

Sexual Harassment - Questionnaire Survey for Sports Sector 2018

Survey Findings

Background

Sports organisations, including National Sports Associations (NSAs), as both an employer and a service provider, have the obligation to provide a sexual-harassment free environment for their employees and athletes to participate in sports activities. Under the Sex Discrimination Ordinance (SDO), sexual harassment refers to any unwelcome sexual advance or request for sexual favours in circumstances in which a reasonable person would have anticipated that the individual affected would be offended, humiliated or intimidated. Engaging in conduct of a sexual nature which creates a hostile and intimidating environment is also unlawful. Therefore, the provisions of the SDO provide a wide coverage, ranging from verbal sexual harassment to indecent assault and sexual assault.

2. With the aim of promoting the awareness of sexual harassment in the sports sector, the Equal Opportunities Commission (EOC) has been in partnership with the Sports Federation & Olympic Committee of Hong Kong, China (SF&OC) to organise a series of anti-sexual harassment seminars and training workshops for NSAs. Along with workshops and seminars, the EOC has also prepared an updated policy framework and an easy guide on “Formulating Policy on Sexual Harassment in Sports Organisations” for sports organisations to develop a comprehensive and effective anti-sexual harassment policy (“Anti-SH Policy”).

3. As an attempt to explore whether NSAs in Hong Kong have adopted an effective Anti-SH Policy and their efforts on preventing sexual harassment, the EOC and the SF&OC has carried out a baseline questionnaire survey “Sexual Harassment – Questionnaire Survey for Sports Sector in Hong Kong” in 2014. A follow-up study on “Sexual Harassment – Questionnaire Survey for Sports Sector 2018” was conducted to understand the latest situation about the formulation of Anti-SH Policy. The follow-up study also explored whether NSAs have sufficient resources to provide awareness training for their staff and coaches on preventing sexual harassment.

4. NSAs, being the sole bodies governing their respective sports, are responsible for coordinating local sports organisations and promoting interests in sports in Hong Kong. The number of NSAs under the SF&OC increased from 75 in 2014 to 79 in 2018.

5. NSAs are not only responsible for governing sports organisations in the respective sports disciplines with the objectives of promoting and developing sports locally, but also selecting athletes to represent Hong Kong in international competitions. Power dynamics and power relationship may involve in this setting. Therefore, NSAs are expected to carry out reasonable practicable steps to safeguard their members, employees and athletes from the abuse of power, quid pro quo harassment, and sexual harassment.

6. The questionnaires were disseminated by e-mail via the SF&OC to the 79 NSAs in Hong Kong during a three-month period from July 12 to October 12, 2018. The completed questionnaires were directly returned to the EOC by e-mail or by fax. Out of the 79 questionnaires given to the NSAs, 42 completed questionnaires were returned to the EOC, and the response rate was 53%. In the similar study conducted by the EOC in 2014, 57 out of 75 NSAs responded to the questionnaire survey and the response rate was 76%.

7. According to the 42 responded NSAs, there are altogether over 211,570 individual members (N = 40) and 1,711 affiliated clubs (N = 41) in their membership lists. A total of 3,474 coaches and 2,447 staff members including both full-timers and part-timers were employed by the NSAs (*Table 1*). These figures indicated that a large number of people participate in sports activities organised by the responded NSAs.

Key Findings

About half of the responded NSAs will have formulated the policy in 2019

8. There has been an increase in the number of NSAs that have formulated an Anti-SH Policy in the past five years (2014-18). Among those 42 responded NSAs, 22 (52%) reported that they had formulated a written Anti-SH Policy whereas 20 respondents (48%) did not have one (*Chart 2*), while the 2014 survey indicated that only 7 (12%) of the responded NSAs formulated an Anti-SH Policy and the majority of NSAs (88%) did not have one (*Chart 2.1*). The increase in percentage terms is high as the number of NSAs with an Anti-SH Policy was low five years ago. However, the 22 NSAs that currently have an Anti-SH Policy only represent 28% of the 79 NSAs in total.

9. Having said that, the overall picture is likely to be better by the end of this year as a substantial number of NSAs said they are drafting the Anti-SH Policy at the moment and will have the job done by the fourth quarter of 2019. Among those NSAs that do not have an Anti-SH Policy (N = 20), 17 (85%) of them reported that they are currently formulating the policy and the policy are expected to be completed within 12 months after the survey (*Chart 3*). Only 3 NSAs (15%) replied that they are not going to formulate an anti-sexual harassment policy, as they already have a Code of Ethics for members/staff/coaches in place (*Table 3.1*). In other words, a total of 39 NSAs will have their own anti-sexual harassment policy by the fourth quarter of 2019 if those NSAs currently formulating their Anti-SH Policy keep their promise and schedule. If that is the case, it is hopeful that nearly half of the 79 NSAs (49%) in Hong Kong will have an Anti-SH Policy of their own by the fourth quarter of 2019. Compared to the similar study conducted in 2014, only 8 NSAs (16%) considered formulating Anti-SH Policy in the next 12 months.

10. The survey also asked when the NSAs formulated and reviewed their anti-sexual harassment policy. Six NSAs (27%) formulated the policy before 2015, 41% formulate the policy during 2015-2017 and 32% formulated their policy in 2018 (*Chart 4*). Such findings coincide with the two rounds of anti-sexual harassment campaign conducted by the EOC in collaboration with SF & OC in 2014/15 and early 2018 respectively, which indicates that awareness raising is helpful for promoting Anti-SH Policy in the sports sector. Among those NSAs that had developed the policy before 2017, 6 of them have reviewed the policy during 2017-2018.

