

The British Darts Organisation

DISCIPLINARY PROCEDURES

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British Darts Organisation Code of Practice No 3 - Discipline

1.00 INTRODUCTION

- 1.01** This Disciplinary Code forms part of the terms and conditions of membership of the British Darts Organisation (the "BDO"). It also forms part of the terms and conditions of participation in tournaments, competitions and other events organised and/or sanctioned by the BDO or by a BDO Member County or Darts body on behalf of the BDO. Anyone who applies for membership of the BDO, and/or who participates in a BDO Event, whether as a darts player or as an official, shall be deemed to have accepted this Code and agreed to be bound and to abide by its provisions and all decisions made hereunder.
- 1.02** The BDO may from time to time supplement, amend or vary this Code. Such changes shall be deemed to be effective and binding on each member, player and official on the date of publication of the changes by the BDO.
- 1.03** Recognising that both genders participate in the sport of darts, for the purpose of this document any words referring to the male gender shall also include the female gender
- 1.04** BDO Member Darts Bodies wishing to take their own disciplinary action against their own members shall follow this Code as the disciplinary procedure to be implemented within their own disciplinary powers, provided that where proceedings are to be taken under this Code with respect to a particular incident, then any BDO Member Darts body with concurrent jurisdiction over the same incident shall defer to any judgement made by the BDO

2.00 INCIDENT

- 2.01** The disciplinary procedures laid down herein are to be instigated at the discretion of the BDO Officers as a means of dealing with any 'incidents' that may occur at BDO organised events or functions
- 2.02** The term 'INCIDENT' covers any action perpetrated by a person or persons that is adjudged as having brought the name of the BDO or the Sport of Darts into disrepute and it shall also cover any deliberate act of misappropriation or misuse of BDO property or assets
- 2.03** The term 'INCIDENT' shall also cover any instance of verbal or written abuse or derogatory remarks as posted on any platform of Social Media
[Note also BDO Code of Practice 10 – SOCIAL MEDIA]

3.00 COMPLAINT

- 3.01** Any complaint concerning an 'incident' at any BDO event or function or as posted on Social Media should be reported to any of the BDO Officials in control of that event or function and from such a report the controlling officials shall decide either to accept the verbal complaint or request that the complainant submit a written report giving full details of the 'incident' to BDO Headquarters
- 3.02** In the instance of an 'incident' occurring at an BDO event or function or as posted on Social Media which is deemed to have been occasioned by any player, or any official, or any outside person then any BDO Executive Officer who is present at the time of the 'incident' shall be empowered to suspend that player, official or outside person from all BDO activities pending the result of a Disciplinary Hearing

4.00 NOTIFICATION

- 4.01** All details of complaints received and actions taken as a result of 'incidents' must be notified immediately following the event or function to the BDO Chairman who shall refer the matter to the BDO Disciplinary Officer, who shall have sole discretion on whether or not to initiate Disciplinary Proceedings. Likewise any letter of complaint received shall be referred to the BDO Disciplinary Officer who shall decide on the taking of further action
- 4.02** All notification of 'incidents' must include the names of persons deemed to have been involved including any witnesses that may be required to attend any Disciplinary Hearing bearing in mind that such witnesses may wish to corroborate the evidence supplied by the complainants or by the defendant
- 4.03** Once it has been established that a Disciplinary Hearing will take place then the BDO Disciplinary Officer shall undertake to write to the persons involved confirming in the first instance any action taken against them at the time of the 'incident' and informing them that they are subject to disciplinary proceedings pending the result of a Disciplinary Hearing at which they will be required to attend

5.00 THE DISCIPLINARY PANEL

The Disciplinary Panel shall comprise as follows:

5.01 BDO Disciplinary Officer

The BDO Board of Directors shall, each year, appoint from its numbers a person who shall serve as the BDO Disciplinary Officer

5.02 Formation - BDO Full Disciplinary Panel

The Full BDO Disciplinary panel shall comprise of the BDO Disciplinary Officer plus an indeterminate number of persons enlisted on a voluntary basis from currently serving BDO Member County Officers and the current BDO Board of Directors

5.03 Appointment - Chairman of the Disciplinary Committee

For each Disciplinary matter on which it is agreed that Disciplinary procedures be initiated the BDO Disciplinary Officer shall, from the Full Disciplinary Panel appoint a person who shall act as Chairman of the Committee dealing with that respective Disciplinary Hearing

5.04 Appointment - Disciplinary Committee

For each Disciplinary matter on which it is agreed that Disciplinary procedures be initiated the BDO Disciplinary Officer shall appoint the appropriate numbers of personnel from the Full Disciplinary Panel to enable the formation of the Disciplinary Hearing Committee who shall preside over the respective Disciplinary Hearing

