

STEP UP EQUALITY

Reporting Gender Discrimination in Sport

Guidelines for Sports Governing Bodies



SUE

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This report is an output of the Step Up Equality project. It aims to enhance data collection, awareness and procedures on reporting gender discrimination in sport. The guidelines for sports governing bodies provide a blueprint to improve procedures, collect data and support victims in accessing remedy and contribute to prevention of gender discrimination. For further information on the project, as well as downloadable research and support material, go to: stepupequality.geacoop.org

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- Association Democracy in Sport/ AKS Zły (Poland)
- ASSIST (Italy)
- Fare Network (United Kingdom)
- Fußball und Begegnung e.V. / DISCOVER FOOTBALL (Germany)
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Gender discrimination in sport: widespread, but underreported

Step Up Equality (SUE) project throughout its three years of implementation has put the spotlight on gender discrimination across multiple sports in Europe. Working with athletes, administrators and governing bodies in Poland, Italy, Germany, Netherlands, Sweden and the United Kingdom, partners have produced research and trainings on gender discrimination and developed a network of women athletes and young leaders in sport through an online app.

As part of the training paths for athletes and leaders in sport and the resulting toolkit, a training session on monitoring and reporting gender discrimination has been delivered, raising awareness of reporting mechanisms and support networks available. The sessions included engagement of participants in an interactive discussion on incidents of gender discrimination in sport, sexism and homophobia, experienced by athletes during the matches. Basic principles of disciplinary procedures were presented to participants, reporting mechanisms at different levels of the game as well as case studies from incidents of gender discrimination in football.

This report aims to present the lessons learnt from athletes on reporting gender discrimination in sport, suggesting an innovative European model on reporting gender discrimination by providing guidelines to sports governing bodies. Analysing existing reporting mechanisms and often lack of support for victims of gender discrimination in sport, feedback from women athletes and leaders, the guidelines aim to address existing gaps and contribute to better data collection, access to remedy for victims and prevention of gender discrimination in sport, with a particular focus on grassroots level. Sport remains a heavily male-dominated industry where women are facing multiple barriers as well as direct discrimination. Whether its women working in men's sport as administrators, referees, covering the sport as journalists, or women athletes playing the sport, they routinely face discrimination in multiple forms and at all levels of the game. Simply put, gender discrimination or sexism includes any distinction, exclusion, unequal treatment or prejudice based on sex or gender.

Sexism can take many forms, from glass ceilings facing women in leadership and hostile environment, unequal treatment or pay in the workplace, disparaging comments about women in general or targeting players with chants or comments about their gender or sexual orientation. Whether in the boardrooms, workplace, on the pitch or on social media, gender discrimination is equally damaging.

Sexism is often coupled with homophobia, while ethnic minority or disabled women face even more discrimination. Extreme cases might take the form of gender-based violence and harassment. According to the data produced during the Mapping and SUE European Report, the barriers girls and women are facing include structural as well as overt types of discrimination in the form of sexist and homophobic abuse, comments and attitudes expressed at multiple levels in sport from the pitch to boardrooms. While focusing on sexism and homophobia any reporting mechanism has to take into account intersectionality and multiple forms of discrimination girls and women athletes and leaders are facing.

While gender discrimination is widespread in sport, there is a fundamental lack of data at all levels regarding the numbers of such incidents, resulting in lack of attention to the issue on policy level and lack of protection for women experiencing it.



According to the survey of 129 athletes and leaders as part of the SUE project, between 43% and 58% of respondents have experienced or witnessed acts of gender based discrimination towards women in the last year alone, but only 28% of leaders and 18% of athletes have ever reported it.



UK based 'Women in Football' have published the results of a survey of over 4 000 women working in football in 2020, with 66% of respondents saying they have personally experienced gender discrimination, 34% witnessed it but only 12% have reported it. While men's and women's sport, specifically football, are governed by the same governing bodies and bound by the same ethics and disciplinary codes, there exists a significant disparity in reporting mechanisms and primarily lack of systematic data on discriminatory incidents in women's sport. Hundreds of incidents of discrimination in men's football are being reported through online reporting forms of specialised NGOs, reporting apps or directly to governing bodies. Cases of racism and other forms of discrimination in men's football are regularly featured in major international media publications and sanctions against the perpetrators are regularly issued by respective governing bodies.

