



Gendered online harassment of women journalists: a review of research, employment laws and gender equality policies for Scotland

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1. Introduction

Online harassment of women journalists threatens gender equality, both within journalism, where women have long been structurally disadvantaged, and society, where women still do not enjoy equal rights, opportunities and representation. Journalism has an important democratic function and provides representations and information which shape public understanding and social relations. To fulfil this journalism must reflect the people it serves and the issues affecting them, however, research indicates online harassment threatens this by silencing women, especially marginalised women. While there is a growing body of research on this problem few studies examine legal aspects¹ and, to my knowledge, none examine the legal rights of women journalists as workers nor employers' legal duties. Women journalists face online harassment when working especially when fulfilling social media activities on behalf of employers who offer little guidance, protection or support to manage associated hazards and inequalities. Online harassment is a work-related problem and should be approached as such to emphasise the role of employers and their legal duties to protect women journalists and their rights.

This report addresses the gap by approaching the problem from an employment law and workers' rights perspective. It reviews current UK employment legislation to provide an overview of employers' existing legal duties in relation to online harassment, specifically to protect journalists' health, safety, wellbeing and equality. It also addresses the wider policy context by reviewing several key UK and Scottish Government policies and associated civil society critiques. Further, it provides an overview of existing research highlighting current knowledge concerning the nature, scale, and impacts of, and media employers' strategies and responses to, the online harassment of women journalists. The report outlines the scope of this problem, drawing attention to key structural factors and how governments, legislation and employers can mitigate threats to gender equality in journalism and society. The report concludes with a summary of key recommendations for Government- and employer-level interventions identified in the literature. In sum this

¹ Legal aspects typically address laws individuals may utilise to see redress against individual attackers. For example, Grossman, Beth (2021) [Combatting online harassment and abuse. A legal guide for journalists in England and Wales](#). *Media Lawyers Association*.

report outlines key areas of academic and policy work drawing important connections to map current knowledge and responses to this problem as well as gaps and affordances of existing legislation.

The first section of this report elucidates the problem, summarising key research exploring the online harassment of women journalists, charting its scale, the scope of associated personal, professional, and economic impacts and employers' responses. This is followed by a review of existing employment legislation, focusing on the Equality Act and Health and Safety legislation, which details employers' legal duties in relation to work-related online harassment of women journalists. The next section outlines the policy context, including the UK Governments' work around sexual harassment in the workplace, online safety and journalists' safety and the Scottish Government's work around VAWG, gender equality and digital society. This is followed by a thematic summary of recommendations for governments and employers to improve responses to gendered online harassment (GOH). The final section outlines the key insights developed throughout this report.

This project is a collaboration between Engender and Gender Equal Media Scotland (GEMS). Engender is a feminist policy and advocacy organisation focused on advancing women's economic, political, social and cultural equality with men. GEMS is coalition of academics, equality organisations, and journalists committed to transforming Scotland's media and creative industries to advance women's equality as media employees and subjects. Funding was provided by Engender and the Scottish Graduate School of Social Sciences.

This report adopts a feminist perspective, applying a gendered analytical lens to the issue of online harassment of women journalists. It takes an intersectional approach to address the intersections between gender, race, disability, sexuality and other forms of identity which produce gendered inequalities. It views the online harassment of women journalists as a form of violence against women reflecting and exacerbating the gendered inequalities shaping all areas of life, including employment.

Terminology

[Content note: this section contains examples of online abuse which include racist slurs and threats of sexual violence]

This report uses several terms requiring explanation, including:

Gendered online harassment (GOH)

Terminology for this phenomenon is still developing with several terms used, often interchangeably, including: “online abuse”; “online harassment”; “online violence”; “gendered online violence”; “online VAWG”, and “online misogyny”. This report uses the term “gendered online harassment” to capture the unique form online abuse take when targeting women and to foreground women and gender equality. GOH is the digital manifestation of gender inequality and male violence, however, digital affordances, (e.g., spreadability, searchability, persistence, scalability and replicability of information) provide perpetrators unique tools and opportunities to inflict harm at a distance, with unprecedented ease and reach, amplifying harms to women and gender equality. A UNHRC report on online VAW states:

“All forms of online gender-based violence are used to control and attack women and to maintain and reinforce patriarchal norms, roles and structures and an unequal power relationship. This is particularly evident when violence, threats and harassment follow speeches or expression related to gender equality and feminism, or where defenders of women’s rights are targeted for their work.”²

GOH captures a wide, evolving, range of harmful online or technology-facilitated practices which have the intention or effect of inflicting harm on individual women or women as a group³ including but not limited to:

- Direct or indirect threats of physical or sexual violence
- Misogynistic harassment, abuse and threats
- Gender-based slurs or insults
- Harassment (including “pile-ons” or coordinated harassment involving multiple attackers)
- Sexual harassment (e.g., unwanted sexual comments/images)
- Privacy violations (e.g., hacking; “doxing” or non-consensual sharing of private information; stalking; and non-consensual sharing of intimate sexual images).⁴

GOH targets women *because* they are women, with gender-based abuse that is sexist and misogynistic, including harmful gender stereotypes about women, sexual objectification, and threats of physical or sexual violence. This sexism and misogyny overlaps with other forms of prejudice with minoritized women being targeted more

often with severe abuse targeting multiple aspects of their intersectional identities.⁵ While perpetrators' motives or intentions may differ GOH generally aims to humiliate, discredit and undermine women and their contributions. It serves to deter or exclude women from online spaces and debates, silencing women's voices and limiting their impact in public life.⁶

Below are just two examples of GOH found in the literature that capture its gendered and intersectional nature:

"The last one, the email that had her leave her job, came with an explicit threat. 'You really are a nigger bitch. I will rape you and throw you in the gutter,' it said."⁷

"There were thousands of memes of a naked woman, or in bra and panties, with my face on it...thousands of memes with different [sexual] positions, movies, videos of me as a 'prostitute journalist', and threats such as 'you should be raped'.⁸

Intersectional

This term is rooted in law professor Kimberlé Crenshaw's intersectionality theory.⁹ It refers to the multiple factors (e.g. gender, race and class), rooted in interlocking systems of power, which intersect and overlap to produce complex social identities and patterns of advantage and disadvantage which cannot be understood in terms of a single factor. For example, the discrimination women of colour experience is not tied to their gender or race but to both combined resulting in distinct forms diverging from discrimination experienced by white women or men of colour.

Journalists

This report adopts the useful, clear definition included in the UNHRC's *Combatting violence against women journalists* report which defines journalism as "an activity that consists of the collection and dissemination of information to the public through any means of communication" and journalists as "all persons involved in a journalistic process providing information to the public, including editors, commentators, freelancers and part-time authors, communicators, bloggers and citizen journalists".¹⁰

² UNHRC (2018) [Report of the Special Rapporteur on violence against women, its causes and consequences on online violence against women and girls from a human rights perspective*](#). Vienna: UNHRC. p.9.

³ UNHRC (2020) [Combating violence against women journalists: Report of the Special Rapporteur on violence against women, its causes and consequences*](#). Vienna: UNHRC.

⁴ Posetti et al (2021) [The Chilling: Global Trends in Online Violence against Women Journalists; Research Discussion Paper](#). UNESCO, p.10.

⁵ Ibid., p.11; Glitch UK & EVAW (2020) [The Ripple Effect: COVID-19 and the Epidemic of Online Abuse](#). London: Glitch UK and EVAW; WMC (2020) What online harassment tells us about our newsrooms: From individuals to institutions. New York: WMC.

