



BOXING AUSTRALIA LIMITED

PARTICIPANT PROTECTION REGULATIONS

As amended and adopted 20 February, 2016

Amended 15 February, 2018

Amended 29 August 2019

Amended 18 December 2020

MESSAGE FROM THE PRESIDENT OF BOXING AUSTRALIA

The Board of Boxing Australia has a clear, unequivocal commitment to creating a safe, fair and inclusive sporting environment for all participants in our Sport.

In pursuit of this goal, the Board will not tolerate any inappropriate or unlawful behaviour, including harassment, discrimination or abuse.

In promotion of positive behaviour and values, the Board has adopted for Boxing Australia and its Member Associations the following Participant Protection Regulations. The Regulations set out a code of behaviour with which everyone and every organisation associated with our Sport is expected to abide.

Disciplinary action will be taken against any individual or organisation concerned, irrespective of position or standing, for a breach of these Regulations.

On behalf of the Board of Boxing Australia,

A handwritten signature in black ink, appearing to read 'Ted Tanner', with a stylized, cursive script.

Ted Tanner
President
15 February, 2018

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REVIEW HISTORY OF BOXING AUSTRALIA LTD. PARTICIPANT PROTECTION REGULATIONS

Version	Date reviewed	Date endorsed	Content reviewed/purpose
<i>One</i>	<i>Dec 2009</i>	<i>Dec 2009</i>	<ul style="list-style-type: none"> • <i>Updated State/Territory Legislation</i>
<i>Two</i>	<i>July 2012</i>	<i>July 2012</i>	<ul style="list-style-type: none"> • <i>Updated State/Territory Legislation</i>
<i>Three</i>	<i>June 2014</i>	<i>Sept 2014</i>	<ul style="list-style-type: none"> • <i>Updated ASC Template</i>
<i>Four</i>	<i>January 2016</i>	<i>February 2016</i>	<ul style="list-style-type: none"> • <i>Updated ASC Template</i>
<i>Five</i>	<i>February 2018</i>	<i>February 2018</i>	<ul style="list-style-type: none"> • <i>Amendments regarding alcohol consumption and other ancillary matters</i>
<i>Six</i>	<i>August 2019</i>	<i>August 2019</i>	<ul style="list-style-type: none"> • <i>Added Part B2 Event Code of Behaviour</i>
<i>Seven</i>	<i>December 2020</i>	<i>December 2020</i>	<ul style="list-style-type: none"> • <i>Removed Part C1 BAL Screening Requirements (Tasmania only)</i> • <i>Updated Part C3 to include Tasmania</i>

PART A: PARTICIPANT PROTECTION REGULATIONS

1. Purpose of these Regulations

These *Participant Protection Regulations* ("these Regulations") promote BAL's, and each of its Member Association's, commitment to:

- the right of every person to be treated with respect and dignity, to be safe, and to be protected from abuse;
- ethical and informed decision-making;
- the legal and ethical rights of everyone involved in our sport; and
- the responsibilities and the standards of behaviour that are required of everyone involved in our sport.

The attachments to the Regulations outline 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, *Boxing Australia Ltd. (BAL)* will take disciplinary action against any person or organisation bound by these Regulations if he, she or it breaches them.

These Regulations have been adopted by *the Board of BAL*. The Regulations start on 20 February 2016 and will operate until replaced. Copies of the Regulations and their attachments can be obtained from BAL's website.

2. Who these Regulations apply to

These Regulations apply to each of the following, irrespective of his or her level of operation, whether he or she is operating in a paid or unpaid capacity, and whether he or she is operating in Australia or overseas:

- 2.1 persons appointed or elected to BAL or Member Association boards, committees and sub-committees;
- 2.2 employees of BAL and Member Associations and organisations affiliated to Member Associations;
- 2.3 officials and support personnel appointed or elected to BAL and Member Association teams and squads (e.g. managers, physiotherapists, psychologists, masseurs and others);
- 2.4 coaches;
- 2.5 boxers;
- 2.6 referees, judges and other officials involved in the regulation of our sport;
- 2.7 members of BAL and of BAL Member Associations;
- 2.8 boxers, coaches, officials and other personnel participating in events and activities, including competitions, camps and training sessions, held or sanctioned or approved by BAL and/or a Member Association;
- 2.9 Member Associations, and any organisation affiliated with a Member Association.

These Regulations will continue to apply to a person or an organisation even after he, she or it has stopped his, her or its association or employment with BAL if disciplinary action against that person or organisation has commenced.

3. Responsibilities of BAL and its Member Associations

BAL and each Member Association must:

- 3.1 Adopt, implement and comply with these Regulations;

- 3.2 make such amendments to its Constitution and Regulations as may be necessary for these Regulations to be enforceable;
- 3.3 publish, distribute and promote these Regulations, and particulars of possible consequences of breaches;
- 3.4 promote appropriate standards of behaviour at all times;
- 3.5 promptly deal with any breaches or complaints made under these Regulations in a sensitive, fair, timely and confidential manner;
- 3.6 apply these Regulations consistently;
- 3.7 recognise and enforce any penalty imposed under these Regulations;
- 3.8 ensure that copies of these Regulations are available or accessible to the persons and organisations to whom the same apply;
- 3.9 appoint a PPIO to receive and manage complaints and allegations; and
- 3.10 monitor and review these Regulations when required.

4. Individual Responsibilities

All individuals bound by these Regulations must:

- 4.1 make themselves aware of the contents of this policy;
- 4.2 comply with all relevant provisions of the policy, including the Code 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 these Regulations, and any State/Territory Working with Children Checks 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 all 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

5.1 Anti-Discrimination and Harassment

Boxing Australia is committed to providing an environment in which people are treated fairly and equitably and, in a manner that is, as far as practicable, free from all forms of discrimination and harassment.

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

5.2 Child Protection

BAL and each Member Associations are committed to the safety and wellbeing of all children and young people participating in our sport. BAL and each Member Association support the rights of the child, and will act without hesitation to ensure a child-safe environment is maintained at all times.

BAL and each Member Association will protect the safety and welfare of children participating in our sport by ensuring that:

- 5.2.1 each organisation takes all reasonable steps to ensure that it appoints suitable and appropriate people to work with children;
- 5.2.2 where required by law, working with children checks and/or criminal history assessments are conducted for persons working with children;
- 5.2.3 if a criminal history report is obtained as part of a person's screening process, that the criminal history information is dealt with in accordance with relevant State or Territory requirements. (See Part C in these Regulations);

- 5.2.4 all persons working with children are aware of their responsibilities, under their respective State or Territory laws, if they have suspicion on reasonable grounds that a child has been or is being abused or neglected. (See Part D4 in these Regulations);
- 5.2.5 only appropriate images of a child are used;
- 5.2.6 a child is suitably clothed in any image taken;
- 5.2.7 use of camera phones, videos and cameras inside changing areas, showers and toilets is not permitted; and
- 5.2.8 personal information of a child, such as residential address, email address, telephone number or information about hobbies, likes and dislikes, school, etc., is not provided or published; save as required or permitted by law or by the Constitutions, Regulations and By-Laws of BAL and any of its Member Associations.

5.3 Sexual Relationships

BAL and each Member Association take the view that intimate relationships (whether or not of a sexual nature) between athletes and coaches, team managers or other officials, while not necessarily constituting harassment of the athlete, can have harmful effects on the athlete, on other athletes and on the sport's public image. Such relationships may be perceived to be exploitative because there is usually a disparity between an athlete and a coach or a team manager or another official in terms of authority, maturity, status, influence and dependence.

