

GAMMA

GLOBAL ASSOCIATION OF
MIXED MARTIAL ARTS

SAFEGUARDING & WELFARE POLICY

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I ARTICLE 1

Policy Objectives

To safeguard the sport of MMA and the reputation of GAMMA by promoting the highest standards of safeguarding, in particular athlete welfare and safeguarding of vulnerable people, to prevent harassment and abuse of athletes, coaches, officials and support personnel by setting out the principles of respect and human rights. All GAMMA members have the right to respect, safety and protection. Those in positions of trust have a duty of care to prioritise the welfare of others.

Purpose of this Policy

- Prohibit any practice constituting any form or physical, mental, emotional injury or human rights abuse in MMA.
- Provide an environment where participants can enjoy MMA as a safe, fun and positive experience.
- Demonstrate MMA is fully committed to ensuring the best interests of children, young or vulnerable people are of paramount importance and protected at all times.
- Ensure MMA encourages the true values of sport, fair play, integrity, inclusion, trust and respect.
- Establish guiding principles, minimum standards and a global framework that will help MMA participants to understand their role and responsibilities in welfare and safeguarding in the sport.
- Ensure alignment and consistency of respectful conduct across MMA
- To implement best practice in safeguarding, welfare and human rights.
- Preserve public confidence in the readiness, willingness and ability of GAMMA to protect the sport from corrupt practices.
- Reflect the International Olympic Committee guidelines on **Safeguarding Athletes from Harassment and Abuse**, **UN Prevention of Violence against Women and Girls in Sport**, and as applicable and appropriate and **UN Guiding Principles in Business and Human Rights**.

I ARTICLE 2

Background and Introduction

Ensuring “participants’ conditions of safety, well-being and medical care are favourable to their physical and mental equilibrium” is a fundamental principle of the IOC Code of Ethics, together with respect for international conventions on protecting human rights insofar as they apply to sport (specifically Olympic Games activities) and which ensure:

- Respect for human dignity and human rights
- Rejection of discrimination of any kind on whatever grounds (as set out in the GAMMA Equality and Diversity Policy) and
- Rejection of all forms of harassment and abuse, be it physical, professional or sexual, and any physical or mental injuries.

The welfare of all participants and well-being of the MMA family, above commercial interests, is a priority for GAMMA; enjoyment of the sport is paramount. Compliance with applicable laws must be ensured, especially those aimed at the prevention of harassment and abuse in sport, but also general law principles, including criminal laws.

Promotion of safeguarding, welfare and human rights policies in practice is strengthened by involving a broad spectrum of MMA participants, in particular athletes. Additionally, MMA policies and procedures can support and align with external national organisations and law enforcement agencies to strengthen the landscape and effectiveness of safeguarding, welfare and human rights in the sport. In this way, MMA policies and procedures will:

- Associate with organisations with experience of dealing with harassment and abuse,
- Extend the reach of welfare and human rights standards through the sport to protect participants from any form of abuse and exploitation.

Active promotion of clear and unambiguous policies in safeguarding, welfare and human rights is essential to establish MMA's reputation in protecting athletes and the sports environment it operates in. Sport is an attractive environment because of its association with health, fitness, dedication to training and performance. Sadly, it may also be attractive for the wrong reasons, for people who operate by questionable standards, whose intention is to do harm, to exploit or abuse. These people have no place in the sport of MMA.

GAMMA has put in place its portfolio of policies under the Code of Ethics to advise and guide participants, to enforce regulations and to discipline those who violate a policy.

