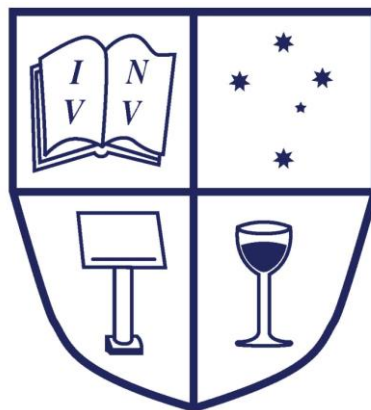


# **EQUITY POLICY**

## **MONASH ASSOCIATION OF DEBATERS INC**

**A0101985Q**



# EQUITY POLICY

## MONASH ASSOCIATION OF DEBATORS INC

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## PART 1 — PRELIMINARY

### 1 Interpretation and Definitions

- (1) This Equity Policy is a schedule to the Monash Association of Debaters Inc Rules of Association.
- (2) The provisions of this Equity Policy shall be construed subject to the Rules of Association of the Monash Association of Debaters Inc.
- (3) Where this Equity Policy is inconsistent with the Rules of Association of the Monash Association of Debaters Inc, the latter shall prevail, and the former shall, to the extent of the inconsistency, be without force or effect.
- (4) The provisions of this Equity Policy shall be construed subject to the constitution of the Clubs & Societies Council. Where this Equity Policy is inconsistent with the constitution of the Clubs & Societies Council, the latter shall prevail, and the former shall, to the extent of the inconsistency, be without force or effect.
- (5) This Equity Policy shall be construed subject to all applicable laws and Monash University policies. All members, Equity Officers, and other persons should be aware of their rights and responsibilities under applicable laws and Monash University policies, including any mandatory reporting obligations.
- (6) This Equity Policy and Equity Officers should not act as a pseudo-legal system with unnecessary authority or power. Equity Officers are often unable to resolve serious equity violations and where appropriate, should consult Monash University for advice on appropriate resolutions or inform official law enforcement bodies of incidents. This Equity Policy aims to facilitate welcoming and safe environments for all members and the role of Equity Officers should not unnecessarily extend beyond that.
- (7) In this Equity Policy, unless the contrary intention appears, all words and expressions have the same meaning as they have in the Rules of Association of the Monash Association of Debaters Inc; and—

**Club Equity Officer** means an Equity Officer appointed under Division 1 of Part 2;

**Chief Adjudicator**, of a tournament, means a person who sets motions and is in charge of the adjudication at the tournament;

**Convenor**, of a tournament, means a person in charge of the organisation of the tournament;

**Equity Officer** is defined in rule 6;

**Equity Team** means the currently acting Equity Officers as appointed under this Equity Policy, including any Temporary Equity Officers;

**external tournament** means a tournament not hosted by the Association;

**External Tournament Equity Officer** means an Equity Officer for an external tournament not appointed under this Equity Policy handling equity matters relating to an external tournament for the duration of that tournament;

**External Tournament Equity Policy** means an Equity Policy, other than this Equity Policy, for an external tournament;

**External Tournament Equity Team** means the currently acting External Tournament Equity Officers;

**internal competition** means a tournament held by the Association exclusively for or predominately for members (for example the Martin Sorensen Competition);

**major tournament** means the Australasian Intersvarsity Debating Championships (Australas), Australasian Wom\*n's Debating Championships (Wom\*n's), World Universities Debating Championship (Worlds), and Australian Intersvarsity Debating Championships (Easters);

**mini tournament** means any intersvarsity tournament which requires registration which is not a major tournament (for example Vic Cup and MAD Mini);

**Rules of Association** means the Rules of Association of the Monash Association of Debaters Inc;

**Secretariat** means the Association President, Vice President, Secretary, and Treasurer;

**Temporary Equity Officer** means an Equity Officer appointed under Division 2 of Part 2;

**Tournament Equity Officer** means an Equity Officer referred to in rule 23(2)(c);

**Tournament Equity Team** means the currently acting Tournament Equity Officers; and

**you** means any person to whom under rule 4(1) this Equity Policy applies.

**Note:** Per rule 4(2) of the Rules of Association, **member** means a member of the Association.

## 2 Amendment of policy

- (1) This Equity Policy may be amended by the affirmative votes of an absolute majority of the Executive at an executive meeting, provided that the Secretary has provided to each executive member 7 days' notice specifying—
  - (a) the date, time, and place of the meeting; and
  - (b) the proposed amendments to this Equity Policy in full.
- (2) As provided by rule 80(2) of the Rules of Association, this Equity Policy may not be repealed or removed as a schedule to the Rules of Association, nor may the name of this Equity Policy be amended, other than by special resolution at a general meeting of the Association.
- (3) As provided by rule 60A(9)(c) of the Rules of Association, this Equity Policy may not be amended by circular resolution.
- (4) The—
  - (a) date that this Equity Policy was originally adopted; and
  - (b) date of the most recent amendment of this Equity Policy—

must be included in the footer of this Equity Policy.

- (5) The Executive must notify members of any amendments to this Equity Policy as soon as practicable after the adoption of an amendment.

### **3 Publication of policy**

The most recent version of this Equity Policy must be published on the Association's website.

### **4 Scope**

- (1) This Equity Policy applies to anyone who interacts with the Association, including but not limited to all—
  - (a) members;
  - (b) attendees of Association tournaments and events;
  - (c) debaters, adjudicators, coaches, and observers at Association hosted debates, whether in person or online;
  - (d) Equity Officers; and
  - (e) executive members.
- (2) This Equity Policy applies to all Association activities, including but not limited to all—
  - (a) Association tournaments and events;
  - (b) training sessions, socials, tournaments, and events, whether hosted by the Association or otherwise, at which members of the Association are in attendance;
  - (c) accommodation organised as part of a tournament; and
  - (d) electronic communications coordinated by or relating to the Association.
- (3) An Association hosted major tournament—
  - (a) is an external tournament for the purposes of this Equity Policy; and
  - (b) the Executive or tournament Convenors may appoint Equity Officers for the duration of the tournament to handle equity matters relating to the tournament, who shall be External Tournament Equity Officers for the purposes of this Equity Policy; and
  - (c) the Executive, tournament Convenors, or External Tournament Equity Officers may adopt an Equity Policy for the duration of the tournament, which shall be an External Tournament Equity Policy for the purposes of this Equity Policy—

unless the Executive or tournament Convenors elect to adopt this Equity Policy as the Tournament Equity Policy and handle all matters relating to the tournament in accordance with this Equity Policy.

### **5 Duties of Executive**

The Executive must—

- (1) publish this Equity Policy as prescribed by rule 3;
- (2) publish the link to online claim forms setup under rules 9(4) and 57;

- (3) provide a means for Equity Officers to distribute their contact details to members and event attendees as required under rule 9(5);
- (4) satisfy their duties as prescribed by rule 41;
- (5) appoint Equity Officers as required by this Equity Policy; and
- (6) perform any other duties prescribed by this Equity Policy.

## **PART 2 — EQUITY OFFICERS**

### **6 Meaning of Equity Officer**

Equity Officer means—

- (1) a Club Equity Officer, as defined in Division 1; and
- (2) a Temporary Equity Officer, as defined in Division 2.

### **7 Who is eligible to be an Equity Officer**

- (1) A member is eligible to be appointed as an Equity Officer if the member—
  - (a) is an ordinary or associate member of the Association of at least 14 days' standing;
  - (b) is a student enrolled in a course of study administered at a Victorian campus of the University;
  - (c) has not had their membership rights suspended;
  - (d) has not been removed from office in accordance with this Equity Policy or the Rules of Association; and
  - (e) is 18 years or older on the date they would take office.

