



Issue 17

WHEN SIZE DOESN'T FIT THE AGE



- ▶ JUST BE THERE TO CHEER
- ▶ WHINGEING OR TAKING A STAND - TAKING OWNERSHIP OF OUR BEHAVIOURS

**PLUS: FAMILY LAW AND DOMESTIC AND FAMILY VIOLENCE ORDERS - WHAT SHOULD A SPORTING ORGANISATION DO?
BEING A WELCOMING CRICKET CLUB | MUSLIM NETBALL PROGRAM | AND MUCH MORE...**

Did you miss the recent Play by the Rules webinar, Supplements - Know what you are doing? If so, fear not, you can catch the replay here:

<http://www.playbytherules.net.au/news-centre/projects-sport-integrity/1446-safeguarding-integrity>



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THE EDITOR

The Olympics have been and gone and spring is fast approaching would you believe – how time flies!

In this issue there's an important article from Simone Pearce from ANZSLA addressing an issue that has come across the desk of Play by the Rules in recent times. It reflects the recent focus on domestic violence, and family law disputes surrounding child abduction. These topics raise issues for sporting clubs and associations. What, if any, obligations do they have in light of family law orders or orders regarding domestic and family violence. We also welcome guest contributor Mark Slater whose article 'Just be there to cheer' I'm sure will resonate with many of our readers! There are other updates and news items and information on a couple of important conferences coming up soon.

You can spread the message of safe, fair and inclusive sport by sharing this magazine with your friends and colleagues in sport and encouraging them to subscribe to Play by the Rules, joining our 25,000+ subscribers.

Thanks, as always, for your support.



Peter Downs
Manager - Play by the Rules

Please 'Like', 'Follow' and 'Subscribe' - a great way to support safe, fair and inclusive sport



NETBALL FOUNDATION SUPPORTS MUSLIM NETBALL PROGRAM

The Netball Foundation was launched by Netball Australia in 2015 to help women and girls achieve their full potential, both on and off the netball court.

As part of this aspiration, The Netball Foundation is supporting the Saturday Afternoon Youth InTensive (SAYIT) program for young Muslim women, who come together in a culturally safe space, and explore issues around their identities, religion and health.

The girls picked netball as their term two subject and 18 girls aged between 7 and 16 participated in the program. In parallel, the mothers of the girls were supported by Netball NSW to become Netball Australia foundation-level accredited coaches, and Netball NSW introduced these women and their daughters to the local Bankstown City Netball Association.

SAYIT program coordinator Feda Abdo explained that the program is about empowering young Australian Muslim women in everything they do, and that the partnership between the Muslim



Women's Association (MWA) and netball is an important part of this program.

'The SAYIT participants enjoyed being able to play netball with such talented and fantastic coaches,' said Abdo. 'Parents were grateful for the fact that their girls were able to play in a safe and comfortable environment, where the girls were accepted for who they were without any question, and not made to feel different but able to play and interact freely while learning some fantastic skills.'

At the conclusion of the program and with links now established with the committee of Bankstown Netball Association, the SAYIT students will be hosted at their local courts with further 'Come and try' opportunities.

For more information, visit <http://www.netballfoundation.com.au>

THE 26TH AUSTRALIAN AND NEW ZEALAND SPORTS LAW ASSOCIATION ANNUAL CONFERENCE

The 26th annual ANZSLA conference will be held in Wellington, New Zealand, from 12 to 14 October 2016. The theme for the conference is 'The forces at play' and the conference organising committee has built a stimulating program around this unifying theme to give you real insight into the forces which are shaping, challenging and disrupting sport.

Sessions on integrity in sport, doping, selection issues, the future of sports broadcasting, brand protection, health and safety, and panel discussions, will provide you with important practical knowledge of the most demanding and urgent issues in modern sports law.

Outside the conference program there will be a range of networking and social events. These include a president's welcome and the ANZSLA Sports Cup at New Zealand Rugby House, and a dinner at Te Papa Museum of New Zealand's stunning Te Marae. There will also be a special pre-dinner viewing of Te Papa's spectacular new exhibit, 'Gallipoli: The scale of our war,' and a Wairarapa wine tour on the Saturday.

The brochure, full program and registration can be found on the ANZSLA website at: <http://anzsla.com/content/annual-conference>

Please contact Sharon Scriven, ANZSLA's Executive Manager at anzsla@anzsla.com for further information.



