

TENNIS AUSTRALIA AND MEMBER ASSOCIATION **EVENTS DISCIPLINARY POLICY**

Purpose and Objectives

To preserve the image and integrity of tennis in Australia and to promote sportsman-like conduct in all events to which this Policy applies.

This Policy provides the framework for dealing with event related breaches of discipline in a consistent manner.

Application

The Policy applies to violations occurring:

- (a) during Events (defined in section 1); or
- (b) at officially sanctioned activities,

regardless of whether the violation occurs at or away from the Precinct (defined in section 1).

Incidents involving harassment, discrimination, abuse (but not verbal abuse) and vilification (all defined within the Member Protection By Law) which are deemed in accordance with clause 5.3 of this Policy to be of a particularly serious nature, will be dealt with pursuant to the Tennis Australia Member Protection By Law and not this Policy.

Section 1 - General

1.1 Definitions and Interpretation

The following definitions apply in the Policy:

- (a) 'Convenor' means the person appointed by each Governing Body to administer section 5 of the Policy;
- (b) 'Event' means a championship, tournament, competition, team event or challenge match;
- (c) 'Governing Body' means the governing body sanctioning the Event ie, Tennis Australia (TA) or a Member Association (MA);
- (d) 'Official' means a Referee, Assistant Referee, Court Supervisor or Chair Umpire;
- (e) 'Precinct' means the Event venue (courts and clubhouse) including its immediate surrounds (for eg, venue carpark).

Words importing a gender include any other gender.

1.2 Operation

The Policy applies to all junior and senior Events conducted in Australia under the auspices of, and sanctioned by, TA or a MA. The Policy does not apply to Events conducted in Australia by, or on behalf of, the ITF, ATP or WTA (note - a consolation Event conducted at an ITF Event is a TA Event).

1.3 Jurisdiction

The lodgement of an entry form by whatever means, incorporating the Policy by reference, is prima facie evidence of a player's agreement to abide by the Policy.

1.4 Administration

Unless otherwise indicated, the Event Referee is empowered with the authority of interpreting and administering the Policy. Events may appoint one or more Assistant Referees. Junior Events are expected to use Court Supervisors and where possible Chair Umpires. All appointed Officials are empowered to administer the Policy.

1.5 Mutual Recognition

Any penalty imposed upon a player under this Policy by a Governing Body will be recognised and respected by other Governing Bodies. A player is not permitted to play any TA or MA Events during the time of any suspension imposed pursuant to section 5 of this Policy, whether the suspension is event or time based.

Section 2 – Code of Behaviour Violations

The following violations of the Code of Behaviour amount to breaches of this Policy:

Category A

Category A violations attract standard penalties such as warnings, defaults and suspensions.

1. Commencement of Play

A player is not ready to commence play within fifteen (15) minutes of his/her match being called. The Referee shall designate the official timepiece.

2. Dress and Equipment

A player does not dress and present himself/herself for play in approved tennis attire (see Tennis Australia Dress Regulations). Clean and customarily acceptable attire shall be worn at all times during match play. A player must be given the opportunity to change his/her clothing or order to comply with the Dress Regulations particularly before a match starts. At the discretion of the Referee/Chair Umpire, a maximum period of 10 minutes may be allowed in order for a player to change attire. Should this not occur, the Code will be applied. The Referee may require a player to change attire during a match, in particular where there is no Chair Umpire.

3. Physical Abuse

A player physically abuses any Official, opponent, spectator or other person within the Precinct. For the purposes of this rule, physical abuse is the unauthorised touching of an official, opponent, spectator or other person.

4. Verbal Abuse

A player, during an Event, verbally abuses any Official, opponent, spectator or other person. For the purposes of this rule, verbal abuse is defined as a statement directed at an Official, opponent, spectator or other person that implies dishonesty or is derogatory, insulting, racially or otherwise abusive.

5. Unsportsman-like Conduct

A player shall not, during any match, engage in conduct that damages the image and integrity of tennis. Players shall at all times conduct themselves in a sportsman-like manner and give due regard to the authority of Officials and the rights of opponents, spectators and others. For the purposes of the Rule, unsportsman-like conduct is defined as any misconduct by a player, prior to, during or subsequent to a match, that is clearly abusive or detrimental to the sport, including, but not limited to, blatant cheating, but does not specifically fall within other violation categories.

6. Unreasonable Delays

A player unreasonably delays a match. A player shall commence the match after the expiration of the established warm-up period. Thereafter, play shall be continuous as provided in the Rules of Tennis, and a player shall not unreasonably delay a match for any cause. Delay on account of the natural loss of physical condition, injury or refusal to play shall constitute a violation of this section.

