Anti-Homophobia & Inclusion Framework For Australian Sports





















The policy does not deal with discrimination on the grounds of gender identity or intersex status.

While many of the issues surrounding discrimination on these grounds may be similar on occasions to those concerning discrimination on the basis of sexual orientation, there are important differences as well. In particular, gender diverse people may face questions about recognition of their gender identity, and intersex people may face questions about recognition of their legal sex.

Further consultation with relevant organisations will take place to ensure that this policy suitably protects such people, and meets international best practice standards.

Contributing Partners













The Bingham Cup Committee sincerely thanks Duncan McGregor and Charles Gregory for their involvement in the development of the Framework.

The Australian Rugby Union, National Rugby League, Australian Football League, Football Federation Australia, Cricket Australia and the Bingham Cup encourage the dissemination and exchange of this publication.



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This publication can be found in electronic format on the websites of each of the sporting codes, and on the following websites:

Australian Human Rights Commission Bingham Cup Sydney 2014 Play By the Rules www.humanrights.gov.au www.binghamcup.com www.playbytherules.net.au

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FOREWORD

Preparing to host the 7th Bingham Cup, the gay rugby world cup, the Sydney Convicts Rugby Club and Bingham Cup Sydney 2014 wanted to not only stage an outstanding rugby tournament, but also to seize the opportunity to fight against homophobia in Australian sports more broadly. This Anti-Homophobia & Inclusion Framework is a significant and important step in achieving that goal.

Following the early commitment of the Australian Rugby Union to adopt an anti-homophobia and inclusion policy, we have been delighted to receive similar support and commitment from Cricket Australia, the National Rugby League, the Australian Football League and Football Federation Australia. Incorporated in this publication is a signed Statement of Commitment from these organisations to implement comprehensive anti-homophobia and inclusion policies before the Bingham Cup commences in Sydney in August 2014.

This initiative is not the first step in fighting homophobia in Australian sport. Many people and organisations have taken bold action to ensure that gay, lesbian and bisexual people are welcomed in sports, from public advocacy to the simple but often brave personal decision by many gay and lesbian sportspeople to come out to teammates. But there is still a long way to go. The leadership shown by five of the most significant sports in Australia will provide additional strength and momentum in creating a welcoming and encouraging sporting environment for gay, lesbian and bisexual people, whether they participate as players, officials or supporters.

Playing and supporting sport is deeply ingrained in the Australian way of life. Sport provides many of our heroes and stories, and it influences our attitudes and aspirations. The actions of our peak sporting bodies and sporting heroes has a powerful impact. We look forward to other sporting bodies both in Australia and overseas taking advantage of the Framework and sample policy and implementing effective anti-homophobia measures. As we go to print, two other national sporting bodies have expressed their desire to be part of this initiative.

On behalf of Bingham Cup Sydney 2014 and the Sydney Convicts Rugby Club, I sincerely thank each of the five sporting bodies, the Australian Human Rights Commission, the Australian Sports Commission and all of those organisations and individuals who have assisted in the development of this Anti Homophobia & Inclusion Framework. Their support has been tremendous.

We look forward to seeing Australian sports put this initiative into play, and by doing so, making our sports fields better for all.

Andrew Purchas

President

Sydney Bingham Cup 2014



10 March 2014

Mr Andrew Purchas President Bingham Cup Sydney 2014

Dear Mr Purchas,

Support for Anti-Homophobia and Inclusion Policy Framework

It is with great pleasure that the Australian Human Rights Commission extends it support for the Anti-Homophobia and Inclusion Policy Framework. This framework marks an important step in eliminating homophobia and discrimination.

As Australia's national human rights institution, the Commission has a mandate to promote and protect the human rights of all in Australia irrespective of race, age, disability, sex, sexual orientation, gender identity or any other attribute. This framework is strongly aligned with the Commission's work in preventing and addressing all forms of violence, harassment and bullying.

Anti-discrimination policies play a vital role in acknowledging that we all have a responsibility to foster a culture of inclusion.

We commend the Bingham Cup Sydney organisers for the genuine process of consultation and engagement applied in the development of this policy.

The Australian Human Rights Commission congratulates the participating peak sporting bodies for their leadership in the fight against homophobia. We look forward to working with these organisations in removing barriers to participation, and fostering a safe and inclusive sporting environment.

Congratulations on this exciting and important initiative.

Yours sincerely.

Gillan Trigg

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Tuesday, 18 March 2014

Andrew Purchas President Bingham Cup Sydney 2014 Level 5 134 William St Sydney NSW 2011

Dear Andrew

On behalf of the Australian Sports Commission (ASC), I would like to confirm our support for the 2014 Bingham Cup and acknowledge your efforts to ensure that all Australians, regardless of their sexuality, can play sport that is free from discrimination.

As Australia's leading sporting agency, we believe that discrimination on the basis of sexual orientation can have a significant impact on people's sporting performance as it violates their right to be treated with respect, dignity and fairness. Sport provides people with a sense of enjoyment, relaxation and health as well as numerous social benefits. At its best, it also promotes fairness, equity and good sporting behaviour.

The Bingham Cup provides the opportunity for people to reflect on, oppose and prevent discrimination in sport. It not only draws awareness to the presence of, but aims to change the prevailing attitudes and behaviours that lead to and perpetuate discrimination on the basis of sexual orientation in the sporting community.

In collaboration with the Bingham Cup Sydney 2014 Organising Committee and Play by the Rules, the ASC has provided assistance and input to finalise the draft antihomophobia framework. The framework will be publicly adopted by the CEO's of the ARU, NRL, AFL, FFA and CA in early April, which is a fantastic partnership.

I commend the adoption of the anti-homophobia framework by Australia's largest football codes. For the first time, collectively these national sporting organisations have expressed a strong interest in anti-homophobia initiatives. This sets a precedent for all national sporting organisations in Australia to follow.

To support this event, the ASC will be encouraging sportspeople including clubs and sporting associations to pledge their support for the 2014 Bingham Cup and to never excuse or condone acts of discrimination.

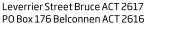
Finally, I would like to wish all athletes success in the 2014 Bingham Cup and hope we can all work toward a more inclusive sporting environment that is free of discrimination.

