



Australian Jugger League Code of Conduct

This document must be accessible to anyone upon request.

Scope:	Australian Jugger League Inc, its members, those participating at Australian Jugger league events, and those representing the Australian Jugger League locally and internationally (collectively <i>juggers</i>).
Effective Date: Version 2	4 th August 2020
Referenced documents	<i>Rules of the Australian Jugger League Incorporated</i> (hereafter referred to as "AJL Constitution") <i>Australian Jugger League Official Rulebook</i>

1 Purpose

The purpose of this Code of Conduct is to outline the Australian Jugger League Inc.'s (AJL) commitment to an environment free from inappropriate behaviour, specifically Bullying, Violence, Harassment, Discrimination, Sexual Harassment and Victimisation, and provide a clear and simple incident and complaints handling procedure.

This policy is intended to ensure that there is a shared understanding amongst all AJL members, jugger attendees, volunteers and other interested parties, of AJL's expectations in regards to acceptable and appropriate behaviour at jugger and AJL sponsored events.

1.1 Definitions are provided in



Definitions (Section 8.4) at the end of the document.

2 Scope

This policy and procedure applies to all members of the AJL. This policy is to be adhered to by all jugger clubs in Australia, club leadership, jugger organisers, and the AJL executive committee (AJL exec). Attendees, volunteers and other interested parties are also expected to adhere to the standards outlined in this *Code of Conduct*.



3 Policy Statement

Outlined in this *Code of Conduct* are the AJL's ethical principles, values and behavioural expectations. Additionally, the process for lodging a complaint, and the steps taken by the AJL to deal with members who fail to follow the guidelines presented herein.

- 3.1 AJL is committed to creating and maintaining a safe, enjoyable and inclusive environment for the sport of jugger, free from inappropriate behaviour, including Bullying, Violence, Harassment, Discrimination, Sexual Harassment and Victimization.
- 3.2 AJL is passionate about the ideals of fair play and sportsmanship within the sport of jugger and supports actions to abolish Cheating, and discourage Dangerous Play.
- 3.3 AJL is dedicated to implementing a proactive approach to creating a safe environment by taking reasonable steps to educate members, monitor member behaviour, and respond to and resolve disputes in an appropriate and timely manner.
- 3.4 Juggers and other attendees are to be treated with respect and consideration at all times, and AJL members must not engage in any inappropriate behaviour, specifically Bullying, Violence, Harassment, Discrimination, Sexual Harassment and Victimization under any circumstances.
- 3.5 Members and clubs are empowered, and will be supported by the AJL, to resolve or de-escalate any issues/concerns themselves. Members and clubs are also empowered to make a formal complaint of unacceptable or inappropriate behaviour or breaches of this *Code of Conduct* to the appropriate club leadership and/or AJL exec.
- 3.6 No member or club will be penalised or disadvantaged as a result of raising legitimate concerns or a dispute under this *Code of Conduct*.
- 3.7 All complaints will be treated respectfully and managed fairly and in a timely manner.
- 3.8 Members privacy and confidentiality will be respected and protected, as far as the principles of procedural fairness, natural justice and Australian Law allows. Identities may be obfuscated for personal safety however, the principles of procedural fairness and natural justice may require the source of a complaint to be made known to a respondent or other involved party. Any formally recorded information may be subject to inspection by authorities or other authorised external parties.
- 3.9 Obligation to follow *Australian Law* supersedes this *Code of Conduct*.
- 3.10 Failure to meet the commitments and expectations set out in this *Code of Conduct* may result in disciplinary action.
- 3.11 AJL is committed to ensuring that all members and clubs are provided appropriate resources, and guidance to raise awareness of this *Code of Conduct* and its associated responsibilities and obligations.



4 AJL Ethical Principles, Values and Accountability

The AJL is committed to upholding and representing the following ethical principles through our jugglers:

4.1 Ethical principles

- Respect for all people regardless of (but not limited to) sex, gender, race, ethnicity, religion, disability or age.
- Responsibility for self-regulation and encouraging a safe and inclusive environment for all.
- Adherence to Australian Law, or the laws of the host country jugglers are visiting.

