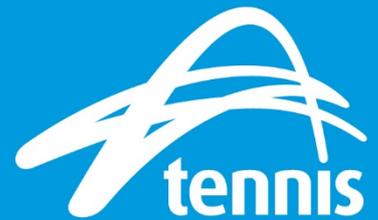


**NATIONAL
POLICY**



CODE OF BEHAVIOUR:

TOURNAMENTS AND COMPETITIONS

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PART I – INTRODUCTION

1. Purpose

- 1.1 Tennis Australia (**TA**), together with all Australian Tennis Organisations (**ATOs**), is committed to providing all members of the Australian tennis community with a welcoming, safe and inclusive tennis environment that promotes the physical, social and emotional wellbeing of all participants.
- 1.2 The Code of Behaviour: Tournaments and Competitions (**Code of Behaviour**) sets out the standards of behaviour expected of players, coaches, parents/guardians and any other spectators when participating in or attending Tournaments and Competitions in Australia.
- 1.3 The Code of Behaviour seeks to:
 - (a) promote sporting conduct among players, coaches, parents/guardians and spectators, and respect for the spirit of tennis;
 - (b) establish a framework for violations of behaviour standards;
 - (c) put in place processes to manage incidents at Tournaments and Competitions involving players, coaches, parents/guardians and spectators;
 - (d) increase public confidence by consistently and efficiently dealing with behaviour incidents; and
 - (e) protect the image, reputation and integrity of tennis in Australia.
- 1.4 The behaviours adopted by all stakeholders can assist in connecting more people to tennis. All tennis stakeholders are encouraged to contribute to a safe, welcoming and inclusive environment for all and maintain standards of excellence, professionalism, humility and integrity at all times.
- 1.5 This is the case not only for competing players, but for all members of the tennis community (coaches, parents, guardians, spectators, etc). Poor spectator behaviour is considered as serious as poor player behaviour.

2. Definitions

- 2.1 Please be aware when reading this Code of Behaviour that you may come across terms that are capitalised (for example “Tournaments”, “Competitions”, “Officials”, etc). Capitalised terms have the following meaning in this Code of Behaviour:

“**Australian Tennis Organisation**” (**ATO**) refers to TA, Member Associations, affiliated organisations, member affiliated organisations, regional associations and affiliated clubs as defined in the Member Protection Policy;

“**Code Violation**” means a penalty issued and reported by an Official as consequence for a breach of this Code of Behaviour.

“Competition” means a Team Competition and/or a Weekly Competition.

“Disciplinary Review Panel” (DRP) means the panel referred to in section 12 which reviews and determines penalties for breaches of the Code of Behaviour.

“Entourage” means any coach, trainer, parent, guardian, relative, family member, friend, attendee or support person or spectator at the Venue associated with a player.

“Member Association” (MA) refers to the governing body for tennis in each state/territory in Australia as defined in the TA Constitution.

“Official” means the person performing the role of Referee, assistant referee, court supervisor, court monitor, line umpire or chair umpire, whether paid or voluntary.

“Participant/s” refers to all registered or entered players, coaches, parents, guardians, spectators, Tournament directors, Competition and other event organisers and ATO committee members and directors.

“Referee” means the on-site Official with responsibility for ensuring a Tournament is conducted in accordance with all relevant rules and standards, and anyone who performs substantively the same function at a Competition.

“TAICU” refers to the TA Integrity and Compliance Unit.

“Team Competition” means any tennis team orientated event or competition with which an ATO is associated and in which individual players compete as representatives of a club, association, school, region, state or territory of Australia, or Australia, and which may or may not include other international tennis federations.

“Tennis Australia” (TA) means Tennis Australia Limited, the governing body for tennis in Australia.

“Tournament” means an event, championship, tournament, team event or challenge match that consists of one or several draws (for example draws for different age groups, genders and/or formats (i.e. singles, doubles, mixed doubles)) at which tennis matches are played. It also refers to any other exhibition event organised by an ATO as well as any event sanctioned by the ATP, ITF or WTA that is held within Australia.

“Tribunal” means a tribunal set up and constituted in accordance with this Code of Behaviour to hear matters referred to it as well as appeals from decisions of the DRP.

“Venue” means the physical site where a Tournament or Competition is held, including all facilities. A reference to a Venue will also include all Tournament/Competition hotels, transport, facilities, functions or other related Tournament/Competition locations.

“Weekly Competition” means an organised tennis competition with which an ATO is associated and at which tennis matches are played and which occurs over a series of weeks and/or on a regular basis and where players compete either individually or as part of a team.

PART II – EXPECTED BEHAVIOURS

3. What you must do at Tournaments and Competitions

- 3.1. Everyone involved in Tournaments and Competitions, whether they are players, coaches, parents or other stakeholders, are custodians of the sport of tennis, and responsible for upholding the spirit of tennis. This requires an ongoing commitment to:
- (a) Respect the rights, dignity and worth of others;
 - (b) Act with honesty, integrity, humility and professionalism;
 - (c) Compete to the best of your ability at all times;
 - (d) Take responsibility for your own actions;
 - (e) Read, understand and comply with all of tennis' standards, rules, regulations, policies and by-laws as amended from time to time. If you have queries, ask someone;
 - (f) Respect opposition players and other spectators;
 - (g) Respect the law and act in accordance with it;
 - (h) Act as positive role models for other tennis participants and the community generally;
 - (i) Promote the sport in a positive light;
 - (j) Respect the role of Officials and administrators whose job it is to ensure that Tournaments and Competitions are conducted fairly and according to the rules;
 - (k) Respect the role of any employees or volunteers who assist in the administration and/or delivery of the sport of tennis.
- 3.2. These values and behaviours represent the spirit in which tennis is to be played and spectated in Australia. In applying this Code of Behaviour, these values and behaviours will be taken into account, and how they can best be promoted and upheld.
- 3.3. It is essential and pivotal that all Participants demonstrate these values and behaviours at all times that this Code of Behaviour applies.

4. What you must not do at Tournaments and Competitions

This section outlines the behaviours that are prohibited. Players will be issued with a Code Violation when they or a member of their Entourage commits one of the violations listed below. For information on penalties that are attached to Code Violations, please refer to Part III.