Given there is always a risk in a relationship with an athlete that the relative power of a coach or team manager or other official has been a factor in the development of the relationship, such relationships should be avoided by coaches, team managers and other officials at all levels. In the event that an athlete attempts to initiate an intimate relationship, the coach, team manager or official must take personal responsibility for discouraging such approaches, explaining to the athlete the ethical basis for such actions.

The athlete, the coach, the team manager or other official may wish to approach BAL's or a Member Association's PPIO if he or she feels harassed. Our complaints procedure is outlined in Part D1 in these Regulations.

5.4 Pregnancy

Everyone bound by these Regulations must treat pregnant women with dignity and respect. We will not tolerate any discrimination or harassment against pregnant women.

However, a pregnant woman is not allowed to compete in BAL and Member Association boxing competitions.

BAL and Member Associations require all women intending to compete in a boxing bout to sign a declaration that they are not pregnant.

5.5 Gender Identity

Everyone bound by these Regulations must treat people who identify as transgender or intersex fairly and with dignity and respect. Any unlawful discrimination or harassment of a person who identifies as transgender or transsexual, or who is thought to be transgender, or because of that person's inter-sex status, will not be tolerated. Descriptions of the types of behaviour which could be regarded as transgender (including inter-sex status) discrimination or harassment are provided in the Dictionary at clause 9.

BAL and each Member Associations recognise that the exclusion of transgender people from participation in sporting events and activities has significant implications for their health, well-being and involvement in community life. In general, BAL and each Member Association will facilitate

transgender and inter-sex status persons participating in our sport with the gender with which they identify.

But BAL and each Member Associations also recognize there is debate over whether a male to female transgender or inter-sex status person obtains any physical advantage over other female participants. If an issue, or an anticipated issue, of performance advantage arises, BAL will seek advice on the application of the law in the particular circumstances of the case.

BAL is aware that the International Olympic Committee (IOC) has established criteria for selection and participation in the Olympic Games. Where a transgender or inter-sex status person intends competing at a senior level, he or she should obtain advice about the IOC's criteria, which may differ from the position taken by BAL.

Drug testing procedures and prohibitions also apply to people who identify as transgender or of inter-sex status. 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.

5.6 Intersex Status

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

5.7 Alcohol Policy

BAL recommends that each Member Association and all of its members and affiliated organisations adhere to strict guidelines regarding the responsible consumption of alcohol. Responsible service and consumption of alcohol should apply to any alcohol consumed at a tournament, during a training camp or during any other boxing-related event. Light alcohol and soft drinks should always be available and, wherever possible, food is also to be available to be consumed when alcohol is available.

Under no circumstances are boxing officials (including coaches, referees and judges) participating in a tournament, during a training camp or during any other boxing-related event to consume any alcohol until the completion of their respective duties for the day. Guidance on alcohol management is available at <http://www.goodsports.com.au>

Under no circumstances are boxing officials (including coaches, referees and judges), when participating in a tournament, during a training camp or during any other boxing-related event (whether in Australia or overseas), to be affected by alcohol to the extent that they lose their capacities for judgment or their abilities to properly supervise boxers, or to the extent that they bring an Australian boxing team or Australian boxing into disrepute.

5.8 Smoking Policy

The following policies should be applied to sporting and social events:

- 5.8.1 no smoking shall occur at or near any sporting event or competition. These Regulations shall apply to coaches, boxers, officials, volunteers and spectators;
- 5.8.2 social functions shall be smoke free, with smoking permitted only in outdoor smoking areas; and
- 5.8.3 coaches, officials, volunteers and boxers will refrain from smoking and remain smoke free while involved in an official capacity for any BAL or Member Association activity.

5.9 Bullying/Cyber Bullying/Safety

Bullying and harassment in all forms, including verbal abuse and abuse through the use of technology, is regarded by BAL and each Member Association as unacceptable in our sport.

Given the emergence of telephone and internet social networks, the opportunity for unwanted and improper comments and statements has dramatically increased. Messages or statements made using these means of communication are largely instantaneous, and can easily be abused. Others may also manipulate a person by encouraging a statement to be made on twitter or facebook, for example, when the writer may be upset or vulnerable.

Bullying has the potential to cause great anxiety and distress to the person who has been the target of any comments or statements. In some cases, bullying is regarded as a criminal offence punishable by imprisonment, amongst other penalties. Frustration with a referee, team-mate, coach or sporting body should never be communicated on social network channels, but rather by way of reasoned and logical verbal and written statements and, where appropriate, complaints, through non-social network channels to the relevant Member Association or BAL.

5.10 Social Networking Websites Policy

BAL acknowledges the emergence of technology and communication media, and wishes to enable such new media to be used to benefit the sport and its participants, and to applaud achievements. This can occur due to the immediate nature of communication to a wide audience using channels such as facebook, twitter, and SMS. However, participants within the sport need to be very mindful of a few key matters that could lead to inappropriate use of new media, at times unintended, and at other times without a proper understanding that once comments are made or published, they are in public for a long time and hard to take back (retract). BAL recommends that you:

- 5.9.1 do not include personal information of yourself or others in social media channels;
- 5.9.2 do not use offensive, provocative or hateful language;
- 5.9.3 use your best judgment – do not publish something that makes you the slightest bit uncomfortable, and never write or publish if you are feeling emotional, upset or are intoxicated;
- 5.9.4 always ask for a person's permission before posting his or her picture on a social networking forum;
- 5.9.5 never comment on rumours, do not deny or affirm them or speculate about rumours; and
- 5.9.6 always use social network forums to add value and promote the sport in a positive way.

These issues are addressed further in BAL's *Social Media Policy*, which may be found on BAL's website.

6 Complaints Procedures

6.1 Complaints

BAL aims to provide a simple procedure for complaints based on the principles of procedural fairness (natural justice).

Any person (a complainant) may report a complaint about a person or organisation bound by these Regulations (a respondent). Such complaints should be reported to BAL's or a Member Association's PPIO. (See Dictionary of Terms.)

If a complaint relates to behaviour or an incident that occurred at the State or Territory level, or involves people operating at the State or Territory level, then the complaint should be reported to and handled by the relevant Member Association's PPIO in the first instance.

Only matters that relate to or occur at the national level, and the most serious cases at a State or Territory level, or where a person has reasonable belief their complaint at a State or Territory level will not be handled appropriately, should initially be referred to BAL's PPIO.

A complaint may be dealt with informally or formally. The complainant usually decides this unless BAL's or a Member Association's PPIO considers that the complaint falls outside these Regulations and would be better dealt with another way, and/or the law requires that complaint to be reported to an appropriate authority.

All complaints will be dealt with promptly, seriously, sensitively and confidentially. Our complaint procedures are outlined in Part D1 in these Regulations.

Individuals and organisations may also pursue their complaints externally under anti-discrimination, child protection, criminal or other relevant legislation.

6.2 Improper Complaints and Victimisation

BAL aims for our complaints procedure to have integrity and to be free of unfair repercussions or victimisation against the person making the complaint. If at any point in the complaints process, BAL's or a Member Association's PPIO considers that a complainant has knowingly made an untrue complaint, or that the complaint is malicious or intended simply to cause distress to the person complained of, the matter may be referred to BAL for appropriate action, which may include disciplinary action against the complainant.

BAL and each Member Association will take all necessary steps to make sure that people involved in a complaint are not victimised. Disciplinary measures can be imposed on anyone who harasses or victimises another person for making a complaint.

