



MEMBER PROTECTION POLICY

VERSION 5

Developed June 2005

Updated July 2007

Updated December 2009

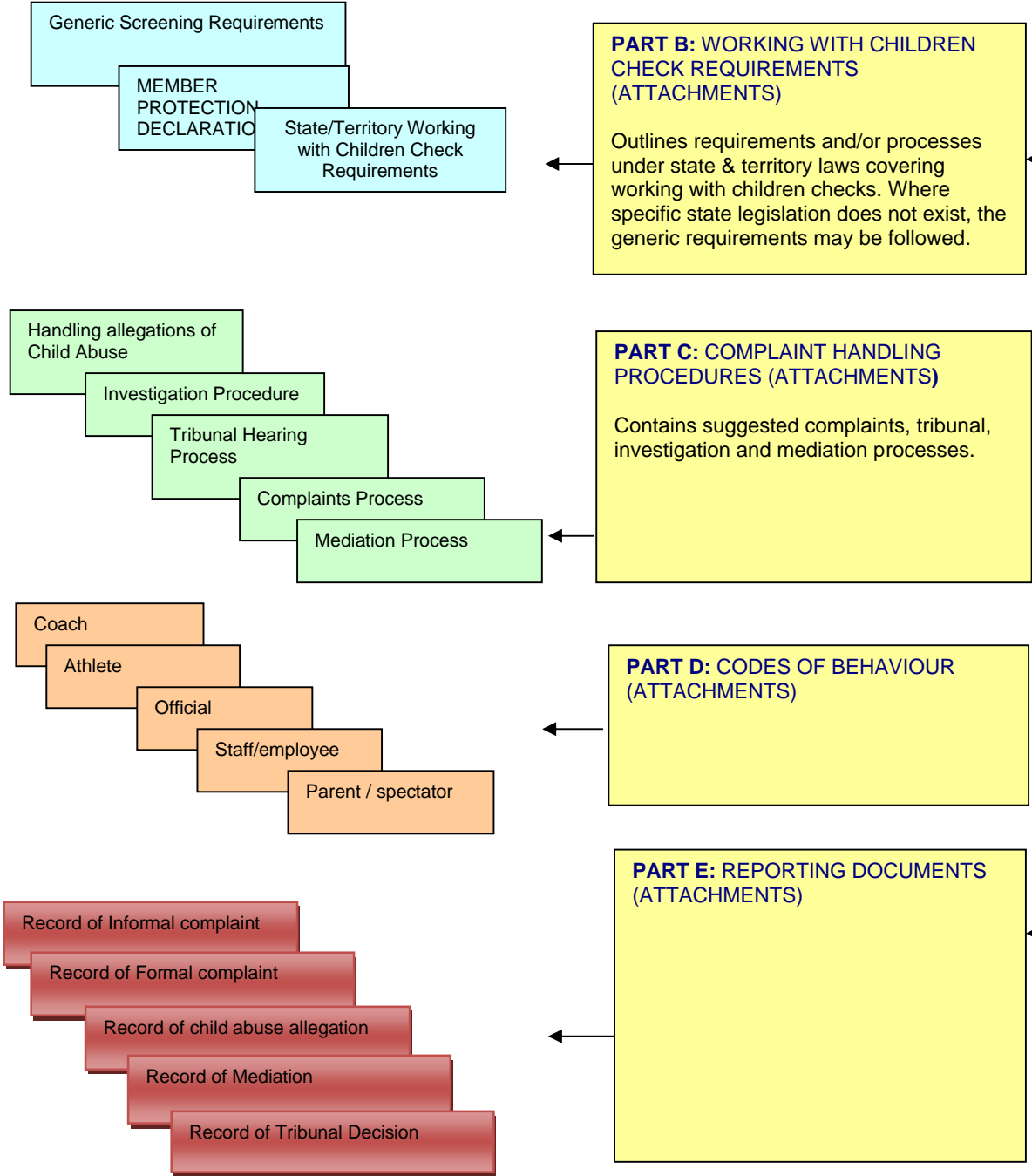
Endorsed 17 December 2009

Policy Framework

PART A: POLICY DOCUMENT

Contains key roles & responsibilities, policy position statements and an overview of complaints processes that are applicable to the sport of weightlifting throughout Australia. These should be reflected in all State/Territory Associations, affiliated clubs and other member or affiliated association policies.

