

## RESPECT AND RESPONSIBILITY POLICY

**Last Updated: November 2024** 





## **CEO Foreword**

We want everyone to be safe every time they engage in the game of Australian Football anywhere around our country.

That's why we are committed to providing safe and welcoming environments so that everyone, particularly women, girls and people of diverse genders, can enjoy the social, physical, mental and emotional benefits of participation in football without discrimination, harassment or fear.

We are also committed to ensuring that everyone in our game behaves respectfully and providing a process for when people don't.

It is why we introduced the AFL's Respect and Responsibility Policy in 2005 and continue to refine the policy to ensure we not only drive respectful behaviours but have a consistent, clear and transparent process if those behaviours are not followed.

Through this Policy, the AFL, and all our clubs, commit to ensuring that everyone, regardless of their gender, has equal opportunity to participate in Australian Football as players, employees, officials, volunteers, and supporters.

Since the last iteration of the AFL's Respect and Responsibility Policy was released in 2017, our game has changed significantly. We have overseen the expansion of the AFLW competition to include all 18, and soon 19, clubs; our Women's Football Vision and associated action plans continue to be implemented; and infrastructure in women's sport continues to grow at a rapid rate, although significantly more remains to be done.

In partnership with Our Watch, we have also delivered face to face education, to all of our AFL and AFLW playing cohorts, to expand their understanding of gender inequality, respect, and equity. Our elite players, who are often the face of our game, should be adequately prepared and engaged in these important conversations.

This new version of our Respect and Responsibility Policy builds on the previous policy, while containing important changes. The definition of what is considered prohibited behaviour is clarified and strengthened, and there is clear articulation of who this Policy applies to. It also maintains a transparent process on how complaints will be managed, which is critical to ensuring that complainants or victims feel well-equipped and empowered to raise any concerns.

Finally, a Respect and Responsibility Policy Committee, which may provide advice on sanctions, including stand-downs, in the event of a Policy breach is established. The Respect and Responsibility Policy Committee will be an important mechanism in ensuring the Policy is applied fairly, consistently, and in line with our Rules and community expectations.

From the 2025 season and beyond, we expect all who engage with our code to adhere to this renewed Respect and Responsibility Policy, as we continue to strive to ensure that everyone really can love and connect with Australian Football.

### **Andrew Dillon**

CEO Australian Football League

## **1.** Policy Statement of Purpose

The Australian Football League (AFL) is committed to overseeing a sport where all people, including women, girls, men, boys, and people of diverse genders, can experience a safe and inclusive environment. This Respect and Responsibility Policy (Policy) supports this environment by setting out expected standards of behaviour of Players and Applicable Club Officials and how any breaches of such standards may be investigated by the AFL. Essentially, this Policy supports an AFL industry where everyone feels safe.

Behaviour prohibited under this Policy includes sexual harassment, sexual assault or other assaults (including threats), violence, controlling behaviours, stalking and any other disrespectful behaviour the AFL considers is appropriate to investigate under this Policy.

The key intent of the Policy is to provide an avenue to raise complaints about behaviour that breaches behavioural standards required by the AFL. This Policy also assists in avoiding any perceived conflict of interest that may arise if an AFL/AFLW Club or VFL/VFLW Club were to investigate the behaviour of its own Players and Applicable Club Officials.

Given the challenges and complexity of matters that may arise under this Policy, a Respect and Responsibility Policy Committee will be appointed and meet as needed to support the operation of the Policy. The Respect and Responsibility Policy Committee will consist of the General Counsel (Chair), Executive General Manager (EGM) of Inclusion and Social Policy, EGM Football, EGM Corporate Affairs and Head of Integrity & Security and any other person as determined appropriate by the Chair on an ad hoc or ongoing basis.

## 2. Policy Scope

This Policy, and the expected standards of behaviour set out in this Policy, apply to:

- ► AFL and AFLW Players
- ► VFL and VFLW Players
- Applicable Club Officials at AFL/AFLW and VFL/VFLW Clubs

The Policy covers behaviour that occurs in-person, and through other channels including, but not limited to, online and via telecommunications.

This Policy will be reviewed every four years, or such shorter time period as the Respect and Responsibility Policy Committee considers appropriate, to ensure ongoing effectiveness and appropriateness, with yearly reporting of anonymous and de-identified complaints to the AFL Commission.

