



Victorious Secret Netball Club
MEMBER PROTECTION* POLICY / BY-LAW / REGULATION

VERSION 2
Updated 22/01/2019

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PART A – *Victorious Secret* MEMBER PROTECTION POLICY

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1. Purpose of this policy

This *Victorious Secret Netball Club Protection Policy* (“policy”) aims to assist *Victorious Secret* (“our”, “us” or “we”) to uphold its core values and create a safe, fair and inclusive environment for everyone associated with our sport. It sets out our commitment to ensure that every person bound by the policy is treated with respect and dignity and protected from discrimination, harassment and abuse. It also seeks to ensure that everyone involved in our sport is aware of their key legal and ethical rights and responsibilities, as well as the standards of behaviour expected of them.

The attachments to this policy describe the practical steps we will take to eliminate discrimination, harassment, child abuse and other forms of inappropriate behaviour from our sport. As part of this commitment, the policy allows *Victorious Secret Netball Club* to take disciplinary action against any person or organisation bound by this policy if they breach the policy.

This policy has been endorsed by *Victorious Secret Netball Club Board or Committee* and has been *incorporated into our constituent document, rules, regulations or by-laws*. The policy starts on 22/01/2019 and will operate until replaced.

The current policy and its attachments can be obtained from our website at:
www.vsncl.com.au

This policy is supported by Member Protection Policies that have been adopted and implemented by our governing National and State associations.

2. WHO is bound by this policy

This policy should apply to as many persons as possible who are involved with the activities of *Victorious Secret Netball Club*, whether they are in a paid or unpaid/voluntary capacity and including:

- 2.1 persons appointed or elected to *Victorious Secret* boards, committees and sub committees
- 2.2 members of the *Victorious Secret Netball Club* Executive;
- 2.3 support personnel, including managers, physiotherapists, psychologists, masseurs, sport trainers and others;
- 2.4 coaches and assistant coaches;
- 2.5 athletes;
- 2.6 athletes, coaches, officials and other personnel participating in events and activities, including camps and training sessions, held or sanctioned by *Victorious Secret Netball Club*; and
- 2.7 *any other person to whom the policy may apply eg social members, spectators.*

[This policy will continue to apply to a person even after he or she has stopped their association or employment with Victorious Secret Netball Club, if disciplinary action against that person has begun.]

3. Organisational responsibilities

Victorious Secret Netball Club must:

- 3.1 adopt, implement and comply with this policy
- 3.2 ensure that this policy is enforceable
- 3.3 publish, distribute and promote this policy and the consequences of any breaches of the policy
- 3.4 promote and model appropriate standards of behaviour at all times
- 3.5 deal with any complaints made under this policy in an appropriate manner

- 3.6 deal with any breaches of this policy in an appropriate manner
- 3.7 recognise and enforce any penalty imposed under this policy
- 3.8 ensure that a copy of this policy is available or accessible to all people and organisations to whom this policy applies
- 3.9 use appropriately trained people to receive and manage complaints and allegations of inappropriate behavior *Complaints contact person or SSO Member Protection Information Officers*
- 3.10 monitor and review this policy at least annually.

4. Individual responsibilities

Individuals bound by this policy must:

- 4.1 make themselves aware of the contents of this policy;
- 4.2 comply with all relevant provisions of the policy, including any codes of conduct and the steps for making a complaint or reporting possible child abuse set out in this policy;
- 4.3 consent to the screening requirements set out in this policy, and abides by the SA requirement for a Relevant History assessment to be conducted if the person holds or applies for a role that involves regular unsupervised contact with a child or young person under the age of 18 or where otherwise required by law;
- 4.4 place the safety and welfare of children above other considerations;
- 4.5 be accountable for their behaviour: and,
- 4.6 comply with any decisions and/or disciplinary measures imposed under this policy.

5. Position statements

Victorious Secret Netball Club is committed to the safety and well-being of all children and young people who participate in our sport or access our services. We support the rights of the child and will act at all times to ensure that a child-safe environment is maintained.