Code Violations during a match and onsite

The following is a list of prohibited conduct during a match (including the warm-up) and/or onsite at a Tournament or Competition:

4.1. *Audible Obscenity*

- (a) A Participant must not use obscene language.
- (b) An audible obscenity is the use of words commonly known and understood to be profane (whether in English or any other language) and uttered clearly and loudly enough to be heard by an Official and/or spectators.

4.2. *Visible Obscenity*

- (a) A Participant must not make obscene gestures of any kind.
- (b) A visible obscenity is the making of signs by a player with their hands, a racquet, tennis balls or any other equipment, that are commonly understood to have an obscene meaning.

4.3. *Ball Abuse*

- (a) A Participant shall not violently, dangerously or with anger hit, kick or throw a tennis ball within the precincts of the site except in the reasonable pursuit of a point during a match (including the warm-up).
- (b) Ball abuse includes:
 - i. the intentional or reckless hitting of a ball out of the enclosure of the court;
 - ii. hitting a ball dangerously or recklessly within the court; and/or
 - iii. hitting a ball with negligent disregard of the consequences.

4.4. *Abuse of Racquets or Equipment*

- (a) A Participant must not commit an act of abuse of racquets or equipment.
- (b) An abuse of racquets or equipment includes:
 - i. Violently or with anger hitting, kicking or throwing a racquet or other equipment
 - ii. the intentional and violent hitting of the net, court, umpire's chair or other fixture;
 - iii. the intentional or reckless throwing of a racquet in a dangerous or potentially dangerous manner, whether on or off court.

4.5. *Verbal Abuse*

- (a) A Participant must not at any time directly or indirectly verbally abuse any Official, opponent, spectator or other person within the Venue.
- (b) Verbal abuse includes a statement about an Official, opponent, sponsor, ATO, spectator or other person that implies dishonesty or is derogatory, insulting or otherwise abusive.

4.6. *Physical Abuse*

- (a) A Participant shall not at any time physically abuse any Official, opponent, spectator or other person.
- (b) Physical abuse is the unauthorised touching of another person.

4.7. *Coaching*

- (a) A player must not receive coaching during a match (including the warm-up).
- (b) Coaching is permitted when a match has been formally suspended by the Referee, or his or her representative.
- (c) Communications of any kind, audible or visible, between a player and their Entourage may be construed as coaching.

4.8. *Best Efforts*

- (a) A player must always compete to the best of their ability and use their best efforts during a match.

4.9. *Dress and Equipment*

- (a) Every player shall dress and present themselves for play in clean and customarily acceptable tennis attire. A player who violates this provision may be ordered by the relevant Official to change their attire immediately. Failure by a player to comply with such an order may result in an immediate default.

*Note, a player must be given the opportunity to change their clothing in order to comply with relevant dress regulations. At the discretion of the relevant Official, a maximum period of 10 minutes may be allowed in order for a player to change attire (this period of time is separate to the 15 minutes referred to in paragraph 4.16). A direction to improve a player's dress before the next tournament/competition day may also be given by the relevant Official. Players should not be defaulted from matches and/or issued any disciplinary points due to clothing breaches except in exceptional circumstances. However, failure to meet dress regulation requests may be reported to the DRP. A breach of this provision is not subject to the point penalty schedule.

4.10. *Time Violation / Delay of Game*

- (a) A match shall commence after the expiration of the warm-up period. Thereafter, play shall be continuous and a player shall not unreasonably delay a match as provided for in the ITF Rules of Tennis.
- (b) A violation of this provision shall be penalised by a *Time Violation*.
- (c) The first *Time Violation*, as either server or receiver, shall be penalised by a *Time Violation - Warning* and each subsequent violation, as either server or receiver, shall be penalised as follows:
 - i. *Server*: the *Time Violation* shall result in a “fault”;
 - ii. *Receiver*: the *Time Violation* shall result in a “point penalty”.

Note that *Time Violations* are not subject to the point penalty schedule and do not incur any disciplinary points.

- (d) A Code Violation (Delay of Game) shall be assessed and penalised in accordance with the point penalty schedule where a match is delayed due to a player:
 - i. having a medical condition and the player failing to recommence play after any permitted medical time out associated with the medical condition;
 - ii. refusing to play; or
 - iii. not returning to the court to recommence play within any permitted or prescribed times.

4.11. *Leaving the Court*

- (a) A player shall not leave the court area during a match (including the warm-up) without the permission of an Official.
- (b) In addition to receiving a Code Violation, the player may be defaulted and subjected to the penalties for an immediate match default.

4.12. *Spectator Misconduct*

- (a) Any person spectating a match or attending a Venue must not engage in any of the following:
 - i. Intimidating, threatening or abusive behaviour toward players, coaches, parents, other spectators or persons at the Venue, Officials and/or other staff or volunteers;
 - ii. Causing a disruption to a Tournament or Competition or a match in progress;

- iii. Making or causing to be made disrespectful or inappropriate comments or gestures towards Officials, players, coaches, parents, spectators and other persons on-site or involved in the Tournament or Competition;
- iv. Providing inappropriate instructions, comments or direction to a player including both the spectator's own player or the opponent, of any type (*Note, this may also be considered as "Coaching" in accordance with paragraph 4.7 above); and
- v. Any other inappropriate behaviour as determined by an Official or the DRP.

4.13. *Unsportsmanlike Conduct / General Misconduct*

- (a) This provision prohibits the following:
 - i. any conduct which is regarded as unacceptable or unsporting;
 - ii. failing to give due regard to the authority of Officials and the rights of opponents, spectators and others;
 - iii. any conduct which has the effect or potential to prejudice or be detrimental to the reputation of a Participant, the Tournament or Competition, an ATO or the sport of tennis generally;
 - iv. any conduct which has the effect or potential to bring a Participant, the Tournament or Competition, an ATO or the sport of tennis into disrepute;
 - v. conduct that does not meet the standards of acceptable behaviour prescribed in Section 3 of this Code of Behaviour.
 - vi. any conduct that is clearly abusive or intimidating toward another person;
 - vii. the giving, making, issuing, authorising or endorsing any public statement having, or designed to have, an effect prejudicial or detrimental to the best interests of an event or the officiating and administration of the event.
- (b) This provision is not limited to conduct occurring at a Venue, and may encompass other conduct that is covered by this Code of Behaviour in accordance with Section 8.

