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## Safeguarding in sports settings: unpacking a conflicting identity

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### ABSTRACT

Safeguarding is a major area of research, policy, and practice for contemporary sports scholars, practitioners, and stakeholders. In recent years, the concept of safeguarding (broadly: the prevention of harassment and abuse) as applied to sport settings has expanded to include not only sexual harassment and abuse, but also individual (e.g. disordered eating; self-harm), relational (e.g. psychological, physical, sexual harassment and abuse), and organisational (e.g. systemic discrimination; medical mismanagement) forms of violence. In 2016 the International Olympic Committee published its landmark Consensus Statement on non-accidental violence (harassment and abuse) in sport (IOCCS). Concomitantly, sports organisations have increasingly regulated women's eligibility through 'female eligibility policies' under the premise of safeguarding. This is particularly exemplified by World Athletics' 2019 Female Eligibility Regulation (WAFER). The WAFER, however, has received substantial critique, particularly in terms of the systemic discrimination and medical harm that it has been shown to enact on certain groups of marginalised women. In this article, we undertake a comparative document analysis to evaluate female eligibility regulations within the framework of contemporary sport safeguarding policy and practice. Our analysis finds that safeguarding, especially with regard to 'fairness' and women athletes, adopts a conflicting identity due to three primary reasons: (1) lack of organisational accountability; (2) focusing on interpersonal harms rather than systemic violence; and (3) attention to science over athlete voice. As such, we conclude by urging a critical re-examination of the conceptualisation and implementation of safeguarding, positioning organisational violence enacted through female eligibility policies as a sports safeguarding issue.

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In 2006, the International Olympic Committee (IOC) Medical Commission held multiple conferences to discuss the organisation's role in promoting and protecting the health of athletes, as well as raising broader awareness around the problems of harassment and abuse in sport (Ljungqvist et al. 2008; Stirling et al. 2011). From these meetings, participants produced a consensus statement on sexual harassment and abuse (Ljungqvist et al. 2008). Nearly a decade later, Margo Mountjoy and colleagues subsequently showed that, in those intervening years, the scope of recognised harassment and abuse had moved away from the narrow focus on *sexual* harassment and abuse, and towards a broader recognition of the myriad forms of violence that can occur in sports settings (Mountjoy et al. 2015). To this end, Mountjoy et al. (2015) introduced the concepts of individual (e.g., disordered eating; self-harm), relational (e.g., harassment and abuse), and organisational (e.g., systemic discrimination; medical mismanagement) forms of violence to the sport safeguarding

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space, drawing on the World Health Organisation World Report on Violence and Health (WHO 2002). In particular, this put forward the recognition not only of interpersonal or direct forms of violence, but also indirect *systemic* violence that 'is enabled, tolerated and, in some instances, actively encouraged' by the organisational structures of sport (Roberts, Sojo, and Grant 2020, 2). Indeed, Roberts, Sojo, and Grant (2020) recently synthesised the factors leading to this systemic organisational violence in sport as: '(a) structural factors (i.e., power imbalance, winner-take-all rewards, isolation), (b) social factors (i.e., conformity to dominant values, perceived instrumental effects, organisational tolerance), and (c) organisational stressors (i.e., role conflict and ambiguity, depersonalisation, intensification, deficient internal communication, professional uncertainty)' (3). It is these system-level factors that have been overlooked in the history of safeguarding in sports settings in favour of a focus on sexual harassment and abuse, but are now increasingly recognised as major contributors to all forms of violence in and through sports settings (Nite and Nauright 2020; Roberts, Sojo, and Grant 2020).

In response, and for the first time since 2006, the IOC Medical Commission reconvened with international scientists, clinicians, and policy experts to expand their understanding of athlete protection beyond sexual harassment and abuse to include these additional categories of system-level violence. Extending the original 2008 consensus statement, the expert panel produced another consensus statement on 'non-accidental violence (harassment and abuse) in sport'. Throughout the new document, Mountjoy et al. (2016) stressed that athletes of all ages and all competitive levels have a right to engage in 'safe sport,' now defined as an 'athletic environment that is respectful, equitable and free from all forms of non-accidental violence to athletes' (1020). In this way, the 2016 consensus statement was pivotal in bringing *organisational level* threats such as systemic discrimination under the umbrella of safeguarding in sport settings.

In May 2019, three years after the IOC's updated consensus statement and a year after publishing its own position statement on the issue (WA 2018a), a ruling at the Court of Arbitration for Sport allowed World Athletics (WA; previously the International Association of Athletics Federations, or IAAF) to 'necessarily discriminate' against certain women athletes through implementing its controversial female eligibility regulation (CAS 2019). This policy limited endogenous testosterone to five nanomoles per litre (nmol/L) for female athletes with X,Y chromosomes competing in events of distances between 400 m and a mile (WA 2019a). While adopted under the claim of ensuring a level playing field and 'fair and meaningful competition' for women's sport (WA 2019a), the policy's outcomes have since been shown to reflect both systemic discrimination and medical mismanagement (Dworkin, Swarr, and Cooky 2013; HRW 2020; Karkazis et al. 2012; Karkazis and Jordan-Young 2018; Tannenbaum and Bekker 2019; Wiesemann 2011): recognised forms of organisational-level harm under the IOCCS (Al Hussein and Davis 2020; Mountjoy et al. 2016). Furthermore, scholars and activists have drawn attention to widespread criticism of using physical examinations, gynaecological assessments, and radiological imaging on suspected women athletes, 'particularly around examinations of clitoral size, which many view as inappropriate, subject to false interpretation, and an invasion of personal privacy' (Tannenbaum and Bekker 2019, 1; HRW 2020; Karkazis and Jordan-Young 2018). Additionally, in their December 2020 Human Rights Roadmap, the IOC explicitly acknowledged recognition of the systems-level human rights threat of 'harm and structural discrimination' to LGBTI+ athletes, and more specifically 'women with sex variations and by transgender women as they seek access to competition, in some cases including coerced surgeries' (Al Hussein and Davis 2020, 8). The IOC have since stated in their Human Rights Roadmap that their approach to such policies are under review.