We acknowledge the valuable contribution made by our staff, members and volunteers and we encourage their active participation in providing a safe, fair and inclusive environment for all participants.

5.1.1 Identify and analyse risk of harm

We will develop and implement a risk management strategy, including a review of our existing child protection practices, to determine how child-safe our organisation is and to identify any additional steps we can take to minimise and prevent the risk of harm to children because of the actions of an employee, volunteer or another person.

5.1.2 Develop codes of behaviour

We will develop and promote a code of behaviour that sets out the conduct we expect of adults when they deal and interact with children involved in our sport, especially those in our care. We will also implement a code of behaviour to promote appropriate conduct between children.

These codes will clearly describe professional boundaries, ethical behaviour and unacceptable behavior.

5.1.3 Choose suitable employees and volunteers

We will take all reasonable steps to ensure that our organisation engages suitable and appropriate people to work with children, especially those in positions that involve

regular unsupervised contact with children. This will include using a range of screening measures.

We will ensure that Relevant History Assessments are conducted for all employees and volunteers who work with children, where an assessment is required by law. If a criminal history report is obtained as part of their screening process, we will handle this information confidentially and in accordance with the Standards.

5.1.4 Support, train, supervise and enhance performance

We will ensure that all our employees and volunteers who work with children have ongoing supervision, support and training. Our goal is to develop their skills and capacity and to enhance their performance so we can maintain a child-safe environment in our sport. We will appoint a child safe officer to support this statement. (recommend online training on www.playbytherules.net.au in Child protection and Harassment and discrimination)

5.1.5: Empower and promote the participation of children

We will encourage children and young people to be involved in developing and maintaining a child-safe environment for our sport.

5.1.6: Report and respond appropriately to suspected abuse and neglect

We will ensure that all our employees and volunteers are able to identify and respond appropriately to children at risk of harm and that they are aware of their responsibilities to make a report if they suspect on reasonable grounds that a child has been, or is being, abused or neglected.

Further, if any person believes that another person or organisation bound by this policy is acting inappropriately towards a child, or is in breach of this policy, he or she may make an internal complaint to us.

5.1.7: Manage appropriately any allegation of misconduct towards children

We will treat any allegations of child abuse or neglect towards children participating in activities associated with our organisation responsibly and sensitively. This will include providing support for the alleged victim and their family and ensuring natural justice is provided for the alleged offender.

5.2 Taking images of children

There is a risk that Images of children may be used inappropriately or illegally. *Victorious Secret Netball Club* requires that individuals and associations, wherever possible, obtain permission from a child's parent/guardian before taking an image of a child that is not their own. They should also make sure the parent/guardian understands how the image will be used.

When using a photo of a child, we will not name or identify the child or publish personal information, such as residential address, email address or telephone number, without the consent of the child's parent/guardian. We will not provide information about a child's hobbies, interests, school or the like, as this can be used by paedophiles or other persons to "groom" a child.

We will only use images of children that are relevant to our sport and we will ensure that they are suitably clothed in a manner that promotes participation in the sport. We will seek permission from the parents/guardians of the children before using the images.

5.3 Anti-discrimination and harassment

Victorious Secret Netball Club is committed to providing an environment in which people are treated fairly and equitably and that is, as far as practicable, free from all forms of discrimination and harassment.

We recognise that people may not be able to enjoy themselves or perform at their best if they are treated unfairly, discriminated against or harassed.

5.3.1 Discrimination Unlawful discrimination involves the less favourable treatment of a person on the basis of one or more of the personal characteristics protected by state or federal anti-discrimination laws.

The personal characteristics protected by anti-discrimination laws include attributes such as race, age, disability, gender and race. The full list of protected personal characteristics is in the “Definitions” set out in the Dictionary of Terms.

Discrimination can be either direct or indirect.

- **Direct** discrimination occurs if a person treats, or proposes to treat, a person with a protected personal characteristic unfavourably because of that personal characteristic.
- **Indirect** discrimination occurs if a person imposes, or proposes to impose, a requirement, condition or practice that will disadvantage a person with a protected personal characteristic and that requirement, condition or practice is not reasonable.

