Ballarat Cricket Association Policy 7
Violence Against Women and Girls

1. Purpose

The Ballarat Cricket Association ("BCA" or "the Association") is committed to providing cricket environments that are safe, inclusive and respectful for women and girls.

The BCA has zero tolerance for violence against women and girls (VAWG).

This Policy establishes the BCA's approach to:

- preventing violence against women and girls within cricket;
- responding appropriately to allegations and concerns;
- assessing and managing risks that may affect BCA activities or participants;
- ensuring procedural fairness for all people involved; and
- promoting respectful behaviors throughout the BCA and its Member Clubs.

The Policy supports the BCA's obligations and commitments under applicable legislation and cricket policies, including:

- Family Violence Protection Act 2008 (Vic);
- Crimes Act 1958 (Vic);
- Sex Discrimination Act 1984 (Cth), including Respect@Work reforms;
- Equal Opportunity Act 2010 (Vic);
- Occupational Health and Safety Act 2004 (Vic);
- Working with Children Act 2005 (Vic);
- Cricket Australia Member Protection Policy; and
- other applicable Cricket Australia and Cricket Victoria integrity policies.

Nothing in this Policy replaces or interferes with the role of Victoria Police, the courts or other statutory authorities.

2. Scope

This Policy applies to all people or bodies participating in BCA cricket or associated activities ("participants"), including:

- players;
- coaches;
- umpires and officials;
- volunteers;
- employees and contractors;
- BCA Board and committee members;
- Member Clubs and affiliated organisations;
- spectators, parents and visitors participating in or attending BCA activities.

2.1 Conduct within cricket

The Policy applies directly to conduct occurring:

- at BCA or Member Club sanctioned matches, training, functions or events;
- at BCA or Member Club facilities;
- on online or digital platforms associated with BCA or Member Club activities; and
- during travel or accommodation associated with cricket.

Conduct falling within this section may constitute a breach of this Policy and may be dealt with in accordance with Procedure 12.

2.2 Conduct outside cricket

Conduct occurring outside the circumstances described in clause 2.1 will not automatically constitute a breach of this Policy merely because the person concerned is associated with the BCA or a Member Club.

However, where the BCA becomes aware of credible information concerning alleged violence against women or girls outside cricket, the BCA will undertake a preliminary assessment and, where the circumstances may reasonably affect any of the following, will undertake a risk assessment:

- the safety or wellbeing of BCA participants;
- participation in BCA competitions or activities;
- the safe operation of BCA or Member Club venues;
- the integrity of BCA competitions;
- compliance with applicable legal restrictions; or
- the reputation and legitimate interests of the BCA or community cricket.

The purpose of such an assessment is risk management. It does not constitute a finding that the alleged conduct occurred.

3. Definition of Violence Against Women and Girls

For the purposes of this Policy, VAWG includes gender-based violence or conduct that results in, or is likely to result in, physical, sexual, psychological or economic harm.

This may include:

- physical assault;
- sexual assault;
- sexual harassment;
- family or domestic violence;
- coercive control;
- emotional or psychological abuse;
- stalking, including digital stalking;
- image-based abuse;
- threats or intimidation;
- gendered verbal abuse;

- economic abuse; and
- bullying or hazing with a gendered element.

4. Principles

The BCA will apply this Policy according to the following principles:

Safety first – the safety and wellbeing of cricket participants will be a primary consideration.

Zero tolerance – substantiated acts of violence against women and girls are incompatible with the standards expected of players, coach's official, members, umpires and administrators within BCA cricket.

Presumption of innocence – an allegation, charge or court proceeding does not itself establish guilt.

Risk-based response – reasonable interim measures may be considered where necessary to manage an identifiable risk.

Procedural fairness – persons affected by BCA decisions will be given reasonable notice of relevant concerns and an opportunity to respond.

Proportionality – any BCA response will be proportionate to the circumstances and identified risk.

Confidentiality – information will be restricted to persons who reasonably need it to perform their role.

Respect for legal proceedings – the BCA will not attempt to determine criminal guilt or interfere with police investigations or court proceedings.