Policy is supplemented by:



CONTENTS

PART A – AUSTRALIAN WEIGHTLIFTING FEDERATION MEMBER PROTECTION POLICY

1. Australian Weightlifting Federation's Core Values
2. Purpose of Policy
3. Who this Policy Applies To
4. Code of Conduct
5. Organisational Responsibilities
6. Individual Responsibilities
7. Policy Position Statements
 - 7.1 Child Protection Policy
 - 7.2 Anti-Discrimination & Harassment Policy
 - 7.3 Sexual Relationships Policy
 - 7.4 Pregnancy Policy
 - 7.5 Gender Identity Policy
 - 7.6 Other Relevant Policies
8. Complaints Procedures
 - 8.1 Complaints
 - 8.2 Vexatious Complaints & Victimisation
 - 8.3 Mediation
 - 8.4 Tribunals
9. What is a Breach of this Policy
10. Forms of Discipline
11. Dictionary

PART B – ATTACHMENTS: CHILD PROTECTION REQUIREMENTS

- B1. Child Protection Requirements (generic)
- B2. Member Protection Declaration
- B3. Working with Children protection Requirements

PART C – ATTACHMENTS: COMPLAINT HANDLING PROCEDURES

- C1. Overview of Complaints Procedure
- C2. Mediation
- C3. Investigation Procedure – General
- C4. Investigation Procedure – Child Abuse
- C5. Hearings & Appeals Tribunal Procedure
- C6. Disciplinary Measures

PART D – ATTACHMENTS: ROLE-SPECIFIC CODES OF CONDUCT

- D1. Coach Code of Conduct
- D2. Official Code of Conduct
- D3. Player/Athlete Code of Conduct
- D4. Administrator (volunteer) Code of Conduct
- D5. Employee Code of Conduct
- D6: Board Member Code of Conduct
- D7. Parent Code of Conduct
- D8. Spectator Code of Conduct

PART E – ATTACHMENTS: REPORTING DOCUMENTS/FORMS

- E1 Record of Informal Complaint
- E2 Record of Formal Complaint
- E3 Record of Child Abuse Allegation
- E4 Record of Mediation
- E5 Record of Tribunal Decision

PREFACE

The Australian Weightlifting Federation (AWF) is committed to the health, safety and well being of all its members and is dedicated to providing opportunities to all members that enhance physical, intellectual, and social development. The AWF is therefore committed to provide a safe environment for all those participating in Weightlifting throughout Australia.

Physical, emotional, psychological and sexual abuse or harassment off or by AWF members is unacceptable to the principles and values of the AWF.

The AWF Member Protection Policy is designed to minimise risk exposure, particularly to those members under 18 years of age but outlines the responsibility of all AWF members, particularly coaches, managers, officials and club administration personnel to provide safeguards dedicated to the well being of other members.

The abuse of members, by other members or any external source, is not acceptable and the AWF encourages all incidents of such abuse to be reported immediately to the appropriate authority. The AWF supports the designation of such authorities by the respective state and territory members of the AWF in a protective procedure for handling inappropriate behaviour by an AWF member or external influence.

The AWF encourages the use of the Member Protection Policy for addressing reports, notification or accusations of improper behaviour by an AWF member.

In accordance with AWF policies and the laws of Australia, the AWF Board of Directors continues its support of the development of specific procedures and processes for addressing member protection in each state and territory.



Michael Keelan
A/Chief Executive Officer

17 December 2009

PART A: MEMBER PROTECTION POLICY

1. Australian Weightlifting Federation's Core Values

The Australian Weightlifting Federation (AWF) is committed to providing a sport and work environment that is safe for children and free of harassment and abuse for everyone. It believes that anyone working for, representing or dealing with the AWF has the right to be treated with respect and dignity. The AWF will not tolerate an unsafe environment or harassment within the organisation. All complaints will be taken seriously and dealt with promptly, sensitively and in confidence. The AWF asserts its right to take disciplinary action against any member found in breach of this policy.