For the purposes of determining discrimination, the offender’s awareness and motive are irrelevant.

5.3.2 Harassment

Harassment is any unwelcome conduct, verbal or physical, that intimidates, offends or humiliates another person and which happens because a person has a certain personal characteristic protected by State or Federal anti-discrimination legislation.

The offensive behaviour does not have to take place a number of times, a single incident can constitute harassment.

Sexual harassment is one type of harassment. Sexual harassment is unwelcome conduct, remarks or innuendo of a sexual nature. It covers a wide range of behaviours and can be verbal, written, visual or physical. Sexual harassment is not limited to members of the opposite sex.

5.3.3 Prohibition against discrimination and harassment

We prohibit all forms of harassment and discrimination based on the personal characteristics listed in the “Definitions” set out in the Dictionary of Terms

Any person who believes they are being, or have been, harassed or discriminated against by another person or organisation bound by this policy is encouraged to raise their concerns with us. A person may make an internal complaint, and in some circumstances, they may also be able to make a complaint to an external organisation.

5.4 Pregnancy

Victorious Secret Netball Club is committed to treating pregnant women fairly and to removing any unreasonable barriers to their full participation in our sport. We will not tolerate any discrimination or harassment against pregnant women.

Victorious Secret Netball Club will take reasonable care to ensure the continuing safety, health and wellbeing of pregnant women. We will advise pregnant women that there may be risks involved with their continuing participation in sport, and we will 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 child, is of utmost importance in their decision-making about the extent they choose to participate in our sport.

We encourage all pregnant women to talk with their medical advisers, make themselves aware of the facts about pregnancy in sport and ensure that they make informed decisions about their participation in our sport. Pregnant women should make these decisions themselves, in consultation with their medical advisers and in discussion with *Victorious Secret Netball Club*

We will only require pregnant women to sign a disclaimer in relation to their participation in our sport whilst they are pregnant if all other participants are required to sign one in similar circumstances. We will not require women to undertake a pregnancy test.

If a pregnant woman believes she is being, or has been, harassed or discriminated against by another person or organisation bound by this Policy, she may make a complaint.

5.5 Gender identity

Gender identity means the gender-related identity, appearance or mannerisms or other gender-related characteristics of a person. This includes the way people express or present their gender and recognises that a person's gender identity may be an identity other than male or female. Some terms used to describe a person's gender identity include trans, transgender and gender diverse.

5.5.1 Gender identity discrimination and harassment

Federal, state and territory anti-discrimination laws provide protection from discrimination against people on the basis of their gender identity. (See definition in Dictionary of terms).

Victorious Secret Netball Club is committed to providing a safe, fair and inclusive sporting environment all where people can contribute and participate. We will not tolerate any unlawful discrimination or harassment of a person because of their gender identity.

All persons, regardless of gender identity, are entitled to be treated fairly and with dignity and respect at all times. We will not tolerate any unlawful discrimination or harassment of a person because of their gender identity. This includes discrimination or harassment of a person who is transgender or transsexual, who is assumed to be transgender or transsexual or has an association with someone who has or is assumed to be transgender or transsexual.

We expect all people bound by this policy to act with sensitivity when a person is undergoing gender transition/affirmation.

If any person believes that they are being, or have been, harassed or discriminated against by another person or organisation bound by this policy because of their gender identity, they may make a complaint.

5.5.2 Participation in sport

Victorious Secret Netball Club recognises that excluding people from participating in sporting events and activities because of their gender identity may have significant implications for their health, wellbeing and involvement in community life. We are committed to supporting participation in our sport on the basis of the gender with which a person identifies.

If issues of performance advantage arise, we will consider whether the established discrimination exceptions for participation in sport are relevant in the circumstances. Discrimination is unlawful unless an exception applies.

5.5.3. Intersex status

Federal anti-discrimination law, and some state and territory anti-discrimination laws, provide protection from discrimination against a person on the basis of their intersex status. (See Dictionary of terms).

Victorious Secret Netball Club is committed to providing a safe, fair and inclusive sporting environment where all people can contribute and participate. We will not tolerate any unlawful discrimination or harassment of a person because of their intersex status.