6.3 Mediation

It is the intention of BAL and each Member Association to resolve complaints with a minimum of fuss. Complaints may be resolved by agreement between the people involved, with no need for disciplinary action. Mediation allows those involved to be heard, and to come up with mutually agreed solutions.

Mediation may occur before or after the investigation of a complaint. BAL will, in consultation with the complainant, including agreement as to the meeting of costs of the mediation, arrange for a neutral third party mediator where possible. More information on the mediation process is outlined in Part D2 in these Regulations.

6.4 Participant Protection Committee

A Participant Protection Committee may be convened to hear a formal complaint:

- 6.4.1 referred to it by BAL's Board;
- 6.4.2 for an alleged breach of these Regulations.

BAL's Participant Protection Committee Hearing procedure is outlined in Part D5 in these Regulations.

Every organisation bound by these Regulations will recognise and enforce any decision of a Participant Protection Committee.

7 What is a Breach of these Regulations

It is a breach of these Regulations for any person or organisation to which the Regulations apply to do anything contrary to the Regulations; including, but not limited to:

- 7.1 breaching the Code of Behaviour (Part B in these Regulations);
- 7.2 bringing the sport and/or BAL or a Member Association or an office or official position within either BAL or a Member Association into disrepute, or acting in a manner likely to bring the sport and/or BAL or a Member Association or an office or official position within either BAL or a Member Association into disrepute;
- 7.3 failing to follow BAL Regulations (including these Regulations), and procedures for the protection, safety and welfare of children;
- 7.4 discriminating against, harassing or bullying (including cyber bullying) any person;
- 7.5 victimising another person for reporting a complaint;
- 7.6 engaging in a sexually inappropriate relationship with a person that he, she or it supervises, or has influence, authority or power over;
- 7.7 verbally or physically assaulting another person, intimidating another person or creating a hostile environment within the sport;
- 7.8 disclosing to any unauthorised person or organisation any BAL or BAL Member Association information that is of a private, confidential or privileged nature;
- 7.9 making a complaint that he, she or it knew to be untrue, vexatious, malicious or improper;
- 7.10 failing to comply with a penalty imposed after a finding that the individual or organisation has breached these Regulations; or
- 7.11 failing to comply with a direction given to the individual or organisation during the discipline process.

8 Disciplinary Measures

If an individual or organisation to which these Regulations applies breaches the same, one or more forms of discipline may be imposed. Any disciplinary measure imposed under these Regulations must:

- be applied consistently with any contractual and employment rules and requirements;
- be fair and reasonable;
- be based on the evidence and information presented and the seriousness of the breach; and
- be determined in accordance with BAL's Constitution and Regulations.

8.1 Individuals

Subject to contractual and employment requirements, if a finding is made by a Participant Protection Committee that an individual has breached these Regulations, one or more of the following forms of discipline may be imposed by such Committee:

- 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 his or her behaviour;
- 8.1.4 a withdrawal of any awards, scholarships, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by BAL or a Member Association;
- 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 a recommendation that BAL or a Member Association terminate the individual's membership, appointment, registration or engagement;
- 8.1.8 termination of the individual's membership, appointment, registration 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 an order for the payment of part or all of the costs of, or associated with, the hearing by the Participant Protection Committee; and/or
- 8.1.12 any other form of discipline that the Participant Protection Committee considers appropriate.

8.2 Organisations

If a finding is made by a Participant Protection Committee that a Member Association, or an organisation affiliated to a Member Association, has breached these Regulations, it may impose one or more of the following forms of discipline:

- 8.2.1 a written warning;
- 8.2.2 a fine;
- 8.2.3 a direction that any rights, privileges and benefits provided to that organisation by BAL and/or a Member Association or Associations be suspended for a specified period;
- 8.2.4 a direction that any funding granted or given to it by BAL or a Member Association cease from a specified date;
- 8.2.5 a direction that BAL or a Member Association cease to sanction events held by or under the auspices of that organisation;
- 8.2.6 a recommendation to BAL that a Member Association's membership of BAL, and/or a recommendation to a Member Association that an affiliated organisation's membership of the Member Association, be suspended or terminated in accordance with the relevant constitution or rules;
- 8.2.7 An order for the payment of part or all of the costs of, or associated with, the hearing by the Participant Protection Committee; and/or
- 8.2.8 any other form of discipline that the Participant Protection Committee considers to be reasonable and appropriate

8.3 Factors to consider

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

- 8.3.1 the nature and seriousness of the breach;
- 8.3.2 whether or not the person or organisation knew, or should have known, that the behaviour was a breach;
- 8.3.3 any level of contrition;
- 8.3.4 the effect of the proposed disciplinary measures on the person or organisation; including any personal, professional or financial consequences;
- 8.3.5 whether or not there have been relevant prior warnings or disciplinary action;
- 8.3.6 the ability to enforce discipline if the person is a parent or spectator (even if he or she is bound by these Regulations); and/or
- 8.3.7 any mitigating circumstances.

9. Dictionary

This Dictionary sets out the meaning of words used in these Regulations 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.

Affiliated organisation means an organisation affiliated to a Member Association.

BAL means Boxing Australia Ltd.

CEO means the Chief Executive Officer of BAL.

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

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 his or her 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.

Complaint means a complaint made in consequence of a breach of these Regulations in regard to a matter listed in clause 7.

Complainant means a person making a complaint.

Complaint handler/manager means a person appointed under these Regulations 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

Examples of discrimination are available on the Play by the Rules website:

www.playbytherules.net.au/legal-stuff/discrimination

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 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.

Gender expression refers to the way in which a person externally expresses his or her gender or how he or she is perceived by others.

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

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").

Intersex status 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 gender.

Mediator means an impartial and neutral person appointed to mediate complaints.

Member means an individual person who is a member of a Member Association.

Member Association means one of BAL's Member Associations.

Natural justice (also referred to as procedural fairness) incorporates the following principles:

- both a complainant and a respondent must know the full details of what is being said against them and have the opportunity to respond;
- all relevant submissions must be considered;
- no person may judge his, her or its own case; and
- the decision maker must be unbiased, fair and just.

Participant means a person or organisation to which these Regulations apply.

Participant Protection Committee means a Committee established from time to time by the BAL Board to hear a complaint or complaints made pursuant to these Regulations.

Participant Protection Information Officer (PPIO) means a person who is the first point of contact in BAL or a Member Association for a person reporting a complaint under these Regulations. The PPIO provides impartial and confidential support to the person making the complaint.

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

Procedural fairness (see the definition of **Natural justice** above).

Regulations means these Participant Protection Regulations.

Respondent means a person or organisation who or which is being complained about.

Role-specific codes of conduct (or behaviour) means standards of conduct required of people undertaking certain roles in BAL or a Member Association(e.g. coaches).

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; including, but not limited to (due to differences under State and 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; and

- publishing child pornography and indecent articles.

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.

Transgender 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' his or her gender, because transitioning means he or she starts living in what he or she identifies as his or her 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.

Victimisation means treating someone unfairly or unfavourably, or threatening to do so, because that person has, or intends to, pursue his or her right to make a complaint, including a complaint under government legislation (e.g. anti-discrimination legislation) or under these Regulations, or is supporting another person in making a 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 has or 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.

PART B1: CODE OF BEHAVIOUR

PURPOSE

The purpose of this Code of Behaviour is to declare the standard of conduct BAL expects of its participants, and to declare specific behaviours BAL considers inappropriate and contrary to the interests of the sport, and which may result in disciplinary action.

