



INTERNATIONAL LAW  
JOURNAL

---

**WHITE BLACK  
LEGAL LAW  
JOURNAL**  
**ISSN: 2581-  
8503**

**Peer - Reviewed & Refereed Journal**

The Law Journal strives to provide a platform for discussion of International as well as National Developments in the Field of Law.

[WWW.WHITEBLACKLEGAL.CO.IN](http://WWW.WHITEBLACKLEGAL.CO.IN)

### **DISCLAIMER**

No part of this publication may be reproduced or copied in any form by any means without prior written permission of Editor-in-chief of White Black Legal – The Law Journal. The Editorial Team of White Black Legal holds the copyright to all articles contributed to this publication. The views expressed in this publication are purely personal opinions of the authors and do not reflect the views of the Editorial Team of White Black Legal. Though all efforts are made to ensure the accuracy and correctness of the information published, White Black Legal shall not be responsible for any errors caused due to oversight or otherwise.

WHITE BLACK  
LEGAL

## **EDITORIAL** **TEAM**

### **Raju Narayana Swamy (IAS ) Indian Administrative Service** **officer**



Dr. Raju Narayana Swamy popularly known as Kerala's Anti Corruption Crusader is the All India Topper of the 1991 batch of the IAS and is currently posted as Principal Secretary to the Government of Kerala . He has earned many accolades as he hit against the political-bureaucrat corruption nexus in India. Dr Swamy holds a B.Tech in Computer Science and Engineering from the IIT Madras and a Ph. D. in Cyber Law from Gujarat National Law University . He also has an LLM (Pro) ( with specialization in IPR) as well as three PG Diplomas from the National Law University, Delhi- one in Urban Environmental Management and Law, another in Environmental Law and Policy and a third one in Tourism and Environmental Law. He also holds a post-graduate diploma in IPR from the National Law School, Bengaluru

and a professional diploma in Public Procurement from the World Bank.

### **Dr. R. K. Upadhyay**

Dr. R. K. Upadhyay is Registrar, University of Kota (Raj.), Dr Upadhyay obtained LLB , LLM degrees from Banaras Hindu University & Phd from university of Kota.He has succesfully completed UGC sponsored M.R.P for the work in the ares of the various prisoners reforms in the state of the Rajasthan.





## **Senior Editor**

### **Dr. Neha Mishra**



Dr. Neha Mishra is Associate Professor & Associate Dean (Scholarships) in Jindal Global Law School, OP Jindal Global University. She was awarded both her PhD degree and Associate Professor & Associate Dean M.A.; LL.B. (University of Delhi); LL.M.; Ph.D. (NLSIU, Bangalore) LLM from National Law School of India University, Bengaluru; she did her LL.B. from Faculty of Law, Delhi University as well as M.A. and B.A. from Hindu College and DCAC from DU respectively. Neha has been a Visiting Fellow, School of Social Work, Michigan State University, 2016 and invited speaker Panelist at Global Conference, Whitney R. Harris World Law Institute, Washington University in St.Louis, 2015.

### **Ms. Sumiti Ahuja**

Ms. Sumiti Ahuja, Assistant Professor, Faculty of Law, University of Delhi,

Ms. Sumiti Ahuja completed her LL.M. from the Indian Law Institute with specialization in Criminal Law and Corporate Law, and has over nine years of teaching experience. She has done her LL.B. from the Faculty of Law, University of Delhi. She is currently pursuing Ph.D. in the area of Forensics and Law. Prior to joining the teaching profession, she has worked as Research Assistant for projects funded by different agencies of Govt. of India. She has developed various audio-video teaching modules under UGC e-PG Pathshala programme in the area of Criminology, under the aegis of an MHRD Project. Her areas of interest are Criminal Law, Law of Evidence, Interpretation of Statutes, and Clinical Legal Education.



### **Dr. Navtika Singh Nautiyal**

Dr. Navtika Singh Nautiyal presently working as an Assistant Professor in School of law, Forensic Justice and Policy studies at National Forensic Sciences University, Gandhinagar, Gujarat. She has 9 years of Teaching and Research Experience. She has completed her Philosophy of Doctorate in 'Intercountry adoption laws from Uttranchal University, Dehradun' and LLM from Indian Law Institute, New Delhi.



### **Dr. Rinu Saraswat**

Associate Professor at School of Law, Apex University, Jaipur, M.A, LL.M, Ph.D,

Dr. Rinu have 5 yrs of teaching experience in renowned institutions like Jagannath University and Apex University. Participated in more than 20 national and international seminars and conferences and 5 workshops and training programmes.

### **Dr. Nitesh Saraswat**

E.MBA, LL.M, Ph.D, PGDSAPM

Currently working as Assistant Professor at Law Centre II, Faculty of Law, University of Delhi. Dr. Nitesh have 14 years of Teaching, Administrative and research experience in Renowned Institutions like Amity University, Tata Institute of Social Sciences, Jai Narain Vyas University Jodhpur, Jagannath University and Nirma University.

