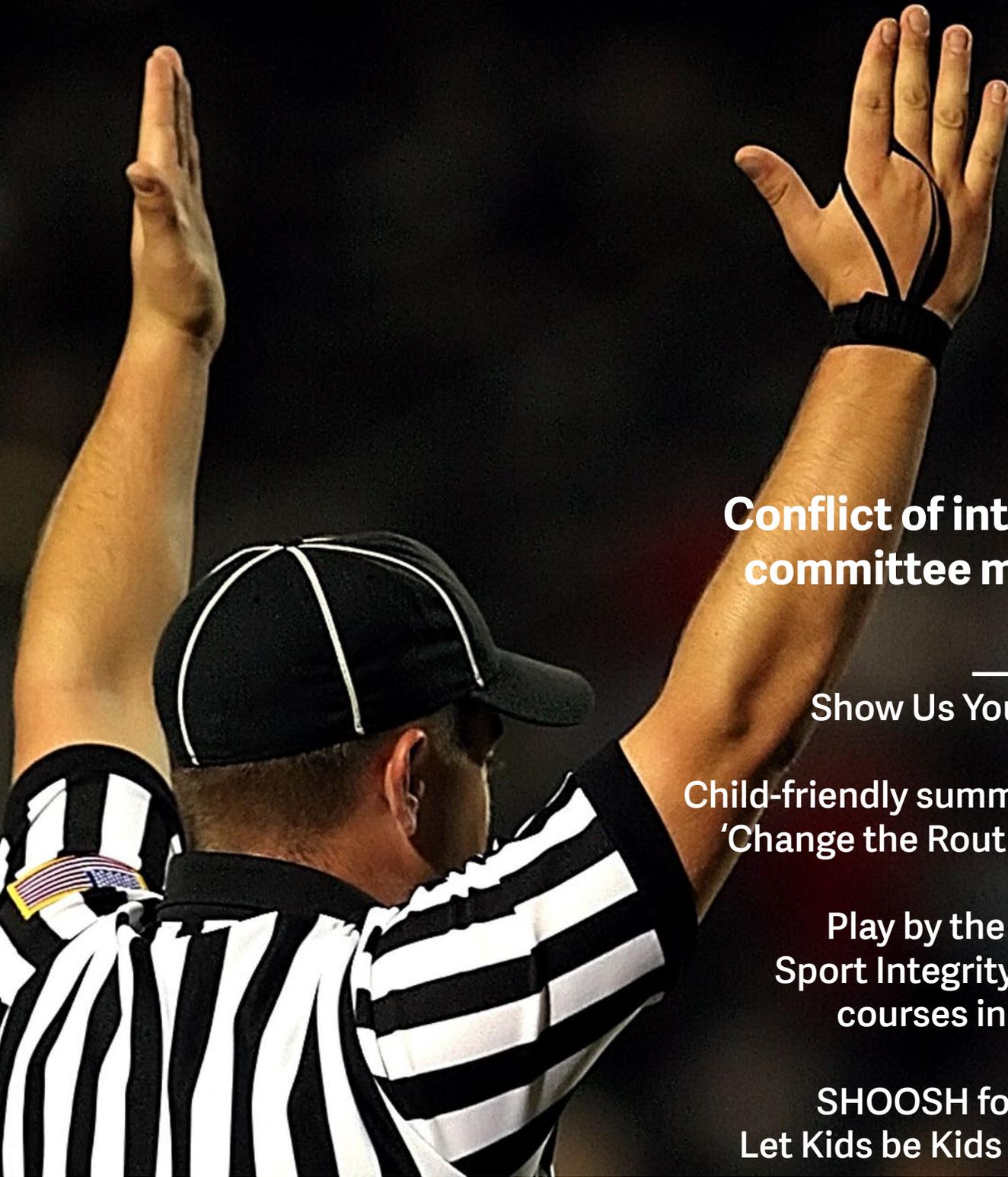


Sport's ugly blind spot — abuse of officials



**Conflict of interest by
committee members**

PLUS

Show Us You Can Play

**Child-friendly summary of the
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**Play by the Rules and
Sport Integrity Australia
courses in one place**

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THE EDITOR

As the new Manager of Play by the Rules, I would like to extend a very big warm welcome to you. It's hard to believe we're already halfway through 2021!

