



QUEENSLAND  
CRICKET

INTEGRITY FRAMEWORK KEY TERMS

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## 1. BACKGROUND

This Policy supports the QC Integrity Framework by defining key terms which are used prevalently throughout QC's Relevant Policies. It is incumbent on the Cricket Participant to read and familiarise themselves with the key terms defined below in order to fully understand the application of the Relevant Policies.

**Abuse** means any type of behaviour (including physical, emotional/psychological, sexual, and inappropriate use of power and/or process) that has caused, is causing or is likely to cause harm to a person's wellbeing, whether in-person or online. Such behaviour includes, but is not limited to:

- (a) physical abuse and assault including hitting, slapping, punching, kicking, destroying property, deprivation of food, water or rest, forced feeding, unreasonable physical restraint, spitting at another person, biting or otherwise putting a person at unreasonable risk of physical harm, except where any physical contact is consistent with the rules of the sport and accepted and reasonable behaviour within the Activity when undertaking that Activity;
- (b) sexual abuse including rape and assault, using sexually degrading insults (either in-person or online), forced sex or sexual acts, deliberately causing pain during sex, unwanted touching or exposure to pornography, sexual jokes (either in-person or online), using sex to coerce compliance; or
- (c) emotional/psychological abuse (either in-person or online) such as repeated and intentional embarrassment in public, unreasonably preventing or excluding someone from participating in sport activities, stalking, humiliation, or intimidation, repeated or severe insults, name calling, criticism, swearing and humiliation, repeated attacks on someone's intelligence, homophobic, biphobic and transphobic comments, body shaming, or aggressive yelling.

**Activity** means a cricket contest, match, tournament, competition, event, or activity (including training), whether on a one-off basis or as part of a series, league, or competition, which is sanctioned or organised by QC or a Cricket Organisation and includes representative competitions, tours and carnivals.

**Alternative Dispute Resolution** is a collective term for processes, other than arbitration, such as mediation or conciliation that may be used to resolve allegations of Prohibited Conduct under the QC Integrity Framework.

**Appeals Tribunal** means an Appeals Tribunal, including an appeals tribunal as defined in the QC Code of Behaviour pertaining to the QC Appeals Tribunal.

**Balance of Probabilities** means that the decision maker is satisfied that more likely than not, there has been a breach of a Relevant Policy. This is different from a standard of proof of beyond a reasonable doubt in criminal law.

**Board** means the Board of Queensland Cricket.

**Breach Notice** means a written notification sent to the Respondent in accordance with clause 6.8 of the Complaints, Disputes and Discipline Policy.

**Bullying** means a person or group of people repeatedly and intentionally using words or actions, or the inappropriate use of power, against someone or a group of people to cause distress and risk to their wellbeing, whether in-person or online. Such behaviour is 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;
- (f) taking advantage of any power over someone else (either in-person or online), but does not include legitimate and reasonable management action;
- (g) management processes;
- (h) disciplinary action; or
- (i) allocation of activities in compliance with agreed systems.

**Club** means any club that enters a player or a team to participate in an Activity.

**Complainant** means:

- (a) A Complainant is a person or an organisation who, or which is directly affected by the alleged Prohibited Conduct and makes a complaint about a Respondent in accordance with the QC Integrity Framework.
- (b) Where the person directly affected by the conduct is a Vulnerable Person, a complaint may be submitted on their behalf by a parent/guardian or carer. The Vulnerable Person will still be the complainant when a complaint is submitted on their behalf.
- (c) A Complainant can be anonymous.

**Complaint** means a formal written submission of an allegation made by a complainant (including an anonymous complaint) relating to Prohibited Conduct under a Relevant Policy and against a Respondent. A Complaint is not a personal grievance; or an issue related to employment, governance, eligibility and or selection disputes.

**Complaints Assessment Committee** means the persons appointed under clause 2 of the Complaints Assessment Committee Policy to act as a triage forum and ensure efficient, transparent and professional management of complaints.

**Complaints, Disputes and Discipline Policy** means the policy adopted by QC for the handling and resolution of allegations regarding Prohibited Conduct.

**Complaints Manager** means the persons appointed under clause 4.7 of the Complaints Disputes and Discipline Policy to manage complaints under the QC Integrity Framework.

**Complaints Process** means the process for managing a complaint under the guidance of the Complaints Disputes and Discipline Policy from the time the complaint is received to the Resolution Process.

**Conducts Commissioners** means the people appointed by the Queensland Cricket Board of Directors who are responsible for receiving, investigating and dealing with any alleged breach of the Code of Behaviour and, from time to time, other Relevant Policies.

**Conducts Committee** means a Panel of three suitable persons, which must include at least one Conducts Commissioner, to hear matters brought before them by Queensland Cricket's Conducts Commissioners.