NB. Other delays, for eg. between points and changing ends, shall be dealt with as time violations (see Category B).

7. Audible Obscenity

A player uses offensive or obscene language during any match, or within the Precinct. For the purposes of this Rule, audible obscenity is defined as the use of words commonly known and understood to be profane and uttered clearly and loudly enough to be heard by an Official, spectator or ballperson.

8. Visible Obscenity

A player makes offensive or obscene gestures during any match, or within the Precinct. For the purposes of this Rule, visible obscenity is defined as the making of signs by a player with his hands, body and/or racquet or balls that commonly have an obscene meaning or import to reasonable people.

9. Abuse of Racquets or Equipment

A player violently or with anger, hits, kicks or throws a racquet or other equipment, or in any way unreasonably interferes with any Court fixtures and equipment within the Precinct. For the purposes of this Rule, abuse of racquets or equipment is defined as intentionally and violently throwing, destroying or damaging racquets or equipment or intentionally and violently hitting the net, Court, Umpire's chair or other fixture during a match out of anger or frustration.

10. Abuse of Balls

Players shall not violently, dangerously or with anger hit, kick or throw a tennis ball within the Precinct except in the reasonable pursuit of a point during a match (including warm up). For the purposes of this Rule, abuse of balls is defined as intentionally hitting a ball out of the enclosure of the court, hitting a ball dangerously or recklessly within the court or hitting a ball with negligent disregard of the consequences.

11. Leaving the Court

A player leaves the Court area during a match (including the warm up) without the permission of an Official.

12. Rest Period

Where the ten (10) minute rest period applies and a player is not ready to resume at the expiration of such period.

13. Best Efforts

A player does not use his/her best efforts to complete and win a match.

14. Coaching

A player receives any type of coaching from any person while a match is in progress, except where special provision is made for an event. Communications of any kind, audible or visible, between a player and a coach may be construed as coaching. Coaching shall be permitted where there is a ten (10) minute break between sets or during interruptions to play caused by bad weather or light, where players leave the Court. Coaching is not permitted whilst a Court is being serviced at the end of or during a set and players are still on Court.

15. Conduct Unbecoming

A player who behaves in a manner considered to be detrimental to the best interests of the Event and the sport, will be deemed to have committed a violation. For the purpose of this Rule, a violation may occur at, or away from, the Precinct, for eg, at a place of accommodation.

Category B

Category B violations attract non-standard penalties as specified under each violation.

1. Spectator Interference

Where a match is disrupted or interfered with by the action of a spectator who is part of the player's entourage (ie. parent, family member, coach or friend), the Official shall first warn the player and the interfering spectator, including advising that any further interference by the spectator may result in (1) the match being suspended until the Referee determines that the issue is resolved and that play can continue without further interruption, or ultimately (2) the Governing Body (at a later date) refusing the player's entry into future tournaments pursuant to the procedure set out in the following paragraph. Defaulting the match is not an available option.

A violation may result in the Governing Body formally raising the matter with the interfering spectator and the player. The interfering spectator and player will be advised in writing of the inappropriate behaviour and invited to participate in a meeting with the Governing Body (via tele-conference if appropriate) to discuss the issue with the appropriate person appointed by the Governing Body's Board. The object of the meeting will be to educate and counsel the interfering spectator and to act as a final warning. In the case of further interference at future matches, the spectator will be invited to give a written undertaking not to attend future matches for a specified period.

If there is a failure to give, or breach of, the undertaking, a hearing pursuant to section 5 will be conducted. At the hearing the player will be given the opportunity to be heard on the issue. The only penalty available to the Governing Body is to refuse to accept the player's future Event entry form(s) for a specified period of time.

2. Time Violation

Where a player takes longer than the prescribed time between points, or at the change of ends, the Official will determine whether a violation has occurred. If it is determined that a violation has occurred, the first violation shall be penalised by a warning and each subsequent violation by a point penalty.

Notwithstanding the previous paragraph, when a time violation is a result of natural loss of physical condition, injury or refusal to play after being ordered to play by an Official, a penalty will be assessed in accordance with the Category A violation 'Unreasonable Delays'.

3. Withdrawal from Event

Type A – where a player withdraws from an Event after the advertised date upon which the draw is made, or withdraws from an Event during a tournament entered by him/her, except in those cases where a medical certificate or other reasonable cause is provided for non-participation.