⁶ UNHRC (2020) [Combating violence against women journalists: Report of the Special Rapporteur on violence against women, its causes and consequences*](#). Vienna: UNHRC. p9; Sobieraj, Sarah (2020) *Credible Threat: Attacks Against Women Online and the Future of Democracy*. Oxford: Oxford University Press.

Workers

This term is used to refer to individuals undertaking paid work for an employer no matter their employment/contractual status, including freelancers, as most legal protections cover all although exceptions will be highlighted.

Work-related online harassment

This term is used to refer to online forms of harassment experienced by workers while they work, in relation to their work, either during or outside normal working hours.

Third-party harassment

This is a legal term referring to harassment, bullying or abuse of workers by individuals external to an organisation such as customers and members of the public.

2. The problem of gendered online harassment of women journalists

GOH is a pervasive problem affecting women globally and in the UK. A recent Amnesty International survey found a fifth of UK women experienced GOH a figure almost doubling for women aged 18-24.¹¹ Women who are highly visible, outspoken or in influential roles (e.g. feminists, academics, politicians and journalists) are especially targeted reflecting how GOH is used to silence women's perspectives and limit their social and political power.¹² Minoritised women are also more likely to experience GOH and the sexism and misogyny they face overlaps with other forms of prejudice to target multiple aspects of their intersectional identities. In this way GOH draws upon and reinforces existing unequal power relations in society rooted in gender and other forms of difference.¹³

This report focuses on the GOH of women journalists this group are disproportionately targeted therefore their experiences highlight the significant personal, professional and

⁷ Ferrier, Michele (2018) [Attacks and harassment: The impact on female journalists and their reporting](#). Washington: IWWMF. p.47.

⁸ Posetti et al (2021) [The Chilling: Global Trends in Online Violence against Women Journalists; Research Discussion Paper](#). UNESCO, p.29.

⁹ Crenshaw, Kimberlé. (1989) [Demarginalizing the intersection of race and sex: A Black Feminist critique of antidiscrimination doctrine, feminist theory and antiracist politics](#). *University of Chicago Legal Forum*. 89(1).

¹⁰ UNHRC (2020) [Combating violence against women journalists: Report of the Special Rapporteur on violence against women, its causes and consequences*](#). Vienna: UNHRC. p.3.

¹¹ Amnesty International UK (2018) ['Toxic' Twitter is failing women by letting online violence thrive - new research'](#). London: Amnesty International UK.

¹² Sobieraj, Sarah (2018) [Bitch, slut, skank, cunt: Patterned resistance to women's visibility in digital publics](#). *Information, Communications & Society*, 21(11), pp.1700-1714.

¹³ Amnesty (2018) found women of colour MPs received 30% more abuse on Twitter than white women MPs.

economic harms associated.¹⁴ As a recent UNHRC report highlights GOH produces social harm because it deters women who otherwise would participate online.¹⁵ GOH also threatens to exacerbate gender inequalities in journalism making it less representative of the public it serves, something required for journalism to fulfil its important social and democratic function. Without urgent action from employers journalism will become an increasingly hazardous and untenable profession for women to the detriment of individuals and society.

This section provides a detailed account of this threat focusing on five key dimensions identified in the literature:

- Prevalence, gendering and intersectionality
- Personal, professional, and economic impacts
- Employers' social media strategies
- Employers' responses
- Economic and structural factors

2.1 Prevalence, gendering and intersectionality

Journalists experience more online abuse than most however women journalists also experience more than male journalists, for example, a Demos study found they received three times more Twitter abuse.¹⁶ Surveys show most women journalists have experienced GOH, 63% (of 597 women) in the International Women's Media Foundation (IWMF) 2018 survey¹⁷ and 73% (of 714 women) in a 2021 UNESCO survey.¹⁸ The UNESCO survey also identifies intersectional patterns, with women identifying as Black, Indigenous or Jewish experiencing more GOH in addition to more severe impacts.¹⁹ This survey also found women journalists faced heightened GOH when writing about gender (47%), politics/elections (44%) or human rights/social policy (31%).²⁰ Similarly, an analysis of abusive below-the-line comments on the Guardian website found articles written by women received the majority of abuse with rates of abuse increasing when women covered topics associated with men (e.g. technology and sport).²¹ While perpetrators are often anonymous the UNESCO survey found a third of women were abused online by known political actors and many felt their abuse was carried out as part

¹⁴ Posetti et al (2021) [The Chilling: Global Trends in Online Violence against Women Journalists; Research Discussion Paper](#). UNESCO, pp.22-26.

¹⁵ UNHRC (2020) [Combating violence against women journalists: Report of the Special Rapporteur on violence against women, its causes and consequences*](#). Vienna: UNHRC. p.11.

¹⁶ Bartlett, Jamie (2014) [Misogyny on Twitter](#). London: Demos.

¹⁷ Michelle Ferrier and Nisha Garud-Patkar (2018) [TrollBusters: Fighting Online Harassment of Women Journalists](#). Springer International Publishing. p.22.

¹⁸ Posetti et al (2021) [The Chilling: Global Trends in Online Violence against Women Journalists; Research Discussion Paper](#). UNESCO, p.12.

¹⁹ Ibid., p.22.

²⁰ Ibid., p.13.

²¹ Gardiner, Becky (2018) ["It's a terrible way to go to work:" what 70 million readers' comments on the Guardian revealed about hostility to women and minorities online](#). *Feminist Media Studies*, 18(4), p.600.

of an ‘orchestrated disinformation campaign’.²² These findings indicate how GOH operates as part of a wider backlash against women’s increasing equality and participation in social and political life.

2.2 Personal, professional, and economic impacts

Research elucidates various costs of GOH, for example, many experience physical and psychological impacts such as trouble sleeping²³ or anxiety, stress or fear – something three-quarters of women surveyed by IFJ in 2018 reported suffering.²⁴ Similarly, a quarter of women surveyed by UNESCO reported suffering mental health problems with half requiring medical or psychological support.²⁵ These impacts carry professional costs by interfering with women’s ability to focus, work and be productive by diverting their time and energy while common coping strategies, such as avoiding certain topics,²⁶ online engagement or social media,²⁷ hinder performance of key journalistic tasks (e.g., reporting newsworthy topics, social media branding and audience engagement).²⁸ These impacts translate into economic costs associated with lost income (e.g., from sick days), undermined productivity, missed or refused commissions, and, money spent on counselling, legal or security services.²⁹ Freelancers are especially vulnerable as their ability to find work (and income) is tied to their online activities and because unlike salaried journalists their income is not covered when ill or unproductive.³⁰

GOH is also causing women to leave the profession, for example, 21% of women surveyed by Reporters Without Borders (RSF) reported resigning because of GOH³¹ while 29% surveyed by the IWMF said it made them consider leaving journalism altogether.³² Some women journalists have also lost work or jobs because of GOH, for example, the IFJ survey

²² Ibid., pp.13-14.

²³ Michelle Ferrier and Nisha Garud-Patkar (2018) [TrollBusters: Fighting Online Harassment of Women Journalists](#). Springer International Publishing. p.37.

²⁴ IFJ (2018) [IFJ Survey: two-thirds of women journalists suffered gender-based online attacks](#). Brussels: IFJ.

²⁵ Posetti et al (2021) [The Chilling: Global Trends in Online Violence against Women Journalists; Research Discussion Paper](#). UNESCO, p.13.

²⁶ In one study a woman journalist describes passing assignments on sexual violence to male colleagues to avoid the inevitable GOH. See: IPI (2019) ["Newsroom Best Practices for Addressing Online Violence against Journalists: Perspectives from Finland, Germany, Poland, Spain and the United Kingdom"](#). Vienna: International Press Institute, p.54.