Code Violations when entering/withdrawing from a match or Tournament

The following is a list of prohibited conduct when entering or withdrawing from a match or Tournament:

4.14. *Late Withdrawal and Failure to Complete Match or Tournament*

Late Withdrawal

- (a) A player must not withdraw from a Tournament after the withdrawal deadline.
- (b) Any withdrawal by a player after the withdrawal deadline will be deemed a Late Withdrawal violation, regardless of the reason for a withdrawal (medical, personal or otherwise).

Failure to Complete Match or Tournament

- (c) A player must complete a match or tournament in progress.
- (d) A player that fails to complete a match or tournament in progress will be deemed to have committed a Failure to Complete Match or Tournament violation, regardless of the reason for the failure to complete the match (medical, personal or otherwise).

Late Withdrawal and Failure to Complete Match or Tournament during a calendar year

- (e) A player is permitted four (4) Late Withdrawal and/or Failure to Complete Match or Tournament violations in total in a calendar year (1 January – 31 December) without incurring disciplinary points.
- (f) Any subsequent Late Withdrawal and/or Failure to Complete Match or Tournament will result in a Code Violation against the player and the incursion of disciplinary points.

4.15. *Playing two tournaments (Concurrency)*

- (a) A player is prohibited from playing two Tournaments at the same time, unless permission has been granted by and received from the TA Professional Events and Officiating Team and/or TA Game Development Team in accordance with the Regulations.
- (b) A breach of this section may subject a player to an Immediate Default.

4.16. *Commencement of play ('No Show')*

- (a) A player must be ready to commence play within 15 minutes of their match being called at a Tournament.

PART III – PENALTIES

5. What are disciplinary points?

- 5.1. When a Code Violation is issued, disciplinary points are awarded to the player.
- 5.2. Disciplinary points are awarded on the day on which the incident occurred.
- 5.3. Once awarded, disciplinary points are tallied on a twelve (12) month rolling basis, with penalties attaching to the accumulation of disciplinary points as follows:

Disciplinary points accumulated in a 12 month rolling period*	Outcome	Notes
1st point accumulated	Notification of Code Violation being issued	N/A
2nd point accumulated	Notification of Code Violation being issued	N/A
3rd point accumulated	Reprimand	N/A
4th point accumulated	1 month suspension	1 month suspension to be served
5th point accumulated	1 month suspension	Cumulative suspension to be served is 2 months*
6th point accumulated	2 month suspension	Cumulative suspension to be served is 4 months*
7 or more points accumulated	Referral to DRP for consideration.	DRP can impose a maximum six month suspension. DRP to refer matter to a tribunal if further suspension is sought

*See Appendix I for examples of how the accumulation of disciplinary points works in practice

6. Disciplinary points awarded for Code Violations

- 6.1. The following disciplinary points are automatically awarded for a Code Violation under this Code of Behaviour:

Code violation	Disciplinary points
Serious Code Violation^^	Three (3) disciplinary points
Commencement of Play (No Show)	Two (2) disciplinary points
Playing Two Tournaments (Concurrency)	Two (2) disciplinary points
All other Code Violations	One (1) disciplinary point

^^A 'Serious' Code Violation is one that warrants an immediate default from a match in the opinion of the Referee.

7. Additional penalties

- 7.1. Behavioural incidents can be referred to the Disciplinary Review Panel and/or a Tribunal. The DRP and/or the Tribunal may impose further disciplinary points (in addition to the disciplinary points referred to above) and other additional penalties where it is found that the Code Violation involved *aggravating circumstances*.
- (a) *If referred to the DRP*: the maximum number of further disciplinary points is five (5) and the maximum suspension the DRP can impose is a period of six (6) months.
 - (b) *If referred to a Tribunal*: no maximum number of disciplinary points. The maximum suspension a Tribunal can impose is a period of two (2) years.

More information on *aggravated circumstances* is set out in paragraph 12.12 of this Code of Behaviour.

- 7.2. The DRP or a Tribunal may also impose any one or more of the following additional penalties on a player:
- (a) Ordering the player or member of their Entourage attend a behaviour modification program, and where ordered to do so, the person will present proof of having attended such a program before the player can re-commence playing;
 - (b) Impose a monetary fine for Code Violations committed at Tournaments or Competitions with prize money;
 - (c) Remove Australian Ranking points; and/or
 - (d) Any other additional penalty deemed appropriate.
- 7.3. If a player is suspended, the DRP or a Tribunal has the option to:
- (a) extend the suspension to prohibiting participation in any other events, squads, tours, programs or other ATO activities, including training, for a specified period of time not exceeding the length of the suspension;
 - (b) commence the suspension at any time it deems appropriate;
 - (c) split the period of suspension into periods (i.e. a two month suspension may be split into 2 x one month suspensions); and/or
 - (d) identify specific Tournaments and/or Competitions at which the player is prohibited from participating in as part of the suspension.

PART IV – COVERAGE OF THE CODE OF BEHAVIOUR

8. Application

- 8.1. The Code of Behaviour applies to Participants whilst participating in, as well as before and after, a Tournament or Competition. The key factor to determine whether this Code of Behaviour applies is whether there is a clear connection between the conduct in question and the Tournament or Competition.
- 8.2. The Code of Behaviour also applies to activities related to a Tournament or Competition. This includes:
 - (a) social media activity related to the Tournament or Competition;
 - (b) official activities, meetings or functions of a Tournament or Competition; and/or
 - (c) official social gatherings related to the Tournament or Competition.
- 8.3. In the case of ITF/ATP/WTA tournaments, both the ITF/ATP/WTA tournament rules/regulations and this Code of Behaviour may apply to the conduct in question.
- 8.4. The Code of Behaviour operates in conjunction with all of Tennis' National Policies (which include the Member Protection Policy and Disciplinary Policy). A full list of Tennis' National Policies is available at <http://www.tennis.com.au/about-tennis-australia/reports-and-policies/policies>). If there is an alleged breach of the Code of Behaviour and another Tennis National Policy, action may be taken under this Code of Behaviour and/or any other applicable Tennis National Policy.
- 8.5. The Code of Behaviour does not override or supersede any laws of any State or Territory and any allegation which gives rise to potential criminal conduct may be referred to the relevant State or Territory authority / enforcement body (i.e. the Police, ACCC, etc).
- 8.6. The Code of Behaviour operates in conjunction with any local ATO Competition rules that may be in place. If there is an alleged breach of the Code of Behaviour and ATO Competition rules, action may be taken under this Code of Behaviour or the local ATO Competition rules.