5. Roles and Responsibilities

BCA Board

The Board will:

- endorse and review this, Policy;
- oversee serious matters referred to the Association;
- determine appropriate risk-management measures within the BCA's authority;
- ensure procedural fairness;
- obtain legal or specialist advice where appropriate; and
- determine sanctions where a breach is substantiated and the applicable BCA rules provide authority to do so.

President

The President will:

- oversee implementation;
- receive and appropriately refer reports and oversee preliminary assessment;
- ensure appropriate confidential records are maintained;
- coordinate communication with Member Clubs; and
- escalate serious matters to the Board.

Operations Officer

- The Operations Officer will provide administrative support as requested by the President or Board, including:
- maintaining secure records under Board direction;
- issuing correspondence authorised by the President or Board; and
- providing other administrative support as required.
- The Operations Officer is not responsible for determining the credibility of allegations, undertaking risk assessments, investigating alleged conduct or making findings under this Policy.

Member Clubs

Member Clubs must:

- adopt and communicate the Policy in accordance with the attestation as part of the affiliation process;
- appoint a Club Integrity Officer;
- respond appropriately to concerns;
- undertake reasonable risk assessments when serious matters arise;
- cooperate with legitimate BCA governance processes; and
- advise the BCA of material circumstances relevant to participation or safety where reasonably required.

All Cricket Participants

All participants are expected to:

- comply with this Policy;
- contribute to safe and respectful cricket environments; and
- report serious concerns through the appropriate channels.

6. Prevention and Education

The BCA and Member Clubs will promote:

- respectful relationships;
- gender equality;
- bystander awareness;
- appropriate reporting pathways;
- child-safe practices;
- education concerning VAWG; and
- awareness of support services.

Clubs will implement BCA-approved education and awareness initiatives as reasonably directed by the Association.



7. Reporting

Concerns may be reported to:

- a Club Integrity Officer;
- the BCA President or nominated BCA Integrity representative; or
- emergency services where immediate safety is at risk.

A person does not need to confront an alleged perpetrator before making a report.

Reports involving serious violence, family violence, sexual violence, coercive control or criminal allegations should not ordinarily be managed through informal confrontation or conciliation.

Procedure 12 establishes the BCA's detailed response process.

8. Risk Assessment

The existence of an allegation or criminal charge against a person does not automatically result in suspension or exclusion.

Where a risk assessment is reasonably required, relevant considerations may include:

- the nature and seriousness of the alleged conduct;
- whether the matter has a connection with cricket;
- whether criminal proceedings are underway;
- any known court, bail or intervention conditions relevant to participation;
- identifiable risks to participants, including officials, volunteers or spectators;
- whether the risk can reasonably be managed;
- the person's role and level of access within cricket;
- the impact of participation on the safe and orderly conduct of BCA activities;
- the reliability and relevance of information available to the BCA; and
- any other material consideration.

The BCA is not responsible for policing bail conditions, intervention orders or other court orders. Its consideration is limited to whether information relevant to those matters creates an identifiable risk within BCA activities.

9. Interim Risk-Management Measures

Where an identifiable risk cannot reasonably be managed without temporary action, the BCA Board may consider interim measures within its lawful authority.

These may include:

- modified participation;
- restrictions relating to particular BCA activities or venues;
- additional supervision or safeguards;
- temporary removal from a particular role; or
- where reasonably necessary and authorised under the BCA's governing rules, temporary stand-aside from participation.

Interim measures:

- are precautionary rather than disciplinary;
- do not constitute a finding of guilt;
- must be proportionate to the identified risk;
- should be reviewed regularly;
- should continue only for as long as reasonably necessary; and
- must provide appropriate procedural fairness.

The BCA should obtain legal advice before imposing a significant interim restriction where its authority or the proportionality of the measure is uncertain.

10. Interaction with Criminal Proceedings

Where police investigation or court proceedings are underway, the BCA may:

- continue a risk assessment;
- impose or maintain proportionate interim safeguards where authorised;
- defer its own fact-finding process where proceeding could prejudice the criminal process; and
- review its position when material circumstances change.

The BCA will not seek to determine whether a criminal offence has been committed.

Where appropriate, matters may be referred to Victoria Police or another relevant authority.

11. Outcome of External Proceedings

At the conclusion of relevant criminal or other external proceedings, the BCA will review any existing risk-management arrangements and determine whether any further action is required within its jurisdiction.

