

Hosel rockets: 'Sandbagger?! I'll see you in court!'

By **Michael Cochrane**

Law360 Canada (December 16, 2025, 2:04 PM EST) -- A couple of incidents that happened while playing golf have been bothering me. It started a few years ago during an invitational tournament at what was then known as Doral Golf and Country Club in Florida. Our happy foursome was finishing the front nine of the famous 18-hole course called the Blue Monster. While waiting on the ninth tee, staring down a par three over water and into a stiff breeze, I made small talk with the fellows in our group: "Who won the tournament last year?" Their expressions suddenly turned sour, and one muttered, "Two [expletive] sandbaggers!" Then another added, "Those [expletive] cheaters will never be invited back, [expletive] them."



Michael Cochrane

OK. Buzzkill. Sorry I asked. The intensity of their words stuck with me because I could see that they clearly felt cheated.

Over the years, I have heard the "sandbagger" label hurled many times, sometimes through a feigned cough after someone made an unexpected putt. It was usually being said in good fun. I had no idea that the term apparently originated in the early 19th century and described a crude weapon: a small bag filled with sand used by thugs — sandbaggers — for a deceptive advantage in street fights. (Those comic book captions of "SOCK!" and "POW!" came back to me in a flash.)



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And then one day I heard the word again in a much more serious context. In another tournament, while waiting for the final group to finish on the 18th hole, the fellow beside me remarked angrily as he watched a fellow golfer putt out, "He's such a [expletive] sandbagger." No one laughed. His meaning was clear. He was calling him a cheater.

Whether uttered in jest or in anger, to golfers, the term sandbagger means one thing — dishonesty: dishonesty about one's abilities and more particularly, dishonesty about one's handicap.

The handicap is one of the beauties of golf competition. It allows golfers of varying abilities to

compete against each other. Scoring is adjusted to account for the differences in skill. In its simplest form, it means, for example, that two golfers playing a par five can compete fairly if the better golfer gives the weaker golfer an extra shot on that hole. Shooting a six is the equivalent of shooting a five. The handicap is an equalizer.

A reliable system has been developed to calculate each golfer's handicap based on them reporting their scores. After a few dozen scores are recorded, the handicap system calculates his or her handicap. As more scores are entered over a season or over the years, the handicap may go up or down. A low handicap is a thing of pride, a high handicap an invitation to practise more and play smarter. Importantly, being assigned a handicap allows a golfer to play in competitions.

Astute readers (Are there any other kind for Hosel rockets?) will note that this handicap system is based on truthful self-reporting. That is another beauty of golf — the code of honesty. It is the only sport in which players may call penalties on themselves. Golfers trust each other. (I recall playing one afternoon with Robert, an accountant. As I noted his score on the card, I commented, "Nice par." He slid his putter into the bag and said, "Nope, it was a bogie. The ball moved when I was in the rough." He had called a penalty on himself. I had no idea about his unfortunate extra stroke. I felt respect for him. An honest golfer must make an honest accountant, right?)

Which brings us back to that word — sandbagger. People have moved on from using socks filled with sand as weapons and instead use the word to describe a deceptive move. Someone, say in a card or billiards game, will deliberately lose a few opening rounds to lower a competitor's expectations. The pot goes up and then they pounce using their real skills. Sandbagging is short form for deception.

In golf, the more specific meaning of a sandbagger is someone who has manipulated their handicap. By assigning themselves a handicap that is higher than their actual ability, they are going to get "extra shots" and therefore an advantage in competition. The manipulation can occur in a few ways — they don't report their good scores or, when playing, they deliberately make bad shots on the final few holes to ensure a higher score or, worst of all, they just enter false scores to create a high handicap. Sadly, it's easy to do because we are all supposed to be working within an honour system.

Why would someone do it? Many tournaments have prize tables filled with generous donations of things like expensive televisions, trips, cool electronics, iPads, golf clubs, golf bags, shoes, musical instruments, spa days and on and on. And let's not forget there is sometimes thousands in cash. Those with the lowest winning scores are often invited up to the prize table first to select from those prizes. It's enough to make some manipulate their handicap. Pathetic, I know.

At these tournaments, the announcement of the winning low scores, prizes for closest to the pin on certain holes, the longest drive and longest putt is a highlight of the evening. It's a lot of fun, but it's also when one is most likely to hear that foul word sandbagger muttered.

When that happens, someone is calling another golfer a cheater.

Can there be consequences? Absolutely. And that's what has been bothering the lawyer in me.

Let's take a look at the law of defamation. It comes in two forms — written defamation, which is called libel, and verbal defamation, which is called slander.

A libel is a written statement of false information published to a third party that causes harm to someone's reputation. A slander is a verbal statement of false information having the same effect. The rules vary from province to province, with each having its own statute. When these torts are used, a wronged person may sue for damages for hurt reputation, economic loss and even punitive damages designed to punish the wrongdoer. (There are rarely used provisions in the Canadian *Criminal Code* — see ss. 298-302 — that provide for up to two years in jail for the crime of making a "defamatory libel," but let's not go there.)

