



Winners of the 2020 Play by the Rules Awards

- Lessons learned in 2020
- Serving notices in the digital age

Plus:

- The 2020 Diversity and Inclusion in Sport Forum - how diversity and inclusion can become sport's new currency
- COVID-19 case studies
- New child safety resources from Victoria
- Sport Australia's Game Plan - a new resource for clubs



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THE EDITOR

Welcome to the final issue of the Play by the Rules magazine for the year, and what a year it has been. Roll on 2021!!

In this issue we 'celebrate' the year by profiling the winners of this year's Play by the Rules Awards—the Multicultural Sports Club in Queensland and Wheelchair Sports NSW/ACT and their amazing efforts through the pandemic lockdowns. Their work typified the work of many clubs and associations around the country, demonstrating great resilience, innovation and an ability to connect to community in a way that only sport can. Well done to them, and everyone who nominated for this year's Awards. Clyde Rathbone also reflects on the year that was with his final piece, and we look at the tricky aspects of serving notices in the digital age.

Finally, I'd like to say a personal thanks to everyone who has supported Play by the Rules in the past year. This is my final few weeks in the role of manager after seven years. It's been a privilege to serve community sport in this time. An announcement on my successor will be made soon, but I'm sure Play by the Rules will go from strength to strength and continue to play an important role in supporting community sport to be safe, fair and inclusive well into the future.

Thanks again and stay safe.



Peter Downs
Manager - Play by the Rules

NEWS:

THE 2020 DIVERSITY AND INCLUSION IN SPORT FORUM - HOW DIVERSITY AND INCLUSION CAN BECOME SPORT'S NEW CURRENCY

In a year when COVID-19 has disrupted community sport and dried up club revenue streams from registrations, grants and sponsorships, some experts herald more focus on inclusion and diversity as a potential lifeline. At the 2020 Diversity and Inclusion in Sport Forum, panellist and former Football Federation Australia board member Moya Dodd told delegates that sports administrators were under a huge amount of pressure to fulfil expectations with less staff and less resources.

'The big worry is that diversity and inclusion become a kind of luxury that we can't afford anymore.' Moya said that too often sports administrators get caught up in the 'currency' of high-performance success or top-line revenue. Yet pandemic lockdowns have instead reinforced just how much more important sport is to what she calls 'internal currencies'—mental and physical health.

'When we came out of [lockdown] in Sydney and I went out and ran around with my over-age football team for the first week and the kids got to go out and run around, I thought, My God, how much have I missed this?

'And this is gold, right? Just the ability to go out, go to training on a Wednesday night and, you know, on a scrappy field somewhere, you realise just how much it gave you.

'So if instead of looking at how much you can make in hard currency that you can put in a bank and [instead looking] at how much you gain in personal wellbeing, then you start to see sport in a whole different way and you realise that this currency can be generated at low cost in a very widespread way [to serve] the mental health needs, the social needs and the personal development needs of the entire community.'

Moya's comments were a great platform for further discussion between host Beau Newell (Pride in Sport), Dr Ben Gauntlett (Disability Discrimination Commissioner) and Sam Turner (former Head of Inclusion and Diversity at the Westpac Group). This year's event was a live-stream panel discussion. You can see the full replay of it at <https://playbytherules.net.au/resources/videos/droughts-bushfires-floods-and-pandemics>

NEWS: COVID-19 CASE STUDIES

The first batch of COVID-19 case studies have been published on Play by the Rules. These case studies have come out of the recent nominations for the Play by the Rules Awards, where 134 clubs and organisations told us about their work in navigating the COVID-19 lockdowns. There really is some amazing work that's gone on in the past few months. At the time of writing, there are 10 case studies published and over the next few weeks/months a further 59 will be released. This will make a substantial library of resources for sport, full of ideas and practical resources that can be copied and adapted in any context. These are valuable lessons not only for lockdowns, but for clubs and associations who value connecting to and caring for their community.