The comprehensiveness and accessibility of the anti-sexual harassment policy

11. The survey examined whether NSAs adopted some important items when formulating their Anti-SH Policy. The 11 important items include “A clear statement that indicates the management is committed to prevent sexual harassment and will not tolerate any sexual harassment”, “Definition of sexual harassment and examples of sexual harassment”, “The policy applies to all coaches and other employees of the sports association”, etc. (*Chart 5*)

12. Among the 22 NSAs with a written Anti-SH Policy, the least number of NSAs included the names and contact of the designated persons for handling sexual harassment complaints (55%) in their Anti-SH Policy. Fewer NSAs have included a note on assurance

that no one will be penalized for coming forward with a complaint in good faith (59%) and the complainant may lodge a complaint directly with the EOC or take action in the District Court (59%). Having said that, most of them included the important elements in their policy. The most common items in their policy include (*Chart 5*):

- a. The policy applies to all coaches and other employees of the sports association (100%);
- b. A clear statement that indicates the management is committed to prevent sexual harassment and will not tolerate any sexual harassment (95%);
- c. Internal procedures for dealing with sexual harassment complaints (86%);
- d. Definition of sexual harassment and examples of sexual harassment (82%);
- e. An assurance that confidentiality will be observed (77%).

13. There has been a substantial improvement in the accessibility and transparency of the Anti-SH Policy of NSAs in the past five years. When the NSAs were asked about the way they notify individual members or affiliated clubs about their anti-sexual harassment policy (N = 22), 55% (12 out of 22) replied that they notified members of the policy by posting it on their website, and 45% (10 out of 22) replied that they made the notification via e-mail (*Chart 6*). Compared with the similar survey conducted in 2014, none of the NSAs has uploaded the policy on their website, and only 3 NSAs informed their members about the policy via e-mail. These results suggested that individual members, affiliated clubs and the general public may now have an easier access to the policy. The present findings showed that about half of the NSAs with an Anti-SH Policy notified individual members and sports clubs about the policy by e-mail. The easy access to the Policy may also help increasing the awareness on preventing sexual harassment within the sports clubs.

Preventive measures on anti-sexual harassment

14. Results from the current study in 2018 indicated that more NSAs have taken preventive measures against sexual harassment than the previous 2014 study. The results suggested a substantial improvement among NSAs to adopt preventive measures to enhance staff and members' awareness on sexual harassment. The most common preventive measures adopted by NSAs are as follows (*Chart 7*):

- 64% (25 out of 39) of the responded NSAs in 2018 have “Require the prospective employees and coaches to verify nil criminal conviction records against a specified list of sexual offences under the ‘Sexual Conviction Record Check’ Scheme”, compared to 26% (15 out of 57) in 2014;
- 46% (18 out of 39) of the responded NSAs “Provide anti-sexual harassment training for coaches”, compared to only 12% (7 out of 57) in 2014; and
- 38% (15 out of 39) of the responded NSAs “Require coaches to sign an acknowledgment and consent form after reading the policy/Code of Ethics/Guidelines on sexual harassment”, compared to 16% (9 out of 57) in 2014.

15. In addition, the 2018 study found that 60% of the responded NSAs provide coaches with Code of Ethics/Guidelines on sexual harassment (*Chart 8*). It also suggested that NSAs with Anti-SH Policy are more likely to develop a Code of Ethics for coaches. Among those responded NSAs with Anti-SH Policy, 84% also developed a Code of Ethic for coaches. In contrast, among NSAs that did not have Anti-SH Policy, only 45% reported having a Code of Ethics for their coaches (*Table 9*).

16. Furthermore, NSAs with an Anti-SH Policy are more likely to provide awareness training to their staff and coaches for preventing sexual harassment. The results showed that 50% of the NSAs with an Anti-SH Policy have regularly provided training to their staff and coaches to prevent sexual harassment. For responded NSAs without an Anti-SH Policy, only 21% provide training to their staff and coaches, whereas 79% did not provide any training to their staff and coaches on prevention of sexual harassment (*Table 10*).

Lack of funding and resource for preventing sexual harassment in sports sector

17. A written Anti-SH Policy and awareness training programmes are both essential elements for an effective sexual harassment preventive strategy. The majority of the responded NSAs (93%) were subvented by the Leisure and Cultural Services Department (LCSD) (*Chart 13*). The result indicated that nearly half of the subvented NSAs (45%) did not have an Anti-SH Policy (*Table 14*).

18. Around three-fifths of the responded NSAs (63%) did not provide awareness training on sexual harassment to their employees/coaches (*Chart 11*). It is important to note that only 15% of the responded NSAs have regularly provided the relevant awareness training to their staff/coaches. About 62% of the responded NSAs reported their resources were

insufficient to provide awareness training to prevent sexual harassment (*Chart 15*). According to the survey results, there was a large demand on training on preventing and managing sexual harassment for the NSAs' staff members and coaches. The majority of the responded NSAs (95%) showed interest in attending training courses organised by the EOC (*Chart 12*).

19. The study also attempted to find out whether subvented NSAs have received sufficient resources from the Government for providing awareness training for their staff and coaches to prevent sexual harassment. The result indicated 58% of the Government subvented NSAs replied that they did not have adequate resources to provide such training (*Table 16*). Also, in the survey, when we asked the NSAs to specify the reasons for not providing awareness training to their employees and coaches, some subvented NSAs stated that they "Does not have time and resources to run such training", "The Government funding scheme does not include this item". For the non-subvented NSAs, they are self-funded through membership fees and their manpower and resources are limited. Some NSAs rely on the Government or public authorities to provide the prevention training, for example, one of the responded NSA stated "Relies on LCSD/SF&OC/HKSI to organise training on the prevention of sexual harassment" (*Table 17*).

20. The findings revealed that lack of manpower may also be one of the factors that NSAs did not formulate an Anti-SH Policy. In the study, we categorized the NSAs into two groups: (i) NSAs with fewer staff – number of employees (both full-time & part-time) are 10 or below, and (ii) NSAs with more staff – more than 10 employees (both full-time & part-time). Over half of the NSAs with Anti-SH Policy (52%) have 10 or more employees in their organisation. In contrast, 82% of NSAs without Anti-SH Policy are those with fewer number of staff (*Table 18*). This result suggested smaller NSAs with fewer employees are less likely to formulate Anti-SH Policy.