**Note:** There is an exception to this rule for Temporary Equity Officers at Association hosted mini tournaments, see rule 23(2)(d).

- (2) An Equity Officer may also be an executive member.

**Note:** See rule 17(6) regarding a preference for appointing Club Equity Officers who are not also executive members.

- (3) In addition to subrule (1), a Tournament Equity Officer must not be a Convenor or Chief Adjudicator of the tournament.

### **8 General duties**

- (1) As soon as practicable after being appointed as an Equity Officer, each Equity Officer must become familiar with this Equity Policy and the Rules of Association.
- (2) As soon as practicable after being appointed as an Equity Officer, each Equity Officer must complete any requisite training prescribed by the Executive and provide their contact details to the Secretary in a form determined by the Executive.
- (3) Equity Officers must exercise their powers and discharge their duties with reasonable care and diligence.
- (4) Equity Officers must exercise their powers and discharge their duties—
  - (a) honestly and in good faith in the best interests of the Association; and



- (b) for a proper purpose.
- (5) Equity Officers and former Equity Officers must not make improper use of—
  - (a) their position; or
  - (b) information acquired by virtue of holding their position—
 so as to gain an advantage for themselves or any other person or to cause detriment to the Association.

## 9 Duties of Equity Officers

The duties of the Equity Officers shall be to—

- (1) oversee the implementation of this Equity Policy throughout the year;
- (2) actively promote a culture of equity, inclusiveness, and respect in the Association;
- (3) receive equity claims during their term of office and take appropriate measures to resolve issues, as outlined in Part 5;
- (4) setup online claim forms as prescribed by rule 57;
- (5) provide their contact details to—
  - (a) in the case of Club Equity Officers—members at the start of each semester;
  - (b) in the case of Equity Officers at tournaments and events—members and attendees at the start of the tournament or event.

## 10 Delegation

As provided by rule 44(1)(a) of the Rules of Association, Equity Officers may not delegate any of their powers.

## 11 Duties of Tournament Equity Officers during external tournaments

- (1) Tournament Equity Officers should during an external tournament—
  - (a) where feasible, handle equity claims relating solely to members of the Association's contingent (henceforth referred to as contingent members);
  - (b) support contingent members to make equity claims by—
    - (i) providing immediate support and encouragement;
    - (ii) helping contingent members to access an External Tournament Equity Officer; and
    - (iii) directing contingent members to the tournament's online equity claim form; and
  - (c) look out for the safety and comfort of contingent members for the duration of the tournament;
  - (d) understand the External Tournament Equity Policy and answer questions that contingent members may have about it; and
  - (e) communicate messages from the External Tournament Equity Team to contingent members.

- (2) In the case of a dispute with another Association's contingent, the Tournament Equity Officers may be called upon to participate in a mediation if all parties agree to their presence. During any mediation Tournament Equity Officers should uphold the values of this Equity Policy, however, in a dispute with another contingent, the primary role of Tournament Equity Officers is to facilitate communication with the External Tournament Equity Officers.

## **12 Duties of Tournament Equity Officers during Association tournaments**

Subject to rule 4(3), Tournament Equity Officers are responsible for all equity matters during Association hosted tournaments relating to members, other attendees, and any other persons.

### **Division 1 — Club Equity Officers**

## **13 Number and composition of Club Equity Officers**

- (1) Subject to subrule (2), the Executive may from time to time determine the number of Club Equity Officers to appoint.
- (2) There must be at least 2 Club Equity Officers.
- (3) At least one of the Club Equity Officers must identify as a woman or gender minority.

## **14 Duties of Club Equity Officers**

In addition to and subject to rules 8 – 12, the duties of the Club Equity Officers shall be to—

- (1) except where impracticable, have at least one Equity Officer present at each training session;
- (2) ensure at least one Club Equity Officer attends Association tournaments and events, or, in their expected absence, inform the Executive of the need to appoint a Temporary Equity Officer under Division 2; and
- (3) execute a handover with incoming Club Equity Officers, pursuant to rule 15.

## **15 Handover**

- (1) Club Equity Officers must conduct a handover to incoming Club Equity Officers.
- (2) The handover should, where feasible, take place within one month of an appointment of one or more new Club Equity Officers.
- (3) The outgoing Club Equity Officers should give the incoming Club Equity Officers a general overview of the duties and responsibilities of the role, the scope of the role, and the procedure for formal and informal equity claims.
- (4) Provided all affected parties have consented, the outgoing Club Equity Officers should pass on information regarding all ongoing formal and informal equity claims.
- (5) The outgoing Club Equity Officers should give the incoming Club Equity Officers access to the records of formal claims, in accordance with rule 72. Incoming Club Equity Officers should take care that the records are only accessible by the current Club Equity Officers, such as by changing relevant passwords.

## 16 Positions to be declared vacant

- (1) No later than the 1<sup>st</sup> of February each year, the Executive must declare the positions of Club Equity Officer vacant at a specified date subject to subrules (2) and (3).
- (2) The specified date must be before the first day of the semester one teaching period.
- (3) The specified date must provide sufficient time for recruitment under rule 17(2) and deliberation by the Executive.

**Note:** The purpose of this rule is to ensure that there is no period without any active Club Equity Officers.

## 17 Selection process

- (1) After declaring the positions vacant under rule 16 the Executive must call for applications in a form determined by the Executive.
- (2) The Executive must provide a 2 week minimum application period.
- (3) Members must be notified that applications are open by email and the Association's social media accounts.
- (4) The notification under subrule (3) must specify the closing date for applications and the procedure for submitting an application.
- (5) Upon closure of the recruitment process the Executive must consider all applications.
- (6) The Executive must prefer applicants who are not executive members.
- (7) An executive member who has applied to be a Club Equity Officer—
  - (a) must not be present while the selection of Club Equity Officers is being considered at the meeting; and
  - (b) must not vote on the matter.
- (8) Subject to subrules (6) and (7) and rules 7 and 13, the Executive shall appoint Club Equity Officers by a vote at an executive meeting.
- (9) All applications and discussion of applications are confidential and should only be accessible to executive members who have not applied to be a Club Equity Officer. The executive meeting should be held in camera and the minutes of the meeting should document the outcome of the vote but not include details of any deliberations.

## 18 Filling casual vacancy

If at any time the composition of the appointed Club Equity Officers does not satisfy rule 13 the Executive must call for applications in a form determined by the Executive and fill the position or positions using the procedure in rules 17(2) – 17(9).

## 19 Circular resolutions

- (1) The Executive may declare positions vacant under rule 16 by circular resolution.
- (2) The Executive may not vote on the appointment of Club Equity Officers by circular resolution.

## **20 Term of office**

- (1) Subject to rules 21 and 22, a Club Equity Officer holds office until the positions of the Club Equity Officer are declared vacant under rule 16.
- (2) A Club Equity Officer may be re-appointed.

## **21 Vacation of office**

- (1) A Club Equity Officer may resign by written notice, specifying the date of cessation, addressed to the Executive.
- (2) A person ceases to be an Equity Officer if they—
  - (a) cease to be a student enrolled in a course of study administered at a Victorian campus of the University;
  - (b) are not enrolled in a unit of study at a Victorian campus of the University;
  - (c) cease to be a member of the Association; or
  - (d) are substantially absent from activities of the Association for a continuous period greater than 4 weeks.
- (3) The remaining Club Equity Officers may continue to act despite any vacancies and notwithstanding rule 13.