BEING A WELCOMING CRICKET CLUB

Cricket Australia is very keen to help clubs build on the wonderful playing environments that exist each week during the Australian summer. Did you know that there were at least 118,740 matches played in season 2015–2016 (as recorded on MyCricket)?

Cricket Australia wants to ensure those matches are continually played in a safe, welcoming and inclusive manner. The video produced entitled 'Being a welcoming cricket club' highlights how your club teams can be even more welcoming on match day.

The footage was captured during a Sunday one-day match between Sunshine Heights CC vs Avondale Heights CC in the Victorian Turf Cricket Association.

The video footage and tip sheets are available via link below. Enjoy!

<http://community.cricket.com.au/clubs/well-played/being-a-welcoming-cricket-club>



THE 2016 DIVERSITY AND INCLUSION FORUM



Play by the Rules has partnered with the Australian Human Rights Commission, Australian Sports Commission, Monash University, Victoria University, Oliver & Thompson Consultancy and the Centre for Multicultural Youth to host the first Diversity and Inclusion in Sport forum.

The forum will take place on 7 October at the Jasper Hotel in Melbourne's CBD.

Australia's population is changing in size and diversity, as are the communities in which sport operates. For sports to flourish and grow they need to continue to evolve and innovate.

However, understanding and engaging diverse communities and meeting their needs can present many challenges. This new sporting industry event aims to share ideas, strategies and best practice across the sport sector, and explore future approaches and solutions to help sport get inclusion and diversity right.

There is a great lineup of speakers for the TED-style event that will be hosted by sports broadcaster Tracey Holmes. There are limited spots available so if you are interested in attending, go to the forum website and register today. We'd love to see you there.

<http://inclusionaustralia.com>

Just be there to cheer

As a sports parent I have to admit that there have been times in the past when I have crossed the invisible white line between enthusiastic supporter for one of my children and being an embarrassment to the family name.

Strangely, my son's basketball coach, the match umpire or the manager of my daughters oztag team did not always welcome my well-intentioned advice.

On one infamous occasion, my 9-year-old son was trialling for the state under-12 basketball team. The boys were engaged in a ball control drill. I was watching my son's every move with my characteristic obsessive keenness when I noticed that some boys were stepping over the sidelines. Rising from my chair, I confidently approached the silver-haired coach who was running the drill, his formidable voice barking instructions. Managing to get the man's attention, I offered helpfully, 'You know, some of the boys are running out of bounds in this drill. I didn't know if you realised'

The coach, who probably had better things to do than engage with an interfering know-it-all parent, smiled pleasantly and replied in a mind-your-own-business sort of way, 'It's okay, the boss knows what he's doing!'

The 'boss' he was referring to was the head coach of the program, one of Australia's most credentialed basketball mentors.

'Okay', I said, somewhat chastened, but I doubt if the coach would have heard. He was already back on court, gesticulating and directing.

Slam dunk to the coach. Tech foul to me.

After the session was over, my son, who had watched the brief exchange, asked me, 'What did you say to the coach?' He was clearly embarrassed. By the time I had explained, he was mortified. 'Please don't speak to the coach,' he pleaded. 'Okay', I nodded.

My son, who was talented but inexperienced at this level, was having enough trouble dealing with the expectations and stress of competing with and against older or more seasoned players. Now his father had humiliated both of them. Bad form!

Luckily, my son is still in that program. The coach and I get on very well but I quickly learnt where the boundary line was.

After those exchanges, I vowed never to step over the parent-coach divide again and I have since extended that embargo to contact with referees, managers and administrators. This is not to say that sometimes I have not had to bite lips and chew fingernails to resist the urge to rail against misperceived injustice against one of my children or their team, but I make a point these days of just being Dad, cheerleader and property steward. Being coach and referee as well is just too much multi-tasking.

My well-intentioned but misguided advice was mild compared to the abuse coaches, referees, umpires, team managers and administrators receive on an almost daily basis. Some parents turn Saturday morning Australia from a fun park into a war zone, convinced that the coach or referee will somehow see how wrong they are IF THEY WOULD ONLY LISTEN!

Junior sport is about smiling engagement, participation, effort and friendship.

As parents, our role is to facilitate and enable those qualities. Winning is merely a by-product, but it is the ingredients that are the most enjoyable to savour.