In contrast, women's football even at professional level often does not possess similar reporting mechanisms, which results in the numbers of incidents reported in women's football at professional level being much lower according to the Fare network. A specialised reporting mechanism for discriminatory incidents in women's football exists only in the UK, run by the Women in Football network, whose 2017/18 report saw an overall increase of almost 400% in the number of reports of sex discrimination and harassment incidents, with abuse on social media accounting for the biggest leap. No specialised reporting mechanisms or datasets for women's football – whether professional or grassroots – exist outside the UK or at European level.

Such a disparity in the number of incidents and specialised reporting mechanisms can not be explained by the actual difference in the number of discriminatory incidents in women's football, much more likely by the lack of awareness, access or trust in reporting mechanisms and low expectation of outcomes of such reporting. The differences in audience structures or numbers in men's and women's sport, if any, can have only marginal impact on direct discrimination experienced by girls and women at all levels in sport. The first incident of racist abuse in England at the top level of women's football was only recorded and dealt with by the English FA in January 2019. Tottenham defender Renee Hector was racially abused by Sheffield United's Sophie Jones during a Championship match in January. Jones was banned for five matches and fined £200 by the English FA. In January 2020 in England, Crystal Palace Women goalkeeper Lucy Gillett was subjected to sexist abuse during the English Women's Championship game at Coventry United. Men in the crowd called on the referee to 'check the gender' of several Palace players.

Collecting the dataset and providing effective reporting mechanisms as well as raising awareness about such mechanisms at European level is expected to have a significant impact on sports governing bodies, procedures for dealing with discrimination in sport, policies regarding discriminatory conduct as well as girls and women in a safer sporting environment.

Step Up Equality project suggests guidelines for sports governing bodies on how to set up effective reporting mechanisms for gender discrimination, ensure access to remedy for victims and helps to prevent incidents.

Why reporting matters

Gender discrimination remains underreported in sport for a variety of reasons. The male dominated sports environment encourages to 'take it easy' and present disparaging comments that create a hostile environment for women as 'jokes.' Institutional inequalities and structural barriers are taken for granted as a result of decades when women in sport and women's sport have been marginalised or ignored. Mechanisms and protocols for dealing with gender discrimination by regulatory bodies are often underdeveloped or not fit for purpose.

Many women would not report sexism because they don't trust existing structures to deal with it properly and don't trust it can lead to any outcomes. Others would hesitate to report it out of fear of being further marginalized for reporting it. Even when mechanisms to report incidents of gender discrimination in sport do exist, they might be not easily accessible, and many people would be unaware of such mechanisms.

Improving the reporting mechanisms and protocols, raising awareness and access to them and reporting incidents of gender discrimination is vital to changing the situation in sport for women. Reporting an incident of gender discrimination to a regulatory body of your sport, through national government mechanisms or to a specialised NGO, it can help to:

- Providing a remedy for the immediate victim/ target of discrimination
- Raising awareness of discrimination in sport
- Providing the data necessary for lobbying sport governing bodies to improve procedures for dealing with discriminatory conduct, protection of players and fans from discrimination.
- Contribute to discrimination-free work environment for athletes and more generally inclusive sporting environment at grassroots level.

Regulatory overview

Most sport governing bodies prohibit discrimination through various means – statutes, disciplinary codes, ethics codes or specialised rules depending on their legal organisation on national level. These provisions allow sport regulators to investigate reports about discrimination and apply disciplinary measures against the perpetrators who are bound by respective sport governing body codes. The regulations and disciplinary provisions are nevertheless not applied automatically as each report has to be investigated and heard in a disciplinary procedure similar to a court procedure but with a somewhat lower standard of proof needed to issue a sporting sanction against perpetrators. Given the multiple forms discrimination might take, not all instances of discrimination would result in a disciplinary procedure. Sport governing bodies can apply sanctions to individuals or entities under its jurisdiction – athletes, clubs, national associations and their employees and administrators. Clubs or national associations can also face sanctions for the behaviour of their fans under the legal principle of strict liability, for example in football.