## **22 Removal from office**

- (1) A Club Equity Officer may be removed from office under Division 2 of Part 3 of the Rules of Association or under subrule (2) below.
- (2) If a Club Equity Officer is the subject to an equity claim or commits an act of misconduct they may be removed from office by the affirmative votes of an absolute majority of the Executive at an executive meeting, provided that—
  - (a) the other Equity Officers (including any Temporary Equity Officers appointed under rule 23(1)) have first investigated the claim and have made a recommendation to the Executive that the Club Equity Officer be removed from office;
  - (b) 14 days notice of the intention to move a motion of removal from office has been served on the Club Equity Officer; and
  - (c) the Club Equity Officer has been given a reasonable opportunity to speak to the motion.
- (3) The vote shall be by secret ballot.
- (4) If the Club Equity Officer is not present at the executive meeting the President or Secretary must within 12 hours of the vote inform the Club Equity Officer of the outcome of the vote.

### **Division 2 — Temporary Equity Officers**

## **23 Executive may appoint Temporary Equity Officers**

- (1) Where one or more Club Equity Officers are temporarily unable to perform their duties due to either—
  - (a) a conflict as defined in rule 73; or
  - (b) an active equity claim against an Equity Officer under rule 74—

the Executive may, subject to rule 7, appoint Temporary Equity Officers for the purpose of handling the incident.

- (2) The Executive may, subject to paragraph (d) below, at its discretion from time to time and notwithstanding the availability, willingness, and suitability of the Club Equity Officers, appoint Temporary Equity Officers for the duration of a tournament to handle equity matters relating to that tournament. Additionally—
  - (a) if—
    - (i) the Club Equity Officers will not be in attendance at the tournament; and
    - (ii) the tournament is a major tournament or an Association hosted mini tournament—

the Executive must appoint Temporary Equity Officers for the tournament.
  - (b) Equity Officers at a tournament may be a mix of Club and Temporary Equity Officers, at the discretion of the Executive.
  - (c) The Club Equity Officers and Temporary Equity Officers appointed under this subrule to handle equity matters relating to a tournament shall be the Tournament Equity Officers for the duration of that tournament.
  - (d) Tournament Equity Officers must satisfy the requirements under rule 7, except that a Temporary Equity Officer for an Association hosted mini tournament does not need to satisfy rules 7(1)(a) and 7(1)(b).

**Note:** Rule 7(3) prohibits Tournament Equity Officers from being a Convenor or Chief Adjudicator at the tournament.

- (3) The Executive may, subject to rule 7, from time to time appoint Temporary Equity Officers to attend an event that the Club Equity Officers are unable to attend to handle equity matters relating to the event.

## 24 Appointment process

- (1) The Executive may appoint Temporary Equity Officers by a vote at an executive meeting or by circular resolution.
- (2) The rule 13 composition requirements do not apply to Temporary Equity Officers, however the Executive should attempt to meet the requirements.
- (3) The selection process in rule 17 does not apply to the appointment of Temporary Equity Officers, however the Executive should prefer Equity Officers who are not also executive members.

## 25 Term of office

- (1) Subject to rule 26, a Temporary Equity Officer holds office until—
  - (a) if appointed under rule 23(1)—the incident is resolved; or
  - (b) if appointed under rules 23(2) or 23(3)—the conclusion of the tournament or event, subject to subrule (2).
- (2) If the resolution of an incident from a tournament or event extends beyond the conclusion of the tournament or event, the Temporary Equity Officer shall remain in office until the incident is resolved.
- (3) A Temporary Equity Officer may be re-appointed.

**26 Removal from office**

The Executive may remove a Temporary Equity Officer from office by a vote at an executive meeting or by circular resolution.

**27 Duties of Temporary Equity Officers**

In addition to and subject to rules 8 – 12, the duties of the Temporary Equity Officers shall be to—

- (1) brief the Club Equity Officers of any relevant ongoing incidents at the conclusion of their term, subject to rule 51.

**PART 3 — PROHIBITED BEHAVIOURS****28 Purpose of Part**

This Part identifies behaviours that are expressly prohibited by the Association.

**29 Abuse of the equity process**

Any attempt to abuse the equity process, including—

- (1) the victimisation of persons who submit equity claims; and
  - (2) attempts to use equity as a mechanism to bully or harass other persons—
- is prohibited and is a serious violation of this Equity Policy.

**Division 1 — Sexual Harassment and Sexual Assault****30 Legal rights and obligations**

No provision in this Division shall affect a person's legal rights or obligations and all persons should be aware of their legal rights and obligations, including any mandatory reporting requirements.

**31 Consent**

- (1) Positive and enthusiastic consent must be received before any conduct of a sexual or romantic nature, including but not limited to—
  - (a) sexual intercourse;
  - (b) physical intimacy;
  - (c) flirting;
  - (d) making sexual jokes; and
  - (e) suggestive bodily contact.
- (2) Consent to one interaction (e.g. flirting) does not constitute consent to further interactions (e.g. kissing).
- (3) Positive and enthusiastic consent requires a person to actively affirm that other parties in any sexual or romantic interaction are freely and voluntarily agreeing to what is occurring. All parties should enquire as to how other participants in a sexual act are feeling (e.g. "Is this ok?"; "Are we going too fast?"; "Do you like this?").

- (4) In limited circumstances consent to some acts can be given nonverbally through social cues, such as to flirting. However, if there is any lack of clarity about whether consent has been given, it is the duty of all parties to ask all other parties whether they are consenting to the interaction. Silence or passivity is not consent. If it cannot be determined whether positive consent has been given, the sexual or romantic interaction should be terminated immediately. It may be re-initiated once clear consent is given. If a party does not respond to clarification of consent (e.g. "Is this okay?") consent has not been given.

### **32 When consent cannot be given**

Consent to a sexual or romantic interaction cannot be given if—

- (1) a party has been pressured or harassed into the interaction;
- (2) a position of relative power, as defined in rule 34(1), is used to encourage a party into the interaction;
- (3) a party is intoxicated and incapable of giving consent at any point during the interaction; or
- (4) a party has indicated through word or action any objection to the interaction whatsoever unless that objection is clearly rescinded and the party gives consent.

### **33 Withdrawal of consent**

- (1) Consent can be withdrawn at any time. Further advances after a withdrawal of consent are prohibited.
- (2) Methods of withdrawing consent include but are not limited to—
  - (a) verbal (e.g. "I don't want to do this");
  - (b) implicit in an act (e.g. pushing another party away); and
  - (c) an indirect request through a friend or Equity Officer to stop the interaction.

### **34 Power imbalances**

- (1) One or more of—
  - (a) age;
  - (b) debating experience or ability;
  - (c) position of authority or influence, past or present (e.g. being on the Executive, tournament Convenor or Chief Adjudicator, Pro status, or debating coach); and
  - (d) social status—may place a person in a position of relative power over another person.
- (2) All words and conduct must be interpreted in the context of any relative power between parties.
- (3) A position of relative power must not be intentionally or unintentionally used to encourage a person into sexual relations as this constitutes pressuring a person into sexual relations. Special care must be taken to receive free and enthusiastic consent if a person is in a position of relative power.

## **Division 2 — Bullying, Harassment, Vilification and Discrimination**

### **35 Bullying, Harassment, and Vilification**

All persons have the right to enjoy debating and feel welcomed by the debating community. All forms of bullying, harassment, and vilification as defined in the Appendix are prohibited.

