies or transfer his/her "home" club status to another club.
 - 3.2.4 Should the Club Member in question seek to transfer his/her "home" club status, the club that he/she wishes to transfer to, must be informed of the suspension/expulsion and the details relating to it.
- 3.3 Suspension or Expulsion beyond "Home Club" by a Club of a Member with Playing Rights
 - 3.3.1 When a Member who has playing rights has been suspended or expelled by a club for a breach of club rules, and the club wishes to extend the suspension or expulsion beyond his/her "home " club, the club shall advise the Regional Authority within fourteen (14) days of the suspension or expulsion being confirmed providing full details of the proposed suspension or expulsion including the length of the penalty and full details relating to it.
 - 3.3.2 The Secretary of the Regional Authority will advise their Board of the notification of suspension or expulsion.
 - 3.3.3 Suspensions or expulsions which may be extended to the boundaries of the Regional Authority must be ratified by the Regional Authority. Before ratifying a suspension or expulsion, the Regional Authority must be satisfied that the suspension or expulsion by the club has merit by confirming that:
 - 3.3.3.1 The club followed procedures that allowed both the Respondent and the Applicant to present their case;
 - 3.3.3.2 The evidence and witness statements provided by the club support the ruling made at club level; and
 - 3.3.3.3 The extension of the penalty Regional Authority-wide is appropriate in protecting the integrity and values of the Regional Authority.
 - 3.3.4 The proposed suspension or expulsion will not take effect until it has been ratified by the Regional Authority.

3.3.5 Suspensions or expulsions which may be extended beyond the boundaries of the Regional Authority must be ratified by Bowls Tasmania.

3.4 Suspension or Expulsion of a Member without Playing Rights

There is no requirement of a club to advise the Regional Authority if a Member who has no playing rights has been suspended or expelled for a breach of club rules. Such Members are not covered by this policy.

3.5 Inter Club Disciplinary Action

3.5.1 In any competition or social bowling event, if in the opinion of the Board or Committee of a participating club, a visiting club member commits an offence that is a violation of the Laws of the Sport of Bowls or of this Policy, it shall be reported to the visiting club member's Home Club.

3.5.2 Within fourteen (14) days of receipt of the report the Home Club shall advise the Complainant Club of its findings.

3.5.3 If the Complainant Club is not satisfied with the action of the Home Club, it may appeal to the Regional Authority as per clause 4.1 in this policy.

3.6 Right of Appeal

3.6.1 A Member, who has been suspended or expelled by a Club, shall have a right of appeal to the Club.

3.6.2 Such appeal shall be lodged in writing stating the grounds of the appeal with the Club within fourteen (14) days of receipt of notice of such Club disciplinary action.

3.6.3 The appeal will be considered by the Club in accordance with Disciplinary Committee Guidelines set out in Appendix 1.

4. REGIONAL AUTHORITY DISCIPLINARY ACTION

4.1 Matters which may be referred to a Regional Authority Disciplinary Committee include an allegation that a Member with Playing Rights has.

4.1.1 Breached, failed, refused or neglected to comply with the Regional Authority Constitution, any Regional Authority Policy or any resolution or determination of the Regional Authority Board or other entity exercising delegated authority of the Regional Authority.

4.1.2 Breached Regional Authority rules whilst competing in a Regional Authority event.

4.1.3 Acted in a manner unbecoming of a Member or prejudicial to the objects and interests of the Regional Authority and/or the sport of bowls;

4.1.4 Brought themselves, another member, the Regional Authority, a Controlling Body or the sport of bowls into disrepute.

4.1.5 When a Member who has playing rights has been suspended or expelled by a club for a breach of club rules, and the club wishes to extend the suspension or expulsion beyond his/her "home" club – as per clause 3.3 of this policy.

4.1.6 Allegations that a Member of a Club has breached Regional Authority rules whilst competing in a Regional Authority event shall be dealt with by the Regional Authority.

4.2 Suspension by a Regional Authority of a Member with Playing Rights

4.2.1 When a Member who has playing rights has been suspended by a Regional Authority for a breach of Regional Authority rules whilst competing in a Regional

Authority event, the Regional Authority shall advise its member clubs and Bowls Tasmania within fourteen(14) days of the suspension or expulsion being confirmed providing details of the suspension or expulsion including the length of the penalty.