- 1.** The integrity of sport depends upon adherence to high standard policies that safeguard the welfare and human rights of all participants. Any form of abuse damages GAMMA participants and may undermine public confidence in the integrity of a sport; it is fundamentally contrary to the spirit of the sport and must be eliminated at all costs.
- 2.** GAMMA and its member federations have adopted this Policy as a means of safeguarding the integrity of the sport of MMA by prohibiting any unacceptable conduct that may undermine the safety, welfare or human rights of participants as well as the integrity and reputation of the sport.
- 3.** GAMMA regards discrimination, harassment, bullying or victimisation, as described above, as serious misconduct. All complaints against Stakeholders will be taken seriously and appropriate measures, which may include disciplinary action being brought against any Stakeholder who unlawfully discriminated against, harasses, bullies or victimises any other person.
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- 4.** GAMMA and its member federations are fully committed to taking all possible steps within its jurisdiction to prevent harassment, abuse and exploitation that threatens the integrity of the sport. This commitment will include the following measures:
 - a.** Raising awareness of the Policy at all levels within the sport including using educational programmes and tools to provide information to the widest possible target audience.
 - b.** Enforcing all participants at GAMMA Championships to sign a Code of Conduct Agreement.
 - c.** Establishing the most effective and appropriate means of monitoring conduct in all GAMMA activities including hosting of major competitions.
 - d.** Enforcing operating standards as part of the certification and accreditation of coaches and officials.
 - e.** Establishing the most effective and appropriate means to facilitate the reporting of information on a confidential basis and sharing of intelligence and information related to the investigation and/ or prosecution of violations under this Policy, including exchange of information with law enforcement agencies.
 - f.** Collaborating and cooperating with competent national and international authorities where information in its possession may amount to or corroborate violations of other applicable laws or regulations.

I ARTICLE 3

Application and Scope

- 1.** This **Safeguarding & Welfare Policy** shall apply to all participants who compete, officiate or assist in an event or activity under the jurisdiction of GAMMA and each participant shall be automatically bound by and be required to comply with this Policy by virtue of such participation (in the case of an athlete), assistance (in the case of an athlete support personnel) or officiation (in the case of a technical official). Spectators shall be bound by the conditions of entry to a GAMMA competition.
- 2.** It shall be the personal responsibility of each participant to make him/herself aware of this Safeguarding and Welfare Policy including, without limitation, what conduct constitutes a violation of the Policy and to comply with those requirements. Participants shall also be aware that certain conduct prohibited under this Policy may also constitute a criminal offence and/ or breach of other applicable laws and regulations.
- 3.** Each Participant submits to the exclusive jurisdiction of the GAMMA Ethics and Disciplinary sub-Commission Tribunal convened under this Policy to hear and determine charges brought by GAMMA.

4. GAMMA's Safeguarding and Welfare policy is in place year-round. It is intended to safeguard all athletes linked to GAMMA directly (i.e. at international competitions, training camps or squads) or indirectly (i.e. at national level, in clubs and training sessions). This policy enables the receipt and management of reports of alleged harassment and abuse that fall within its scope, investigation and referral to discipline of allegations as appropriate, as well as the further review to improve and achieve best practice in integrity.
5. The conduct prohibited under this Safeguarding and Welfare Policy may also constitute a breach of other applicable laws or regulations governing safeguarding and welfare. The Safeguarding and Welfare Policy is intended to supplement and complement such laws and regulations with further rules of professional conduct for those involved in the sport of MMA. It is not intended and may not be interpreted, construed or applied to undermine in any way the application of such laws and regulations.
6. GAMMA is committed to ensuring that all activities and events adhere to minimum standards in respect to safeguarding and welfare and that national federations shall adopt and enforce these standards at the national level. GAMMA parties shall not at any time, engage in conduct which may be considered Harassment, Abuse or damaging to the Welfare of participants. Breaches of this Policy shall result in disciplinary procedures. Allegations shall be investigated by the Ethics and Disciplinary Commission.

I ARTICLE 4

Offence and Rule Violations

The following conduct shall constitute a violation of this Policy whether it occurs directly or indirectly.