Sexual harassment complaints

21. According to the responded NSAs (N = 40), 6 NSAs reported a total of 7 sexual harassment complaint cases in past three years. The form of sexual harassment of those cases included inappropriate physical touching, patting and/or kissing (n = 3); verbal, textual and/or electronic messages related to sex (n = 3); non-verbal sex cues (n = 1) (*Table 19*).

Recommendations

22. It is encouraging to note the number of NSAs with an Anti-SH Policy has increased from 7 NSAs (13% of the responding NSAs) in 2014 to 22 NSAs (52% of the responding NSAs) in 2018. By the fourth quarter of 2019, another 17 NSAs is expected to complete their Anti-SH Policy. Also, 84% of the responded NSAs with Anti-SH Policy have developed a Code of Ethic for their coaches. Compared to the previous study, more NSAs have implemented a comprehensive Anti-SH Policy and adopted multi-preventive measures to safeguard their members, employees and athletes from sexual harassment. These results suggested an improvement on the awareness of NSAs on preventing sexual harassment.

23. However, the abovementioned findings have to be interpreted with caution given that 37 NSAs did not respond to the questionnaire survey. There is a possibility that the NSAs with an Anti-SH Policy may be more likely to respond to the questionnaire, while those that have not yet adopted a policy on anti-sexual harassment tend not to do so.

24. Earlier in 2018, the EOC has updated the policy framework and published an easy guide on “Formulating Policy on Sexual Harassment in Sports Organisations” to help sports organisations to develop a comprehensive and effective anti-sexual harassment policy. The EOC will continue to offer help to NSAs and sports organisations, especially in providing anti-sexual harassment training to their staff members, coaches and athletes.

25. The International Olympic Committee (IOC) has also developed a toolkit to assist International Sports Federations (IFs) and National Olympic Committees (NOCs) in the protection of athletes from harassment and abuse. The toolkit provided a step-by-step approach to assist IFs and NOCs in developing policies and procedures to prevent harassment and abuse in sports. It is also intended to offer potential solutions to common challenges which may occur when developing such policies. However, the toolkit is a 106-page document and only in English. The EOC believes that the SF&OC should provide an abridged Chinese version of the toolkit for their Members to facilitate their use of it as reference in developing the Anti-SH Policy and safeguarding procedures. The EOC is also of the view that the SF&OC should encourage the new member associations, existing NSAs and their affiliated clubs to adopt the IOC Consensus Statement on “Sexual Harassment and Abuse in Sport”.

26. Regarding the implementation of Anti-SH Policy and the safeguarding procedures, it is recommended that NSAs should have a transparent mechanism, such as uploading their Anti-SH Policy, complaint handling procedure, Code of Ethics and other safeguarding procedures related to anti-discrimination onto their websites.

27. According to the survey findings, a number of NSAs have formulated the Anti-SH Policy and/or Code of Ethics against sexual harassment. Some of them have reviewed their policy during 2017-2018. These updated policies are useful resources and reference materials to help those without a policy to formulate one for their own. It is recommended that NSAs with an Anti-SH Policy should encourage their affiliated clubs to adopt the policy and/or Code of Ethics.

28. The SF&OC may strengthen its liaison role to help NSAs in sharing their experience and exchange views to develop an effective Anti-SH Policy and relevant preventive measures, such as, organising seminars and workshops to promote equal opportunities and anti-sexual harassment.

29. The Hong Kong Government has a key role to play to promote the prevention of sexual harassment in the sports sector. The Leisure and Cultural Services Department (LCSD) is responsible for administering the funding mechanism, the Sports Subvention Scheme, to support sport development in Hong Kong. NSAs are required to sign a subvention agreement with LCSD. In January 2019, the Government announced the LCSD is conducting a review of the Sports Subvention Scheme which covers “funding principles and eligibility for NSAs and other sports organisations”; and “measures to enhance monitoring and corporate governance”. The LCSD may consider making the formulation of a written Anti-SH Policy, the establishment of a transparent mechanism for handling sexual harassment complaints, the uploading of the Anti-SH Policy on website and the reporting of sexual harassment cases to the LCSD as part of the funding principles and measures to enhance corporate governance of NSAs. The EOC will review the development and implementation of Anti-SH Policy among NSAs in the coming years.

30. From the research findings, the LCSD provides a major source of funding for NSAs. Over 90% of NSAs are subvented by LCSD. However, almost 60% of the LCSD subvented NSAs indicated that they did not have sufficient funding or resources from the Government to carry out the reasonably practicable steps to prevent sexual harassment. Even though some NSAs have developed the Anti-SH Policy, they did not have additional resources to provide

anti-sexual harassment training to their coaches, members and athletes, especially those relatively small-size NSAs with less manpower and less resources. The Government should consider extending the coverage of the current funding scheme for athletes and coaching professional development, including training on equal opportunities and anti-sexual harassment. The Government should provide adequate resources and funding for NSAs and sports clubs to carry out safeguarding measures to protect all staff and athletes, especially young athletes, from sexual harassment and sexual abuse.

31. Over the years, the Government has enhanced its financial commitment to support sports development and promotion in the local and international arenas. In the interests of long term sports development in Hong Kong, members of the public also have high expectation on providing a safe and mutually respectful environment for athletes, coaches and staff members in sports sector.