4.2.2 The Secretary of the Regional Authority and the Chief Executive Officer of Bowls Tasmania will advise their respective Boards of the notification of the suspension.

4.2.3 Given this is a breach of Club or Regional Authority rules and for the avoidance of doubt, the Regional Authority can prohibit the member from playing bowls at competitions and events at regional and club level.

4.3 Suspension beyond Regional Authority by a Regional Authority of a Member with Playing Rights

4.3.1 When a Member who has playing rights has been suspended by a Regional Authority for a breach of Regional Authority rules, and the Regional Authority wishes to extend the suspension beyond the Regional Authority, the Regional Authority shall advise Bowls Tasmania within fourteen (14) working days of the suspension or expulsion being confirmed providing full details of the proposed suspension or expulsion including the length of the penalty and full details relating to it.

4.3.2 The Chief Executive Officer of Bowls Tasmania will advise the Board of the notification of the proposed suspension.

4.3.3 The proposed suspension will not take effect until it has been ratified by Bowls Tasmania.

4.4 Right of Appeal

4.4.1 A Member, who has been suspended or expelled by a Regional Authority, shall have a right of appeal to the Regional Authority.

4.4.2 Such appeal shall be lodged in writing stating the grounds of the appeal with the Regional Authority within fourteen (14) days of receipt of notice of such Regional Authority disciplinary action.

4.4.3 The appeal will be considered by the Regional Authority in accordance with Disciplinary Committee Guidelines set out in Appendix 1.

5.BOWLS TASMANIA DISCIPLINARY ACTION

5.1 Matters which may be referred to a Bowls Tasmania Disciplinary Committee include an allegation that a Member with Playing Rights has:

5.1.1 Breached, failed, refused or neglected to comply with the Bowls Tasmania Constitution, any Bowls Tasmania Policy or any resolution or determination of the Bowls Tasmania Board or other entity exercising delegated authority of Bowls Tasmania (except as provided for in the Laws of the Sport);

5.1.2 Breached Bowls Tasmania rules whilst competing in a Bowls Tasmania event.

5.1.3 Acted in a manner unbecoming of a Member or prejudicial to the objects and interests of Bowls Tasmania, a Controlling Body and/or the sport of bowls;

5.1.4 Brought themselves, another member, Bowls Tasmania, a Controlling Body or the sport of bowls into disrepute.

- 5.1.5 When a Member who has playing rights has been suspended by a Regional Authority for a breach of club or Regional Authority rules, and the Regional Authority wishes to extend the suspension beyond the Regional Authority – refer clause 4.3 of this policy.

5.2 Right of Appeal

- 5.2.1 A Member, who has been suspended or expelled by Bowls Tasmania, shall have a right of appeal to Bowls Tasmania.
- 5.2.2 Such appeal shall be lodged in writing stating the grounds of the appeal with Bowls Tasmania within fourteen (14) days of receipt of notice of such Bowls Tasmania disciplinary action.
- 5.2.3 The appeal will be considered by Bowls Tasmania in accordance with Disciplinary Committee Guidelines set out in Appendix 1.

2 6. BOWLS AUSTRALIA DISCIPLINARY ACTION

6.1 Any suspension which Bowls Tasmania believes should extend beyond Tasmania must be referred to Bowls Australia for a determination. The Bowls Australia decision is final and binding.

3 7 INVESTIGATION OF COMPLAINTS

- 7.1 The Sport Integrity Australia “Investigation of Complaints Guidelines” is a short guide to assist sporting organisations investigate complaints and should be used by Clubs, Regional Authorities and Bowls Tasmania when dealing with complaints.
- 7.2 Appendix One sets out general guidelines to be followed by Clubs, Regional Authorities or Bowls Tasmania to deal with matters referred to a Club, Regional Authority or Bowls Tasmania Disciplinary Committee.

4 8. PENALTIES

- 8.1 A list of mandated penalties is provided as Appendix Two to ensure that Clubs, Regional Authorities and Bowls Tasmania apply suitable penalties in a consistent manner upon a Member who has breached Club, Regional Authority or Bowls Tasmania rules.