Yours sincerely,

Simon Hollingsworth CEO

Australian Sports Commission

















Anti-Homophobia & Inclusion Framework Statement of Commitment

This Anti-Homophobia & Inclusion Framework provides a solid foundation for the development of a more inclusive and diverse sporting culture in Australia. As CEOs of the peak representative bodies of five of Australia's most significant sports, we intend that the Framework will guide our sports on the development and implementation of policies and international best practices to eradicate homophobia from these sports.

We also hope and intend that the policies and practices will encourage gay, lesbian and bisexual participation in our respective sports.

The Framework is a joint initiative of Bingham Cup Sydney 2014 and the following peak representative sporting bodies:

- the Australian Rugby Union,
- the National Rugby League,
- the Australian Football League,
- · Football Federation of Australia, and
- Cricket Australia.

The Framework has been developed in consultation with, and is endorsed by:

- the Australian Human Rights Commission,
- · the Australian Sports Commission,
- the Gay and Lesbian Rights Lobby, and
- The Human Rights Law Centre.

On behalf of each of our respective sports, we are committed to creating inclusive sporting cultures and eliminating homophobia in our sports. By doing so, we believe that our five sports will be world leaders in challenging stereotypes, fighting homophobia and discrimination, and actively promoting diversity and inclusion in sport.

We want to see gay, lesbian and bisexual players, coaches, administrators and fans welcomed in our sports and want them to participate fully and freely in those sports. We want gay, lesbian and bisexual participants to feel free to be open about their sexuality without compromising their enjoyment of the game.

By joining this initiative and signing this statement, we commit to implementing policies consistent with the Framework to fight homophobia and promote inclusion in our respective sports. On behalf of each of our sports, we commit to finalising and commencing implementation of an anti-homophobia policy consistent with the Framework before the 2014 Sydney Bingham Cup starts on 27th August 2014.

The Bingham Cup is the world cup of gay rugby. In August 2014, approximately 32 international gay and inclusive rugby teams and over 1,500 players, staff and supporters will participate in the Bingham Cup in Sydney. We believe that the Bingham Cup is a shining example of one way in which a sport can challenge homophobic attitudes and at the same time, encourage gay, lesbian and bisexual participation.

At its core, the Framework will guide the development of each of our sport's anti-homophobia and inclusion policies across six key areas;

- · Dissemination and training,
- · Sanctions and reporting,
- · Implementation by Sports' Clubs, Unions and Members,
- · Review and Responsibility,
- · Leadership, and
- · Partnerships.

Each of our sports' peak bodies will determine the form of their own anti-homophobia policy: for example, it may be part of a broader diversity and inclusion policy or may be a standalone policy. But in each case, the Framework will guide the development of the policies and the matters that are addressed by them.

We believe that the Framework represents the most significant collective step taken by Australian sports to advance gay and lesbian participation in sport.

The impact of the Framework will be felt well beyond our own sporting codes and hope that it will provoke discussion and challenge views. A sport is more than just its players and officials. The communities that make up the families, friends, coaches, administrators and fans of Australian sport are vast and disparate. More broadly, sport is etched on the Australian psyche. It guides our aspirations, and provides the shared moments and stories that form our view of ourselves – what it means to be Australian. Sport has long been a force for cultural change in Australia, and we hope that it will again be such a force in the fight against homophobia.

We thank Bingham Cup Sydney for developing the Framework and the other organisations and individuals that have helped provide input and comment.

We are proud of this anti-homophobia initiative, and we are excited to see it come into play in each of our sports.

Signed by BILL PULVER

CEO, Australian Rugby Union (ARU)

Date: 9 April 2014

Signed by DAVE SMITH CEO, National Rugby League (NRL) Signed by DAVID GALLOP

CEO, Football Federation Australia (FFA)

Date: 9 April 2014

Signed by JAMES SUTHERLAND CEO, Cricket Australia (CA)

Date: 9 April 2014

Signed by ANDREW DEMETRIOU CEO, Australia Football League (AFL)

Date: 9 April 2014

ANTI-HOMOPHOBIA & INCLUSION FRAMEWORK

Framework Overview

This Anti-homophobia & Inclusion Framework (Framework) sets out a structure for the development of Anti-homophobia & Inclusion Policies (Policies) to be adopted by the Australian Rugby Union, Australian Football League, National Rugby League, Football Federation Australia and Cricket Australia (each, a Sport Peak Body).

The aim of the Framework and Policies is to eradicate homophobia, including biphobia, from the five sports. This includes the eradication of discrimination, harassment, and bullying on the basis of sexual orientation. It also includes encouraging gay, lesbian and bisexual people to participate in these sports and to maintain their involvement.

The Framework includes, at Annexure A, a sample Policy that could, with minimal amendments, be adopted and implemented by the Sport Peak Body.

The pillars and action items in section 6 form the substance of the Framework and the sample Policy. Action items are included in the sample Policy in a form that enables the Sport Peak Body to exclude particular items from the Policy if they consider an item unnecessary or burdensome.

This Framework and the sample Policy do not address discrimination on the grounds of gender identity and intersex status. It is intended that each Sport Peak Body will undertake further consultation with relevant organisations in the near future with a view to addressing these areas of discrimination separately.

1. Chairman/CEO Statement

This section should set out the Sport Peak Body's policy on gay, lesbian and bisexual inclusion (from the Chair and CEO of the Sport Peak Body). It may include reference to the Sport Peak Body's vision in relation to the elimination of homophobia, including harassment, bullying and discrimination on the basis of sexual orientation, the promotion of sexual diversity, and the reasons why the Sport Peak Body has decided to tackle these issues. A key message should be that the Sport wishes to ensure the creation of a sporting environment where any player, official or volunteer, regardless of sexual orientation, actual or perceived, is able to enjoy the full benefits of participation in the sport to their maximum ability, free from discrimination.

This section should acknowledge that homophobia, including harassment, bullying and discrimination on the basis of sexual orientation, is often not intentionally directed at people of diverse sexual orientations.



2. Background To The Policy

This section should provide an overview of homophobia in sport, particularly in contact team sport. It is suggested that key areas of focus should include the often-invisible nature of gay, lesbian or bisexual participation within sporting teams and clubs, the actual and perceived exclusion of gay, lesbian and bisexual participants from sporting teams, the importance of language and the often-close relationship between homophobia and discrimination on the basis of sexual orientation. Reference could be made to some of the significant academic pieces concerning homophobia in sport and the consequent exclusion or oppression of gay, lesbian and bisexual participants within sport.