4.2 Values

- Fun
- Inclusivity
- Respect
- Fairness
- Honesty
- Sportsmanship

4.3 Accountability

- Individual members are responsible for conducting themselves in accordance with the values and ethical principles of this *Code of Conduct*.
- Individual members will be held responsible for their self-awareness and self-regulation when representing the AJL in any capacity.
- AJL, within its capabilities, is responsible for maintaining a physically safe and inclusive playing environment for its members.



5 Expectations of Appropriate Behaviour

It is expected that members of the AJL conduct themselves in an appropriate and responsible manner in accordance with the values and ethical principles of this *Code of Conduct* when representing the AJL in any capacity.

AJL has zero tolerance for Bullying, Violence, Harassment, Discrimination, Sexual Harassment and Victimisation, either in person or online.

AJL reserves the right to exclude any jagger who repeatedly and intentionally engages in activities that contravene the word or intent of this *Code of Conduct* either in person or online.

5.1 Responsibilities

Responsibility holder	Responsibility
All members, club leadership and AJL executive members, event attendees and volunteers	Act in an acceptable and respectful way at all times, and always comply with this <i>Code of Conduct</i> .
Members, event attendees and volunteers	Notify club leadership and/or AJL exec of any breach of this <i>Code of Conduct</i> .
All members and club leadership	Ensure all attendees/volunteers/members are aware of and comply with this <i>Code of Conduct</i> .
AJL executive members	Implement this <i>Code of Conduct</i> , and ensure all jagers have access to it. Reviewing and updating the <i>Code of Conduct</i> .



6 Complaints and Incident Resolution Procedure

This Complaints and Incident Resolution Procedure provides a structured process for resolving complaints, incidents or disputes relating to inappropriate behaviour.

AJL supports members to resolve complaints, incidents or disputes in any of the following ways and wherever possible at the lowest appropriate level:

Section 6.1: Self-Resolution

Section 6.2: Informal Resolution

Section 6.3: Formal Resolution

Section 6.4: Resolution Through External Resources

Section 6.5: Appealing an Informal Resolution

Section 6.6: Appealing a Formal Resolution

A member who believes that they have been subjected to inappropriate behaviour or a breach of this Code of Conduct should first take steps to ensure their own personal safety.

In the event that the respondent(s) is an AJL exec member or a member of the club leadership involved, they are to remove themselves from the resolution process.

Vexatious complaints that are made without sufficient grounds and/or are designed to annoy/vex the accused may be dismissed upon review by the appropriate club leadership.

6.1 Self-Resolution

- 6.1.1 Verbally or in writing, a complainant should feel empowered to approach the respondent (or the other party involved) and request that the unwanted behaviour be stopped. A complainant should also feel empowered to notify the appropriate club leadership as representatives of the AJL (if they wish to do so) that they have, or will, carry out this Self-Resolution procedure.
- 6.1.2 A complainant who does not feel comfortable to carry out this Self-Resolution procedure step should seek support from another member, the appropriate club leadership, or AJL exec in accordance with the procedure steps listed below (Section 6.2).

6.2 Informal Resolution

- 6.2.1 When Self-Resolution (Section 6.1) is not appropriate or has been unsuccessful, a complainant can seek advice from, or make an informal report to, a trusted member of the appropriate club leadership for informal advice and support to resolve the concern/matter locally.
- 6.2.2 The club leadership may coordinate a mediation or conciliation discussion, or in certain circumstances, the complainant may request that the club leadership speaks to the respondent on their behalf. If the respondent acknowledges that inappropriate or unwanted behaviour has occurred and will cease, the matter can be resolved in the following ways:
 - 6.2.2.1 Serious matters (as determined by the club leadership in consultation with the AJL exec) should be handled via the Formal Resolution procedure (Section 6.3).



6.2.2.2 Other matters that are considered less serious can be resolved through an appropriate remedy as determined in consultation with both parties, such as an apology, training, conciliation, mediation and/or Disciplinary Actions (Section 0).