5.05 Reporting Responsibilities Chairman of the Disciplinary & Appeals Committee

The Chairman of any Disciplinary or Appeals Committee shall report details of all proceedings to the BDO Disciplinary Officer who shall in turn report back to the BDO Board of Directors and whomsoever is entitled to receive such information

6.00 CONVENING A DISCIPLINARY HEARING

6.01 The BDO Disciplinary Officer shall convene any Disciplinary Hearing at a time and place as deemed suitable and inform all necessary personnel of the requirement to attend

6.02 The Disciplinary Hearing Committee

- a. For each Disciplinary Hearing The BDO Disciplinary Officer shall appoint '1' Member of the Full Disciplinary Panel to act as the Disciplinary Hearing Committee Chairman plus '2' members of the Full Disciplinary Panel to act as the respective Disciplinary Hearing Committee of which all three shall have a vote on any matter appertaining to the hearing
- b. No person directly involved in the 'incident' for which the hearing has been convened shall be permitted to serve on the Disciplinary Committee
- c. There shall also be in attendance the BDO Minute recorder or other person nominated to compile the official Minutes of the proceedings.
- d. The Minute recorder shall have no vote on any decisions taken at the Hearing nor take part in any discussions appertaining to the subject matter of the Hearing
- e. If requested by the Disciplinary Hearing Chairman then the BDO Disciplinary Officer can attend the Hearing to act only in an advisory capacity in order to give guidance on the disciplinary process if required to do so. The BDO Disciplinary Officer shall have no vote on any decisions taken at the Hearing nor shall he take part in any discussions appertaining to the subject matter of the Hearing other than to answer any specific question asked of him by the Disciplinary Hearing Chairman

6.03 The accused person or persons shall be invited to attend the Disciplinary Hearing in which that person or persons shall be given the opportunity to put forward any information and ask any questions relating to the Disciplinary proceedings being brought against such person or persons. Such persons so accused may also invite a reasonable number of witnesses to substantiate any claim of non-involvement, plea of innocence, request for mitigating circumstances to be taken into consideration or any other such claim relating to the 'incident'

6.04 The accused person or persons shall be informed on invitation to the Disciplinary Hearing that in the case of non-attendance at the Hearing the matter may be decided in their absence

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6.00 CONVENING A DISCIPLINARY HEARING [Continued]

6.05 Following the conclusion of a Disciplinary Hearing the person involved shall be informed officially in writing and within 7 days of the Hearing the precise details of the decisions reached in the Disciplinary Hearing together with advice on the effect of those decisions on that persons future involvement in the activities under the jurisdiction of the BDO

6.06 The person shall also be informed in writing of his Right of Appeal against any decision and advised to lodge any such Appeal within 28 days of the relevant Disciplinary Hearing

7.00 RIGHT OF APPEAL

7.01 Any person has the Right to Appeal against any action regarding a complaint or decision taken as a result a Disciplinary Hearing

7.02 In the instance of lodging an appeal the appellant must outline the grounds of the appeal and provide any additional evidence or details of other witnesses to substantiate those grounds

7.03 Such substantiation must be submitted in writing by the appellant or on the instructions of the appellant to reach BDO Headquarters by no later than 28 days following the imposition of disciplinary action as taken at a Disciplinary Hearing

7.04 An appellant may be required to lodge a sum of money with the BDO to help defray any cost of notification and attendance at any Appeal Hearing. Such monies may be refunded as a result of the decisions made in the Appeal Hearing

8.00 CONVENING AN APPEAL HEARING

8.01 An Appeal Hearing shall be convened in the same manner as a Disciplinary Hearing with all relevant persons being informed in writing

8.02 The Appeals Hearing Committee

- a. In the interest of continuity the Chairman of the Disciplinary Hearing Committee shall be a member of the Appeals Hearing Committee but will not be eligible to chair the Appeals Hearing Committee
- b. The numbers of personnel that constitute and Appeals Hearing Committee must always be greater than the numbers of personnel that constitute a Disciplinary Hearing Committee
- c. The BDO Disciplinary Officer shall in addition appoint a further 4 members from the Full Disciplinary Panel to act as the Appeals Committee and from which a Chairman shall be nominated by the BDO Disciplinary Officer with a proviso that none of these 4 x members shall have served on the respective Disciplinary Hearing Committee
- d. The BDO Disciplinary Officer shall nominate a person from the 4 persons as eligible to chair the Appeals hearing
- e. This will give the number of 5 x persons required to constitute an Appeal Hearing Committee and each shall have full voting rights
- f. No person directly involved in the 'incident' for which the hearing has been convened shall be permitted to serve on the Appeals Hearing Committee
- g. There shall also be in attendance the BDO Minute recorder or other person nominated to compile the official Minutes of the proceedings.
- h. The Minute recorder shall have no vote on any decisions taken at the Hearing nor shall they take part in any discussions appertaining to the subject matter of the hearing
- i. If requested by the Appeals Hearing Chairman then the BDO Disciplinary Officer can attend the Hearing to act only in an advisory capacity in order to give guidance on the Appeals process if required to do so. The BDO Disciplinary Officer shall have no vote on any decisions taken at the Hearing nor shall he take part in any discussions appertaining to the subject matter of the Hearing other than to answer any specific question asked of him by the Appeals Hearing Chairman