2. Purpose of this policy

The AWF Member Protection Policy aims to ensure our core values, good reputation and positive behaviours and attitudes are maintained. It assists us in ensuring that every person involved in our sport is treated with respect and dignity, and is safe and protected from abuse. This policy also ensures that everyone involved in our sport is aware of his or her legal and ethical rights and responsibilities. This policy also reflects our support and implementation of the sport industry principles and values outlined in The Essence of Australian Sport – principles of fairness, respect, responsibility and safety.

The policy attachments provide the procedures that support our commitment to eliminating discrimination, harassment, child abuse and other forms of inappropriate behaviour from our sport. As part of this commitment, the AWF will take disciplinary action against any person or organisation bound by this policy if they breach it.

This policy has been endorsed on 17 December, 2009 and has been incorporated into the AWF By-laws. The policy starts on 1 January, 2010 and will operate until replaced. This policy and/or its attachments may be amended from time to time by resolution of the Board. Copies of the policy and its attachments can be obtained from our website www.awf.com.au or from the AWF office..

3. Who this Policy Applies To

This policy applies to the following, whether they are in a paid or unpaid/voluntary capacity:

- Individuals sitting on boards, committees and sub-committees;
- Employees and volunteers;
- Support personnel (e.g. managers, physiotherapists, psychologists, masseurs, sport trainers);
- Coaches and assistant coaches;
- Athletes and players;
- Referees, umpires and other officials;
- Members, including life members;
- Member associations;
- Affiliated clubs and associated organisations;
- Peak associations and the national body;
- Any other person or organisation that is a member of or affiliated to the AWF;
- Parents, guardians, spectators and sponsors to the full extent that is possible.

This policy will continue to apply to a person even after they have stopped their association or employment with the AWF if disciplinary action, relating to an allegation of child abuse against that person, has commenced.

4. Code Of Conduct

The AWF requires every individual and organisation bound by this policy to:

- 4.1 Be ethical, fair and honest in all their dealings with other people and the AWF;
- 4.2 Treat all persons with respect and courtesy and have proper regard for their dignity, rights and obligations;
- 4.3 Always place the safety and welfare of children above other considerations;
- 4.4 Comply with the AWF's constitution, rules and policies including this member protection policy;
- 4.5 Operate within the rules and spirit of the sport;

- 4.6 Comply with all relevant Australian laws (Federal and State), particularly anti-discrimination and child protection laws;
- 4.7 Be responsible and accountable for their conduct; and
- 4.8 Abide by the relevant Role-Specific Codes of Conduct outlined in Part D of this policy.

5. Organisational Responsibilities

The AWF, State Members and Affiliated Clubs must:

- 5.1 Adopt, implement and comply with this policy;
- 5.2 Publish, distribute and otherwise promote this policy and the consequences for breaching it;
- 5.3 Promote appropriate standards of conduct at all times;
- 5.4 Promptly deal with any breaches of or complaints made under this policy in an impartial, sensitive, fair, timely and confidential manner;
- 5.5 Apply this policy consistently without fear or favour;
- 5.6 Recognise and enforce any penalty imposed under this policy;
- 5.7 Ensure that a copy of this policy is available or accessible to the persons to whom this policy applies
- 5.8 Appoint or have access to appropriately trained people to receive and handle complaints and allegations and display the names and contact details in a way that is readily accessible; and
- 5.9 Monitor and review this policy at least annually.

6. Individual Responsibilities

Individuals bound by this policy are responsible for:

- 6.1 Making themselves aware of the policy and complying with the standards of conduct outlined in this policy;
- 6.2 Consenting to a national police check if the individual holds or applies for a role that involves regular contact with people under the age of 18 years.
- 6.3 6.3 Complying with all other requirements of this policy;
- 6.4 Co-operating in providing discrimination, child abuse and harassment free sporting environment;
- 6.5 Understanding the possible consequences of breaching this policy.

7. Policy Position Statements

7.1 Child Protection Policy

Every person and organisation bound by this policy must always place the safety and welfare of children above all other considerations.

