

AFL Canada

Member Protection and Respect (National Policy)



Introduction

The Canadian *Physical Activity and Sport act* states that, 'The Government of Canada's policy regarding sport is founded on the highest ethical standards and values, including [...] the treatment of all persons with fairness and respect, the full and fair participation of all person in sport and the fair, equitable, transparent and timely resolution of disputes in sport'.

The AFL Canada Member Protection and Respect National Policy (this policy) aims to provide guidance for expected behaviour of AFL Canada community members in the conduct of activities related to Australian Football within Canada, and outside Canada where national teams and other representation of AFL Canada takes place.

This policy identifies those 'members' who are the subject of expected behaviours, the responsibilities of those charged with its implementation, and the framework under which complaints can be made and addressed.

This policy comes into effect upon endorsement by the AFL Canada Board.

Policy Statement

AFL Canada (and its members) does not and shall not discriminate on the basis of race, colour, religion (creed), gender, age, national origin (ancestry), disability, marital status, sexual orientation, gender identity or gender expression, in any of its activities or operations.

Membership of AFL Canada is a privilege and AFL Canada is committed to providing an inclusive and welcoming environment for all its members, volunteers, sponsors, and vendors.

Member Protection and Respect ensures that AFL Canada members, and those attending AFL Canada member events, are aware of their responsibility to provide a safe and tolerant environment free of discrimination, grooming and any form of maltreatment (be it physical, psychological or sexual) including; objectification, harassment, bullying, abuse, assault or neglect.

For definitions on the above forms of maltreatment, please reference the [Canada Safe Sport, Universal Code of Conduct](#).

Behaviour contrary to this may result in the lodgement of a complaint with the AFL Canada member club, league or, where applicable, directly with AFL Canada.

Examples of maltreatment include:

- physical or sexual assault
- unwelcome physical contact
- any form of encouragement of any type of physical or sexual assault
- victimizing any other member for reporting a complaint, or engaging in victim-blaming in any other complaint or investigation
- any form of discrimination based on race, ethnicity, colour, religion, age, gender, sexual orientation, marital status, family status or disability
- unwelcome sexual remarks, invitations, requests or any pressure for unwanted sexual acts
- display or distribution of sexually explicit, sexist, racist, offensive or derogatory material of any kind
- any form of bullying, including cyber-bullying
- written or verbally communicated abuse or threats
- vexatious, untrue or malicious claims against any other member
- hazing of any kind
- any remarks, slurs, jokes, taunts or discrimination of any kind that is unwanted and/or humiliates or insults any member
- suggestive or offensive gestures
- abusive behaviour toward players, coaches, match day officials, support staff or committee members

Implementation

Coverage

This policy extends to all members of the AFL Canada community, including:

- Club and League Administrators and Committee Members
- Match Day Officials (umpires, timekeepers, etc.)
- Coaches
- Players
- Support Personnel (team managers, trainers and other support providers)
- Volunteers
- Sponsors (club team, league and national)
- Spectators

Responsibility

All AFL Canada member clubs and leagues are encouraged to adopt this policy, to align themselves with the standards and behaviours expected of those selected to represent AFL Canada at a national level.

The contents of this policy will be reviewed annually and updated accordingly.

This policy will be discussed and agreed by the AFL Canada Board on an annual basis with its implementation (ie. dissemination and enforcement) the responsibility of those individuals and

their respective leagues.

AFL Canada members are encouraged to immediately report any breach of this policy, whether directed at themselves or any other member.

Should a situation arise where enforcement of this policy is to be enacted the process must follow the framework as described in this document.

Framework

An AFL Canada member becomes the subject of a complaint if they are suspected of or have been accused of breach of this policy. If no resolution is reached between the complainant and the subject of the complaint, an investigation must be undertaken.

An investigation may also be undertaken in the absence of a complaint if warranted by suspicion of a policy breach.