- 1. Harassment and Abuse**
 - a. Harassment and abuse can be expressed in several forms which may occur in combination or in isolation. These include:
 - b. **Psychological abuse:** means any unwelcome act including confinement, isolation, verbal assault, humiliation, intimidation, infantilization, or any other treatment which may diminish the sense of identity, dignity, and self-worth.
 - c. **Physical abuse/Violence:** — means any deliberate and unwelcome act – such as for example punching, beating, kicking, biting and burning – that causes physical trauma or injury. Such act can also consist of forced or inappropriate physical activity (e.g., age-, or physique-inappropriate training loads; when injured or in pain), forced alcohol consumption, or forced doping practices.
 - d. **Sexual harassment:** — any unwanted and unwelcome conduct of a sexual nature, whether verbal, non-verbal or physical. Sexual harassment can take the form of sexual abuse.
 - e. **Sexual abuse:** — any conduct of a sexual nature, whether non-contact, contact or penetrative, where consent is coerced/manipulated or is not or cannot be given.
 - f. **Neglect:** — within the meaning of this document means the failure of a coach or another person with a duty of care towards the athlete to provide a minimum level of care to the athlete, which is causing harm, allowing harm to be caused, or creating an imminent danger of harm.
 - g. Inducing, instructing, facilitating and encouraging a participant to commit a violation outlined in this rule 4.1
2. Harassment and abuse often result from an abuse of authority, meaning the improper use of a position of influence, power or authority by an individual against another person. Harassment and abuse can also be based on any grounds including race, religion, colour, creed, ethnic origin, physical attributes, gender, sexual orientation, age disability, socio-economic status and athletic ability. It can include a one-off incident or a series of incidents. It may be in person or online. Harassment may be deliberate, unsolicited and coercive. Abuse may be deliberate or non-accidental.

¹IOC Consensus Statement 2016

The IOC Consensus Statement considers that harassment and abuse are on a continuum and therefore should not be separated.

I ARTICLE 5

Reporting Procedures

Procedure for reporting harassment and abuse to GAMMA shall follow the core components of the IOC Toolkit for Safeguarding athletes from Harassment and Abuse, in particular:

- a. Alleged incidents of harassment and abuse may be reported to GAMMA (or its national federation) via the following reporting channels and/or designated persons (National Safeguarding Lead or Integrity Commissioner)
- b. Reporting mechanisms shall include the following, reporting in writing, via online form/service, via email, in-person and via telephone hotline. An information sheet shall outline the process.
- c. Anonymity is guaranteed.
- d. Reporting systems shall be accessible, widely communicated (on public platforms, through GAMMA technical, official documents and regulations),
- e. Reliability, security and confidentiality of the reporting system shall be guaranteed,
- f. To reduce conflicts of interest, the GAMMA Integrity Commissioner shall have oversight of the international level reporting system and national equivalent system reports.
- g. A mandatory reporting system shall be included in all policies at national level. Every GAMMA participant has a responsibility to ensure MMA is free from harassment and to report all incidents of harassment immediately, whether or not a complaint has been made.

1. Mandatory Reporting and Key Personnel

Mandatory reporting to public authorities may be obligated by legislation, especially where this involves child welfare. In countries where this is an obligation to report not only actual cases but also suspicion of abuse (i.e. a duty to warn), this shall be identified by the national federation to the Integrity Commissioner and fully implemented, as legal and/or civil liabilities may be incurred if mandatory reporting of actual or suspected abuse is not followed. Even when reporting suspected abuse is not a requirement there may be some situation where this is the most appropriate action to take. National federation issues shall as a minimum be reported to the Integrity Commissioner and to all national authorities.

Support and information shall be provided to persons involved in an alleged incident of harassment and abuse (“concerned personnel”) including the appointment of a designated person responsible for following up incidents at national level (National Safeguarding Lead). This person should be trained and experienced in the field of safeguarding from harassment and abuse (e.g. medically and/or legally) and his/her responsibilities should, in particular include taking a central role in:

- Reporting and investigation procedures
- Determining whether information of a case should be disclosed to the national competent authorities (as required by law)
- Providing support to any concerned persons throughout the reporting and investigation procedures.