The AWF acknowledges that our staff, members and volunteers provide a valuable contribution to the positive experiences of our juniors. THE AWF aims to ensure this continues and to protect the safety and welfare of its junior participants. Several measures will be used to achieve this such as:

- Prohibiting any form of abuse against children;
- Providing opportunities for our juniors to contribute to and provide feedback on our program development;
- Carefully selecting and screening people whose role requires them to have regular contact with children. (Screening procedures are outlined in Part B of this policy);
- Ensuring our codes of conduct, particularly for roles associated with junior sport, are promoted, enforced and reviewed;
- Providing procedures for raising concerns or complaints (our complaints procedure is outlined in Part C of this policy); and
- Providing education and/or information to those involved in our sport on child abuse and child protection.

The AWF requires that any child who is abused or anyone who reasonably suspects that a child has been or is being abused by someone within our sport, to report it immediately to the police or relevant government agency and Member Protection Information Officer (MPIO) or AWF Chief Executive Officer. Descriptions of the sorts of activity which may be abuse are in the Dictionary at clause 11.

All allegations of child abuse will be dealt with promptly, seriously, sensitively and confidentially. A person will not be victimised for reporting an allegation of child abuse and the privacy of all persons concerned will be respected. Our procedures for handling allegations of child abuse are outlined in attachment E3 of this policy.

If anyone bound by this policy reasonably suspects that a child is being abused by his or her parent/s, they are advised to contact the relevant government department for youth, family and community services in their state/territory.

7.2 Anti-Discrimination and Harassment Policy

The AWF aims to provide a sport environment where all those involved in its activities are treated with dignity and respect, and without harassment or discrimination.

The AWF recognises that all those involved in its activities cannot enjoy themselves, perform to their best, or be effective or fully productive if they are being treated unfairly, discriminated against or harassed because of their age, disability, family responsibilities, gender identity, homosexuality or sexual orientation, irrelevant medical or criminal record, marital status, political belief, pregnancy or breastfeeding, race, religion, sex, social origin and/or trade union membership/activity.

The AWF prohibits all forms of harassment and discrimination based on personal characteristics listed in the Dictionary. Discrimination and harassment are extremely distressing, offensive, humiliating and/or threatening and create an uncomfortable and unpleasant environment. In most circumstances discrimination and harassment are against the law.

Descriptions of some of the types of behaviour which could be regarded as harassment or discrimination are provided in the Dictionary at clause 11.

If any person feels they are being harassed or discriminated against by another person or organisation bound by this policy, please refer to our complaints procedure outlined in attachment C1 of this policy. This will explain what to do about the behaviour and how the AWF will deal with the problem.

7.3 Sexual Relationships Policy

The AWF takes the position that sexual relationships between coaches and the adult athletes that they coach should be avoided. The AWF takes the view that such relationships while not necessarily constituting unlawful harassment, can have harmful effects on the individual athlete involved, on other athletes and coaches, and on the sport's public image. Such relationships tend to be intentionally or unintentionally exploitative because there is usually a disparity between coaches and athletes in terms of authority, power, maturity, status and dependence. The AWF's policy position is similar to other organisations who disallow professionals such as teachers, doctors and counsellors to have sexual relationships with their clients or students.

Should a sexual relationship develop between an athlete and coach, the AWF will consider whether any action is necessary. Factors that may be relevant in this consideration are the age and maturity of the athlete relative to the coach, the financial or emotional dependence of the athlete on the coach, and the likelihood of the relationship having any adverse impact on the athlete and/or other athletes. If it is determined that the sexual relationship is inappropriate, action may be taken to stop the coaching relationship with the athlete. Action may include transfer, a request for resignation or dismissal from coaching duties.

In the event that an athlete attempts to initiate an intimate sexual relationship, the coach must take personal responsibility for discouraging such approaches, explaining the ethical basis for such action. The coach may wish to approach the AWF's MPIO or complaints officer or other designated person] if they feel harassed.

The law is always the minimum standard for behaviour within the AWF and therefore sex with a child is a criminal offence.

7.4 Pregnancy Policy

The AWF is committed to providing an inclusive sporting environment for pregnant women involved in its activities. The AWF expects everyone bound by this policy to treat pregnant women with dignity and respect and to remove any unreasonable barriers to participation in our sport that disadvantage them. We will not tolerate any unlawful discrimination or harassment against pregnant women or women who may become pregnant.