3. Who The Policy Applies To

This section should identify those persons and organisations who are to be bound by the Policy. The section should identify relevant national, state and community teams, member unions, competitions and organisations, as well as any relevant teams or franchises. The section should be consistent in application with the Sport Peak Body's current member protection policies, codes of conduct, or like documents.

Case Study: Jason Ball

Jason Ball played AFL junior football for Yarra Glen. Named in the inter-league squad for the Yarra Valley Mountain District in U16's, he was invited to train with the Eastern Rangers in the TAC Cup. He played for Ringwood in the Under 18's and returned to Yarra Glen where he has played 200 senior games.



"I love the sheer joy of kicking a goal, or winning a close match. I also love the physical nature of contact sport, giving a successful hip and shoulder or tackling someone to the ground and catching them holding the ball.

For me the language of sport has always seemed entangled with homophobia. Using the word gay to mean 'soft' or 'weak', or slurs like 'faggot' and 'poofter' are a frequent occurrence, whether coming from the coach, the opposition, from over the fence or even from your own teammates.

When I realised I was gay this made me think the football club would be the one place I'd never be able to come out. I would second-guess everything I said or did out of fear my teammates would figure it out. I wouldn't get involved in conversations about relationships or what I was doing on the weekends, which really limited the friendships and bonds I could have developed with my teammates during those years.

I would like to see greater awareness about homophobia and transphobia, including education on what it looks like and the serious mental health impacts it can have on people on the receiving end of it. We need people in sport to understand how they can modify their own behaviour to be more inclusive, as well as feel empowered to call out others who engage in homophobic behaviour and know what the right avenues are to report incidents."



4. Discrimination And A Positive Environment

This section should define the type of discrimination the Policy is focused on and describe the type of environment the Policy aims to achieve that supports and encourages lesbian, gay and bisexual involvement. The feeling of being discriminated against, or of feeling excluded, is not always a reaction to an overt action or statement, but can be a reaction to a cultural environment that is inadvertently exclusionary, hostile or oppressive toward gay, lesbian or bisexual people. This should be defined.

Case Study: Louisa Wall

Louisa was named a member of the New Zealand Silver Ferns netball team at the age of 17 before switching to rugby. In 1994 Louisa was selected in the New Zealand Black Ferns women's rugby team. She played 15 test matches and scored 19 tries, and was named player of the year in 1997. Louisa was a member of the World Champion team of 1998 and is currently a New Zealand Member of Parliament.

"My love of sport was transferred from my father who passionately supported the All Blacks. We would watch them no matter the hour, no matter the opposition and so my love of sport is intimately linked to my love for my father. Sport for me is an area of passion and pride in being a New Zealander.

There was never a time in my career where I thought negatively about my sexuality. I am proud of who I am as an indigenous woman from the Ngati Tuwharetoa and Waikato tribes. My parents and community loved and supported me to make the Silver Ferns and Black Ferns and the nurturing from my coaches and teammates helped me to fulfil my potential. To fulfil my potential not only did I have to embrace all that I am but my teammates had to respect and value me too.

In 1998 before the Black Ferns left for the Rugby World Cup in the Netherlands, I was selected as the Rugby News player profile. As part of this profile there was a question about my partner. I answered the question honestly and put my then partner Michelle's name in response. This lead to a Truth article titled "All Black I'm Gay" and I was interviewed on TV by veteran broadcaster Murray Deaker.

I remember how negatively being gay was regarded within netball. In rugby, there were a few of us who were open about our relationships and so as a collective we had strength in numbers. The opposition at times I was told tried to generate motivation against us "dykes" and frankly it backfired because we always won! So, one way to combat discrimination is to be the best and to represent your country with passion and pride and to honour that responsibility of representation.

From my experience, sport is a very important public good and sports ability to reflect society on the sports field, as coaches, administrators and governors needs specific commitment. Within this context, sport should nurture and encourage all members of society by creating an inclusive and supportive environment for all which includes those across the diversity of sex and sexual expression."





5. Interaction With Other Laws And Policies

This section should describe how the Policy fits and interacts with any existing policies of the Sport Peak Body, including its international governing body (if applicable) in areas such as anti-discrimination, social media, and member protection. The section should describe how this Policy relates to those existing policies. It might indicate how the Policy is intended to operate if there is found to be a discrepancy between it and existing anti-discrimination policies. Where relevant, it should also indicate that all other policies are to continue to apply.

This section should particularly describe how the Policy relates to the Sport Peak Body's member protection policy, code of conduct or like document, and whether it is intended that any breaches of the Policy are to be addressed under the Policy, or whether breaches are to be addressed under an existing member protection policy, code of conduct, or like document. If breaches are to be addressed under an existing document, an overview of the relevant provisions should be provided.

Case Study: James Saunders

James was a member of the Australian under-16 volleyball development squad and was selected in the Lloyd McDermott Aboriginal rugby development squad at age 17. He played AFL for the Heywood Football club in the Western Border Football League in 2003. James is the current Vice-Captain of the Sydney Convicts Rugby Club and has been a member of the club for 8 years.

"I started playing rugby at the age of 13 when I was at boarding school. I was a second rower and I was taller than most of the other boys. My uncle on my mother's side had been the captain of the Canberra Raiders and my uncle on my father's side had played AFL for North Melbourne. No one in my family had played rugby union before.

I was a part of the First 15 in Year 12, but pulled out due to commitments with Queensland volleyball. I finished school and played AFL in country Victoria for a year. I left country Victoria after a year and moved back to Queensland, where I came out as gay. I suffered mild depression before coming out. I never thought I would play rugby again.

I then heard of a gay rugby team in Sydney, the Sydney Convicts, which were going to London for the gay rugby World Cup, the Bingham Cup. I also found out there was a gay Brisbane team, which I joined. I left Brisbane in 2006 to join the Sydney Convicts and play in the New York Bingham Cup.

Growing up in a large Indigenous family, sport was a way for us to stay healthy and to make friendships. It was also a way for my mother to keep us out of trouble. Playing sport as an adult has allowed me to maintain a healthy lifestyle and also make friendships: these are very important to me.

Being gay and playing sport was not something I thought to be possible as a kid growing up. There were just no 'out' gay pro athletes. I struggled to feel confident on the sporting field when I was in the closet. I would like to see Australia and the world get to a point where they don't look at an athlete as the 'gay' athlete but see them for being just an athlete, similar to race."