### **36 Discrimination**

Any action that is found to cause or perpetuate systemic disadvantage, undermine human dignity, or adversely affect a person's ability to actualise their rights and freedoms in a serious manner constitutes discrimination. Both direct and indirect discrimination as defined in the Appendix are prohibited.

### **37 Protected and conditionally protected attributes**

The Association acknowledges that in society at large, certain groups of people are particularly marginalised, stigmatised, or oppressed. It recognises that the harm that accrues to bullying, harassment or discrimination against these people is compounded by those social pressures and previous instances of bullying/harassment based on those attributes (henceforth labelled protected attributes).

Considering this additional harm, equity claims lodged regarding an attack on a protected attribute may be considered more severely. A list of characteristics recognised as protected attributes is included in the Appendix, but the Equity Team will consider attacks against protected attributes on a case-by-case basis and may choose to recognize an attribute not listed in the Appendix.

## **Division 3 — Alcohol and Substances**

### **38 Alcohol**

- (1) The following behaviours are prohibited—
  - (a) encouraging or pressuring others to drink alcohol;
  - (b) using a position of relative power, as defined in rule 34(1), to encourage someone to drink alcohol;
  - (c) giving alcohol to others to make them more suggestive and amenable to acts, sexual or otherwise;
  - (d) spiking drinks or misrepresenting the amount of alcohol in a drink;
  - (e) using a person's intoxication to make them agree to an act (sexual or otherwise) that they might not otherwise consent to; and
  - (f) providing alcohol to intoxicated persons.
- (2) Under Australian and Victorian law, the consumption of alcohol is not a mitigating factor or excuse for any violation of the law. It is also not a mitigating factor in the enforcement of this Equity Policy.
- (3) All persons have an obligation to manage their behaviour and drinking to ensure they do not violate another person's equity. This is especially the case for any person who tends to act in a way which may violate another person's equity when drunk.



### **39 Strategies for alcohol management**

Strategies for managing alcohol consumption include—

- (1) not drinking;
- (2) drinking slowly and in moderation;
- (3) drinking water and eating food whilst drinking alcohol; and
- (4) asking a friend to assist in moderating drinking and controlling drunk behaviour.

### **40 Underage drinking**

The—

- (1) drinking of alcohol by a person under the age of 18; and
  - (2) provision or sale of alcohol to a minor—
- are prohibited.

### **41 Executive duties regarding alcohol**

At all Association events the Executive must—

- (1) ensure compliance with all legal and Monash University requirements regarding the consumption of alcohol;
- (2) ensure high quality non-alcoholic drinks are available when alcoholic drinks are being served;
- (3) ensure food is served with or before alcohol; and
- (4) ensure appropriately qualified and sober persons are in attendance during the serving and consumption of alcohol.

### **42 Illicit substances**

- (1) The possession and selling of illicit substances (e.g. illegal drugs) is prohibited.
- (2) Persons found to be in possession of illicit substances may be asked to leave Association events.
- (3) Encouraging or pressuring others to consume illicit drugs or causing them to consume drugs without their knowledge or consent is prohibited.

## **PART 4 — DECORUM**

### **43 Purpose of Part**

- (1) Debating, like all competitive activities, requires certain standards of behaviour to be followed to ensure fair, equitable and respectful competition. You are expected to follow the rules of debates, the violation of which may give rise to an equity violation. In addition, this Part outlines behaviours that are expected of all members and event attendees.
- (2) All persons should follow these guidelines to limit the harms that may arise from their actions, especially where a person is unsure how their actions will affect others.

- (3) A failure to follow these guidelines is not automatically an equity violation. However, if a person takes issue with an action contrary to these guidelines, they may make equity claim on that basis.

## **Division 1 — In Debates**

### **44 Distraction and intimidation of speakers**

- (1) Teams should refrain from actions that have the potential to intimidate, disrupt, or distract the opposing team, whether through words, sounds, or conduct.
- (2) In most instances, you should refrain from table tapping or saying “hear hear” or “shame!”. Table tapping and saying “hear hear” is only considered acceptable when done in moderation by the team whose team mate is currently speaking whilst they are giving positive substantive. For example, a team table tapping or saying “hear hear” when their teammate has said, “the opposing team was wrong when they...” is not considered acceptable.
- (3) Talking on the bench while a member of the opposing team is speaking can be distracting to both the opposing team and adjudicators and teams should moderate their volume and tone appropriately.
- (4) Adjudicators, coaches, observers, and any other members of the audience must moderate their behaviour to avoid distracting debaters and adjudicators. They should not enter or leave the room during speeches and should keep communication to a minimum. Audience members may table tap quietly in response to positive substantive material.

### **45 Ad hominem attacks**

An ad hominem attack is a formal fallacy whereby the speaker personally attacks or insults their opponent instead of addressing their arguments, e.g. “These idiots don’t understand how economics works...”. They include arguments that discredit the ability of another team to make persuasive arguments based on characteristics of their identity, e.g. “What would this team of men know about the struggles of women?” Ad hominem attacks should be avoided and are unpersuasive, disrespectful, and intimidating for members of the opposing team.

### **46 Online debates**

- (1) Subject to subrule (2), whilst a speaker is speaking, no one should unmute themselves to speak or make any noise. This includes table tapping and saying “hear hear” or “shame”.
- (2) If a speaker’s microphone stops working, someone is allowed to speak to notify them. Another debater may also unmute to offer a POI if such an action is permitted by the debating format and tournament guidelines.
- (3) Audience members should not speak or make any noise at any time during the debate.
- (4) Participants should be respectful of preferences enunciated by the speaker, such as a preference for POIs being in chat only or a request to keep their camera off.

## Division 2 — General Conduct

### 47 Respecting adjudicators' decisions

Debaters should assume that adjudicators make their decisions in good faith and seek to make the correct decision. Despite this, there may be times debaters do not agree with an adjudicator's decision. Debaters should understand that adjudication is difficult and often it is possible to see a debate in more than one way. In addition, debaters are not in a position to objectively assess their own performance. Ultimately, adjudicators' decisions are final and cannot be changed. Where needed, it is suggested that debaters seek clarification for the reasons a debate fell to a particular team as it is a fantastic learning opportunity. However, actions that constitute harassment, bullying, or vilification of adjudicators on the basis of their decision are prohibited.

### 48 Insulting commentary

All persons should refrain from insulting and non-constructive commentary on speeches, speakers, and adjudicators, both within and outside of debates. This includes on social media in "live feeds" of the debate, comment sections, and group chats. The rules and standards set out in this Equity Policy governing real life behaviour also apply to online behaviour.

### 49 Language

The use of language is a complex transfer of meaning from person to person. Sometimes, the process of encoding and decoding meaning is imperfect, and words can be interpreted differently to how they were intended. Societal context, lived experience, and personal history all change how words are understood. You should therefore be considerate when choosing words both during and outside of debates. The following provides guidance for ways to moderate language to avoid offending or violating the equity of other people—

#### (1) *Generalisations*

Generalisations about groups of people are often inaccurate, hurtful, or restrictive to the people within that group and should be avoided. An example of a generalisation is "all members of group X are characteristic Y". Instead, all persons should use nuance and add clarity to the statement, such as "some members of group X..." or "members of X in Z circumstance...". This helps to prevent statements from being unintentionally offensive. A good rule of thumb to remember is: if there was a member of that group in the audience, would they be offended by your statement?