Type B – where a player enters two (2) tournaments and is a late withdrawal from one of those events.

In either instance, the Event Referee will complete a Code of Behaviour Report Form (annexure 1).

Section 3 – Code Violation Penalties

3.1 Where an Official has a reasonable and reliable belief that a Category A Code Violation has occurred, the Official shall issue the following penalties in any one match:

- (a) a Warning for the first violation;
- (b) a Final Warning for the second violation; or
- (c) Default the player for the third violation.

3.2 Notwithstanding clause 3.1, where the Event Referee, after consultation with the relevant Official, is of the opinion that a violation (Category A), including a first violation, warrants more than a Warning/Final Warning, the Event Referee may decide to:

- (a) where a match is in progress:
 - (i) Default the player from the match; or
 - (ii) Default the player from the match and suspend the player from the balance of the Event (subject to clause 3.3);
- (b) where there is no match in progress, suspend the player from further match or matches in the Event (note the exception in clause 3.4).

3.3 Where a penalty is awarded pursuant to clauses 3.1 or 3.2(a), the player shall be notified of the penalty immediately where a Chair Umpire is present, or as soon as practicably possible by the relevant Official in the case of non-umpired matches.

3.4 Notwithstanding clause 3.2, in the case of a weekly competition, the Event Referee, or other relevant Official, does not have the power to suspend a player from future rounds of the competition. This power resides with the relevant tribunal convened to determine any issue.

3.5 Before making a decision pursuant to clause 3.2 to default or suspend a player from participating further in the Event in which the violation arose, the Event Referee must first advise the player of the possibility and invite the player to offer an explanation as to the circumstances surrounding the violation before determining whether to default and/or suspend the player from the balance of the Event.

3.6 Any penalty awarded during/after a doubles match pursuant to a violation of this Policy shall be a penalty imposed against the team. Any Report detailing the violation will identify the offending player if only one player is responsible for the violation. The non-offending player will not accumulate Demerit Points (as per section 4).

3.7 The Official shall complete a Code of Behaviour Report Form (annexure 1) in respect of every violation resulting in a Warning, Final Warning, Default or Suspension.

3.8 Within 7 days from the end of an Event which is not a weekly competition (or 14 days where a MA has back to back Events), a copy of the Report Form shall be forwarded to the Governing Body, the player's MA (if not the Governing Body) and to the player. In the case of a weekly competition, the MA administering the competition will determine the timing for filing any Report Form.

Section 4 – Demerit Points

The Demerit Points system outlined in this section 4 is optional to MA weekly competitions. Where a MA chooses not to apply this system to its weekly competitions, section 5 will automatically apply.

4.1 In addition to the penalties awarded against the player pursuant to section 3, the player will be allocated Demerit Points in accordance with the 'Demerit Points Penalty Schedule' (annexure 2).

- 4.2 Within 7 days of receiving the Report Form, the Governing Body will notify the player in writing of the Demerit Points relevant to the code violation. The Governing Body is ultimately responsible for the allocation of Demerit Points, and may elect to impose higher or lower points than those prescribed for the specific code violation determined by the Event Referee.
- 4.3 The player shall be given the opportunity to state why Demerit Points should not be imposed. The player has 7 days from the date of the notice to reply in writing. A verbal response shall not be accepted.
- 4.4 After the response deadline referred to in clause 4.3, the Governing Body will determine whether it will impose Demerit Points. Only in the event of an acceptable excuse lodged by the player pursuant to clause 4.3 will the imposition of Demerit Points be waived.
- 4.5 If Demerit Points are imposed the Governing Body will notify the player in writing of this fact together with the total number of Demerit Points accumulated by the player over the last 12 months.
- 4.6 Where the Governing Body imposing Demerit Points is a MA, the MA shall promptly notify TA of the code violation and penalty. TA will enter any penalty against the player's name on the national database.
- 4.7 If six (6) Demerit Points are accumulated in any continuous period of 12 months, the player must show cause why s/he should not be suspended from future Events. A tribunal hearing will be conducted in accordance with section 5 to determine the applicability and length of suspension.
- 4.8 Demerit Points will be removed from the player's record either at the end of twelve (12) months from their imposition or upon the conclusion of a tribunal hearing, whichever occurs first.

Section 5 – Disciplinary Process

This Section deals with the process for dealing with Code Violations which necessitate the conducting of a disciplinary hearing.