²⁷ Ibid., p.13; Ferrier, Michele (2018) [Attacks and harassment: The impact on female journalists and their reporting](#). Washington: IWMF, p.44. See also, Chen, Gina Masullo, Pain, Paromita, Chen, Victoria Y, Mekelburg, Madlin, Springer, Nina & Troger, Franziska (2018) [‘You really have to have a thick skin’: A cross-cultural perspective on how online harassment influences female journalists](#). *Journalism*, 21(7).

²⁸ Ibid.

²⁹ Sobieraj describes this as the ‘toxicity tax’ women incur when using the internet. See Sobieraj (2020) pp.105.

³⁰ Gender Equity Victoria (2019), ["Don't Read the Comments": Enhancing Online Safety for Women Working in the Media](#). Collingwood: Gender Equity Victoria, p.13.

³¹ RSF (2021) [Sexism’s Toll on Journalism](#). Paris: RSF. p.25.

³² Michelle Ferrier and Nisha Garud-Patkar (2018) [TrollBusters: Fighting Online Harassment of Women Journalists](#). Springer International Publishing. p.44.

found 8% had lost jobs and 3% assignments after facing GOH while the RSF survey found 13% were fired or did not have their contract renewed.³³

GOH can harm women's careers with 24% of those surveyed by the IWMF reporting that being abused, attacked or harassed had negatively impacted their career advancement.³⁴ This reflects how women journalists face GOH targeting their reputation, for example, the UNESCO study found 42% received "reputational threats" (e.g., attempts to cause others to doubt their credibility or ethics), 23% received "professional threats" (e.g., false allegations of wrongdoing to an employer)³⁵ and other faced calls for them to be fired.³⁶ Such attacks clearly aim to and potentially succeed in inflicting steep professional and economic costs³⁷ an intention Emma Jane describes as "economic vandalism".³⁸ The permanency of online content means these costs could potentially be ongoing especially as removing publicly visible GOH is near impossible leaving it visible to future employers, many of whom screen candidates via online searches.³⁹

These findings underscore the potential personal, professional and economic costs associated with being attacked online and how GOH, in silencing women's voices, is undermining journalism and contributing to a democratic deficit.⁴⁰

2.3 Employers' social media strategies

One way of understanding media employers' approaches to GOH is to examine their social media policies (SMPs). There is scant research on this topic with several exceptions including studies by Opgenhaffen and D'Haenens⁴¹ and Directo-Rebollal and colleagues⁴² which analyse SMPs across different news organisations. Each found SMPs focused primarily on brand reputation and employee management with many explicitly

³³ IFJ (2018) [IFJ Survey: two-thirds of women journalists suffered gender-based online attacks](#). Brussels: IFJ. p.2.

³⁴ Michelle Ferrier and Nisha Garud-Patkar (2018) [TrollBusters: Fighting Online Harassment of Women Journalists](#). Springer International Publishing, p.44.

³⁵ Posetti, Julia, Bell, Emily & Brown, Pete (2020) [Journalism and the Pandemic: A Global Snapshot of Impacts](#). Washington: ICFJ p.7.

³⁶ Posetti et al (2021) [The Chilling: Global Trends in Online Violence against Women Journalists; Research Discussion Paper](#). UNESCO, p.31.

³⁷ Ibid., p.10.

³⁸ Jane, Emma (2018) [Gendered cyberhate as workplace harassment and economic vandalism](#). *Feminist Media Studies*. (18)4.

³⁹ Citron, Diane Keats (2014) *Hate Crimes in Cyberspace*. Cambridge: Harvard University Press.

⁴⁰ UNHRC (2020) [Combating violence against women journalists: Report of the Special Rapporteur on violence against women, its causes and consequences](#)*. Vienna: UNHRC. p.8.

⁴¹ Opgenhaffen, Michael & D'Haenens, Leen (2015) [Managing social media use: Whither social media guidelines in news organizations?](#) *The International Journal of Media Management*. 17, pp.201-216.

⁴² Directo-Rebollal, Sabela, Negriera-Rey, Maria-Cruz, Rodriguez-Vanquez, Ana-Isabel (2020) [Social Media Guidelines for Journalists in European Public Service Media](#). In: J. Vázquez-Herrero et al. (eds.), *Journalistic Metamorphosis*. Geneva: Springer Nature.

prohibiting journalists from expressing personal opinions or taking sides on controversial issues.⁴³ Both studies also found audience engagement was strongly encouraged although SMPs often included rules about responding to negative comments, for example, the Guardian prohibit journalists from deleting such comments⁴⁴ while the BBC prohibit ‘aggressive’ responses, including blocking users.⁴⁵ Both conclude SMPs largely ignored the problem of online abuse and focused on protecting the brand’s reputation by policing journalists’ behaviours.⁴⁶ This confirms journalists’ perceptions of SMPs as highlighted in a recent CJR report whereby respondents argue SMPs, “reflect their managers’ focus on the publics’ perception of their organization rather than the publics’ harassment of their journalists”.⁴⁷

An IPI study examined SMPs and interviewed managers in several UK newsrooms and found the issue of journalists’ online safety was acknowledged and addressed with various preventative and reactive measures.⁴⁸ SMPs typically included clear definitions and responses for different types of online abuse, for example, that insulting messages should be screenshotted and reported to managers and/or platforms or death threats should be immediately reported to security and/or the police.⁴⁹ Again audience engagement was actively encouraged, with few describing this as optional, with SMPs providing guidance for managing abuse resulting from this, for example, not responding or sharing abusive messages.⁵⁰ Other measures included in SMPs advise managers hold regular “health check” meetings and offer to monitor accounts on behalf of those facing abuse and checking before linking published stories to journalists’ profiles.⁵¹ Overall, this study found this problem was taken seriously with strategies evolving to manage it which include recognition that women and minoritized journalists were most vulnerable.

⁴³ Opgenhaffen, Michael & D’Haenens, Leen (2015) [Managing social media use: Whither social media guidelines in news organizations?](#) *The International Journal of Media Management*. 17. p.209; Directo-Rebollal, Sabela, Negriera-Rey, Maria-Cruz, Rodriguez-Vanquez, Ana-Isabel (2020) [Social Media Guidelines for Journalists in European Public Service Media](#). p.135.

⁴⁴ Opgenhaffen, Michael & D’Haenens, Leen (2015) [Managing social media use: Whither social media guidelines in news organizations?](#) *The International Journal of Media Management*. 17. p.210.

⁴⁵ Directo-Rebollal, Sabela, Negriera-Rey, Maria-Cruz, Rodriguez-Vanquez, Ana-Isabel (2020) [Social Media Guidelines for Journalists in European Public Service Media](#). In: J. Vázquez-Herrero et al. (eds.), *Journalistic Metamorphosis*. Geneva: Springer Nature pp.135-36.

⁴⁶ Directo-Rebollal, Sabela, Negriera-Rey, Maria-Cruz, Rodriguez-Vanquez, Ana-Isabel (2020) [Social Media Guidelines for Journalists in European Public Service Media](#). In: J. Vázquez-Herrero et al. (eds.), *Journalistic Metamorphosis*. Geneva: Springer Nature pp.137-38.

⁴⁷ CJR (2021) [A Twitter tightrope with a net: Journalists’ reactions to newsroom social media policies](#). New York: CJR (p.2).

⁴⁸ Including online/social media editors and audience engagement managers.

⁴⁹ IPI (2019) ["Newsroom Best Practices for Addressing Online Violence against Journalists: Perspectives from Finland, Germany, Poland, Spain and the United Kingdom"](#). Vienna: International Press Institute, p.55.

⁵⁰ *Ibid.*, p.58.