Tables and Charts

Table 1: Size of the responded NSAs in terms of number of affiliated members, individual members, coaches and staff

	Number of affiliated member clubs	Number of individual members	Number of coaches	Number of staff (excluding coaches)
Total number	1711	211570	3474	2447
Mean	51.8	6222.6	99.3	64.4
Median	38	1016	44	7
Min	2	70	1	2
Max	166	80000	572	1553
Responded NSAs	N = 41	N = 40	N = 38	N = 40

Chart 2 Has your NSA developed a written policy on anti-sexual harassment? (N = 42)

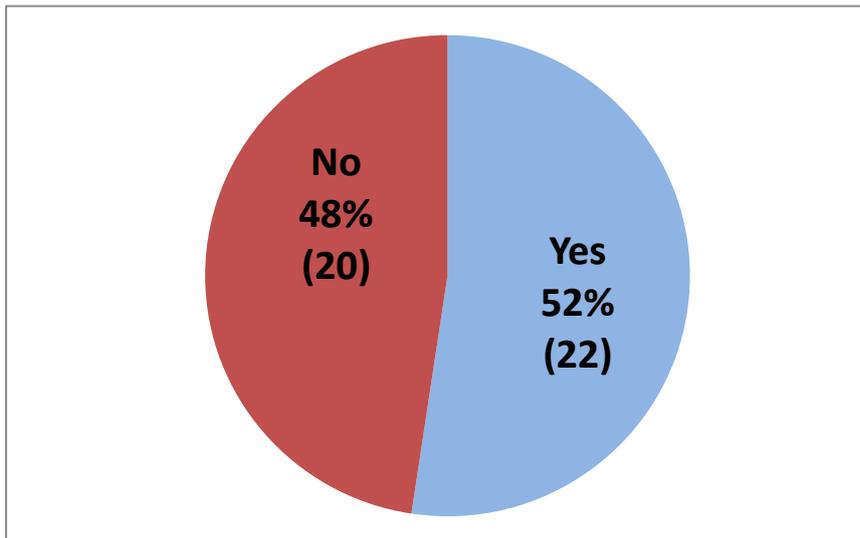


Chart 2.1 Comparison of the findings of 2014 survey and 2018 survey on whether NSAs developed a written anti-sexual harassment policy

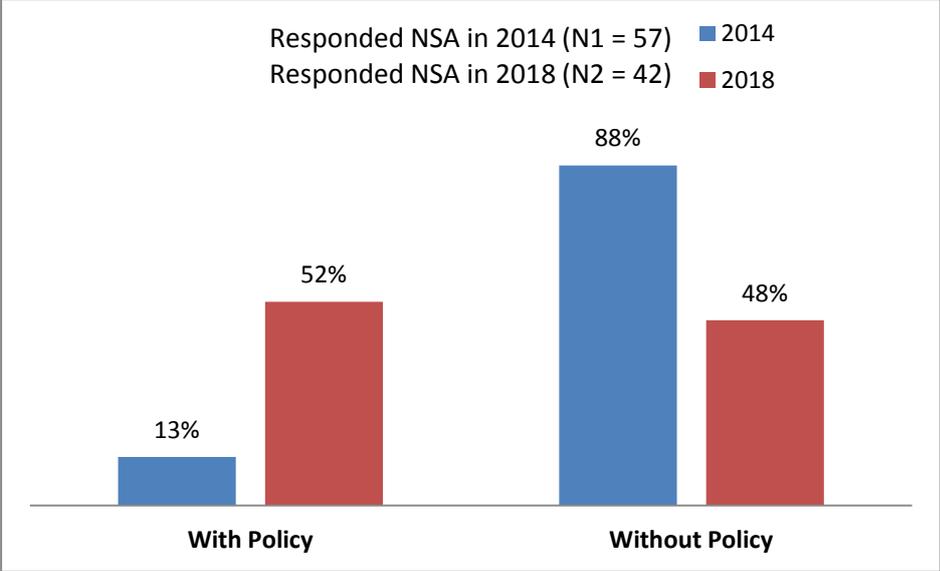


Chart 3: If your sports association currently DOES NOT have a written policy on anti-sexual harassment, does your association plan to formulate a written policy? If your association planned to formulate a policy, when will it be formulated? (N = 20)

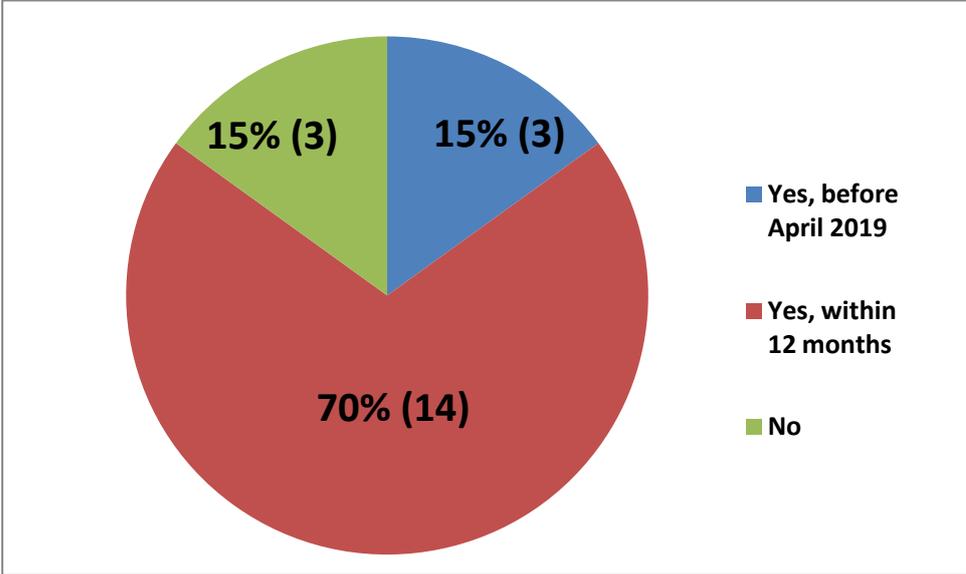


Table 3.1: If your sports association DOES NOT plan to formulate a written anti-sexual harassment policy in the next 12 months, what is/are the reason(s)? (you may tick more than one box) (N = 3)

Reasons for not planning to formulate an Anti-SH policy	Numbers
a. Never have thought of developing a policy;	0
b. Sexual harassment has never occurred in the association, and therefore, it is not a necessity to formulate the related policy	0
c. There is no urgency to formulate a policy on sexual harassment	0
d. There is no need to formulate a policy on sexual harassment as the association have a Code of Ethics for members/staff/coaches;	3
e. Staff are not trained in formulating the related policy	0
f. There are concerns that people may misinterpret the formulation of the related policy as frequent occurrence of sexual harassment in the association	0

