



# **Reporting and Preventing Abuse on Social Media v2.0**



## Table of Contents

Online Abuse – AFC Bournemouth .....	3
Introduction.....	3
Threshold – Content.....	5
English Football League (EFL).....	5
Reporting and Preventing Abuse on Social Media - Players .....	5
Reporting to Police.....	6
If a player is willing to support a formal prosecution.....	6
If a player is unwilling to support a formal prosecution .....	7
Wellbeing Support Available - PFA.....	7
AFC Bournemouth – Employee Victim .....	8
Reporting to Police.....	9
If an employee is willing to support a formal prosecution .....	9
If an employee is unwilling to support a formal prosecution .....	10
AFC Bournemouth – Supporter Victim.....	10
Disciplinary Procedures – Employee .....	10
Disciplinary Procedures – Supporter.....	11
Safeguarding.....	11
Definition of the term ‘Child’.....	12
Definition of the term ‘Adult at Risk’ (Care Act 2014).....	12
Dealing with a disclosure .....	12
Recording and Reporting Disclosures and other Safeguarding Concerns.....	13
Recording of incidents by email .....	13
Legislation - .....	13
Appeals Procedure .....	14
Version Control .....	15



## Online Abuse – AFC Bournemouth

This policy is drafted as a supplement to any existing safeguarding or equality policy.

### Introduction

The internet is a space for sharing and promoting a variety of content and ideas. As more people and businesses look to social media as a way to communicate globally and often anonymously, the risk of experiencing or being victim to online hate has increased significantly. The rise of online hate speech and abuse has led to passionate debates about freedom of speech and expression, and its limitations on the internet. AFC Bournemouth are opposed to any form of online hate or abuse and will provide appropriate support to any player, employee or supporter who is subject to this form of abuse. It is acknowledged that the risk of being a victim of online hate is of heightened concern to players at all levels who utilise social media, given then very public nature of their roles. Online hate is defined by the United Kingdom Football Policing Unit (UKFPU) as:

*“Any electronic communication that appears to breach the law on protected characteristics that is directed towards a player, club, football authority, match official or football personality, where there is a clear link to football, or where the text used is more generic but is not aimed at any individual but a more general group within the above criteria.”*

Protected characteristics as defined by the Equality Act 2010 are:

**Age** – A person belonging to a particular age (e.g. 32 year olds) or a range of ages (e.g. 18-30 year olds).

**Disability** – A person has a disability if they have a physical or mental impairment which has a substantial and long-term adverse effect on that person’s ability to carry out normal day to day activities.

**Gender reassignment** – The process of transitioning from one gender to another.

**Marriage and civil partnership** – Marriage is a union between a man and a woman or between same-sex couples. Same-sex couples can also have their relationships legally recognised as ‘civil partnerships’. Civil partners must not be treated less favourably than married couples (except where permitted by the Equality Act 2010).

**Pregnancy and maternity** – Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.



**Race** – Refers to the protected characteristic of race. It refers to a group of people defined by their race, colour, nationality (including citizenship), ethnic or national origins.

**Religion or belief** – Religion refers to any religion, including a lack of religion. Belief refers to any religious or philosophical belief and includes a lack of belief. Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

**Sex** – A man or a woman.

**Sexual orientation** – Whether a person’s sexual attraction is towards their own sex, the opposite sex or to both sexes. characteristics, including gender, religion, sexual orientation, transgender identity, and disability.

And

**Antisemitism** – A certain perception of Jews, which may be expressed as hatred towards Jews. Rhetorical and physical manifestations of antisemitism are directed towards Jewish or non-Jewish individual and/or their property, toward Jewish community institutions and religious facilities.

This definition will also apply to cyber bullying in which people are perceived to have been targeted or targeted, harassed, or attacked online. When speech online is defined as hate speech then often a substantive crime has been committed.

Hate crimes can take many forms. Online hate crime can include:

- Online abuse, including verbal, emotional, or psychological abuse
- Offensive literature and websites
- Discrimination by perception
- Abusive private messages and hate mail
- Threatening behaviour and cyber bullying

If a player, member of staff or supporter is subject to online abuse of any kind, then AFC Bournemouth will where appropriate, support the individual through the following process. It is important to note, an occasion may occur where the victim (player and employee only) does not wish to formally support a prosecution, then mechanisms exist where the club as an employer can act as a complainant. It should also be noted, that where the victim chooses not to make a complaint and does not wish for the club to act as a proxy then this decision should be respected.