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## **3.** Required Behavioural Standards

As we recognise our game's responsibility to promote and model gender equality, it is expected that all Players and Applicable Club Officials conduct themselves in a manner that demonstrates respect for all people by not committing prohibited behaviour as described below.

This Policy prohibits behaviour by Players and Applicable Club Officials within the meaning of the following terms as defined in this Policy or using their ordinary meaning: sexual harassment, sexual assault or other assaults (including threats), violence, controlling behaviour or stalking and any other disrespectful behaviour the AFL determines falls within the scope of this Policy (**Prohibited Behaviour**).

The Prohibited Behaviour in any or all of its forms is completely unacceptable in Australian Football.

Where there is behaviour that is, or is suspected of being, Prohibited Behaviour committed by a Player or Applicable Club Official, a complaint can be made by any person through the process set out in Section 4 (Respect and Responsibility Investigations Protocol). Any behaviour that is or is suspected of being Prohibited Behaviour will be taken seriously by the AFL and dealt with in a fair and timely manner. AFL Rule 2.1(a)(i) gives the AFL General Counsel the power to inquire into, investigate, and deal with any matter in connection with the Policy. This may include commencing an investigation led by the AFL Head of Integrity and Security.

Prohibited Behaviour by a Player or Applicable Club Official will usually constitute a breach of AFL Rule 2.3(a) (being the prohibition on conduct by a Person subject to the AFL Rules that is "unbecoming or likely to prejudice the interests or reputation of the AFL or to bring the game of football into disrepute") and be subject to sanction by the AFL Commission and/or AFL General Counsel under AFL Rule 2.1(a)(iv).

# **4.** Respect and Responsibility Investigations Protocol

The Respect and Responsibility Investigations Protocol (outlined below) steps through the procedure that is followed when a report has been made under this Policy. The AFL is committed to ensuring that all reported breaches of this Policy are investigated in accordance with this Protocol.

This Protocol takes a victim-centric approach, and promotes engagement with complainants and victims in a way that prioritises listening, avoids re-traumatisation, and focuses on the victim's safety, rights, wellbeing, and expressed needs and choices.

Key principles on which the Respect and Responsibility Investigations Protocol is based include:

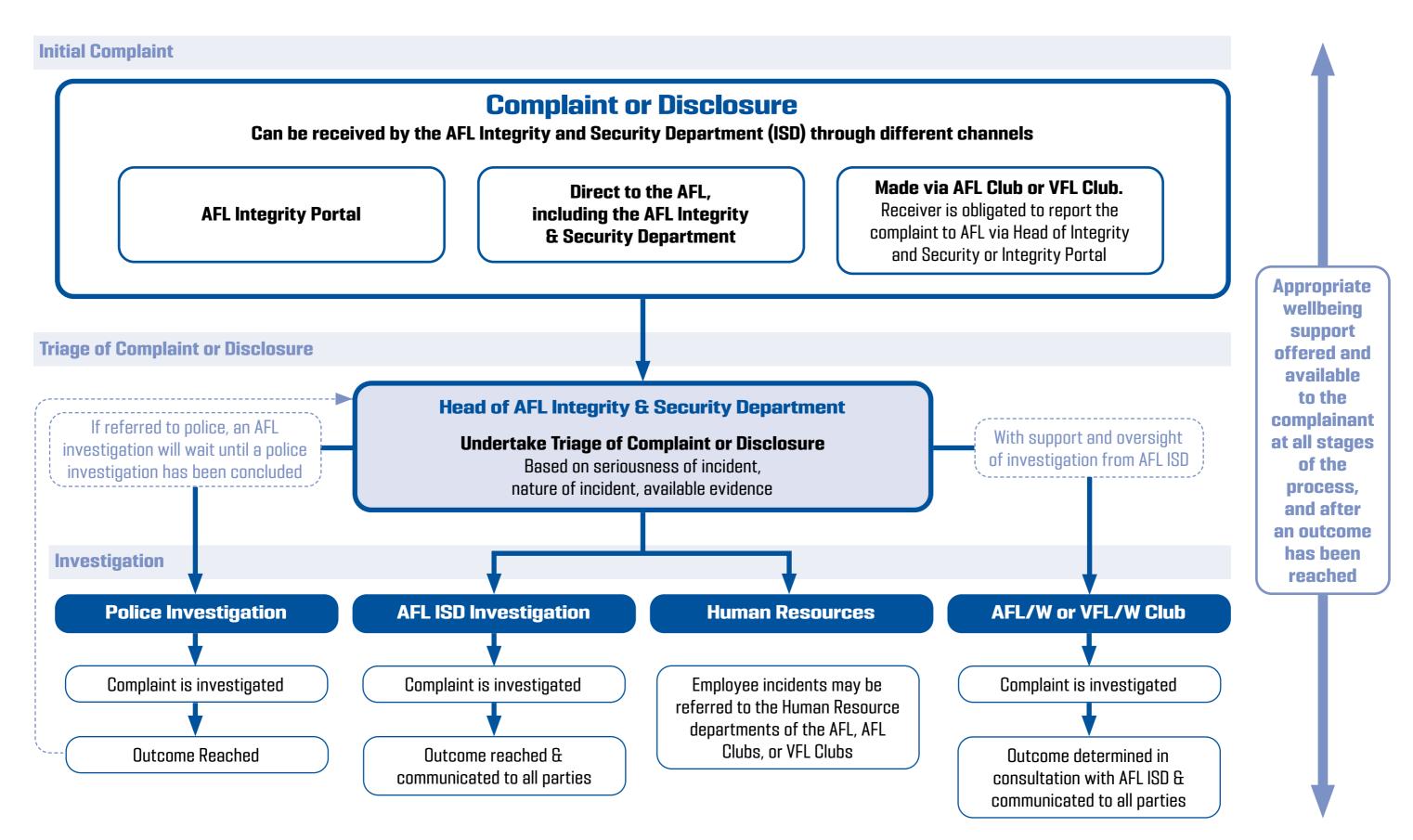
 A victim-centric approach is taken in Policy implementation, to prioritise the safety and wellbeing of complainants;