PART V – ADMINISTERING CODE VIOLATIONS

9. On-site administration of the Code of Behaviour

- 9.1. Officials are responsible for the on-site administration of the Code of Behaviour. It is preferable that any breach or alleged breach of this Code of Behaviour is dealt with as soon as practicable on-site.
- 9.2. In relation to conduct occurring on-site, Officials have the power to:
- (a) issue Code Violations for conduct while a match is in progress;
 - (b) issue Code Violations for non-match conduct;
 - (c) direct Participants to leave the Venue;
 - (d) suspend or cancel a match in progress; and
 - (e) refer any matter to the TA Professional Events & Officiating team and/or the TA Game Development (who will in turn decide whether further action is required in accordance with this Code of Behaviour).
- 9.3. The Referee is the final authority regarding all Code Violations and allegations of breaches of this Code of Behaviour during a match and/or at the Venue. Any such decisions made during a match and/or at the Venue are not appealable.

Code Violations (during a match):

- 9.4. While a match is in progress, Code Violations by players or their Entourage are penalised according to the following Point Penalty Schedule:

Match offence	Immediate penalty (During match)	Disciplinary points for each Code Violation
First Violation	Official issues Code Violation – Warning	1 disciplinary point
Second Violation	Official issues Code Violation - Point Penalty (point awarded to opponent)	1 disciplinary point
Third Violation	Official issues Code Violation - Game Penalty (game awarded to opponent)	1 disciplinary point^^
Any Subsequent Violation	Official issue Code Violation - Game Penalty (game awarded to opponent) OR Referee issue Code Violation - Match Default (player disqualified and match awarded to opponent)	
Serious Code Violation	Referee issue Code Violation Immediate Match Default	3 disciplinary points^^

^^ The maximum number of disciplinary points that can be issued against a player during a match is three (3). Once three (3) disciplinary points have been issued during one single match, whether the player has been defaulted or not, the matter is to be referred to the DRP for further consideration.

- 9.5. As set out in the table above:
- (a) Any Official may issue a Code Violation for an offence during a match that does not lead to a match default;
 - (b) Subject to paragraph 9.7, only the Referee may issue a Code Violation which results in a match default (**Match Default Code Violation**).
- 9.6. The Referee may also determine that a breach of the Code of Behaviour by a Participant warrants the disqualification of the relevant player from other draws of the same Tournament (for example if the player has entered multiple age groups, or a doubles/mixed doubles draw in the Tournament).
- 9.7. The Referee has discretion to delegate the power of issuing a Match Default Code Violation to another Official (for example an Assistant Referee or Court Supervisor). A delegation may be done informally.
- 9.8. A player that is issued a Code Violation during a match shall be notified as soon as practicable (even if this is only possible after the start of the next game of a match or at some later time).
- 9.9. For any Code Violation awarded during a doubles match, on-court penalties shall be imposed against the relevant team. Officials or the DRP may subsequently determine whether one or both members of the team should be awarded the Code Violation individually.
- 9.10. After the completion of a match, the Referee has discretion to review or further investigate incidents alleged to have occurred during the match and subsequently impose any penalty outlined in paragraph 9.14.

On-Site Violations (breaches at the Venue but not during a match)

- 9.11. For incidents that do not occur during a match in progress, the Referee may still issue a Code Violation. The Referee may consult other Officials but has ultimate discretion to determine if a breach has occurred.
- 9.12. For non-match related conduct, an Official may take the following action:
- (a) Issue a Code Violation;
 - (b) Issue a Code Violation Immediate Default; or
 - (c) Refer the incident to the TA Professional Events & Officiating team and/or the TA Game Development team (who will in turn decide whether further action is required in accordance with this Code of Behaviour).
- 9.13. If a Code Violation is issued on-site, the Referee shall take reasonable steps to ensure the Participant is informed as quickly as possible when the Code Violation has been issued against them.

9.14. For on-site matters, Code Violations by players or their Entourage are penalised according the following schedule:

On-Site Offence	Immediate penalty (During match)	Disciplinary points Recorded for each Code Violation
Code Violation	Official issue Code Violation	1 disciplinary point
Serious Code Violation	Immediate Default	3 disciplinary points

9.15. In addition, the Referee may also direct a Participant to leave the Venue for the remainder of the day or all remaining days of the Tournament/Competition. Failure to abide by such a direction may be referred to the TA Professional Events & Officiating team and/or the TA Game Development team for General Misconduct.

Powers of Officials in relation to Spectator Misconduct

9.16. Spectator Misconduct is defined in Part II of this Code of Behaviour.

9.17. A player is deemed to be responsible for the behaviour and conduct of their Entourage.

9.18. Where a Tournament or Competition is disrupted or interfered with by the action/s of a spectator who is part of a player's Entourage, an Official has discretion to take any action they consider appropriate to diffuse the situation, as well as to remove the risk of further interference for the remainder of the Tournament or Competition (provided such action is reasonable and proportionate). Spectator Misconduct is not limited to misconduct during matches in progress; it can extend to any conduct relating to or occurring during the Tournament or Competition.