The past 12 to 18 months has been an extraordinary time to be alive. COVID-19 has certainly had a big impact on who we are as humans and how we do business and interact with other people. We have all faced restrictions like we have never seen before, but on the flip side, we have learnt a different way of communicating and working with each other. As a young British lawyer who travelled to Australia over 8 years ago, I never dreamed there would be a time when I couldn't just pop home and see family and friends or have them jump on a plane to come and visit me at the beach. But having now made Australia my home and become an Australian citizen 8 weeks ago, my family, like many others, has turned to technology to connect, interact and keep in touch with each other. Never before has the phrase 'Mum, you're on mute' meant so much to so many people.

Although it's been tough, the optimist in me likes to see this as an opportunity to change the way we work and communicate with each other and, above all, speak to each other. My whole career has been focused on requiring humans to 'do the right thing', and our conduct and the way we live our lives, as well as the way we speak to and interact with other humans, is the basis of all good things. So, if we can create a world where everyone moves through their day being a little bit kinder to each other—being more inclusive, more caring, respectful and polite, even when we disagree or think things could be improved upon—then that is a world I want to be a part of.

On a more personal level, I know what it's like to be the kid who was picked last for sports day (despite later on finding out that their sport was netball), that kid who has a cruel word thrown their way as a jibe, despite trying their hardest, and even as an adult with alopecia, I have had some comments and put downs that have stopped me in my tracks. It still amazes me that many people don't understand that it is what makes us alike that connects us, not our differences. It's the essence of what makes me human that connects me to you, and being different is okay. In fact, more than okay—it's our uniqueness that makes us a wonderful one of a kind.

So, if we can build sporting clubs and communities where inclusivity, respect and kindness are the cornerstones and where safe, fair and inclusive sport (and lots of encouragement!) can bring people together, then the pandemic will have given us one very long but perhaps very worthwhile training session.

Finally, I'd like to thank you for taking the time to listen and to e-meet me. One of the best parts of my new role will be meeting all of you and asking how you think we can work towards making sport more safe, fair and inclusive in our communities. Please don't hesitate to get in touch via the Contact Us form on our website or by emailing us at manager@playbytherules.net.au at any time. I look forward to working with you!



Elaine Heaney
Manager, Play by the Rules

I acknowledge the Traditional Owners of country throughout Australia and other First Nations people from around the world and recognise their continuing connection to land, waters and culture. I pay my respects to their Elders past, present and emerging.

Show Us You Can Play

Show Us You Can Play! is a series of uplifting stories with inspirational people who are living proof that participating in sport and recreation is a right for all Victorians.



We are absolutely delighted today to share with you that a new campaign that Disability Sport & Recreation Victoria has been working on over the past six months has gone live.

Show Us You Can Play! is a series of stories about people who are living proof that participating in sport and recreation is the right of all Victorians.

They have also created this series to enable you to connect with your own community of participants with a disability.

The landing page for this series can be viewed at <https://www.together.vic.gov.au/sport/show-us-you-can-play>

Meet the athletes from sports such as AFL Wheelchair, powerchair sports, lawn bowls, calisthenics, wheelchair rugby, blind cricket and blind football (soccer), and see the life-changing impact sport and recreation can have on people's lives.

Each episode shows us just how important education, inclusive attitudes and mindset can be, driving home the idea, 'You Can't Be What You Can't See' which is a key theme for the whole series. You can view each episode at:



AFL Wheelchair

<https://www.together.vic.gov.au/sport/show-us-you-can-play-afl-wheelchair>



Blind Cricket

<https://www.together.vic.gov.au/sport/show-us-you-can-play-blind-sports-victoria>



Calisthenics
<https://www.together.vic.gov.au/sport/show-us-you-can-play-calisthenics>



Powerchair Sports
<https://www.together.vic.gov.au/sport/show-us-you-can-play-powerchair-sports>



Lawn Bowls
<https://www.together.vic.gov.au/sport/show-us-you-can-play-lawn-bowls>



Wheelchair Rugby
<https://www.together.vic.gov.au/sport/show-us-you-can-play-wheelchair-rugby>

Through watching, sharing, and engaging with this series, we hope you will not only consider how your community can get involved, but help others who may benefit from a greater awareness of how our entire community can become more active.



Child-friendly summary of 'Change the Routine' report

The Australian Human Rights Commission (AHRC) recently completed Change the Routine: Independent Review into Gymnastics Australia. It's an important report for anyone involved in sport.

There are a number of findings and recommendations coming out of the report which you can [find here](#). The findings and recommendations provide Gymnastics Australia with a way forward on child safety.

It is also important that these findings and recommendations are communicated to children and young people involved in gymnastics, so the AHRC has produced a child-friendly version of the report that summarises for children and young people the main ideas contained in the report.