If a matter remains unresolved, the complaint will be handled in accordance with the Formal Resolution procedure (Section 6.3).

6.3 Formal Resolution

6.3.1 When Self-Resolution (Section 6.1) and Informal Resolution (Section 6.2) are not appropriate or have been unsuccessful, a complainant can make a formal report of alleged inappropriate behaviour or a breach of this *Code of Conduct* to the appropriate club leadership or AJL exec.

6.3.1.1 Generally, a formal complaint should be made in the following circumstances:

- Informal attempts at resolution have not succeeded;
- The nature of the complaint involves serious allegations of misconduct;
- There is evidence to suggest that the complainant has been/is being victimised; and/or,
- The allegations are denied or unresolved, and a formal investigation is required to further examine the complaint.

6.3.1.2 Typically a formal complaint should be made in writing, via email, preferably using the notification template in Appendix 1 - Complaint Notification, and should be addressed to the club leadership or an AJL exec member (or the entire AJL exec).

6.3.1.3 When a formal complaint is made verbally, the club leadership should ask the complainant to make a formal statement in writing. If the complainant refuses to make a statement in writing, the club leadership should document the specific details of the verbal complaint made, including name and club of complainant, the specific words they used, and date and location of the alleged incident/complaint.

6.3.2 Upon receipt of a formal complaint, club leadership should first assess and attempt to resolve any immediate threat of harm against the complainant and/or other members.

6.3.2.1 This may include contacting the police and/or other emergency services, if there is an immediate physical threat against a person's health and safety.

6.3.3 All contact with authorities or external resources are to be formally recorded in full and statements made are to be duplicated or summarised for the AJL investigation record.

6.3.4 The club leadership is to notify the AJL exec about the receipt of the formal complaint.

6.3.5 The club leadership should review the formal complaint, and proceed to resolve the complaint. This may include a formal investigation (Section 6.3.6) or another formal method of resolution (Section 6.3.7).

6.3.6 Formal Investigation

6.3.6.1 The club leadership and AJL exec may consult and may determine that an appropriate response to a formal complaint is a formal investigation, and will appoint an appropriate person(s) to investigate the complaint (Investigator).

6.3.6.2 The Investigator of the complaint must act impartially and without bias. This could be an appropriate local club member, or it may be a member from an external club.

6.3.6.3 The respondent is to be provided with the details of the complaint, and given adequate time to consider the complaint and respond (usually 14 days, or a defined



timeline as appropriate and agreeable to parties involved), and the investigation is to be conducted in accordance with the principles of natural justice and procedural fairness. The complainant's identity may be obfuscated to protect their safety.

- 6.3.6.4 If any facts are disputed, relevant witnesses may be interviewed. All persons interviewed will be reminded of the importance of maintaining strict confidentiality at all times, and may be requested to sign a confidentiality agreement.
- 6.3.6.5 All persons interviewed will be notified of their right to have a support person accompany them during the investigation process.
- 6.3.6.6 Once all investigation interviews/meetings have been completed and evidence has been gathered, the Investigator will submit a written report to the appropriate club leadership and AJL exec for review and assessment.
- 6.3.6.7 The club leadership, AJL exec, and the Investigator will consult and determine an appropriate resolution. This may include resolution methods (Section 6.3.6) or another agreed upon action.

6.3.7 Resolution Methods

6.3.7.1 Following consultation with AJL exec, the club leadership may determine that another resolution method may be appropriate to resolve the formal complaint. This could include, but is not limited to:

- Mediation;
- Conciliation;
- Training and education;
- Informal or formal conduct management.
- Informal or formal disciplinary warning.
- Disciplinary Actions (Section 0)

6.3.8 The club leadership must document the resolution methods applied, and forward a copy to the AJL exec. A follow-up period of time is to be recommended by the club leadership after which the accused and the resolution method applied are to be assessed by the club leadership for effectiveness. The assessment's findings, and the assessor/s identity are to be appended to the resolution method applied.

6.4 Resolution Through External Resources

6.4.1 When Self-Resolution (Section 6.1), Informal Resolution (Section 6.2) or Formal Resolution (Section 6.3) are not appropriate or have been unsuccessful, or at any other stage, a member may choose to contact external agencies for assistance in resolving complaints.