Following WA's policy's implementation, several women athletes have revealed the subsequent trauma that they endured to comply with the regulation's necessities (HRW 2020). For example, Ugandan 800-metre runner Annet Negesa recently revealed that she was coerced into harmful surgery to comply with an earlier iteration of the policy. During a call from a World Athletics' doctor one month prior to the 2012 London Olympics, she was informed that her testosterone levels were too high to compete as a female athlete for the upcoming Games (Abdul 2020). To attain eligibility,

the doctor recommended a gonadectomy but failed to inform her of the procedure's invasive nature. Instead, he told her that it was 'kind of an injection' (Morgan 2019, 5). The morning after surgery, Negesa woke up with wounds on her body that foreshadowed years of pain, aches, and persistent headaches. Her anguish and powerlessness were mirrored in a second (anonymous) elite athlete's report, who commented that she was provided no other option than surgery, and as a result, she 'often thought of killing [herself] . . . [World Athletics] stole [her] life, [her] existence' (Morgan 2019, 7). In this vein, South African 800-metre runner Caster Semenya has too spoken out on the detrimental effects of unnecessary hormonal treatment that she experienced in order to attain an arbitrary female eligibility testosterone standard (Tannenbaum and Bekker 2019). From 2010 to 2015, she was forced to take testosterone-lowering hormones that left her physically sick and mentally foggy, in order to be eligible to compete (Gibbs 2019). Today, Semenya holds that World Athletics (WA) used her as a 'human guinea pig' for its female eligibility regulations over the past 10 years (Said 2019). In all, the agony experienced by all three women – a form of *organisational violence* via systemic discrimination and medical mismanagement in contemporary safeguarding terms – notably contradicts the IOC's consensus statement on the duty of sports organisations to prevent 'non-accidental violence' in sport (Al Hussein and Davis 2020).

As sport safeguarding policies become more prominent in the wake of safeguarding atrocities (i.e., abuse by Larry Nassar, Jerry Sandusky, Keramuudin Karim), so too have more stringent female eligibility regulations as a response to the increasing number of non-binary conforming athletes (including transgender athletes) (e.g., the WAFER; World Rugby's 2020 Transgender Guideline). Moreover, even in situations where governance structures and specific policies are in place, systemic abuse, discrimination, and medical management persist (see McPhee and Dowden 2018). Although previous scholars have examined historical and current forms of organisational violence (e.g., systemic discrimination, medical mismanagement) especially regarding former and current eligibility policies (see Dworkin, Swarr, and Cooky 2013; Karkazis et al. 2012; Wiesemann 2011), lacking is an investigation into the discrepancies of policies that purport to protect athletes. In this way, the rationale for our research is to contribute to a lack of critical discussion around how or if safeguarding statements protect athletes or primarily act as a public relations tool for organisations, the ways in which the prevention of violence in sport is often narrowly constructed, and what this means for the grand project of sports safeguarding.

Considering this gap in the literature, the aim of this article is to provide a critical reading across both the 2016 IOC Consensus Statement on non-accidental violence (harassment and abuse) in sport (IOCCS) (Mountjoy et al. 2016) and World Athletics' 2019 Female Eligibility Regulation (WAFER) (WA 2019a) to interrogate their conflicting approaches and consequences, despite similar claims to uphold 'safe sport'. We use these two documents as each seemingly adopts a different stance on safeguarding: while the IOCCS explicitly calls for greater attention to multiple forms of harassment and abuse, the WAFER has been increasingly linked to organisational violence amidst claims to prioritise safe sport, as reflected in Negesa's and Semenya's experiences. As such, our objective is to analyse how the IOCCS and the WAFER shape, refute, or negotiate the wider safeguarding discourse, and how 'meaning is made collectively, including by resonance with broader cultural narratives' (Jordan-Young and Karkazis 2019a, 18). Through conducting a document analysis centred on the inclusion or rejection of sport safeguarding discourse in both the IOCCS and the WAFER, we explore the role and impact of each document in the grand project of *safeguarding* in the wider sporting context. In doing so, we necessarily contribute to the growing body of literature on safeguarding through examining how these policies co-exist in a sporting milieu in which they must, in practice, be reconciled even when their means and ends are seemingly intractable. This is important because this dynamic exists beyond the IOC and WA alone, with more sporting bodies choosing to regulate female eligibility while also developing sport safeguarding policies – and our interest is in the tensions between these.

We begin by introducing the theoretical framework for our analysis before outlining the methods used. We then present the frames and sub-themes that emerged from our document and content

analysis and discuss the implications of these findings in the context of safeguarding and sport. We close by urging organisations, researchers, activists, and policymakers to recognise the discrepancies between the various safeguarding policies, address systemic and institutional forms of violence, and position organisational violence enacted through female eligibility policy as a sports safeguarding issue.

## Theoretical framework

Given the contradictory approaches and consequences of our case studies, we relied on Sara Ahmed's (2019) feminist investigation of the *use* and the *uses of use* to frame our analysis. Drawing on the works of Michel Foucault and Jeremy Bentham, Ahmed (2019) introduced feminist investigations of *use* and the *uses of use* to demonstrate how the utilitarian cost-benefit analyses that often underpin policy decision-making 'conceal the ways institutional violence can manifest' (Leff 2020, 3). We see this as an approach present in arguments for female eligibility regulation, where the benefit of 'fairness' is drawn upon to enact 'necessary discrimination' in such a way that institutional violence against certain women is codified. Parsing the implications of *use* in both texts and spaces, Ahmed illustrates how equity-forward policy and procedures too often 'imitate equity while retaining white, hetero-sexist power structures' (Mackenzie 2020, 136). For example, the ways in which female eligibility regulations, under the guise of 'fair and meaningful competition,' uphold white, hetero-sexist power structures through policing womanhood in sport. Furthermore, Ahmed explains the reinforcing effects of these policy structures as she addresses 'the material realities of being marginalized, minoritized, and racialized in a space where deviation is made hard' (Mackenzie 2020, 136). In terms of the WAFER, this is reflected in the 'impossible choices' that affected athletes are faced with when their careers are in jeopardy and they are forced to conform, making deviation for all woman hard (Karkazis and Carpenter 2018).

