

Levelling the playing field

On 17th February this year, the behaviour of English football fans was once again in the headlines. The focus was not on the game, nor indeed the club per se, but rather the behaviour of Chelsea fans travelling on the Paris Metro. As you will no doubt have seen for yourself, a group of males repeatedly refused to let a black Parisian man on to the train, and in a scene that was sadly reminiscent of the 'bad old days' of the 1970s and 1980s, were clearly heard engaging in racist chanting as onlookers filmed the scene unfolding in front of them. Headlines such as "*Chelsea racist fans are a 'disgusting minority' says Kick it Out*" (The Telegraph), "*'We're racist and that's how we like it' Chelsea fans refuse to let black man board Paris tube in shocking video*" (The Metro) and "*'Chelsea fans' racist abuse of black man on Paris Metro is a throwback to the Eighties terrace culture...we foolishly believed this shameful behaviour was a thing of the past*" (The Mail Online) were reported and condemnation of the actions of the group were quick to follow from all quarters.

Fast forward six days from the events in Paris, and the behaviour of football fans was back in the news. Although this time you could be forgiven if you missed it. On this occasion, the focus was on West Ham fans at their Premier League fixture against Tottenham. The events that unfolded here resulted in TV pundit and former Republic of Ireland football star, Kevin Kilbane, making a complaint to the Football Association (FA) that West Ham fans had been chanting about the young Spurs player, Harry Kane, in a manner that included the use of a derogatory term that is insulting to people with learning disabilities. In addition, a video surfaced apparently showing West Ham fans on a train singing chants of an antisemitic nature, which, as was the case with the incident in Paris, was widely reported by the media. In a statement, West Ham United responded to that incident by promising "if any individual is found to have behaved in an inappropriate way... they will face the strongest possible action, including the option of a life ban from the Boleyn Ground". To me, what is interesting is that in the space of a week we witness three separate incidents of the targeted abuse against minority communities, yet only two of them really attracted any meaningful attention in the popular press. So my question is, why wasn't the same attention given to the incident involving disablist chanting, and how might this be explained?

If you are unaware of the specifics of the disablist incident that unfolded, or indeed if this is the first time you have even heard of it, then that's perhaps not surprising. Indeed in the broadest sense this may be reflective of the 'hierarchy of hate crime' that seems to permeate our society. The implication here is that, for a host of reasons relating to history, politics and culture, the attention and response given to the victimisation of some sections of our communities is, it seems, greater than it is for others. Evidence for the existence of such a hierarchy isn't too hard to find. One could argue, for example, that in legal terms racial and religious 'hate' crimes, where specific offences are enshrined in law, have priority over other hate crimes, where only a sentence uplift exists for offences motivated by hostility

based on disability, gender identity and sexual orientation. Hence, these types of hate crime are, to all intents and purposes, given something of a lower legal status.

The existence of this hierarchy is also arguably reflected in the hate crime statistics. If indeed some are more equal than others, is it really surprising that, according to the Crime Survey of England and Wales, only 1 in 32 disability hate crimes (DHCs) are reported to the police (or a third party), with just 1,985 recorded DHCs in England and Wales for 2013/14? Compare this to the 37,484 racially motivated hate crimes recorded by the police in the same period and this could suggest the problem of disability hate crime is much less significant than race hate crime. However, the alternative (and more realistic) view is that they are just as prevalent as race hate crimes, but are, for any number of reasons, not coming to the attention of the authorities.

The criminal justice trend in this area is mirrored in the football context, with only 7 reports of disablist abuse made to Kick it Out (an equality and inclusion organisation) at the midway point of the 2014/15 season, compared to 117 of a racist nature. Again, we are faced with the dilemma of deciding where the reality lies – are these things not happening at football matches, or are they just not being reported? If it is the former, then great. But if it is the latter, which on the basis of all the available evidence seems more likely, then we have something of a problem.

This apparent hierarchy is also present within the legislation that governs the area of offensive and abusive chanting at football matches, where particular attention is drawn to the problem of racism. As such, the Football (Offences and Disorder Act) 1999 states that it is an offence to "...engage or take part in chanting of an indecent or racist nature at a designated football match". Of course the dates are important here. In a recently published book chapter I, together with two colleagues, charted the emergence of disability hate crime as a contemporary social problem, with the chapter title of *Johnny Come Lately* reflecting the sad reality that disability hate crime is a relatively recent addition to the social and political (and football) lexicon.

But of course this shouldn't come as a surprise either. The focus on prejudice, discrimination and hate in this country has its roots in the terrible historical treatment and suffering of black and minority ethnic communities. In this sense then it is perhaps perfectly understandable that race has come to dominate the attention of law, politics, academia and similarly dominates the statistical data. Indeed in many respects, without this fight for recognition and racial equality, the focus on disability would not be as advanced as it is, regardless of how far we think that might be.

Yet the point still remains; in football terms, or any other terms, all of this discrimination and abuse – race, religion or disability, or anything else for that matter - must stop. Even as I finish writing this piece, news is emerging of sexist chanting by Manchester United fans towards Chelsea FC doctor, Eva Carneiro. Perhaps it is now time for the 'indecent' part of the football legislation to receive a greater focus. Or perhaps it is time for new legislation that levels the playing field for all..

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