APPLICATION

All employees, boxers, boxing officials (including coaches, referees and judges), representatives, volunteers, members of BAL, members of BAL Member Associations, and all organisations affiliated with BAL Member Associations, are bound by this Code, both in Australia and when representing Australia as members or associates of a team or group of Australian boxers operating overseas.

STANDARDS OF CONDUCT

BAL expects all participants in our sport to:

- be ethical, fair and honest in all dealings;
- treat all persons with respect and courtesy, and have proper regard for their dignity, rights and obligations;
- always place the safety and welfare of children above other considerations;
- comply with BAL's Constitution and Regulations, including these Regulations
- comply with all relevant Federal and State laws; particularly anti-discrimination and child protection laws; and
- be responsible and accountable for their conduct.

INAPPROPRIATE BEHAVIOUR

This Part describes behaviours which are not in the best interests of BAL or boxing in general, and which may result in disciplinary penalties:

- discriminatory or offensive conduct towards, or treatment of, a person related to his or her actual or presumed gender, marital status, pregnancy, parental status, race, age, disability, sexuality, transgender, religion, political belief or industrial activity;
- sexual relationships between a coach or official and an athlete;
- inappropriate or abusive behaviour relating to minors;
- abusing, denigrating, harassing or attempting to intimidate any athlete, coach or official;
- victimising a person for making a complaint;
- making a vexatious complaint or one the complainant knows to be untrue;
- disputing, criticising or interfering with the decisions of any referee or judge other than by way of a formal protest as provided for in BAL's *Technical and Competition Regulations*;
- whilst a member of a state or national team, failing to follow the directions of the Head Coach or the Team Manager, or acting in a way that undermines the authority of those officials;
- creating a public disturbance at any meeting, tournament or event organised or sanctioned by BAL or any of its Member Associations;
- creating a public disturbance at any time and in any place during an interstate or overseas trip where the person is a representative of BAL or one of its Member Associations;
- consumption of alcohol or any drug which may impair judgment, by an athlete, coach, referee, timekeeper or other official, on the day of a tournament prior to the conclusion of that person's duties;
- consumption of alcohol by any member of a BAL team to an overseas destination for the duration of the event, including all travel to and from that destination; excepting where the head coach has authorised a limited quantity of alcohol consumption as part of a team social event following the conclusion of the competition;
- use of, or encouragement to use, banned substances to enhance or inhibit performance;

- recklessly causing damage to another person's property during the conduct of a tournament or when representing BAL or one of its Member Associations;
- failing to respect the confidentiality of personal information which a person obtains in the course of his or her duties or activities as an official or coach or athlete;
- failure to act in accordance with the lawful directions of a BAL Participant Protection Committee; and
- any conduct by a participant, whether or not resulting in police charges, considered to be prejudicial to the sport.

PART B2: EVENT CODE OF BEHAVIOUR

PURPOSE

The *BAL Event Code of Behaviour* further specifies standards of behaviour that are expected by BAL from all boxers, coaches and support staff when participating in a BAL endorsed boxing event. The *Event Code of Behaviour* is intended to cover the entire period prior to, during and after such an event.

It provides a clear endorsement of the values embraced by BAL so that whenever BAL is represented at a boxing event, it will be with pride and integrity.

Importantly, it should be noted that the *Event Code of Behaviour* is designed to supplement, rather than replace, the balance of the Code of Behaviour provisions in Part B of the *Regulations*; together with the disciplinary measures to be found in section 8.1 of Part A of these *Regulations*.

BAL ATHLETE CODE OF CONDUCT

It is expected that BAL athletes, Coaches and support staff will at all times, behave in a way that demonstrates respect for their sport and BAL, dedication to peak performance and commitment to the BAL Values. In addition to always acting in a lawful way this means that BAL athletes must show sound judgement to ensure that their behaviour is always above reproach. The following statements represent behaviours that support the BAL Values.

BAL athletes are required to comply with these requirements at all times:

1. I will do everything within my power to optimise my performance levels in sport and in life.
2. I will be honest in my attitude and preparation to training. I will work equally hard for myself and my fellow athletes.
3. I will co-operate with Sport Coaches/ Strength and Conditioning Coaches and other designated coaches and BAL staff in the development of programs to suitably prepare me for the highest possible level of competition.
4. I will be frank and honest with BAL staff concerning illness and injury as it impacts upon my ability to train, compete, or comply fully with program/event requirements.
5. I will show respect to support personnel who assist in program delivery and event management.
6. I will demonstrate due care for the equipment provided to me as part of my involvement in the designated event.
7. I will respect at all times, the rights, dignity and integrity of athletes, coaches, officials and spectators.
8. When part of a BAL endorsed team at a boxing tournament, I will at all times use my best endeavours to support and encourage all other members of that team
9. I will recognize the honour of representing my Sport and BAL at whatever level or in whatever capacity I may be selected.
10. When travelling overseas with an Australian boxing team, I will recognise my privileged status in representing Australia, and I will at all times obey the instructions both of the team's head coach and of the team's manager.
11. I will refrain from conduct that could be regarded as physical, emotional, racial, religious or sexual harassment towards athletes, coaches, officials, spectators or bystanders.
12. I will abide by the rules of my Sport and respect the decision of the referee/judge and will communicate any concerns I may have through the established process and respect the final decision.
13. I will ensure that my appearance maintains the good name and reputation of BAL.
14. I will conduct myself in a professional manner; this means appropriate language, demeanour, personal discipline and punctuality.

15. I will maintain high standards of personal behaviour at all times as a representative of BAL. This means that I will behave in a reputable, ethical and moral manner, particularly whilst under the direction and supervision of the BAL Coaching Staff and Program managers.
16. Whilst representing BAL I will adopt a responsible attitude to travel. I will follow the organized travel arrangements to, from, and during any tour with a BAL Program, unless prior alternative arrangements have been made and agreed to with BAL. I will not absent myself from the team or from the team's accommodation without first securing the approval of the team's head coach or the team's manager.
17. I will strictly adhere to the relevant anti-doping policies that govern our sport.
18. I will adopt a responsible attitude towards the consumption of tobacco products or alcohol, as it may negatively affect my preparation, competition, or recovery. I acknowledge that, if I am under the age of 18 years, I will not consume these substances, because it is unlawful.
19. I will not accept, give or be involved in any way in any inducement or bribe in relation to my performance or the performance of any other athlete.
20. I will not engage in conduct or any activity (whether or not publicly known) which will, or is likely to bring me, my sport, any sponsor, any BAL team, any team of which I am a member or BAL into disrepute or censure.
21. I am aware of the BAL Social Media Policy and agree to abide by it at all times.

PROCEDURE

Breaches of the Athlete Code of Conduct

Any behaviour suspected of contravening this Code of Conduct will be investigated by BAL. The Program manager may forward reports or instances of this Code of Behaviour directly to the Chief Executive Officer with recommendations regarding Sanctions to be applied.

INVESTIGATIONS

If directed by the Chief Executive Officer or Board of BAL, BAL may undertake an investigation into alleged breaches of this Code of Behaviour, including by the appointment of an independent investigator, to make a determination as to whether the Code of Behaviour has been breached. The Conduct and procedures of any investigation commenced under this Event Code of Behaviour will occur in a manner which reflects BAL's Values and the aim of balancing the desire for fairness to be afforded to all persons with the legitimate interests and rights of BAL. The outcome of any investigation shall be reported to the Chief Executive Officer and BAL Board along with recommendations regarding any sanctions to be applied.