6.4.1.1 Financial reimbursement for utilising external resources is not guaranteed without prior approval from the AJL exec.

6.4.2 All contact with authorities or external resources are to be formally recorded in full and statements made are to be duplicated or summarised for the AJL investigation record.

6.5 Appealing an Informal Resolution:

A respondent or complainant (appealer) may appeal an informal resolution.

6.5.1 The appealer must seek the support of an Ordinary Member who was not part of the original resolution to support the appeal.



6.5.2 A committee is formed of the original resolution makers, and enough club members that the number is twice the original number plus one. The committee is to reassess the complaint/action to discuss and decide on a resolution/action.

6.5.3 The appellant's desired outcome is to be considered by the committee. The appellant may request modification of the original resolution or request a formal resolution (section 6.3).

6.6 Appealing a Formal Resolution:

A respondent or complainant (appellant) may appeal a formal resolution.

6.6.1 If a respondent is appealing a termination of membership refer to *AJL Constitution*.

6.6.2 For appealing all other resolutions

6.6.2.1 The appellant must seek the written support of at least 2 Ordinary members who were not part of the original resolution to support the appeal. The written appeal is to be directed to the AJL exec.

6.6.2.2 The appellant must direct their appeal in writing to the AJL exec. The appeal must include their reasons for the appeal, and propose a reasonable alternative resolution.

6.6.2.3 The AJL exec initiates a secondary formal Investigation (Section 6.3.5), if required.

6.6.2.4 The AJL exec must appoint a new investigator(s) for the secondary investigation. The investigator(s) collates the data from the first investigation, the original report, and additional evidence. A written secondary report is submitted to the appropriate club leadership and AJL exec for review and assessment.

6.6.2.5 The AJL exec calls a general meeting as outlined in *AJL Constitution*. The general meeting reviews the original report and, if applicable, the secondary report. At the general meeting a vote is conducted to modify, retract or uphold the original resolution.



7 Disciplinary Actions

In addition to, or in place of mediation, conciliation, training & education, or conduct management, disciplinary action may be warranted. This may take the form of suspensions and/or bans.

Disciplinary action should be applied at the level warranted by the circumstances. The Disciplinary Action taken should represent the least action which the Club Leadership and/or AJL Exec considers will likely prevent further alleged behaviour.

Some forms of inappropriate behaviour may also result in criminal or civil court cases. The AJL will adhere to and facilitate actions required by court orders or subpoenas as required by law. The disciplinary action taken by the AJL is not intended to reflect the innocence or guilt of the alleged offender, rather the intent of the disciplinary action is to indicate to players what is not appropriate conduct and to communicate to players that their safety is important.

7.1 7.1 Types of Actions

7.1.1 Removal from Game(s)

Unsafe behaviour or contravening the expectations of this Code of Conduct may be disciplined in an informal way using this action.

7.1.2 Written Warning

Contravening the expectations of this Code of Conduct may be disciplined in an informal or formal way using this action. A written warning should make clear why the person's alleged conduct is inappropriate and inform them that if it continues further and more serious disciplinary action will be taken.

7.1.3 Limitation of Rights and Privileges

Contravening the expectations of this Code of Conduct may be disciplined in an informal or formal way using this action. A formal investigation may warrant the use of this action for the duration of the investigation. This action may be applied for a temporary, extended or permanent timeframe. This action may include (but is not limited to); exclusion from social events, removal from social media platforms.

7.1.4 Removed from position of responsibility/leadership.

Contravening the expectations of this Code of Conduct may be disciplined in an informal or formal way using this action. A formal investigation may warrant the use of this action for the duration of the investigation. This action may be applied for a temporary, extended or permanent timeframe. This action may include (but is not limited to) removal from; refereeing, event organisation, safety checks, club leadership, AJL exec.