Chart 4: In which year did your sports association formulate the first written policy on sexual harassment? (N = 22)

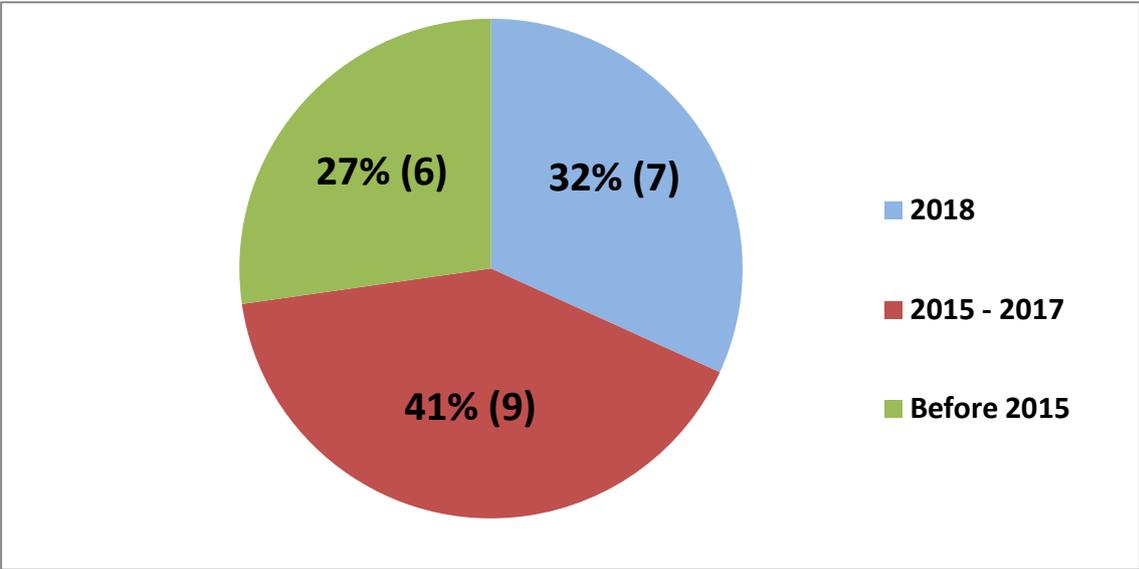
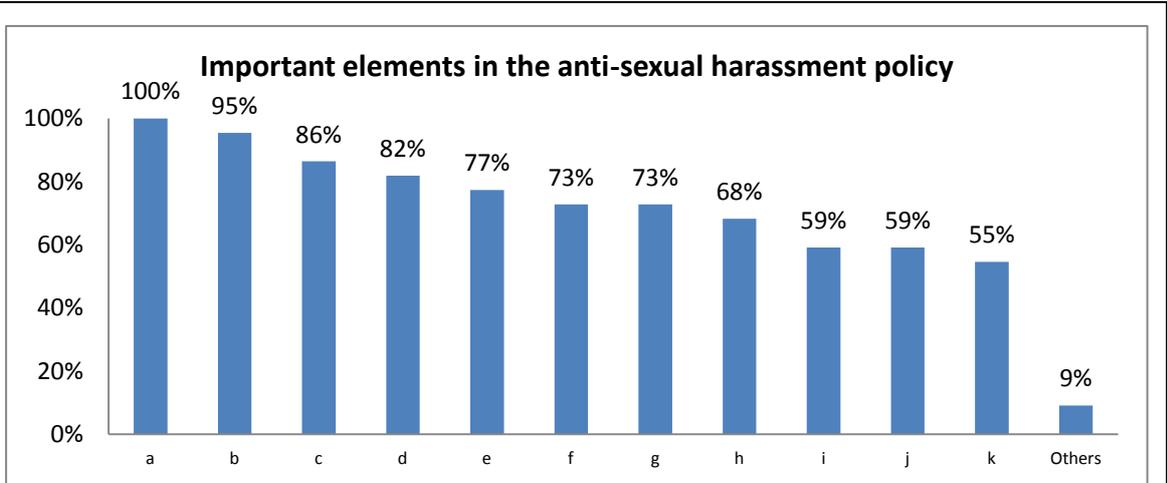
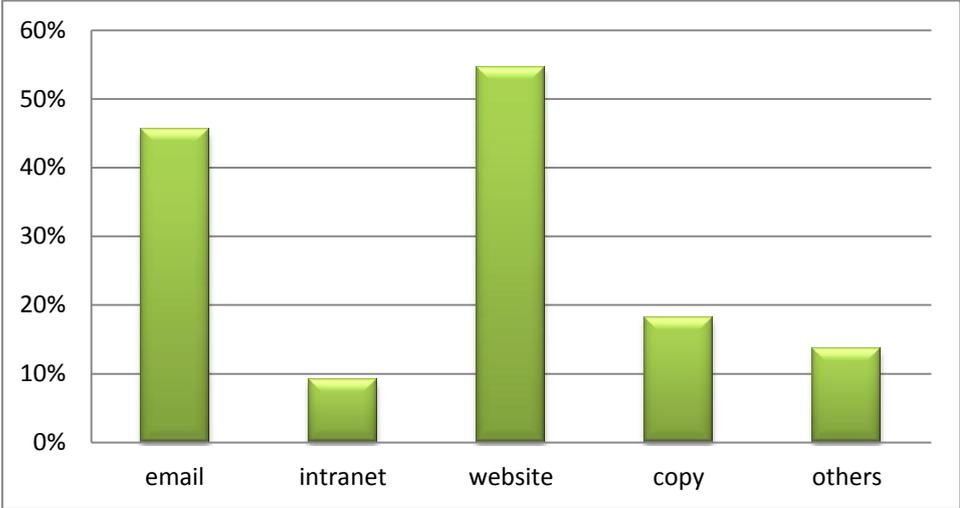


Chart 5: If there is a written policy on anti-sexual harassment in your sports association, the policy includes: (You may tick more than one box) (N = 22)