This is an excellent resource that is a model for sports in communicating child safe practices that make sense to children and young people. You can download the resource at https://humanrights.gov.au/sites/default/files/2021-05/AHRC_Gymnastics_Review_2021_Child-Friendly-Summary.pdf



Sport's ugly blind spot — abuse of officials

Originally published on the [Club Respect website](#) and republished with permission from Club Respect



Every year millions of parents around Australia sign their children up to play sports in good faith that they are doing the best thing for their child's development.

A small sliver will make the full journey to become a professional and represent their country. For the vast majority, sport will not be their occupation, but will be a key pillar in developing a different set of life skills beyond those their family or school can provide.

Some of these lessons are: learning to cope with losing; sportsmanship and how to celebrate the accomplishments of others; the power of teamwork; listening and submitting to a system; and, most importantly, learning the art of respect for elders, coaches, team-mates, opponents and officials.

But what happens when sport performs the reverse role, teaching children and youth bad habits that derail their development and normalise anti-social and cowardly behaviour that could negatively impact their lives down the line.

What if sport is creating the anti-social behaviour that it purports to be a cure/prevention for?

Nothing can prepare you for referee abuse, and my most recent personal experience was a testament. Having played a range of sports for the best part of four decades, I have most recently landed as the coach of my son's under-8 soccer team.

Due to the current referee shortage in soccer, no referee arrived for our first match of the season and the convention is for the home team to supply a referee, so I stepped up.

At this age, the focus is supposed to be on fun and enjoyment, with players yet to be graded on ability, resulting in a wide gap in skill sets. A referee is tasked with showing some discretion to not over-officiate, not humiliate kids who continue to make mistakes, and to maximise enjoyment.

Our team was down by 4 or 5 goals, but one parent was relentlessly urging his players on, abusing his own son and my every decision. It introduced tension into the game as parents on my team took



umbrage and the situation could have developed into something nasty. After a quiet word and eye contact, the abuse stopped, but I can't forget the mixed look of relief and embarrassment on his son's face.

Reflecting back, I was haunted by a quote from famed Swiss psychologist Carl Jung who observed: 'The greatest burden a child must bear is the un-lived life of its parents.'

I've been fortunate to have worked with more than ten sports in Australia and have always struggled with the mystery of match official abuse. Why the white-hot hostility to a stranger and the lack of awareness of the clearly terrible role modelling?

What drives an otherwise upstanding sports fan to scream abuse at a match official, or turn an otherwise loving parent into a seething, foaming, resentful ball of fury at an 11-year-old boy who has made a refereeing decision that did not favour their child?

For more than a century, sports have provided an extraordinary platform to improve human rights, lift millions out of poverty, teach empathy, learn about other cultures and teach values to create better people and societies. Great progress has been made in eradicating racism, promoting pioneers and creating opportunities through inclusion for under-represented groups including females, the LGBTI communities and cultural minorities.

The one area that hasn't risen with the tide is the continued disrespect of match officials across sports by coaches, players, parents and fans.

Some call it a crisis of disrespect, and for others it's an act of wanton self-sabotage. I agree with both and will include 'destructive cowardice'. There's nothing positive about the abuse of officials (referees and umpires) and for some sports it is looming as their greatest challenge to growth.

The cricket summer of 2020/21 was a flashpoint

in the ongoing war for respect for officials. Across all forms of cricket there was a marked increase in umpires being abused by batsmen who were refusing to accept the umpire's decision. The old-school cricket media, mostly ex-players, refused to attack this behaviour, instead attributing it to 'passion', the 'pressure', and in some cases saying that 'questioning the man' is a part of Australian foundation culture.

Until a powerful story was written by Gideon Haigh debunking these rationalisations, it seemed the behaviour was being normalised. Applauding the article I wrote on LinkedIn:

'The open denigration & defying of umpires sets a terrible example for children, degrades the game & ultimately means less people want to both umpire and play.

Umpires are often senior men and women doing it for chump change and love, and the game is poorer without them. I've been involved in matches where umpires haven't shown up and you have to umpire yourselves and it was a hostile and unpleasant experience. They should be treasured & thanked for giving up their time.'

The open denigration & defying of umpires sets a terrible example for children, degrades the game & ultimately means less people want to both umpire and play

Former Test opener and renowned 'gentleman cricketer' Ed Cowan stated a simply articulated case for player behaviour in terms of personal legacy:

'Lots of talk about player behaviour at the moment. I had my moments no doubt (bound to if you get hit on the pads as often as I did) but I regretted them at the time and still do now. You quickly forget the runs and wickets. People remember, rightly or wrongly, how you conducted yourself.'