Summing up the practical applications of Ahmed's framework, Leff (2020) describes, 'At its core, Ahmed's project is about critically interrogating the various "straightening devices" quoting an older term of hers that makes certain people, things, and outcomes seem natural while excluding others' (1; see Ahmed 2006, 107). This investigation of *use* is helpful in our approach to this analysis in that it allows us to excavate how policy documents are utilised (wilfully or otherwise) by organisations to reinforce hegemony, and how this manifests as organisational violence when '... "safety" is part of a wider protectionist politics around (cis) women's bodies that function to protect idealised notions of white female vulnerability' (see Patel 2017 and Koyama 2020, as in Pearce et al. 2020, 680). In this way, we make use of Ahmed's (2019) feminist examination of *use* to critically examine current female eligibility regulations, with a focus on the emergence of potential organisational violence (systemic discrimination; medical mismanagement), in the context of contemporary sports safeguarding policy and practice.

## Materials and methods

### *Methodological underpinnings*

In this article, we adopted a feminist epistemology, which understands gender as an essential concept when exploring the relationship between the production of knowledge and practices of power (Harding 1987, 2004). At its core, feminist epistemology gives voice and recognition to women, understands that science is never objective, and endeavours to achieve particular social justice-oriented political objectives (Anderson 2020). Moreover, considering the dominance of western scientific and medical knowledge, investigating the 'Androcentric, economically advantaged, racist, Eurocentric, and heterosexist' distortion of institutions and conceptual frameworks is vital to revealing and challenging systems of oppression (Harding 2004; Longino 1993). Throughout our analysis, we analyse, interpret, and contextualise document extracts to shed light on the

institutional and cultural interests that contribute to understandings of how, when, and why safe sport policies protect (some) women.

Importantly, feminist epistemology is not a uniform and cohesive trope, but rather, intersects with other social issues relating to race, colonialism, and nationality (Narayan 2004; On 1993). As such, it is vital for us to reflect on our positions as early career feminist researchers in Global North universities who have chosen to focus on and include narratives of Global South athletes such as Negesa and Semenya. We acknowledge the potentially problematic divergence between our positionalities and the women whose stories we employ to contextualise our project. Our hope, though, is that through centring the stories of women while destabilising the dominant structures and knowledges that shape these documents, we 'underscore the human(s) at the core' (Karkazis and Jordan-Young 2018, 3). Furthermore, following Cooky, Dycus, and Dworkin (2013), throughout our analysis, we strive to 'make visible how, on a global scale, international sporting contexts maintain sex- and gender-based forms of inequality, which are, in turn, shaped by nationalism, race relations, and colonial histories' (36).

### **Data collection**

For our project, we limited our data collection to the IOCCS and the WAFER, both of which are publicly available documents. We specifically chose these two documents as they represent contrasting means of upholding safe sport: while the WAFER singles out a specific population (e.g., female athletes with an X,Y chromosome competing in events between 400 m and one mile), the IOCCS identifies a range of populations including the group at hand in the WAFER. Despite these varying approaches, both documents share an intention to create a safe sporting environment. As such, we focused our analysis on these two documents as case studies for a broader examination into the different conceptualisations and implementations of safe sport documents.

### **Data analysis**

Similar to Bekker and Finch (2016), we conducted a two-stage analysis: document analysis, followed by content analysis. Our choice of combining analytic frameworks was to approach our data in a systematic and rigorous manner, as scholars have noted that the singular use of a document analysis may result in an unstructured and somewhat 'diffusive approach' (Bryman 2016). In particular, we initially used our document analysis to organise broad categories or 'frames' across both policies (Altheide 1996). Doing so allowed us to subsequently identify, contextualise, and interpret policy extracts within each frame, as part of our content analysis, and thereby create a more holistic illustration of the similarities, divergences, and nuances between these two policies.

From Bowen (2009), we understood a document analysis as a qualitative research method for systematically and thematically reviewing documents that contain text and images not initially created by the researcher(s). Specifically, we first read through each document multiple times to inductively and thematically create frames that later informed our content analysis. As Goffman (1974) explains, '[frames are] a schematic of interpretation ... which enable people to locate, perceive, identify and label "occurrences of information"' (55). Through this technique, we generated six frames involving content in and context surrounding both documents: setting the scene; provenance and credentials; problem statement; normative and constitutive issues; implementation; transparency and accountability; outcomes (intended and unintended). Following the creation of these six frames, we then developed sub-themes within each frame that corresponded to our research questions and provided relevant background to both documents. Details on our frames and sub-themes are provided in Table 1.

Correspondingly, a content analysis is a 'research technique [used] for making replicable and valid inferences from texts (or other meaningful matter) to the contexts of their use' (Krippendorff 2018, 24). While content analyses are applicable to both quantitative and qualitative research, scholars

**Table 1.** Analytic frames and sub-themes.

Frames	Sub-themes
<i>Setting the scene: provenance and credentials</i>	Document Year published Authors Conflicts of interest stated Funding declared Contextual background to document (history)
<i>Problem statement</i>	Problem statement
<i>Normative and constitutive issues</i>	Normative (relating to the culture/ethos) assumptions Constitutive (structurally embedded) issues
<i>Implementation</i>	Resultant rules Mode of implementation End-users
<i>Transparency and accountability</i>	Incorporation of athlete voice Explicit human rights framework Transparency Accountability
<i>Outcomes (intended and unintended)</i>	Intended outcomes Unintended outcomes (known)

have advocated for its use in qualitative projects given its attention to ‘use,’ balanced with interpretation and context (Ahmed 2019; Krippendorff 2018; Vaismoradi, Turunen, and Bondas 2013). In the scope of our project, a content analysis was the most appropriate analytic method given the focus on ‘use’ and efficacy in our theoretical framework: a central emphasis in a content analysis. During this stage of analysis, we extracted relevant words and phrases from each document and catalogued them in their respective sub-themes. After identifying relevant document extracts, we began writing the manuscript to construct a clear account of the implicit and explicit assumptions and background conditions of each document. While writing, we iteratively returned to the literature on safe sport and female eligibility to contextualise our thematic findings.

## Findings and discussion

Following Bowen’s (2009) document analysis approach, we investigated five thematic frames related to the context and content of the IOCCS and WAFER: (1) setting the scene: provenance and credentials; (2) normative and constitutive issues; (3) implementation; (4) transparency and accountability; and, (5) outcomes (intended and unintended). What follows is a narrative description, discussion, and contextualisation of the findings.