6. The Policy's Pillars

This section should identify the specific actions that the Sport Peak Body will take to tackle homophobia, including harassment, bullying and discrimination on the basis of sexual orientation, and to promote gay, lesbian and bisexual participation within all facets of the Sport.

Under the heading of each pillar, a summary of the aim of that pillar should be included, and be followed by action items relevant to it. The action items comprise the fundamental actions that the Sport Peak Body may implement arising from the development and adoption of the Policy.

The purpose of the pillars is to provide some discretion for each Sport Peak Body to choose those action items it believes to be most effective and relevant, and to enable it to remove those action items it believes to be too onerous or irrelevant to the Sport itself. If a Sport Peak Body decides to remove action items from a pillar, the Sport Peak Body should nevertheless ensure that it can achieve the aim of each pillar by implementing other appropriate action items. (see below for pillar descriptions)

PILLAR ONE

DISSEMINATION AND TRAINING

The Sport Peak Body should disseminate the Policy to those members and participants covered by the Policy and other relevant organisations or people and ensure the implementation of the Policy by those other parties. This may include addressing issues concerning gay, lesbian and bisexual discrimination and participation in training programs already offered to players, coaches, referees and other administrators. The promotion of anti-homophobia and inclusionary messages developed as part of this Policy may be included as add-ons to existing training programs.

PILLAR TWO

SANCTIONS AND REPORTING

The Sport Peak Body must develop appropriate sanctions for breach of the Policy, including identification of any relevant existing sanctions. If breaches of the Policy are to be punishable or are to be addressed in accordance with any existing member protection policies, codes of conduct, or like document, that document should be identified and the nature of the existing sanctions should be described. The Sport Peak Body is also encouraged to implement separate reporting of homophobic abuse or discrimination within the Sport.

PILLAR THREE

IMPLEMENTATION BY SPORTS' CLUBS, UNIONS AND MEMBERS

Each Member union or club must implement policies which are consistent with the Policy, such as prohibiting homophobic and abusive language within the clubs' member protection policies, codes of conduct, or like documents. The Sport Peak Body should also be supportive of the ongoing promotion of the Policy and its implementation and the visibility of its aims and objectives within, and outside of, the Sport.

Case Study: Louise Ferris

Louise was selected for the Australians Wallaroos rugby team in 1994 and played at the World Cup in 1998 in Amsterdam and again in 2002 in Spain. Louise captained the Wallaroos in 2001 versus England. In 2012 Louise was selected as Head Coach of The West Harbour First Grade Colts Team making her the first ever woman in Australia to coach a men's team at the Shute Shield level in rugby union.



"Playing in a male dominated contact sport such as rugby union had its challenges both mentally and emotionally. From the outset, I felt the need to constantly prove myself as being capable of performing all the necessary skills displayed in a game of rugby and to perform these at a level that was on par with my male counterparts. Furthermore, I had to contend with the label of being called a 'dyke' because I had short hair, a stocky stature, and played a contact sport. With this came the uneasiness around what this all meant if I was openly gay.

I gravitated toward rugby union from an early age and had an obvious natural talent in understanding and reading the game well. I had only been in heterosexual relationships before playing rugby, but I found soon after socialising with lesbians within the team that I noticed that my sense of curiosity developed into an attraction and inclination toward woman. It wasn't until I started playing rugby that I became curious with the lesbian scene, and now twenty years later I am married to a woman with whom I met 9 years ago and we have our first child (a little girl) on her way!

Toward the end of my rugby career, I had noticed a slight shift in how woman were perceived in the code of rugby union; I was being labelled as a female rugby player who had ball handling skills and 'rugby brains' on par with the likes of George Gregan, but not the physicality of course as men do have that over us! Still though, there were countless times where I deliberately hid my sexuality to avoid judgment."

PILLAR FOUR

REVIEW AND RESPONSIBILITY

The Sport Peak Body should establish an advisory or working group made up of Sport officials and members of the gay, lesbian and bisexual communities as well as representatives from human rights organisations and bodies, such as the Australian Human Rights Commission.

PILLAR FIVE

As leadership concerning

LEADERSHIP

the aims and objectives of the Policy is important, the Sport Peak Body should be committed to visibility of the Policy outside of the Sport. The Sport Peak Body should be committed to gay, lesbian and bisexual inclusion through plans such as public relation campaigns, conferences, and partnerships with organisations and community groups involved in diversity promotion. This may also include the

appointment of ambassadors

for the Policy.

PILLAR SIX

PARTNERSHIPS

The Sport Peak Body should indicate its willingness to work with gay, lesbian and bisexual community organisations to promote gay, lesbian and bisexual participation in all facets of the Sport.



Case Study: Alex Blackwell

Alex was first selected to play for the Commonwealth Bank Southern Stars' One Day International team in the 2002-2003 season and made her Test cricket debut shortly after. Alex captained Australia in 2010 and is the Australian women's team's current Vice-Captain. Alex Blackwell has played cricket for NSW since 2001, and has also played in New Zealand's State League and Country cricket in England.



"I don't feel my sexuality has impacted my sporting career or my love for cricket. It's the other way around. The focus I had for my sporting and academic life created a distraction for me. From an early age I became aware of the public perception that there are a lot of lesbians in sport and that for some reason this was not a good thing. I was not comfortable feeding this public perception as a young athlete and as a result my own sexual identity and expression was stunted for a while.

There have been times I have been hurt by words or behaviours. Overall I feel a great deal of support regarding my sexuality from my teammates and the people I work closely with within cricket. What is most hurtful is the casual homophobia that I witness at times. Small comments that are intended to be funny can be received as homophobic.

I came across the Athlete Ally initiative at a time when I had recently experienced homophobia at a cricket event. This particular incident totally crushed me. A very small off-hand comment I witnessed at this event made me feel worthless and made me question if my sport actually wanted someone like me in it. This incident highlighted to me the undercurrent of homophobia that exists in sport and the detrimental impact this has on individuals.

Sports should adopt an all-encompassing inclusion policy that encourages their athletes, staff and supporters to treat all people with respect and dignity. I think now is the right time to expand current policies to include sexuality and gender, not just racial and religious differences. Players and administrators within sports should receive education around sexuality and hear some personal experiences that may help highlight the need for inclusion."