⁵¹ *Ibid.*, pp.56-7.

2.4 Employers' responses

While the IPI study suggests UK news organisations are taking journalists' online safety seriously this encouraging finding is not supported by other research. Indeed, a recent ICFJ survey found 96% of 1406 journalists from 125 countries felt their employer provided no support for managing online harassment and abuse.⁵² Other surveys also indicate a pervasive lack of formal strategies and poor communication, for example, an NUJ survey found 56% of 319 journalists were unsure if their employer had any safety policies while 89% had received no online safety training.⁵³ Similarly, only 14% of women journalists surveyed by UNESCO said their employer had policies for managing online harassment.⁵⁴ Research also shows most journalists do not report online harassment to employers, 64% in the NUJ survey and 75% in the UNESCO survey did not report their experiences. Common reasons given for this again highlight organisational failures, for example, 26% in the IWMF survey did not report because they were unsure of how to do so⁵⁵ while 75% in the IFJ survey did not report because they felt nothing would be done.⁵⁶

The sense that reporting would be futile reflects the failure of employers to formalise and communicate effective strategies for managing online safety. It also highlights how employers are failing to acknowledge and prioritise women's experiences of online violence. This is confirmed by the experiences of those who do report, for example, two-thirds of women surveyed by IFJ said their employer did nothing⁵⁷ while others had their experiences trivialised or were told they needed to "grow a thicker skin".⁵⁸ Some were deterred from reporting because they fear negative repercussions, for example, the IWMF survey found 29% of women feared losing beats or assignments and 22% felt reporting might negatively impact their performance evaluation and promotion opportunities.⁵⁹ Women also report receiving little support when dealing with the emotional impacts of GOH for example, the UNESCO survey found only 11% of women suffering mental health issues due to GOH were provided counselling resources from their employer.⁶⁰

These findings indicate structural and cultural barriers to tackling this issue which in turn, as a WMC report argues, reflect long standing issues with gender inequality in

⁵² Posetti, et al (2020) [Journalism and the Pandemic: A Global Snapshot of Impacts](#). Washington: ICFJ. p.12.

⁵³ NUJ (2020) [NUJ Members' Safety Survey](#). London: NUJ.

⁵⁴ Posetti et al (2020) [Journalism and the Pandemic: A Global Snapshot of Impacts](#). Washington: ICFJ. p.14.

⁵⁵ Michelle Ferrier and Nisha Garud-Patkar (2018) [TrollBusters: Fighting Online Harassment of Women Journalists'](#). Springer International Publishing. pp.41-42.

⁵⁶ IFJ (2018) [IFJ Survey: two-thirds of women journalists suffered gender-based online attacks](#). Brussels: IFJ. p.3; NUJ (2020) [NUJ Members' Safety Survey](#). London: NUJ. p.12.

⁵⁷ IFJ (2018) [IFJ Survey: two-thirds of women journalists suffered gender-based online attacks](#). Brussels: IFJ. p.2.

⁵⁸ Posetti et al (2021) [The Chilling: Global Trends in Online Violence against Women Journalists; Research Discussion Paper](#). UNESCO, p.13.

⁵⁹ Ibid., p.41.

⁶⁰ Ibid., pp.,40-41.

journalism. These result in a marginalisation of women's interests and concerns while the ongoing underrepresentation of women in leadership and concomitant "perceptual and experiential gaps" result in a failure to prioritise or acknowledge women's unique experiences of online harassment.⁶¹ Similarly, a GEV report argues ongoing systemic sexism within journalism represents a key barrier primarily as this is associated with problematic coverage including the sexualisation of women and reinforcement of harmful gender stereotypes. This serves to both perpetuate women's inequality but misogynistic news content actively encourages and exacerbates GOH.⁶²

2.5 Economic and structural factors

Employers may also exacerbate GOH hazards by normalising journalists' professional social media activities, something largely done in furtherance of economic goals. A recent ICFJ survey found 58% of news managers believed social media was important for raising revenues⁶³ a belief confirmed by figures indicating that a significant proportion of news website traffic emanates from social media.⁶⁴ Social media expectations are also normalised by managers increasing use of social media metrics (e.g., number of pageviews, unique visitors, sources of traffic, time engaged and shared posts) including as a tool for assessing individual journalists' performance, pay and bonuses.⁶⁵ Most employers expect or require their journalists to perform social media activities and research indicates some prioritise hiring journalists, "with proven social media skills"⁶⁶ or those with large followings or active feeds.⁶⁷

While employers expect journalists to engage audiences online this is often unpaid labour, particularly for freelancers. While freelancers' commissions previously ended once their article was published now, as one NUJ respondent highlights, employers expect freelancers to respond to comments once published although provide no increase in payment for this additional labour.⁶⁸ This clearly exploits journalists' precarious position whereby employers can impose unfair conditions knowing journalists are relatively powerless to resist. This is echoed by a recent study which found journalists'

⁶¹ WMC (2020) What online harassment tells us about our newsrooms: From individuals to institutions. New York: WMC. p.9.

⁶² Gender Equity Victoria (2019), "[Don't Read the Comments](#)": Enhancing Online Safety for Women Working in the Media. Collingwood: Gender Equity Victoria. pp.7-8.

⁶³ ICFJ (2019) [State of Technology in Global Newsrooms](#). Washington: ICFJ., p. xi.

⁶⁴ 38% of traffic to UK news websites in 2019 came via social media links. Communications and Digital Committee (2020) [Breaking news? Future of UK journalism](#). London: UK Government. p.64.

⁶⁵ ICFJ (2019) [State of Technology in Global Newsrooms](#). Washington: ICFJ. p.55.

⁶⁶ See Hayes, Kathryn (2021) [The networked newsroom: Navigating new boundaries of work](#). *Journalism Practice*. DOI: 10.1080/17512786.2021.1949627

⁶⁷ CJR (2021) [A Twitter tightrope with a net: Journalists' reactions to newsroom social media policies](#). New York: CJR. p.11-13.

⁶⁸ NUJ (2020) [NUJ Members' Safety Survey](#). London: NUJ. p.21.

increasing job insecurity compelled them to fulfil employers' demands for "affective and unpaid digital labour".⁶⁹ This precarity also represents a barrier to tackling GOH as it deters reporting with journalists on insecure contracts less likely to report for fear of losing work.⁷⁰

These shifts reflect the precarity of this industry however the resulting prioritisation of social media has implications for journalists' working conditions, experiences and opportunities generally but particularly for women and minorities. Many of the above practices have the potential to disadvantage women journalists as they result in their increased exposure to GOH while not accounting for how GOH interferes with women journalists' performance and ability to fulfil social media expectations. GOH represents the dark side of social media however the industry's financial reliance creates disincentives for employers to address this problem, indeed, this problem itself may create revenue as one women journalist in Catherine Adams' study summarises, "Trolling leads to hits, and profit".⁷¹ This needs challenged and employers exhorted to employ gender-sensitive approaches which address the different impacts and experiences journalists have depending on their gender and intersectional identities otherwise diversity and gender equality in journalism will be undermined.

3. The legal context – UK employment legislation

While this report focuses on the problem of GOH as faced by Scottish women journalists, the employment legislation which defines employers' legal responsibilities is controlled by the UK Government. This section examines UK employment legislation and the obligations these import on employers in relation to the problem of GOH and will focus on two key instruments:

- The Equality Act 2010
- The Health and Safety at Work Act 1974

3.1 The Equality Act 2010

The Equality Act 2010 was brought in to replace and consolidate several previous anti-discrimination laws⁷² and provides legal protections against discrimination in the workplace and in the wider society. This Act offers legal protections for women

⁶⁹ Hayes, Kathryn (2021) [The networked newsroom: Navigating new boundaries of work](#). *Journalism Practice*. DOI: 10.1080/17512786.2021.1949627. p.13.