Descriptions of some of the types of behaviour which could be regarded as pregnancy discrimination or harassment are provided in the Dictionary at clause 11.

If any person feels they are being harassed or discriminated against by another person or organisation bound by this policy, please refer to our complaints procedure outlined in attachment C1 of this policy. This will explain what to do about the behaviour and how the AWF will deal with the problem.

While many sporting activities are safe for pregnant women to participate in, there may be particular risks that apply to some women during pregnancy. Those risks will depend on the nature of the particular sporting activity and the particular pregnant woman's circumstances.

The AWF will take reasonable care to ensure the safety, health and well being of pregnant women and their unborn children. We will advise pregnant women that there may be risks involved, and encourage them to obtain medical advice about those risks. Pregnant women should be aware that their own health and wellbeing, and that of their unborn children, are of utmost importance in their decision making about the extent and manner in which they participate in our sport.

We encourage all pregnant women to consult with their medical advisers, make themselves aware of the facts about pregnancy in sport, and ensure that they make informed decisions about participation in particular sporting activities.

We will only require pregnant women to sign a disclaimer if we require other participants to sign one in similar circumstances. We will not require women to undertake a pregnancy test.

7.5 Gender Identity Policy

The AWF is committed to providing an inclusive sporting environment where transgender or transsexual people involved in its activities are able to contribute and participate. The AWF expects everyone who is bound by this policy to treat people who identify as transgender or transsexual fairly and with dignity and respect. This includes acting with sensitivity and respect where a person is undergoing gender transition. We will not tolerate any unlawful discrimination or harassment against a person who identifies as transgender or transsexual or who is thought to be transgender or transsexual.

Descriptions of some of the types of behaviour which could be regarded as transgender or transsexual discrimination or harassment are provided in the Dictionary at clause 11.

If any person feels they are being harassed or discriminated against by another person or organisation bound by this policy, please refer to our complaints procedure outlined in attachment C1 of this policy. This will explain what to do about the behaviour and how the AWF will deal with the problem.

The AWF recognises that the exclusion of transgender or transsexual people from participation in sporting events has significant implications for their health, well-being and involvement in community life. In general the AWF will facilitate transgender or transsexual persons participating in our sport of the sex with which they identify.

The AWF also recognises there is debate over whether a male to female transgender person obtains any physical advantage over other female participants. This debate is reflected in the divergent discrimination laws across the country. If issues of performance advantage arise, the AWF will seek advice on the application of those laws in the particular circumstances.

The AWF is aware that the International Olympic Committee (IOC) has established criteria for selection and participation in the Olympic Games. Where a transgender or transsexual person intends competing at an elite level, we will encourage them to obtain advice about the IOC's criteria which may differ from the position taken by the AWF.

The AWF notes that drug testing procedures and prohibitions also apply to people who identify as transgender or transsexual. A person receiving treatment involving a Prohibited Substance or Method, as described on the World Anti-Doping Agency's Prohibited List, should apply for a standard Therapeutic Use Exemption.

7.6 Other relevant policies

Other AWF relevant policies can be found at www.awf.com.au. Some of the policies which contribute to the welfare of all those involved in our activities include

- *AWF Constitution*
- *Anti-doping Policy*

8. Complaints Procedures

8.1 Complaints

The AWF aims to provide an easy to use, confidential and trustworthy procedure for complaints based on the principles of natural justice. Any person may report a complaint (complainant) about a person/s or organisation bound by this policy if they reasonably believe that a person/s or a sporting organisation has breached this policy. A complaint should be reported to the MPIO or the AWF CEO.

A complaint may be reported as an informal or formal complaint. The complainant decides whether the complaint will be dealt with informally or formally unless the MPIO or CEO considers that the complaint falls outside the parameters of this policy and would be better dealt with another way.

All complaints will be dealt with promptly, seriously, sensitively and confidentially. Our complaint procedures are outlined in attachment C1 of this policy.

8.2 Vexatious Complaints & Victimisation

The AWF aims to ensure our complaints procedure has integrity and is free of unfair repercussions or victimisation. If at any point in the complaint process the MPIO or CEO considers that a complainant has **knowingly** made an untrue complaint or the complaint is vexatious or malicious, the matter may be referred to the Member Protection Committee for appropriate action which may include disciplinary action against the complainant.