Case Study: Bill Kennedy

Bill Kennedy has played soccer in both the UK and Australia. He was a goalkeeper in the Middlesex Premier League. Bill represented Sydney Rangers at the IGLIFA World Championships in Washington where he scored the winning goal in the bronze medal game.

"Always passionate about sport, especially soccer, I look back with surprise that the inspiration from my brother didn't kick in sooner. Soccer and homosexuality have been butting heads for a long time, however the reason I played soccer was in honour of my younger brother (Albert Kennedy). My brother unfortunately lost his life in 1989, when he was attacked by a group of guys who had issues with the GLBT community.

Manchester at this time was a very different place, and did not have the sanctuary of GLBT sporting clubs like Sydney has now. For this reason I (somewhat later) moved to London and began to find my passion for soccer once more, plying my trade in the Middlesex Premier League. The competitive nature of amateur football meant nothing was off limits, and although not out at the time, I still came in for homophobic abuse, as the term "faggot" is thrown around the soccer pitch with relative ease. Injuries took their toll, and Australia came calling, with the chance to play sport in a much more accepting environment.

And so I found Sydney Rangers, where I was able to play in relative safety, in the knowledge I could also help younger players struggling with acceptance in our society by providing a friendly, inclusive and non judging environment where they could play the sport they love. The problems we faced on the soccer pitch over the last two decades, still rear their ugly heads today, however it's vital that all GLBT sports clubs provide the sanctuary and environment that professional sport often neglects.

I will always be eternally grateful that my brother's suffering made my life much less complicated, and allowed me to be the person I am and play the sport that I love."



Sample Anti-Homophobia & Inclusion Policy

ANNEXURE A

[DATE]

[sron]

Anti-Homophobia & Inclusion Policy

Chairman/CEO Statement

- 1 The Sport Peak Body is committed to promoting and strengthening the positive image of the Sport and its participants in Australia. In light of this commitment, this Policy:
- (a) supplements obligations in the existing Sport Peak Body Code of Conduct or other relevant documentation;
- (b) seeks to establish standards of performance and behaviour that ensures that all participants in the Sport act in a way which ensures that participants from a diversity of sexual orientations are welcomed and able to fully participate in the Sport, free from discrimination and regardless of their sexual orientation.
- The Policy identifies action items that provide examples by which the details of the Policy can be implemented by the Sport Peak Body and by Sport clubs within Australia. The overriding objective of this policy is to ensure the eradication from the Sport of all forms of homophobia, including discrimination, harassment and bullying towards gay, lesbian and bisexual people, and to promote and establish an environment in the Sport which is positive and welcoming to and encouraging of gay, lesbian and bisexual participants.
- 1.3 The Policy aims to do this through the implementation of six pillars, each of which makes a unique and important contribution toward the overall objective of eradicating homophobia, and encouraging gay, lesbian and bisexual participation in the Sport.
- 1.4 The Sport Peak Body sees the implementation of each pillar as integral to ensuring that the Policy achieves the overriding objective. In turn, each pillar has its own aims by focusing on a particular aspect of the Sport. Taken together, the pillars cover participant and spectator conduct on and off field and, as far as possible, covers all Sport participants in Australia, whether they are players, officials, supporters, volunteers, family or friends. The pillars are interdependent and the Sport Peak Body does not consider any particular pillar more important than another.

Background to the Policy

- 2.1 Although there have been significant changes in the general community towards people of diverse sexual orientations, there are very few openly gay, lesbian or bisexual professional athletes. [Possible statistic to be referred to, but checked for correctness at time of adoption, as this statistic may have changed] For example, according to FIFA there are approximately 65,000 professional soccer players in the world but only one male player has declared himself to be gay and then only after doing so in retirement, prior to returning to professional play.
- 2.2 A recent Victorian Government/Victoria University study "Come Out to Play" which focussed on amateur sportspeople of diverse sexual orientations reported:
- (a) 41.5% of respondents reported experiencing verbal homophobia at some time during their sports involvement;
- of those experiencing verbal homophobia, 57.6% reported experiencing it often and 24% reported always experiencing homophobia in their sporting context;
- (c) 86.8% of respondents said that this experience of discrimination affected them in some way
- 2.3 The Sport Peak Body recognises that both intentional and unintentional homophobic behaviour exists within the Sport in Australia, and that this has adverse and potentially significant consequences for some individuals and for the game.
- 2.4 Sometimes these consequences mean that individuals who want to play the Sport or be a Sport volunteer or official, feel excluded and leave the Sport or chose not to become involved with it. In other instances, players or other participants are forced to hide their sexual orientation. In some cases, individuals who experience homophobic language or actions stay with the Sport but continue to be subjected to discrimination and harassment, thus reducing their enjoyment of the Sport. None of these outcomes is acceptable.
- 2.5 [To be inserted if any existing SPORT policy prohibits discrimination, harassment or bullying] The Sport's Peak Body's [insert name of existing policy] prohibits [all forms of harassment, discrimination or bullying based on personal characteristics including sexual orientation.]
- 2.6 This Anti-homophobia & Inclusion Policy goes further. It directs an appropriate portion of the Sport Peak Body's resources and time to encouraging gay, lesbian and bisexual participation in the Sport in Australia, and seeks to create an environment that ensures that:
- (a) existing gay, lesbian and bisexual participants in the Sport whether they are players, officials, volunteers or supporters; or
- (b) gay, lesbian and bisexual people who may consider becoming participants in the Sport, are welcomed and are free to participate regardless of their sexual orientation and to participate to
- 2.7 In this way the Policy has two main overriding concerns

their maximum ability.

- (a) to add to the Sport Peak Body's [insert name of existing policy] in order to ensure that
 homophobia, including discrimination, harassment and bullying toward gay, lesbian and bisexual
 participants is eradicated from the Sport; and
- (b) to promote a safe, inclusive and welcoming environment that engages and keeps gay, lesbian
 and bisexual participants involved with the Sport.