⁷⁰ CFWIJ (2021) [United Kingdom: Safety of journalists – gender perspective](#). New York: CFWIJ.

⁷¹ Adams, Catherine (2018) ["They go for gender first" The nature and effect of sexist abuse of female technology journalists](#). *Journalism Practice* (12)7, pp.850-869.

⁷² Including the: Sex Discrimination Act 1975; Race Relations Act 1976, and Disability Discrimination Act 1995.

journalists in relation to online harassment as it makes the following forms of harassment and discrimination unlawful:

- 1.) Harassment which is either:
 - a.) Related to a protected characteristic (these are: sex; age; disability; gender reassignment; marriage/civil partnership; pregnancy/maternity; race; religion/belief, and sexual orientation)
 - b.) Sexual in nature
- 2.) Direct discrimination
- 3.) Indirect discrimination
- 4.) Victimisation

Harassment

Harassment is defined as any “unwanted conduct” which “has the purpose or effect of violating an individuals’ dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual”.⁷³ Unwanted conduct captures a broad range of spoken, written and physical behaviours, and can include offensive emails, tweets or comments on websites and social media,⁷⁴ which are either related to an individuals’ protected characteristic(s) or are sexual in nature. This Act defines harassment in terms of its impacts, rather than the intentions of the person alleged to carry out harassment, and unlike claims of discrimination under this Act these claims do not involve a comparative approach.⁷⁵

While this Act ostensibly provides workers protections against online harassment of women journalists the removal of third-party provisions in 2013 limits these protections since much of this harassment is carried out by third parties rather than workers. Until 2018 there were attempts to establish employer liability for third-party harassment on the basis that employer inaction violates workers’ dignity or helps create, “an intimidating, hostile, degrading, humiliating or offensive environment for them”.⁷⁶ However, this argument was undermined in 2018 by the Court of Appeal’s ruling in the *Unite the Union v Nailard* case which established that employers could only be liable on this basis, “if they fail to take action because of a protected characteristic”.⁷⁷ This imposes a very high threshold for claimants who must provide proof that employer inaction was discriminatory, for example, showing their employer did or would deal differently with

⁷³ Butler, Mark (2016) *Equality and Anti-Discrimination Law*. London: Spiramus Press.

⁷⁴ EHRC (2021) [What is harassment and victimisation?](#) London: EHRC.

⁷⁵ EHRC (2020) [Sexual harassment and harassment at work: Technical guidance](#). London: EHRC. p.15.

⁷⁶ EHRC (2020) [Sexual harassment and harassment at work: Technical guidance](#). London: EHRC. p.47.

⁷⁷ *Ibid.*, p.47.

complaints made by men.⁷⁸ Clearly, this would be challenging and in lieu of legal precedent, this would likely involve providing concrete examples to show this occurred.⁷⁹

Direct Discrimination

The Equality Act also provides workers protection against being treated unfairly or less favourably because of a protected characteristic⁸⁰ and unfair treatment can relate to:

- Dismissal
- employment terms and conditions
- pay and benefits
- promotion and transfer opportunities
- training
- recruitment
- redundancy⁸¹

A comparative approach is used to establish discrimination meaning a claimant must prove they were treated less favourably than someone not sharing their protected characteristic. For example, a woman journalist claiming (sex-based) direct discrimination in relation to promotion would need to prove they were treated less favourably than a male colleague. She would also need to show there were no other “material differences” in the circumstances being compared other than gender.⁸²

In terms of GOH, a woman journalist might claim direct discrimination if an employer responds less favourably (or differently) to their complaint than to a similar complaint from a male journalist.⁸³ The WMC report included one example of this where the *Washington Post* provided armed security for a male journalist who was doxed but failed to provide the same for a woman journalist who was also doxed.⁸⁴ This amounts to less favourable treatment in response to complaints about online harassment on the basis of gender which would be unlawful under the Equality Act.

They may also bring claims of direct discrimination if treated unfairly in relation to punishments, a problem identified in a CJR report which highlighted how many respondents felt newsrooms punished violations of SMPs unevenly to the detriment of women and minoritized journalists.⁸⁵ If this happened in the UK a woman journalist may

⁷⁸ Ibid., p.47. See also Middlemiss, Sam (2020) [Workplace harassment: The third party issue](#). Edinburgh: The Law Society of Scotland.

⁷⁹ See section 3 for information on UK Government’s commitment to reintroduce employer liability for third-party harassment.

⁸⁰ Butler, Mark (2016) *Equality and Anti-Discrimination Law*. London: Spiramus Press. p.37.

⁸¹ UK Government (2021) [Discrimination: your rights](#). London: UK Government.

⁸² Butler, Mark (2016) *Equality and Anti-Discrimination Law*. London: Spiramus Press. p.37.

⁸³ EHRC (2020) [Sexual harassment and harassment at work: Technical guidance](#). London: EHRC. p.49.

⁸⁴ WMC (2020) What online harassment tells us about our newsrooms: From individuals to institutions. New York: WMC. p.10.

⁸⁵ CJR (2021) [A Twitter tightrope with a net: Journalists’ reactions to newsroom social media policies](#). New York: CJR. p.26.

bring a claim of direct discrimination if violations of SMPs were treated differently according to gender, for example, if they were suspended while a man was not despite making the same violation. In each of these examples the claimant must prove there was unfair treatment and that the only difference between those compared was gender.

Indirect discrimination

The Equality Act also provides protections for women journalists with regards to GOH through the “indirect discrimination” provision. Indirect discrimination differs from direct discrimination in that it focuses on the impact a measure has on groups rather than individuals sharing a protected characteristic.⁸⁶ Indirect discrimination refers to the use of practices, criteria or policies (PCPs) which are applied to all workers in the same way but have the effect of disadvantaging a group of workers sharing a protected characteristic.⁸⁷ PCPs are broadly defined and can include, “any formal or informal policies, rules, practices, arrangements, criteria, conditions, prerequisites, qualifications or provisions” employed within a workplace.⁸⁸ To prove indirect discrimination the following must be established:

- 1.) There must be a PCP which an organisation is applying equally to everyone (or to everyone in a group that includes you)
- 2.) The policy must disadvantage people with the claimants’ protected characteristic when compared with people without it
- 3.) The organisation cannot show there is a good reason for applying the PCP.⁸⁹

Acas provide an example of indirect discrimination whereby an employer chooses to only advertise a position internally and where the only people who could apply internally are all men.⁹⁰ Similarly, requiring candidates to have ten years continuous employment disadvantages women who are more likely to have career breaks (e.g., when having children or undertaking unpaid caring responsibilities).⁹¹

In terms of the problem of GOH examples of discriminatory PCPs might include promotion, recruitment or pay criteria requiring targets for social media followers or interactions⁹² which may privilege men who are not limited by GOH like women are. If women journalists manage GOH by self-censoring and avoiding or limiting their online engagement or visibility⁹³ they will be disadvantaged relative to men in recruitment if

⁸⁶ Butler, Mark (2016) *Equality and Anti-Discrimination Law*. London: Spiramus Press. p.47.

⁸⁷ Acas (2021) [Discrimination and the law: Direct and indirect discrimination](#). London: Acas.

⁸⁸ Butler, Mark (2016) *Equality and Anti-Discrimination Law*. London: Spiramus Press. pp.48-49.

⁸⁹ EHRC (2021) [What is direct and indirect discrimination?](#) London: EHRC.