APPENDIX ONE – DISCIPLINARY COMMITTEE GUIDELINES

1. Disciplinary Committee

- 1.1 A Club, Regional Authority or Bowls Tasmania may establish a Disciplinary Committee to deal with matters referred to it under rules of their Constitutions, By-Laws, Policies, Rules or Guidelines.

2. Composition of Disciplinary Committee

- 2.1. A Disciplinary Committee of not less than three persons shall be appointed by the Club, Regional Authority or Bowls Tasmania for the purposes of hearing matters referred to it. The Board of the Club, Regional Authority or Bowls Tasmania shall also appoint a person of the Disciplinary Committee as Chairperson.
- 2.2. The persons of the Disciplinary Committee:
 - 2.2.1 May be Club, Regional Authority or Bowls Tasmania persons or anyone else; but must not be biased against, or in favour of, the Member concerned.
 - 2.2.2 Persons of the Disciplinary Committee must be advised to all parties to the matter at least 48 hours before the hearing to allow sufficient time for any conflicts to be raised and replacement committee persons found if required.
- 2.3. A Club, Regional Authority or Bowls Tasmania representative may attend the Disciplinary Committee hearing (Disciplinary Hearing) to observe and/or provide advice and clarification to the Disciplinary Committee, where requested. The Club, Regional Authority or Bowls Tasmania representative cannot be involved in the decision making of the Disciplinary Committee.

3. Responsibilities of Disciplinary Committee Chairperson

- 3.1. The Chairperson shall have the following responsibilities:
 - 3.1.1. To liaise with the Club, Regional Authority or Bowls Tasmania as necessary and appropriate having regard to the allegation made;
 - 3.1.2. To ensure accurate records are kept of all Disciplinary Hearing proceedings and decisions (other than the determination discussions of the Disciplinary Committee) and to make such records available to the Club, Regional Authority or Bowls Tasmania upon request;
 - 3.1.3. To communicate to the Club, Regional Authority or Bowls Tasmania in writing any outcome of a Disciplinary Hearing; and
 - 3.1.4. To chair Disciplinary Hearing.

4. Other Considerations

- 4.1. Upon establishing a Disciplinary Committee, the Club, Regional Authority or Bowls Tasmania Board may, by resolution, provisionally suspend the Member subject to the Disciplinary Hearing until such time as the Disciplinary Committee makes a finding.
- 4.2. The Disciplinary Committee may lift a provisional suspension prior to making a finding at the Disciplinary Hearing.

- 4.3. If it becomes known that criminal charges have been brought against a person in relation to the alleged breach(es), the Club, Regional Authority or Bowls Tasmania may decide that further action be deferred until completion of the criminal proceedings, unless the police or other prosecuting authority advise they have no objection to the matter proceeding.

5. Consideration of Matter by Disciplinary Committee

- 5.1. The Disciplinary Committee, will be convened to hear a matter referred to it and shall, as soon as is practicable, after receiving a referral:
- 5.1.1. Dismiss the matter, because there has been no relevant breach of discipline, or the complaint is otherwise vexatious or trifling in nature; or
 - 5.1.2. Agree to proceed to determination of the matter.
- 5.3. The Club, Regional Authority of Bowls Tasmania shall serve on the Member at least 7 days before the Disciplinary Hearing is to be held, a notice in writing:
- 5.3.1 Setting out the alleged breach of the Member and the grounds on which it is based;
 - 5.3.2 Stating that the Member may address the Disciplinary Committee at the Disciplinary Hearing;
 - 5.3.3 Stating the date, time and place of that Disciplinary Hearing;
 - 5.3.4 Informing the Member that he or she may do one or more of the following:
 - 5.3.4.1 Attend that Disciplinary Hearing; or
 - 5.3.4.2 give the Disciplinary Committee, before the date of that Disciplinary Hearing, a written statement regarding the alleged breach.

6. Club, Regional Authority or Bowls Tasmania Representative Duties

- 6.1 Club, Regional Authority or Bowls Tasmania duties include the following:
- 6.1.1 To organise the venue, date and time of the week to be set aside for a hearing of the Disciplinary Committee;
 - 6.1.2 To make arrangements for the convening by the Disciplinary Committee of matters referred to it;
 - 6.1.3 To seek to arrange for three persons of the Disciplinary Committee to be present to deal with a matter referred to it for determination;
 - 6.1.4 To receive, collate and refer to the Disciplinary Committee all evidence and material relating to any alleged breaches;
 - 6.1.5 To notify all persons of the date, time and place of the Disciplinary Hearing;
 - 6.1.6 To notify any person under the age of 18 that they have the right to have an adult (not being a legal practitioner) with them at the hearing, as an advisor, and that the advisor shall be allowed to ask questions but not answer questions on behalf of the party.