### *Setting the scene: document credentials and provenance*

To fully understand the purpose of these two documents and place their development in context, we first sought to understand their background credentials. We did this because, in order to fully appreciate the intended outcomes, emerging implications, and discourses of a policy document, the implicit context of its development must be made tacit. Further, its content must be analysed in that context (Pawson 2006). This is particularly useful in surfacing where underpinning assumptions or salient details exist, and how these influence the intended and unintended outcomes of the policy itself. Policy is, at best, evidence-informed, with its development resulting from complex social processes (Greenhalgh 2017; Pawson 2006). As such, the underpinning evidence, intention of its outcomes, and context of policy development must be taken into account to uncover its broader implications. Here, we draw from both content in the documents and the contextual history of these particular sports policy issues.

It is important to note again that these two documents are contemporaries (the IOCCS was published in 2016, with the latest iteration of the WAFER published in 2019). This matters in the

context of sport regulations as they both impact – and have been influential within – the broader contemporary sport safeguarding milieu. Indeed, whilst the WAFER has a highly specific intended audience, it has been described as having safeguarding implications at the organisational level through medical mismanagement and systemic discrimination (Bekker and Posbergh 2019; Karkazis and Carpenter 2018; Karkazis and Jordan-Young 2018; Pielke, Tucker, and Boye 2019; Tannenbaum and Bekker 2019). In contrast, the IOCCS was developed to provide an overarching consensus and guidance on the issue of creating ‘safe sport’ environments across sports more generally. Indeed, the IOCCS has had influence on the WA context, as the WA cites the IOCCS in its ‘Position Statement on Safeguarding athletics by protecting athletes from harassment and abuse’ (World Athletics (WA) 2018a). Specifically, WA states within their definition of abuse: ‘It also includes discrimination of any kind whether due to a person’s race, sex, ethnic origin, colour, culture, religion, political opinion, marital status, sexual orientation or other difference’ (World Athletics (WA) 2018a, 3).

Considering that the WAFER’s outcomes have been described as systematically discriminatory (Bekker and Posbergh 2019; Karkazis and Carpenter 2018; Karkazis and Jordan-Young 2018), noticing that these three documents co-exist within the current sporting policy landscape – and that this potentially creates incongruency in the delivery of a *safe sport* environment, particularly in terms of the prevention of organisational violence – is an important observation to understanding how wider sport safeguarding discourse and outcomes is impacted in practice. In other words, a commitment to safeguarding policy may serve to rhetorically downplay or strategically silo ways in which violence can emerge in and through another policy in the same organisation. Consequently, safeguarding policy may be *useful* to organisations in portraying a visible commitment to ‘safe sport’, whilst masking incongruent practice (unsafe, violent practice) elsewhere within the same organisation.

This also emerges from language used in policies, procedures, and practices related to the process of creating safer spaces in and through sport. For example, the IOCCS uses the umbrella term ‘non-accidental violence’ to refer to the forms of harm that constitute harassment and abuse; an unusual term that necessarily begs the question ‘what of *accidental* violence?’ If preventing non-accidental violence is the intent, how does an organisation use the presence of the convenient corollary term ‘accidental violence’? Is a two-tier system intentionally or unintentionally created in which that which can be claimed to be ‘non-accidental’ is intervened upon, whilst that which is somehow ‘accidental’ is positioned as futile to intervene upon and thus outside of an organisation’s safeguarding remit? We find this *use* of language particularly illuminating here as the wider field of injury prevention no longer uses the term ‘accident’. The long history of research, policy, and practice in this regard demonstrates that outcomes are always predictable and preventable, and should be understood in this way for safeguarding purposes (Davis and Pless 2001; Doege 1999). To invoke the possibility for ‘accidental’ harm is misleading or negligent at best, and may be actively violent at worst (Bekker et al. 2019). The term ‘non-accidental’ thus can simultaneously be *useless* for preventing some forms of harm that may be positioned as ‘accidental’, as well as making it *useful* for those (organisations) who seek protection from accusations of violence or those who neglect to prevent that harm when they could and should have (Ahmed 2019).

Indeed, this is part of a related problem in sports safeguarding literature and documents, including the two at hand: a lack of a harmonised language and clearly operationalised terminology. Ranging from ‘safe sport’ and safeguarding, through non-accidental harm and intentional harm to a myriad of terms for various modes of harassment and abuse, terminology is often utilised and defined in vastly different ways. As we have shown through the use of the term ‘non-accidental’, as well as the lack of acknowledgement of the presence and harms of organisational or systemic violence, different uses of language – and indeed strategically *not using* some words in favour of others – impacts the grand project of safer sporting environments by implicitly and quietly constructing exactly who safeguarding is *for* (Ahmed 2019). In this case, we will later show that safeguarding policies are often set up by organisations for organisations, rather than the athletes that they purportedly centre.



In much the same way that ‘too much information’ creates an ineffective policy and practice environment (Bekker and Finch 2016), so too, it could be argued, does the proliferation of terms and concepts that are often inadequately defined or operationalised. In turn, this signals who protection is ultimately for, manifesting in a potential impact on safeguarding policy effectiveness for athletes. This connection, we hold, is key to revisiting incongruencies in safe sport policy and practice.

### Credentials

In terms of credentials, the WAFER is an organisational document produced and published by WA and is thus, clearly funded by and authored by WA.<sup>1</sup> Yet, the authors are not explicitly named in the document. On the other hand, the IOCCS is publicly co-authored by 16 research, policy, and practice experts with no conflicts of interest declared. However, we note that a number of the authors are funded by and/or involved in other related IOC business. In tracing the lines of connection that exist between the IOCCS authors, we note a close-knit, rarefied community that has resulted in a particular and dominant ‘brand’ of ‘safeguarding’ (i.e., ‘safe sport’; ‘non-accidental violence’). Even a cursory glance at the authors’ various activities illustrate a tightly coupled web of connections facilitated through IOC funding, medical commissions, National Olympic Committees, International Federations, not-for-profit organisations, academic research, consultancy, academic journals (including through their boards), and policy recommendations. Although these linkages may not be considered actual or direct conflicts of interest, the perceived or indirect conflicts remain. More specifically, this is a safeguarding concern in that – as ironically stated in the IOCCS itself – power imbalances are at the root of all safeguarding issues, and conflicts of interest are inextricably linked to power imbalances. This is an aspect that we believe warrants further investigation to show more thoroughly the increasing connectedness of key players in this area and how this entrenches hegemony, though is outside the scope of this paper.

