

# EQUITY POLICY 2018

## 1. Definition Section

**Note:** The term 'discrimination' throughout this policy is inclusive of both 'direct' and 'indirect' discrimination

**'Australis'** means the Australasian Intervarsity Debating Championships

**'Bullying'** means the repeated, unreasonable behaviour by an individual or group, directed towards another individual or group, either physical or psychological in nature, that intimidates, offends, pressures, humiliates, undermines or threatens.

**'Direct Discrimination'** means treating another individual or group less favourably on the basis of a protected attribute than someone without that attribute in the same circumstances or circumstances not materially different.

**'Easters'** means Australian Intervarsity Debating Championships

**'Harassment'** means any unwelcome, offensive, abusive, belittling or threatening behaviour that humiliates, offends or intimidates an individual or group on the basis of a protected attribute.

**'Sexual Harassment'** means 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 humiliated, offended or intimidated.

**'Indirect Discrimination'** means imposing, or proposing to impose, a requirement, condition or practice that has, or is likely to have the effect of disadvantaging an individual or group with a particular protected attribute, and which is not reasonable in the circumstances.

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**'Members'** means any person officially registered as a MUDS member (both financial and non-financial members) OR any other person partaking in an official activity hosted by or affiliated with MUDS.

**'Victimisation'** means to cause detriment to a person because that person has made a complaint or taken part in complaints proceedings.

**'Vilification'** means the public incitement of hatred, contempt or severe ridicule of another individual or group on the basis of a protected attribute.

**'Women's'** means Australasian Women's Debating Championships

**'Worlds'** mean Worlds University Debating Championships

### 2. General Application of Equity

- 2.1. This policy explains what conduct is prohibited, outlines the procedures for raising complaints when participants feel that equity has been breached and suggests appropriate remedies for resolving equity violations.
- 2.2. This policy applies to all MUDS members or those participating in or attending MUDS Events and applies to both in-person conduct as well as conduct over social media.
- 2.3. This policy prohibits any participants or group of participants from discriminating against (either directly or indirectly), harassing or vilifying other members on the basis of the following protected attributes, including but not limited to:
  - a. Age
  - b. Debating or adjudicating ability

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- c. 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)
  - d. Gender Identity (the gender-related identity, appearance or mannerisms or other gender related characteristics of a person, including but not limited to the way people express or present their gender and recognising that a person's gender identity may be an identity other than male or female)
  - e. Infectious disease (for example, HIV status)
  - f. Intersex status
  - g. Marital or relationship status
  - h. Sexual practices or experiences (for example, previous partner(s) or lack thereof)
  - i. Political affiliation or beliefs
  - j. Pregnancy
  - k. Race, colour, descent, national or ethnic origin, or ethno-religious background
  - l. Religious affiliation, belief, views or practice
  - m. Sex
  - n. Sexual orientation (including but not limited to asexuality, bisexuality, heterosexuality, and homosexuality)
  - o. Socio-economic status and background
- 2.4. This policy also protects against discrimination, harassment or vilification on the basis of imputed or perceived protected attributes.

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- 2.5. MUDS believes in a policy of 'positive equity' ie. promoting positive values of inclusiveness, equity and respect for social and cultural diversity, rather than acting solely as a punitive tool.
- 2.6. Equity is also a tool for individuals to anonymously or non-anonymously take respite from the charged environment of competition or to seek resolution when they feel they have been wronged.

### 3. Conduct

- 3.1. Debaters and adjudicators are required to treat all other participants with respect during debates. This involves:
  - a. Respecting the rules of the competition
  - b. Refraining from any behaviour which might unfairly disrupt or distract other participants
  - c. Accepting the decision of the adjudicator(s)
  - d. Refraining from discussing the performance of participants in a negative manner
- 3.2. All participants must ensure that they try to avoid making generalisations about groups of people in society during debates. For example, statements should be phrased as "some members of X community" rather than "all X people".
- 3.3. MUDS recognises that participants have diverse gender identities which should be respected.
  - a. When introducing gender pronouns during debates, all participants should act respectfully by not acting dismissively of the process, by referring to other participants according to how they have introduced themselves and

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by apologising if they refer to a participant by a gender pronoun which was not what the participant expressed was their correct pronoun.