In undertaking that review, the BCA may have regard to:

- the outcome and any findings of the external proceedings;
- the nature and seriousness of any conduct established by those proceedings;
- any sentence, order, condition or other outcome relevant to participation;
- whether an identifiable cricket-related risk remains;
- the person's role and level of access within cricket; and
- any other information reasonably relevant to the BCA's responsibilities.

The outcome of external proceedings does not automatically determine whether a breach of this Policy has occurred or what BCA consequence, if any, should follow.

Where a final criminal conviction or other authoritative finding establishes relevant conduct, the BCA may have regard to that outcome in accordance with its governing rules and applicable law. Any further BCA disciplinary action must have an independent basis under BCA rules and comply with procedural fairness.

An acquittal, withdrawal or dismissal of a charge will be considered according to its legal effect and the circumstances of the matter and will not, of itself, be treated as establishing either that the alleged conduct occurred or that it did not occur.

12. Findings and Sanctions

Disciplinary sanctions under this Policy may only be imposed following:

- a substantiated BCA process conducted in accordance with Procedure 12 and applicable BCA rules; or
- another established basis upon which the BCA is authorised to act.

Any sanction must be proportionate and may include:

- education or counselling requirements;
- formal warning;
- conditions on participation;
- suspension;
- removal from a role;
- exclusion from BCA activities; or
- other sanctions authorised by BCA rules.

A criminal court outcome and a BCA disciplinary or eligibility process serve different purposes. Any BCA response following a criminal outcome must nevertheless be lawful, proportionate and procedurally fair.

13. Duration and Review of Restrictions

An interim risk-management measure will remain in force only for so long as reasonably necessary to manage the identified risk and must be reviewed at reasonable intervals and whenever a material change occurs.

Following the conclusion of relevant criminal or other external proceedings, any interim measure must be reviewed. The BCA will determine whether the measure should cease, be modified, or whether a separate disciplinary process should be commenced or concluded in accordance with this Policy and Procedure 12.

Where a disciplinary suspension or restriction is imposed, the decision must specify:

- the commencement date;
- the duration and end date;
- the activities or roles to which the restriction applies; and
- any reasonable conditions applying to return to participation.

In determining the duration of a disciplinary suspension or restriction, the BCA will have regard to:

- the seriousness of the substantiated conduct;
- the harm caused or reasonably associated with the conduct;
- aggravating and mitigating circumstances;
- the person's role and level of access within cricket;
- previous relevant conduct;
- the outcome of external proceedings, including any relevant court orders or sentence;
- any continuing identifiable cricket-related risk;
- proportionality and consistency; and
- the objectives of safety, integrity and prevention.

A court-imposed sentence, order or period does not automatically determine the duration of a BCA sanction. The BCA must determine what response, if any, is appropriate within its own jurisdiction and governing rules.

Any restriction extending beyond the specified disciplinary period must have an independent basis under BCA rules, be reasonably necessary and proportionate, and be subject to procedural fairness and any applicable review or appeal rights.

14. Support

People affected by VAWG will be treated respectfully and provided with appropriate information regarding available support services.

The BCA will take reasonable steps to protect privacy and avoid unnecessary disclosure of personal information.

15. Confidentiality and Recordkeeping

Information concerning reports, risk assessments, investigations and outcomes will be handled on a need-to-know basis.

Records will be stored securely with access limited to authorised persons.

Confidentiality does not prevent the BCA from:

- complying with legal obligations;
- reporting matters to appropriate authorities;
- obtaining legal or specialist advice; or
- taking reasonable steps necessary to manage safety and governance risks.

16. Monitoring and Review

The Policy will be reviewed annually and following any serious incident that identifies a potential policy or procedural gap.

De-identified information may be used by the Board to improve education, prevention and governance.

17. Related Documents

- BCA Procedure 12 – Violence Against Women and Girls
- BCA Constitution
- BCA Code of Behavior
- BCA Child Safety Policy
- BCA Social Media Policy
- BCA Complaints and Grievances Policy
- Cricket Australia Member Protection Policy

Version	Approval Date	Review Date	Owner
1.0	Oct 25	Oct 26	BCA Board
2.0	Oct 26	Oct 27	BCA Board