5.6 Responsible service and consumption of alcohol

Victorious Secret Netball Club is committed to conducting sporting and social events in a manner that promotes the responsible service and consumption of alcohol. We also recommend that state associations and member clubs follow strict guidelines regarding the service and consumption of alcohol.

In general, our policy is that:

- alcohol should not be available or consumed at sporting events involving children and young people under the age of 18;
- alcohol-free social events be provided for young people and families;
- food and low-alcohol and non-alcoholic drinks be available at events we hold or endorse where alcohol is served;
- a staff member is present at events we hold or endorse where alcohol is served to ensure appropriate practices in respect of the consumption of alcohol are followed;
- safe transport options be promoted as part of any event we hold or endorse where alcohol is served.

5.7 Smoke-free environment

Victorious Secret Netball Club is committed to providing a safe and healthy environment at all sporting and social events that we hold or endorse.

In general, our policy is that:

- no smoking shall occur at or near sporting events involving children and young people under the age of 18. This policy shall apply to coaches, players, trainers, officials and volunteers;
- social events shall be smoke-free, with smoking permitted at designated outdoor smoking areas; and
- coaches, officials, trainers, volunteers and players will refrain from smoking while they are involved in an official capacity in our sport, both on and off the field.

5.8 Bullying

Victorious Secret Netball Club is committed to providing an environment that is free from bullying. We understand that bullying has the potential to result in significant negative consequences for an individual's health and wellbeing, and we regard bullying in all forms as unacceptable in our sport.

Bullying is characterised by repeated, unreasonable behaviour directed at a person, or group of persons, that creates a risk to health and safety. Bullying behaviour is that which a reasonable person in the circumstances would expect to victimise, humiliate, undermine, threaten, degrade, offend or intimidate a person. Bullying behaviour can include actions of an individual or a group.

Whilst generally characterised by repeated behaviours, one-off instances can amount to bullying.

The following types of behaviour, where repeated or occurring as part of a pattern of behaviour, would be considered bullying:

- verbal abuse including shouting, swearing, teasing, making belittling remarks or persistent unjustified criticism;
- excluding or isolating a group or person;
- spreading malicious rumours; or
- psychological harassment such as intimidation.

Bullying includes cyber-bullying which occurs through the use of technology. New technologies and communication tools, such as smart phones and social networking websites, have greatly increased the potential for people to be bullied through unwanted and inappropriate comments. *Victorious Secret Netball Club* will not tolerate abusive, discriminatory, intimidating or offensive statements being made online. Frustration at a referee, teammate, coach or sporting body should never be communicated on social networking websites. These issues should instead be addressed – in a written or verbal statement or a complaint – to the relevant controlling club.

If any person believes they are being, or have been, bullied by another person or organisation bound by this policy, he or she may make a complaint.

5.9 Social networking

Victorious Secret Netball Club acknowledges the enormous value of social networking to promote our sport and celebrate the achievements and success of the people involved in our sport.

Social networking refers to any interactive website or technology that enables people to communicate and/or share content via the internet. This includes social networking websites such as Facebook and Twitter.

We expect all people bound by this policy to conduct themselves appropriately when using social networking sites to share information related to our sport.

In particular, social media activity including, but not limited to, postings, blogs, status updates, and tweets:

- must not contain material which is, or has the potential to be, offensive, aggressive, defamatory, threatening, discriminatory, obscene, profane, harassing, embarrassing, intimidating, sexually explicit, bullying, hateful, racist, sexist or otherwise inappropriate;
- must not contain material which is inaccurate, misleading or fraudulent;
- must not contain material which is in breach of laws, court orders, undertakings or contracts;

- should respect and maintain the privacy of others; and
- should promote the sport in a positive way.

6. Complaints procedures

6.1 Handling complaints

Victorious Secret Netball Club aims to provide a simple, confidential and trustworthy procedure for resolving complaints based on the principles of procedural fairness.