**Contractor** means any person or organisation engaged to provide services for or on behalf of QC or a Cricket Organisation, and includes:

- (a) agents, advisers, and subcontractors of a Cricket Organisation; and
- (b) employees, officers, volunteers, and agents of a contractor or subcontractor.

**Cricket** means the sport of cricket, as governed by QC, Cricket Australia or the International Cricket Council from time to time.

**Cricket Australia** means Cricket Australia Limited ABN 53 006 089 130.

**Cricket Organisation** means any of the following organisations:

- (a) QC;
- (b) an affiliate of QC;
- (c) any company or incorporated association that is a member of QC;
- (d) any other organisation that has agreed to be bound by the Relevant Policies.

**Cricket Participant** means:

- (a) players;
- (b) individuals who are registered with or entitled to participate in a Cricket Organisation or an activity;
- (c) coaches, players or team in a Cricket Organisation or an activity;
- (d) administrators who have a role in the administration, operation or activity of a Cricket Organisation including owners, directors, committee members or other persons;

- (e) officials including referees, umpires, technical officials, or other officials appointed by a Cricket Organisation, or any league, competition, series, club or team sanctioned by QC or a Cricket Organisation;
- (f) player support personnel as defined in this document;
- (g) player support personnel who are appointed in a professional or voluntary capacity by a Cricket Organisation;
- (h) individual members;
- (i) employees;
- (j) contractors;
- (k) volunteers; or
- (l) any other individual who has agreed to be bound by the Relevant Policies.

**Discrimination** includes both direct and indirect discrimination (either in-person or online) which have the following meanings;

- (a) 'Direct discrimination' occurs where because a person has a Protected Characteristic, they are treated less favourably than a person without that characteristic would be treated in the same or similar circumstances; or
- (b) 'Indirect discrimination' occurs where a practice, rule, requirement or condition that applies to everyone disadvantages people with a Protected Characteristic and the practice, rule, requirement or condition is not reasonable in the circumstances.

**Employee** means a person employed by QC or a Cricket Organisation.

**Harassment** means behaviour towards a person that they do not want and that is offensive, abusive, belittling or threatening and is reasonably likely to cause harm to the person who is the subject of the harassment, whether in-person or online. Such behaviour 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.

**Hearing Tribunal** means a tribunal established to conduct a hearing as set out in the QC Code of Behaviour and includes a Conduct Commissioner and Conduct Committee.

**Member** means a member of a Cricket Organisation, including:

- (a) member organisation, which means each company or incorporated association that is an affiliate or member of QC or a Cricket Organisation (including a club); and
- (b) individual member, which means individuals who are individuals registered with a Cricket Organisation or any league, competition, series, club or team sanctioned by QC.

**Official** means the manager or a member of the coaching, medical or fitness staff of a team; the selectors of a team; any other person acting in an official capacity for QC, Cricket Organisation or a Premier Cricket Club in relation to a team; or an umpire of a match.

**Personal Grievance** means any form of grievance between two or more people (including individuals and bodies corporate) that does not concern or allege a breach of a Relevant Policy.

**Player** means a person who is registered, or entitled to participate, in a game of cricket.

**Player Support Personnel** includes any parent, guardian, coach, trainer, team manager, player agent, selector, umpire, team official, doctor, physiotherapist, dietitian, fitness or other health-related advisor or any other person employed by, contracted to, representing or otherwise affiliated to a Cricket Organisation, or any parent or other person working with, treating or assisting a player.

**Prohibited Conduct** means the following types of conduct as prohibited by the Relevant Policies:

- (a) Abuse;
- (b) Assault;
- (c) Bullying;
- (d) Child abuse;
- (e) Child grooming;
- (f) Endangering the safety of a Child;
- (g) Harassment;
- (h) Sexual misconduct;
- (i) Unlawful Discrimination;

- (j) Victimisation; or
- (k) Vilification.

**Prohibited Conduct** also includes the conduct prescribed under Clause 2 of the Complaints, Disputes and Discipline Policy.

**Protected Characteristic** means;

- (a) age;
- (b) disability;
- (c) race or ethnicity;
- (d) sex or gender identity;
- (e) sexual orientation; or
- (f) religion.

**Protected Disclosure** means a report or concern raised in the context of the Australian Cricket Whistle-blower Procedure that is accepted for management under that procedure.

**Provisional Action** means the process undertaken to impose a temporary measure on a Respondent while they are subject to a Complaints Process, or an investigation by law enforcement.

**Queensland Cricket** means Queensland Cricket Association Limited ACN 010 289 237.

**Queensland Cricket Integrity Framework** means the Queensland Cricket Integrity Framework consisting of the Relevant Policies.