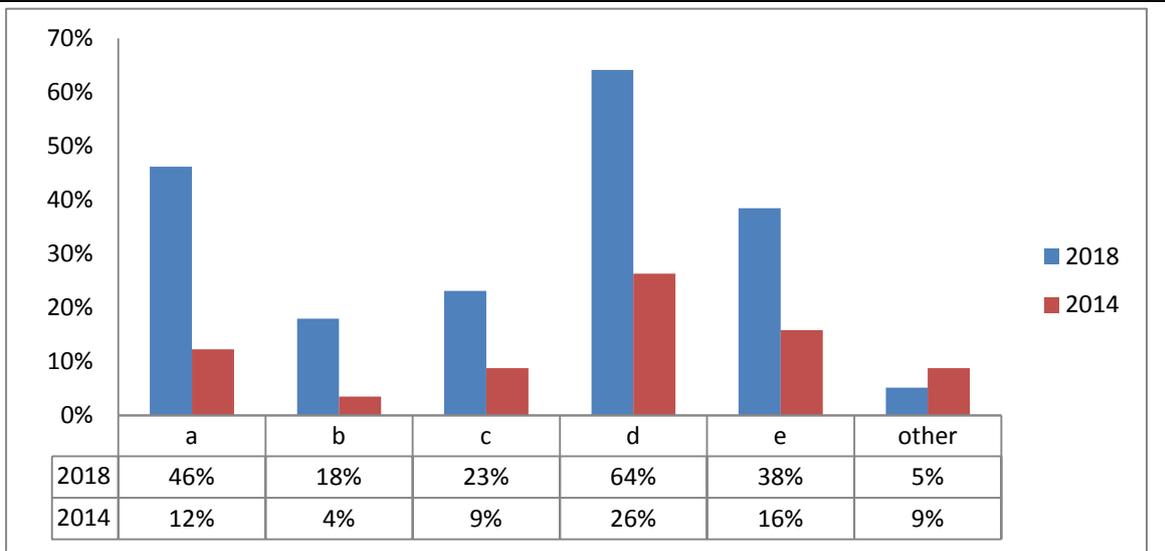


- a. The policy applies to all coaches and other employees of the sports association
- b. A clear statement that indicates the management is committed to prevent sexual harassment and will not tolerate any sexual harassment
- c. Internal procedures for dealing with sexual harassment complaints
- d. Definition of sexual harassment and examples of sexual harassment
- e. An assurance that confidentiality will be observed
- f. The policy applies to all athletes and other members of the sports association
- g. A note about disciplinary action
- h. Options available for dealing with sexual harassment complaints, i.e. informal and formal mechanism
- i. An assurance that no one will be penalized for coming forward with a complaint in good faith
- j. A note that the complainant may lodge a complaint directly with the EOC or take action in the District Court
- k. The names and contact information of persons designated to handle sexual harassment complaints

Chart 6: How does your sports association notify individual members/affiliated member clubs of the written policy on anti-sexual harassment? (may tick more than one box) (N = 21)



**Chart 7: Has your sports association taken any of the following preventive measures on sexual harassment? (May tick more than one box)
 (Responded NSAs in 2014: N1= 57; Responded NSAs in 2018: N2= 39)**



- a. Provide anti-sexual harassment training for coaches
- b. Provide anti-sexual harassment training for athletes
- c. Display information related to anti-sexual harassment in the sports association, e.g. leaflet/poster
- d. Require the prospective employees and coaches, and staff upon their contract renewal who will work with children or Mentally Incapacitated Person to verify nil criminal conviction records against a specified list of sexual offences under the 'Sexual Conviction Record Check' Scheme
- e. Require coaches to sign an acknowledgment and consent form after reading the policy /Code of Ethics/Guidelines on sexual harassment

Chart 8: Does your sports association provide coaches with Code of Ethics/Guidelines on sexual harassment? (N = 42)

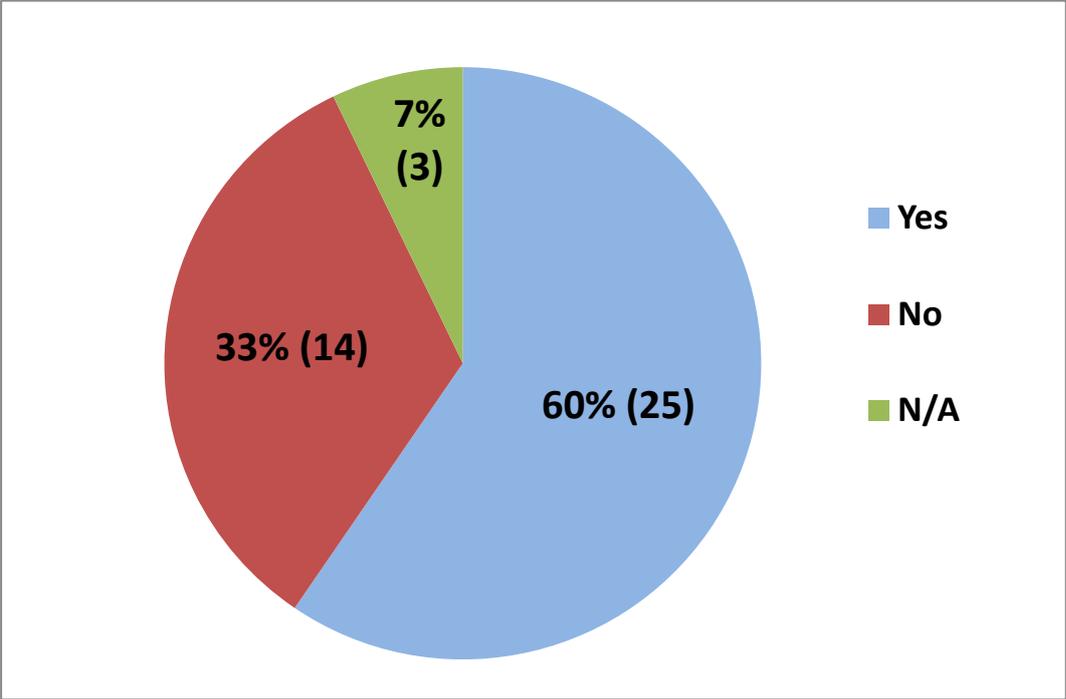


Table 9: NSAs (with/without Anti-SH Policy) — by adoption of a Code of Ethics for coaches (N = 39)