SANCTIONS

Breaches of the Event Code of Behaviour may result in one or more of the following sanctions being applied by BAL. The type of sanction may include (but is not limited to) the following;

- Counselling or education designed to change the behaviours of the BAL athlete or official;
- Request for an apology or public statement from the BAL athlete or official to clarify situation;
- Temporary suspension of scholarship or other benefits to the BAL athlete or official at the commencement of the period of suspension of benefits.
- Permanent suspension of scholarship or other benefits to the BAL athlete or official.
- Sanctions may be applied at the direction of the BAL Board or its delegate

In the event of a breach of any of the provisions contained in Part B of these *Regulations* whilst part of a BAL boxing team travelling overseas (including a breach of any of the provisions contained in the *Event Code of Behaviour*), the offending person may also be removed from the team by the team's head coach, be immediately sent home and be required by BAL or its authorised representative to meet any costs associated with such actions. The offending person may further be required to pay to BAL such fine as the BAL Board or its authorised representative may deem appropriate.

PART C: SCREENING AND WORKING WITH CHILDREN CHECK REQUIREMENTS

Background

Child protection is about keeping children safe from harm or abuse. Child abuse is illegal, and all States and Territories have their own systems and laws that cover screening and/or the reporting and investigation of cases of child abuse.

Working with Children Check (WWCC) laws aim to prevent people who pose a risk from working with children as paid employees or volunteers. In the Australian Capital Territory, Queensland, New South Wales, Victoria, South Australia, Tasmania, Western Australia and the Northern Territory, laws require individuals involved in areas such as sport and recreation to undertake a check to determine their suitability to work (in a paid or volunteer capacity) with children. This is done by checking criminal history and other matters. In some States, this also involves reviewing relevant findings from disciplinary proceedings. There are also requirements placed on organisations.

Please be aware that individuals travelling with children and young people to another State or Territory in a work-related capacity must comply with the screening requirements of that particular State or Territory.

State and Territory WWCC requirements apply regardless of these Regulations.

Part C2: PARTICIPANT PROTECTION DECLARATION

INFORMATION

Boxing Australia Ltd. and each Member Association have duties of care to all those associated with the sport of boxing at their respective levels of jurisdiction; including the individuals and organisations to whom the BAL Participant Protection Regulations apply. A requirement of the BAL Participant Protection Regulations is that there must be enquiry into the background of all persons who undertake any work, coaching or regular unsupervised contact with people under the age of 18 years.

DECLARATION

I(please print full name) of

..... (please print address), born/...../.....,

sincerely declare that:

I do not have any criminal charge pending before the courts.

I do not have any criminal convictions or findings of guilt for sexual offences, acts of violence, drugs, or offences related to children.

I have not had any disciplinary proceedings brought against me by an employer, sporting organisation or similar body that have alleged sexual misconduct or harassment, acts of violence, other forms of harassment, drugs or child abuse.

I am not currently serving a sanction for an anti-doping rule violation under an ASADA approved anti-doping policy applicable to me.

I will not participate in, facilitate or encourage any practice prohibited by the World Anti-Doping Agency Code or any other ASADA approved anti-doping Regulations or policy applicable to me.

To my knowledge, there is no other matter that BAL or this Member Association may consider to constitute a risk to its members, employees, volunteers, athletes or reputation by engaging me.

I will notify BAL or this Member Association immediately upon becoming aware that any of the matters set out in clauses 1 - 6 of this Declaration has changed.

Declared in the *State/Territory of*

on/...../.....(date) Signature

Parent or Guardian Consent (in respect of a person under the age of 18 years)

I have read and understood the declaration provided by my child. I confirm and warrant that the contents of the declaration provided by my child are true and correct in every particular.

Name:.....

Signature:.....

Date:

Part C3: WORKING WITH CHILDREN CHECK REQUIREMENTS

Working with Children Checks aim to create a child-safe environment and to protect children and young people involved in our sport from physical and sexual harm. They assess the suitability of people to work with children and young people and can involve:

- criminal history checks
- signed declarations
- referee checks, and
- other relevant background checks to assess a person's suitability to work with children and young people.

Working with Children Check requirements vary across Australia. [Fact Sheets](#) for each state and territory are available on the Play by the Rules website: www.playbytherules.net.

Detailed information, including the forms required to complete a Working with Children Check, are available from the relevant agencies in each state and territory.

Australian Capital Territory

Contact the Office of Regulatory Services

Website: www.ors.act.gov.au/community/working_with_vulnerable_people

Phone: 02 6207 3000

New South Wales

Contact the Commission for Children and Young People

Website: www.kids.nsw.gov.au

Phone: 02 9286 7276

Northern Territory

Contact the Northern Territory Screening Authority

Website: www.workingwithchildren.nt.gov.au

Phone: 1800 SAFE NT (1800 723 368)

Queensland

Contact the Commission for Children and Young People and Child Guardian about the "Blue Card" system.

Website: www.ccypcg.qld.gov.au

Phone: 1800 113 611

South Australia

Contact the Department for Education and Child Development

Website: www.families.sa.gov.au/childsafes

Phone: 08 84 636 468

Note: In South Australia, the requirement to conduct criminal history assessments for people working with children is being phased-in over three years. For recreation and sporting organisations, this requirement commenced on 1 January 2012.

Tasmania

Contact the Tasmanian Government Consumer, Building and Occupational Services Department

Website: <https://www.cbos.tas.gov.au/topics/licensing-and-registration/registrations/work-with-vulnerable-people>

Phone: 1300 654 499

Victoria

Contact the Department of Justice

Website: www.justice.vic.gov.au/workingwithchildren

Phone: 1300 652 879

Western Australia

Contact the Department for Child Protection

Website: www.checkwwwc.wa.gov.au

Phone: 1800 883 979

Travelling to other states or territories

It is important to remember that when travelling to other States or Territories, representatives of sporting organisations must comply with the legislative requirements of that particular State or Territory.

PART D: COMPLAINTS HANDLING PROCEDURES

Part D1: COMPLAINTS PROCEDURE

BAL aims to support people associated with our sport to make and resolve any complaints they may have in a fair, timely and effective way.

All complaints will be kept confidential and will not be disclosed to another person without the complainant's consent except if law requires disclosure or if disclosure is necessary to effectively deal with the complaint.

If you wish to remain anonymous, there may be difficulty in assisting you to resolve your complaint. Procedural fairness (natural justice) means that BAL is required to provide the person or organisation you have complained about with full details of the complaint so he, she or it has a fair chance to respond.

Individuals and organisations may also pursue their complaint externally under anti-discrimination, child protection or other relevant legislation.

INFORMAL APPROACHES

Step 1: Talk with the other person (where this is reasonable, safe and appropriate)

In the first instance, you (the complainant) should try to sort out the problem with the other person or people involved (the respondent) if you feel able to do so.

Step 2: Contact a Participant Protection Information Officer

Talk with BAL's, or your Member Association's, *PPIO* if:

- the first step (Step 1) is not possible or reasonable;
- you are not sure how to handle the problem by yourself;
- you want to talk confidentially about the problem with someone and obtain more information about what you can do; or
- the problem continues after you tried to approach the person or people involved.

The names and contact details of BAL's or your Member Association's PPIO can be found on their respective websites.