To date, you can see the work of the following organisations at <https://playbytherules.net.au/got-an-issue/covid-19-support-centre/covid-19-case-studies>

Wheelchair Sports NSW/ACT—Rolling Conversations

Multicultural Sports Club (QLD)—Keep Moving Stay Active Campaign

Cairns Hockey Association—Live Well, Learn Well, Lead Well

Cove Netball Club—Cubs Clinic

Darwin Speedway Riders and Drivers—iChariots of Thunder

Belgravia Leisure and Belgravia Leisure Foundation—Mental Health Initiatives

Lindisfarne Junior Football Club—Staying Connected

Reclink Australia—Reclink Connect

Bulleen Templestowe Basketball Club—Wellness Program

GippSport—All Abilities Physical Activity Challenge

Bushrangers Basketball—Come Out and Play

FEATURE ARTICLE:

WINNERS OF THE 2020 PLAY BY THE RULES AWARDS

In the last issue of the Play by the Rules magazine, we looked briefly at some of the Play by the Rules Awards nominations and the work of community clubs navigating their way through the COVID-19 lockdowns. This year, 134 clubs and associations nominated for the Play by the Rules Awards, profiling their work in getting through and, in many cases, thriving during an incredibly difficult period. Sports clubs and associations are amazingly resilient and resourceful during tough times. It was a genuine privilege to read through the nominations. While there were only two eventual winners, all the nominated organisations should be proud of what they have done to keep going and supporting their communities. There really could have been many winners!

The two winners of this year's Play by the Rules Awards are The Multicultural Sports Club (QLD) and Wheelchair Sports NSW/ACT.

The Multicultural Sports Club (QLD)—Keep Moving, Stay Active

The Multicultural Sports Club (MSC) quickly recognised the concern for healthy body and minds during the pandemic, especially for families from culturally and linguistically diverse (CALD) backgrounds who may become further isolated, suffer increased anxiety, and have difficulty accessing services or support for their physical and mental health.

So the MSC partnered with Metro South Health Services, Logan Together, Community Hubs of Logan, and Community Engagement team of Access Community Services Limited (ACSL) to strengthen the program and support offered as a response to COVID-19. The MSC is an initiative of ACSL, allowing them to provide wrap around support including:

- Translators for culturally and linguistically diverse families who need increased support to understand information on the pandemic and to provide appropriate physical activity information during the campaign
- Referrals to emergency relief if families had been impacted financially
- Partnering with case workers and youth officers for better relationships and understanding of needs.

The MSC designed and launched the Keep Moving, Stay Active campaign in April 2020 to respond to an expressed community need to stay active and well.

Link to page: <https://www.facebook.com/groups/keepmovingstayactive>



The project involved:

- Designing and delivering physical activity packs via non-contact for families who did not have sports equipment at home. Packs had tennis, footballs, outdoor games, water bottles, coffee mugs, hats, hoops and more
- Informing members and the broader community of the online campaign which was accessible to all—with regular updates in multiple languages—about COVID and physical activity ideas
- Filming coaching videos and making them available, with competitions to incentivise engagement
- Establishing relationships online and maintaining regular engagement
- Collaborating with other organisations using similar engagement methods
- Supporting ongoing employment for sports coaches to design and record creative videos targeting physical and mental wellbeing.

For the full story of the Multicultural Sports Club's initiative and an interview with Janelle Kirby, go to <https://playbytherules.net.au/resources/case-studies/multicultural-sports-club-qld>

Wheelchair Sports NSW/ACT—Rolling Conversations

Having provided wheelchair sport opportunities since 1961, we know the social benefits of sport for people with disabilities. Given the additional transport challenges some of our members face, we understand that the possibility of social isolation is even more prevalent in our community, particularly during a pandemic where there are further restrictions on gathering.

Therefore, Wheelchair Sports NSW/ACT believed it was critical we offered our community a way to get together, albeit virtually, twice a week during the lockdown period. We knew we wanted it to be live and interactive, ensuring our community was able to share time together, see their heroes and discuss topics that they are so passionate about.



Rolling Conversations was a live content series designed to keep the disability sports community connected during the COVID-19 shutdown period in NSW and the ACT during 2020.