- 5.1 Each Governing Body shall appoint a Convenor who will be responsible for the administration of the disciplinary process including notifying the player, advising tribunal members and scheduling the hearing.
- 5.2 The Governing Body responsible for conducting any hearing will be determined as follows:
- (a) where Demerit Points incurred relate entirely to a national points Event, TA will be the responsible body; or
 - (b) where Demerit Points incurred are a mixture of national points and state points or entirely state points, the player's MA will be the responsible body.
- 5.3 The Governing Body will determine whether the matter is a serious matter which needs determining by a tribunal pursuant to the TA Member Protection By Law. In order to determine whether a matter is 'serious', the following may be taken into account:
- (a) the impact of the violation upon the victim and the sport;
 - (b) the intent of the alleged offender;
 - (c) whether the maximum penalties set out in clause 5.17 will be satisfactory;
 - (d) the need for general and specific deterrence; and
 - (e) consistency of approach involving past matters.
- 5.4 The Player will be notified in writing by the Convenor of the following:
- (a) details of the violations, which make up the six (6) Demerit Points;
 - (b) confirmation that this Policy and its rules apply (a copy of this Policy should be provided);
 - (c) the date, time and place of the tribunal hearing giving at least 7 days' notice, except in the case of weekly competitions where the MA administering the competition will determine the timing of any tribunal hearing;
 - (d) the date and time of a telephone conference (if any) between the parties to determine pre-hearing issues such as those set out in clause 5.8; and
 - (e) the penalties available to the tribunal.
- 5.5 Copies of Report Forms and any other written material upon which the tribunal will rely must be provided to the player.
- 5.6 The Tribunal shall comprise of the following persons:
- (a) a lawyer, or if after reasonable attempts have been made to obtain one without success, then a person with considerable experience in the legal aspects of a disciplinary tribunal;
 - (b) a person with a thorough knowledge of tennis; and
 - (c) one other person of experience and with skills suitable to the function of a disciplinary tribunal,
- provided that such persons may not include a person who would, by reason of their relationship with the player, be considered to be other than impartial.
- Either the lawyer or person with tribunal experience shall act as tribunal chair.
- 5.7 The player may be represented by an advocate. The Governing Body will be represented by its nominee at the hearing. The nominee may not be the Convenor.
- 5.8 The tribunal chair may elect to conduct a pre-hearing meeting (via telephone conference) with the player, the player's nominated advocate (if any) and the Governing Body to determine pre-hearing issues such as the form and manner (ie. in person hearing, telephone conference, in writing only or written & oral evidence) in which the hearing will be conducted and the timetable for submitting written material.
- 5.9 The Convenor will ensure that any written materials submitted by one party to the Tribunal prior to the hearing will be provided to the other party.

- 5.10 Any request to postpone proceedings will only be granted upon the presentation of reasonable grounds (for eg. inadequate notice, medical grounds, work commitments). In the absence of reasonable grounds, the Tribunal may proceed.
- 5.11 Where a player elects to rely on written submissions only, the tribunal will convene as soon as practicable to determine the matter.
- 5.12 If the player is:
- (a) a 'no show' at the appointed time and a reasonable period (ie. 30 minutes) has elapsed; or
 - (b) the player has elected to submit written material but no such material has been lodged,
- the Tribunal may proceed in the absence of the player or the player's written material.
- 5.13 The tribunal chair will preside over proceedings. The Governing Body will present its evidence first. Each party will have the opportunity to ask questions of the other party and its witnesses.
- 5.14 Unless there are compelling reasons for not doing so, the Tribunal will deliver its finding and penalty on the day of the hearing.
- 5.15 A majority decision will determine the matter. The standard of proof will be on the balance of probabilities which means that it is more likely than not that the violation occurred.
- 5.16 Where a player has elected not to object to the award of Demerit Points in accordance with section 4, the Player will be deemed to have waived the right to argue at the tribunal hearing that the violation did not occur and that the award of Demerit Points was inappropriate. Only in extenuating circumstances identified and established by the player may the tribunal chair allow argument that the initial award of Demerit Points was inappropriate and may be revisited.
- 5.17 The Tribunal may impose any one or more of the following penalties:
- Where the Tribunal is convened due to the player exceeding 6 Demerit Points in a 12 month period:
- (a) if the total Demerit Points are made up of 'no shows' or withdrawals – suspension up to a maximum of one (1) month;
 - (b) if the total Demerit Points are made up of a series of warnings arising from on-court violations - suspension up to a maximum of two (2) months;
 - (c) if the total Demerit Points includes one or more incidents where a default has been issued - suspension up to a maximum of six (6) months;
 - (d) if the total Demerit Points includes a default without warning, suspension or suspension without warning - suspension up to a maximum of eight (8) months;
 - (e) at its discretion, and where deemed appropriate, a tribunal may decide to specifically identify relevant events as part of any penalty;
 - (f) in addition to any penalty administered in (a) to (e) above, where appropriate, the tribunal may:
 - (i) order the player to attend a behaviour modification program, and where ordered to do so, the player will present proof of having attended such a program before the player can re-commence playing;
 - (ii) suspend the player from participating in squads, including training, for a specified period of time not exceeding eight (8) months;
 - (iii) any other penalty deemed appropriate.