The AWF will also take all necessary steps to make sure that people involved in a complaint are not victimised by anyone for coming forward with a complaint or for helping to sort it out. Disciplinary measures will be imposed on anyone who victimises another person for making a complaint.

8.3 Mediation

The AWF aims to sort out complaints with the minimum of fuss wherever possible. In many cases, complaints can be sorted out by agreement between the people involved with no need for disciplinary action. The people involved in a formal complaint - the complainant and the person complained about (respondent) - may also seek the assistance of a neutral third person or a mediator. Lawyers are able to negotiate on behalf of the complainant and/or respondent.

Mediation may occur either before or after an investigation of a complaint. If a complainant wishes to try and resolve the complaint with the assistance of a mediator, the MPIO or CEO will, in consultation with the complainant, arrange for a mediator to mediate the complaint. More information on the mediation process is outlined in attachment E4 of this policy.

8.4 Tribunals

A hearings tribunal may be formed to hear a formal complaint that has been referred by the MPIO or CEO or an alleged breach of the policy. Our tribunal hearings procedure is outlined in attachment C5 of this policy.

A respondent may lodge one appeal only to the appeal tribunal in respect of a decision of a hearing tribunal. The decision of the appeal tribunal is final and binding on the people involved to the appeal. Our appeals process is outlined in attachment C5 of this policy.

Every organisation bound by this policy will recognise and enforce any decision made, and form of discipline imposed, by an appeals tribunal under this policy.

Members of hearing and appeal tribunals will be indemnified by the organisation that appointed them against any claim for loss, compensation or damages, and for costs incurred defending a claim made against them, because of their function as a member of a hearings or appeals tribunal.

9. What is a Breach of this policy?

It is a breach of this policy for any person or organisation to which this policy applies, to have been found to have:

- 9.1 Done anything contrary to this policy;
- 9.2 Breached the Code of Conduct and Role-Specific Codes of Conduct;
- 9.3 Brought the sport, the AWF into disrepute;
- 9.4 Failed to follow the AWF policies and procedures for the protection, safety and welfare of children;
- 9.5 Appointed or continued to appoint a person to a role that involves working with children and young people contrary to this policy;
- 9.6 Discriminated against or harassed any person;
- 9.7 Victimised another person for reporting a complaint;
- 9.8 Engaged in a sexually inappropriate relationship with a person that the person supervises, or has influence, authority or power over;
- 9.9 Disclosed to any unauthorised person or organisation any AWF information that is of a private, confidential or privileged nature;
- 9.10 Made a complaint they **knew** to be untrue, vexatious, malicious or improper;
- 9.11 Failed to comply with a penalty imposed after a finding that the individual or organisation has breached this policy;
- 9.12 Failed to comply with a direction given to the individual or organisation during the discipline process.

10. Forms of Discipline

If an individual or organisation to which this policy applies breaches this policy, one or more forms of discipline may be imposed. These may include making a verbal or written apology, paying a fine, being suspended or de-registered or having a person's appointment or employment terminated. More information on the range of disciplinary measures and the factors that will be considered before imposing discipline is at attachment C6 of this policy.

11. Dictionary

This Dictionary sets out the meaning of words used in this policy and its attachments without limiting the ordinary and natural meaning of the words. State/Territory specific definitions and more detail on some of the words in this dictionary can be sourced from the relevant State/Territory child protection commissions or equal opportunity and anti-discrimination commissions.

Abuse is a form of harassment and includes physical abuse, emotional abuse, sexual abuse, neglect, and abuse of power. Examples of abusive behaviour include bullying, humiliation, verbal abuse and insults.

Affiliated club means group of individuals, incorporated or unincorporated association, corporation or trust which exists to participate in the training, competition, officiating, or administration of the sport of weightlifting under the rules of the International Weightlifting Federation.