In this way, both documents are fundamentally *organisational policy documents* – written for and on behalf of organisations that have monetary and other stakes in these (often highly politicised) issues at hand. Therefore, neither of these documents is neutral or independent, despite the veneer thereof. Indeed, policy documents are *always* inherently value-laden, opening the potential for policies to uphold and entrench white, hetero-sexist power structures that shape and benefit the organisations themselves (Ahmed 2019; Pawson 2006). In this way, it is prudent to question the function and outcomes of internal organisational policies, considering that policies most often protect the organisation, not the (athlete) worker (Ahmed 2019). For this reason, sport has seen an increasing shift towards recognising the importance of independent safeguarding bodies.

### Provenance

In 2011, WA (then the IAAF) introduced a mandatory testing regulation limiting blood testosterone levels to 10 nmol/L for *all* female track and field athletes in IAAF-sponsored competitions. Following a successful challenge in 2015 by Indian professional sprinter Dutee Chand on the grounds that the policy lacked scientific credibility, the organisation was given two years to conduct research that sanctioned its regulation. Thus, in 2018, the IAAF introduced a new limit of five nmol/L of testosterone for women competing in restricted events (i.e., events with distances between 400 m and a mile) (WA 2018b). Following the new policy’s release, Semenya and Athletics South Africa (ASA), the nation’s athletics governing body, challenged the regulation of testosterone before the Court of Arbitration for Sport (CAS), an independent institution to settle legal disputes related to sport. However, the CAS eventually ruled in a 2–1 decision that restrictions on permitted levels of endogenous testosterone were discriminatory, but that such discrimination was a ‘necessary, reasonable and proportionate means’ (CAS 2019, 143). Consequently, on 9 May 2019, the IAAF, now rebranded as WA, implemented their new policy, applying to women with X,Y chromosomes (WA 2019a, 2019b).

In its introduction, the IOCCS is described as extending the 2008 IOC Consensus Statement on Sexual Harassment and Abuse in Sport (Ljungqvist et al. 2008), the 2008 IOC consensus statement

on ‘training the elite child athlete’ (Mountjoy et al. 2008), and the IOC Youth Athlete Development Framework (Mountjoy et al. 2015). Other influential documents include the UN Convention on the Rights of the Child (UNCRC 2011) and the non-discrimination clause to the 2015 Olympic Charter under Principle 6 (IOC 2015). It is notable that the vast majority of the underpinning research and policies informing the IOCCS, per the references and prior work of the co-authors, is from the area of child safeguarding. As a result, the language and approach within the IOCCS is guided by its provenance in *child* safeguarding literature and approaches. Given its aim of providing the consensus for safe sport across all levels of sport, we do question its effectiveness in – and absence of deeper engagement with – complex *child and human* rights issues that tend to arise in sporting contexts, such as female eligibility. In this way, the historical context of the IOCCS creates a document that is helpful for navigating relatively well-established interpersonal safeguarding issues (such as sexual abuse) but lacks the necessary nuance for more complicated safeguarding issues within the realm of *organisational violence* (such as systemic discrimination and medical mismanagement) despite expressing an explicit commitment to do so. Thus, it is no surprise that forms of systemic discrimination, trauma, and medical mismanagement are attributable to organisational policy documents, such as the WAFER, which the IOC or the WA’s own position statement have not addressed as a safeguarding issue (World Athletics (WA) 2018a). In this way, policy provenance matters as this, ultimately, establishes the underlying paradigm and positionality.

### ***Normative (relating to culture/ethos) and constitutive (relating to structurally embedded) aspects***

To contextualise the nature of value-laden policy, we next examine the ways in which normative and constitutive aspects shape how knowledge about the issue at hand is constructed. Brackenridge (2001) first introduced the concepts of normative and constitutive risk factors to determine how sexual abuse emerges from a sporting context. Under this framework, normative (relating to culture/ethos) risk factors include having an autocratic authority system, setting up clear power imbalances, and supporting collective silence. Conversely, constitutive (relating to structurally embedded) risk factors include a hierarchical status system, linking rewards to compliance, and having rules and procedures which omit/exclude consultation. In addition to the context of sexual abuse in sport, the denotation of these two categories of risk factors provides a useful means to evaluate policy development and outcomes as underpinned by these cultural and structural factors. Specifically, an analysis of normative and constitutive risk factors can illustrate the emergence of organisational violence in a sporting context.

In terms of normative aspects, historians and sociologists have extensively documented how both the IOC and WA are examples of sports organisations with autocratic authority systems that set up clear power imbalances, thereby supporting collective silence (Boykoff 2020). In particular, mega-sporting organisations such as the IOC are increasingly recognised as untenable, paternalistic, and out-of-step with contemporary understandings of athlete rights and the changing culture of contemporary sport (Boykoff 2020). Athlete workers, growingly aware of their rights, are no longer content with being positioned as commodities within a lucrative system (Mann et al. 2020). The emergence of a global independent athlete rights campaign, in addition to the #MeToo and #BlackLivesMatter movements, has highlighted this developing collective critical consciousness and spotlighted the ways in which sports organisations normatively and routinely uphold autocratic authority systems. Ahmed (2019) explains the cementation of a procedure over time as she writes, ‘the more a path is used, the more a path is used’ (41). For the commodification of athlete labour, the pattern of relying on significant power imbalances is central to the modern sporting industrial complex (Boykoff 2020; Mann et al. 2020). Most often, only once an athlete retires from their sport and leaves the sporting system is it possible for them to speak truth to power about their experiences of harassment and abuse.

This normative culture of sport thus suggests that abuses of power can emerge in a myriad of ways, in addition to sexual abuse at an interpersonal level. Indeed, this is how systemic organisational abuse emerges too: we opened our article with the narratives of three athletes who were significantly affected by the emergence of systemic discrimination and medical mismanagement through the WAFER. Their stories are one example of how organisational-level violence is normalised and persists without recognition. The resulting exploitation and controlling of athletes subsequently illustrates how the IOCCS's current safeguarding policy, under the best practice guidance, is not adequate for protecting athletes.