In football, world football governing body FIFA can impose a ban of at least ten matches for discriminatory behaviour according to the FIFA Disciplinary Code 2019 edition, article 13 part 1:



Any person who offends the dignity or integrity of a country, a person or group of people through contemptuous, discriminatory or derogatory words or actions (by any means whatsoever) on account of race, skin colour, ethnic, national or social origin, gender, disability, sexual orientation, language, religion, political opinion, wealth, birth or any other status or any other reason, shall be sanctioned with a suspension lasting at least ten matches or a specific period, or any other appropriate disciplinary measure.



The FIFA Disciplinary Code has been updated in 2019 to include gender and sexual orientation as protected characteristics following continuous lobbying and in consultation with the Fare network.

An incident of gender discrimination can be loosely defined as an act of abuse, discriminatory or derogatory words or actions (by any means whatsoever), including verbal abuse, comments by officials or anyone bound by the respective governing body code of ethics or disciplinary code; or abuse directed at women athletes or administrators at any level, including through social media or other means. The incident should thus include a perpetrator as an individual or group of people, and directed against an individual or women in general. Such incidents can take place during or around the matches/ games, in the workplace or in the media/ social media targeting girls and women. Similar provisions exist at European level at UEFA as well as most national football associations.

Most Olympic and Paralympic sports model their disciplinary and ethics codes after the International Olympic and Paralympic Committees which prohibit discrimination on any grounds. The Olympic Charter establishes freedom from discrimination as one of the fundamental principles of Olympism:



The practice of sport is a human right. Every individual must have the possibility of practising sport, without discrimination of any kind and in the Olympic spirit, which requires mutual understanding with a spirit of friendship, solidarity and fair play.



For instances of discrimination that has a wider institutional or structural character, it might need to be addressed with a series of measures or policy changes rather than disciplinary action. This would require significant lobbying on part of civil society and internal readiness to change by the sport bodies.

Cases of discrimination in the workplace, pay inequality or the most extreme cases of gender violence and harassment that constitute a crime under national legislation could be regulated by national authorities or law enforcement.

Discriminatory abuse on social media can be addressed with the platform or law enforcement if it constitutes a crime under national legislation.

Sports governing bodies need to ensure that their regulations explicitly prohibit all forms of discrimination and identify responsibility and procedures for anyone who breaches the regulations.

Where to report: governing bodies, NGOs, state equality bodies, law enforcement

Reporting an incident of discrimination, in essence, means making the body responsible for enforcing the regulations aware of the incident and its details in order to investigate and prosecute alleged breaches of their regulations. Most sports governing bodies will accept reports about incidents of discrimination through their publicly available email address, phone or provide specific instruments to report discrimination, such as online reporting forms, apps or accept reports through third parties.

Anyone can report discrimination in sport they faced or witnessed or witnessed. Whether you are an athlete or administrator who faced gender discrimination or a fan who witnessed or became the victim of discriminatory behaviour, you can make a report.

Reports about incidents of gender discrimination can be made to:

- sport governing body (league, national or regional sport association, international sport federations),
- national equality bodies and law enforcement if the incident constitutes an offence or crime under national legislation or otherwise violates national laws, or specialised
- NGOs working to tackle discrimination in sport.

Only sport governing bodies and national government institutions can investigate incidents and apply sanctions in specific cases but reporting incidents to specialised NGOs can significantly facilitate the process.

Independent NGOs can provide support and advice on how to best address the incident, raise the incidents with responsible bodies even if the incident was reported anonymously and help to raise the profile of the incident with governing bodies if they are not handling the case appropriately. Some NGOs can offer support with lawyers, government agencies or bringing your report to the attention of social media platforms. NGOs can also collect statistics on incidents and use it to raise awareness or influence policy changes in sport governing bodies.

The specificity of grassroots sport is often in absence of strong regulatory or organising body or their lack of capacity to deal with reports. For grassroots sports, the support networks to provide assistance to victims of discrimination play an increasingly important role. Such support and solidarity groups should be formed and supported across the sports, consisting of athletes and NGOs to provide remedy to victims of discrimination.

Sport governing bodies can have specific mechanisms in place to collect reports, appoint an independent ombudsperson or third-party organisation to handle such reports, or handle reports incoming through regular communication channels – email or phone. While some sports governing bodies only receive reports from the public, others create dedicated reporting channels or establish specialised bodies to facilitate reporting discrimination.

Austrian Football Association (ÖFB) established a dedicated project called Fussball für Alle (Football for All) and a position of ombudsperson to handle reports about discrimination based on sexual orientation. The programme is also raising awareness of homophobia in football working with clubs and educational institutions.