2. Investigation of Safeguarding and Welfare Reports

In summary, the investigation shall follow this procedure (unless national procedures dictate otherwise):

- All reports shall be recorded by the National Safeguarding Officer or Integrity Commissioner, kept confidential and safe. All concerns shall be fully investigated without delay.
- Support shall be provided to the concerned parties by the National Safeguarding Officer or Integrity Commissioner, as appropriate.
- It is not appropriate to investigate or attempt to resolve concerns where a criminal offence is suspected. Such matters shall be referred to the appropriate authority.
- All cases of harassment and abuse where an offence may have occurred (according to the policy definition) shall be referred to the GAMMA Ethics and Disciplinary sub-Commission, or national federation equivalent. Where relevant the disciplinary procedure may take place after the criminal investigation and conclusion. The National Safeguarding Officer or Integrity Commissioner shall prepare the Disciplinary File to present to the hearing, respecting confidences where this is appropriate to do so.

3. Fair Process

As with all disciplinary processes it is important the responding party is provided with a fair process. When an allegation is made against someone, notice should be provided to the individual (s) concerned and the right and opportunity to be heard before any measure or sanction is applied. As reports of harassment and abuse may contain extremely sensitive information, a timely and appropriate follow up is required. All matters shall remain confidential with a record of confidential data sharing maintained. Sharing of Personal sensitive data may be withheld as appropriate and necessary consent for the sharing of personal informal of the concerned person obtained.

4. Sanctions

The Ethics and Disciplinary sub- Commission Tribunal shall sanction confirmed violations of this policy with the strongest appropriate sanctions as set out in the Disciplinary Code. In addition, the Disciplinary Tribunal shall consider proportionate measures to support the sanction, respecting the principle of proportionality, the severity and nature of the violation, the number of violations and any other relevant circumstances (e.g. when the abused or harassed person is a minor).

I ARTICLE 6

Competition or Training Session Specific Safeguarding Policy

A competition specific framework may have similar steps to the organisation framework. The policy objective shall specify the competition or training session, the participants to whom it applies, dates of validity and its purpose. Preventive measures and information shall be planned and implemented by the Host Organiser, including a policy on photography at the competition or training session, access to changing facilities, additional protection for minors, together with information about GAMMA's policy, details on reporting, highlighting the name and contact details of the key person. An outline of how reports will be managed shall be included, with relevant confidentiality standards and reinforcing participants rights to safe sport. Participants shall be encouraged to report incidents of harassment and abuse. This information shall be communicated in advance to all GAMMA participants. Links to law enforcement shall be included.

Security at the Championships: As appropriate, security measures shall be put in place to restrict access to facilities. Accommodation standards shall take account of the need to protect minors. Plans for major evacuation in case of terrorist attacks or serious incidents (fire, structural damage).

Reporting concerns or incidents during a Championship shall complement procedures set out in the Equality and Diversity Policy.

I ARTICLE 7

Burden and Standard of Proof

- 1.** GAMMA or other prosecuting authorities shall have the responsibility of proving that a violation has taken place under this Policy. The standard of proof will be whether GAMMA or other prosecuting authorities have proved that a violation to the comfortable standard of the GAMMA Disciplinary Tribunal, a standard which is greater than the mere balance of probability but less than proof beyond reasonable doubt.
- 2.** Where this Policy places the burden of proof on the participant alleged to have committed a violation to prove facts or circumstances, the standard of proof shall outweigh the evidence.
- 3.** The GAMMA Disciplinary Tribunal shall not be bound by judicial Policy governing the admissibility of evidence and facts may be established by any reliable means including but not limited to admissions, evidence of third parties, witness statements, expert reports, documentary evidence and other analytical data.

- 4.** The GAMMA Disciplinary Tribunal shall have the discretion to accept any facts established by a decision of a court or professional disciplinary Tribunal of any competent jurisdiction which is not subject to pending appeal as irrefutable evidence against the participant to whom the decision relates, unless the participant establishes that the decision violated the principles of natural justice.
- 5.** The GAMMA Disciplinary Tribunal shall be entitled to draw an inference adverse against any participant who is accused of committing a violation if that participant fails to appear in front of the GAMMA Disciplinary Tribunal if requested to do so and when a reasonable advance notification of the hearing has been given, or fails to comply with any information request that has been submitted in accordance with this Policy.