Having reflected on my own occasional descent into sports-parent nut job (and redemption!), I have put together my personal code of conduct:

**I AM A DAD. MY CHILD HAS A COACH AND THE GAME
HAS AN UMPIRE.
I'LL DO MY JOB AND LET THEM DO THEIRS.**

Most sports associations and clubs have a code of conduct, not only for parents but also for coaches, officials, spectators, administrators and players. They are well worth reading, and heeding.

Play by the Rules has code of conduct templates that can be found at <http://www.playbytherules.net.au/features-mainmenu/club-toolkit>

Mark Slater

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When size doesn't fit the age

If you've ever watched your pint-sized child racing towards a soccer goal while a group of advancing giants from the other team seems to block out the sun and wondered 'are those kids actually in the right age group, or even the same species?' then you're not alone. One of the biggest challenges in junior sport is that we organise children chronologically instead of developmentally.

The issue recently received media attention when Brad Harrison, former NSW Waratah and president of one of the largest junior rugby districts in Australia, pulled his 14-year-old son out of the Sydney Junior Rugby Union competition because he felt there was a huge disparity in sizes of children in the under-12 and under-14 age groups which made the sport 'too dangerous'.

He suggested that the sport needs to think more about whether it is breaching its duty of care to its junior players when a 40kg late developer is clashing with players in the same age group who weigh in excess of 100kgs.

A weight-for-age system has been building momentum in junior sports in a number of countries, among them New Zealand where there are weight categories for club and schoolboy rugby union teams for the eight to under-13 competitions. The weight cap for under-13s is 83kgs.

In South Africa, a research study¹ of the issue has recommended that rugby teams be assessed by collective weight where a small proportion of players (say 15 per cent) may be above the upper recommended weight range.

Rugby league in Australia has also trialled the concept, with NSW Rugby League piloting weight and age-restricted divisions at the All Schools Carnival and gala days, and a number of independent schools associations also trialling weight restricted competitions.

Children's physical development concerns are not restricted to rugby union and league. Judo and boxing place weight restrictions at each age grade levels, ensuring that players are given the opportunity to play against an opponent of comparable size, strength and



development.

American football also has had weight restrictions in place for junior age players, with a mid-range weight also used to dictate positions that particular players are allowed to fill.

Both boxing and American football allow for growth in players over the season, with specific figures put on how much weight they can gain while remaining eligible to play at their grade.

Netball Australia has also recognised the uneven spread in growth and maturation of young players, and its junior sports policy requires coaches and administrators to recognise 'individual needs within chronological age groupings'.

Beyond the safety implications of children of vastly different sizes playing against one another, sports researchers are also suggesting that size and physical maturity can also influence how much attention players receive from coaches and sports administrators.

called the Relative Age Effect, it describes how top-level sport is often dominated by players born at certain times of the year and physical maturity is often cited as the cause.

The theory goes that bigger children are seen as more skilful and get more playing time. And because they get this, these older (in their age category) children are also getting more practice, which in turn allows them to improve faster. The faster they improve, the more they stand out and the more playing time they get. The cycle continues and contributes to an increasing skill gap between younger and older children in an age band.

Conversely, research has found that players born later in an age cut-off year are more likely to drop out of sport. Together, these statistics suggest that children born earlier in a cut-off year are physically more mature (that is, bigger) and therefore have an advantage over others in their year group.

While the Australian Rugby Union is said to be considering a number of measures to update its safety processes as part of a revised national policy to be introduced in 2017, there are several steps that sports can take when considering the issue of physical development and competition for juniors.

The WA Department of Sport and Recreation has produced a physical growth and maturation guide² for junior sport that offers strategies for accommodating growth and physical maturation.

Play by the Rules also has a number of articles and interactive scenarios on its website around team selection and girls playing on boys' teams that deal with the issue of competitors' physical size.

¹ <http://www.sarugby.co.za/boksmart/pdf/BokSmart%202010-Age%20vs%20Weight%20Category%20Rugby.pdf>

² <http://www.dsr.wa.gov.au/docs/default-source/file-clubs/file-club-roles/21-physical-growth-and-maturation-2011---junior-sport-policy.pdf?sfvrsn=4>

Whingeing or taking a stand - Taking ownership of our behaviours

Consider these insights from two literary giants of our time. The first from Maya Angelou: 'What you're supposed to do when you don't like a thing is change it. If you can't change it, change the way you think about it. Don't complain.'