Rolling Conversations included 24 half-hour live interviews with 33 fantastic people from in and around the wheelchair sport community in NSW and the ACT. The interviews were done by CEO Mick Garnett, with guests including Louise Sauvage OAM, Kurt Fearnley AO, John Maclean OAM, Liesl Tesch AM and more. In addition to the superstars of wheelchair sport, Rolling Conversations included juniors from the community as well as influential figures such as Mrs Yvonne Talbott OAM, the 39-year veteran of our Junior Wheelies Camps.

Rolling Conversations ran from 8 April as the pandemic hit until we were rolling again with sport in July. The series was broadcast on the Wheelchair Sports NSW/ACT Facebook page, including live comments on screen and wonderful interaction with our community.

For the full story on Rolling Conversations and an interview with Mick Garnett go to <https://playbytherules.net.au/resources/case-studies/wheelchair-sports-nsw-act>

FEATURE ARTICLE

LESSONS LEARNED IN 2020

As 2020 draws to a close, it is time to reflect on an unprecedented time in history and consider the lessons gleaned from the year that was.

On New Year's Eve the aeroplane I was on began filling with smoke. Almost in unison, I noticed my fellow passengers exchanging wide-eyed glances as we approached Canberra. It was but minutes to midnight when the captain's voice calmly explained that we were passing through the large plume of bushfire smoke which had engulfed much of the region. Disembarking onto the tarmac felt like stepping into a post-apocalyptic world in a dystopian fantasy. It was scary.

The bushfires which devastated much of our country also highlighted the role of community sport in Australia. Countless fundraisers hosted by grassroots sporting organisations provided much-needed relief to people, and a number of local sporting facilities quickly became makeshift emergency shelters for families rendered homeless or isolated due to the fires.

Grassroots sport also played a crucial role in helping us recover from the trauma of the bushfires, by providing a sense of community and the welcome distraction of a beloved

pastime spent with friends and family. It's impossible to overstate the sense of wellbeing and positive mental health benefits that sport provides, and these advantages are even more apparent during difficult times.

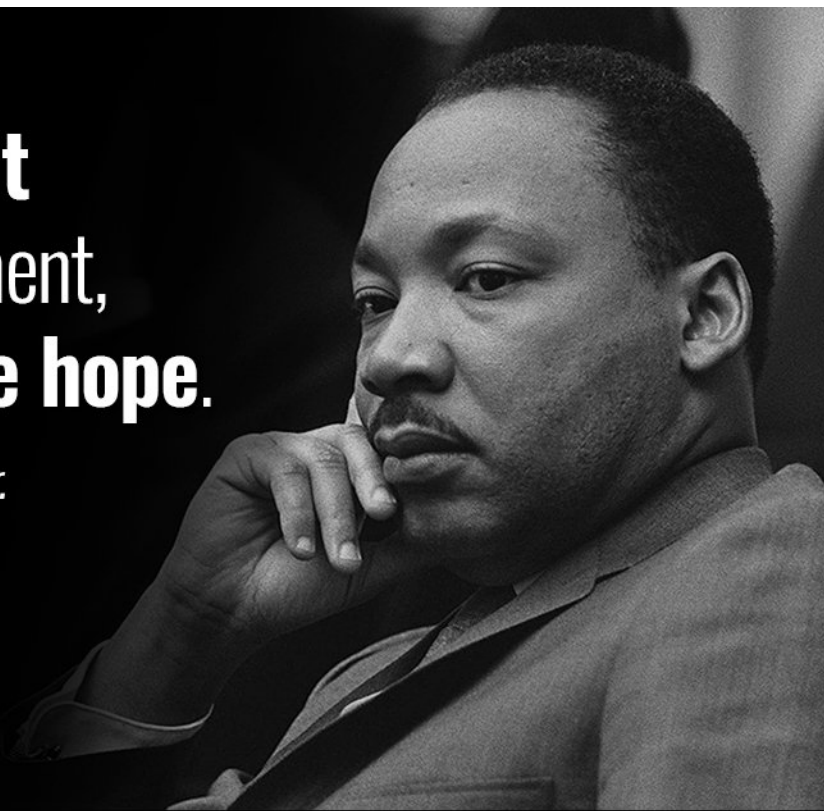
The fires now appear as something of a harbinger to a year that none of us could have predicted. Just as the last embers faded, an entirely new threat appeared. COVID-19 has had dire ramifications for the entire world, and our day-to-day lives have changed to accommodate a pandemic unlike any we'd seen before.