## Threshold – Content

Before referral to the police, the social media panel should consider if the post meets the police threshold test as set out below. This threshold requirement is not needed in those instances where referral to the police is not being considered.

Offences under investigation are likely to be section 127 of the Communications Act 2003 or Section 1 of Malicious Communications Act 1988. The post **must be grossly offensive**. The crown prosecution service (CPS) have provided guidance that prosecutors should only proceed if they are satisfied there is sufficient evidence that the communication in question is **more than** (i.e. crosses the high threshold necessary to protect freedom of expression, even unwelcome freedom of expression).

## English Football League (EFL)

The EFL has working relationships with Facebook and Twitter, where the majority of issues have occurred, as well as Google and, more recently, TikTok, while continuing to advise on recommended course of action and providing support on an individual basis. For instances of online abuse on social media, it is recommended that Clubs report via priority channels and mute/restrict/block the individual from the player and club accounts, while advising other players to do the same. All Clubs are requested to inform the EFL when reporting an incident to any of the social media platforms in order for the EFL to keep a League-wide overview of the volume and frequency and are also asked to amplify any central messaging on tackling online abuse where possible.

The EFL also encourage clubs to report any illegal, discriminatory, or threatening abuse to the police, who can pursue investigations.

## Reporting and Preventing Abuse on Social Media - Players

It is accepted that abuse on social media of an AFC Bournemouth player will likely be identified in one of three ways.

1. By the Head of Media and Communications
2. By the Head of Team Security (social media monitoring)
3. By the player themselves if they are direct messaged or tagged by the abuser.

Players who are subject to abuse on social media may wish to report the abuse to the police and/or the social media platform but in all circumstances, the Head of Media and Communications and the Head of Team Security must be informed to ensure it is recorded and managed to provide a consistent approach.

Initial advice to the player from the club should include -



A number of platforms have developed tools to make reporting easier to secure potential evidence and to prevent unwanted communications, including those that do not amount to a criminal offence. These include:

- A report link, so that particular or multiple communications can be reported directly to the platform. Social media sites may then decide to remove content and disable or suspend accounts, although it is not technically possible for a platform to guarantee a user will not return once their account is closed. Note that if a matter is reported to the police, the police will make a data retention request to the platform, so that evidence is secured for any investigation.
- Taking screen shots of the offending material, which can be saved on or off (for example, cloud storage or USB drive) the device.
- Tools exist to block or mute the person who has uploaded abusive content, so that they can no longer see posts or have communication with the victim.
- Tools exist to unsubscribe or “un-follow” accounts that produce or share offensive material.
- Login alerts, which prompt the platform provider to send a notification if someone tried to log into an account from a new place.
- Privacy setting, to control who can see posts and information from profiles, such as phone numbers and email addresses.
- Log the incident and inform the EFL
- Should the post not be swiftly removed, follow up with the platform’s key contacts(s), as well as the EFL, who can escalate the issue in the Partner Support Portal.

More detailed advice regarding these measures can be obtained from the Head of Media and Communications.

## Reporting to Police

In all cases where online hate is identified towards a player, consideration must be given to reporting to Police. This is key to the identification and subsequent prosecution of any offender, as a number of criminal offences may have been committed. However, it is recognised that there are occasions where the victim may not wish to support a formal prosecution but is open to the club acting as a proxy.

## If a player is willing to support a formal prosecution

- Head of Team Security to make contact with the police to formally report the incident and a crime / NICHE occurrence number to be obtained.
- The Head of Team Security will oversee a victim statement being written by the player and submitted.



- The Head of Team Security will monitor the progress of the investigation and keep the player and senior management team informed of the progress.
- The Head of Team Security will facilitate a victim personal statement (VPS) being written should a court hearing be required.

It is important to note that the victim would need to be informed of the possible need to provide evidence in person at court if they chose to pursue a complaint themselves. In any event, the club through the Head of Media and Communications, Head of Team Security and Player Liaison will support the player throughout to a conclusion.