The *PPIO* will:

- try to find out the facts of the problem;
- ask what outcome you want and/or how you want the problem resolved, and if you need support;
- provide possible options for you to resolve the problem;
- act as a support person if you so wish;
- refer you to a mediator to help you resolve the problem and agreement is reached regarding the engagement of the mediator;
- inform the relevant government authorities and/or police if required by law to do so; and
- maintain confidentiality.

Step 3: Outcomes from initial contact

After talking with the *PPIO*, you may decide:

- there is no problem;
- the problem is minor and you do not wish to take the matter forward;
- to try and work out your own resolution (with or without a support person such as the *PPIO*);
- to seek a mediated resolution with the help of a mediator; or
- to resolve the matter through a 'Formal Approach'.

FORMAL APPROACHES

Step 4: Making a Formal Complaint

If your complaint is not resolved by informal approaches or by a mediator, you may:

- make a formal complaint in writing to the CEO of BAL; or
- contact a relevant external agency, such as an Anti-discrimination Commission or Equal Opportunity Commission, for advice.

On receiving a formal complaint, and based on the material you have provided, the CEO of BAL will decide whether:

- he or she is the most appropriate person to receive and handle the complaint;
- the nature and seriousness of the complaint warrants a formal resolution procedure;
- to gather more information on the complaint;
- to bring the complaint to the BAL Board;
- to refer the matter to the police or other appropriate authority; and/or
- to implement any interim arrangements that will apply until the complaint process set out in these procedures is completed.

In making a decision as outlined above, the CEO of BAL will take into account: whether

- he or she has had any personal involvement in the circumstances, which means that someone else should handle the complaint;
- your wishes, and the wishes of the respondent, regarding the manner in which the complaint should be handled;
- the relationship between you and the respondent (for example an actual or perceived power imbalance between you and the respondent);
- whether the facts of the complaint are in dispute; and
- the urgency of the complaint; including the possibility that you will be subject to further unacceptable behaviour while the complaint process is underway.

If the CEO of BAL is the appropriate person to handle the complaint, he or she will, to the extent that these steps are necessary:

- put the information he or she has received from you to the person you're complaining about and ask him or her to provide his or her side of the story;
- decide if the information you have provided determines whether the matter alleged in your complaint did or didn't happen; and/or
- decide what, if any, action to take.

Step 5: Investigation of the complaint

- If agreed by you and the respondent, Mediation will be conducted in accordance with Part D2 in these Regulations, and as agreed with the Mediator.

- If the complaint is referred to a Participant Protection Committee by the BAL Board, that Committee's hearing of the complaint will be conducted in accordance with Part D5 in these Regulations.
- If the complaint is referred to the police or other appropriate authority, BAL or your Member Association will use its best endeavours to provide all reasonable assistance required by the police or other authority.

Step 6: Reconsideration of an initial investigation

Under the formal complaint process, you may request the CEO of BAL to reconsider any decision he has made regarding the complaint.

If you are dissatisfied with the CEO's decision in this regard, you may ask for the BAL Board's consideration of your complaint.

Step 7: Documenting the resolution

The CEO of BAL will document the complaint, the process pursued to investigate it and the outcome. This document will be stored in a confidential and secure place.

EXTERNAL APPROACHES

There are a range of other options available, depending on the nature of your complaint. If you feel that you have been harassed or discriminated against, you can seek advice from your State or Territory Anti-discrimination Commission or Equal Opportunity Commission without being obliged to make a formal complaint. If the Commission advises you that the problem appears to be harassment within its jurisdiction, you may lodge a formal complaint with the Commission.

Once a complaint is received by an Anti-discrimination Commission, it will investigate. If it appears that unlawful harassment or discrimination has occurred, the Commission will conciliate the complaint confidentially. If this fails, or is inappropriate, the complaint may go to a formal hearing where a finding will be made. The tribunal will decide upon what action, if any, will be taken. This could include financial compensation for such things as distress, lost earnings or medical and counselling expenses incurred.

Contact details for the State and Territory anti-discrimination and equal opportunity commission are available on the 'Play by the Rules' website: <http://www.playbytherules.net.au/resources/quick-reference-guide>

Serious incidents, such as assault or sexual assault, should be reported to the Police.

Part D2: MEDIATION

Mediation is a process by which people in conflict are helped to communicate with each other to identify the areas of dispute and to make decisions about resolving it. This attachment outlines the general procedure of mediation that will be followed by BAL.

1. The BAL or Member Association PPIO will, under the direction of BAL, and in consultation with the complainant and the respondent, arrange for the appointment of a Mediator.
2. The Mediator's role is to assist the complainant and respondent, if possible, reach an agreement on how to resolve the problem. The Mediator, in consultation with the complainant and the respondent, will choose the procedures to be followed during the Mediation.
3. The Mediation will be conducted confidentially and without prejudice to the rights of the complainant and the respondent to pursue an alternative process if the complaint is not resolved.
4. At the end of a successful Mediation, the Mediator will prepare a document that sets out the agreement reached by the complainant and the respondent, which will be signed by them as their agreement.
5. If the complaint is not resolved by Mediation, the complainant may:
 - 5.1 write to the CEO of BAL to request that the complaint be reconsidered in accordance with Step 4 in Part D1 in these regulations; or
 - 5.2 approach an external agency, such as an Anti-discrimination Commission or Equal Opportunity Commission.

Part D3: INVESTIGATION PROCESS

If an investigation needs to be conducted to gather more information regarding a complaint, the following steps may be followed:

1. The CEO of BAL, or his or her appointed representative, will:
 - 1.1 interview the complainant and record the interview in writing;
 - 1.2 convey full details of the complaint to the respondent so that the respondent can respond;
 - 1.3 interview the respondent to allow the respondent to answer the complaint, and will record the interview in writing;
 - 1.4 obtain statements from witnesses and other relevant evidence to assist in a determination if there is a dispute over the facts;
 - 1.5 make a finding as to whether the complaint is:
 - 1.5.1 substantiated (that is, that there is sufficient evidence to support the complaint);
 - 1.5.2 inconclusive (that is, that there is insufficient evidence either way);
 - 1.5.3 unsubstantiated (that is, that there is sufficient evidence to show that the complaint is unfounded); or
 - 1.5.4 mischievous, vexatious or knowingly untrue; and
 - 1.6 the CEO of BAL, or his or her representative, will provide a report to the Participant Protection Committee which documents the complaint, investigation process, evidence, finding; and, if requested, make recommendations to the Committee.
2. BAL will provide a report to the complainant and the respondent documenting matters relating to the complaint.
3. The complainant and the respondent will be entitled to support throughout this process from their chosen support persons or advisors.

Part D4: PROCEDURE FOR HANDLING ALLEGATION OF CHILD ABUSE

If you believe a child is in immediate danger or in a life-threatening situation, contact the Police immediately on 000.

Fact sheets on reporting allegations of child abuse in different States and Territories are available at www.playbytherules.net.au.

We will treat any allegation of child abuse or neglect promptly, seriously and with a high degree of sensitivity.

All people working with BAL and its Member Associations in a paid or unpaid capacity have a duty to report any concerns to the appropriate authorities, following the steps outlined below.

Step 1: Receive the allegation

If a child or young person raises with you an allegation of child abuse or neglect that relates to him or her or to another child, it is important that you listen, stay calm and be supportive.

Do	Don't
Make sure you are clear about what the child has told you	Do not challenge or undermine the child
Reassure the child that what has occurred is not his or her fault	Do not seek detailed information, ask leading questions or offer an opinion.
Explain that other people may need to be told in order to stop what is happening.	Do not discuss the details with any person other than those detailed in these procedures.
Promptly and accurately record the discussion in writing.	Do not contact the alleged offender.