#### (2) *Graphic or visceral rhetoric*

Some experiences are deeply traumatic and to hear them described in detail can be traumatic or triggering, causing people to relive the pain of those experiences. Such experiences include, but are not limited to oppression, violence, sexual assault, and war. All persons should moderate language around sensitive topics so that if a listener has had such a traumatic experience, they will not be made to feel pained, uncomfortable, or alienated.

In the context of debating, most people understand the nature of these sensitive topics and it is unnecessary and unpersuasive to give graphic descriptions of them. In a social context, it is also important to be aware that people may have had experiences with traumatic events and to moderate language accordingly.

### (3) *Reclaimed Language*

Some groups have found empowerment in reclaiming language that has historically been used as weapons against them. The Association recognises the right of members of marginalised or oppressed groups to use reclaimed language; but its use by non-members can be offensive and a continuation of the oppressions originally associated with that language.

There should be a presumption against the use of a reclaimed word, especially by non-members of the group. In choosing to use a word, consideration must be given to the audience and whether a member of the group would consider use of the word ok.

Ultimately a discretion exists with the Equity Team to determine if a particular use is offensive. When applying this discretion, the Equity Team should consider the impact on a member of the affected group.

### (4) *Gender pronouns*

The Association recognises that members have diverse gender identities that must be respected. Transgender, non-binary, and genderqueer persons often have an incorrect gender identity assigned to them, and this invalidation and erasure of their identity can be profoundly hurtful and oppressive. For this reason, pronoun introductions (described below) are conducted before each debate, to ensure that persons are referred to using the correct pronouns. This process can be helpful in making these persons feel welcome and respected. It is therefore important that this process be treated with the utmost respect and that you be careful to correctly use other persons' gender pronouns.

You should not describe pronouns as "preferred" or indicate that pronouns are not a fundamental part of a person's identity that should be respected.

During debates, chair adjudicators facilitate pronoun introductions. Beginning with themselves, the chair introduces their first name, and if they choose to, their pronouns. They then invite panellists, the Affirmative team and lastly, the Negative team to introduce their pronouns. If a speaker or adjudicator does not wish to identify a pronoun, they are not required to do so, speakers should use gender neutral language to refer to them during the debate.

Introductions should be of the form: "Hi, I'm Jane, first speaker of the affirmative, my pronoun is they"; "Hi I'm Taylor, please refer to me as she or they"; most simply, "Rob, he or they"; or an equivalent.

Outside debates, the use of the correct pronouns of other persons is equally important. The Association encourages you to avoid assuming someone's gender identity or pronouns, and, where possible at socials and in casual interactions, ask persons what their pronouns are. It is expected that when a person has given their pronouns that those pronouns be respected and that the person is referred to with either those pronouns or gender-neutral language.

## **PART 5 — EQUITY CLAIMS**

### **50 Definition of equity claim**

An equity claim is a complaint about any single incident, ongoing situation, or culture which breaches this Equity Policy and has violated the claimant's equity.

## 51 Confidentiality

- (1) Subject to subrules (4) – (7), all information provided to an Equity Officer is strictly confidential and must not be disclosed to anyone without the express consent of the providing party.
- (2) Where a claimant has nominated a particular Equity Officer to handle a claim under rule 56, that Equity Officer must not disclose any information to any other Equity Officer without the express consent of the claimant.
- (3) When handling a claim involving multiple claimants Equity Officers should not disclose the identity of other claimants to a claimant without affected claimants' consent.
- (4) An Equity Officer may disclose confidential information where a rule in this Equity Policy requires the disclosure. Equity Officers should where feasible explain this requirement to any affected parties prior to disclosure.
- (5) Where a chosen resolution requires the disclosure of information to a third party, before disclosing that information the Equity Officer must explain this to the claimant and receive the claimant's consent for the disclosure. When disclosing information to the third party only the minimum information required for the resolution should be disclosed.
- (6) An Equity Officer must disclose information where required by law or Monash University policy. Equity Officers should where feasible explain this requirement to any affected parties prior to disclosure.
- (7) If an offense under Australian Law has been committed the Equity Team shall not withhold information or evidence from a police investigation and Equity Officers may, at their discretion, report breaches of the law to relevant authorities, notwithstanding not obtaining claimant consent.

**Note:** The operation of rules 15 and 72 means that current and future Club Equity Officers will have access to records of formal claims.

## 52 Victim led process

- (1) Victims have ownership of the claim resolution process. They can nominate how they think their claims should be managed and, subject to rule 1(5), the Equity Team will not take their claim any further than they expressly consent to. However, the Equity Team should discuss with the victim their options and inform the victim of their recommendation.

**Note:** See also rule 69(4).

- (2) Equity is victim led in the sense that all action taken by Equity Officers must have victim approval. However, the onus is not on the victim to decide the resolution, rather the onus is on the Equity Team to recommend and execute any resolutions.
- (3) Despite subrules (1) and (2), the Equity Team may choose to proceed with a claim without victim approval under rule 71 and may disclose information if required under rule 51.

## 53 Who can make an equity claim

Anyone to whom this Equity Policy applies as outlined in rule 4(1) may make an equity claim.

## 54 Types of equity claim

Claims may be either informal (see Division 1) or formal (see Division 2). If a claimant is not sure which type of claim they would like to submit they can talk to the Equity Team about their options.

## 55 Submission of claim

- (1) An equity claim may can be submitted—
  - (a) by directly contacting an Equity Officer, such as in person, by phone, or via Facebook Messenger; or
  - (b) through the online claim form as setup under rule 57.
- (2) In addition to subrule (1), an informal equity claim may be submitted—
  - (a) by nominating an agent under rule 58.
- (3) A formal claim must be submitted in writing using a method in subrule (1). A victim can however speak to an Equity Officer before submitting a written claim for advice and support.

## 56 Selection of Equity Officer to handle claim

- (1) There is a preference that all Equity Officers handle an equity claim, however a claimant may nominate a particular Equity Officer or Equity Officers to handle an informal claim.
- (2) The online submission page is monitored by all Equity Officers. If a claimant wants a particular Equity Officer or Equity Officers to action their claim, they should contact (or have their agent contact) that Equity Officer or those Equity Officers directly.
- (3) If a formal claim is submitted all Club Equity Officers and Temporary Equity Officers appointed under rule 23(1) must be informed of the content of the claim unless the formal claim is against an Equity Officer (see rule 74). The claimant may however choose to liaise with their preferred Equity Officer or Equity Officers.

## 57 Online claim form

- (1) At—
  - (a) the start of the year; and
  - (b) before any tournament for which Temporary Equity Officers have been appointed under rule 23(2) —

Equity Officers should create an online form that allows the submission of equity claims and publish the form to members and tournament attendees, as appropriate.

- (2) The form should allow for anonymous and non-anonymous submissions.
- (3) Submissions to the form must be handled confidentially in accordance with rule 51.

## **58 Delegation and support while making a claim**

- (1) It is preferred that claimants directly action their own claim. However, should a claimant feel intimidated or otherwise require support, they may include a trusted person in the claims process or may submit an anonymous claim.
- (2) If a claimant is not in a position to submit their own claim (for example because they are recovering from the incident giving rise to the claim), the claimant may delegate the responsibility of actioning their claim to another person. This nomination of an agent should be verified in writing and submitted by the agent to the Equity Team.
- (3) Any misrepresentation of a right to action claims on behalf of another is a serious abuse of the equity process.

## **59 Withdrawal of claim**

A claim may be withdrawn at any point prior to the resolution of the claim.