### If a player is unwilling to support a formal prosecution

In the event of online hate toward a player being identified and the player being unwilling to support a formal prosecution, then the club can act as a complainant. It is important to note that the consent of the player should be sought beforehand. If consent is given, then:

- Head of Team security to make contact with the police to formally report the incident and a crime / NICHE occurrence number to be obtained.
- The Head of Team Security will write a complaint statement making the club the complainant in the case.
- The Head of Team Security will if required, attend court to provide evidence on behalf of the club in support of any prosecution.
- The Head of Team Security will monitor the progress of the investigation and keep the player and senior management team informed of the progress.

The player should be offered support by the club in managing the aftereffects of this form of abuse with consideration given to their ongoing mental health. This can include a referral to a club mental health first aider and/or the player can contact the PFA as below.

It is the club's duty of care to ensure an internal process is actioned when a player is the victim of online abuse, and players should be offered practical support at this time via the club's own channels.

### Wellbeing Support Available - PFA

Dedicated support to address the emotional impact of online abuse is available through the PFA.

- PFA Online Abuse Helpline: 0800 368 8484
- [enough@thepfa.com](mailto:enough@thepfa.com)



If a player needs direct emotional support due to online abuse, the PFA provides players with a counselling telephone helpline. This support is available to all players, who should be encouraged to accept emotional support, given what we know about the impact abuse can have on an individual.

1. Through the initial call or email, the player will speak directly to a trained PFA employee, and the assessment process will begin.
2. The PFA team member will ask a series of questions designed to ascertain a fuller understanding of the client need and recommend the client for a programme of counselling.
3. If the recommendation is that the player should undergo a period of counselling, and the PFA member agrees to this, we will identify an approved counsellor from our network.
4. The chosen counsellor should be based no more than one hour's driving time from a member's home address. The member will be contacted within 24 hours for the counsellor to conduct a further assessment before the player agrees to undertake an initial series of counselling sessions. Online provisions are available.

The PFA consider social media an extension the player's workplace and therefore will extend its support to employment and criminal disputes that could potentially arise through online abuse. It will continue to work to make social media a safer space for players alongside the Government, police, while also working with Clubs, EFL, Premier League, The FA, LMA and Kick It Out.

For further information on the wellbeing support available to players, please contact [wellbeing@thepfa.com](mailto:wellbeing@thepfa.com)

## AFC Bournemouth – Employee Victim

If a member of staff is subjected to online hate, this **must** be reported to their line manager at the earliest opportunity. If this is identified by either the Head of Team Security or the Head of Media and Communications, then the matter will be referred to the Operations Director. The following should be actioned by either the member of staff subject to the offensive material, or the relevant heads of department.

- 1 – Efforts to secure and preserve any evidence of the messages sent will be made by the person who discovers the abuse. To include screen shots of the offending material with the time and date sent and from the username or URL of the source.
- 2 – The relevant platform, if sent via social media should be made aware through their own reporting links. This is relevant should a data protection act





request for subscriber details be made by the police at a later date, if the matter is escalated to the police. The Head of Media and Communications can assist with this.

3 – The username should be blocked/unfollowed by the victim and/or the club to ensure no further contact can take place.

4 – The employee should be offered support by the club in managing the after effects of this form of abuse with consideration given to their ongoing mental health. This can include a referral to a mental health first aider.

In any case, the victim will need to decide if they wish to support a formal prosecution through the police. This decision is their own but one that will be supported by the club as a responsible employer. If there is any doubt as to whether the material sent meets the threshold required for reporting to the police, then advice can be sought through the Operations Director and Head of Team Security.

## Reporting to Police

Where online hate is identified towards an employee, consideration must be given to reporting to Police. This is key to the identification and subsequent prosecution of any offender, as a number of criminal offences may have been committed. However, it is recognised that there are occasions where the victim may not wish to support a formal prosecution but is open to the club acting as a proxy.

## If an employee is willing to support a formal prosecution

- Head of Team Security to make contact with the police to formally report the incident and a crime / NICHE occurrence number to be obtained.
- The Head of Team Security will oversee a victim statement being written by the victim and submitted.
- The Head of Team Security will monitor the progress of the investigation and keep the player and senior management team informed of the progress.
- The Head of Team Security will facilitate a victim personal statement (VPS) being written should a court hearing be required.

It is important to note that the victim would need to be informed of the possible need to provide evidence in person at court if they chose to pursue a complaint themselves. In any event, the club through the Operations Director, Head of Media and Communications and the Head of Team Security will support the employee throughout to a conclusion.