9.19. Officials may take appropriate action to address Spectator Misconduct, which includes:

- (a) suspending a match until the Official determines that the issue is resolved and that play can continue without further disruption or interference;
- (b) attempting to address and eliminate the misconduct in question by discussing the relevant behaviour with the offending person and/or applicable player. This discussion may include a warning to the player and the misbehaving spectator that any further interference by the spectator may result in the suspension of the match or the issuing of Code Violations;
- (c) cancelling a match and issuing the player whose Entourage caused the interference a Code Violation Immediate Default for Spectator Misconduct (TA has discretion as to whether the issuing of the Code Violation attracts the requisite disciplinary points);
- (d) suspending the player from the event;
- (e) directing a person to stop watching a match, leave the Venue and/or not attend

- the remainder of the event;
- (f) issuing a single Code Violation for Spectator Misconduct;
- (g) referring the matter to the TA Professional Events & Officiating team and/or the TA Game Development team (who will decide whether further action is required in accordance with this Code of Behaviour); and/or
- (h) any other action deemed necessary to defuse the situation.

10. Post Event Report from a Tournament or Competition

- 10.1. The Referee must provide a report to the TA Professional Events & Officiating team and/or the TA Game Development team (**Post Event Report**) within 7 days of the completion of the event. The Post Event Report must detail all Code Violations and disciplinary action taken during the relevant event, as well as highlight any other conduct for which no action on-site was taken but which may warrant further consideration.
- 10.2. In addition to the Post Event Report, within 7 days of the completion of the event, a Participant may submit a report to the TAICU (via the email address integrity@tennis.com.au) of any conduct from the event which they believe to be a breach of this Code of Behaviour. The TAICU is to consult the TA Professional Events & Officiating team and/or the TA Game Development team in relation to a report made under this paragraph 10.2.
- 10.3. The TA Professional Events & Officiating team and/or the TA Game Development team has sole and ultimate discretion to:
 - (a) Refer a matter to a representative of the TAICU and/or its nominee (**Nominated Investigator**) for further investigation; and/or
 - (b) Refer a matter directly to the DRP for further consideration.
- 10.4. In the exercise of this discretion, the TA Professional Events & Officiating team and/or the TA Game Development team may have regard to the following non-exhaustive list of factors:
 - (a) the nature of the conduct in question;
 - (b) the impact, damage or harm caused by the conduct on other persons, TA, MAs or the sport of tennis in general;
 - (c) the intent of the Participant in committing the conduct in question;
 - (d) the need for general and specific deterrence;
 - (e) the complexity (or lack thereof) of the circumstances surrounding the conduct in question;
 - (f) previous disciplinary action or outcomes related to the Participant;

- (g) previous conduct and/or any relevant prior history of the Participant;
 - (h) the number of disciplinary points the Participant has currently accumulated and the Code Violations for which those disciplinary points were incurred; and
 - (i) fairness and consistency in dealing with matters generally.
- 10.5. The TA Professional Events & Officiating team and/or the TA Game Development team must notify the Participant if the matter is to be referred to the DRP.

11. Investigations

- 11.1. At the commencement of an investigation, the Nominated Investigator must notify the Participant who is the subject of the investigation in writing that:
- (a) This Code of Behaviour applies to the Participant, and the nature of the alleged breaches of the Code of Behaviour under investigation (a copy of this Code of Behaviour to be provided);
 - (b) The Participant may provide a statement responding to the alleged breach/es within seven days, or such other period determined by the Nominated Investigator;
 - (c) Failure to provide a statement responding to the alleged breaches may result in (i) the matter being referred to the DRP without a response from the Participant and (ii) the DRP making a decision with respect to the matter without a response from the Participant; and
 - (d) the DRP is able to impose penalties in accordance with this Code of Behaviour and provide details of those penalties,

(Notice of Alleged Breach of Code of Behaviour).

- 11.2. The investigation process conducted by the Nominated Investigator may or may not include any one or more of the following additional steps:
- (a) Collecting witness statements;
 - (b) Conducting interviews;
 - (c) Collecting any other information, which may include video footage, photos, recordings etc. that the Nominated Investigator deems necessary; and/or
 - (d) Requesting a written response from any other parties involved in or related to the report.
- 11.3. The Participant must provide their response within the timeframe stipulated in the Notice of Alleged Breach of Code of Behaviour. The Nominated Investigator has absolute discretion to determine whether to extend the time by which a Participant may respond. Failure to provide a response within the timeframe stipulated may result in the matter being referred to the DRP without a response from the Participant.

- 11.4. Following the investigation, the Nominated Investigator may either:
- (a) take no further action; or
 - (b) refer the matter to the DRP for further consideration.
- 11.5. For the avoidance of doubt, if the Nominated Investigator takes no further action and does not refer the matter to the DRP, the original decision of the Official (if any) will stand and the Participant does not have a right to refer the matter to the DRP or the Tribunal.
- 11.6. The Participant must be notified of the Nominated Investigator's decision under paragraph 11.4 as soon as practicable.

12. Tennis Australia Disciplinary Review Panel (DRP)

Composition

- 12.1. TA will appoint a panel of members who may sit on the DRP. The panel will be made up of personnel from TA's Professional Events & Officiating, Game Development and Legal teams and the TAICU.
- 12.2. The DRP is to be constituted by:
- (a) a minimum of two (2) members and a maximum of three (3) members; and
 - (b) panel members from different departments/teams within TA.
- 12.3. To ensure the DRP is independent and separated from those who issue or investigate breaches of this Code of Behaviour:
- (a) The DRP panel member from the TA Professional Events & Officiating team is to be the Head of Professional Events and Officiating or their authorised assignee;
 - (b) The DRP panel member from the TA Game Development team is to be the Director of Game Development or their authorised assignee; and
 - (c) The DRP panel member from the TAICU must not be the Nominated Investigator.
- 12.4. The DRP may meet informally, but any decision or action is only valid if clauses 12.2 and 12.3 have been complied with:

Reviews of matters referred to the DRP

- 12.5. The DRP must review any matter referred to it by the TA Professional Events & Officiating team, the TA Game Development team or the Nominated Investigator.
- 12.6. The DRP must consider all of the material made available to it and determine whether a breach of the Code of Behaviour has occurred.