- ▶ Individuals accused of breaching this Policy will be treated fairly and consistently in line with the Respect and Responsibility Investigations Protocol, and will have the right to representation in any investigation and/or hearing process;
- Confidentiality will be maintained, wherever possible and appropriate;
- ▶ In exceptional circumstances, the AFL Head of Integrity and Security can, with the approval of the General Counsel, take action at their own initiative where they believe there has been conduct that breaches this Policy, even in the absence of a complaint;
- ► The Respect and Responsibility Policy Committee may consider and provide advice to the General Counsel as to whether a stand-down period should be imposed under AFL Rule 2.1(a)(viii);
- The AFL Head of Integrity and Security may, with the approval of the General Counsel, instigate an investigation without notice to a Club or personnel involved.

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## RESPECT AND RESPONSIBILITY INVESTIGATIONS PROTOCOL

Complaints, investigations, and support process underpinning the Respect and Responsibility Policy





## Respect and Responsibility Investigations Protocol

## **Step 1.** Complaint received

A complaint about a breach or alleged breach of this Policy (**complaint**) can be made:

- directly to the AFL Head of Integrity and Security;
- via the AFL's Integrity's <u>online reporting</u> <u>portal (https://eafl.austfoot.com.au/afl-makeareport/en/#/home)</u>; or
- ▶ via an AFL/AFLW Club or VFL/VFLW Club.

A person at an AFL/AFLW Club or VFL/VFLW Club who receives a complaint is obligated to report the complaint as soon as reasonably practical via AFL Integrity's online reporting portal via the link above, or directly to the AFL Head of Integrity and Security. Registering complaints through the AFL reporting portal will automatically notify the AFL Head of Integrity and Security.

The AFL Integrity and Security Department will assess each complaint.

If the AFL Integrity and Security Department determines that the complaint falls within the scope of this Policy, the complainant(s) will be offered wellbeing support, which can be utilised by complainants during and after the investigation process. This wellbeing support will follow key principles:

- Be independent and have no reporting line back to the AFL or other parties.
- Be provided by an appropriately credentialed psychologist.
- The cost of the wellbeing support offered will be initially covered by the AFL, and then reviewed on a case by case basis.

## Step 2. Triage

The AFL Head of Integrity and Security will triage the complaint, in order to determine the investigation process. The investigation process will be dependent on the seriousness of the complaint, the nature of the complaint, and available evidence. An AFL Integrity and Security Department investigator will be assigned to make contact, and continue to work with, the complainant.

The complainant may, at all stages, have a support person with them.

## Step 3. Investigation

If the complaint falls under the scope of this Policy, AFL Head of Integrity and Security will instigate an investigation into the complaint.