Child means a person who is under the age of 18 years (see also definition of young person)

Child abuse relates to children at risk of harm (usually by adults, sometimes by other children) and often by those they know and trust. It can take many forms. Children may be harmed by both verbal and physical actions and by people failing to provide them with basic care. Child abuse may include:

- Physical abuse by hurting a child or a child's development (e.g. hitting, shaking or other physical harm; giving a child alcohol or drugs; or training that exceeds the child's development or maturity).
- Sexual abuse by adults or other children where a child is encouraged or forced to watch or engage in sexual activity or where a child is subject to any other inappropriate conduct of a sexual nature (e.g. sexual intercourse, masturbation, oral sex, pornography including child pornography or inappropriate touching or conversations).
- Emotional abuse by ill-treating a child (e.g. humiliation, taunting, sarcasm, yelling, negative criticism, name calling, ignoring or placing unrealistic expectations on a child).
- Neglect (e.g. failing to give food, water, shelter or clothing or to protect a child from danger or foreseeable risk of harm or injury).

Complaint means a complaint made under clause C1 of this policy.

Complaints Manager means a person of authority (usually a State CEO or President) that is empowered to gather, collect and investigate evidence relating to the claim. The Complaints Manager must uphold a duty of care to those involved to ensure that all persons are treated with a high level of equity and fairness.

Complainant means the person making a complaint.

Discrimination means treating or proposing to treat someone less favourably than someone else because of a particular characteristic in the same or similar circumstances in certain areas of public life (this is Direct Discrimination). The law also covers **Indirect Discrimination**. This is imposing or intending to impose an unreasonable requirement, condition or practice that is the same for everyone, but which has an unequal or disproportionate effect on individuals or groups with particular characteristics. The characteristics covered by discrimination law across Australia are:

- Age;
- Disability;
- Family/carer responsibilities;
- Gender identity/transgender status;
- Homosexuality and sexual orientation;
- Irrelevant medical record;
- Irrelevant criminal record;
- Political belief/activity;
- Pregnancy and breastfeeding;
- Race;
- Religious belief/activity;
- Sex or gender;
- Social origin;
- Trade union membership/activity.

Some States and Territories include additional characteristics such as physical features or association with a person with one or more of the characteristics listed above.

Examples of Discrimination

Age: A club refuses to allow an older person to coach a team simply because of their age.

Breastfeeding: A member of the club who is breastfeeding her baby in the club rooms is asked to leave.

Disability: A junior player is overlooked because of her mild epilepsy.

Family responsibilities: A club decides not to promote an employee because he has a child with a disability even though the employee is the best person for the job.

Gender Identity: A transgender contract worker is harassed when employees refuse to call her by her female name.

Homosexuality: An athlete is ostracised from her team after she tells a team mate that she is a lesbian.

Marital Status: A player is deliberately excluded from team activities and social functions because she is single.

Pregnancy: A woman is dropped from her squad when she becomes pregnant.

Race: An Italian referee is not permitted to referee games with a high proportion of Italian players on one team because of his race.

Sex: Specialist coaching is only offered to male players in a mixed team.

Harassment is any type of behaviour that the other person does not want and does not return and that is offensive, abusive, belittling or threatening. The behaviour is unwelcome and of a type that a reasonable person would recognise as being unwelcome and likely to cause the recipient to feel offended, humiliated or intimidated.

Unlawful harassment includes the above but is either sexual or targets a person because of their race, sex, pregnancy, marital status, sexual orientation or other characteristic (see characteristic list under discrimination).

It does not matter whether the harassment was intended: the focus is on the impact of the behaviour. The basic rule is if someone else finds it harassing then it could be harassment. Harassment may be a single incident or repeated. It may be explicit or implicit, verbal or non-verbal.

Under this policy discrimination and harassment are not permitted in employment (including volunteer and unpaid employment); when providing sporting goods and services including access to sporting facilities; when providing education and accommodation; the selection or otherwise of any person for competition or a team (domestic or international); the entry or otherwise of any player or other person to any competition and the obtaining or retaining membership of clubs and organisations (including the rights and privileges of membership).

Some exceptions to state and federal anti-discrimination law apply. Examples include:

- holding a competitive sporting activity for females only who are 12 years of age or over where strength, stamina or physique is relevant or
- not selecting a participant if the person's disability means he or she is not reasonably capable of performing the actions reasonably required for that sporting activity.

Requesting, assisting, instructing, inducing or encouraging another person to engage in discrimination or harassment may also be against the law.