Lodging a Complaint

A complaint should be made to the most senior accessible representative of the body concerned (ie. club, league or AFL Canada)N this may be a coach, sitting committee member or body executive.

All efforts must be made to protect the privacy of all affected parties.

Receiving a Complaint

A Record of Complaint ([Refer to template available on the AFL Canada website](#)) must be completed by the complainant and the most senior accessible representative of the body concerned.

In receiving the complaint the most senior accessible representative of the body concerned must:

- take confidential notes about the complaint
- try to determine facts of the allegation
- provide support if requested and appropriate
- inform the committee/executive of the body about the nature and details of the complaint

Where a complaint is deemed to be a potential criminal act the most senior accessible representative of the body concerned must recommend the complainant directly inform the relevant authorities and/or police.

Processing a Complaint

The body receiving the complaint (club or league) has responsibility to:

- determine what outcome the complainant desires to resolve the complaint
- provide options for resolution
- Gather evidence from the complainant, if available
- commence an investigation into the complaint (if deemed warranted based on evidence)

- provided)
- inform the league (or where at the league level or a league is not in place, inform AFL Canada) of the nature and details of the complaint (league or AFL Canada to log complaint and ensure regular and timely updates are provided – template available on the AFL Canada website).

Investigations

Not all complaints received will warrant or lead to an investigation. Depending on severity, the complaint may lead directly to a sanction or may not warrant an investigation based on a lack of evidence

Any complaint received needs to be evidence driven in order to launch an investigation, and for any sanctions to be imposed. The representative or body receiving the complaint, will determine whether the evidence provided will launch an investigation. Evidence may include the words/report of a complainant if found credible by the relevant authorities.

Any AFL Canada member required to participate in an investigation (as the complainant, the subject of the complaint or a witness) will receive a Notice of Investigation and may be required to give an interview regarding the complaint.

In the event of an investigation, the investigating body will request an interview with any member(s) they deem necessary to the case. Failure to comply may result in sanctions being applied.

All complainants maintain the right to request that the investigating body has equal gender representation on the panel. The governing body will make as much effort as reasonable to fulfil this request.

Every effort must be made to ensure confidentiality of the investigation process with clubs/leagues responsible for the security of paperwork and other artefacts. AFL Canada must be kept informed of the status of the investigation and any resulting sanctions.

All efforts must be made to ensure that investigations are completed within a reasonable timeframe of a complaint being lodged (90 days is a suggested maximum).

Sanctions

If it is determined that an AFL Canada member has breached this policy, one or more of the following forms of discipline may be imposed:

- a written warning
- direction to make a verbal or written apology
- the withdrawal of any awards, records or achievements bestowed in any tournaments, activities or events sanctioned by AFL Canada
- Enrollment in an education program related to the offence
- suspension of the member's participation within AFL Canada member clubs/leagues

- termination of the member's participation within AFL Canada member clubs/leagues
- any other form of discipline deemed appropriate by the body conducting the investigation

The same or similar sanctions may also be imposed by the member's club or league.

Depending on the nature and severity of the complaint, the subject of the complaint may be suspended while an investigation is pending.

The consequence(s) of a breach will be elevated in the event of any prior warnings or prior disciplinary action.

The consequence(s) of a breach will be determined either by a direct resolution between the complainant and the subject of the complaint, or as the result of the findings of the investigation report if an investigation is required.

The recommendations for discipline will be made by the investigating body and must be approved by the executive of the club or league (whichever is appropriate).

Any determined consequence(s) for a breach must be communicated to both the complainant and the subject of the complaint immediately following approval.

Role of AFL Canada

Where required or specifically requested, AFL Canada will appoint an independent investigator and/or arbiter to assist in the conduct of investigations and/or the determination of sanctions.

AFL Canada will also reserve the right to implement a board made up of independent delegates to conduct investigations and provide recommendations for sanctions as a result of the complaint.

Endorsement

This policy has been reviewed and endorsed, by way of approval of the AFL Canada Board at the board meeting held on January 17, 2021.