7. Attendance at Disciplinary Hearing

- 7.1 The following persons shall be required to attend the Disciplinary Hearing:

- 7.1.1 The Member charged with the alleged breach (Respondent);
 - 7.1.2 The person, or the representative of the body who has reported the alleged breach to the Club, Regional Authority or Bowls Tasmania (Applicant); and
 - 7.1.3 Any other person requested by the Club, Regional Authority or Bowls Tasmania or the Disciplinary Committee.
- 7.2 The following persons shall be entitled to attend a Disciplinary Hearing:
- 7.2.1 Witnesses called to give evidence by a Respondent or Applicant;
 - 7.2.2 Where the Respondent, Applicant or a witness is under the age of 18 years, an adult advisor, who will in the absence of unavailability or other extraordinary circumstances be expected to be such person's parent or guardian;
 - 7.2.3 Any other person or organisation at the discretion of the Club, Regional Authority or Bowls Tasmania or the Disciplinary Committee.
 - 7.2.4 Legal representatives or legal advocates are not permitted to appear before the Disciplinary Hearing unless in exceptional circumstances and where permission to appear has been granted by the Chairperson.
 - 7.2.5 Each person to the Disciplinary Hearing and each witness shall bear their own costs. No witness shall be paid.

8. Non-attendance at Disciplinary Hearing

- 8.1 If any Respondent (or representative of a Respondent organisation) fails to attend the Disciplinary Hearing without reasonable cause, the hearing may proceed and a determination may be made by the Disciplinary Committee in the absence of the Respondent, provided the Disciplinary Committee is satisfied they have been notified of the hearing.
- 8.2 Applicants (and their witnesses) should make themselves available for a hearing. If the Applicant fails to attend a Disciplinary Hearing without reasonable cause, the hearing may proceed and a determination may be made by the Disciplinary Committee in the absence of that person, provided the Disciplinary Committee is satisfied they have been notified of the hearing.
- 8.3 A Respondent or Applicant may apply to the Chairperson to have a Disciplinary Hearing:
 - 8.3.1 Adjourned; or
 - 8.3.2 Convened in another way (e.g. teleconference or videoconference), if there are compelling circumstances which warrant such steps being taken to avoid costs, hardship or significant inconvenience to one or more persons. The Disciplinary Committee has sole discretion as to whether to grant the application.

9. Procedures for Disciplinary Hearing

- 9.1 The Disciplinary Committee shall conduct the Disciplinary Hearing in such manner as it sees fit in accordance with natural justice and may in its absolute discretion:
 - 9.1.1 Consider any evidence, and in any form, that it deems relevant;
 - 9.1.2 Question any person giving evidence;
 - 9.1.3 Limit the number of witnesses presented to those who provide any new evidence; and