Any person (a complainant) may report a complaint about a person, people or organisation bound by this policy (respondent) if they feel they have been discriminated against, harassed, bullied or there has been any other breach of this policy.

All complaints should be reported to the *President, Club Complaints Manager*.

If a complaint relates to behaviour or an incident that occurred at the:

- *club level, or involves people operating at the club level, then the complaint should be reported to and handled by the relevant club in the first instance.*

Only matters that relate to, or which occurred at, the national level, as well as serious cases referred from the state and club level, should be dealt with by the national body.

A complaint may be handled informally or formally. The complainant may indicate his or her preferred option and the *President, Club Complaints Manager* should consider whether that is an appropriate way to handle the particular complaint. For example, the law may require that the complaint/allegation be reported to an appropriate authority.

All complaints will be dealt with promptly, seriously, sensitively and confidentially.

Individuals and organisations may also seek to have their complaint handled by an external agency under anti-discrimination, child protection, criminal or other relevant legislation.

6.2 Improper complaints and victimisation

Victorious Secret Netball Club aims to ensure that our complaints procedure has integrity and is free of unfair repercussions or victimisation against any person making a complaint.

We will take all necessary steps to make sure that people involved in a complaint are not victimised. Disciplinary measures may be undertaken in respect of a person who harasses or victimises another person for making a complaint or supporting another person's complaint.

If at any point in the complaint handling process the *President, Club Complaints Manager* considers that a complainant has knowingly made an untrue complaint, or the complaint is malicious or inappropriately intended to cause distress to the respondent, the matter may be referred in writing to the *committee* for review and appropriate action, including possible disciplinary action against the complainant.

6.3 Mediation

Victorious Secret Netball Club aims to resolve complaints quickly and fairly. Complaints may be resolved by agreement between the people involved with no need for disciplinary action.

Mediation is a confidential process that allows those involved in a complaint to discuss the issues or incident in question and come up with mutually agreed solutions. It may occur before or after the investigation of a complaint.

If a complainant wishes to resolve the complaint with the help of a mediator, the *President, or Complaints Manager* will, in consultation with the complainant, arrange for an independent mediator where possible. We *will* allow lawyers to participate in the mediation process.

7. What is a breach of this policy?

It is a breach of this policy for any person or organisation bound by this policy to do anything contrary to this policy, including but not limited to:

- 7.1 breaching the codes of behaviour
- 7.2 bringing the club into disrepute, or acting in a manner likely to bring the *club* into disrepute
- 7.3 failing to follow *Victorious Secret Netball Club* policies (including this policy) and our procedures for the protection, safety and well-being of children;
- 7.4 discriminating against, harassing or bullying (including cyber-bullying) any person;
- 7.5 victimising another person for making or supporting a complaint;
- 7.6 verbally or physically assaulting another person, intimidating another person or creating a hostile environment within the sport;
- 7.7 disclosing to any unauthorised person or organisation any *Victorious Secret Netball Club* information that is of a private, confidential or privileged nature;
- 7.8 making a complaint that they know to be untrue, vexatious, malicious or improper;
- 7.9 gossiping or talking bad about an Executive member
- 7.10 failing to comply with a penalty imposed after a finding that the individual or organisation has breached this policy; and
- 7.11 failing to comply with a direction given to the individual or organisation as part of a disciplinary process.

8. Disciplinary measures

Victorious Secret Netball Club may impose disciplinary measures on an individual or organisation for a breach of this policy.

Any disciplinary measure imposed will be:

- fair and reasonable;
- applied consistent with any contractual and employment rules and requirements;
- be based on the evidence and information presented and the seriousness of the breach; and
- be determined in accordance with our constituent documents, by-laws, this policy and/or the rules of the sport.

8.1 Individual

Subject to contractual and employment requirements, if a finding is made by the committee that an individual has breached this policy, one or more of the following forms of discipline may be imposed.