Where appropriate, the investigation may be referred to the police, an AFL or AFLW Club, VFL or VFLW Club, or conducted by the AFL's Integrity department.

If a complaint is referred to the police, the AFL's Integrity and Security Department investigation will cease until the police investigation and any subsequent process has been completed

## Step 4. Outcome

An outcome will be determined by the AFL General Counsel exercising powers under the AFL Rules in consultation with the AFL Head of Integrity and Security, and the Respect and Responsibility Policy Committee, where possible considering the complainants' desired outcomes, which may include a victim impact statement.

## 5. Policy Oversight and Responsibilities

The responsibility for oversight and implementation of this Policy resides across a number of different areas of the AFL, a summary of which is set out below.

Entity	Role/Responsibility
AFL Commission / Executive	► Endorse this Policy.
	▶ Promote the AFL's commitment to a safe and inclusive environment.
	Ensure adequate resources are allocated to allow for the effective implementation of this Policy.
	Support review of this Policy every four years, or as otherwise determined by the AFL.
	Where required, assist in the assessment, triage, and resolution of complaints under this Policy.
Respect and Responsibility Policy Committee	Oversee review of this Policy every four years, or as otherwise determined appropriate by the Respect and Responsibility Policy Committee.
	Where required, assist in the assessment, triage, and resolution of complaints under this Policy.
	▶ Where appropriate, consider and provide advice to the General Counsel in relation to an exercise of the stand down power in AFL Rule 2.1(a)(viii) in connection with a matter the subject of complaint/investigation under this Policy (in accordance with the process set out in Annexure 1).
AFL, AFLW, and VFL, VFLW Clubs	Maintain compliance with all aspects of this Policy, including the requirement to notify the AFL Integrity and Security Department of complaints.
	▶ Participate in appropriate training on the Policy.
	► Support player's awareness of, and compliance with, the Policy.

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## AFL Integrity and Oversee operations and the reporting, investigation, and complaints Security Department mechanism under the Policy. ▶ Manage the AFL's Respect and Responsibility Investigations Protocol, including the ongoing maintenance of the AFL's Online Reporting Portal. Assess, triage, investigate, and resolve complaints received, in consultation where required with AFL General Counsel and Inclusion and Social Policy Department. ▶ Offer appropriate wellbeing services to complainants under this Policy, in collaboration with the AFL's Mental Health and Wellbeing Department. Support education on this Policy to relevant stakeholders, including stakeholders at AFL/AFLW Clubs and VFL/VFLW Clubs, in collaboration with the AFL's Inclusion and Social Policy Department. Act as a key contact for queries, comments, or concerns raised by AFL people and stakeholders in relation to this Policy. Review reports in relation to investigations conducted under this Policy, and provide a report, using anonymised complaints, to the AFL Commission and AFL Executive, and such other appropriate AFL employees, on a yearly basis, or more frequently as considered appropriate by the AFL Integrity and Security Department. AFL People and ► Cooperate with the AFL Security and Integrity Department in respect Culture Department of any investigations relating to this Policy. **AFL Mental Health** Provide advice and counsel to the AFL's Integrity and Security and Wellbeing Department on breaches of this Policy and investigations under Department this Policy. Create systems of wellbeing in relevant AFL programs, contributing

to safe and inclusive environments.

## **AFL Inclusion** ▶ Provide specialist advice and assistance across the AFL on this Policy and Social Policy and respect and responsibility matters. Department Lead the review of this Policy every four years, or such period as determined by the AFL. Support the education delivered to AFL, AFLW, VFL, and VFLW Clubs and their players on this Policy, in collaboration with the AFL's Integrity and Security Department.

- Act as a key contact for queries, comments, or concerns raised by AFL employees and stakeholders in relation to this Policy.
- Provide leadership to the broader AFL industry on respect and responsibility matters.
- Maintain relationships with external stakeholders to on the AFL's process and advice regarding respect and responsibility.

- AFL Legal Department > Support the review of the Policy.
  - ▶ Support the General Counsel in making sanction determinations in accordance with the AFL Rules (where appropriate).