⁹⁰ Acas (2021) [Discrimination and the law: Direct and indirect discrimination](#). London: Acas.

⁹¹ Women continue to shoulder the burden of unpaid care and this is key driver of gender inequality. See, WBG (2020) [Spirals of inequality: How unpaid care is at the heart of gender inequalities](#). London: WBG.

⁹² CJR (2021) [A Twitter tightrope with a net: Journalists’ reactions to newsroom social media policies](#). New York: CJR. p.12.

⁹³ See Section 1 – Personal and professional impacts.

this is based on social media presence/activity as for women the more followers, likes and retweets they have, “the more harassment they inevitably face”.⁹⁴ Therefore, employers failing to account for this when determining recruitment criteria risk being held liable for indirect discrimination against women journalists.

PCPs requiring all journalists to engage in social media branding, or audience engagement, may also amount to indirect discrimination against women as when applied universally it results in unequal working conditions for men and women.⁹⁵ The qualitative differences in abuse targeting women and men also create different working environments. The misogynistic, sexist, and threatening abuse women face means this PCP creates a workplace experience which women experience as “intimidating, hostile, degrading, humiliating or offensive environment”.⁹⁶ The threat of male violence also impacts women differently as women are more likely to try to mitigate this through “safety work” and limiting their use of public and private space.⁹⁷ While an employer may not recognise their PCPs create different work environments there is a wealth of evidence demonstrating the different rates and forms of abuse men and women journalists face.⁹⁸ This evidence can establish the different risks women and men are exposed to as a result of having to undertake audience engagement which create different workplace environments amounting to indirect discrimination against women.

Finally, employers may be liable for indirect discrimination in relation to third-party harassment when adopting PCPs in relation to this which are applied universally but women as a group are disadvantaged. For example, if an employer chose to never investigate complaints of third-party harassment whether made by men or women this PCP disadvantages women because women are most likely to be affected by this problem.⁹⁹ This is true within journalism and when it comes to online harassment from the public which the majority of women journalists experience¹⁰⁰ and more often than male colleagues.¹⁰¹ As such this provision offers women journalists a means of holding employers to account for failing to investigate complaints of GOH on the basis of this statistical evidence which could help establish this practice as a form of indirect discrimination against women.¹⁰²

⁹⁴ CJR (2021) [A Twitter tightrope with a net: Journalists’ reactions to newsroom social media policies](#). New York: CJR. p.14.

⁹⁵ Ibid., pp.14-16.

⁹⁶ EHRC (2020) [Sexual harassment and harassment at work: Technical guidance](#). London: EHRC. p.47.

⁹⁷ Sarah Sobairaj (2020) argues GOH reflects attempts to limit women’s participations through ‘intimidation’ tactics which deliberately play upon women’s fear of rape and male violence (p.13).

⁹⁸ Butler, Mark (2016) *Equality and Anti-Discrimination Law*. London: Spiramus Press. p.50.

⁹⁹ EHRC (2020) [Sexual harassment and harassment at work: Technical guidance](#). London: EHRC. p.48

¹⁰⁰ Ferrier, Michele (2018) [Attacks and harassment: The impact on female journalists and their reporting](#). Washington: IWJF; Posetti et al (2021), [The Chilling: Global Trends in Online Violence against Women Journalists; Research Discussion Paper](#) UNESCO.

¹⁰¹ Demos (2016) ["Demos: Male celebrities receive more abuse on Twitter than women"](#) London: Demos.

¹⁰² EHRC (2020) [Sexual harassment and harassment at work: Technical guidance](#). London: EHRC. p.49.

Victimisation

Another way in which the Equality Act offers protections for women journalists is in terms of the right not to be ‘victimised’ which is defined as “treating someone badly because they have done a ‘protected act’ (or because you believe that person has done or is going to do a protected act)”.¹⁰³ Protected acts include making, or helping another make, a claim of discrimination under the Equality Act or alleging someone has breached the Act and the less favourable treatment need not be related to a persons’ protected characteristic. While ‘detriment’ is not defined in the Act it is generally understood to include being rejected for promotion, being denied training, benefits or opportunities as well as bullying, threats or harassment.¹⁰⁴ While the Act imposes a three-month limit (from the last act which the claim concerns) on bringing claims of harassment or discrimination there is no time limit on bringing claims of victimisation.¹⁰⁵

This provision offers a potentially significant protection given that research indicates some women journalists have been subjected to detriment after reporting GOH.¹⁰⁶ This provision means women journalists can bring a claim of victimisation against an employer for unfair treatment experience as a result of reporting GOH and victimisation is established by assessing whether the employers’ conduct in response to this report “had the intention or effect of frustrating the non-victimisation protection”.¹⁰⁷ This provision also offers women journalists protection against unfair treatment from previous and prospective employers. For example, this means it is illegal for an employer to give a bad reference for a previous employee, or a prospective employer to reject an applicant, because they previously made a claim under the Equality Act.¹⁰⁸ This means women journalists are protected from suffering disadvantage after asserting their rights.

Overall, the Equality Act offers important protections with respect to the GOH of women journalists and importantly these also protect those in precarious or freelance roles.¹⁰⁹ However, these protections may be undermined by a lack of precedent in terms of some of the specific bases discussed, for example, indirect discrimination claims based on social media PCPs. The heavy burden placed on individuals, to raise complaints or claims of harassment or meet high evidentiary requirements, present another limitation. The inclusion of the “objective justification” defence is another barrier as employers may use this to escape liability for discriminatory PCPs by arguing these are a business necessity outweighing any discriminatory impact.¹¹⁰ Given the financial reliance of journalism on

¹⁰³ EHRC (2021) [What is victimisation?](#) London: EHRC.

¹⁰⁴ EHRC (2020) [Sexual harassment and harassment at work: Technical guidance](#). London: EHRC. pp.32-3.

¹⁰⁵ Ibid., p.30.

¹⁰⁶ For example, see NUJ (2020) [NUJ Members’ Safety Survey](#). London: NUJ. p.13, 21

¹⁰⁷ Butler, Mark (2016) *Equality and Anti-Discrimination Law*. London: Spiramus Press. p.60.

¹⁰⁸ EHRC (2020) [Sexual harassment and harassment at work: Technical guidance](#). London: EHRC. p.30.

¹⁰⁹ Butler, Mark (2016) *Equality and Anti-Discrimination Law*. London: Spiramus Press. p.95.

¹¹⁰ Acas (2021) [When an employer may make a decision based on age, race or another protected characteristic](#). London: Acas.

social media this defence may succeed although employers can achieve these needs without disadvantaging women journalists.

3.2 The Health and Safety at Work Act 1974

The second key area of employment-related legislation is that concerning health and safety at work. The Health and Safety at Work Act 1974 (HSWA)¹¹¹ imposes a legal obligation on employers to protect their workers' health, safety and welfare both in the workplace and from risks arising from or related to their work.¹¹² This law provides protections for a broad category of individuals as employers are legally obliged to protect the health and safety of *all workers*, contractors, visitors and members of the public.¹¹³ Additionally, under the Management of Health and Safety at Work Regulations 1999 Act¹¹⁴ employers are required to undertake "adequate and sufficient" assessment of all risks workers may face at work or related to their work and to put in place measures to protect workers from these.¹¹⁵ The Health and Safety Executive (HSE) is responsible for enforcing this legislation and they primarily deal with breaches by providing employers advice for improvements or requiring specific improvements to be made. The HSE may also bring criminal charges and individuals may bring civil claims for injuries suffered at work.¹¹⁶

Harassment is one such risk to workers covered by this legislation as is violence which the health and safety regulator, HSE, define as "*any incidence in which a person is abused, threatened or assaulted in circumstances relating to their work.*"¹¹⁷ Under this law employers are responsible for protecting workers from, "exposure to reasonably foreseeable violence".¹¹⁸ As the GOH of women journalists meets this definition and is a widely acknowledged problem employers are legally obliged to assess and establish controls for managing this gendered risk. Some employers may feel their health and safety duties are limited to physical workplaces or working hours, however HSE guidance explicitly states they are responsible for all work-related risks including those occurring outside normal workplaces and hours.¹¹⁹ While this includes no explicit reference to online violence this is one such work-related risks faced by journalists occurring outside the

¹¹¹ [Health and Safety at Work etc. Act 1974](#).