- b. When debates are given in front of a sizeable audience (e.g during a grand final or demonstration debate), pronouns should be introduced privately amongst those participating in the debate, before the debate commences.

3.4. Members are required to seek positive consent when engaging in any conduct of a sexual or potentially sexual nature, including but not limited to sexual intercourse, physical intimacy, flirting or making sexual jokes. A failure to acquire positive consent will be a breach of this policy and may constitute sexual harassment.

- a. Positive 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.
- b. Positive consent has not been attained if:
  - i. Someone is too drunk (or otherwise impaired) to understand what they are doing; and/or
  - ii. You are using social status or a position of authority to pressure someone into commencing or continuing a sexual interaction

### 4. Equity Officers - Appointment, Duties and Responsibilities

- 4.1. At least two Equity Officers should be appointed by the President at the beginning of the Executive's term, by the same manner that other portfolios are allocated.
- 4.2. At least one of the the Equity Officers must be non-cis male gender identifying and racial diversity is also highly encouraged.

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- 4.3. These appointed Equity Officers are responsible for overseeing the implementation of equity policy throughout the year at all official MUDS activities (tournament, socials, Internals etc.) as well as actively promoting a culture of equity, inclusiveness and respect in the Society generally.
- 4.4. Equity Officers are responsible for receiving Equity complaints throughout the year and taking appropriate measures to resolve issues, pursuant to those outlined in Section 3.
- 4.5. Equity Officers must have a private email account or means of contact where anonymous and confidential equity complaints can be made. This email address should be made accessible to all MUDS members and the contents of the emails should only ever be viewed by and discussed between the official Equity Officers, and/or Tournament Equity Officers where appropriate (as defined by Section 4.6).
- 4.6. Equity Officers are able to exercise discretion when deciding the most appropriate means of resolving issues. Potential remedies to equity violations may include;
  - a. Equity Officer/s acting as a mediator between parties so that the two parties can discuss the incident and seek an apology if appropriate.
  - b. Equity Officer/s talking to the offender and explaining that their behaviour was inappropriate.
  - c. Removing offender from the event or preventing them from participating in a particular aspect of the event (e.g. prohibiting them from attending a tournament social).
  - d. Make room changes during major tournaments if the complainant would feel more comfortable in another room.

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- e. If a complaint is made about a member of another institution, the Equity Officer may seek the advice of the tournament-appointed Equity Officer or allow the tournament-appointed Equity Officer to decide on the best remedy.
  - f. In serious cases, Equity Officers may decide that official law enforcement should be contacted and consulted.
- 4.7. Remedies pursued for equity violations should be considered to be dealt with finally. Equity violations should not be handed down to future Equity Officers.
- 4.8. **It is important that both the Equity Policy and Equity Officers not act as a pseudo-legal system with unnecessary authority or power.** MUDS recognises that Equity Officers are often unable to resolve serious equity violations and where appropriate, are encouraged to consult the University for advice on appropriate resolutions or inform official law enforcement bodies of incidents. Equity Policies aim to facilitate welcoming and safe environments for all members and the role of the Equity Officer should not unnecessarily extend beyond that.
- 4.9. If Macquarie University's Code of Conduct is violated, the Equity Officers may use their discretion to decide whether to consult the University regarding remedies or to inform the University of the incident.
- 4.10. Equity Officers will excuse themselves from investigating or handling complaints against themselves personally or where there is a conflict of interest and they are unable to act objectively (e.g. when they have a close personal relationship with the parties involved in the complaint).

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- 4.11. Equity complaints should be considered from the perspective of the complainant however, the perspective of the offender should not be discounted and should also be considered when deciding upon a remedy.
- 4.12. It is important that that the Equity Officer/s consider the desires of the complainant when deciding upon a remedy and that Equity Officers, where reasonable, do not act without the complainant's consent wherever possible.
- 4.13. When an official equity complaint is made on behalf of another person, Equity Officers are unable to take action without the seeking consent of the victim directly.
- 4.14. All equity complaints must remain private and confidential, between the parties involved and the Equity Officer/s, wherever possible. The rest of the Executive may be informed about Equity complaints only when absolutely necessary.
- 4.15. MUDS welcomes individuals to bring incidents to the attention of the Equity Team even if they do not necessarily wish for an apology from or the removal of the offending party.