12.7. The DRP is not bound by decisions of Officials.

12.8. The DRP may:

- (a) Take no further action;
- (b) If a Code Violation was not issued on site, determine that a Participant has committed a breach of this Code of Behaviour and:
 - i. impose a penalty in accordance with Part III; and/or
 - ii. refer the matter to a Tribunal (if it believes a greater penalty than what it is permitted to impose is appropriate);
- (c) If a Code Violation was issued on-site,
 - i. re-classify the Code Violation issued by an Official (for example: an Audible Obscenity may be re-classified as Verbal Abuse);
 - ii. impose a penalty in accordance with Part III; and/or
 - iii. refer the matter to a Tribunal (if it believes a greater penalty than what it is permitted to impose is appropriate).

12.9. If the DRP is constituted by two panel members, decisions of the DRP must be unanimous. If the DRP is constituted by three panel members, decisions of the DRP may be made by majority.

Penalties the DRP may impose where it has found a breach of the Code of Behaviour

12.10. The DRP has broad discretion to impose penalties it deems appropriate, having regard to the particular circumstances, facts and context of the individual matter.

12.11. Where a breach of the Code of Behaviour has been committed (whether determined on-site by an Official or post-event by the DRP), the relevant number of disciplinary points will automatically apply (see Part III, Section 6).

12.12. The role of the DRP is to consider whether there were any *aggravating circumstances* surrounding the Code Violation which warrant the issuing of additional penalties over and above the automatic disciplinary points. The DRP may have regard to the following non-exhaustive list of factors when considering if there are *aggravating circumstances*:

- (a) the nature of the conduct in question;
- (b) the impact, damage or harm caused by the conduct on other persons, TA, MAs or the sport of tennis in general;
- (c) the intent of the Participant in committing the conduct in question;
- (d) the need for general and specific deterrence;

- (e) the complexity (or lack thereof) of the circumstances surrounding the conduct in question;
- (f) previous disciplinary action or outcomes related to the Participant;
- (g) previous conduct and/or any relevant prior history of the Participant;
- (h) the number of disciplinary points the Participant has currently accumulated and the Code Violations for which those disciplinary points were incurred; and
- (i) fairness and consistency in dealing with matters generally.

12.13. If the DRP considers there are *aggravating circumstances* in relation to the Code Violation, it may:

- (a) impose additional penalties as outlined in Part III; and/or
- (b) refer the matter to a Tribunal for further consideration which will be constituted and conducted in accordance with Part VI.

Discounts/Concessions for early acceptance of decisions of the DRP to impose further disciplinary points

12.14. If the DRP has decided to impose further disciplinary points, it may offer a Participant a concession for accepting the decision without appeal. The decision to offer a concession, and the size of any concession offered, is discretionary.

Notification of DRP decisions

12.15. As soon as practicable after the DRP makes a decision, the Participant must be notified of the following:

- (a) the DRP decision;
- (b) the penalty being imposed (e.g. the amount of further disciplinary points and additional penalties (if any));
- (c) details of any suspension being imposed;
- (d) any discounts/concessions offered for not contesting the DRP decision; and
- (e) rights of appeal (if any).

12.16. TA may directly notify any affected party of a DRP decision and the penalty imposed (for example, TA may notify a Tournament Director that a Participant has been banned from entering a particular event or is suspended for a period of time).

13. Appeals to a Tribunal

13.1. The following decisions of the DRP cannot be appealed:

- (a) A decision in which no further disciplinary points are issued by the DRP; and

- (b) A decision that involved the imposition of a total of two (2) or less disciplinary points to a Participant (before any discount/concession is applied).
- 13.2. If paragraph 13.1 does not apply, a decision of the DRP can be appealed only on the ground that the decision was so unreasonable that no person acting reasonably could have come to that decision having regard to all the material before it. In order to satisfy this criteria, the Participant must establish that:
- (a) *In relation to the imposition of a penalty at all:* on the balance of probabilities the conduct in question did not occur; and/or
 - (b) *In relation to the imposition of further disciplinary points:* the amount of further disciplinary points imposed by the DRP was manifestly excessive taking into account the factors set out in paragraph 12.12.
- 13.3. Tribunal hearings shall be constituted and conducted in accordance with Part VI.
- 13.4. If a Participant appeals a decision of the DRP and is unsuccessful, the Participant will not receive the benefit of any discount/concession offered by the DRP.
- 13.5. The decision of the Tribunal is final and there is no right to appeal a decision of the Tribunal.

14. Notices

- 14.1. Any notice required to be sent to a Participant under this Code of Behaviour may be sent in writing via email to the email address provided by the Participant as part of their MyTennis player ID and/or their Tournament account information.
- 14.2. It is the responsibility of the Participant to advise TA and any relevant ATO of any change in their email address details.
- 14.3. An email sent to the email address outlined in paragraph 14.1 above will be deemed received by the Participant for the purposes of this Code of Behaviour.
- 14.4. Any notice to a child or person in recognised care should also be sent to the parent, guardian or carer.

15. Publication of decisions

- 15.1. Decisions made by the DRP or a Tribunal may be published on the TA Tournament Website.
- 15.2. Decisions will be published:
- (a) to encourage role model behaviour;
 - (b) to deter breaches of this Code of Behaviour;
 - (c) to enable members of the tennis community to see that action is being taken in relation to poor behaviour; and

- (d) to enable ATOs to uphold any suspensions issued in accordance with this Code of Behaviour.

16. Review and promotion of the Code of Behaviour

- 16.1. This Code of Behaviour will be reviewed on a regular basis.
- 16.2. This Code of Behaviour, and any changes or revisions to it, will be made available to the general public on TA's National Policies website: <https://www.tennis.com.au/about-tennis-australia/reports-and-policies/policies>.

PART VI – TRIBUNAL GUIDELINES

17. Composition and administration of Tribunal

- 17.1. The TAICU or the Nominated Investigator will be responsible for the administration of the tribunal process under this Code of Behaviour including notifying the Participant of the Tribunal, advising tribunal members and scheduling hearings.
- 17.2. The Tribunal shall be appointed by the ATO that is administering and coordinating the hearing, and 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 (who shall be chairperson);
 - (b) A person with a thorough knowledge of tennis;
 - (c) One other person of experience and with skills suitable to the function of a disciplinary tribunal.
- 17.3. The following persons cannot be Tribunal members:
- (a) A person who is a member of the Board of Directors of TA or an MA;
 - (b) A person who is a member of the DRP;
 - (c) A person who would, by reason of their relationship with the player, or otherwise, be reasonably considered to be other than impartial.
- 17.4. All parties shall bear their own costs.
- 17.5. Each member of the Tribunal shall be indemnified by the ATO 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.

