

# QAS Examples of Prohibited Conduct Guidelines

These guidelines are to assist in the application of the QAS Participant Protection Policy. They provide examples of what may constitute Prohibited Conduct under QAS Participant Protection Policy.

## Examples of Prohibited Conduct

1. Abuse must be behaviour of a nature and level of seriousness which includes, but is not limited to:
  - physical abuse and assault including hitting, slapping, punching, kicking, destroying property, sleep and food deprivation, forced feeding, unreasonable physical restraint, spitting at another person or biting;
    - a) sexual abuse including rape and assault, using sexually degrading insults, forced sex or sexual acts, deliberately causing pain during sex, unwanted touching or exposure to pornography, sexual jokes, using sex to coerce compliance;
    - b) emotional abuse such as repeated and intentional embarrassment in public, preventing or excluding someone from participating in sport activities, stalking, humiliation, or intimidation;
    - c) verbal abuse such as repeated or severe insults, name calling, criticism, swearing and humiliation, attacks on someone's intelligence, body shaming, or aggressive yelling;
    - d) financial abuse such as restricting access to bank accounts, taking control of finances and money, forbidding someone from working, taking someone's pay and not allowing them to access it;
    - e) neglect of a person's needs.
2. Bullying is behaviour of a nature and level of seriousness which includes, but is not limited to, repeatedly:
  - a) keeping someone out of a group (either in-person or online);
  - b) making rude gestures, using inappropriate or derogatory names, being rude, constantly negative and teasing (either in-person or online);
  - c) spreading rumours or lies, or misrepresenting someone either in-person or online (e.g., using their social media account to post messages as if it were them);
  - d) harassing someone (either in-person or online) based on a Protected Characteristic such as age, race or ethnicity, sex, sexual orientation, gender identity, religion, or a disability;
  - e) intentionally and repeatedly hurting someone physically; or
  - f) taking advantage of any power over someone else (either in-person or online),
 but does not include legitimate and reasonable:
  - g) management action;
  - h) management processes;

- i) disciplinary action; or
  - j) allocation of activities in compliance with agreed systems.
3. Harassment is behaviour of a nature and level of seriousness which includes, but is not limited to:
- a) telling insulting jokes and/or making derogatory comments about racial groups or people of diverse genders and sexualities (either in-person or online);
  - b) sending explicit or sexually suggestive emails, text messages or other electronic communications;
  - c) displaying racially offensive or pornographic images or screen savers;
  - d) making derogatory comments or taunts about someone's race, disability, sexual orientation, gender identity or gender expression (either in-person or online);
  - e) asking intrusive questions about someone's personal life, including their sex life (either in-person or online);
  - f) intentionally stalking someone (either in-person or online); or
  - g) intentionally disclosing (either in-person or online) the transgender identity or sexual orientation of someone without consent.
4. Discrimination is differential treatment (either in-person or online) based on a personal attribute including, but not limited to:
- a) sex;
  - b) relationship status;
  - c) pregnancy;
  - d) parental status;
  - e) breastfeeding;
  - f) age;
  - g) race;
  - h) impairment;
  - i) religious belief or religious activity;
  - j) political belief or activity;
  - k) trade union activity;
  - l) sex work activity;
  - m) gender identity;
  - n) sexuality;
  - o) sex characteristics;
  - p) family responsibilities;
  - q) association with, or relation to, a person identified on the basis of any of the above attributes.
5. Sexual harassment is any unwelcome sexual advance or attention, unwelcome request for sexual favours or other unwelcome conduct of a sexual nature, in circumstances where a reasonable person, having regard to all the circumstances, would anticipate the possibility that

the person harassed would be offended, humiliated or intimidated. Sexual harassment does not have to be repeated or ongoing.

Examples include, but are not limited to:

- a) Unwelcome touching or other physical contact
- b) Intrusive questions about a person's private life or body
- c) Staring or leering at a person or at parts of their body or crude jokes or comments about physical appearance
- d) Insults or taunts based on sex
- e) Talking about sex life or asking about another person's sex life, sexual jokes, suggestive comments or unwelcome sexual propositions
- f) Display of offensive material, offensive phone calls or transmission of offensive sexual material by email, SMS or other social media.

Sexual harassment is unethical, unlawful and may be a criminal offence. Sexual harassment is unacceptable in any Queensland public sector workplace.

6. Sexual Misconduct is behaviour including, but not limited to:

- a) unwelcome touching;
- b) staring or leering;
- c) suggestive comments or jokes;
- d) showing or sharing sexually explicit images or pictures;
- e) unwanted invitations to go out on dates;
- f) requests for sex;
- g) intrusive questions about a person's private life or body;
- h) unnecessary familiarity, such as deliberately brushing up against a person;
- i) insults or taunts based on sex;
- j) sexually explicit physical contact;
- k) sending sexually explicit or suggestive emails, texts, or other electronic/social media messages;
- l) displaying pornographic images or screen savers;
- m) asking intrusive questions about someone's personal life, including about his or her sex life; and
- n) criminal offences such as rape, indecent or sexual assault, sexual penetration, or relationship with a child under the age of 16 and possession of child pornography.

7. Victimisation is behaviour including, but not limited to:

- a) dismissal of a person or disadvantage to their involvement in sport because they have or intend to make a complaint;
- b) exclusion of a person from a sport activity because they were a witness to Prohibited Conduct; or
- c) failure to select an individual on merit because they have supported another person in lodging a complaint.

8. Vilification is behaviour including, but not limited to:

- a) speaking, writing or otherwise communicating (either in-person or online) about a person's sex or gender identity in a way that could make other people dislike, hate, or ridicule them;
- b) publishing claims that a racial or religious group is involved in serious crimes without any evidence in support;
- c) repeated and/or serious verbal or physical abuse (either in-person or online) about a Protected Characteristic of another person;
- d) encouraging violence against people (either in-person or online) who belong to a particular sex or gender identity, or damaging their property; or
- e) encouraging people to hate a racial or religious group using flyers, stickers, posters, a speech, or publication, or using websites, social media applications or email.