## If an employee is unwilling to support a formal prosecution

In the event of online hate toward an employee being identified and they are unwilling to support a formal prosecution, then the club can act as a complainant. It is important to note that the consent of the employee should be sought beforehand. If consent is given then:

- Head of Team security to make contact with the police to formally report the incident and a crime / NICHE occurrence number to be obtained.
- The Head of Team Security will write a complaint statement making the club the complainant in the case.
- The Head of Team Security will if required, attend court to provide evidence on behalf of the club in support of any prosecution.
- The Head of Team Security will monitor the progress of the investigation and keep the employee and senior management team informed of the progress.

## AFC Bournemouth – Supporter Victim

If a supporter is subjected to online hate because of their affiliation to the club then efforts should be made by the club in the event of it being made aware, and if the victim is willing to co-operate, to obtain as much detail about the content of the message(s) and the sender. This enables the club to document and record the matter in line with existing recording mechanisms. This procedure allows the club to:

- 1 – Keep accurate and detailed records of this type of abuse so it is in a position to assist relevant authorities if asked to do so.
- 2 – From any data supplied by the victim, review its own records to identify any links between the club and sender if the identity of the offender is known.
- 3 – Reassure its fanbase that the club has detailed and robust policies in place to deal with this form of abuse.

It is important to note that whilst the club will support its supporters in respect of such abuse, it remains a third party. As such this matter, must be reported to the relevant platforms and or the police by the victim in person. The Head of Team Security can advise on how to do this if the supporter is unsure.

If the abuse is discovered by the club and it is unclear if the supporter is aware then the Operations Director must be informed.

## Disciplinary Procedures – Employee

In the event of online hate and abuse, whether current or historical is identified as being posted by an AFC Bournemouth employee, then they will be subject to the disciplinary procedure as documented in the employee handbook.



## Disciplinary Procedures – Supporter

If it is identified by an AFC Bournemouth employee, supporter or other third party that a supporter or other club affiliate is known or suspected of posting online hate that is either current or historic then:

- 1 – Efforts to secure and preserve any evidence of the messages sent will be made by the person who discovers the abuse. To include screen shots of the offending material with the time and date sent and from the username or URL of the source.
- 2 – The Head of Media and Communications will contact the relevant platform, if sent via social media through their own reporting links. This is relevant should a data protection act request for subscriber details be made by the police at a later date, if the criminal threshold is met.
- 3 – If the club believes the criminal threshold is met then the club will make the police aware of the relevant abuse.
- 4 – If the club believes the content posted does not meet the criminal threshold and/or in addition to any criminal complaint, AFC Bournemouth will conduct its own investigation into the content published with the burden of proof being ‘on the balance of probabilities’. If a supporter is identified as being responsible for the posting of online hate in any form, then the club reserve the right to levy sanctions or take other appropriate action.

## Safeguarding

AFC Bournemouth acknowledges and accepts it has responsibility for the wellbeing and safety of every child and adult at risk who has been entrusted to its care and comes into contact with the club.

It is the duty of all persons who are allocated duties by the club to safeguard the welfare of children and adults at risk while participating in club activities by creating an environment that protects them from harm.

As such, they must make themselves aware of the club’s Safeguarding Children and Adults at Risk policies.

For the avoidance of doubt, when using the term ‘club’ in the policy document, this includes activities and participants of the AFC Bournemouth Community Sports Trust and the AFC Bournemouth Academy.



## Definition of the term 'Child'

The UN Convention on the rights of children defines a **Child** and **Children** to mean any person or persons who have not yet reached their eighteenth birthday. The UK have ratified this convention in conjunction with the Children Act, and for the purposes of this policy means anyone under the age of eighteen engaged in club activity.

**Activity** means any activity or series of activities, organised or arranged by or in the name of the club for or to be attended by children.

## Definition of the term 'Adult at Risk' (Care Act 2014)

The safeguarding duty in the context of the legislation under the Care Act apply to

Someone who is aged eighteen or over who:

- Has needs for care and support (whether or not the Local Authority is meeting any of those needs) **and**
- Is experiencing, or at risk of, abuse or neglect **and**
- As a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.

This may include people with learning disabilities, sensory impairments, mental health needs, older people and people with a physical disability or impairment. It may also include people who are affected by the circumstances that they are living in, for example, experiencing domestic violence (this list is not exhaustive). An individual's level of vulnerability to harm may vary over time depending on the circumstances they are in and their needs at that time.