Step 2: Report the allegation

Immediately report any allegation of child abuse or neglect, or any situation involving a child at risk of harm, to the police and/or the relevant child protection agency. You may need to make a report to both.

Contact the relevant child protection agency or police for advice if there is **any** doubt about whether the allegation should be reported.

If the allegation involves a person to whom these Regulations apply, then also report the allegation to the CEO of BAL so that he or she can manage the situation.

Step 3: Protect the child and manage the situation

The CEO will assess the immediate risks to the child, and take interim steps to ensure the child's safety and the safety of any other children. This may include redeploying the alleged offender to a position where there is no unsupervised contact with children, supervising the alleged offender or removing or suspending him or her until any investigations have been concluded. Legal advice should be sought before any interim steps are made if the person is in paid employment with BAL or a Member Association.

The CEO will consider what services may be most appropriate to support the child and his or her parent or parents, guardian or guardians.

The CEO will consider what support services may be appropriate for the alleged offender.

The CEO will put in place measures to protect the child and the alleged offender from possible victimisation and gossip.

Step 4: Take internal action

Up to three different investigations could be undertaken to examine allegations that are made against a person to whom these Regulations apply, including:
a criminal investigation (conducted by the police);
a child protection investigation (conducted by the relevant child protection agency); and
a disciplinary or misconduct inquiry/investigation (conducted by BAL).

Regardless of the findings of the police and/or child protection agency investigations, BAL will assess the allegations to decide whether the alleged offender should return to his or her position, be dismissed, be banned or face any other disciplinary action.

The CEO of BAL will consider all information relevant to the matter, including any findings made by the police, the child protection authority and/or court, and then set out a finding, recommend actions and the rationale for those actions to the BAL Board.

If disciplinary action is recommended, we will follow the procedures set out in clause 8 of BAL's Participant Protection Regulations.

BAL will provide the relevant government agency with a report of any disciplinary action we take, where this is required.

Contact details for advice or to report an allegation of child abuse

Australian Capital Territory	
ACT Police Non-urgent police assistance Ph: 131 444 www.afp.gov.au	Office for Children, Youth and Family Services www.dhcs.act.gov.au/ocyfs/services/care_and_protection Ph: 1300 556 729
New South Wales	
New South Wales Police Non-urgent police assistance Ph: 131 444 www.police.nsw.gov.au	Department of Community Services www.community.nsw.gov.au Ph: 132 111
Northern Territory	
Northern Territory Police Non-urgent police assistance Ph: 131 444 www.pfes.nt.gov.au	Department of Children and Families www.childrenandfamilies.nt.gov.au Ph: 1800 700 250
Queensland	
Queensland Police Non-urgent police assistance Ph: 131 444 www.police.qld.gov.au	Department of Communities www.communities.qld.gov.au/childsafety Ph: 1800 811 810
South Australia	
South Australia Police Non-urgent police assistance Ph: 131 444 www.sapolice.sa.gov.au	Department for Education and Child Development www.families.sa.gov.au/childsafe Ph: 131 478
Tasmania	
Tasmania Police Non-urgent police assistance Ph: 131 444 www.police.tas.gov.au	Department of Health and Human Services www.dhhs.tas.gov.au/children Ph: 1300 737 639
Victoria	
Victoria Police Non-urgent police assistance Ph: (03) 9247 6666 www.police.vic.gov.au	Department of Human Services www.dhs.vic.gov.au Ph: 131 278
Western Australia	
Western Australia Police Non-urgent police assistance Ph: 131 444 www.police.wa.gov.au	Department for Child Protection www.dcp.wa.gov.au Ph: (08) 9222 2555 or 1800 622 258

Part D5: PROCEDURE FOR PARTICIPANT PROTECTION COMMITTEE

This Part outlines the process for referral and investigation of a participant protection complaint.

1. BAL's Board of Directors may appoint a Participant Protection Committee, comprising up to three persons, to hear a formal complaint that has been referred to the Committee by the Board. The investigation may follow the procedures in this Part.
2. BAL's Board of Directors may appoint a Participant Protection Committee, comprising up to three persons, to investigate any member protection matter which is not a complaint and to report its findings to the Board. The investigation may follow the procedures in these Regulations to the extent that they are relevant.
3. The CEO will arrange for the Participant Protection Committee to be convened and provided with a copy of all the relevant correspondence, reports or information relating to the matter under investigation.
4. The Participant Protection Committee hearing will be scheduled as soon as practicable, but must still allow adequate time for any person or organisation being complained about to respond to the complaint.
5. Where the Participant Protection Committee is comprised of three members, at least two of the three members are required to be present throughout the hearing process.
6. The Participant Protection Committee will not include any person who has any actual or perceived conflict of interest, preconceived opinions, vested interests or personal involvement relating to the complaint.
7. If a member of the Participant Protection Committee cannot continue once the hearing has commenced, and the minimum number required for the hearing is still maintained, the discontinuing member will not be replaced.
8. If the specific or minimum number is not maintained, the discontinuing member will be replaced by direction of the BAL Board.
9. The CEO of Boxing Australia will inform the complainant and respondent by written notification that a Participant Protection Committee hearing will take place. The written notification will outline:
 - that the complainant has a right to appear at the Participant Protection Committee hearing to support his or her complaint;
 - that the respondent has a right to appear at the Participant Protection Committee hearing to defend the complaint;
 - details of the complaint, including any relevant rules or regulations the respondent is accused of breaching (if there is more than one complaint these should be set out separately);
 - the date, time and venue of the Participant Protection Committee hearing;
 - that both the complainant and the respondent can make either verbal or written submissions to the Participant Protection Committee;
 - that both the complainant and the respondent may arrange for witnesses to attend the Participant Protection Committee in support of their positions;
 - any possible penalties that may be imposed if the complaint is found to be true; and

- that if the respondent is a minor, he or she should have a parent or guardian present.

10. A copy of any information or documents that have been given to the Participant Protection Committee will also be provided to the complainant and to the respondent.

11. The respondent will be allowed to participate in all BAL activities and events, pending the decision of the Participant Protection Committee, including any available appeal process, unless the Board of Directors believes it is warranted to suspend the respondent from all or any activities and events because of the nature of the complaint.

12. The following people will be allowed to attend the Participant Protection Committee hearing:

- the Participant Protection Committee members;
- the respondent;
- the complainant;
- any witnesses called by the respondent;
- any witnesses called by the complainant;
- any parent, guardian or support person required to support the respondent or the complainant.

13. If the respondent is not present at the designated time for the commencement of the hearing, and the Participant Protection Committee Chairperson considers that no valid reason has been presented for his or her absence, the Participant Protection Committee hearing will continue; provided the Participant Protection Committee Chairperson is satisfied that all Participant Protection Committee notification requirements have been carried out correctly.

14. If the Participant Protection Committee Chairperson considers that a valid reason for the nonattendance of the respondent is presented, or that the notification requirements have not been carried out correctly, then the hearing will be rescheduled to a later date.

15. The Participant Protection Committee Chairperson will inform the CEO of any need to reschedule a hearing, and the CEO will arrange for the hearing to be reconvened.

16. The Participant Protection Committee Chairperson will read out the complaint that is to be judged, ask the respondent if he or she understands the complaint being made against him or her, and if he or she agrees or disagrees with the complaint.

17. If the respondent agrees with the complaint, he or she will be asked to provide any evidence or witnesses that should be considered by the Participant Protection Committee when determining any disciplinary measures.