7.1.4.1 To remove a member from the AJL exec refer to AJL Constitution.

7.1.5 Suspended from Events

Unsafe behaviour or contravening the expectations of this Code of Conduct may be disciplined in an informal or formal way using this action. A formal investigation may warrant the use of this action for the duration of the investigation. This action may be applied for a temporary, extended or permanent timeframe. This action may include (but is not limited to) suspension from; training, tournaments, tours.

7.1.6 Excluded from the AJL

Repeated and/or extreme, unsafe behaviour/contravening the expectations of this Code of Conduct may be disciplined in a formal way using this action. This action includes (but is not limited to) exclusion for an indefinite period of time from; AJL sponsored events; club organised social events, organised events, training, tournaments, tours, social media platforms. Membership is cancelled, as per the terms of the AJL Constitution. For the health and safety of AJL members, all clubs will be informed of the action taken.



7.2 Recommended Disciplinary Actions

Violation	Recommended Disciplinary Actions (In approximate order of severity)
First disciplinary action taken for Bullying, Discrimination, Harassment, Sexual Harassment, or Victimisation.	<ul style="list-style-type: none"> • removal from games • written warning • limitation of rights and privileges, including temporary exclusion from social events • temporary loss of privileges to post or interact on social media platforms
Repeated or severe occurrence of Bullying, Discrimination, Harassment, Sexual Harassment, or Victimisation.	<p>Removal from games and written warning, in addition to:</p> <ul style="list-style-type: none"> • limitation of rights and privileges, including exclusion from social events • bans from social media platforms • suspension from events • exclusion from the AJL <p>Repeated Violations is defined as: repeated recorded incidents of the type of violation in question in the past 5 years for which the accused has been previously warned.</p>
Violence	<ul style="list-style-type: none"> • removal from games and written warning • temporary suspension from events • exclusion from the AJL
Repeated or severe occurrence of the above violations while in a position of responsibility/leadership, including (but not limited to) referees, coaches, event organisers, safety checkers, Club Leadership, AJL Exec.	<ul style="list-style-type: none"> • limitation of rights and privileges, including limitations on responsibilities while in the position. • temporary suspension from events • temporary or indefinite removal from position of responsibility/leadership <p>These actions may be in addition to the disciplinary actions listed above for similar violations while not in a position of responsibility/leadership.</p>
Unsporting conduct (e.g. cheating, dangerous play)	<p>Unsporting conduct is a violation of the rules of the <i>Australian Jugger League Official Rulebook</i> and should be dealt with as outlined therein.</p> <p>Where serious or repeated unsporting conduct has been referred to Club Leadership or the AJL exec, the recommended action is:</p> <ul style="list-style-type: none"> • temporary suspension from events



<p>Unconscionable and criminal conduct (e.g. trespass to goods, negligence, fraud)</p>	<p>The AJL code of conduct does not address general unconscionable and criminal conduct. In general, conduct of this nature should either be reported to the police or dealt with as a civil matter. Some forms of this conduct are addressed in the <i>AJL Constitution</i>.</p>
--	---

8 Record Keeping and Data Protection

- 8.1 The AJL exec keeps all records created as a result of following this *Code of Conduct* for at least 7 years. This may include (but is not limited to); formal complaints, investigations, mediations, contact with external resources, resolution methods applied.
- 8.2 Data is kept under secure password protection and is accessible by the AJL exec.
- 8.3 Upon written request, data may be released by the AJL exec to interested parties, which may include (but is not limited to); Club leadership, Formal complaint investigators, External mediators, police.
- 8.4 The outgoing AJL exec, as part of their duties, are to destroy records older than 7 years prior to handing over access to the next exec, ideally before the *Annual General Meeting*.



9 Definitions

Complainant

A person who makes a complaint against another person or group of people.

Procedural Fairness

The principle that requires any complaint or incident to be handled fairly, without bias, in accordance with the principles of natural justice.

Respondent

A person(s) whom a complaint has been made against.

AJL exec/Australian Juggler League executive committee

The administrators of the Australian Juggler League Inc. Referred to as “management committee” in *AJL Constitution*.

