

INCLUSION

Maccabi recognises that its members come from all backgrounds, abilities and identities. We strive to:

- enable all members of the Jewish community to participate in sport and active recreation;
- ensure that Maccabi reflects the diversity of the communities in which we live; and
- work towards supporting and developing staff, volunteers, board, clubs, programs and offerings which are inclusive of everyone.

ANTI-DISCRIMINATION AND HARASSMENT POLICY

Maccabi opposes all forms of unlawful harassment and discrimination and requires its participants to refrain from engaging in these types of behaviour towards people with whom they interact as a result of their Maccabi participation.

If any person feels they are being harassed, discriminated against, victimised or vilified by another person or body bound by the MPP, they should refer to the grievance and complaint handling procedures outlined in Chapter 6 of the Handbook.

DISCRIMINATION

Unlawful discrimination and harassment can include:

- treating or proposing to treat one person less favourably than another because of a particular protected characteristic ("**direct discrimination**");
- imposing or intending to impose a requirement, condition or practice which may appear to be fair but which has an unequal or disproportionate effect on people with a particular protected characteristic ("**indirect discrimination**"); or
- any behaviour that is offensive, abusive, belittling, intimidating or threatening – whether this is face-to-face, indirectly or via communication technologies such as mobile phone and computers.

Requesting, assisting, instructing, inducing or encouraging another person to engage in unlawful discrimination or harassment may also be against the law.

Relevant attributes or characteristics covered by anti-discrimination law in various Australian jurisdictions include:

- age;
- disability;
- gender identity/transgender status;
- marital status or relationship status;
- parental/family/carer responsibility and status;
- pregnancy and breast feeding;
- race or national or ethnic origin;
- religious beliefs/activity;

- sex or gender;
- sexual orientation; and
- social origin and social class.

Discrimination and harassment are not permitted in employment (including volunteer and unpaid employment); when providing sporting goods and services including access to sporting facilities; when providing education and accommodation; the selection or otherwise of any person for competition or a team (domestic or international); the entry or otherwise of any player or other person to any competition and the obtaining or retaining membership of clubs and organisations (including the rights and privileges of membership).

Some exceptions to anti-discrimination law apply. Examples include:

- it is permissible to hold a competitive sporting activity for a single gender in some circumstances – eg for particular ages and where strength, stamina or physique is relevant; and
- it is permissible not to select a person if that person's disability means he or she is not reasonably capable of performing the actions reasonably required for that particular sporting activity.

HARASSMENT

Harassment is any type of behaviour that is unwelcome and of a type that a reasonable person would recognise as likely to cause the recipient to feel offended, humiliated or intimidated. Unlawful harassment is a form of unlawful discrimination. Harassment targets a person based on one of the protected characteristics listed above.

It does not matter whether the harassment was intended: the focus is on the impact of the behaviour. The basic rule is that, if someone else finds it harassing, then it could be unlawful harassment. Harassment may be a single incident but is usually repeated. It may be explicit or implicit, verbal or non-verbal, and includes harassment via electronic communication.

It can include behaviour such as:

- telling insulting jokes about particular racial groups
- sending explicit or sexually suggestive emails or text messages
- displaying racially offensive or pornographic posters or screen savers
- making derogatory comments or taunts about someone's race
- asking intrusive questions about someone's personal life.

SEXUAL HARASSMENT

Sexual harassment is harassment through behaviour of a sexual nature. Sexual harassment can take many different forms and may include unwanted physical contact, verbal comments, jokes, propositions, display of pornographic or offensive material or other behaviour that creates a sexually hostile environment. Some sexual harassment is serious enough to constitute sexual assault, which is a crime.

Sexual harassment is not behaviour based on mutual attraction, friendship and respect. If the interaction is between consenting adults, it is not sexual harassment.

VICTIMISATION

Victimisation means subjecting or threatening to subject a person to some form of detriment because they have:

- lodged, or are proposing to lodge, a complaint of discrimination or harassment
- provided information or documents to an internal investigation or an external agency
- attended a conciliation conference
- reasonably asserted their rights, or supported someone else's rights, under federal anti-discrimination laws
- made an allegation that a person has acted unlawfully under federal anti-discrimination laws.

An example of victimisation is a player is ostracised by her male coach for complaining about his sexist behaviour or for supporting another player who has made a complaint.

VILIFICATION

Public acts which incite hatred towards, serious contempt for, or severe ridicule of a person or group defined by race or some of the other characteristics set out above are called vilification.