Who this Policy Applies To 'n

- This Policy applies to the following individuals and organisations, whether they are participating in the Sport in a voluntary or paid capacity: 3.1
- individuals sitting on boards, committees and sub-committees (a)
- employees and volunteers **(**p
- support personnel, including but not limited to managers, physiotherapists, psychologists, masseurs and trainers (C)
- coaches and coaching staff 0
- players both professional and otherwise

(e)

- referees and other officials €
- Members, including life members (g)
- Member Unions <u>E</u> \equiv

Affiliated Unions

- Sport Bodies
- any other person or organisation that is a member of or affiliated to any Sport Body
- parents, guardians, spectators and sponsors

3.2

to the full extent that it is possible for the Sport Peak Body to bind those persons and organisations.

directly bound by this Policy but who or which is participating in the Sport in any capacity in Australia, to so far as is lawfully possible, to require any other Sport-related entity or participant who or which is not It is the duty of each person and organisation to which this Policy applies to comply with the Policy and, comply with this Policy.

Discrimination and a positive environment. 4

- within the Sport. That discrimination can be either overt or can be subtle. The Sport Peak Body wishes The Sport Peak Body accepts that both direct and indirect homophobia exists in sport generally and to do more to remove any homophobia from the Sport and to encourage gay, lesbian and bisexual participation in the Sport. 4.1
- Direct Discrimination means treating or proposing to treat someone less favourably than someone else because of a particular characteristic in the same or similar circumstances in certain areas of public life. 4.2
- Indirect Discrimination is the imposition of an unreasonable requirement, condition or practice that is the same for everyone, but which has an unequal or disproportionate effect on individuals or groups with particular characteristics. 4.3
- "Gender Identity" and/or "Intersex Status") in certain areas of public life. State and Territory legislation discriminate both directly and indirectly on the basis of a person's "Sexual Orientation" (as well as Federally, the Sex Discrimination Act 1984 (Cth) makes it unlawful for a person or organisation to In Australia, Discrimination is regulated by legislation at the Federal, State and Territory levels also exists that covers discrimination on some of these grounds. 4.4
- discrimination. With this Policy the Sport Peak Body is seeking to remove any existing cultural attitudes or actions that may have developed within any aspect of the Sport which, while not necessarily being The Sport Peak Body's plan to create an environment that supports and encourages gay, lesbian and bisexual participation in the Sport goes further than just the elimination of direct and indirect overt, might create an unwelcoming environment for gay, lesbian or bisexual participants. 4.5
- lesbian and bisexual participants, rather than just challenging negative behaviours like homophobia. The The Sport Peak Body wishes to do more to positively promote a culture of respect and inclusion for gay, Sport Peak Body acknowledges that whilst direct and indirect discrimination can occur, one of the most significant forces which operate against the participation of people of diverse sexual orientations in sport is silence and invisibility. 4.6
- straight in order to avoid homophobic behaviours and participate fully in the team. The suppression by the player of their sexual orientation in the team context can in turn lead to feelings of guilt and denial, creating an environment in which a gay, lesbian or bisexual player believes he or she has must act For example, a Sport team might assume that every player is heterosexual, thereby inadvertently and of fear of being found out. 4.7
- actively promoting support for gay, lesbian and bisexual participation within the Sport and the creation Sport involves building on the laws and policies that currently tackle discrimination and harassment by Developing a positive environment for the involvement of gay, lesbian and bisexual participants in the of a positive environment in which gay, lesbian and bisexual participants are able to enjoy the full benefits of participation in the Sport and feel welcomed and respected for who they are. 4.8

Interaction with other laws and policies

- 5.1 This Policy adds to the current laws and policies covering the Sport Peak Body in relation to discrimination and harassment.
- 5.2 The Policy does not lessen the rights of people to take action alleging discrimination under Federal or State and Territory legislation, or under the Sport Peak Body Code of Conduct or other relevant documentation.
- 5.3 In particular, this Policy does not limit the rights of a person to make a complaint alleging unlawful discrimination under the *Sex Discrimination Act 1984* (Cth) to the Australian Human Rights Commission if they believe they have experienced discrimination covered by that Act.
- 5.4 In the same way a person continues to have the right, subject to the relevant laws, to apply to relevant State or Territory bodies where the person believes they have experienced discrimination under State or Territory laws.
- 5.5 The Sport Peak Body's Code of Conduct or other relevant documentation will continue to regulate the behaviour of participants in the Sport in Australia. Following the commencement of this Policy, a person who believes that they have experienced discrimination will continue to have the right to institute the complaint procedures set out in the Code of Conduct or other relevant documentation.
- 5.6 Some action items in this Policy add to the processes under the Code of Conduct or other relevant documentation. The Code of Conduct or other relevant documentation will be updated in accordance with each relevant action item.

5.7

For example, under the 'Sanctions and Reporting' pillar in section Error! Reference source not found, the Sport Peak Body commits to incorporating in the Sport best practice reporting and sanctioning processes in respect of homophobic actions or abuse. Where, as a result of this action item, the reporting and complaint procedures, or any other part, of the Code of Conduct or other relevant documentation is required to be updated, the Sport Peak Body will do so, and the Code of Conduct or other relevant documentation will continue to apply.

6. The Policy's Pillars

- 6.1 The pillars of this Policy are fundamental to achieving the Sport Peak Body's overriding objective in relation to the:
- eradication of homophobic actions, discrimination, abuse, bullying, or harassment on the basis of
 actual or perceived sexual orientation from the Sport; and
- (b) development of an environment within the Sport which encourages gay, lesbian and bisexual participation.
- 6.2 The Sport Peak Body commits to implementing each pillar by identifying relevant action items that are set out in the tables relevant to each pillar and then implementing those action items.
- 6.3 The implementation of each pillar will aid the Sport Peak Body in achieving the overriding objective of removing discrimination from the Sport and ensuring a positive environment for the involvement of gay, lesbian and bisexual people in all facets of the Sport.
- 6.4 There are six pillars, and each pillar focuses on a distinct area of conduct fundamental to ensuring that the objectives of the Policy are achieved.
- 6.5 Each pillar identifies a series of action items. The action items are specific tasks which if implemented, will assist with achievement of the aims of each pillar. The pillars are interdependent in that the success of one pillar is dependent on the success of the other pillars.
- 6.6 For example, if the action items under the Leadership pillar relating to the development of recommendations by a committee for the implementation of the Policy are not successful, it is likely that there will be negative flow on effects concerning the understanding of the Policy by participants within the Sport under the Dissemination and Training pillar.
- 6.7 The pillars, their aims, and the relevant action items are set out below.