Where the tribunal is convened due to spectator interference:

- (g) deny the player entry for a specified period of time to future Events.

- 5.18 For the purposes of clause 5.17(e), a tribunal may defer a suspension to be served at a nominated future date based upon the Governing Body's calendar of Events and the player's intended schedule.
- 5.19 If within a four (4) year period from the time of imposition of a penalty pursuant to clause 5.17, the player appears before a tribunal for subsequent violations of the same or similar nature, the tribunal may take into account the player's prior history and penalise the player to a maximum period twice that nominated in each of sub-clauses 5.17(a), (b) and (c), and to a maximum of twelve (12) months for sub-clause 5.17(f).
- 5.20 For the purposes of clause 5.19, a suspension yet to be served is deemed part of the player's history which may be taken into account by a tribunal when imposing a penalty.
- 5.21 The findings of the tribunal will be delivered orally. The tribunal chair will record in writing and provide to the Convenor written reasons for its decision. The Governing Body in its discretion may elect to publish the tribunal's written reasons.
- 5.22 After the Tribunal, the player must be informed in writing by the Governing Body of the outcome of the Tribunal, including the dates to which any suspension applies. The Governing Body shall also notify other Governing Bodies of any penalty imposed.
- 5.23 All parties shall bear their own costs.
- 5.24 Each member of the Tribunal shall be indemnified by the Governing Body appointing the Tribunal from any claim or action for loss, damages or costs made against them arising out of or in connection with their function as a member of the Tribunal.
- 5.25 There shall be no right of appeal. The Tribunal's decision will be final and binding on all parties.

Adopted by Council on 24 May 2004

ANNEXURE 1**CODE OF BEHAVIOUR REPORT FORM**

1. ***Player Details***
 Name (in full): _____
 Home Address _____
 Player Reg. No. (if applicable): _____
 Home Phone No: _____
 Club: _____ State: _____
-

2. ***Violation Details***
 Violation _____
 Comments _____

 Tournament/Competition Name and Date(s) _____
 Event, Date and Round in which offence occurred _____
 Players involved in Match in which a violation occurred _____
-

3. ***Penalty Details***
 Action taken by Referee: _____

 Referee's Name: _____
 Umpire's Name (if applicable): _____
 Has a copy of this Report been handed or sent to the offending player? Yes/No
 Has a copy of this Report been forwarded to:
 • the Association of the sanctioning State/Territory? Yes/No
 • the Player Development Committee/State Association from whence
 the player comes? Yes/No
 • the Tennis Australia Junior Disciplinary Committee? Yes/No

Referee's Signature _____ Date _____

Note – if the Player is not satisfied with the awarding of Demerit Points, the Player has 14 days from the date of receipt of this Report Form to write to the Governing Body stating why Demerit Points should not be imposed. A verbal response will not be accepted.

ANNEXURE 2

DEMERIT POINTS PENALTY SCHEDULE

VIOLATION	ACTION TAKEN (Relate to all of the offences in the first column)	DEMERIT POINTS
1. Dress & Equipment 2. Unsportsmanlike conduct 3. Unreasonable delays 4. Audible Obscenity 5. Visible Obscenity 6. Abuse of Equipment eg Racquet 7. Abuse of Balls 8. Leaving the court 9. Rest Period 10. Best Efforts 11. Coaching 12. Conduct Unbecoming	Warning Final Warning Default (following warnings) Default without any warning Tournament Suspension	1 2 3 6 Referral to relevant Disciplinary Tribunal
Verbal Abuse	Warning Final Warning Default (following warning) Default without warning Tournament Suspension	2 3 4 6 Referral to relevant Disciplinary Tribunal
Physical Abuse	Warning Final Warning Default (following warnings)} Default without warning } Tournament Suspension }	3 4 Referral to relevant Disciplinary Tribunal
Withdrawal from tournament After Draw Deadline	Report	1
Commencement of play (no show)	Default	3
Late withdrawal (to play another event)	Report	3