More than 25 Publications in renowned National and International Journals and has authored a Text book on Cr.P.C and Juvenile Delinquency law.



### **Subhrajit Chanda**

BBA. LL.B. (Hons.) (Amity University, Rajasthan); LL. M. (UPES, Dehradun) (Nottingham Trent University, UK); Ph.D. Candidate (G.D. Goenka University)

Subhrajit did his LL.M. in Sports Law, from Nottingham Trent University of United Kingdoms, with international scholarship provided by university; he has also completed another LL.M. in Energy Law from University of Petroleum and Energy Studies, India. He did his B.B.A.LL.B. (Hons.) focussing on International Trade Law.

## ***ABOUT US***

WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal provided dedicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you

# **“SEXUAL HARRASMENT IN SPORTS AND THE LAWS WHICH PREVENTS IT”**

AUTHORED BY - KEERTHI VAASAN KR

## **Introduction**

Gender, age, and sport-specific differences do not apply to the urgent problem of sexual harassment in sports. It entails unwanted sexual advances, requests for sexual favours, and other sexually suggestive words or deeds that inspire fear, hostility, or offense. This study of the literature looks at the incidence of sexual harassment in sports, its effects, and the laws put in place to stop it. The conversation incorporates conclusions from numerous research projects, publications, and legal evaluations to offer a thorough grasp of the subject.

## **Prevalence of Sexual Harassment in Sports**

Every level of athlete, from amateur to professional, is affected by the widespread problem of sexual harassment in sports. Several reports and studies demonstrate how pervasive this problem is. For example, research by Brackenridge (2001) discovered that, out of a sample of 1,000 female athletes, 37% reported being the victim of sexual abuse or harassment. In a similar vein, 36% of athletes reported experiencing sexual harassment, according to a 2018 survey conducted by the U.S. Center for SafeSport.

The frequency varies throughout sports and populations. Although male athletes are not exempt, female athletes are targeted more frequently. Young athletes are more vulnerable, especially those who are still developing. Studies conducted by Kirby, Greaves, and Hankivsky (2000) revealed that trainers, coaches, and other authoritative persons frequently harass others by abusing their positions of authority.

## **Impact of Sexual Harassment on Athletes**

The consequences of sexual harassment in sports are profound and multifaceted, affecting victims' physical, psychological, and emotional well-being. The immediate impact includes anxiety, depression, and a decline in performance. Long-term effects can be severe, leading to chronic mental health issues, withdrawal from sports, and, in some cases, suicidal tendencies.

**Psychological Impact:** Serious psychological trauma can result from sexual harassment. Post-



traumatic stress disorder (PTSD), anxiety, sadness, and a lowered sense of self-worth are frequently experienced by victims. Athletes who were harassed reported higher levels of psychological distress than their counterparts, according to a 2009 study by Stirling and Kerr. Physical Effects: The stress and anxiety brought on by harassment can have a physical impact, leading to eating disorders, sleep disorders, and other health problems. Burnout and injury can also result from the strain to meet the expectations of coaches.

Social Impact: A loss of trust in the sports community, strained relationships with teammates, and isolation are some of the social repercussions. Victims' social interactions may suffer as a result of feeling abandoned and unsupported.

### **Legislative Structures to Stop Sexual Abuse in Sports**

Strong legislative frameworks and procedures are necessary to address sexual harassment in sports. Laws and rules have been put in place in a number of nations to safeguard athletes and punish offenders accountable. The efficacy of important legal frameworks is examined in this section.

### **International Rules and Regulations**

To stop sexual harassment in sports, international organizations like the United Nations (UN) and International Olympic Committee (IOC) have created rules and regulations. The 2007 IOC "Consensus Statement on Sexual Harassment and Abuse in Sport" provides global sports organizations with guidelines for response and prevention measures. In a similar vein, member states are required by the UN's "Convention on the Elimination of All Forms of Discrimination Against Women" (CEDAW) to take the necessary actions to end harassment and discrimination in sports.

### **National Laws and Policies**

Laws against sexual harassment in sports have been passed in a number of nations, with differing levels of strictness and enforcement.

United States: The United States has a number of legal tools to stop sexual harassment in sports. The Education Amendments of 1972's Title IX forbids sex-based discrimination in any activity or program that receives federal funding for education, including sports.



Congress founded the U.S. Center for SafeSport in 2017; it is an independent agency whose mission is to eradicate sexual abuse in sports via policy, research, and education.

Canada: The "Safe Sport Program" and the "Canadian Sport Policy" in Canada seek to provide a secure and welcoming atmosphere for athletes. The federal, provincial, and territorial governments have pledged to protect athlete safety through the "Red Deer Declaration for the Prevention of Harassment, Abuse, and Discrimination in Sport" (2019).