## 6. Relevant Legislation

Both Federal and State legislation prohibits behaviour against a person which creates unsafe environments, including discrimination and violence based on gender. The Policy sits alongside external legislation, which the AFL is bound by, including:

- Australian Human Rights Commission Act 1986 (Cth)
- ► Human Rights and Equal Opportunity Commission Act 1986 (Cth)
- Privacy Act 1988 (Cth)
- ► Fair Work Act 2009 (Cth)
- ► Fair Work Regulations 2009 (Cth)
- ▶ Work Health and Safety Act 2011 (Cth)
- ► Fair Work Amendment (Protecting Vulnerable Workers) Act 2017 (Cth)

Existing AFL policies also provide protections against discrimination and for managing complaints for all involved in AFL. These policies include:

- ► AFL Rules (including the AFL Rule 2.3(a) (conduct unbecoming) and Rule 35 - Peek Rule (Discrimination and Racial and Religious Vilification))
- ► The AFL Elite Football Gender Diversity Policy
- Safeguarding Children and Young People Policy
- ▶ National Community Football Policy Handbook

## 7. Useful Links and Contacts

While this Policy generally covers the types of behaviour that are prohibited by this Policy and how such behaviour is to be addressed, it does not cover every situation that may be encountered. Included below are some external support services and resources that may be of use.

## If you are experiencing a crisis or medical emergency, call 000.

### Lifeline

Lifeline provides 24-hour crisis support and suicide prevention services to all Australians experiencing a personal crisis. Call **13 11 14** or visit <u>lifeline.org.au/gethelp</u>.

### 13YARN

Crisis support run by and for Aboriginal and Torres Strait Islander people. Call **13 92 76** or visit 13yarn.org.au.

### **Bevond Blue**

24/7 service, focusing on supporting people affected by anxiety, depression, and suicide. Call **1300 22 4636** or visit <u>beyondblue</u>. <u>org.au</u>.

## 1800 RESPECT

24/7 phone and online services for sexual assault, domestic and family violence counselling services. Call **1800 RESPECT (1800 737 732)** or visit <u>1800respect.org.au</u>.

### **Kids Helpline**

A 24/7 telephone service that is available for young people (aged between five and 25) who need advice, counselling or just someone to talk to. Call **1800 55 1800** or visit kidshelpline.com.au.

### Headspace

The National Youth Mental Health Foundation provides mental health services to 12 - 25 year olds. Call **1800 650 890** or visit headspace.org.au.

### Our Watch

Our Watch is a national leader in the primary prevention of violence against women and their children in Australia: <a href="https://ourwatch.org.au">ourwatch.org.au</a>.

## **Australian Human Rights Commission**

The Australian Human Rights Commission is an independent statutory organisation, established by an act of Federal Parliament. It protects and promotes human rights in Australia and internationally: <a href="https://doi.org/10.1007/j.jupach.2007.00">https://doi.org/10.1007/j.jupach.2007.00</a>

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## **8.** Glossary of terms

Language is an important tool in promoting safe and inclusive environment. Some words used throughout the Respect and Responsibility Policy are defined here, to assist with clarity.

Term	Definition
AFL	Australian Football League being the governing body for Australian Football and which conducts Australian Football competitions throughout Australia. It is also the name of the elite men's Australian Football competition.
AFLW	The elite women's Australian Football competition.
AFL or AFLW Club	A club that has been granted a licence to participate in the AFL and/or AFLW competition.
AFL or AFLW Player	A player that is on a playing list of an AFL or AFLW Club.
AFL employee	This refers to people who are directly employed by the AFL on a permanent, contract, or casual basis.
Applicable Club Official	All AFL Coaches (including Assistant Coaches), Executive General Managers of Football, and General Managers of Football, or equivalent, of AFL/AFLW and VFL/VFLW Clubs.
Assault (including threats)	Applying force to another person without consent, or threatening to do so.

Controlling behaviours	As explained by <u>Safe Steps Family Violence Response Centre</u> , controlling behaviour is how an abusive person gains and maintains power over someone else. Controlling behaviour usually starts slowly and isn't always obvious. Some examples of controlling behaviour could be:
	Insists on knowing where you are and who you are with all the time, or won't let you go out without them. If you do, they become angry or sullen.
	Won't let you see certain people, like extended family or friends, or discourages you from seeing them. This is called 'isolating'.
	Calls you excessively to see where you are or makes you prove where you are.
	Goes through your text messages or social media to see who you've been talking to and what you've said.
	▶ Tells you what you can or can't wear.
	► Stalks you or tracks you using any kind of technology.
Discrimination	Discrimination happens when a person, or a group of people, is treated less favourably than another person or group because of their background or certain personal characteristics. It is also discrimination when an unreasonable rule or policy applies to everyone but has the effect of disadvantaging some people because of a personal characteristic they share.
Gender	Gender is part of how you understand who you are and how you interact with other people. Many people understand their gender as male or female. Some people may understand their gender as a combination of these or neither.
Gender diversity/ gender diverse	An umbrella term that includes all the different ways gender can be experienced and perceived. It can include people questioning their gender, those who identify as trans/transgender, genderqueer, non-binary, and many more.
Players	AFL, AFLW, VFL, and VFLW Players.