Dissemination and training

AIM: The aim of this pillar is to ensure the dissemination and implementation of the Policy to all people covered by it, and the inclusion of programs relevant to diversity and homophobia into all training programs offered to coaches, referees and other Sport administrators.

#	Description of action item	Details	Due date and outcome
1	Develop and implement a coordination policy to ensure the dissemination of the Policy to all Sport participants. Implementation to include hard copy, online and face-to-face components.		
2.	Develop and implement training material in respect of the Policy for coordinators of the Sport's training programs relating to Sport players, staff, referees, and administrators.		
3.	Incorporate the Policy into relevant Sport's training programs for players, staff, referees, and administrators, with training material to include, (1) descriptions and examples of homophobia (intentional and non-intentional) and discrimination on the basis of sexual orientation, (2) the Sport's development of new sanctioning powers relating to homophobia and discrimination on the basis of sexual orientation, and (3) the mandated implementation by all Sport participants of a best practice complaints process.		
4	Ensure existing Sport discrimination and diversity policies and materials are updated to include reference to the Policy and the Sport's focus on sanctioning homophobia and discrimination on the basis of sexual orientation.		
5.	Develop and implement materials to facilitate learning in relation to the Policy, homophobia, and discrimination on the basis of sexual orientation, amongst all Sport participants including players, staff, referees, administrators and supporters.		
9	Disseminate on an appropriately regular basis findings/outcomes of ongoing research in relation to homophobia and discrimination on the basis of sexual orientation within the Sport and ensure that participants are made aware of relevant changes or improvements to the Policy.		

Sanctions and reporting

AIM: The aim of this pillar is to ensure that incidences of homophobic actions, abuse, bullying and discrimination or discrimination or harassment on the basis of sexual orientation in the Sport are properly recorded, that the Sport reports annually on them, and that the Sport continues to consider, encourage and implement gay, lesbian and bisexual participation in the Sport.

#	Description of action item	Due date and outcome
1.	Work with appropriate gay, lesbian and bisexual organisations to identify the development of sanctions specific to homophobic actions, discrimination, abuse, bullying or harassment on the basis of sexual orientation. Include those sanctions within any Code of Conduct or other relevant documentation.	
2.	Work with gay, lesbian and bisexual organisations and other relevant organisations, such as the Australian Human Rights Commission, to develop best practice processes for complaints within the Sport relating to homophobic actions, discrimination, abuse, bullying, or harassment on the basis of sexual orientation.	
3.	Report to members on the development of the Policy and the Sport's move to sanction all forms of homophobic actions, discrimination, abuse, bullying or harassment, including the Sport's development of best practice processes for complaints relating to homophobic actions, discrimination, abuse, bullying, or harassment on the basis of sexual orientation.	
4.	Meet with, or develop material for the use by, the Sport's Member clubs, Member Unions and Members to ensure that they are aware of and implement the Sport's best practice process for complaints relating to homophobic actions, discrimination, abuse, bullying, or harassment on the basis of sexual orientation.	
5.	Collate statistics on the number and type of complaints within the Sport relating to homophobic actions, discrimination, abuse, bullying, or harassment on the basis of sexual orientation.	
9.	Report in its Annual Report or in a separate public report on the statistics collated of complaints relating to homophobic actions, discrimination, abuse, bullying, or harassment on the basis of sexual orientation.	
 7.	Work with gay, lesbian and bisexual organisations on an ongoing basis to review and update the Sport's best practice for complaints relating to homophobic actions, discrimination, abuse, bullying, or harassment on the basis of sexual orientation and consider appropriate amendments to the complaints or reporting process to ensure all forms of homophobic actions, discrimination, abuse, bullying, or harassment are reported, and that all complainants are treated with respect.	

Implementation by Sport's Clubs, Unions and Members

AIM: The aim of this pillar is to ensure that each Sport club, Member Union and Member implements those aspects of the Policy required of it and is supportive of the ongoing promotion and implementation of the Policy by the Sport Peak Body.

#	Description of action item	Due date and outcome
1	1. Ensure that administrators of each of the Sport's clubs, Member Unions and Members are briefed on the contents and implementation of the Policy.	
7	2. Ensure that recommendations are made to Sport clubs, Member Unions and Members to include the relevant parts of the Policy in members' Codes of Conduct or other relevant documentation where applicable.	
c	3. Ensure that Sports clubs, Member Unions and Members are briefed in relation to the existence of the Policy and its implementation on a regular basis (at least annually).	
4	4. Develop material to identify and provide assistance to enable all Sports clubs, Member Unions and Members to implement at a member-level the Sport's and their own obligations under the Policy.	
2	5. Develop a system of liaison with Sports clubs, Member Unions and Members to enable discussion around implementation of the Policy within the Sport and any problems encountered relating to implementation.	

Review and Responsibility

AIM: The aim of this pillar is to ensure oversight of the policy by a Policy Committee to ensure the Sport maintains, implements, and proactively manages the Policy.

#	Description of Action Item	Due Date and Outcome
⊢ i	The Sport Peak Body will form a Policy Committee to oversee the implementation of the Policy. The primary function of the Policy Committee is to ensure that the Sport Peak Body implements the Policy, with particular focus on the Policy's action items.	
5	The Policy Committee will include no less than 3 members, and should include representatives from the Sport, from a human rights-based policy or legal organisation or body, and an Australian gay, lesbian or bisexual community organisation or body.	
3.	The Policy Committee will meet at least twice annually.	
4	The Policy Committee will develop strategies for the Sport Peak Body to implement the Policy, and recommend these to the Sport Peak Body.	
5.	The Policy Committee will liaise with relevant internal persons or sections of the Sport Peak Body regarding the implementation of the Policy.	
9	The Policy Committee will review and report at least once annually to the Sport Peak Body on the Sport Peak Body's implementation of the Policy, and make recommendations on the effectiveness or otherwise of strategies or actions taken by the Sport Peak Body to implement the Policy.	
7.	The Policy Committee will ensure that the Sport Peak Body is kept up to date on its responsibilities under the Policy and on its implementation of the Policy.	
∞ i	The Policy Committee will provide recommendations to the Sport Peak Body on documentation, updates, statistics, or other information regarding implementation of the Policy for the Sport Peak Body to communicate to the general public, the media, other relevant sporting or gay, lesbian and bisexual organisations, peak Australian human rights organisations, or any other outside person or body.	
6	The Policy Committee will ensure that all relevant correspondence regarding the Policy, changes to the policy, and the implementation of the Policy are communicated to the Sport Peak Body to ensure the Sport Peak Body is appraised of all relevant circumstances and can fulfil its obligations under the Policy.	
10.	The Policy Committee will review the Policy at least once every 3 years.	
 11.	Following any review, the Policy Committee will make recommendations to the Sport Peak Body regarding any amendments to the Policy it believes the Sport Peak Body should make.	