8.04 Following the conclusion of an Appeal Hearing person involved shall be informed officially in writing and within 7 days of the Hearing the precise details of the decisions reached in the Appeals Hearing together with advice on the effect of those decisions on that persons future involvement in the activities under the jurisdiction of the BDO

9.00 WRITTEN RECORDS AND STATEMENTS

- 9.01.** The BDO shall ensure that a written record and file is kept of all Disciplinary and Appeal proceedings which shall include all relevant letters, minutes of meetings and hearings together with any other relevant notes and information
- 9.02.** In the instance of any legal proceedings being initiated as a result of any actions taken or decisions reached the written record and file shall be made readily available for consideration and reference
- 9.03.** The issuing of any statements on behalf of the BDO shall be made through an appointed person such as the BDO Chairman, BDO Disciplinary Officer or BDO Press Officer. Such statements will only be made after any persons involved have been informed officially of any action taken or decision reached

10.00 DISCIPLINARY ACTION OR DECISION

- 10.01** A Disciplinary Hearing or an Appeal Hearing having made a decision after discussing all relevant points of an 'incident' may impose penalties on any person found guilty as follows:

A. CAUTION

The defendant shall receive an oral and written warning informing of the possible consequences if he is again adjudged as deserving of disciplinary action and the consequences of this warning shall remain in force for a period of 24 calendar months commencing the date of the incident for which he has been found guilty

B. FINE

Sums of money deemed as compatible to the seriousness of the incident

C. SUSPENDED SENTENCE

To be suspended for a period of time, which sentence will only be implemented should the offending person be involved in a further incident during that period of time

D. SUSPENSION

To be suspended from taking part in any darts events or functions organised as under the jurisdiction of the BDO for a stated period of time

For the period of suspension the BDO reserve the right to refuse entry to any suspended persons into any premises where events or functions as organised as under the jurisdiction of the BDO are taking place

E. EXPULSION

Should an incident warrant the expulsion of an offending player, or Official then that person shall be excluded in perpetuity from participation in all darts events staged under the jurisdiction of the BDO or BDO Member County or Darts Body

The BDO reserve the right to refuse entry to any such excluded persons into any premises where events or functions as organised under the jurisdiction of the BDO are taking place

F. COSTS

Disciplinary Hearings

In addition to any other financial penalty which a Disciplinary Panel may impose the Chairman of the Disciplinary Panel may, at his discretion, make an order for the costs of the hearing to be paid, in such proportion as he/she may decide, by any parties of the hearing. These costs may include expenses reasonably incurred in the preparation or holding of the hearing and in attending any hearing and otherwise in presenting or defending the case. In calculating the amount of such a sum nothing shall be included on account of professional charges for legal representation or otherwise

Witness costs will be attributable to whichever party called for their attendance

Appeal Hearings

Accompanying any notice of appeal a sum of £200 must be lodged with the BDO as a deposit against the costs of the hearing. The appellant will be required to pay the reasonable travel expenses of the appeals panel convened to hear the appeal. Whatever the outcome of the hearing these costs are non-returnable

Any costs incurred by the appellant are not recoverable. If a legal representative is permitted by the Chairman of the Appeals Panel then all costs will be borne by the appellant in this matter, whatever the outcome of the hearing

11.00 SUPPORT FROM OTHER DARTS BODIES

11.01 Once the BDO has taken Disciplinary Action against a Player or an Official, and has completed any Appeal proceedings related to that action then it may seek supportive action from any other Darts Body providing that all relevant information concerning the incident and action taken, is made available as requested for reference and due consideration by that other Darts Body

12.00 MISCELLANEOUS

12.01 Disciplinary findings or decisions made pursuant to this Code shall not be quashed or held invalid by reason only of any irregularity, omission, technicality or other defect in the procedures followed unless such irregularity, omission, technicality or other defect raises a material doubt as to the reliability of the findings or decisions or results in a miscarriage of justice.

12.02 In respect of any matter arising that is not provided for in this Code, the appropriate body shall take a decision according to general principles of natural justice and fairness.

12.03 Disciplinary and Appeals Committees shall be formed as far as is practical from the volunteer members of the BDO Disciplinary Panel with any further co-options as decided upon by the BDO Disciplinary Officer. The formation of each Committee shall wherever possible take into consideration the location of the Hearings and that each Committee comprises personnel that can bring to the hearing a balance of knowledge and experience that will ensure that the principles of natural justice are upheld at all times