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Prohibited Behaviour	Behaviour within the meaning of the following terms as defined in this Policy or using their ordinary meaning: sexual harassment, sexual assault or other assaults (including threats), violence, controlling behaviour or stalking and any other disrespectful behaviour the AFL determines falls within the scope of this Policy.
Sexual assault	As explained by Victorian Legal Aid, sexual assault includes rape, incest (sex with a close relative), child abuse, and unwanted sexual behaviour, for example, unwanted kissing and touching.
	It also includes behaviour that does not involve actual touching. For example, forcing someone to watch pornography and/or to masturbate is also sexual assault.
Sexual harassment	The definition of sexual harassment is as set out in the Respecta Work framework: sexual harassment occurs when a person makes an unwelcome sexual advance, or an unwelcome request for sexual favours, to the person harassed; or engages in other unwelcome conduct of a sexual nature in relation to the person harassed; in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated, or intimidated.
Stalking	As described by the Women's Information and Referral Exchange (WIRE), stalking is when a person repeatedly contacts, harasses or spies on you, and it causes you fear or distress. Stalkers may also threaten and harass your family members, pets, friends or workmates. If they are unable to harass you (e.g. due to a court order), stalkers may enlist their friends or family to do so on their behalf.  You can be stalked physically as well as through technology
	(cyber stalking).
VFL or VFLW Club	A club that has been granted a licence to participate in the VFL and/or VFLW competition.
VFL or VFLW Player	A player that is on the playing list of a VFL or VFLW Club.
Victim-centric	A victim-centric approach puts the rights and dignity of victims, including their wellbeing and safety, at the forefront of a response. The AFL takes a victim-centric approach in this Policy.

Vilificat	ion	A public act, conduct or behaviour that incites hatred, serious contempt for, or revulsion or severe ridicule of, a person or group of people because of a particular characteristic they hold, as covered by applicable legislation, including their race, religion, identifying as homosexual, transgender or non-binary.
Wellbeir	9	Wellbeing encompasses the health of the whole person - physical, mental, social, spiritual and emotional.

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## Annexure 1: AFL Respect and Responsibility Policy Committee and Stand Down

- 1. Under AFL Rule 2.1(a)(viii), either or both the Commission and the General Counsel have the power in their absolute discretion to stand down any Person subject to an inquiry or investigation, including alleged conduct that may be unbecoming or likely to prejudice the reputation or interests of the AFL or to bring the game into disrepute, from participating in or in connection with the AFL Competition being matches conducted by or under the auspices of the AFL.
- 2. The AFL Respect and Responsibility Policy Committee will, where appropriate, consider and provide advice to the General Counsel as to whether a Person (as defined in the AFL Rules) that is the subject of inquiry or investigation in connection with this Policy, should be stood down under AFL Rule 2.1(a)(viii) on account of alleged conduct that may be unbecoming or likely to prejudice the reputation or interests of the AFL or to bring the game of football into disrepute.
- 3. In considering and providing advice to the General Counsel, the AFL Respect and Responsibility Policy Committee will consider all available relevant facts and circumstances relating to the matter and in particular the following matters:
- a) The status of the inquiry or investigation including the extent to which the alleged conduct is proven or admitted or otherwise;

- b) Whether the Person has been charged with a criminal offence in connection with the alleged conduct and the maximum criminal sanction that may be imposed in the event the Person is found guilty of the offence (or in the event of multiple charges, the aggregate of the maximum criminal sanctions that may be imposed);
- c) Whether the alleged conduct involves violence or sexual abuse and if so whether the alleged victim is a woman or a child or other potentially vulnerable person;
- d) The risk or likelihood of the alleged conduct reoccurring if the person is not stood down;
- e) The reputational damage that may be caused to the Person or any other person (including the Person's AFL or AFLW and VFL or VFLW Club and/or the AFL) if they are stood down or not stood down;
- f) Any other matter the Respect and Responsibility Policy Committee reasonably considers relevant to its consideration.

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