United Kingdom: The country has strong laws, such as the "Equality Act 2010," that shield people from harassment and discrimination in a variety of settings, including sports. For the protection of young athletes, the "Child Protection in Sport Unit" (CPSU) offers guidelines and resources.

Australia: To promote inclusive, safe, and equitable sports environments, the country's government and sports sectors have partnered to launch the "Play by the Rules" project. The "National Integrity Framework" has guidelines for dealing with discrimination, harassment, and abuse.

### **Effectiveness of Legal Frameworks**

Although these legislative frameworks are a big step forward, their efficacy vary depending on cultural, awareness, and implementation variables.

Application and Enforcement: It is essential that laws be applied and enforced effectively.

There are frequently discrepancies between policy and practice. Research indicates that the efficacy of legal measures may be impeded by irregular enforcement, insufficient resources, and insufficient training provided to officials and coaches (Kerr, Willson, & Stirling, 2020).

Awareness and Education: It is crucial to educate stakeholders about sexual harassment and their rights, as well as to raise awareness of the issue. Thorough training programs can promote an environment of accountability and respect among athletes, coaches, and sports administrators. Studies by Fasting, Brackenridge, and Sundgot-Borgen (2004) demonstrate how education has a beneficial effect in lowering incidences of harassment.

Cultural and Societal Factors: The efficacy of legislative frameworks is influenced by cultural and societal attitudes toward gender and power dynamics. Because they fear being stigmatized or facing reprisals, victims of harassment may be reluctant to report incidents in communities where gender biases and power imbalances are deeply ingrained. Encouraging a safe sports environment requires addressing these cultural hurdles.

### **Case Studies and Notable Incidents**

Analyzing particular instances of sexual harassment in sports sheds light on the difficulties and achievements encountered in the fight against this problem.

One of the most well-known cases of sexual abuse in sports history is the Larry Nassar case. Nassar was found guilty of sexually abusing hundreds of young female athletes while serving as the team doctor for USA Gymnastics. The U.S. Center for SafeSport was established as a result of the case, which revealed systematic shortcomings in athlete protection.

Football Association (FA) Abuse Scandal: The Football Association (FA) in the United Kingdom was embroiled in a significant scandal involving past claims of sexual abuse. The disclosures sparked an extensive examination and resulted in the introduction of more stringent safeguarding guidelines and victim assistance programs.

Canadian Junior Hockey League: There have been accusations of sexual harassment and abuse against players in the Canadian Junior Hockey League. A greater level of scrutiny and the creation of stronger policies to protect young athletes have been brought about by high-profile cases.

### **Recommendations for Improvement**

Resolving sexual harassment in sports necessitates a multifaceted strategy that include education, policy improvement, and cultural shifts.

Policy Enhancement: It's critical to close legislative loopholes and reinforce current policies. Legal frameworks can be kept current and useful by undergoing regular evaluations and modifications. Accountability can be improved by putting mandatory reporting procedures in place and offering precise instructions for inquiries.

**Education and Training:** It is imperative that all stakeholders participate in extensive education and training programs. Parents, coaches, athletes, and sports administrators fall under this category. Programs have to emphasize identifying warning indications of harassment, comprehending legal rights, and promoting an inclusive and respectful culture.

**Support Networks for Victims:** It's critical to give victims strong support networks. This covers easily available channels for reporting issues, counseling services, and legal support. More victims may come forward if secrecy and protection from reprisals are guaranteed.

**Encouraging Gender Equality:** Reducing power dynamics that frequently underpin harassment can be achieved by addressing gender disparities and encouraging equality in sports. Promoting female involvement in leadership positions and decision-making procedures can foster an atmosphere that is more welcoming to everybody.

### **Conclusion**

In order to properly handle the complicated issue of sexual harassment in sports, all relevant parties must work together. Even though there has been a lot of progress in creating legal frameworks and rules, there are still issues with awareness, cultural attitudes, and execution. To establish a secure and welcoming sports environment, a comprehensive strategy integrating policy improvement, education, support networks, and cultural transformation is required. In order to end sexual harassment and guarantee the welfare of all athletes, the sports community must keep up its efforts to increase awareness, assist victims, and hold offenders accountable.

### **Endnotes:**

1. Sexual harassment and sexual relationships between coaches, other athletic personnel and athletes, Women's sports foundation,  
<https://www.womenssportsfoundation.org/wp-content/uploads/2016/08/sexual-harassment-sexual-harassment-and-sexual-relationships-between-coaches-other-athletic-personnel-and-athletes-the-foundation-position.pdf>
2. Mary Liao & Katherine Craig , Tackling violence against women and girls in Sport UNESCO,  
[https://www.unwomen.org/sites/default/files/2023-07/3343\\_unwomen\\_unesco\\_vawg\\_handbook\\_6a\\_singlepage.pdf](https://www.unwomen.org/sites/default/files/2023-07/3343_unwomen_unesco_vawg_handbook_6a_singlepage.pdf)