- 8.1.1 a direction that the individual make a verbal and/or written apology;
- 8.1.2 a written warning;
- 8.1.3 a direction that the individual attend counselling to address their behaviour;
- 8.1.4 a withdrawal of any awards, scholarships, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by *Victorious Secret Netball Club*;
- 8.1.5 a demotion or transfer of the individual to another location, role or activity;
- 8.1.6 a suspension of the individual's membership or participation or engagement in a role or activity;
- 8.1.7 termination of the individual's membership, appointment or engagement;
- 8.1.8 a recommendation that *Victorious Secret Netball Club* terminate the individual's membership, appointment or engagement;
- 8.1.9 in the case of a coach or official, a direction that the relevant organisation de-register the accreditation of the coach or official for a period of time or permanently;
- 8.1.10 a fine;
- 8.1.11 any other form of discipline that *committee* considers appropriate.

8.2 Factors to consider

The form of discipline to be imposed on an individual or organisation will depend on factors, such as:

- the nature and seriousness of the breach
- if the person knew, or should have known, that the behaviour was a breach of the policy
- the person's level of contrition
- the effect of the proposed disciplinary measures on the person, including any personal, professional or financial consequences
- if there have been any relevant prior warnings or disciplinary action
- the ability to enforce disciplinary measures if the person is a parent or spectator (even if they are bound by the policy)
- any other mitigating circumstances.

9. Dictionary of terms

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. Further detail or definitions that are specific to different states and territories can be sourced from the relevant child protection authorities or equal opportunity and anti-discrimination commissions.

Abuse is the violation of an individual's human or civil rights through the act or actions of another person or persons. Types of abuse include physical abuse, psychological or emotional abuse, sexual abuse, constraints and restrictive practices, financial abuse, legal or civil abuse and systemic abuse.

Child means a person who is under the age of 18.

Child abuse involves conduct which puts a child at risk of harm and may include:

- **physical abuse**, which occurs when a child has suffered, or is at risk of suffering, non-accidental physical trauma or injury. This may include, but is not limited to, hitting, shaking or other physical harm; giving a child alcohol or drugs; or training that exceeds the child's development or maturity.
- **sexual abuse**, which occurs when an adult, other child, or adolescent uses their power or authority to involve a child in a sexual activity or 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**, which occurs when a child's social, emotional, cognitive or intellectual development is impaired or threatened. Emotional abuse can include, but is not limited to, emotional deprivation due to persistent rejection or criticism, hostility, teasing/bullying, humiliation, taunting, sarcasm, yelling, name-calling or placing unrealistic expectations on a child.
- **neglect**, which occurs when a child's basic necessities of life are not met and their health and development are affected. Basic needs include food, water, shelter, adequate clothing, personal hygiene, timely provision of medical treatment and adequate supervision.

Child Safe Officer means the person appointed by the club to assist with maintaining a child safe environment.

Complaint means a complaint made under clause [\[7\]](#) of this policy

Complainant means the person making a complaint.

Complaint handler/manager means the person appointed under this policy to investigate a complaint.

Discrimination occurs when someone is treated (or is proposed to be treated) unfairly or less favourably than another person in the same or similar circumstances because of one of the personal characteristics covered by anti-discrimination laws. This is known as direct discrimination. Indirect discrimination occurs when there is (or is proposed) an unreasonable requirement, condition or practice that seems to treat everyone equally, but which has or is likely to have the effect of disadvantaging persons with a personal characteristic covered by anti-discrimination laws.

In Australia, it is against the law to discriminate against someone because of:

- age
- sex or gender
- gender identity
- intersex status
- race, colour, descent, national or ethnic origin, nationality, ethno-religious origin, immigration
- disability, mental and physical impairment
- family/carer responsibilities, status as a parent or carer
- marital status
- pregnancy, potential pregnancy, breastfeeding
- sexual orientation and gender identity

- physical features
- irrelevant medical record
- irrelevant criminal record, spent convictions
- political beliefs or activities
- religion, religious beliefs or activities
- national extraction or social origin
- lawful sexual activity
- profession, trade, occupation or calling
- member of association or organisation of employees or employers, industrial activity, trade union activity
- defence service
- personal association with someone who has, or is assumed to have, any of the above characteristics

Some exceptions to state, territory and federal anti-discrimination law apply, including exceptions for sporting activities, such as:

- holding a competitive sporting activity for a specific age or age group (e.g. only those who are under the age of 15 years);
- excluding people on the basis of their 'excluding people on the basis of their sex and/or gender identity status from participation in a competitive sporting activity where the strength, stamina or physique of competitors is relevant to the specific activity (note that this does not apply to activity by children who are under the age of 12 years); and
- 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 particular sporting activity.