Regarding constitutive issues, both the IOC and WA are structured hierarchically with corresponding statuses in that, those who comply with rules and procedures are rewarded while those who deviate from conformity are punished or excluded. Additionally, the current rules and procedures omit or exclude consultation, particularly for athletes (impacted and otherwise), or sanction particular views through internally controlled Athlete Commissions. This is evident in the IOCCS as there is a noticeable absence of athlete voice incorporated throughout the document, further reflected by the lack of athletes named or included in the authorship team. This is a curious development for two reasons: (1) the 2007 version was co-authored by athlete-advocate Sheldon Kennedy, and he, or a similar voice, is noticeably absent from the 2016 IOCCS, and (2) whilst recognition of the importance of inclusion of 'athlete voice' has grown significantly in the sports injury prevention literature (Harvey 2020) along with the rise of athlete-led advocacy organisations and unions, a parallel commitment to athlete voice in safe sport policy making, remains absent.

Furthermore, power hierarchies and imbalances manifest in the WAFER through the purported necessity of creating separate competition categories for male and female athletes to uphold what WA deems 'fair and meaningful competition' within the women's category (WA 2019a, 2). Doing so is necessary, they contend, as 'competition between male and female athletes would not be fair and meaningful, and would risk discouraging women from participation in the sport' (WA 2019a, 1). Though current data indicates approximately a 10–12% performative difference between men and women (Coleman 2017), the slower and shorter performances of women athletes have adopted a cultural narrative of 'weaker' or 'inferior' female bodies. In this vein, organisations (particularly WA) have turned to the regulation of testosterone in women to uphold 'fair and meaningful competition.'

While a range of factors contribute to athletic outcome, including testosterone, the concerted attention to the hormone in women athletes subsequently characterises it as a 'male hormone' – an important association that scholars before us have historicised and deconstructed at length, particularly around the biologisation of gendered attributes to male and female bodies (see Fausto-Sterling 2000; Jordan-Young and Karkazis 2019a, 2019b). Thus, exclusively policing testosterone in women athletes both reinforces belief in the superior male athlete and the inferior female athlete, and essentialises 'masculine' characteristics (i.e., sport-relevant traits) to male bodies, which are presumably derived from testosterone. As such, the appearance of 'masculine' traits in female bodies is constructed as unnatural (Cavanaugh and Sykes 2006). Through the lens of fair play, 'fair' is masculine traits for male bodies, and 'unfair' is masculine traits in female bodies *despite the necessity of such characteristics for all athletes regardless of gender* (Henne 2014). Consequently, women athletes who do not 'fit' normative beliefs of the female body – weaker, inferior, non-masculine traits – are considered unfair and unnatural. The result is the potential for dangerous consequences and presenting 'impossible choices' to impacted athletes (see Karkazis and Carpenter 2018), thereby revealing how systemic, organisational violence emerges in practice.

### Implementation

Often, policy and procedure are experienced as inaccessible or, as Ahmed (2019) writes, '[coming] into existence without coming into use' (p. 154). If a policy or procedure is not user-friendly, it routinely serves as an intentional or unintentional barrier to effectiveness (Ahmed 2019). As such, in this section, we analyse each document's implementation, which is a key, yet often overlooked,

aspect. In this vein, the WAFER is successful as it provides clear rules and has a structured protocol for well-defined end-users. Specifically, World Athletics personnel (i.e., medical personnel, officials) are required to monitor and report blood testosterone testing for female athletes with an identified difference of sexual development (DSD) condition in World Athletics-sponsored events, for distances between 400 m and the mile. Athletes are expected to comply if they intend to compete.

In contrast, the IOCCS simply states, 'It is incumbent on all stakeholders in sport to adopt general principles for safe sport . . . ' (Mountjoy et al. 2016, 1025) and provides broad guidelines for a wide range of end-users which include sports organisations, athletes, sports medicine and allied health practitioners, and sports science researchers. To this end, it could be argued that the purpose of a consensus statement is not to provide concrete, actionable, or accountable procedure and detailed guidance for implementation, contributing to the IOCCS's characterisation as more of an educational document.

While it is unclear what the exact purpose of an IOC consensus statement is, this approach is explained briefly in a more recent IOC Consensus Statement (on athlete health and safety at large sporting events). The authors of this newer document describe how athletes' wellbeing was not satisfactorily addressed by International Federations [IF] despite being 'mandated in a variety of normative frameworks including the Olympic Movement Medical Code, the Athlete's Rights and Responsibilities Declaration and the Olympic Charter' (Mountjoy et al. 2021, 191). As such, '[t]his deficit and discrepancy in the quality of IF event healthcare planning, prompted the decision to develop evidence-based guidelines to assist the IF medical committees in their planning of IF event healthcare' (Mountjoy et al. 2021, 191). Adopting an individualised approach to implementation, end-users (sports federations) are assumedly expected to use this information as a starting point for developing their own policy and procedure. The intention here is to empower different sporting organisations to develop bespoke safeguarding policies and procedures.

However, the mobile framework of consensus statements such as the IOCCS opens the door for wider interpretations that may lack congruence with best practice safeguarding principles (ASOIF 2020). The lack of the IOCCS's explicit commitment to implementation (and as we will discuss in the next section, transparency and accountability) persists into subsequent ineffective policy responses, especially as organisations appropriate consensus statements (including the IOCCS). As such, the necessary individualised approach – consequent of not providing a commitment to implementation – places the onus on (disempowered) individuals/individual sports to enact safe sport, rather than taking a whole-of-system approach to address a structural issue.

While athletes are instructed to 'Know your rights and responsibilities with regard to the prevention and reporting of non-accidental violence' (Mountjoy et al. 2016, 1025), there lacks similar accountability for organisations regarding their role(s) in upholding those rights, or broader human rights. This is particularly concerning when considering complex organisational violence. While the IOCCS instructs sports organisations to 'State that all athletes have a right to be treated with respect, protected from non-accidental violence' (1025), the three narratives presented in our introduction, especially Semenya's, illustrate the emptiness behind the word 'state,' which is vital for effective implementation. Indeed, Semenya and others *did* know their rights (as evidenced in submissions to CAS) yet were not protected from forms of (organisational) violence without intervention from the CAS. Further, while WA states in their safeguarding position statement (World Athletics (WA) 2018a) that discrimination is unacceptable, this remains a clear, indisputable outcome of the WAFER (see CAS 2019; Pape 2019). Thus, and as Ahmed (2019) contends, rhetoric does not necessarily equal action, and in fact, can be an organisational mechanism for inaction. Indeed, to paraphrase Ahmed's (2019) writing on diversity, safeguarding 'might be a useful word because of what it does not address. If [safeguarding] creates the impression of addressing something without addressing anything, [safeguarding] is used as a way of managing impressions' (148). In this way, we caution that sports organisations may co-opt safeguarding statements as a public relations tool.