And this one from Christopher Hitchens:

'Never be a spectator of unfairness or stupidity. The grave will supply plenty of time for silence.'

At first glance it might appear that Angelou and Hitchens are in opposition, however, I think their respective quotes establish the important difference between having a needless whinge and taking an important stand.

As a participant and now primarily a spectator of sport. I've celebrated the courage of those who refuse to accept unfairness in sport. Men and women who push back against abuse, discrimination or cheating deserve our full support. Unfortunately, I've also cringed at the shallowness that sometimes creeps into sport through the actions of disgruntled supporters and players.

So how do we thread the needle between these two closely related but very different actions? Perhaps the first requirement is that we spend some time drilling down into what makes sport valuable to us. If what we truly care about is winning at all costs, it's unlikely we're going to value the fairness and integrity which has underpinned every great sporting achievement in history.

Trying our best to win is an essential component of any athlete's development. Pushing oneself to new heights, overcoming adversity and helping others reach their goals are ways in which sport can enrich lives like few other activities. But each of these value propositions require an unimpeachable commitment to personal integrity.

Whether we're out on the field of play or sat amongst the crowd, the only way we can truly respect the ethos of sport is by refusing to compromise the values which have underpinned its greatest attributes.

One way for individuals to scrutinise a complaint they're considering lodging is for them to reflect on who stands to benefit. Is the protest driven by self-interest or is it intended to protect or support others? We all have a natural tendency towards some level of egocentrism, and this can become a real problem when we lack the self-awareness to know when we're being biased in favour of ourselves to the detriment of our sport.

Wherever we feel wronged in sport and in life it's always best to consider what role we've played in creating the problem. Taking ownership of our own behaviour is a crucial part of establishing the credibility of any grievance we may lodge. True competitors and genuine champions never play the victim.

Once the soul searching is complete and we're confident that a genuine objection should be raised, it's important to remain as calm and respectful as possible. A huge portion of the conflicts in sport could be avoided if all parties committed to civil discourse. This is most important when it's least easy to do – in the heat of a contest.

I know how difficult it can be to retain one's composure while the team we love is competing. It's nearly impossible not to feel emotionally invested in the outcome of certain matches. Ironically it is this tribalism that can expose the best and worst that sport has to offer. The flip side of the joy athletes and fans experience when they win can be that it drives us to act completely irrationally when these experiences are challenged. For evidence of this one need only pay attention to the abuse hurled at referees every weekend.

However, heat of the battle arguments are no excuse for certain behaviour. When confronted by homophobic slurs during a match against the Waratahs last year, David Pocock and Stephen Moore calmly took the issue directly to referee Craig Joubert. Their example was a textbook case in which players felt morally obligated to make a stand. The referee noted the incident and both SANZAR and the Australian Rugby Union acted swiftly to address the issue.

In this instance administrators played an important role in resolving the issue by taking the complaint seriously, acting professionally and decisively while remaining neutral until all the facts were made available.

There's a lesson there for all of us who want sport to act as a positive influence on our society.



Clyde Rathbone
www.clyderathbone.com

FAMILY LAW AND DOMESTIC AND FAMILY VIOLENCE ORDERS - WHAT SHOULD A SPORTING ORGANISATION DO?

There has been significant and appropriate recent social focus on domestic violence, and family law disputes surrounding child abduction. These topics raise issues for sporting clubs and associations to consider. What, if any, obligations do they have in light of family law orders (FLO) or orders regarding domestic and family violence (DVO)? This article highlights some of the complex questions for sporting organisations regarding those issues, particularly around court orders and the implications that these may have.

The effect of family law and domestic violence orders

An order of any court is only binding upon the parties (generally parents) to the order. If the parties do not comply with a FLO it may be enforced by the parties by an application to the court. If a person breaches a DVO, the police may assist and a court may deal with the person.

How might a FLO or DVO be relevant to a sporting organisation?

FLOs or DVOs may affect a sporting organisation if it:

- prevents a parent/party from attending at sporting events or places
- specifies that a parent is to only have the children at particular times and places.

If the parent/party attends a sporting event or place contrary to a FLO, the consequences for that person are that they may suffer a 'contravention application' and possibly a variation to the order of the court that made the original order. If the order is a DVO, the police may take action for an alleged breach, and the alleged 'offender' may find themselves before the court.

What do sporting organisations need to think about?