**Relevant Policy** means the following QC policies:

- (a) Code of Conduct;
- (b) Players and Officials Game Day Code of Behaviour
- (c) Complaints, Disputes and Discipline Policy;
- (d) Racial Vilification Code; and
- (e) any other by-laws, rules, regulations or policies of Queensland Cricket that are stated to be subject to this Policy.

**Report** means a submission of allegations that a Respondent has engaged in conduct which may be Prohibited Conduct which does not meet the definition of a complaint.

- (a) a report includes game day umpire/official reports of alleged breaches of the rules of cricket or the QC Code of Behaviour; and

- (b) reports received by QC, or a Cricket Organisation may be recorded for information purposes only with no further action taken.

**Report Something - online** reporting portal as a mechanism for people to make complaints of Prohibited Conduct and of Integrity related Matters to QC.

**Resolution Process** means the process from the point at which a Breach Notice has been issued to a Respondent.

**Respondent** is a Cricket Participant or Cricket Organisation, whom a complaint or report has been made against and who was bound by the Relevant Policy/ies at the time of the alleged Prohibited Conduct occurred.

**Sanction** means the disciplinary action(s) taken against a Respondent for breaching a Relevant Policy.

**Sexual Misconduct** means:

- (a) sexual harassment, which is any unwanted or unwelcome sexual behaviour where a reasonable person would anticipate the possibility that the person being harassed would feel offended, humiliated, or intimidated; and
- (b) behaviour that may constitute a sexual offence that is unlawful.

Such behaviour includes, but is not limited to:

- (a) unwelcome touching;
- (b) suggestive comments or jokes (either in-person or online);
- (c) showing or sharing sexually explicit images or pictures (either in person or online);
- (d) unwanted invitations to go out on dates (either in-person or online);
- (e) requests for sexual intercourse (either in-person or online);
- (f) intrusive questions about a person's private life or body (either in-person or online);
- (g) unnecessary familiarity, such as deliberately brushing up against a person;
- (h) insults or taunts based on sex or gender identity (either in-person or online);
- (i) sexually explicit physical contact;
- (j) sending sexually explicit or suggestive emails, texts, or other electronic/social media messages;
- (k) displaying pornographic images or screen savers;
- (l) asking intrusive questions about someone's personal life, including about their sex life (either in-person or online); or

- (m) 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.

**Spirit of Cricket** as defined by Cricket Australia, is the major responsibility for ensuring fair play rests with the captains, but extends to all players, match officials and, especially in junior cricket, teachers, coaches and parents.

**Team** means a collection or squad of players, registered with a Cricket Organisation or entitled to participate in an activity.

**Trauma led investigation** is one which uses understanding and sensitivity to adapt the investigation process to the needs of the parties involved, including support, reassurance and a thorough explanation of processes. Considerations should be given to not re-traumatising the person during the investigation process.

**Victimisation** means subjecting a person, or threatening to subject a person, either in-person or online, to any unfair treatment because the person has made, or intends to pursue their right to make, a complaint, report or lawful disclosure, including under applicable legislation or the Relevant Policy, or for supporting another person to take such action. Such behaviour includes, but is 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.

**Vilification** means a public act, conduct or behaviour, either in-person or online, that incites hatred, serious contempt for, or revulsion or severe ridicule of, a person or group of people because of a Protected Characteristic they hold, as covered by applicable legislation. Such behaviour includes, but is 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.

**Volunteer** means any person engaged by a Cricket Organisation in any capacity who is not otherwise an employee or contractor, including directors and office holders, coaches, officials, administrators and team and support personnel.

**Vulnerable Person** means a person who is:

- (a) under the age of 18;
- (b) aged 18 or over but is or may be unable to take care of themselves or is unable to protect themselves against harm or exploitation, by reason of age, illness, trauma or disability, or any other reason; or
- (c) aged 18 or over but has experienced or is experiencing poor mental health outcomes, either as a result of the incident in question, due to their life experiences, or as a result of societal factors, including but not limited to individuals from diverse backgrounds facing disproportionate mental health impacts, such as people with diverse sexualities or gender.

**Vulnerable Person Support Person** means:

- (a) the parent/guardian or carer of a Vulnerable Person who is a party to a complaint may support the Vulnerable Person and/or act on their behalf, if necessary, through the Complaints Process and any subsequent Resolution Process. (including tribunals);
- (b) QC and Cricket Organisations may have regard to the guide entitled “Complaint Handling Guide: Upholding the rights of children and young people” issued by the National Office for Child Safety managing complaints made on behalf of, or involving Vulnerable Persons, currently available here, or such other guide that may replace it;
- (c) a party to a complaint may request that they be assisted by a support person or authorised representative. This request may be granted unless there is a specific reason to deny it (e.g. where a nominated support person or authorised representative is also a witness to the allegations or is actively hindering the interview process).

**Approved by:**

**Terry Svenson**

**Chief Executive Officer**

**Queensland Cricket**