## **60 Joint and multiple claims**

Where multiple claims are received regarding—

- (1) a single incident;
- (2) ongoing situation or culture; or
- (3) an alleged perpetrator—

the Equity Team, with the claimants' consent, may action the claims together.

## **61 Conflicts between members**

- (1) Equity Officers may work with the Member Training Officer or other person organising the tab (draw) to ensure that conflicted persons are not—
  - (a) placed on the same team; or
  - (b) adjudicated by or adjudicate each other—at internal competitions and training sessions.
- (2) Members and persons may not abuse this conflict process.

## **Division 1 — Informal Claims**

### **62 Definition of informal claim**

An informal claim is a claim which raises a concern or concerns but does not require a formal response such as mediation or disciplinary action.

### **63 Anonymous claims**

- (1) An informal claim may be submitted anonymously.
- (2) If a claimant wishes to submit a claim anonymously they should use the online form setup under rule 57.
- (3) Equity Officers should ensure that all members and tournament and event attendees know that anonymous claims will be limited in the range of possible resolutions available to the claimant.

## 64 Informal claim resolution

- (1) Only non-punitive resolutions are available for an informal claim.
- (2) Equity Officers should select an appropriate resolution given the specific circumstances of the claim. The claimant must consent to any resolution.
- (3) Available resolutions to an informal claim include—
  - (a) receiving support from an Equity Officer. Claimants may benefit from discussions with a neutral, supportive party and an Equity Officer can provide advice about further recourse that claimants have to the equity process;
  - (b) a general announcement to members or tournament and event attendees about the claim, such as an announcement reminding everyone that gender pronouns must be respected during debates; and
  - (c) if an informal claim is not made anonymously (the Equity Team knows the identity of the claimant) the Equity Team may take additional actions, including—
    - (i) contacting a specific person about an infringement to remind them of this Equity Policy and the standard of behaviour expected of them; and
    - (ii) actions under rule 61.

## Division 2 — Formal Claims

### 65 Definition of formal claim

Formal claims are substantiated through accusations of punishable misconduct and the accused party has the right to hear the exact claim against them and respond to the accusation. This is necessary to protect the transparency and integrity of the equity process and provide due process to the accused. However, the accused party does not have the right to retain a copy of any material relating to the claim and such material will not be provided to them to prevent abuse of the equity process.

### 66 Only Club Equity Officers may handle formal claim

- (1) Only a Club Equity Officer or a Temporary Equity Officer appointed under rule 23(1) may handle a formal equity claim.
- (2) If a claimant attempts to submit a formal equity claim to a Temporary Equity Officer who does not have the authority to handle such a claim the Temporary Equity Officer should assist the claimant in submitting the claim to an Equity Officer listed under subrule (1).

**Note:** A Tournament Equity Officer at an external tournament can also help a claimant submit a claim to the External Tournament Equity Officers (see rule 11).

### 67 Meaning of Equity Team in Division

Despite rule 1(7), in this Division—

**Equity Team** means the currently acting Equity Officers who are eligible to handle a formal claim under rule 66(1).



## **68 Claimant cannot remain anonymous**

When making a formal claim, the claimant is unable to remain anonymous.

## **69 Process for handling a formal claim**

The formal equity claim process is as follows—

- (1) The claimant submits a formal claim.
- (2) The Equity Team contacts the claimant and arranges a conversation to discuss the claim. This conversation should serve to help the Equity Team better understand the incident, support the claimant, and direct the claimant to relevant support resources and services.
- (3) With the claimant's consent, the Equity Team contacts the person or persons relevant to the claim to understand what has happened.
- (4) The Equity Team speaks again to the claimant and asks them what resolution they would like to resolve the situation. The Equity Team may discuss and suggest what outcome they think would be appropriate. This suggestion is not to force or pressure a claimant into a certain course of action, but to make sure that they are aware of all their options.
- (5) The claim then proceeds, dependent on the resolution agreed upon by the claimant. Available resolutions are outlined in rules 77 – 81.

## **70 Pursuing claim with police or other external body**

- (1) In cases where the law is broken, a claimant may prefer to file a police report rather than filing a claim with the Equity Team. If this is the case, at the claimant's request, the Equity Team will support the claimant in the process.
- (2) If a claimant wishes to pursue a claim with the police or other external body and not with the Equity Team the process in rule 69 is not required.
- (3) A claimant may pursue a claim with the police or other external body and also submit an equity claim to the Equity Team. In this instance, before any resolution is pursued by the Equity Team, the process in rule 69 is required.

## **71 Actioning claim without claimant's consent**

- (1) The Equity Team may investigate and action a claim without a claimant's consent if the Equity Team has reasonable grounds to believe that other people are at risk of harm if the claim is not actioned. In this instance, the Equity Team must act to protect people from further harm.
- (2) If one or more of the steps in rule 69 are impracticable because a claimant or other party is absent and unable to consent to the equity process proceeding (for example if a claimant is unconscious in hospital), the process may continue at the Equity Team's discretion.

## **72 Records of formal claims**

- (1) Subject to subrule (2), after the formal claim process is completed, the Equity Team must fill out an incident report. This is to ensure that—
  - (a) a precedent is set that future Equity Teams can consult when responding to future incidents of a similar nature; and

- (b) repeat offenders are held accountable.
- (2) Records should be created if a claimant consents to the creation of a record of the incident. If disciplinary action is taken a record must be created, notwithstanding the claimant's wishes. The Equity Team should inform the claimant of this consequence of disciplinary action before any disciplinary action is taken and bring to the claimant's attention subrule (5).
- (3) Subject to subrule (4), the record must at a minimum include—
  - (a) the names of the relevant parties involved;
  - (b) the names of the Equity Officers who facilitated the claim;
  - (c) a description of the incident and when it occurred;
  - (d) a description of the proceedings of the Equity Team;
  - (e) a description of the resolutions pursued; and
  - (f) a description of the final outcome of the claim.
- (4) The names of—
  - (a) the claimant or claimants should be anonymised unless the claimant consents otherwise;
  - (b) the perpetrator or perpetrators should be included in the record unless the Equity Team deem that the names should be excluded due to special circumstances;
  - (c) other parties involved in the claim but who are not a claimant or perpetrator should not be included in the record; and
  - (d) the Equity Officers who handled the incident should be included in the record.
- (5) The Equity Team should provide a process for persons to access any records relating to claims against them, and anyone for whom a record exists may submit a statement to be kept with the record.
- (6) Subject to rule 51 and subrule (5) above all records are confidential and only current Club Equity Officers should have access to the records.
- (7) Records must be stored securely in a means determined by the Club Equity Officers and Executive.

### **73 Conflicts between Equity Officers**

- (1) To protect the integrity of the claim process, where possible, Equity Officers who feel that they are not in a position to impartially assess a claim should remove themselves entirely from the assessment of that claim.
- (2) Persons who are the subject of investigation as part of an equity claim may request Equity Officers be removed from the assessment of their claim on the basis that they are incapable of being impartial in the investigation and assessment of the claim.
- (3) Reasons why an Equity Officer might be perceived as incapable of being impartial include—
  - (a) any strong personal connection, either positive or negative with either the claimant or accused perpetrator;

- (b) extrinsic knowledge about circumstances surrounding the claim which might substantially bias an Equity Officer's view of the claim as it is presented; and
  - (c) involvement in a historic or ongoing claim that may in any way act to prevent the Equity Officer from being impartial.
- (4) If a person who is the subject of a claim wishes to request that an Equity Officer be removed from the assessment of the claim against them on the basis that the Equity Officer is unable to assess the claim impartially, they should contact a different Equity Officer. In this contact, the person should make the Equity Officer aware of the nature of the conflict. That Equity Officer shall keep the nature of the conflict confidential, however, if the nominated Equity Officer is removed from the investigation, they will necessarily be made aware of the existence of the conflict.
- (5) If there are insufficient Equity Officers who are not in conflict, Temporary Equity Officers may be appointed under rule 23(1).