	Code of Ethics for coaches		Total
	Yes	No	
NSA with Anti-SH Policy			
Yes	16 (84%)	3 (16%)	19
No	9 (45%)	11 (55%)	20
Total	25	14	39

Table 10: NSAs (with/without Anti-SH Policy) — by providing awareness training to their staff and coaches (N = 41)

	Awareness training to staff and coaches		Total
	Yes	No	
NSA with Anti-SH Policy			
Yes	11 (50%)	11 (50%)	22
No	4 (21%)	15 (79%)	19
Total	15	26	41

Chart 11: Does your sports association provide any training to employees/coaches on prevention of sexual harassment? (N = 41)

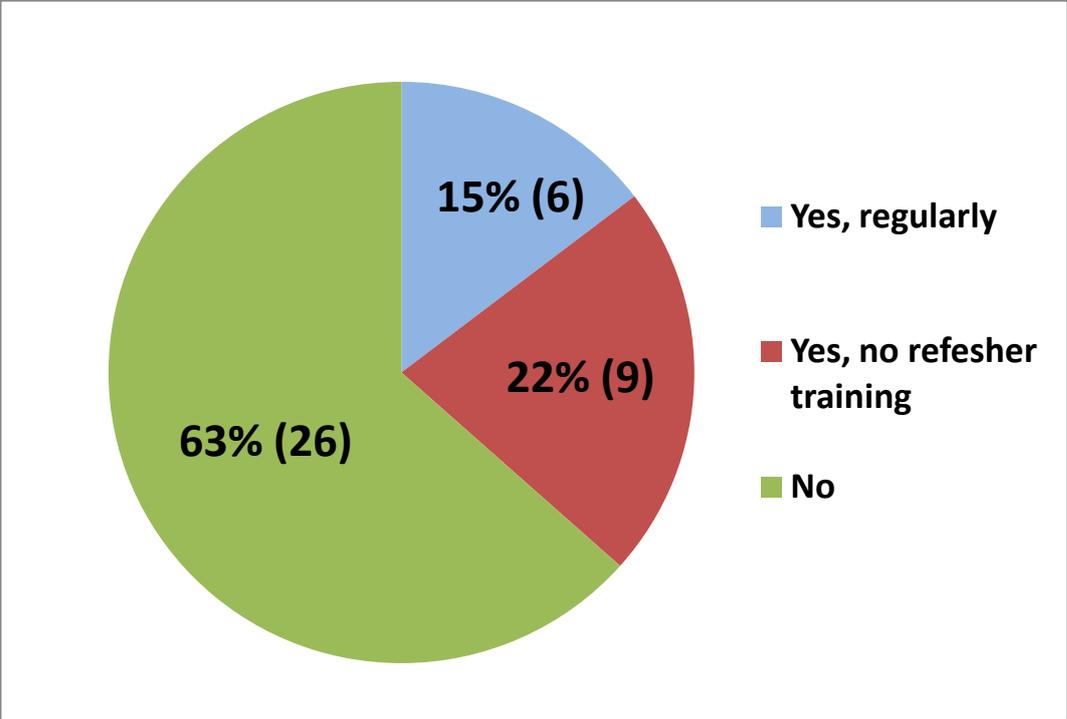


Chart 12: If the EOC provides courses on prevention of sexual harassment, will you or your colleagues attend? (N = 41)

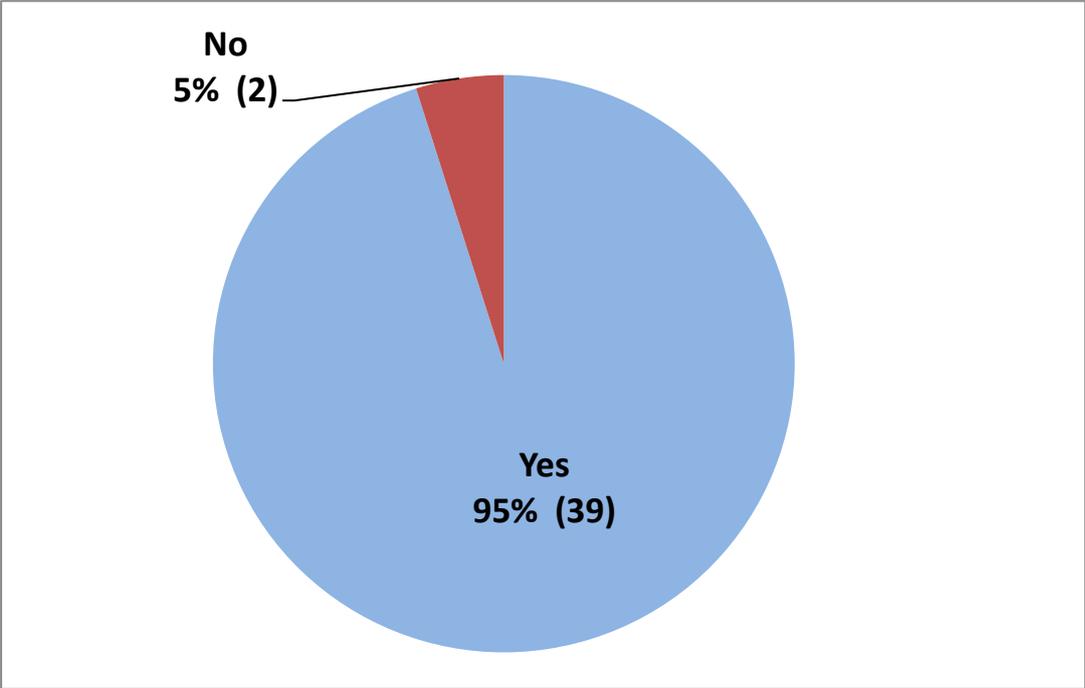


Chart 13: Does your sports association currently receive subvention from the Leisure and Cultural Services Department? (N = 22)

