

## Factsheet 5 Understanding Harassment

Harassment takes many forms; some are lawful, some are not. But all harassment is undesirable and will almost certainly breach organisational policies and codes of conduct. Consequently, harassment must be prevented and effective procedures must be available to stop it.

Harassment is any type of behaviour that:

- is not wanted
  - is not asked for
  - is not returned
- and**
- that a reasonable person would recognise as being unwelcome and likely to cause the recipient to feel offended, humiliated, or intimidated.

Harassment is belittling, abusive or threatening language or behaviour and it creates an uncomfortable or hostile sporting environment.

Harassment can be unlawful under equal opportunity laws if it is either sexual or targets a person because of their race, sex, pregnancy, sexuality or any other personal characteristic protected by equal opportunity law. Harassment or bullying could also be unlawful under industrial relations, occupational health and safety and criminal laws.

Whether or not the behaviour is harassment is determined by the impact on the person being harassed and whether this could have been reasonably anticipated. The basic rule is if someone else finds it harassing then it could be harassment. Harassment may be a single incident or repeated. It may be explicit or implicit, verbal or non-verbal.

### Sexual harassment

Sexual harassment can be a big problem in sport. Many sports involve close, sometimes intimate contact with fellow players and officials in environments that are emotionally charged and affected by power relationships.

Consequently the potential for sexual harassment can be high.

Sexual harassment is unwelcome sexual behaviour or attention which a reasonable person could have anticipated was likely to cause the recipient to feel offended, humiliated or intimidated.

Sexual harassment can take many different forms and may include unwanted physical contact, verbal comments, email messages, jokes, propositions, display of pornographic or offensive material or other behaviour that creates a sexually hostile environment.

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

There are no exceptions or exemptions for sexual harassment.