### *Transparency and accountability*

In terms of transparency and accountability, it is widely recognised that sport free from violence is an athlete's human right. Simultaneously, as sports are increasingly recognised as (mega) businesses, they must adhere to the United Nations' Guiding Principles for Business and Human Rights (Schwab 2018). This holds that, as businesses, sport must: (1) respect rights and do no harm; (2) protect rights by providing transparent, accessible, and complete grievance mechanisms; and finally, (3) be accountable for rights violations and provide arms-length access to effective remedy.

It is of note that neither the WAFER nor the IOCCS explicitly incorporate this human rights framework, despite vague commitments in their respective problem statements. This has far-reaching and concerning implications for basic safeguarding principles including transparency and accountability, as noted above. Indeed, neither the IOC nor WA are explicitly accountable to the usual checks and balances of a codified internal or external human rights system, as sport often operates outside of these frameworks. That said, human and athlete rights organisations, individual athletes via CAS, and journalists have implored or created a proxy for accountability in the vacuum thereof. While the IOC presumably has some level of public accountability due to the mega popularity of the Olympics and engagement with low-middle-income countries, WA lacks the same spectacle and public accountability. This difference in public attention may be why – up until present at least – their approaches and human rights accountability (to women such as Semenya) have differed so significantly. As such, while the IOCCS has been instrumental in providing the rationale and early language for the advocacy of safe sport, its failure to incorporate basic safeguarding and human rights principles such as accountability and transparency may explain why the WAFER can exist in the same sporting milieu, co-opting language for its own ends without transparency or accountability to the very athletes that these organisations cannot exist without.

### *Intended and unintended outcomes*

The IOCCS states that its intended outcome is for all sport to be 'safe sport': an athletic environment that is respectful, equitable and free from all forms of violence to athletes. The intended outcome of the WAFER is 'to ensure fair and meaningful competition in the sport of athletics, [create] categories that create a level playing field and ensure that success is determined by talent, dedication, hard work, and the other values and characteristics that sport embodies and celebrates' (1). Assumedly, these two goals work in tandem with each other, as an athletic environment that prioritises 'safe sport' would result in 'fair and meaningful' competition for all competitors.

An important – yet routinely overlooked or ignored – step in policy and intervention development and evaluation work is to identify any *unintended* outcomes, which are the contextual consequences that may emerge from underlying mechanisms (Pawson 2006). To do so involves thinking through policy/procedure and assessing the ways in which policy and procedure is experienced by those making use of it. Ahmed (2017) explains that, often, 'the gap between what is supposed to happen and what does happen is densely populated'. We find this true of both the IOCCS and the WAFER.

Through the mobilisation of scientific evidence, policies are supported in their validity, mode of implementation, and consequences, however narrow or problematic, so long as they *claim* to protect (certain) athletes. Such is the case of testosterone in the WAFER, in which the CAS panel ruled that the policy was a 'necessary, reasonable, and proportionate' discrimination for the benefit of the female category and women athletes. Yet, and as Pape (2019) notes, in the original 2015 challenge of the regulation by Dutee Chand, the panel's decision to suspend the policy was not due to the regulation's uneven or harmful consequences, but the need for more scientific evidence to prove the 'magnitude of testosterone's effects on athletic bodies' (17). To this end, Pape (2019) remarks, 'particularly troubling here is that the differential treatment of women's bodies can be justified by such science' (19). The acceptability of organisational and systemic harm in response to

scientific evidence is further troubling, given that science is not and cannot be neutral – a reality that several scholars have demonstrated through historical and contemporary female eligibility policies (see Jordan-Young and Karkazis 2019a; Karkazis and Jordan-Young 2018, 2020; Pape 2019). Instead, science can and has been mobilised to demonstrate the inferiority of women's bodies, essentialise gendered characteristics, and biologise race to foster 'scientific racism' (Hill-Collins 2009). Without accounting for the narratives and voices of athletes affected by the WAFER – a framework set up by the IOCCS – the very real impacts of the WAFER on the livelihoods and lives of impacted athletes are effectively erased. By relying on 'the science', female eligibility regulations such as the WAFER are positioned via 'objective' frameworks that are not beholden to 'subjective' matters such as athlete rights. This has set up a paradigm in which regulation is diametrically opposed to that of safeguarding, permitting a conflicting identity around safeguarding and regulating women in harmful ways.

This is not to say that science is not valuable – like Wilson (2015), we believe that science should be taken seriously, but not literally. Rather, that science cannot be the end-all-be-all, as indicated by policies and documents on harassment and abuse. We agree with Weissensteiner (2015) and argue that athlete voices should be heard and centred in conversations and policies regarding harassment and abuse given that *they* are the central focus and 'have lived the experience, making them a truly qualified 'knowledge expert'' (839). As these policies are nominally created for the protection of *athletes*, we argue that they should be fundamental in developing these policies to ensure accountability and effectiveness. If this is not possible within sporting organisations themselves – which we have shown is the case – then there is a need for independent safeguarding bodies to take up this call meaningfully.

Given that we are finally starting to recognise systemic racism in sport and exercise medicine (Blake 2020; Karkazis and Jordan-Young 2020), it is also important to unpack how regulations such as the WAFER have been shown to have racially and regionally biased outcomes. As Karkazis and Jordan-Young (2018) argue, the racialisation of gender through (selective) scientific measures contextualise how and why 'black and brown women from the Global South come to be the exclusive targets of the supposedly new, neutral, and scientific [testosterone] regulation' (6). That is to say, while testosterone is a biological marker, race and ethnicity are not. The disproportionate consequences of the WAFER are subsequently illustrated in the distress experienced by the three narratives of the beginning of this paper by women from the Global South, ranging from years of helplessness and dulled mental acuity to permanent surgical damage.