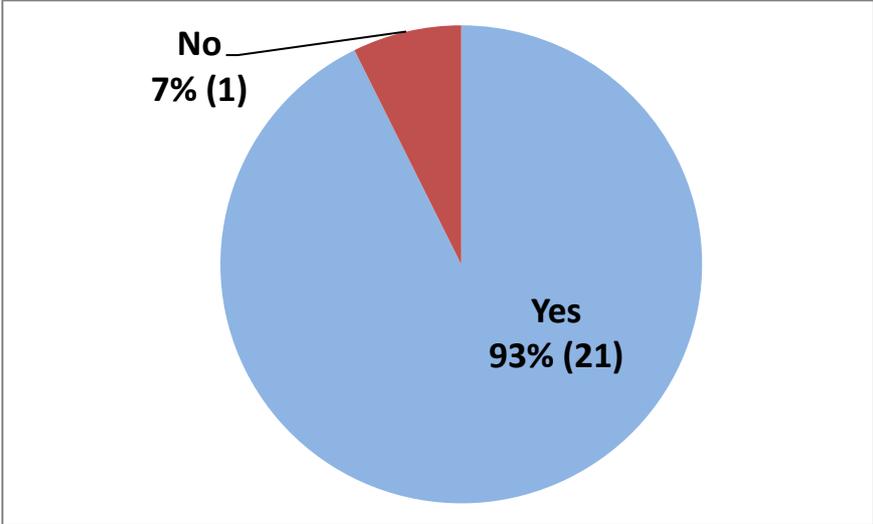


Table 14: NSAs (subvented/ non-subvented) — by formulation of an Anti-SH Policy (N = 41)

LCSD subvention	Anti-SH Policy		Total
	Yes	No	
Yes	21 (55%)	17 (45%)	38
No	1 (33%)	2 (67%)	3
Total	22	19	41

Chart 15: Does your sports association have adequate resources for providing training to employees/coaches on the prevention of sexual harassment? (N = 39)

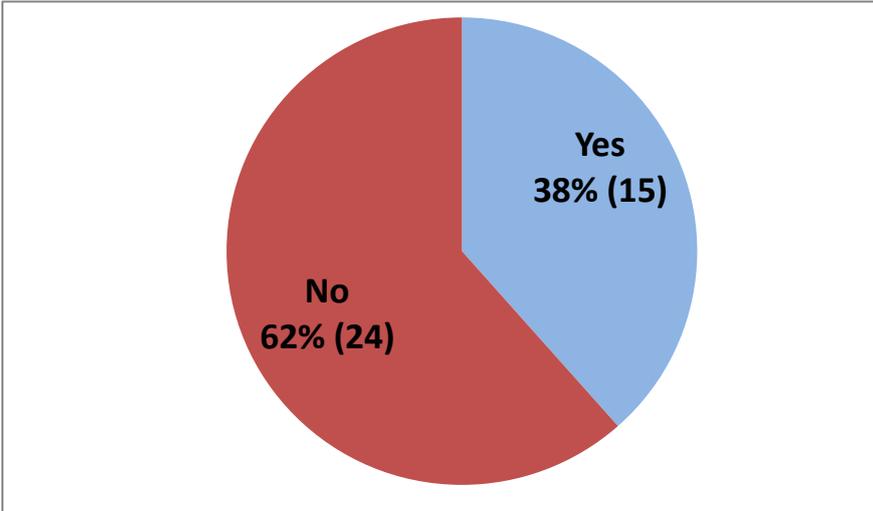


Table 16: NSAs (subvented/ non-subvented) -- by having adequate resources to provide awareness training on prevention of sexual harassment (N = 39)

LCSD subvention	adequate resources for awareness training		Total
	Yes	No	
Yes	15 (42%)	21 (58%)	36
No	0 (0%)	3 (100%)	3
Total	15	24	39

Table 17: Reasons listed by responded NSAs not having adequate resources for providing training to employees/ coaches on the prevention of sexual harassment (N = 39)

1. 本會並未受康文署年度資助，資源僅用以營運
2. 因奧委會已提供防止性騷擾的培訓
3. No budget
4. 資源不足
5. 需要專業人士之意見及需要蒐集足夠資料，暫時欠缺
6. 政府撥款不足
7. 需要政府及相關機構提供相關協助
8. Does not have time and resources to run such training
9. We are completely self-funded through membership fees. We do not receive any funding from any government entity
10. 政府資助沒有這項的資助
11. Reply on LCSD/SF&OC/HKSI to organize training on the prevention of sexual harassment
12. limited manpower and resources but we did provide guidelines or leaflets for self learning
13. We do not have adequate training course materials and trainers.
14. 本會沒有資源籌辦有關培訓，但奧委會有舉辦相關培訓，本會會鼓勵教練參與
15. 沒有資源

Table 18: NSAs (with/without Anti-SH Policy) — by number of employees (N = 38)

NSAs with Anti-SH Policy	Number of Employees		Total
	Ten or less	More than Ten	
Yes	10 (47%)	11 (53%)	21
No	14 (82%)	3 (18%)	17
Total	24	14	38

Table 19: If there were complaints about sexual harassment in your sports association in the past 3 years, please indicate the number of case(s). (N = 40)

Category	No. of cases
I. Non-verbal sex cues (e.g. looking someone up and down in a sexual way)	1
II. Verbal, textual and/or electronic messages related to sex (e.g. unwelcome dirty jokes, requests for sexual favors)	3
III. Physical (e.g. inappropriate touching, patting, and/or kissing)	3
IV. Hostile environment (e.g. graffiti, sexually obscene and/or suggestive photographs on toilet door, wall, notice board, locker area)	0
V. Others, please specify: _____	0
Total numbers:	7