Since 2013 at UEFA and 2015 at FIFA competitions, the Fare network is running a specialised Observer System to monitor and report incidents of discrimination during international football matches. Fare analyses matches into the likelihood of discriminatory incidents happening and sends trained observers to high-risk matches to record evidence of any incidents of discrimination. The reports are passed directly to the FIFA and UEFA disciplinary bodies stimulating better regulation and prevention of discriminatory incidents by football associations and clubs.

Specialised NGOs tackling discrimination in sport can have dedicated reporting forms that can also be filled anonymously or handle reports coming by email or phone. In football in the UK, 'Women in football' is collecting incident reports of sexism at national level. At international level in football, reports about any incidents of discrimination can be submitted to the Fare network.

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Unfortunately, similar efforts at national level in sport in other countries are largely lacking.

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As a rule, it is best to provide as much detail about the incident as possible – time, place, row or seat numbers in the stadium, if you know who the perpetrators are, as well as a detailed description of what exactly was said or done.

In the disciplinary process, sport governing bodies would be looking for evidence, thus it would greatly help if you have video, audio or photo evidence of the incident or other people who witnessed the incident.

If an incident was perpetrated by a person or group of people bound by respective sport governing body code of conduct, the report can be followed up and sanctions sought to be applied against the perpetrator(s). If the perpetrators are fans not bound by the respective sport governing body code of conduct, the club they are supporting can be held responsible according to the principle of strict liability (in football), set out as follows for example at the European football governing body UEFA.

According to Article 14(2) of the UEFA Disciplinary Regulations, clubs are responsible for the discriminatory conduct of their supporters. This responsibility applies to offences committed by any person supporting the team before, during or after the match, irrespective of the fault of the club in question, by applying the principle of strict liability, as has been regularly confirmed by the established jurisprudence of the disciplinary bodies of UEFA.

Additionally to the instruments available through the sporting disciplinary process, provided discrimination is duly included in respective governing body regulations, victims/targets of the abuse can seek remedy through the applicable national government instruments if the incident is considered a criminal offence according to the local legislation.

Partners in the SUE project can support incident reports and victims of abuse in accessing remedy with sports governing bodies at national level, and the Fare network at European and global level in football.

In case the incident reported concerns abuse outside the sporting event under the jurisdiction of a respective sport governing body, i.e. online or on social media, such incidents should be reported and collected through the database, but the follow up opportunities could be limited, such as reporting the perpetrators to the social media platform. Such incidents nevertheless represent an important part of the reporting framework to highlight the multitude of forms discrimination against women and girls takes.

How to report discrimination in sport

Athletes

If you are an athlete experiencing discrimination **on the pitch, training or locker room** during the game at grassroots or professional level from other players, officials, fans or anyone in the game, report it immediately to the referee. Referees can take immediate action if they also witnessed the incident or include your complaint in the official match report which will help address the incident in a disciplinary procedure. If your teammates saw or heard the incident, ask them to support your report to the referee. Tell about what happened to your coach or team administrators who can support your report with a written report to the governing bodies after the game.

If you face gender discrimination or unequal **working conditions**, you can take advice from your player union and seek support from the specialised NGOs or government agencies regulating discrimination in the workplace.

If you are subjected to discriminatory comments by anyone in administration of your team or sport, report them immediately to your team management, governing body and specialised NGOs.

If you are subjected to discriminatory abuse on social media, report the perpetrators or posts to the platform it was posted on as well as to specialised NGOs.

Fans

If you are watching the game as a fan in the stadium and being subjected to discriminatory abuse by other fans or witness discriminatory chants, banners or comments from other fans, report them immediately to stewards or other stadium or sport facility management staff. If stadium or facility personnel are the perpetrators of a discriminatory incident, try to note their bib number, name or any other details and send a written report to the facility management and sport governing body as well as specialised NGOs who can support your report.

If you are working in sport, playing at grassroots or professional level, work in administration or leadership positions in sport, please report any incidents of gender discrimination to help to challenge denial and make sporting environment safer for other women.