- 9.1.4 Act in an inquisitorial manner in order to establish the truth of the issue/case before it.
- 9.2 Without limiting the Disciplinary Committee's power to regulate its own procedure as it sees fit, the Disciplinary Hearing shall ordinarily proceed in accordance with the following steps:
- 9.2.1 If a body corporate, Club or association is a party to a Disciplinary Hearing, one person of that body corporate, Club or association shall be appointed by the body corporate, Club or association to act as spokesperson for such body at the Disciplinary Hearing.
- 9.2.2 At the commencement of a hearing, the Chairperson shall identify the Disciplinary Committee persons and determine whether the Applicant is present, and the Respondent is present to answer the allegations.
- 9.2.3 The Respondent and the Applicant shall be notified of their right to remain in the hearing until all evidence is presented but not to be present whilst the Disciplinary Committee considers its findings and determines an appropriate penalty (if any).
- 9.2.4 The Chairperson shall advise all those persons present if the hearing is to be recorded, however no recording of the hearing shall be permitted unless permission has been granted by the Chairperson.
- 9.2.5 The alleged breaches shall be read out in the presence of all persons eligible to be present.
- 9.2.6 The Respondent shall be asked whether or not they intend to contest the alleged breaches.
- 9.2.7 If the Respondent does not contest the alleged breaches, the Chairperson may provide the Applicant and the Respondent with an opportunity to make submissions as to the appropriate sanction (if any) to be imposed. In such circumstances, the Applicant and/or the Respondent may, if they wish, call witnesses to give evidence regarding the seriousness or otherwise of the breach, and any other mitigating or aggravating factors.
- 9.2.8 If the Respondent contests the alleged breaches, then the Chairperson may ask all witnesses except the Applicant and the Respondent (and their advisers, if relevant) to leave the room and to wait to be called to give their evidence.
- 9.2.9 The Applicant shall proceed to give evidence and the witnesses (if any) called by the Applicant shall be called upon to give their evidence in turn, subject to the approval of the number of witnesses to be called by the Disciplinary Committee in its discretion. The Respondent (or, if they are a minor, his/her advisor) may ask questions of the Applicant or any witness called.
- 9.2.10 Each witness shall be entitled to leave the Disciplinary Hearing after giving evidence unless otherwise directed by the Disciplinary Committee. Witnesses shall be entitled to remain in the hearing room after giving evidence with the permission of the Disciplinary Committee.
- 9.2.11 The Respondent shall then be entitled to present their defence. Witnesses may be called subject to the approval of the number of witnesses to be called by the Disciplinary Committee in its discretion. The Applicant, or the advisor to an Applicant under the age of 18 years, may ask questions of the Respondent or any witness called.
- 9.2.12 Where a person under the age of 18 exercises his/her right to have an adult observer or advisor present, a reasonable opportunity for consultation between the person under the age of 18 years and the advisor shall be provided by the Disciplinary Committee.

9.2.13 Where the Respondent or Applicant makes video evidence available to the Disciplinary Committee, it may, at the discretion of the Disciplinary Committee, be presented. The onus of providing suitable viewing equipment shall lie with the person requesting that the evidence be presented.

9.2.14 The Disciplinary Committee may, so as to limit inconvenience to witnesses, allow evidence to be given by telephone or videoconference.

- 9.3 At the conclusion of all of the evidence and submissions, the Chairperson shall ask the Respondent, the Applicant and all other persons present to leave the hearing room while the Disciplinary Committee considers its findings.
- 9.4 If the Disciplinary Committee is satisfied that an alleged breach has been proven on the balance of probabilities (i.e. more probable than not) it shall find the charge proved. Otherwise, the charge shall be dismissed.
- 9.5 If the Disciplinary Committee is not satisfied that the alleged breach has been proved but is satisfied that a lesser charge has been proven, then the Disciplinary Committee may find such lesser charge proved.
- 9.6 Where it appears to the Disciplinary Committee that an error has been made in laying the wrong allegation, charge or omitted charges that should have been laid, the Disciplinary Committee may amend the charge(s) or allegations, subject always to the requirement that the Respondent must be informed of the new charges and given an opportunity to respond to such charges.
- 9.7 Unless the Disciplinary Committee reserves its decision, the decision of the Disciplinary Committee shall be given in the presence of all, by the Chairperson.
- 9.8 The Disciplinary Committee may reserve its decision but if it does so, it will provide its decision within 7 days of the hearing, unless further clarification or information is requested by the Disciplinary Committee in which case it will provide its information within 7 days of receipt of such clarification or information.
- 9.9 The Disciplinary Committee is not obliged to give oral or written reasons for any decision made by it but may do so if it wishes.
- 9.10 The Disciplinary Committee is not obliged to, but may in its absolute discretion, inform the parties of its decision that one or more charges have been proven and provide the Applicant and the Respondent with an opportunity to make submissions as to penalty, before the Disciplinary Committee decides on a penalty.
- 9.11 The Disciplinary Committee shall determine the penalty to be imposed (if any) in accordance with Appendix 2 and shall advise the Applicant and Respondent of the penalty. The Chairperson shall also notify the Club, Regional Authority or Bowls Tasmania of the decision of the Disciplinary Committee within 24 hours of advising the Applicant and the Respondent.