18. Notification of Tribunal Hearing

- 18.1. The Nominated Investigator (or a member of the TAICU) must notify the Participant and the Tribunal Members, of the following:
- (a) Details of the violation(s);
 - (b) Confirmation that the Code of Behaviour applies;
 - (c) The date, time and place of the Tribunal hearing giving at least seven days' notice, except in the case of weekly competitions where the ATO administering the competition will determine the timing of any Tribunal hearing;
 - (d) That if the Participant is unsuccessful in their appeal, the Participant will not receive the discounted penalty offered by the DRP and that the Tribunal must

- impose the original penalty imposed by the DRP (if applicable); and
- (e) Contents of all report forms and any other written material provided to the DRP (if applicable); and
 - (f) Any reasons provided by the DRP for its decision (if applicable).
- 18.2. The Participant may be represented at the hearing by any person who is not a legal practitioner. The Tribunal may give leave for the Participant to be legally represented where it considers it is necessary in accordance with the principles of natural justice. The ATO may be represented by its nominee at the hearing who may be the Nominated Investigator.
- 18.3. The Tribunal shall hear and determine the matter in whatever manner it considers appropriate in the circumstances (including by way of teleconference or otherwise) provided that it does so in accordance with the principles of natural justice.
- 18.4. The purpose of the hearing shall be:
- (a) *If the matter is an appeal of a DRP decision:* to determine whether the relevant decision of the DRP was so unreasonable that no DRP acting reasonably could have come to that decision having regard to all the material before the DRP; or
 - (b) *If the matter is a direct referral to the Tribunal:* to determine whether there was a breach of the Code of Behaviour, and if so, the appropriate penalty to be imposed.
- 18.5. Where a Participant elects to rely on written submissions only, the Tribunal will convene as soon as practicable to determine the matter.
- 18.6. If within 30 minutes of the notified time for commencement of the hearing, the Participant is not present, the Tribunal will consider the matter closed and make a decision in accordance with this Code of Behaviour.

19. Outcome of Tribunal Hearing

- 19.1. The Tribunal shall give its decision as soon as practicable after the hearing and will deliver a statement of its written reasons to the ATO and the Participant.
- 19.2. The Tribunal may do one or more of the following:
- (a) *If the matter is an appeal of a DRP decision:*
 - i. Find that the decision of the DRP was so unreasonable that no DRP acting reasonably could have come to that decision having regard to all the material before the DRP. In this case, the Tribunal must make a new decision in substitute of the DRP decision and impose any penalty or penalties it consider appropriate (if any);
 - ii. Affirm the decision of the DRP. In this case, the Tribunal must impose the original penalty imposed by the DRP (that is, the penalty pre discount (if

any)); or

- iii. Impose additional penalties on the Participant but the maximum length of suspension that can be imposed by the Tribunal is two (2) years.

(b) *If the matter is a direct referral to the Tribunal:*

- i. Find in favour of the Participant, in which case no penalty will be issued;
or
- ii. Find in favour of the ATO, in which case it must impose a penalty/penalties on the Participant, but the maximum length of suspension that can be imposed by the Tribunal is two (2) years.

19.3. The Participant must be informed in writing by the ATO of the outcome of the Tribunal hearing, including the dates to which any suspension applies.

19.4. The ATO shall also notify other bodies of any penalty imposed.

19.5. All decisions of a Tribunal may be published on TA's Tournament Website.

19.6. A decision of the Tribunal is final and there is no right of appeal with respect to that decision.

Version Control

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**NATIONAL
POLICY**



**APPENDIX I:
EXAMPLES OF DISCIPLINARY
POINTS**

Appendix I: Examples of the accumulation of disciplinary points

Below are examples that show how Code Violations, disciplinary points and the accumulation of disciplinary points works in practice.

Example 1

<u>Offence</u>	<u>Penalty</u>	<u>Disciplinary Points</u>	<u>Offence Date</u>	<u>Days since oldest "ACTIVE" disciplinary point</u>	<u>Cumulative Number of Active Disciplinary Points</u>	<u>Explanation of suspension duration</u>
Audible obscenity	CODE VIOLATION	1	23-Dec-2018	0	1	<p>Regarding row 4 of this example, on 26 May 2019 player receives a Code Violation and accumulates their 4th disciplinary point in 365 days. Accordingly the player is suspended for 1 month.</p> <p>Regarding row 5, after serving the first 1 month suspension the player receives a Code Violation on 12 July 2019 and accumulates their 5th disciplinary point in 365 days. For collecting 5 active disciplinary points in 365 days, another 1 month suspension is issued.</p> <p>Regarding row 6, on 5 December 2019 the player receives a Code Violation and accumulates their 6th disciplinary point in 365 days. For collecting 6 active disciplinary points in 365 days, a further 2 months suspension is issued.</p>
Racket or equipment abuse	CODE VIOLATION	1	22-May-2019	150	2	
Racket or equipment abuse	CODE VIOLATION	1	22-May-2019	150	3	
Racket or equipment abuse	CODE VIOLATION	1	26-May-2019	154	4	
Audible obscenity	CODE VIOLATION	1	12-Jul-2019	201	5	
Racket or equipment abuse	CODE VIOLATION	1	5-Dec-2019	347	6	