Harassment is any type of unwelcome behaviour which has the effect of offending, humiliating or intimidating the person harassed. Unlawful harassment can be based on any of the personal characteristics covered by anti-discrimination law, such as a person's race, sex, pregnancy, marital status or sexual orientation (see the list under "Discrimination").

Public acts of racial hatred which are reasonably likely 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 people on other grounds such as homosexuality, gender identity, HIV/AIDS, religion and disability (see also "Vilification").

Member means *a person who is registered with the club.*

Procedural fairness requires that:

- the respondent knows the full details of what is being said against him or her and they have the opportunity to respond;
- no person may judge their own case; and
- the decision-maker(s) must be unbiased, fair and just.

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

Policy, policy and this policy means this Member Protection Policy.

Respondent means the person whose behaviour is the subject of the complaint.

Role-specific codes of conduct (or behaviour) means standards of conduct required of people holding certain roles in our organisation (e.g. coaches, officials, umpires).

Sexual harassment means unwelcome behaviour of a sexual nature which could reasonably be expected to make a person feel humiliated, intimidated or offended. Sexual harassment can take many different forms and may include unwelcome physical contact, verbal comments, jokes, propositions, displays of pornographic or offensive material or other behaviour that creates a sexually hostile environment. Sexual harassment does not have to be intentional.

Sexual offence means a criminal offence involving sexual activity or acts of indecency. Because of differences under state and territory laws, this can include but is not limited to:

- rape
- indecent assault
- sexual assault
- assault with intent to commit sexual acts
- incest
- sexual penetration of child under the age of 16 years
- indecent act with child under the age of 16 years
- sexual relationship with child under the age of 16 years
- 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 years
- bestiality
- soliciting a child under the age of 16 years to take part in an act of sexual penetration, or an indecent act
- promoting or engaging in acts of child prostitution
- obtaining benefits from child prostitution
- possession of child pornography
- publishing child pornography and indecent articles.

Transgender 'Transgender' is an umbrella term that refers to a person whose gender identity is different to their physical sex as recorded at birth. Transitioning refers to the process where a transgender person commences living as a member of another sex. This is sometimes referred to as the person 'affirming' their gender because transitioning means they start living in what they identify as their true gender. For people who are transitioning/affirming their gender, having their identity fully recognised in all areas of life is a crucial part of the experience of living as their affirmed gender.

Sexual orientation: The term 'sexual orientation' refers to a person's emotional or sexual attraction to another person, including, amongst others, the following identities: heterosexual, gay, lesbian, bisexual, pansexual, asexual or same-sex attracted.

Gender identity: The term 'gender identity' refers to a person's deeply held internal and individual sense of gender.

Gender expression: The term 'gender expression' refers to the way in which a person externally expresses their gender or how they are perceived by others.

Intersex: The term 'intersex' refers to people who have genetic, hormonal or physical characteristics that are not exclusively 'male' or 'female'. A person who is intersex may identify as male, female, intersex or as being of indeterminate sex.

Victimisation means treating someone unfairly or unfavorably, or threatening to do so, because that person has, or intends to, pursue their right to make any complaint, including a complaint under government legislation (e.g. anti-discrimination legislation) or under this policy, or for supporting another person to make complaint.

Vilification means behaviour that occurs in public which incites hatred towards, serious contempt for, or revulsion or severe ridicule of a person or group of people because that person or persons have a particular personal characteristic. Anti-discrimination laws in Australia make it unlawful to vilify a person or group of persons on the basis of race, religion, homosexuality, transgender status and HIV/AIDS status.

- [Child Safe Environments: Standards for dealing with information obtained about a person's criminal history as part of a relevant history assessment.](#)
-