10. Penalties

- 10.1 The penalties able to be given to the Member by the Disciplinary Committee include (one or more of):
 - 10.1.1 Expel the Member from the Club,
 - 10.1.2 Suspend the Member from membership of the Club or accessing certain privileges of membership for a specified period;
 - 10.1.3 Fine the Member;
 - 10.1.4 Reprimand the Member,

10.1.5 Require the Member to write a letter of apology, and / or

10.1.6 Impose such other actions or educative process as the Disciplinary Committee sees fit.

10.2 The Disciplinary Committee can impose multiple penalties that are to be werved consecutively or concurrently. Where fines apply, all must be paid.

11. Appeals

11.1 The Respondent and / or the Club, Regional Authority or Bowls Tasmania can appeal the Disciplinary Committee's decision to an Appeals Pane consisting of three independent persons.

11.2 Such appeal shall be lodged in writing stating the grounds of the appeal with the Club, Regional Authority or Bowls Tasmania within 14 days of receipt of notice of such Club, Regional Authority of Bowls Tasmania disciplinary action.

11.3 The Appeals Panel shall be established and act in accordance with Appendix 1 of this Policy.

11.4 Grounds of appeal:

11.4.1 The decision of Disciplinary Committee can only be appealed by the Respondent and/or the Club, Regional Authority or Bowls Tasmania on the basis that:

A. the Disciplinary Committee failed to abide by this Policy or to properly apply the relevant Policy and such failure resulted in a denial of natural justice; and/or

B. No reasonable decision maker in the position of the Disciplinary Committee, based on the material before them, could reasonably make such a decision.

11.5 All decisions of the Appeals Panel shall be final and binding and is not subject to appeal.

12. Guidelines for Penalties

12.1 The Disciplinary Committee may consider a Respondent's prior penalties or any other matter it considers relevant in determining a penalty to be handed down.

12.2 To ensure that a penalty is served in full, in setting the commencement and end dates of a penalty, the Disciplinary Committee may consider any season or holiday breaks. This discretion may not be exercised to allow players to participate in finals or for similar reasons.

12.3 Penalties may be expressed by either dates or number of pennant matches or any other defined events at the discretion of the Disciplinary Committee.

13. Suspended Penalties

13.1. A suspended penalty could be considered for a record of exemplary behaviour, serious extenuating circumstances, and involvement and contributions to the sport. Suspended sentences will not be considered for serious breaches.

NOTE: Reference to “Club, Regional Authority or Bowls Tasmania” in these guidelines means just one of them – for example if it is a Club discipline matter, then reference to “Club, Regional Authority or Bowls Tasmania” means “Club” throughout the policy.

APPENDIX TWO – BREACHES AND PENALTIES

REPEAT OFFENCES – UNREPENTANT BEHAVIOUR

Infringement	Penalty
Repeated severity 1 (undesirable) offences beyond second offence	• Expulsion from the club (1-3 years) • Fine (\$100) to be paid before rejoining club • Advise Regional Authority
Repeated severity 2 (objectionable) offences beyond second offence	• Expulsion from the club (3-6 years) • Automatic region-wide suspension (3-6 years) • Advise Bowls Tasmania
Repeated severity 3 (violent) offences beyond second offence	• Expulsion from the club (Lifetime) • Expulsion from the Regional Association (Lifetime) • Advise Bowls Tasmania

SEVERITY 1 OFFENCES – UNDESIRABLE BEHAVIOUR

Infringement	Penalty
Failure to comply with the terms of probation	First Offence • Fine (\$20-50) – to be paid before probation is lifted • Probation extended by 1-3 months Second Offence • Suspension (1-3 months) • Advise Regional Authority
Failure to comply with a penalty or penalties	First Offence • Suspension until penalties are served/fulfilled • Advise Regional Authority Second Offence • Suspension extended by additional 3-6 months • Advise Regional Authority
Playing, coaching or officiating while under suspension	First Offence • Suspension restarts • Advise higher authority Second Offence • Suspension restarts • Suspension extended by additional 3 months • Advise higher authority
Unsportsmanlike behaviour Sledging, offensive language, obscene gestures Bringing the game of bowls into disrepute	First Offence • Atone (written apology) • Probation (3-6 months) Second Offence • Suspension (1-3 months) • Probation (6-12 months) • Advise higher authority
Misuse of social media • insulting • denigrating • threatening • abusive	First Offence • Atone (written apology) • Platform ban (1-3 months) Second Offence • Fine (\$20-50) – to be paid before ban is lifted