Example 2

<u>Offence</u>	<u>Penalty</u>	<u>Disciplinary Points</u>	<u>Offence Date</u>	<u>Days since oldest "ACTIVE" disciplinary point</u>	<u>Cumulative Number of Active Disciplinary Points</u>	<u>Explanation of suspension duration</u>
Unsportsmanlike conduct	CODE VIOLATION	1	30-Apr-2019		1	<p>Regarding row 2 of this example, on 20 July 2019 player Failed to Complete the Tournament and receives a Code Violation. Because this is his 1st Entry and Withdrawal Violation, the violation does not attract a Disciplinary Point.</p> <p>Regarding row 3, on 29 September 2019 player withdrew late and receives their 2nd Entry and Withdrawal Violation which does not attract a disciplinary point.</p> <p>Regarding rows 4-6, on 26 April 2020 the player is defaulted from a match for committing 3 violations with a disciplinary point issued for each Code Violation. The cumulative disciplinary points for this player in 365 days is now 4, resulting in them being suspended for 1 month.</p>
Failure to Complete Tournament	CODE VIOLATION	0	20-Jul-2019	81	1	
Late withdrawal	CODE VIOLATION	0	29-Sep-2019	152	1	
Racket or equipment abuse	CODE VIOLATION	1	26-Apr-2020	362	2	
Ball abuse	CODE VIOLATION	1	26-Apr-2020	362	3	
Unsportsmanlike conduct	DEFAULT	1	26-Apr-2020	362	4	

Example 3

<u>Offence</u>	<u>Penalty</u>	<u>Disciplinary Points</u>	<u>Offence Date</u>	<u>Days since oldest "ACTIVE" disciplinary point</u>	<u>Cumulative Number of Active Disciplinary Points</u>	<u>Explanation of suspension duration</u>
Racket or equipment abuse	CODE VIOLATION	1	22-May-2019	0	1	Regarding row 4 of this example, on 13 August 2019 player receives a Code Violation for Verbal Abuse. After the Referee Report, the Code Violation is reviewed by the DRP and an additional penalty of 2 Disciplinary Points is issued which takes the players accumulated disciplinary points in 365 days to 6. Accordingly the player is suspended for 4 months (1 month for reaching 4 disciplinary points, 1 month for reaching 5 disciplinary points and another 2 months for reaching 6 disciplinary points).
Racket or equipment abuse	CODE VIOLATION	1	22-May-2019	0	2	
Audible obscenity	CODE VIOLATION	1	12-Aug-2019	82	3	
Verbal Abuse (DRP Review)	CODE VIOLATION	3	13-Aug-2019	83	6	

Example 4

<u>Offence</u>	<u>Penalty</u>	<u>Disciplinary Points</u>	<u>Offence Date</u>	<u>Days since oldest "ACTIVE" disciplinary point</u>	<u>Cumulative Number of Active Disciplinary Points</u>	<u>Explanation of suspension duration</u>
Racket or equipment abuse	CODE VIOLATION	1	22-May-2019	0	1	Regarding row 3 of this example, on 26 May 2019 player receives a Code Violation for Verbal Abuse. After the Referee Report, the Code Violation is reviewed by the DRP and an additional penalty of 2 Disciplinary Points is issued which takes the players accumulated disciplinary points in 365 days to 5. Accordingly the player is suspended for 2 months (1 month for reaching 4 disciplinary points and another months for the 5th disciplinary point).
Racket or equipment abuse	CODE VIOLATION	1	22-May-2019	0	2	
Verbal Abuse (DRP Review)	CODE VIOLATION	3	26-May-2019	4	5	
Audible obscenity	CODE VIOLATION	1	12-Aug-2019	82	6	Regarding row 4, on 12 August 2019 the player receives a Code Violation and accumulates their 6th disciplinary point in 365 days. The suspension period for accumulating 6 active disciplinary points in 365 days, is 4 months. However, because of the previous 2 month suspension, the player now has to serve the further 2 months suspension.
Racket or equipment abuse	CODE VIOLATION	1	5-Dec-2019	197	7	
Audible obscenity	CODE VIOLATION	1	6-Dec-2019	198	8	Regarding rows 5-8, between 5 December 2019 and 8 December 2019, the player commits 4 violations at the same tournament attracting an additional 4 disciplinary points and increase their accumulated disciplinary point balance to 10. Because this is more than 7 disciplinary points in 365 day period the DRP determines the additional suspension.
Unsportsmanlike conduct	CODE VIOLATION	1	6-Dec-2019	198	9	
Audible obscenity	CODE VIOLATION	1	8-Dec-2019	200	10	

Example 5

<u>Offence</u>	<u>Penalty</u>	<u>Disciplinary Points</u>	<u>Offence Date</u>	<u>Days since oldest "ACTIVE" disciplinary point</u>	<u>Cumulative Number of Active Disciplinary Points</u>	<u>Explanation of suspension duration</u>
No Show	CODE VIOLATION	2	17-Jan-2019	0	2	Regarding row 3 of this example, on 4 August 2019 the player receives a Code Violation for racket abuse and accumulates their 4th disciplinary point in 365. Accordingly the player is suspended from playing Events for 1 month.
Racket or equipment abuse	CODE VIOLATION	1	25-Mar-2019	67	3	
Racket or equipment abuse	CODE VIOLATION	1	4-Aug-2019	199	4	Regarding row 4, as the Code Violation for Audible Obscenity occurred on 12 Feb 2020, the Code Violation on 17 Jan 2019 for a No Show is removed from the player's record (due to rolling 12 month calendar of accumulation of points).
Audible obscenity	CODE VIOLATION	1	12-Feb-2020	324	3	
Racket or equipment abuse	CODE VIOLATION	1	22-May-2020	292	3	Regarding rows 5-6, on 22 May 2020 the player receives 2 Code Violations. On this day their cumulative number of active disciplinary points in the past 365 days equals 4 and therefore the player is suspended for 1 month (disciplinary points from 17 Jan 2017 and 25 March expired and inactive).
Racket or equipment abuse	CODE VIOLATION	1	22-May-2020	292	4	
Unsportsmanlike Conduct (DRP Review)	CODE VIOLATION	2	26-Sep-2020	227	5	Regarding row 7, on 26 September 2020 the player receives a Code Violation for Unsportsmanlike Conduct. After review, the DRP decision is to penalise the player with an additional disciplinary point which takes the players total disciplinary points in the past 365 days to 5 (disciplinary point from 4 August expired and inactive). Player is therefore suspended for 1 month for accumulating a 5th suspension point in 365 days.

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