A sporting organisation does not have to interpret an order to determine whether the parent should or should not be there. There is also very little the organisation can do if a parent or party does show up at a sporting ground when they 'allegedly' should not.

That said, there are a range of issues that sporting organisations need to consider including who is responsible for the care and welfare of children at a sporting ground or event? Parental responsibility for children's care is legislated within the Family Law Act 1975 (Cth). Parental responsibility in simple terms is the duty and responsibility for the care, welfare and development of a child, which includes protecting

them from harm. This is consistent with the attitudes of courts and the legislature in recent years to identify and expect personal responsibility in cases of negligence.

The responsibility for children raises legal and ethical questions. For example, should a child be left unattended at the end of training or the game? While there may not strictly be legal liability for the care of the child, there is still a moral or ethical issue of the safety of children.

Generally, there is not a legal 'duty' on sporting organisations to be responsible for the welfare and care of the child outside sporting matters. Sporting organisations may be able to exclude people from their premises or from the activities of the organisation. This may depend on where the sporting activity is taking place or whether the parent is a member of the sporting organisation or club.

Sporting organisations can implement systems to avoid the risk of an undesirable incident, such as implementing policies and codes of behaviour that are clear about the expectations on those attending sporting games and events. Generally, unless specified in the order, there is no obligation to tell a sporting organisation about orders.

If the sporting organisation becomes involved in the implementation of orders, it is an obligation that could lead to reporting requirements, record keeping and the giving of evidence. Requiring copies of orders relating to attendance at sport and whether children are not to be collected by certain persons risks breaching privacy, and risks creating a duty that does not ordinarily exist.

If there is an issue that raises concerns for a club, they should seek specific advice about the circumstances.

What to take from this article

Sporting organisations should make sure that the coaches and volunteers know who to contact or notify if they become aware of an issue, such as a designated person at the club/association, or the police. Having a plan to deal with the issues raised here and any potential incidents is important.

Ultimately, parents are responsible for the safety of their children. While sporting organisations have a duty to ensure safe playing/training/sporting conditions, they do not generally owe a duty to protect a child from risks outside of those circumstances. Perhaps the most important step for sporting organisations is to ensure that their policies clearly articulate the parent's responsibility for their children and their own behaviour.

General information

Should any matter in this article raise a question or concern for you or your sporting organisation, you should seek specific legal advice. This article is only for information purposes, and to assist sporting organisations in understanding rights and obligations in a general sense. It is not tailored to any particular fact, situation or specific requirements, and must not be relied on as legal advice.

Simone Pearce

Lecturer, University of the Sunshine Coast

PERSPECTIVES

INVISIBLE PLAYERS

In March this year ESPN launched a new outdoor sports portal, similar to a digital advertising box you might see at a bus stop. This bus stop advertising was different though. It used voice recognition software and asked people one simple question – did they know much about sports?

If someone replied ‘Yes’ then it activated a series of short video questions about sport. The videos were ‘disguised’ in a way that made it difficult to distinguish who was in the video but easy to see what sport was being played. You had to guess who scored the goal? Who surfed the barrel? Who scored the basket?

The cumulative responses of all people mentioned were 100 per cent male athletes. People guessed that Neymar or Messi scored the goal. Michael Jordan or Oscar scored the basket or Medina surfed the wave.

The portal then revealed the real answers – that female athletes Maya Moore, Marta Vieira and Maya Gabeira were the stars of the videos.

An interesting and powerful way to highlight common assumptions about sport and how our perceptions are so geared to gender stereotypes.

If you have a couple of minutes, it’s really worth watching:

<https://www.youtube.com/watch?v=pENVidvF50Q>



ONLINE COURSE UPDATE

creating a child safe environment

Sporting organisations should put in place strategies to develop child-safe environments and minimise opportunities for child abuse, including preventing offenders from gaining access to your organisation.

General strategies to achieve child-safe environments include:

- understanding the different types of child abuse
- identifying potential risks and dangers to children (for example, going away on camps) and managing those risks
- developing guidelines and processes that clearly outline how to respond to child protection issues
- choosing your staff with care; for example:
 - state your commitment to a child-safe environment when advertising vacant positions
 - seek criminal history checks for employees/volunteers working with children
 - conduct referee checks (particularly with previous child-related employers, if possible)
- nominating a child protection officer or Member Protection Information Officer who people can trust and go to with concerns
- ensuring that all staff (paid and volunteers) understand their mandatory/ethical reporting obligations for suspected child abuse
- ensuring staff have a clear understanding of acceptable/ unacceptable behaviour
- talking openly about the importance of ensuring the safety of children within your organisation.