#### **74 Claims against an Equity Officer**

- (1) A claim against Equity Officer is necessarily serious in nature. Equity Officers are held to the highest standard of conduct. If an Equity Officer is seen to be violating equity, it creates a culture in which equity violations are tolerated and makes persons feel locked out of the equity process.
- (2) A claim against an Equity Officer proceeds under rule 69, except that—
- (a) all information relating to the claim shall be withheld from the Equity Officer subject to the claim and they shall not take part in the claim process in any way;
  - (b) if there are insufficient remaining Equity Officers to handle the claim, Temporary Equity Officers may be appointed under rule 23(1); and
  - (c) depending on the outcome of the claim the investigating Equity Officers may recommend to the Executive that the Equity Officer subject to the claim be removed from office under rules 22 or 26, as applicable.

#### **75 Definition of claim with no clear victim**

- (1) The process under rule 76 shall be used for claims or behaviours for which there is no clear victim or the victim is the Association's members at large.
- (2) Claims and behaviours without a clear victim include—
- (a) engaging in behaviour harmful to the Association's culture;
  - (b) offensive language, behaviour, or jokes in a public forum;
  - (c) attempts to undermine the equity process;
  - (d) animal cruelty in a public setting;
  - (e) aggressive behaviour;
  - (f) inappropriate sexual behaviour in a public setting or without discretion;
  - (g) extreme or violent intoxication; and
  - (h) spreading of faeces in a public space.

## **76 Special process for claims with no clear victim**

- (1) If rule 75 is satisfied, the procedure in subrule (2) must be used instead of rule 69. Subrule (2) cannot be used when the rule 69 process has been initiated.
- (2) For claims or behaviours with no clear victim, the formal equity claim process is as follows—
  - (a) An Equity Officer raises their concern about the incident or behaviour with the Equity Team and discusses whether the issue or behaviour should be pursued as a claim.
  - (b) If a consensus has been reached to pursue the claim, the Equity Team should discuss the claim with the Secretariat. At least three members of the Secretariat must agree that the issue—
    - (i) has no clear victim; and
    - (ii) requires further action.
  - (c) The Equity Team and Secretariat should work together to determine a resolution or punishment proportionate to the incident. Any action agreed upon requires agreement of the Equity Team and at least three members of the Secretariat.
  - (d) Available resolutions are outlined in rules 77 – 81.

## **77 Claimant may seek no action**

- (1) A claimant may seek no action be taken as part of a formal claim.
- (2) A record may still be created under rule 72.

## **78 Informal resolutions available**

All of the resolutions available under rule 64 for informal claims are available for formal claims, but the formal claim process in rules 69 and 76 (as appropriate) must be followed and records kept under rule 72.

## **79 Non-punitive resolutions**

- (1) A claimant may request the Equity Team to talk to the accused party, facilitate a conversation between the two parties, or both. While the claimant will not be able to remain anonymous, the Equity Officer facilitating the mediation should disclose only necessary information and only with the express consent of the claimant.
- (2) Equity Officers should determine the most appropriate resolution based on the specific circumstances of the case. Examples of actions which may be taken by the Equity Officer include, but are not limited to—
  - (a) actions under rule 61;
  - (b) explaining the claim to the offending party and discussing with them why their remark or action was inappropriate;
  - (c) bringing the claimant and the offending party together to conciliate the dispute; and
  - (d) requesting that the offending participant provide an apology.

## 80 Punitive resolutions

- (1) A claimant may request a punitive action be taken against a specific person or persons as a resolution to their claim. Before a punitive resolution is pursued the Equity Team may further investigate the incident. This process may include, but is not limited to—
  - (a) talking to other persons who may have relevant information, as required by the circumstances of the claim;
  - (b) speaking to the accused party a second time about what they have been accused of and by whom, and hearing their side of the story; and
  - (c) discussing other information that corroborates the claim with the accused party with the consent of corroborating parties.
- (2) If any of the resolutions in this rule are pursued the Equity Team must obtain consent from the claimant.
- (3) In order to fully investigate the claim, the claim will no longer be considered confidential and the name of the claimant will be released to named accused perpetrators and any other parties with relevant information. The claimant must be informed that this is necessary before confidentiality is broken.
- (4) If the Equity Team believes that—
  - (a) the claim is sufficiently well-evidenced; and
  - (b) that the breach of this Equity Policy is sufficiently serious—  
they may, with the claimant's consent—
    - (c) issue an official warning to the offending party; or
    - (d) recommend the Executive take disciplinary action under Division 2 of Part 3 of the Rules of Association.

## 81 Additional rules regarding official warnings

- (1) An official warning is a formal notification of wrongdoing. It shall be issued in cases where the Equity Team believe that no other disciplinary actions are necessary to protect other people but want to signal to the offending party that their behaviour was unacceptable.
- (2) Repeated breaches of this Equity Policy following an official warning, particularly if they are similar in nature to the original breach, will be taken extremely seriously as they indicate a pattern of wrongdoing. Such breaches will necessitate a stronger form of disciplinary action.

## PART 6 — GENERAL MATTERS

### 82 Role of active bystanders

- (1) It is everyone's duty to ensure the safety and wellbeing of people. If you witness a situation or conduct which might constitute an equity violation or a situation that could progress to a violation, it is important as a bystander to actively intervene to protect the equity of other people if you feel safe to do so.

- (2) The first step is to assess the situation and consider the available options for intervention. There are many types of intervention and you should never intervene in a way which makes you feel unsafe or threatens your own equity. Methods of safe intervention include—
  - (a) telling another person, ideally an Equity Officer or other responsible person;
  - (b) if in a situation involving alcohol, telling an Equity Officer or other qualified person of the incident;
  - (c) checking in with someone to see if they are comfortable in a social interaction;
  - (d) if someone is intoxicated, making sure they do not walk home alone; and
  - (e) in serious cases, calling the police.
- (3) You should intervene in the way which you think will best resolve the situation. You should then report—
  - (a) all serious incidents; and
  - (b) minor incidents where you believe the Equity Team may be able to help resolve the situation—

to the Equity Team. In a case where a person's equity is violated you should support them in any way they can and make them aware of their recourse to the equity process.
- (4) Bystanders should never put themselves in unsafe situations and it is often better to call for and await help than to directly intervene alone.

### **83 Responding to equity claims**

Throughout your time in debating, you may be approached, either by debaters, adjudicators, or members of the Equity Team about an action, language use, or behaviour you exhibited. It is important to remember that this is not a personal attack, but rather an opportunity to learn from the perspectives of other people. Take the time to listen to what is being said, do your best to empathise, and apologise if necessary.

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## APPENDIX

### Acknowledgments

1. Monash Association of Debaters would like to acknowledge the work done by Rebecca Kriesler (ANU President 2017, ANU Easters Equity Officer 2018) in the formation of the ANU Debating Society policy which informed the structure and content of this Equity Policy.
2. The Association would also like to acknowledge other documents which informed the creation of this Equity Policy, including—
  - a. the Wollongong Easters 2017 Equity Policy;
  - b. the University of Queensland 2017 Equity Policy;
  - c. the WUDC 2018 Equity Policy;
  - d. the Sydney Easters 2018 Equity Policy; and
  - e. the Macquarie University Debating Society Equity Policy.
3. This Equity Policy was originally drafted by Tristan Hocking-Brown, Brynnie Rafe, Thomas Cullinan, and Isabella Fenech. Substantial editing work was done by Peter Drew.