¹¹² Poulter, Kevin. (2021) [Social media harm and an employer's duty of care](#). International Employment Lawyer.

¹¹³ GEO (2019) [Consultation on Sexual Harassment in the Workplace: Legal protections under the Equality Act 2010](#). London: UK Government. p.7.

¹¹⁴ [The Management of Health and Safety at Work Regulations 1999](#).

¹¹⁵ GEO (2019) [Consultation on Sexual Harassment in the Workplace: Legal protections under the Equality Act 2010](#). London: UK Government p.7.

¹¹⁶ HSE (2021) [Health and safety at work: criminal and civil law](#). London: HSE.

¹¹⁷ *Ibid.*, p.1.

¹¹⁸ Health and Safety Executive (1996) [Violence at work: A guide for employers](#). London: HSE. p.2.

¹¹⁹ Wajcman, Judy, Young, Erin & FitzMaurice, Anna (2020) [The digital revolution: Implications for gender equality and women's rights 25 years after Beijing](#). New York: UN Women.

physical workplace and workday,¹²⁰ indeed the COVID-19 pandemic and resulting shift towards online working means increasingly working women are exposed to these risks.¹²¹

This legislation also requires employers to identify, and conduct tailored assessments and measures, for more vulnerable employee groups and to ensure all workers are informed about organisational policies, processes and employers' legal responsibilities.¹²² Finally, employers must employ robust systems for planning, organising, controlling and monitoring workplace risks and protective measures and HSE must provide guidance for doing this. As such employers have the tools necessary to fulfilling their legal duties to protect women journalists generally from GOH risks but also minoritized women journalists whose risks and needs may differ. When undertaking these steps and devising strategies for managing these risks employers should also consider equality implications to ensure strategies do not result in other disadvantages. For example, women journalists may be given the choice to opt out of online engagement and this should not disadvantage them, compared to men, in terms of pay, performance reviews or opportunities.

Under The Management of Health and Safety at Work Regulations 1999 employers had legal duties around third-party harassment and must prevent "reasonably foreseeable risks of third-party violence".¹²³ HSE guidance on this notes the increased risks workers who interact with the public face¹²⁴ and while not explicitly discussed employers should consider the increased risks journalists face as result of interacting with the public online. Under these regulations employers must also assess and control the risk of work-related stress (and associated mental/physical illness) associated with harassment and violence.¹²⁵ This Act also provides a means of holding employers to account for failing these duties and individuals may bring civil claims for compensation for stress-induced illness resulting from employer negligence.¹²⁶ Individuals can also bring a claim of "constructive unfair dismissal" if they are forced to leave because of health and safety failures¹²⁷ or for "unfair dismissal" (under section 94 of the Employment Rights Act 1996)¹²⁸ if they are dismissed after reporting a health and safety concern.¹²⁹ The latter two options are only available to those with employment contracts and two years'

¹²⁰ Gender Equity Victoria (2019), "[Don't Read the Comments': Enhancing Online Safety for Women Working in the Media](#)". Collingwood: Gender Equity Victoria, p.10.

¹²¹ Glitch UK & EVAW (2020) [The Ripple Effect: COVID-19 and the Epidemic of Online Abuse](#). London: Glitch UK and EVAW. p.34.

¹²² HSE (1996) [Violence at work: A guide for employers](#). London: HSE.

¹²³ HSE (2009) [Preventing Workplace Harassment and Violence](#). London: HSE. p.6.

¹²⁴ HSE (1996) [Violence at work: A guide for employers](#). London: HSE; HSE (2009) [Preventing Workplace Harassment and Violence](#). London: HSE. p.6.

¹²⁵ HSE (2010) [How to tackle work-related stress](#). London: HSE. pp.7-9.

¹²⁶ HSE (2021) [Health and safety at work: criminal and civil law](#). London: HSE.

¹²⁷ EHRC (2020) [Sexual harassment and harassment at work: Technical guidance](#). London: EHRC. p.51.

¹²⁸ Ibid., p.51.

¹²⁹ Acas (2021) [Dismissals](#). London: Acas.

service,¹³⁰ which likely excludes many women journalists who often work in precarious or freelance roles.¹³¹ Furthermore, as each of the above types of claims must be brought to a civil court the costs associated with doing so may present a barrier for many.

Overall, while in theory UK employment legislation provides strong protections for women journalists of all employment or contract types, in practice this is not the case and requires substantially more effective enforcement and an acknowledgement of responsibility from the HSE, which the NUJ suggests is lacking.¹³² The UK Government could play a role in encouraging this shift while also ensuring regulators have the resources needed to fulfil their remits.

4. The policy context

This section explores important areas of policy at UK and Scottish levels relevant to the issue of work-related GOH generally and specifically within the journalism industry. This includes policy related to employment, the internet, journalism and VAWG and these will be discussed with reference to relevant criticisms and recommendations of key advocacy organisations. This section is divided into two parts, the first focuses on the UK level and explores three key areas of the UK Government policy activity:

- 4.1 Consultation on sexual harassment in the workplace
- 4.2 Online harms and the Online Safety Bill
- 4.3 National Action Plan for the Safety of Journalists.

This second part of this section focuses on the Scottish context and focuses on three key policies:

- 4.4 Equally Safe: Scotland's strategy to eradicate violence against women¹³³
- 4.5 A Fairer Scotland for Women: gender pay gap action plan¹³⁴
- 4.6 A changing nation: how Scotland will thrive in a digital world¹³⁵

4.1 Consultation on sexual harassment in the workplace

In 2019, the Government Equalities Office (GEO) conducted a consultation on sexual harassment in the workplace¹³⁶ to gather feedback on proposed changes and approaches

¹³⁰ Ibid.

¹³¹ Spilsbury, Mark (2018) [Journalists at Work: Their views on training, recruitment and conditions](#). London: National Council for the Training of Journalists (p.31); Thurman, Neil, Cornia, Alessio & Kunert, Jessica (2017) [Journalists in the UK](#). Oxford: Reuters Institute for the Study of Journalism. p.8.

¹³² NUJ (2021) [Written evidence submitted by the National Union of Journalists \(OSB0166\)](#). London: NUJ. p.12.

¹³³ Scottish Government (2018) [Equally Safe: Scotland's strategy to eradicate violence against women](#). Edinburgh: Scottish Government.

¹³⁴ Scottish Government (2019) [A Fairer Scotland for Women: gender pay gap action plan](#). Edinburgh: Scottish Government.

¹³⁵ Scottish Government (2021) [A changing nation: how Scotland will thrive in a digital world](#). Edinburgh: Scottish Government.