In this way, while WA intended for its female eligibility policy to uphold 'fair and meaningful' competition in the women's category, we instead find three unintended consequences from the WAFER: (1) racist policies that disproportionately affect young women from the Global South; (2) negative health outcomes on impacted women athletes, either permanently or temporarily; (3) privileging scientific knowledge over athlete rights, narrative, and experience.

## Conclusion

In this article, we have examined and compared the potential for organisational violence in elite sport policy discourses, using the WAFER (a document heavily criticised for its systemic, unethical, and racist consequences) and the IOCCS (a document developed to prevent such harms from happening). We found that, while there was a shared intention to protect athletes, gaps in the accountability and definitive safeguarding frameworks contributed to uneven athlete protections with the potential for long-term harms. Rather than protecting *all* athletes, the malleability of safeguarding language and predominant focus on interpersonal (rather than systemic organisational) violence only protected some athletes – typically those who conformed or aligned with conventional norms (Karkazis and Jordan-Young 2018; Pape 2019). This discrepancy occurred for three reasons: (1) lack of organisational accountability; (2) focusing on interpersonal harms rather than systemic violence; and (3) attention to science over athlete voice

While the IOCCS is a necessary step towards creating a safe sport environment for athletes through outlining measures at multiple interpersonal levels and bringing in greater awareness of organisational forms of harm, its broadness, background, and lack of accountability measures hampers effectiveness. This is because the IOCCS exists within a sporting system underpinned by problematic cultural norms that sit outside of the purview of most societal checks and balances. Consequently, policies with harmful outcomes, such as the WAFER, emerge both despite and because of current approaches to safeguarding. The narrow scope of the IOCCS is reflective of the mainstream approach to harassment and abuse in sport, which remains focused on the ‘bad apple’ notion of interpersonal abuse, which focuses on sanctioning individual perpetrators rather than grappling fully with the reality of systemic and structural organisational forms of violence (Roberts, Sojo, and Grant 2020). This messy and complex reality of insidious *organisational* forms of harassment and abuse in sport are rarely properly accounted for or addressed – or even recognised, as we have shown in the WAFER.

Furthermore, with the IOCCS’s struggles to implement a clear standard of accountability for organisations (including, but not limited to WA) to prevent medical and social harms of athletes (especially those with marginalised identities), there is a hesitation to actively respond to these abuses at the institutional level. Cases involving abusers such as Larry Nassar are not unique as athletes, activists, and scholars have demonstrated, yet there lacks a centring of athletes’ voices and experiences to create methods of independent organisational accountability. Instead, organisations like the IOC and WA co-opt language meant to ensure that athletes are ‘treated with respect [and] protected from non-accidental violence’ without following through on an organisational level (Mountjoy et al. 2016, 1025). Indeed, in the contemporary context, safeguarding goals are assumed as implicit and noncontroversial, and organisations are lauded for their ‘commitment’ to such principles without accompanying commitment to action.

However, the existence of organisational policy documents to protect the organisation (as opposed to the athlete) is an uncomfortable truth that must be centred if safeguarding is to be taken seriously. Such is the case of the WAFER when considering both the IOCCS and WA’s own Position Statement on harassment and abuse. For the women impacted by the policy, they are required to leave the sport, change their events, or have surgery or take medication to help ‘change their body to better reflect their chosen gender’ (World Athletics 2019b; see Karkazis and Carpenter 2018). Yet, and as previous scholars have outlined, prescribing and requiring women to unnecessarily take medications to lower their testosterone levels is ethically (see Bekker and Posbergh 2019), medically (see Jordan-Young, Sönksen, and Karkazis 2014), and discursively (see Karkazis and Jordan-Young 2019b) problematic. The ‘impossible choices’ presented to women affected by the WAFER (e.g., Negesa, Semenya) demonstrate how institutional violence can manifest in medical mismanagement and systemic discrimination (Karkazis and Carpenter 2018): recognised forms of organisational violence that *should* be prohibited through the IOCCS and WA’s own safeguarding policies, but are currently not.

It is worth reflecting on the Ropes and Gray report (McPhee and Dowden 2018) into the Nassar systemic abuse tragedy, which found that: ‘Although neither organisation [United States Olympic Committee & USA Gymnastics] purposefully sought to harm athletes, both adopted general governance structures and specific policies concerning sexual abuse that had the effect of allowing abuse to occur and continue without effective intervention’ (4). Their findings indicate the occurrence and continuation of systemic discrimination and medical mismanagement throughout an organisation due to (well-intentioned) safeguarding policies that lacked implementation measures, transparency, and accountability. Though these outcomes may be unintended, they show the urgent necessity to (re-)evaluate policy and procedure consider how and if these interventions ‘work’ in real-world practice – including problematic mechanisms that may be activated, such as safeguarding concerns and a lack of action (Ahmed 2019; Pawson 2006).

Although safeguarding, especially regarding women athletes, adopts a conflicting identity, recent events – such as the wider #MeToo movement and the rise of eligibility regulations for

women in sport – illustrate the need for the construction of harassment and abuse not simply as interpersonal, but also systemic and as a result of organisational policy failures. Following Ahmed (2019) in the understanding that, ultimately, policies are constructed for organisations by organisations, we show and hold space for the uncomfortable truth that organisational violence can and does emerge from the very policies that purport to uphold ‘fairness’ and ‘safety’, and that safeguarding policies may be ineffective in addressing systemic and structural safety issues. As such, we draw urgent attention to the discrepancies between the various policies that are too often siloed within single organisations or systems. Future projects could incorporate interviews with scientists, policymakers, and others involved with the policy development process to further understand how, why, and under what contexts shape particular safeguarding policies. Such continued research is imperative if future prevention efforts are to be effective within the complex realm of safeguarding in sport. The time for a critical re-examination into the conceptualisation and implementation of safeguarding has come, as well as positioning organisational violence enacted through female eligibility policy as a sports safeguarding issue.

## Note

1. Pielke, Tucker, and Boye (2019) have discussed conflict of interest issues in the supporting scientific data for the WAFER, as the study forming the basis for the policy was ‘produced in-house by [WA] researchers’ and was ‘both funded and conducted by [WA] in support of its own regulations’ (21).

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