This policy should be read in conjunction with the club's IT, social media and images policy and the anti-bullying policy.

## Dealing with a disclosure

When a child or adult at risk discloses that they have been abused or is at risk of abuse including online abuse, staff must ensure that their immediate needs are met and prioritise their safety and protection from further abuse above all else.

It is important to remember that, while it is a member of staff's responsibility to be a supportive listener and to refer the information, it is not their role to counsel the child or adult at risk or to investigate their claims. Staff are, however, expected to act in the best interests of the child or adult at risk at all times.

Where possible the Head of Safeguarding or a Safeguarding Officer should be contacted as early as possible, however it is recognised that an individual may need to respond to a situation immediately.



## Recording and Reporting Disclosures and other Safeguarding Concerns

All safeguarding concerns and disclosures must always be taken seriously, and every effort should be made to ensure that confidentiality is maintained for all concerned when dealing with a disclosure or a safeguarding concern. It is important to ensure that information is handled and shared on a 'need to know basis only'. Those who need to know are those who have a role to play in protecting the child or adult at risk and other persons who also may be at risk, for example:

- Staff with operational responsibility for safeguarding, for example the Head of Safeguarding, Safeguarding Officers and the Senior Safeguarding Lead.
- Statutory authorities (Police and Local Authorities)
- The DBS who help employers make safer recruitment decisions and prevent unsuitable people from working with children and adults at risk.
- Football authorities (The FA and English Football League)

All safeguarding related concerns will be recorded and managed on the club's MyConcern safeguarding case management system.

### Recording of incidents by email

As part of AFC Bournemouth's ongoing efforts to identify online hate and those who post it, the club have introduced its own email address through which those who are victim to or identify online hate, can report it. The email address 'report.abuse@afcb.co.uk' is monitored and will be used in conjunction with this policy.

Below is a summary of some of the offences that maybe committed when someone posts offensive material online that can be classified as a hate crime, i.e., a crime committed against a person or property that is motivated by malice or ill-will towards an identifiable person or group.

### Legislation -

Acts relating to malicious content -

#### Racial and Religious Hatred Act 2006

It a criminal offence to threaten people because of their faith, or to stir up religious hatred by displaying, publishing or distributing written material which is threatening. Other laws already protect people from threats based on their race, nationality or ethnic background.

#### Communications Act 2003 (Section 127)

Sending by means of the Internet a message or other matter that is grossly offensive or of an indecent, obscene, or menacing character; or sending a false message by means of or persistently making use of the Internet for the purpose of causing annoyance, inconvenience or needless anxiety is guilty of an offence liable, on



conviction, to imprisonment. This wording is important because an offence is complete as soon as the message has been sent: there is no need to prove any intent or purpose.

#### Malicious Communications Act 1988 (Section 1)

This legislation makes it a criminal offence to send an electronic message (e-mail) that conveys indecent, grossly offensive, threatening material or information that is false; or is of an indecent or grossly offensive nature if the purpose was to cause a recipient to suffer distress or anxiety.

#### Public Order Act 1986 (Sections 17 – 29)

This Act makes it a criminal offence to stir up racial hatred by displaying, publishing or distributing written material which is threatening. Like the Racial and Religious Hatred Act 2006 it also makes the possession of inflammatory material with a view of releasing it a criminal offence.

#### Protection from Harassment Act 1997

A person must not pursue a course of conduct, which amounts to harassment of another, and which he knows or ought to know amounts to harassment of the other. A person whose course of conduct causes another to fear, on at least two occasions, that violence will be used against him is guilty of an offence if he knows or ought to know that his course of conduct will cause the other so to fear on each of those occasions.

## Appeals Procedure

Any person subject to punitive measures as a result of this policy have the option to appeal their sanction. This must be done in writing to Chief Executive via the [report.abuse@afcb.co.uk](mailto:report.abuse@afcb.co.uk) email address within one week of the sanction being enforced.



## Version Control

<b>Version</b>	<b>Date</b>	<b>Author</b>	<b>Rationale</b>
1.0	20/02/2021	Chris Gerrish – Head of Team Security	Initial draft
1.1	01/04/2021	Chris Gerrish – Head of Team Security	EQIA Compliance
2.0	21/12/2021	Chris Gerrish – Head of Team Security	Policy Amendments