It is also against discrimination law to victimise a person who is involved in making a complaint of discrimination or harassment. Example: a player is ostracised by her male coach for complaining about his sexist behaviour to another club official or for supporting another player who has made such a complaint.

Public acts of racial hatred which are reasonably likely in the circumstances to offend, insult, humiliate or intimidate are also prohibited. This applies to spectators, participants or any other person who engages

in such an act in public. Some states and territories also prohibit public acts that vilify on other grounds such as homosexuality, gender identity, HIV/AIDS, religion and disability – see vilification.

Junior means a person under the age of eighteen (18) years who is participating in an activity of the AWF.

Mediator means a person appointed to mediate complaints made under this policy. It is preferable that the mediator has relevant skills, qualifications and/or training in mediation.

Member means a person who, or a body which, is a member of the AWF; a person who, or body which, is affiliated with the AWF; or a person who is a member of a body of or affiliated with the AWF.

Member protection is a term used by the Australian sport industry to describe the practices and procedures that protect members – both individual members such as players, coaches and officials, and the member organisations such as clubs, state associations, other affiliated associations and the national body. Member protection involves:

- protecting those that are involved in sport activities from harassment, abuse, discrimination and other forms of inappropriate behaviour
- adopting appropriate measures to ensure the right people are involved in an organisation, particularly in relation to those involved with juniors, and
- providing education.

Member Protection Information Officer (MPIO) means a person trained to be the first point of contact for a person reporting a complaint under, or a breach of, this policy. The MPIO provides confidential information and moral support to the person with the concern or who is alleging harassment or a breach of this policy. They help the complainant deal with any emotions they may have about what has happened and operate as a sounding board as the complainant decides what they want to do. The MPIO may accompany the complainant in anything they decide to do, if it feels appropriate and they are happy to do it.

Natural justice incorporates the following principles:

- a person who is the subject of a complaint must be fully informed of the allegations against them
- a person who is the subject of a complaint must be given full opportunity to respond to the allegations and raise any matters in their own defence
- all parties need to be heard and all relevant submissions considered
- irrelevant matters should not be taken into account
- no person may judge their own case
- the decision maker/s must be unbiased, fair and just
- the penalties imposed must not outweigh the 'crime'

Police check means a national criminal history record check conducted as a prudent pre-employment or pre-engagement background check on a person.

Policy and this policy mean this Member Protection Policy.

Respondent means the person who is being complained about.

Role-specific codes of conduct means standards of conduct required of certain roles (e.g. coaches).

Sexual harassment means unwanted, unwelcome or uninvited behaviour of a sexual nature which makes a person feel humiliated, intimidated or offended. Sexual harassment can take many different forms and may include unwanted physical contact, verbal comments, jokes, propositions, display of pornographic or offensive material or other behaviour that creates a sexually hostile environment.

Sexual harassment is not behaviour based on mutual attraction, friendship and respect. If the interaction is between consenting adults, it is not sexual harassment.

Sexual offence means a criminal offence involving sexual activity or acts of indecency including but not limited to (due to differences under state/territory legislation):

- Rape

- Indecent assault
- Sexual assault
- Assault with intent to have sexual intercourse
- Incest
- Sexual penetration of child under the age of 16
- Indecent act with child under the age of 16
- Sexual relationship with child under the age of 16
- Sexual offences against people with impaired mental functioning
- Abduction and detention
- Procuring sexual penetration by threats or fraud
- Procuring sexual penetration of child under the age of 16
- Bestiality
- Soliciting acts of sexual penetration or indecent acts
- Promoting or engaging in acts of child prostitution
- Obtaining benefits from child prostitution
- Possession of child pornography
- Publishing child pornography and indecent articles.

Victimisation means subjecting a person or threatening to subject a person to any detriment or unfair treatment because that person has or intends to pursue their rights to make a complaint under government legislation (e.g. anti-discrimination) or under this policy, or for supporting another person to make a complaint.

Vilification involves a person or organisation doing public acts to incite hatred towards, serious contempt for, or severe ridicule of a person or group of persons having any of the attributes or characteristics within the meaning of discrimination. Public acts that may amount to vilification include any form of communication to the public and any conduct observable by the public.

Young People/person means people in the 13 – 18 year age group.