Leadership

AIM: The aim of this pillar is to make the Policy known to all those organisations and people covered by it, and to ensure it is widely acknowledged and celebrated as a positive, enduring document within the Sport and in the broader community including the gay, lesbian and bisexual communities. It will do this through public relation campaigns, conferences, and partnerships with organisations and community groups involved in the elimination of homophobic actions, abuse or bullying, or discrimination or harassment on the basis of sexual orientation, and the promotion of diversity.

#	Description of action item	Due date and outcome
ti.	Develop joint-initiatives with appropriate gay, lesbian and bisexual sporting and non-sporting organisations, the Australian Human Rights Commission or similar human rights bodies, and the Australian Sports Commission, to promote the elimination of homophobic actions, discrimination, abuse, bullying, or harassment on the basis of sexual orientation from the Sport and the promotion of the Policy throughout the wider community.	
2.	Develop promotional ideas and material to enable Sport's participants to disseminate the key messages of the Policy within their local communities.	
mi mi	Work with appropriate gay, lesbian and bisexual organisations, human rights organisations, and Federal, State and Territory sporting organisations to develop material on homophobic discrimination, harassment and bullying as well as discrimination and harassment on the basis of sexual orientation for the wider community, and to assist those organisations promote the Sport at grassroots levels within the gay, lesbian and bisexual communities.	
4.	Share the Sport's development of training material relating to the Policy and the elimination of homophobic actions, discrimination, abuse, bullying, or harassment on the basis of sexual orientation with gay, lesbian and bisexual communities and sporting organisations and individuals.	
.5	Appoint ambassadors for the Policy from within the Sport's professional and grassroots members and develop material to be used by the ambassadors in promoting the Policy and its key messages.	

Partnerships

AIM: The aim of this pillar is for the Sport Peak Body to develop strong and enduring relationships with gay, lesbian and bisexual community organisations to promote gay, lesbian and bisexual involvement in the Sport.

	Description of action item	Due date and outcome
1.	Develop partnerships with gay, lesbian and bisexual organisations to promote the Policy throughout the gay, lesbian and bisexual communities, and to assist in its promotion within the Sport and the broader community.	
5	Develop partnerships with gay, lesbian and bisexual organisations, human rights organisations, and organisations such as the Australian Human Rights Commission, and the 'Play by the Rules' developers such as the Australian Sports Commission and State and Territory governments, in order to continue to research and report on the experiences of gay, lesbian and bisexual people participating in the Sport.	

Definitions

In this Policy words in the singular include the plural and vice versa, and a reference to a gender includes the other genders.

Bisexual means a person who is attracted to both women and men.

Bi-phobia refers to an irrational fear or hatred of, or aversion to, people who are attracted to both men and women. It can operate at a range of levels, including: (1) institutional (policies or procedures that discriminate), (2) interpersonal (through people's actions and the way they treat other people) and (3) internalised (where a person feels ashamed of who they are and less worthy because they are bisexual.

Bullying means the repeated and intentional use of words or actions against someone or a group of people to cause distress and risk to their wellbeing. These actions are usually done by people who have more influence or power over someone else, or who want to make someone else feel less powerful or helpless. Bullying can involve humiliation, intimidation, domination or victimisation.

Direct Discrimination means treating someone less favourably than another person in the same or similar circumstances because of a particular characteristic. For example, a sports coach, who is lesbian, is invited to apply for a promotion. She is interviewed for the position but another applicant with fewer qualifications is chosen. She subsequently discovers that the selection committee discussed her sexual orientation and that is why she did not get the job.

Discrimination means treating or proposing to treat someone less favourably than someone else because of a particular characteristic in the same or similar circumstances.

Gay refers to men who have a primary sexual and romantic attraction to men, but is also often used to refer to women who have a primary sexual and romantic attraction to women.

Harassment means any type of behaviour that the other person does not want and does not return and that is offensive, abusive, belittling or threatening in circumstances where the behaviour is unwelcome and of a type that a reasonable person would recognise as being unwelcome and likely to cause the recipient to feel offended, humiliated or intimidated.

Homophobia refers to the irrational fear or hatred of, or aversion to, people who are homosexual (gay or lesbian), or who are perceived to be homosexual. Homophobia can operate at a range of levels, including: (1) institutional (policies or procedures that discriminate), (2) interpersonal (through people's actions and the way they treat other people) and (3) internalised (where a person feels ashamed of who they are and less worthy because they are gay or lesbian or same-sex attracted).

Indirect Discrimination is the imposition of an unreasonable requirement, condition or practice that is the same for everyone, but which has an unequal or disproportionate effect on individuals or groups with particular characteristics.

Laws of the Game means the laws of the Sport.

Lesbian refers to women who have a primary sexual and romantic attraction to women.

Member means a player (including an amateur or non-contract player), a referee, touch judge or other match official, a selector, coach, trainer, manager or other team official, or an individual involved in the organisation, administration or promotion of the Sport including a director, other officer or employee of a Sport Body.

Member Union means any [insert name/s of all entities involved in the establishment and operation of the Sport for which the Sport Peak Body is responsible or is able to direct or control]

Officer means a director, other officer or employee of the Sport Peak Body;

Participant means a player (including an amateur or non-contract player), a referee, touch judge or other match official, a selector, coach, trainer, manager or other team official, or an individual involved in the organisation, administration or promotion of the Sport including a director, other officer or employee of a Sport Body;

Sport means the game of [insert name of relevant sport].

Sport Body means the Sport's peak Australian body, or any Member Union or Affiliated Union of the Sport Peak Body.

Sport Peak Body means the [insert name of the Sport's peak Australian body]

Sexual orientation refers to sexual attraction, behaviour and identity. Whilst these three concepts, which are constitutive of sexual orientation, are related, insofar as a person's attraction will inform a person's behaviour or practices, and subsequently identity, they do not always necessarily operate congruently across place and time





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