

Welsh Indoor Bowls – Disciplinary & Appeal Procedures

Any member club, or member of an affiliated club, of WIB against whom an allegation of misconduct is made, as defined below, may be subject to investigation which may lead to disciplinary measures being taken:

- a) Improper interference with the functioning or activities of WIB or any members of WIB, whether at local or international level.
- b) Action which otherwise improperly damages WIB or any Club or any member thereof.
- c) Brings the sport of Bowls or WIB into disrepute by word or deed. This includes on social media.

JURISDICTION

The Management Committee of WIB shall, from time to time, appoint Disciplinary Committees made up of persons who, by virtue of their knowledge of bowls or whom the Management Committee considers are well placed, to hear and determine issues arising out of alleged misconduct.

This committee shall comprise three people one of whom should be elected as a Chairman and in the event of a split decision have the casting vote. The Committee shall hold plenary powers in deciding guilt or otherwise. These powers shall also cover, in the event of a matter being proven, such penalties or sanctions as listed below.

The meeting will be attended by either the Secretary or Assistant Secretary to record the proceedings; they will not be entitled to vote.

No member or club with an interest in the case to be heard shall be appointed or otherwise sit on the Disciplinary Committee.

The Management of WIB shall, from time to time, appoint Appeals Committees made up of Management Committee members and/or persons, who, by virtue of their knowledge of bowls or experience in disciplinary processes, the Management Committee considers are well placed to hear and determine appeals against decisions of the Disciplinary Committee.

No person sitting in the first instance on a Disciplinary Committee shall be appointed to a subsequent appeal on the same matter.

This committee shall comprise three people one of whom one should be elected as a Chairman and in the event of a split decision have the casting vote. No member or club with an interest in the case to be heard shall be appointed or otherwise sit. The Committee shall hold plenary powers in deciding to uphold or reject the appeal.

The meeting will be attended by either the Secretary or Assistant Secretary to record the proceedings; they will not be entitled vote.

Meetings of the Disciplinary Committee or Appeals Committee may take place by telephone, email, webcast or in person.

PROCEDURE FOLLOWING AN ALLEGATION OF MISCONDUCT

Any person wishing to make a complaint of misconduct by an affiliated club or by a member thereof, where the issue cannot be dealt with at a local level, must do so in writing to the WIB Secretary in the first instance.

The Management Committee shall first consider the issue before appointing a Disciplinary Committee if necessary. Only the Management Committee shall be entitled to put a complaint to the Disciplinary Committee.

The Management Committee shall have the right at any point in time, prior to any further proceedings, to impose a provisional suspension if deemed necessary.

Any complaint deemed necessary for further action shall firstly involve the complaint being sent to the accused person or club in writing, setting out details of the alleged misconduct and requiring a written response within fourteen days.

If no written response is received within fourteen days, the accused person or club shall be deemed to have admitted the complaint and sanctions may proceed.

If a defence to the complaint is received, a Disciplinary Committee meeting should be called to discuss the issue and a personal hearing take place if requested. The date, time and location of such personal hearing shall be fixed by the Disciplinary Committee and notified to all parties.

Any person or club against whom a complaint is made may request representation at the hearing but must inform the committee who will be attending and in what capacity. Any documentary evidence must be produced to the Committee at least 7 clear days in advance.

Both parties to the complaint shall be present while the complaint and responses are being heard by the Committee.

Witnesses may be called by both parties, but any individual who is the subject of a complaint or a witness who is under the age of sixteen years must be accompanied by one of his or her parents, legal guardian or a "guardian ad litem".

It shall be the duty of any party wishing to call a witness to ensure their attendance.

In the event of non-attendance by any party, by the plaintiff or the defendant, to the proceedings, the relevant committees may continue to hear the matter and reach a conclusion "in absence".

The deliberations of the Disciplinary Committee or Appeals Committee shall be in private.

Decisions shall be notified in writing to all interested parties as soon as reasonably practicable after the conclusion of the hearing but no later than ten working days. When considered appropriate, either committee may deliver an oral decision at the conclusion of a hearing.

If the Disciplinary Committee determines that misconduct has been established and the complaint upheld, an appropriate penalty or sanction may be imposed as appropriate by the Committee.

Sanctions may include but are not limited to:

- a) A caution
- b) warning as to their future conduct.
- c) Reprimand
- d) suspension for a period from all WIB activities
- e) expulsion from WIB
- f) a combination of the above

Sanctions shall ordinarily take effect immediately pending any appeal.

Any member club, or member of an affiliated club, of WIB has the right to appeal the decision of a Disciplinary Committee. An appeal, stating the reasons and the basis upon which the appeal is being pursued, must be lodged with the Secretariat within 7 days of the Disciplinary Committee's decision.

An Appeals Committee must be convened within 10 days thereafter to hear the appeal.

Admission of any new evidence, not considered at the first instance, may only be permitted, if relevant, at the discretion of the Appeals Committee who will require a full explanation as to why the evidence was not placed before the Disciplinary Committee.

In disposing of the appeal, the Appeals Committee may affirm the original decision, uphold the appeal in full or in part or substitute a decision with a new one and take any steps which they may consider appropriate in order to deal justly and finally with the issue.

THE DECISION OF THE APPEALS SUB-COMMITTEE SHALL BE FINAL

MULTIPLE INCIDENTS

Where there are disciplinary proceedings against more than one person or entity, these may be heard separately or together, however the Disciplinary or Appeals Committee may determine.

ADDITIONAL PROVISIONS FOR DISCIPLINARY /APPEALS COMMITTEES

In respect of any matter not provided for in these rules, the decisions of the committees shall be taken according to the general principles of fairness and justice.