### List of recognised protected attributes

The following list of protected attributes is not exhaustive and, on a case-by-case basis, the equity team may choose to recognise additional protected attributes.

1. Abstinence from, or choice not to, drink alcohol;
2. Age or age group;
3. Debating or adjudicating ability;
4. Disability (including but not limited to past, present and future disabilities, a genetic predisposition to a disability and behaviour that is a manifestation of a disability);
5. Disease (e.g. HIV status);
6. Educational history (e.g. Private/public/selective schooling education);
7. Institutional affiliation;
8. Intersex status;
9. Gender identity or gender expression (the gender-related identity, appearance or mannerisms or other gender related characteristics of a person, including but not limited to the ways in which people express or present their gender and recognising that a person's gender identity may be an identity other than male or female.);
10. Language Status or Proficiency (e.g. ESL/EFL status, presence of an accent, speech impediments);
11. Marital or relationship status;
12. Physical appearance or body type;
13. Pregnancy;
14. Race; colour; descent; national or ethnic origin; or ethno-religious background;

15. Religious affiliation; belief; views or practice;
16. Region of origin (e.g. rural areas/different states);
17. Sex;
18. Sexual orientation (including but not limited to LGBTQI+ status);
19. Sexual practices or experience (e.g. previous partner or partners or lack thereof); and
20. Socio-economic status and background.

### **List of conditionally protected attributes**

In the context of debate, a small range of attributes (conditionally protected attributes) may be open to respectful questioning or challenge but outside of debates will be treated as protected attributes. These include—

1. Debating or adjudicating ability; and
2. Political affiliations, beliefs, or ideologies.

In the case where these are questioned in the context of debate, the challenge must be directed at the ideas presented. For example, it might be appropriate to say, “While the opposition believes democracy to be prima facie good, we think that a democracy is only legitimate if it provides utilitarian benefit to its citizens”. However, it is never acceptable to say, “Given this was your second debate you can be forgiven for not understanding...”. Ad hominem attacks based on identity will always constitute breaches of equity. Caution should always be taken in referencing conditionally protected attributes and you should be constantly aware of how their words may affect others.



## **Definitions with examples (Content Warning)**

This section deals with specific details of Bullying, Direct and Indirect Discrimination, Sexual Harassment, Victimisation and Vilification.

### **Bullying**

Bullying is the repeated, unreasonable behaviour by a person or group, directed towards another person or group, which is either physical or psychological in nature and that intimidates, offends, degrades, humiliates, undermines or threatens. This includes pressuring another person or group of people to do something that they are uncomfortable with.

*Examples include:*

*Ridiculing of a person or group on the basis of protected attributes; Repeated demeaning remarks about a person's debating performance, personality or looks; Gossiping about or excluding a person on the basis of a Protected Attribute.*

### **Direct Discrimination**

Direct discrimination is unreasonably treating a person or group less favourably than another person or group on the basis of a Protected Attribute in the same circumstances or circumstances not materially different.

*Examples include: adjudicators penalising speakers on the basis of protected attributes, socially excluding persons on the basis of protected attributes, questioning a speaker's ability or success on the basis of a Protected Attribute.*

### **Harassment**

Harassment is any unwelcome, offensive, abusive, belittling or threatening behaviour that humiliates, offends or intimidates a person or group.

*Examples include: sexist, racist, homophobic language or language otherwise offensive to persons on the basis of protected attributes; physical threats; repeated unwanted and intrusive questions about protected attributes (e.g. their sexual history, sexual preferences, details of their religious beliefs).*

Note that sexual harassment has a specific meaning as any unwelcome sexual advance, request for sexual favours or any other unwelcome conduct of a sexual nature that humiliates, offends or intimidates a person and which a reasonable person, having regard to all the circumstances, would anticipate making the person feel humiliated, offended or intimidated.

*Examples include: Inappropriate touching; verbal sexual advances or propositions; making derogatory comments or jokes of a sexual nature; displaying sexually suggestive content; sending intimate images of another person to others without their consent; sending intimate images of yourself to another person without their consent.*

### **Indirect Discrimination**

Indirect discrimination is unreasonably imposing, or proposing to impose, a requirement, condition or practice that has, or is likely to have the effect of disadvantaging a person or group with a particular protected attribute, and which is not reasonable in the circumstances.

*Examples include: Only having debating rooms accessible via staircase; only holding trials for tournament teams on a religious holiday.*

### **Victimisation**

Victimisation is to cause detriment to a person because that person has made an equity claim, taken part in claims proceedings or expressed dissatisfaction with a situation or the behaviour of a person or group.

*Examples include: breaking anonymity of claimants, ridiculing claimants, gossiping about claims procedures, discouraging or intimidating others from making claims.*

### **Vilification**

Vilification is the public incitement of hatred, contempt or severe ridicule of another person or group.

*Examples include: ridiculing a person on the basis of a Protected Attribute (e.g. their preferred gender pronouns, sexuality, religious or cultural clothing) or asserting offensive stereotypes about a person or group.*

## External support organisation contact details

Listed are several professional services designed to help in various circumstances of need.

- Australian Emergency Services - 000
  - To contact police, ambulance, and fire brigade for immediate assistance.
- Lifeline - 13 11 14
  - Lifeline is a national charity providing all Australians experiencing a personal crisis with access to 24-hour crisis support and suicide prevention services.  
[www.lifeline.org.au](http://www.lifeline.org.au)
- Beyond Blue - 1300 22 4636
  - Beyondblue provides information and support to help everyone in Australia achieve their best possible mental health, whatever their age and wherever they live. You can call, chat online, or email. There is also support for people whose first language is not English.
  - <https://www.beyondblue.org.au/get-support/get-immediate-support>
- Monash University Counselling
  - Monash University offers free counselling to all its students, including a 24/7 counselling line for mental health emergencies. Further details can be found on the link provided.
  - <https://www.monash.edu/health/counselling>
- Monash Campus Security
  - Emergency - 9905 3333
  - Security - 9902 7777
  - <https://www.monash.edu/about/safety-security>
- 1800 RESPECT - 1800 737 732
  - 1800 RESPECT offers support options for people experiencing sexual, domestic and family violence. If you or someone you know is experiencing violence or abuse, you can contact 1800RESPECT on 1800 737 732 or through online chat.
  - <https://chat.1800respect.org.au/#/welcome>
- HeadSpace - 1800 650 893
  - Online and web chat support and counselling for 12-25 year olds, their family and friends.
  - [www.headspace.org.au/eheadspace/](http://www.headspace.org.au/eheadspace/)
- Q Life - 1800 184 527
  - QLife is Australia's first nationally-oriented counselling and referral service for Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) people. They offer online chat, as well as free and confidential phone counselling after hours.
  - <https://qlife.org.au/#contact>
- South Eastern Centre Against Sexual Assault (SECASA)
  - Enquiries: (03) 9928 8741

- 24-hour crisis support: (03) 9594 2289
- SECASA provides therapeutic counselling and support to survivors of sexual assault or family violence. SECASA counsellors are located within the University Health Services at Clayton (Monday and Tuesday) and Caulfield (Monday).
- <https://www.secasa.org.au/>