Club leadership

The people responsible for running, organising, local clubs situated throughout Australia. Club leadership are the representatives of the AJL at a local level. When the club leadership are required to enforce this *Code of Conduct*, but are not available, their representatives (including game organisers) may act on their behalf for informal situations.

Dangerous play

Dangerous play is the reckless disregard for safety and the rules of play that threatens injury/harm to people and/or damage to property.

Cheating

Cheating is to act dishonestly or unfairly in order to gain an advantage. Cheating is deliberately or knowingly bending/ignoring/breaking the rules of play outlined in the *Australian Juggler League Official Rulebook*.

Natural Justice

Natural Justice is the concept that all complaints will be handled in accordance with, and subject to, the following principles:

- All allegations, accusations, statement and parties involved will be kept confidential as far as reasonably practical;
- All allegations and accusations will be handled in a timely manner;
- All allegations will be handled in an impartial and objective manner;
- All parties involved will have the right to a support person during the handling of the allegations;
- The respondent will have the right to provide a response, and details of any other relevant information;
- The respondent will have the right to deny or refute any allegation; and,
- The respondent and complainant will have the right to produce witnesses, witness statements or other evidence.



Behavioural Definitions

Bullying

Bullying is repeated, unreasonable behaviour directed toward another person(s), that creates a risk to health and safety. Cyberbullying is the use of electronic communication or other technology to bully a person(s).

Bullying is a significant health and safety issue, as it can cause harm to a person's health and wellbeing, both physical and psychological.

The definition of Bullying does not include the reasonable allocation of tasks or situations where a member has a grievance about legitimate and reasonable conduct management or disciplinary action undertaken by club leadership or AJL exec.

Discrimination

Discrimination is treating, or proposing to treat, a person unfavourably because of an attribute.

Discrimination can occur when there is an unreasonable requirement, condition, or practice that is the same for everyone but disadvantages a person, or is likely to disadvantage a person, because they have one or more attributes.

Examples of attributes include (but are not limited to) sex, gender, race, ethnicity, religion, disability or age.

Harassment

Harassment is the use of inappropriate actions, behaviour, comments or physical contact that a reasonable person would consider likely to cause offense (regardless of the intention of such behaviour).

Harassment may have occurred if the victim feels; offended/humiliated, intimidated/frightened, uncomfortable at juggler.

Sexual harassment

Sexual harassment occurs when a person makes an unwelcome sexual advance, or an unwelcome request for sexual favours of another person, or engages in any other unwelcome conduct of a sexual nature in relation to another person, in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated the possibility the other person would be offended, humiliated or intimidated.

Violence

Violence is the use of unnecessary, unwarranted force to threaten or overpower a person(s) with intent to cause physical harm. Violence can include (but is not limited to); aggressive gestures or expressions, verbal abuse, intimidating physical behaviour, physical assault.

Violence includes unacceptable behaviour that can have a negative impact on the physical and mental wellbeing.

Victimisation

Victimisation is to subject, or to threaten to subject, another person to any detriment because the other person, or someone associated with the other person, has made an allegation or complaint of inappropriate behaviour.



10 Appendix 1 - Complaint Notification

Section One: Personal details

Member Name (and commonly known as name) _____

Club: _____ Position held (if any): _____

Club leadership members: _____

Date of Incident: _____ Date of Report: _____

Type of complaint (please circle):

Bullying / Violence / Harassment / Discrimination / Sexual Harassment / Victimization / Dangerous Play / Other
(please specify : _____)

Section Two: Details of Complaint (Please provide full details)

Describe the nature of your complaint and against whom the complaint is made.

Describe the circumstances that caused you to make this complaint, and include exactly what occurred and when.

Were there any witnesses to the incident(s) you have described? If so, who are they?

Please read the above carefully. Does it describe your complaint fully? If not, please add further details below.

If your complaint is found to be true, what resolution are you seeking (if any)?

Section Three: Declaration

I submit that the above statement is true, and I hereby submit this statement as a formal complaint under the Australian Juggler League Code of Conduct.

Signature: _____ Date: _____

AJL member submitted to: _____ Date: _____

(After filling in this form, it is highly recommended that you retain a copy for your records)