Guidelines for Sports Governing Bodies on Reporting Gender Discrimination

Sport constitutes one of the most powerful instruments to bring people together and foster social interactions, health, confidence and solidarity. It also mirrors societal divisions and patterns of discrimination in our societies. Women and minorities often face barriers, unequal representation and discrimination both in professional and grass-roots sport. Women in sport require specific protection and support mechanisms due to decades of neglect and unequal opportunities, as well as omnipresent machoistic and sexist cultures in many sports environments.

Organisers of the competitions and sports governing bodies can no longer regulate only rules of their sport and technical aspects but have to ensure that all participants are protected from discrimination – athletes, administrators and officials in their workplace, fans and media representatives in the game.

As part of the Step Up Equality project, we have put together this set of recommendations for sports governing bodies on reporting gender discrimination. Whether used as a starting point or a consolidation of your ongoing efforts, these guidelines serve to empower all stakeholders to fight discrimination in a meaningful and sustainable manner and establish necessary procedures and support mechanisms in a victim-centred approach.

1. Embed anti-discrimination and diversity commitment throughout the organisation

From statutes and mission of the organisation, clear commitment at the top to recruitment, refereeing, licensing, discipline and operations – every department will benefit from diversity and anti-discrimination policies and practices spelled out and implemented.

2. Update disciplinary and ethics regulations

Both should include protection from all forms of discrimination and strict sanctions for anyone who engages in discriminatory behaviour, including disqualification, financial as well as time and performance-related bans. An educational component is important to add to disciplinary measures to change behaviours in the future. All forms of discrimination need to be explicitly prohibited in the regulations.

3. Consistent application of disciplinary measures

Corresponding to the gravity of discriminatory offences, minimum sanctions need to go beyond monetary fines.

4. Establish a clear and simple reporting channel

Discrimination has a devastating impact on athletes and anyone in sport experiencing it. Victims of discrimination are facing multiple barriers in speaking out about their experiences. Recording incidents in official competition or match reports can not be enough. Whether an online form, app or specialised ombudsperson hotline, a dedicated reporting channel has to be established, with the possibility of reporting discrimination anonymously.

5. Promote the dedicated reporting channel

One of the reasons gender discrimination remains underreported is lack of awareness about the reporting mechanisms. Make sure that players, regional associations, clubs and everyone in the game are informed and promote the reporting channel.

6. Communicate about the process

People who were subjected to discrimination or witnessed it need to have a clear overview of the process, what happens with their report. Have a publicly available description of the process and appeal mechanisms.

7. Maintain independence of the disciplinary and ensure investigation powers

While disciplinary committees in sports governing bodies are formally independent, it is important to make sure that this independence is operational when incidents of discrimination are reported, especially if the alleged perpetrators are part of governing bodies. Disciplinary bodies need to have the power to investigate complaints and actively seek evidence and information from parties and witnesses, not only decide based solely on submissions. In football, UEFA Control, Ethics and Disciplinary Body introduced the possibility to appoint an Ethics and Disciplinary Inspector to investigate cases and seek information.

8. Protocol for referees

Referees should receive training on what to do if a player being the victim of discrimination on the pitch from other player, fans or officials. If discriminatory abuse comes from the stands, a protocol for referees similar to the three-step protocol adopted by FIFA and UEFA should be in place to immediately react.

Any incidents of discrimination between players, whether witnessed by the referee or reported to them by others, should be logged into the referee report.

9. Support the victims

Players suffering discriminatory abuse need protection both on the pitch by referees and officials as well as off the pitch reacting decisively against the perpetrators and preventing further abuse.

10. Awareness at youth and grassroots level

Discrimination is becoming increasingly manifested between players, especially at youth and grassroots level, thus trainings on diversity and anti-discrimination should be an integral part of any sports education and competitions.

11. Players training on responding to discrimination

Players need to be trained on how to respond to discrimination if they are abused on the pitch or from the stands, or witness abuse. Reporting discrimination to the referee immediately will help to better address and investigate the incidents. Players who became victims of discrimination should be supported by the referees, not punished or silenced. Teammates need to be ready to support their teammates who suffer abuse.

12. Work with anti-discrimination NGOs and state authorities

Specialised NGOs and community groups as well as government agencies might help to address discrimination.

13. Encourage creation of support groups at grassroots level

Victims of discrimination need to be able to seek support in their immediate community – club, city or sport association. Work with regional associations and clubs to support the creation of such groups.



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