The standard you walk past is the standard you reflect, and Gideon and Ed seemed like lone outliers in taking their stand for respect.

Many moons ago I was involved in the design and evaluation of the award-winning AFL Multicultural program, which has globally done more than any other formal program to engage people from culturally and linguistically diverse backgrounds.

Part of the multicultural fan development journey was the 'Welcome to the AFL', a trip to the MCG to watch the great Australian game at its apex: A night at the 'G'.

One night I was an observer for a group of 50 Chinese international students who had learnt about the game in tailored sessions and watched videos, and were primed to watch their first professional game live.

There was a big crowd in and the shouted umpire abuse started early with one referee being continuously called 'a maggot' and the vitriol continued unabated by both sets of fans.



At half time I spoke to one of the student leaders who said his group was not enjoying the experience because of the referee abuse. The leader told me: 'A lot of us are sad for the parents of the referee and why they let their sons do this. What have their sons done wrong to deserve this?'

The running joke at the time was that the ability to 'get things off your chest' and vent by yelling at the umpire was saving the Victorian government millions in keeping people away from psychiatrists, but at whose expense?

The mental health of the umpires.

Patrick Skene

Patrick is a founder of Cultural Pulse, a leading micro-community marketing and engagement agency that has worked for the past 15 years on sports participation and fan engagement programs for over 100 communities. His recent book 'The Big O, The Life & Times of Olsen Filipaina' has gone into reprint and his stories on the intersection of sport, history and culture have been published by The Guardian Australia, The Age, The Sydney Morning Herald and Inside Sport. He is currently the proud coach of the Rockdale Raiders Under-8 B1s.

Note: The second part of this article is available on www.clubrespect.org.au. Patrick addresses the horrifying end game of abuse of officials and some programs that have successfully increased respect for officials.

A close-up photograph of a hand holding a yellow flag on a green field. The hand is in the foreground, and the flag is extended towards the right. The background is a blurred green field.

Conflict of interest by committee members

In many sporting associations, persons who have commercial interests in the sport are also keen participants and members of the club or association committee. These may be coaches who provide services using the club facilities, or suppliers of equipment or services to the organisation.

In those cases, when the committee is considering whether and on what terms to engage the coach or purchase the equipment or service (or to use another coach or supplier), that committee member has a conflict of interest in the decision.

The legislation concerning incorporated associations is state and territory based. And just like rail gauges, there is no uniformity in the provisions on this topic.

This is highlighted when it comes to obligations on committee members to make disclosures and absent themselves from discussions on issues where they have a personal interest in the matter before the committee of the association.

In addition to the legislation, a committee member is at common law in a fiduciary position in relation to the association and is not allowed to make a personal profit from their position.

Each state or territory other than Queensland and Tasmania has provisions in its legislation relating to associations dealing with the obligations of committee members who have a personal interest in a matter before the committee of management.

There are significant pecuniary penalties imposed on a committee member for failing to comply with the requirements.

In Queensland and Tasmania there are provisions in Model Rules contained in the relevant regulations, if adopted, but those contain no penalties.

The different legislation has varying terminology, obligations and penalties.

To define the interest, the laws use terms such as "material personal interest", "direct or indirect interest" and "direct or indirect pecuniary interest in a contract or proposed contract". This raises questions as to whether an employee of a coach or supplier in respect of whom a contract is being considered has an indirect interest because the failure to grant a contract may affect their livelihood.

In all jurisdictions except the Model Rules in Queensland, the nature and extent of the interest must be disclosed to the committee. In Queensland, the person is not to vote and if they vote, then the vote does not count.

In South Australia, Victoria, Western Australia, the ACT and the Northern Territory, in addition to disclosing the interest to the committee, the committee member must also disclose the interest to the next AGM. This is sometimes dealt with in notes to the financial report. But the obligation is on the committee member to ensure that it is disclosed with the failure giving rise to a hefty fine.



In South Australia and the Northern Territory, the committee member can take part in discussions on the topic, but not take part in the decision (that is, vote).

In Victoria, Western Australia and the ACT, the person must not be present during discussions and must not vote. In New South Wales, the committee must first decide if the relevant member can be present and vote, but that decision is made in the absence of the member.

In New South Wales, any disclosure must be recorded in a book kept for that purpose and available for inspection by members at all reasonable hours. There is no provision requiring disclosure at the AGM.

At common law, if any person is present at a meeting but is not competent to vote on a particular matter, that person is not to be counted for the purpose of a quorum in relation to a vote taken on that matter. Any vote taken without a quorum is ineffective and void.