18. If the respondent disagrees with the complaint, the complainant will be asked to describe the circumstances that led to the complaint being made.

- Brief notes may be referred to.
- The complainant will be allowed to call witnesses.
- The respondent may be allowed to question the complainant and his or her witnesses.

19. The respondent will then be asked to respond to the complaint.

- Brief notes may be referred to.
- The respondent will be allowed to call witnesses.
- The complainant may be allowed to ask questions of the respondent and his or her witnesses.

20. Both the complainant and respondent will be allowed to be present when evidence is presented to the Participant Protection Committee. Witnesses may be asked to wait outside the Participant Protection Committee hearing room until required.

21. The Participant Protection Committee will be allowed to:

- consider any evidence, and in any form, that it deems relevant;
- question any person giving evidence; and
- limit the number of witnesses presented if it is agreed by all parties that they will support the person who requested them, but will not provide any new evidence.

22. Video evidence, if available, may be presented. The arrangements must be made entirely by the person wishing to offer this type of evidence.

23. If the Participant Protection Committee considers that at any time during the Participant Protection Committee hearing that there is any unreasonable or intimidating behaviour from anyone present, the Participant Protection Committee Chairperson shall have the power to stop any further involvement of the person in the Participant Protection Committee hearing.

24. After all of the evidence has been presented, the Participant Protection Committee will make its decision in private.

25. In relation to a complaint, the Participant Protection Committee will make a finding that the complaint is substantiated, unsubstantiated, or unable to be determined because of lack of evidence.

26. The Participant Protection Committee may impose a specific disciplinary or administrative action.

27. All decisions made by a Participant Protection Committee will be based on a majority vote of its members.

PART E: REPORTING REQUIREMENTS AND DOCUMENTS/FORMS

We will ensure that all the complaints we receive, both formal and informal, are properly documented. This includes recording how the complaint was resolved and the outcome of the complaint.

This information, and any additional records and notes, will be treated confidentially and stored in a secure place.

We will treat any allegation of child abuse or neglect promptly, seriously and with a high degree of sensitivity.

We will ensure that everyone who works with BAL or a Member Association in a paid or unpaid capacity understands how to appropriately receive and record allegations of child abuse and neglect and how to report those allegations to the relevant authorities in his or her State or Territory.

Part E1: CONFIDENTIAL RECORD OF INFORMAL COMPLAINT

Name of person receiving complaint		Date: / /
Complainant's Name	<input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18	
Role/status	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Parent <input type="checkbox"/> Athlete/player <input type="checkbox"/> Spectator <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Support Personnel <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Other <input type="checkbox"/> Official	
When/where did the incident take place?		
What are the facts relating to the incident, as stated by complainant?		
What is the nature of the complaint? (category/basis/grounds) Tick more than one box if necessary	<input type="checkbox"/> Harassment or <input type="checkbox"/> Discrimination <input type="checkbox"/> Sexual/sexist <input type="checkbox"/> Selection dispute <input type="checkbox"/> Coaching methods <input type="checkbox"/> Sexuality <input type="checkbox"/> Personality clash <input type="checkbox"/> Verbal abuse <input type="checkbox"/> Race <input type="checkbox"/> Bullying <input type="checkbox"/> Physical abuse <input type="checkbox"/> Religion <input type="checkbox"/> Disability <input type="checkbox"/> Victimisation <input type="checkbox"/> Pregnancy <input type="checkbox"/> Child Abuse <input type="checkbox"/> Unfair decision <input type="checkbox"/> Other	
What does the complainant want to happen to resolve the issue?		
What other information has the complainant provided?		
What is the complainant going to do now?		

This record and any notes must be kept in a confidential and safe place. Do not enter it on a computer system. If the issue becomes a formal complaint, this record is to be given to BAL's CEO.

Part E2:CONFIDENTIAL RECORD OF FORMAL COMPLAINT

Complainant's Name	<input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18	Date Formal Complaint Received: / /
Complainant's contact details	Phone: Email:	
Complainant's role/position	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Parent <input type="checkbox"/> Athlete/player <input type="checkbox"/> Spectator <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Support Personnel <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Other <input type="checkbox"/> Official	
Name of person complained about (respondent)	<input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18	
Respondent's role/position	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Parent <input type="checkbox"/> Athlete/player <input type="checkbox"/> Spectator <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Support Personnel <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Other <input type="checkbox"/> Official	
Location/event of alleged incident		
Description of alleged incident		
Nature of complaint (category/basis/grounds) Tick more than one box if necessary	<input type="checkbox"/> Harassment or <input type="checkbox"/> Discrimination <input type="checkbox"/> Sexual/sexist <input type="checkbox"/> Selection dispute <input type="checkbox"/> Coaching methods <input type="checkbox"/> Sexuality <input type="checkbox"/> Personality clash <input type="checkbox"/> Verbal abuse <input type="checkbox"/> Race <input type="checkbox"/> Bullying <input type="checkbox"/> Physical abuse <input type="checkbox"/> Religion <input type="checkbox"/> Disability <input type="checkbox"/> Victimisation <input type="checkbox"/> Pregnancy <input type="checkbox"/> Child Abuse <input type="checkbox"/> Unfair decision <input type="checkbox"/> Other	
Methods (if any) of attempted informal resolution		

Formal resolution procedures followed (outline)	
If investigated:	Finding
If heard by Tribunal:	Decision Action recommended
If mediated:	Date of mediation: Both/all parties present Agreement Any other action taken
If decision was appealed	Decision Action recommended
Resolution	<input type="checkbox"/> Less than 3 months to resolve <input type="checkbox"/> Between 3 – 8 months to resolve <input type="checkbox"/> More than 8 months to resolve
Completed by	Name: Position: Signature: _____ Date / /
Signed by:	Complainant: Respondent:

This record and any notes must be kept in a confidential and safe place. If the complaint is of a serious nature, or if it is taken to and/or dealt with at the national level, the original record must be provided to BAL's CEO and a copy kept with the organisation where the complaint was first made.

Part E3: CONFIDENTIAL RECORD OF CHILD ABUSE ALLEGATION

Before completing, ensure the procedures outlined in attachment D4 have been followed and reported to the Police and/or the relevant child protection agency.

Complainant's Name (if other than the child)		Date Formal Complaint Received: / /
Role/status in sport		
Child's name		Age:
Child's address		
Person's reason for suspecting abuse (e.g. observation, injury, disclosure)		
Name of person complained about		
Role/status in sport	<input type="radio"/> Administrator (Volunteer) <input type="radio"/> Parent <input type="radio"/> Athlete/Player <input type="radio"/> Spectator <input type="radio"/> Coach/Assistant Coach <input type="radio"/> Support Personnel <input type="radio"/> Employee (Paid) <input type="radio"/> Other <input type="radio"/> Official 	
Witnesses (if more than 3 witnesses, attach details to this form)	Name (1): Contact details: Name (2): Contact details: Name (3): Contact details:	
Interim action (if any) taken (to ensure child's safety and/or to support needs of person complained about)		
Police contacted	Who: When: Advice provided:	

Government agency contacted	Who: When: Advice provided:
CEO contacted	Who: When:
Police and/or government agency investigation	Finding:
Internal investigation (if any)	Finding:
Action taken	
Completed by	Name: Position: Signature: / /
Signed by	Complainant (if not a child)

This record and any notes must be kept in a confidential and safe place and be provided to the relevant authorities (police and government) should they require them.