



Discrimination & Harassment Policy

CCOCA'S POSITION IS FIRM

- Any form of discrimination, harassment or victimisation is unacceptable ethically within CCOCA.
- When people experience discrimination, harassment or victimisation they cannot enjoy their membership of CCOCA or attendance at an event.
- Such behaviours are banned under Club policy and Australian law.
- They can expose Club members to traumatic legal actions.
- Discrimination, harassment and victimisation can happen unintentionally because standards of behaviour are changing rapidly.
Behaviour which some might have 'put up with' in the past can actually be unacceptable and even unlawful.

DO NOT MAKE MISTAKES. THE LAW MAY NOT ALLOW FOR THEM.

Personal Differences are Protected by Law.

- Anti-discrimination laws provide for 'bottom-line' guidelines on respecting important personal differences.
- Treating people differently, and to their disadvantage on the basis of these personal characteristics [the 'grounds of discrimination'] can breach anti-discrimination laws.
- The personal characteristics protected by law are:
 - Sex,
 - Pregnancy/potential pregnancy,
 - Race, ethnic background and nationality, and that of a relative or associate,
 - Parental status/family responsibilities,
 - Marital/de facto status/identity of spouse,
 - Sexuality/sexual preference,
 - Disability [past, present, possible future or imputed, and that of an associate or 'carer' or involving a therapeutic aid, for example a guide dog for a blind person, wheelchair, or a hearing aid etc],
 - Age,
 - Political or religious conviction,
 - Irrelevant criminal record,
 - Social origin.

CCOCA'S OBLIGATIONS

- Any member, or member's guest, attending any ccoca event has a right to be present without discrimination, harassment, victimisation or vilification.
- These behaviours can be against Australian law if they are based on the grounds listed above.
- CCOCA will take reasonable steps to prevent these behaviours and to protect its members, and member's guests, from these behaviours.

Reasonable steps include

- clear policy
- role modelling by Committee members
- fair, safe help-processes which allow members to seek advice, information and assistance.

As CCOCA has no legal liability in this area the legal and financial liability can transfer to any member, or member's guest, who breaks these laws.

DEFINITIONS OF UNLAWFUL DISCRIMINATORY BEHAVIOUR

DIRECT DISCRIMINATION

...any action which specifically excludes a person, or a group of people, from a benefit or opportunity, or significantly reduces their chances of obtaining it – because of a personal characteristic, irrelevant to the situation, is applied as a barrier.

INDIRECT DISCRIMINATION

...the outcome of rules, practices and decisions which appear to treat people equally and to be neutral, but have an adverse outcome for a group or an individual thus reducing a benefit or opportunity. Practices appear fair in form but are discriminatory in outcome.

HARASSMENT

...any unwelcome or offensive behaviour or conduct which intimidates, humiliates or offends another person[s].

VICTIMISATION

...'pay backs', retribution or intimidation associated with a discrimination complaint having been made or even being possible. Protection against victimisation extends to actual or potential complainants, witnesses, supporters and those investigating/resolving complaints.

VILIFICATION

...public acts which could incite, encourage or urge others to hate, have serious contempt for, or severely ridicule, a person, or a group of people because they are [or are thought to be] members of a particular group, and which has no justification in 'free speech'.

POINTS OF HARASSMENT

Harassment is any unwelcome behaviour or conduct directed at another person which makes them feel offended, intimidated or humiliated.

Harassment becomes potentially unlawful when:

- it is based in whole or part on any ground of discrimination eg sex, sexual preference, disability or religion and
- a reasonable person would have anticipated it would offend, humiliate or intimidate another person.

INTENT IS IRRELEVANT UNDER LAW