### 5. **Equity at Tournaments**

- 5.1. The following Section applies to all Tournaments including major tournaments (Easters, Australs, Women's and Worlds) and all 'mini' tournaments hosted by MUDS.
- 5.2. This policy applies for the entire duration of the tournament, which includes, but is not limited to:
  - a. During debates



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- b. Time between debates, including meals organised as part of the tournament
  - c. During any formal and/or social event organised as part of the tournament
  - d. On transportation organised as part of the tournament
  - e. In accommodation organised as part of the tournament
- 5.3. This policy is also subject to the Equity Policy specific to that tournament and the direction of tournament-appointed Equity Officers.
- 5.4. All tournament participants must be emailed a copy of the Equity Policy before the commencement of the tournament.
- 5.5. An 'equity briefing' must be provided by the Equity Officers prior to the commencement of all tournaments. All participants must be briefed and this must involve:
- a. Fostering a culture which takes equity seriously e.g. not reducing equity policies to 'be a nice person,' encouraging older, more influential members to take equity seriously; and not tolerating drinking alcohol during the briefing etc.
  - b. Explaining equity processes including examples of what an equity complaint might look like, examples of potential remedies and stressing that complaints will remain confidential where possible.
  - c. Emphasising that an equity complaint will be taken seriously regardless of the offender's social standing or reputation ie. equity complaints can be brought forward about anyone.

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- d. Setting expectations of conduct of all participants throughout the tournament including a no tolerance policy for harassment, bullying and vilification.
  - e. Explaining the process of declaring pronouns during debates and emphasising the importance of being respectful of those processes and taking pronouns seriously.
  - f. Explanation of what positive consent is and enforcing an expectation that positive consent must be obtained in all circumstances
  - g. No tolerance for peer pressure regarding alcohol consumption or drug consumption etc.
  - h. Respect for roommates, teammates and other tournament participants.
  - i. Behaving according to the University's Code of Conduct as representatives of Macquarie University (see Appendix A).
- 5.6. If Official Equity Officer/s are not attending a tournament, then the Equity Officers should collectively decide upon and appoint 'Tournament Equity Officer/s.'
- a. At least one Tournament Equity Officer must be non cis-male.
  - b. In the case of tournaments hosted by MUDS, at least one Tournament Equity Officer should be from another institution. This is to avoid institutional conflict.
  - c. Tournament Equity Officers will be briefed by the Official Equity Officers, prior to the commencement of the tournament, regarding their roles and duties throughout the tournament.
  - d. Tournament Equity Officers are responsible for the same duties as the Equity Officer who would otherwise be attending ie. providing an equity

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briefing, promoting equitable values, receiving equity complaints and resolving equity issues by means outlined in Section 3.

- 5.7. If a Tournament Equity Officer is found to violate the Equity Policy, they may be removed as Equity Officer and a different Executive member may be appointed as a replacement for the remainder of the Tournament. This is to occur at the discretion of the other Tournament Equity Officer/s.
  - a. If no other Executive member is able to take the place of the Tournament Equity Officer, no replacement Equity Officer should be appointed. Instead individuals should be encouraged to report complaints to the Tournament-specific Officer, if the remaining Tournament Equity Officer is in conflict.
- 5.8. Equity Officers should endeavour to resolve equity issues which arise during the tournament, before the tournament concludes.

### **Appendix A:**

Any complaints, misdemeanours and/or violations of the University's discrimination, bullying and harassment prevention policy (as outlined here:

[http://mq.edu.au/policy/docs/discrimination\\_harassment/policy.html](http://mq.edu.au/policy/docs/discrimination_harassment/policy.html)) and student code of conduct (as outlined here: [http://mq.edu.au/policy/docs/student\\_conduct/conduct.html](http://mq.edu.au/policy/docs/student_conduct/conduct.html)) will be reported to the Macquarie University Campus Engagement Office

### **Acknowledgements**

The Macquarie University Debating Society would like to acknowledge the following documents that were used to inform the creation of this policy:

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- ❖ The University of Sydney Union Debates Equity Policy
- ❖ The Melbourne University Debating Society Equity Policy
- ❖ The 2015 Solbridge Australs Equity, Discrimination and Harassment Policy.