Let's consider the consequences in civil courts of someone making a nasty false statement that harms another person's reputation.

The recent case of *D'Alessio v. Chowdhury*, 2023 ONSC 6075 concerned a disgruntled former client who posted unflattering comments in Google reviews about her previous lawyers. She called them,

among other things, "incompetent," "highly unprofessional," "not trustworthy" and "shady." The trial judge had little trouble finding that the words she wrote identified the law firm, were published to third parties and would lower the law firm's valuable reputation in the eyes of any reasonable person. The posts were an assault on their reputation and therefore defamatory. The woman who posted the comments claimed that, as an unemployed single mother on social assistance, she should not have to pay for her libel. The judge, unmoved, ordered damages of \$20,000 and \$9,500 in costs. Ouch.

In the 2011 case of *Astley v. Verdun*, 2011 ONSC 3651, J. Robert Verdun, a former newspaper editor, made very disparaging remarks about long-time businessman Robert Astley. Among his previous positions, Astley had been CEO of an insurance company, president of Sun Life Financial and a director at BMO. It was his appointment to the Canada Pension Plan Investment Board, though, that triggered Verdun's written assault on his reputation, calling him, among other things, "unethical, corrupt, dishonest, a petty operator, lacking in integrity and motivated by greed."

Astley sued for defamation, libel to be specific, and pushed the matter forward to a jury trial. The jury not only found the statements to be defamatory but also found that Verdun was acting with malice. Their damage award of \$650,000 included \$400,000 for aggravated damages to punish the malice Verdun had demonstrated.

So judges and juries do not like it when reputable people are called dishonest, untrustworthy and worse. This is especially so in the new world of social media where toxic untrue statements travel the world and live forever.

With those examples in mind, consider Robert, the honest accountant I mentioned earlier. Let's assume he had established a handicap based on self-reporting, entered his club's annual tournament and then won by virtue of that handicap. There is a trophy, cash and other honours. As he steps up to receive his award, and while the proceedings are being recorded for posting on social media, an angry (perhaps second place?) disgruntled member, Dave, shouts, "You [expletive] sandbagger!"

Dave has accused Robert of cheating, and it has been published to the world. Comments flood in on social media and the disgruntled golfer Dave adds likes to any comments that support his accusations. For good measure, he posts that Robert "has been a sandbagger for years and everyone knows it."

Based on current Canadian law, Honest Robert has the makings of an actionable case for defamation.

There are a few technical considerations to deal with first because the law of defamation can be a little tricky. Dave's accusations have been printed and publicized so it's a libel. The *Libel and Slander Act* of Ontario requires that Honest Robert give Disgruntled Dave written notice within six months of his accusation and an opportunity to retract the remark. He must also start his lawsuit within three months. If it was only verbal and therefore a slander, Robert would have two years to commence his action.

Robert's claim will be based on three things: a false statement was publicized to third parties and damaged his reputation as an honest man. Did he suffer damage as a result of the outburst? This could include showing that he has lost clients because of the slur, that he is being shunned by others at the club (which he paid \$40,000 to join) and that snide remarks are being made questioning his honesty. He no longer brings his wife and family to the club for dinner. He has become depressed and seeks medical help because his good reputation has been undermined. He will also seek an injunction to stop Dave from posting comments, and an order that Dave take down any offending posts. He will demand a retraction.

Oh, and he will sue Dave for \$5 million.

Dave's standard homeowners' policy will not provide coverage for his libelous comments, nor will it provide a lawyer, so he will need to retain one privately. This area of law requires special expertise, and a reasonable estimate of the preliminary retainer would be \$10,000.

His lawyer will explain to him that there are various defences to a claim of libel — that the cheating statement was the truth, that it was made in a privileged setting (like in a courtroom), that it was an opinion or that the comment was made in the public interest, as in society's interest. (Not likely to

apply in the setting of a private golf club.)

So, Dave's only possible defence will come down to proving that what he said was true. He must prove that Robert is a cheater. How can he establish that as a fact? The club will have a record of Robert's rounds and his posted scores. If Robert entered the information, then who is to say it is not accurate? Where is the evidence of cheating?

Disgruntled Dave has a problem. He has accused someone of cheating. It has been published to the world. He has likely damaged a man's professional reputation. If Robert chooses to sue for defamation, he will have a number of good precedents to rely upon in making a claim for damages. Dave may end up wishing that, instead of being hit with a lawsuit, he'd been hit in the head with a bag filled with sand.

Who's the sandbagger now?

Michael Cochrane is a Toronto lawyer and the author of Olympic Lyon: The Untold Story of the First Gold Medal for Golf about Canadian George Lyon's victory at the 1904 Summer Olympics. He is a member of the Golf Journalists Association of Canada, the Golf Historical Society of Canada and an avid golfer. See his other writings at michaelcochrane.ca.

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