I ARTICLE 8

Minimum Education and Qualifications on Safeguarding, Harassment and Abuse

- 1.** GAMMA and its member federations are responsible for promoting awareness, education and training of this Safeguarding and Welfare Policy among all its Participants. GAMMA shall establish minimum requirements for Coach and Officials education, training and qualifications covering Safeguarding and Welfare. Attendance and qualification shall be mandatory. Frequent review and updating of these requirements shall be part of the ongoing risk assessment by the Integrity Commissioner and National Federations. Where national safeguarding obligations (i.e. certification and/or registration checks) exist, these shall be enforced by the national federation.
- 2.** GAMMA and its member federations shall adopt appropriate policies, protocols, mission statements and similar so that it is clear to all employees, officials, commercial partners and other Participants and stakeholders that Inappropriate Conduct as defined by the Safeguarding and Welfare Policy (including in any public statements) will not be tolerated by GAMMA or its member federations whether at international competitions and events played within its jurisdiction or those played on a domestic level as part of GAMMA Championships or in the course of GAMMA business or representation at any other time so as to bring the sport into disrepute.
- 3.** GAMMA and its member federations shall take the necessary steps within its own jurisdiction to ensure that all employees and officials and Participants have read and understood this Safeguarding and Welfare Policy and received appropriate training and education about their own conduct and how they should respond to conduct of others. Commercial partners shall be advised of the GAMMA Safeguarding and Welfare Policy by reference in contracts and agreements.
- 4.** GAMMA and its member federations shall, wherever reasonably practical, monitor the conduct of its employees, officials, commercial partners and Participants and take such action as it considers appropriate in respect of any inappropriate conduct.
- 5.** GAMMA member federations are required to develop two specific plans - one for dealing with incidents of Inappropriate Conduct that take place at GAMMA national level and one for referring complaints of inappropriate conduct regarding persons from outside their country and membership.

I ARTICLE 9

Confidentiality

The principle of confidentiality shall be strictly respected by GAMMA during all of the procedures and information shall only be shared with parties who have a legitimate need to know. It must also be strictly respected by any person concerned by the procedure until there is public disclosure of the case. When sharing a report, GAMMA will exercise due care to minimise the information that is disclosed to third parties in order not to expose the author of the report. In general, reports will be shared in anonymous format.

I ARTICLE 10

Confidentiality Reporting/Whistleblowing

In order to actively promote the reporting of allegations in MMA on a secure basis, GAMMA offers its member bodies and athletes a number of different interfaces that offer both confidential and anonymous reporting. This allows the reporting person to select the mechanism that best suits their specific circumstances. Information can be shared in four ways:

1. Encrypted online form/ mailbox
2. GAMMA Reporting App
3. GAMMA Telephone Hotline
4. Direct report to GAMMA Disciplinary sub-Commission.

GAMMA provides adequate information about how to make a report easily and how the reports are processed and investigated. Following the report of a wrongdoing, an acknowledgement of receipt shall be given to the reporting person along with a timeframe specified for further communication. There will also be regular communication with reporting person throughout the handling process to maintain highest levels of trust.

GAMMA shall ensure that all of their member bodies and athlete contracts include clauses that safeguard confidentiality and the sanctioning of retaliation against persons who report any perceived incidents of abuse. GAMMA will demonstrate that there are transparent and effective reporting mechanisms in place that will allow reporting to be done safely and confidentially without any fear of reprisals or negative consequences.

I ARTICLE 11

Amendments and Interpretations

1. This Policy may be amended as and when deemed necessary by GAMMA, with such amendments coming into effect on the date specified by GAMMA. If any rule or provision of this Policy is held invalid, unenforceable or illegal for any reason, it shall be deemed to be deleted and the Policy shall otherwise remain in full force and effect.
2. This Safeguarding, and Welfare Policy is by its nature fundamental to the welfare of all GAMMA participants and governs the conditions under which the sport of MMA is played. It is not intended to be subjected to or limited by the requirements and legal standards applicable to criminal proceedings.
3. This Safeguarding and Welfare Policy shall come into full force and effect as of 27 September 2023.

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