Unsurprisingly, community sport has been one of the first affected and hardest hit by the virus. In what seemed like the blink of an eye, sport in all its forms was struck from the calendar. If the bushfire crisis reminded us that sport can function as a powerful tool for communal healing, COVID-19 illustrated with painful clarity the negative effects of losing sport from our lives.

No more after-work training sessions or lunchtime footy in the park. No more weekend matches, strategy sessions or cheering on our local teams. And most distressingly, no more time spent with the people we care about doing something we love—together. I suspect that some of you might think it all a

We must **accept**
finite disappointment,
but never lose **infinite** hope.

- *Martin Luther King Jr.*



bit dramatic to focus on sport in the broader context of a global pandemic, but that is to fail to grasp just how much many of us rely on sport as a place that fosters our closest relationships.

Despite the setbacks of COVID-19, sporting communities have displayed tremendous resilience this year. While times have been tough, it's been enormously inspiring to witness the way people have rolled with the punches and found ways to persevere. Sports of all stripes have embraced technology and found new ways to connect and be meaningful to their local communities.

As the year comes to an end, I'm reminded of Martin Luther King, who said: 'We must accept finite disappointment, but we must never lose infinite hope.'

While 2020 has been a trying time for many of us, perhaps the greatest lesson our sporting communities have taught us is that we all have reason to be hopeful. For that, we have every reason to treasure them.



Clyde Rathbone
Co-Founder of [Letter](#)

FEATURE ARTICLE

SERVING NOTICES IN THE DIGITAL AGE

Every club or association constitution and every set of disciplinary rules dealing with tribunal hearings has (or should have) provisions about serving or giving a notice of meeting or the tribunal hearing. These provisions are frequently overlooked in updating the constitution or rules and do not keep up with changes in technology.

There are a variety of methods set out in different constitutions or rules with no or differing provisions about when the notice is regarded as having been received.

If a member or respondent wishes to dispute a meeting or defer a hearing, then not infrequently objection is taken on the basis of incorrect or insufficient notice being given in accordance with the rules.

The provisions frequently include one or more of serving personally or leaving at an address, service by post, service by facsimile (a form of technology now largely obsolescent) or service by email.

With current technology most communications are now by email, but many constitutions and rules have not been updated to allow this form of communication.

With all incorporated associations, the rules or constitution is regarded as a contract between the association and its members. Notice of a meeting can be given to members in any way permitted by the constitution as they have

contractually agreed to receive communications by this method. An up-to-date Member's Register should contain a postal address, a telephone number, a fax number (if used) and an email address.

If an organisation conducts an event where entering participants are not necessarily members, then it is important to have provisions in the terms and conditions of an entry form, which constitutes the contract, by which an entrant consents to receiving communications by email (providing the email address on the entry form) and also stipulating that the entrant agrees to be bound by appropriate policies, e.g. Member Protection Policy or other relevant policies of that sport. Check that the policy itself also allows service by email to the participant's disclosed email address.

In 1999 and 2000 the Commonwealth and states all passed nearly identical legislation entitled Electronic Transactions Act. An object is to facilitate the use of electronic transactions. The Act deals generally with requirements of electronic communications, including provision for determining the time and place of dispatch and receipt of electronic communication. This applies both to requirements under statute law of the jurisdiction and to contracts.

Determining the date of receipt of notice

When calculating the period of notice, it is necessary to determine when it will be regarded

as having been received. In counting days, the day of receipt is not counted but unless the rules specify 'clear days' the date of the meeting is counted.

Many constitutions with service by post there is silence, or it is 'deemed to be received' a specified number of days after posting.