To access the free online complaint handling course go to <http://learning.ausport.gov.au>

RESOURCE PROFILE

Taking images of children fact sheets

Most people taking photos of children at sporting events are doing so for acceptable reasons and are using appropriate methods (for example, a parent videoing their child at a sports presentation or photographing their child on the field during play or a professional photographer taking photos for a club).

The small size of many cameras and the advent of mobile phone cameras makes it easier to take photos and harder to monitor. Digital photo publication can now be printed at home and photos can be taken, altered, and transmitted quickly to a vast audience by posting on the internet or 'on sending' the photo to mobile phone users. This greater ease of taking and modifying images has raised concerns about the potential risks of child abuse posed directly and indirectly to children and young people through the inappropriate use of photographs featured on sport websites and in publications.

The 'Taking images of children' fact sheet provides information and suggested strategies that have been provided for sporting clubs and associations to consider when acquiring and displaying images of children and young people on websites and in other publications. It is not intended to restrict people taking photos for legitimate reasons.

You can download the fact sheet here: http://www.playbytherules.net.au/assets/Taking_images_of_children.pdf



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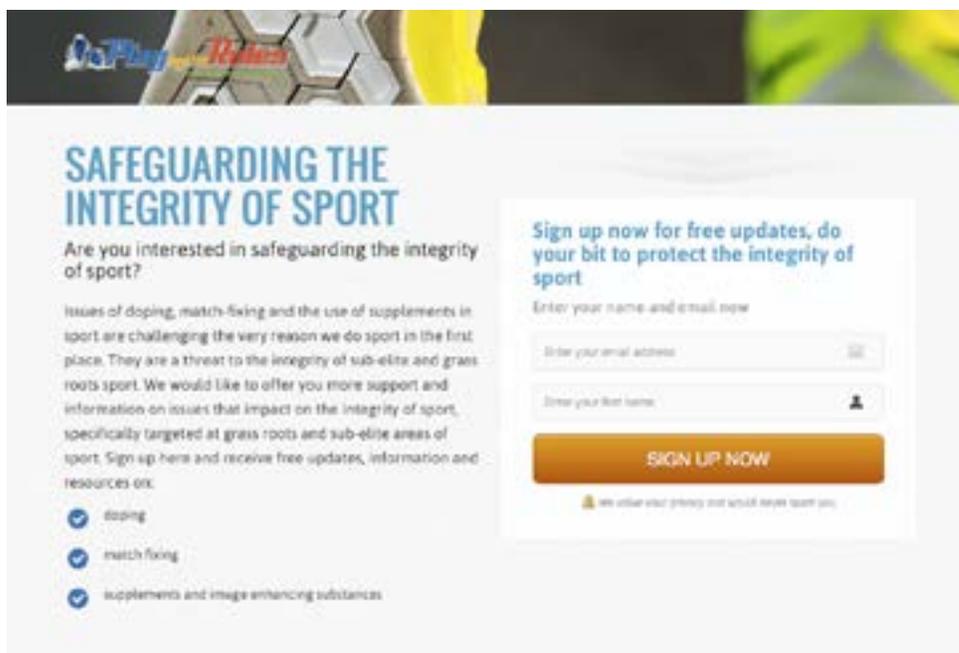
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If you are particularly interested in issues such as match-fixing, online betting, doping and the use of supplements in sport then you can also sign on here for updates - <http://pbtr.com.au/safeguarding>



SAFEGUARDING THE INTEGRITY OF SPORT

Are you interested in safeguarding the integrity of sport?

Issues of doping, match-fixing and the use of supplements in sport are challenging the very reason we do sport in the first place. They are a threat to the integrity of sub-elite and grass roots sport. We would like to offer you more support and information on issues that impact on the integrity of sport, specifically targeted at grass roots and sub-elite areas of sport. Sign up here and receive free updates, information and resources on:

- doping
- match fixing
- supplements and image enhancing substances

Sign up now for free updates, do your bit to protect the integrity of sport

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BACK PAGE

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? If not the best. Play by the Rules is a collaboration between multiple partners.



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 so you can access the resources that interest you.

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 ...



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