In Victoria, Western Australia and the ACT, if having excluded a person or persons from the committee there is insufficient for a quorum, then any committee member may convene a general meeting of members to vote on the matter.

No such provisions are contained in other jurisdictions.

While it is best practice to include in the committee

minutes any declaration by a committee member, and to record when the member exited and re-entered the room or that the member abstained from voting, if not required to be absent, only in Victoria, WA and ACT are there legislative provisions to this effect.

Some jurisdictions provide that if proper disclosure is made, then any contract is not to be set aside on any ground arising from the fiduciary relationship between the association and the member and the member is not liable to account for profits made.

Every committee member of an association should be familiar with the legislative requirements of his or her state or territory in relation to conflicts of interest of committee members. Arguably, best practice is for any committee member who feels that they may have a conflict of interest in a matter to be discussed, should disclose that interest, have the disclosure recorded in the minutes and leave the room for the discussion and the vote. But requirements to record that disclosure in a book in New South Wales or to the next AGM in other states should not be overlooked where required.

John Daenke
Principal, Daenke Lawyers
ANZSLA Member
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Adelaide



Play by the Rules and Sport Integrity Australia courses in one place

We are delighted to announce that Sport Integrity Australia will be partnering with Play by the Rules to house our online training modules on the Sport Integrity Australia e-learning hub.

As of 17 June, the Sport Integrity Australia LMS (Learning Management System) will be co-branded with Play by the Rules and will integrate the following courses:

- Revised Child Protection Online Course
- Harassment and Discrimination Online Course
- Member Protection Information Office Course
- Complaint Handling Training
- Inclusive Coaching
- Creating an LGBTI+ Inclusive Club
- All mini-courses.

Hosting the Play by the Rules online training modules on the Sport Integrity Australia e-learning

hub creates a single destination for all sporting codes and administration staff to access the appropriate educational materials and training on sport integrity and will vastly improve the user experience in the process.

Bringing together the courses was a key recommendation from the Wood Review, which proposed a single identifiable education and outreach platform be established to develop and coordinate education, training and outreach courses.

The Play by the Rules online courses will be available on our website from 17 June 2021. The courses can be found at www.elearning.sportintegrity.gov.au



SHOOSH for Kids and Let Kids be Kids resources

Shoosh for Kids awareness month happened again in May 2021. Shoosh for Kids is a collaborative effort between the Office of Sport (NSW) and state sporting organisations to promote positive behaviour to their members, clubs and associations. The general rule is, if you can't say anything nice, don't say anything.

The emphasis of Shoosh for Kids is to keep sport focused on fun so that they continue to enjoy participating in sport.

The purpose of the campaign is to support grassroots sports in providing positive environments for their members, while also addressing issues which arise from poor behaviour including:

- abuse of officials
- reduced volunteer numbers
- reduced participation rates (due to poor experiences/non-enjoyment/too competitive).

Although SHOOSH for Kids is a NSW initiative, it's an effective program that can be adopted by any club or association across the country to help address poor adult behaviour at junior sport, and aligns well with the [Let Kids be Kids](#) resources on Play by the Rules.

If you are in NSW and have not signed up yet, or you are interested in finding out more, simply head to the Office of Sport website at <https://www.sport.nsw.gov.au/shoosh-for-kids>

See also the 2021 SHOOSH for Kids Winter Awareness Launch video: <https://www.youtube.com/watch?v=MGtCdDVbviY&t=8s>

SHOOSH FOR KIDS

Let Kids be Kids

Subscribe to Play by the Rules

Come and join the 130,000+ subscribers to Play by the Rules - it's a great way to keep up-to-date with safe, fair and inclusive sport.

Back Issues

You can access each back issue for this magazine by visiting [this page](#) on the Play by the Rules website. All the feature articles and significant news items are listed here.

Share and spread the word

One easy way to keep up to date and support safe, fair and inclusive sport is to share Play by the Rules across social media. We post every day on Facebook and Twitter and have audio files on Soundcloud and an extensive collection of videos on YouTube and Vimeo.



<http://facebook.com/playbytherules>



<http://twitter.com/playbytherules>



Our Partners

Did you know that Play by the Rules is one of the best examples of a Collective Impact approach to addressing sport issues in the country? Play by the Rules is a collaboration between multiple partners.



To make Play by the Rules possible, we also work with



[Click here for the new eLearning hub](#)

– a collaboration between PBTR and Sport Integrity Australia – now hosting all integrity online courses in one single click destination