Infringement	Penalty
	- Platform ban (3-6 months) - Probation (6-12 months)
Abuse of other club members Abuse of club officials Drunk and disorderly	First Offence - Atone (written apology) - Probation (1-3 months) Second Offence - Atone (written apology) - Fine (\$50-100) – to be paid before ban is lifted - Probation (3-6 months)
Unwelcome but non-violent physical contact	First Offence - Atone (written apology) - Probation (3-6 months) Second Offence - Atone (written apology) - Suspension (3-6 months) - Advise higher authority

SEVERITY 2 OFFENCES – OBJECTIONABLE BEHAVIOUR

Infringement	Penalty
Abuse of visitors to the club or to people while at another club Abuse of game officials before/after a game Bullying or Harassment of adults	First Offence - Atone (written apology) - Probation (3-6 months) Second Offence - Suspension (3-6 months) - Probation (6-12 months) - Advise Regional Authority
Abuse of game officials during a game Abuse of fellow players or opposition players during a game	First Offence - Bowls Australia Instantaneous Penalties Second Offence - Bowls Australia Instantaneous Penalties - Advise Regional Authority
Hindering an investigation or failing to cooperate with an investigation	First Offence - Fine (\$20-50) - Probation (1-3 months) Second Offence - Suspension (3-6 months) - Advise higher authority
Giving false evidence to a Disciplinary Committee	First Offence - Fine (\$50-100) - Probation (3-6 months) Second Offence - Suspension (3-6 months) - Advise higher authority
Bullying, Abuse or Harassment of children	Referred to Bowls Australia (through Bowls Tasmania)

Infringement	Penalty
Harassment/Discrimination • Age • Disability • Ethnicity • Sex or Gender identity • Sexual orientation • Religion	Referred to Bowls Australia (through Bowls Tasmania)

SEVERITY 3 OFFENCES – VIOLENT BEHAVIOUR

Infringement	Penalty
Violence involving damage to property	First Offence • Restitution/Costs • Atone (written apology) • Probation (3-6 months) Second Offence • Restitution/Costs • Suspension (till damage repaired) • Advise Regional Authority
Threatening a person with violence Putting a person in fear of imminent violence Attempting violence without actual contact	First Offence • Expulsion (6-12 months) • Advise regional authority Second Offence • Expulsion (1-2 years) • Advise regional authority
Violence involving physical contact to another person	First offence • Expulsion (1-2 years) • Advise Regional Authority Second offence • Expulsion (2-3 years) • Advise Regional Authority

DEFINITIONS

Penalty	Definition
Atone	• Person required to make amends for the offence they committed
Probation	• Person warned not to repeat the offence • Placed on a good-behaviour bond
Fine	• Person fined an amount • Fine to be paid by set date or before suspension is lifted
Ban	• Person may not enter club premises including greens/grounds
Suspension (Club)	• Person is not to participate in events/activities at the club • Suspension may or may not include a ban • Person is archived in BowlsLink for duration of suspension • Person may transfer to another club • Regional Authority advised of the person's suspension
Suspension (Region)	• Person is not to participate in events at any club in the association

Penalty	Definition
	• Person is archived in BowlsLink for duration of suspension • Person cannot transfer to another club within the association • Bowls Tasmania advised of the person's suspension
Suspension (State)	• Person is not to participate in events at any club in Tasmania • Person is archived in BowlsLink for duration of suspension • Person cannot transfer to another club in Tasmania • Bowls Australia advised of the person's suspension
Expulsion (Club)	• Person is no longer affiliated with the club • Person is banned from the club for duration of expulsion • Person is no longer affiliated with the association unless approved to join another club within the association • Regional Authority advised of the person's expulsion • Person is archived in BowlsLink for duration of expulsion
Expulsion (Region)	• Person is no longer affiliated with the association • Person cannot transfer to another club within the association • Person is no longer affiliated with Bowls Tasmania unless approved to join another club in a different region • Bowls Tasmania advised of the person's expulsion • Person is archived in BowlsLink for duration of expulsion
Expulsion (State)	• Person is no longer affiliated in the state of Tasmania • Bowls Australia advised of the person's expulsion • Person is archived in BowlsLink for the duration of the expulsion