Where no period is specified, each state or territory has an Acts Interpretation Act or equivalent which states that the document is deemed to be received 'in the ordinary course of post'. That actually requires evidence from Australia Post as to what is the 'ordinary course of post' for a letter posted at A to be received at B. With mail changes it can no longer be assumed to be one or two days after posting. The Australia Post website does provide an estimate of when a letter will be received.

If the rules do specify a fixed number of days, that period should be reviewed in the light of postal changes.

The various Electronic Transactions Acts provide that unless otherwise agreed, the time of receipt of the electronic communication is the time when the electronic communication becomes capable of being retrieved by the addressee at an electronic address designated by the addressee. It is to be assumed that the electronic communication is capable of being retrieved by the addressee when it reaches the addressee's electronic address, usually on the day it is sent.

Some rules provide that an electronic communication is deemed to be received on the next business day to ensure that there is no argument that there was not a chance to see it on the day sent.

Attaching documents or using hyperlinks

In many cases of service, the size or number of documents may make it impossible to attach them to one email due to limitations on server size. Organisations may try to overcome the problem by sending an email with a hyperlink reference to the documents.

A number of court decisions¹ have now found that the use of a hyperlink or reference to Dropbox in an email to take the recipient to a document does not constitute 'sending' the document to the recipient, even where the rules permitted electronic communication of documents. The email which is sent or transmitted is only providing information as to the means to access the document and it cannot be said that the hyperlink files were themselves sent or transmitted to the email address. So, it is not valid service.

Similarly, if your organisation is required to send annual reports or financial statements, a reference to them being on the organisation's website would not be regarded as the documents being 'sent'.

The rules of your club could be amended to allow a notice to include a link to a document or posting on a website or other social media medium.

¹See *Clarke v Australian Computer Society Inc* [2019] FCA 2175, *Conveyer & General Engineering v Baxter* [2014] QSC 30 and *Wartsila Australia v Primero* [2020] SASC 162

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| NEW CHILD SAFE RESOURCES IN VICTORIA

Vicsport and Sport and Recreation Victoria recently launched a suite of child safe sport resources with state sporting organisations and regional sports assemblies. While they were developed for the Victorian sport sector, they are a great starting point for any organisation looking to develop procedures, policies and codes that help keep children and young people safe. The resources include:

- Communication Guidelines
- Physical Contact Guidelines
- Child Safe Complaint Management Guidance
- Child Safe Recruitment Screening Summary Guide
- Child Safe Recruitment—Criminal Declaration Form under 18
- Child Safe Recruitment—Criminal Declaration Form 18 & over
- Field Staff Tips—Encouraging Child Safety in Clubs
- Child Safe Teens Guide
- Child Safe Parents Guide
- Child Safe eSafety Guide
- Code of Conduct for dealing with CYP Summary
- Image Use Consent Form Template.

To obtain a copy of Vicsport's new child safe sport resources email Tom Dixon, Participation & Innovation Manager at tomd@vicsport.com.au or Fiona Jones, Sports Consultant at fionaj@vicsport.com.au. More information on the Victorian Child Safe Standards can be found at vicsport.com.au/child-safe-standards.

SPORT AUSTRALIA'S GAME PLAN - A NEW RESOURCE FOR CLUBS

A new Sport Australia resource is helping local sporting clubs and organisations across Australia not just survive the COVID-19 pandemic but return even bigger and better. Sport Australia's Game Plan is an online diagnostic tool that volunteers and club administrators can use to improve how they operate and replaces Club Health Check.

Clubs can check how they're performing in 13 areas including four foundation modules that underpin all club operations – Governance, Strategy, Finance and Workforce. The modules are quick and easy to complete. Once a club has finished a module, they receive a maturity rating, information and resources to help them improve, and an action plan to assign responsibilities and timelines. A key focus of the platform is assisting community level sporting clubs and volunteers as they recover from the impacts of COVID-19. Clubs and sporting organisations can access resources to help them grow their membership base as well as support the recruitment and retention of volunteers in a new sporting environment.

For more information, check out the link here

https://www.sportaus.gov.au/club_development/

Sport Australia's Game Plan can be found at <http://gameplan.sportaus.gov.au>

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Back Issues

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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.




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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.



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