Racial vilification is prohibited by law. This applies to spectators, Participants or any other person who engages in such an act in public. Some States and Territories also prohibit public acts that vilify on other grounds such as homosexuality, gender identity, HIV/AIDS, religion and disability.

Public acts that may amount to vilification include any form of communication to the public and any conduct observable by the public. For example, it could be vilification to:

- send a group email containing a derogatory racist joke; or
- make contemptuous comments about gay people to a group of colleagues or team mates.

ALL ABILITIES POLICY

Our policy on sport for persons with a disability envisages equal opportunity and active participation for all persons with a disability in Maccabi across Australia to the full extent of their abilities and interests. Maccabi welcomes participation from all members of the community, regardless of their abilities. We seek to provide opportunities to include people with disability in our clubs in both playing and non-playing roles to the greatest extent that we can. We aim to eliminate inappropriate and unlawful discrimination or harassment in all Maccabi Clubs that is based on any Participant's physical or intellectual disability.

We will endeavour to make our Clubs as accessible as possible, taking into account the ability of individuals involved and the type and level of competition they wish to join (e.g., junior versus senior competition and social versus pennant).

All aspects of the Maccabi Child Protection Policy as outlined in this Handbook apply to those with an intellectual disability.

DETAILS OF OUR POLICY

We aim to:

- put people first, focus on what they can do and find out how they can and want to participate;
- ask each participant or their parent, guardian and/or carer (if they are a child or do not have the capacity to make an informed decision) for your advice about what modifications would help them to participate;
- where reasonably possible, make adjustments to coaching, equipment, rules or playing environment and modifications to club premises (e.g. putting in a ramp);
- be honest and explain if certain modifications or adjustments are not currently reasonably possible and discuss the hurdles that prevent participation;
- communicate with people and share information in appropriate ways and formats;
- make sure people of all abilities are accepted, welcomed and included in Maccabi social activities and are recognised for their contribution and achievement;
- provide information about other options for participation outside Maccabi; for example, letting people know about sports that are primarily or only for people with disability, or clubs where major modifications have been made to increase opportunities for participation;
- recognise the role every person plays to make Maccabi a success. Success is not only measured by the on-field result but the feel and atmosphere of the Club e.g. that its members and supporters recognise that it is an inclusive Club.

In this context:

- you are expected to treat all people with respect and not to discriminate unlawfully, whether directly or indirectly, against people based on their physical or intellectual disability; and
- if you have, or your child has, a disability, please:
 - tell Maccabi what we can do to help include you in the Club that you wish to be involved with;
 - understand that Maccabi will try to make any necessary adjustments or modifications where reasonably possible; and
 - talk to Maccabi if you have any concerns or ideas, to help us make our Clubs more inclusive.

PREGNANCY POLICY

Maccabi strives to provide an inclusive and welcoming sporting environment for pregnant women involved in any of Maccabi's activities. You are expected to treat pregnant women with dignity and respect and to remove any unreasonable barrier, or disadvantage to their participation in sport.

While many sporting activities are safe for pregnant women, there may be particular risks that apply to some women during pregnancy. Those risks will depend on the nature of the particular sporting activity and the particular pregnant woman's circumstances.

Maccabi recommends that pregnant women wishing to participate in any sporting competition should consult with their medical professionals, make themselves aware of the facts about pregnancy in sport, and ensure that they make informed decisions about participation.

Where applicable, the rules and regulations of any governing sports body (including in particular the authority of the Medical Delegate or the equivalent of that person) that regulates the activities of a particular sport will prevail over the MPP, should any conflict arise.

GENDER DIVERSITY POLICY

Maccabi expects you to treat people who identify as transgender and gender diverse equally and with dignity and respect. This includes acting with sensitivity and respect where a person is undergoing gender transition. Any unlawful discrimination or harassment against a person who identifies as or is thought to be transgender, intersex or gender diverse is not to be tolerated.

Maccabi recognises that gender diverse persons may wish to be referred to by specific pronouns in face-to-face or written communication, and this must be respected at all times.

Maccabi recognises that the exclusion of transgender people from participation in sporting events and activities has significant implications for their health, wellbeing and involvement in community life.

MAI recommends that Maccabi State Bodies and Clubs aim to facilitate all athletes to participate in the sport of the gender with which they identify, always subject to any overriding effect of the rules and regulations of the particular sport.

Maccabi also recognises there is debate over whether a male to female transgender person obtains any physical advantage over other female Participants. This debate is reflected in the divergent discrimination laws across the country. If issues of performance advantage arise, advice should be sought on the application of the rules and regulations of the particular sport involved in the particular circumstances.