¹³⁶ GEO (2019) [Consultation on Sexual Harassment in the Workplace: Legal protections under the Equality Act 2010](#). London: UK Government.

to strengthening protections under the Equality Act. The proposals drew upon two inquiries; the first conducted by the Equality and Human Rights Commission (EHRC),¹³⁷ the second by the Women and Equalities Select Committee (WESC).¹³⁸ The resulting reports, published in 2018, provided a clear outline of key barriers to tackling this issue as well as recommendations to address these. For their inquiry, the EHRC surveyed 750 workers, finding 75% (mostly women) had experienced sexual harassment, the most common perpetrator was a senior colleague, and 25% were harassed by third parties,¹³⁹ and that while half reported this most report nothing being done or being dismissed.¹⁴⁰ This inquiry also found pervasive poor practice with few employers having specific sexual harassment policies, training or information.¹⁴¹ The EHRC inquiry resulted in a number of recommendations for UK Government and other bodies including:

- 1.) Introduce a new mandatory 'protective duty'
- 2.) Support above with a statutory code of practice detailing new duties, minimum steps and best practice
- 3.) Develop an online, external and confidential reporting tool
- 4.) Re-introduce employer liability for third-party harassment without requiring "two incidents"
- 5.) Collect, analyse and publish yearly data
- 6.) Extend time limit for bringing Employment Tribunal cases to six months.¹⁴²
- 7.) Acas should develop and deliver training based on the above code prioritising delivery in sectors where sexual harassment is most likely

The WESC inquiry gathered evidence from various stakeholders including employers also identifying pervasive poor practice among employers and a lack of awareness among management, something which was linked to women's underrepresentation in these roles.¹⁴³ Failures were also linked to "inadequate incentives" whereby the lack of explicit obligations, strong enforcement and prohibitive penalties help foster a sense of impunity among employers.¹⁴⁴ This report also explicitly defines sexual harassment as a form of VAW, sex discrimination and a workplace health and safety issue.¹⁴⁵ To address these failures and to reduce the unfair burden that existing approaches place on individuals to tackle sexual harassment the WESC supports the above EHRC recommendations and offers the following additional suggestions:

¹³⁷ EHRC (2018) [Turning the tables: Ending sexual harassment at work](#). London: EHRC.

¹³⁸ Women and Equalities Select Committee (2018) [Sexual harassment in the workplace](#). London: WESC.

¹³⁹ EHRC (2018) [Turning the tables: Ending sexual harassment at work](#). London: EHRC. pp.3-5.

¹⁴⁰ Ibid., pp.6-7.

¹⁴¹ Ibid., pp.9-10.

¹⁴² Ibid., pp.13-19.

¹⁴³ Women and Equalities Select Committee (2018) [Sexual harassment in the workplace](#). London: WESC. p.10.

¹⁴⁴ Ibid., p.12.

¹⁴⁵ Ibid.

- 1.) The new preventative duty should place a duty on employers to protect workers from third-party harassment
- 2.) The UK Government should require all regulators to produce an action plan for ensuring employers protect workers from sexual harassment, including the HSE who “must take up its share of the burden of holding employers to account”¹⁴⁶

Following these reports, in 2019, the UK Government consulted on proposals for strengthening Equality Act protections, receiving responses from a wide range of individuals, employers and civil society groups.¹⁴⁷ The Government published their response in July 2021¹⁴⁸ outlining their intentions including the following:

- 1.) Introduce a mandatory preventative duty on employers to take steps to prevent sexual harassment
- 2.) Work with EHRC to develop a statutory code of practice enforceable by the EHRC
- 3.) Develop and promote guidance for employers on practical steps to prevent sexual harassment
- 4.) Reintroduce employer liability for third-party harassment
- 5.) Explore extending the time limit for bringing cases to employment tribunal to six months¹⁴⁹

These do not quite satisfy the recommendations of the EHRC and WESC particularly the lack of firm commitment to extending tribunal time limits or liability for preventing third-party harassment. There is also no mention of the HSE’s role in regulating these duties or commitment to collect rigorous data on sexual harassment. Nonetheless, the proposals are important for the issue of GOH, particularly the reintroduction of third-party liability as most GOH of journalists is perpetrated by individuals external to the news organisation. While no explicit mention is made of online forms of harassment it is already widely acknowledged these are covered by Equality Act protections¹⁵⁰ and similarly while the proposals focus on sexual harassment the UK Government has already noted these are also intended to, “apply equally to all forms of harassment”.¹⁵¹ Thus, these proposals mean media employers will soon be required to take steps to prevent harassment and be liable for the third-party harassment workers experience.

¹⁴⁶ Ibid., p.49.

¹⁴⁷ GEO (2019) [Consultation on Sexual Harassment in the Workplace: Legal protections under the Equality Act 2010](#). London: UK Government.

¹⁴⁸ UK Government (2021) [Government response to consultation on sexual harassment in the workplace](#). London: UK Government.

¹⁴⁹ Ibid.

¹⁵⁰ For example see, Acas (2021) [Sexual Harassment](#). London: Acas; Acas (2021) [Handling a bullying, harassment or discrimination complaint at work](#). London: Acas.

¹⁵¹ GEO (2019) [Consultation on Sexual Harassment in the Workplace: Legal protections under the Equality Act 2010](#). London: UK Government p.5.

In terms of the problem of GOH of women journalists these proposals are welcome as a positive move in the right direction however there are also some key limitations:

Lack of a gendered lens

While EHRC and WESC both explicitly frame sexual harassment as a cause and consequence of gender inequality¹⁵² and multiple international agreements frame it as a form of VAW, the UK Government's proposals lack this explicit gendered lens. For example, the consultation document states:

“It is vital that we address this issue if we wish to see not only women, but anyone who finds themselves in a disadvantaged position, succeed and thrive in the workplace. Harassment is often a product of power imbalances, both within the workplace and across wider society. As such, it is not a problem that isolates itself to a single group.”¹⁵³

While acknowledging that sexual harassment is the result of power imbalances the above statement ignores that these are gendered and that it is mostly men harassing women. The need to name this as a gendered problem is critical not only for accuracy in accounting for the gendered patterns but also to fully understand the gendered impacts. As the End Violence Against Women Coalition (EVAW) and TIME'S UP UK (TUUK) highlight women are more likely to feel intimidated by sexual harassment due to well-founded fear this may escalate into more serious violence.¹⁵⁴

Failure to address the role of the HSE

The failure to acknowledge sexual harassment as a form of VAW and as a health and safety issue is disappointing. The NUJ submission argues the HSE should do more to tackle sexual harassment by encouraging employers to understand, acknowledge and fulfil their legal duties and by ensuring failures are punished.¹⁵⁵ The failure to acknowledge HSE's regulatory role legitimises their inaction and stance that sexual harassment is not a health and safety issue but as WESC argue sexual harassment is a form of “sex” discrimination *and* a health and safety risk and should be approached as such.

Limited third-party harassment protections

Proposals also fall short in providing necessary protections against third-party harassment. Firstly they do not clarify when liability begins, indeed the suggestion that

¹⁵² EHRC (2018) [Turning the tables: Ending sexual harassment at work](#). London: HER. p.3; Women and Equalities Select Committee (2018) [Sexual harassment in the workplace](#). London: WESC. p.7.

¹⁵³ GEO (2019) [Consultation on Sexual Harassment in the Workplace: Legal protections under the Equality Act 2010](#). London: UK Government. p.4.

¹⁵⁴ EVAW & TUUK (2019) [The End Violence Against Women Coalition \(EVAW\) and TIME'S UP UK submission to the Government Equalities Office Consultation on Sexual Harassment in the Workplace](#). London: EVAW & TUUK. p.4.

¹⁵⁵ NUJ (2019) [NUJ submission to the Government Equalities Office consultation on sexual harassment in the workplace](#). London: NUJ. p.8.

prior incidents might be required runs contrary to the whole preventive approach and to the recommendations of the EHRC, WESC and many feminist organisations that protections against third-party harassment be included in the employers' new prevention duty. The reason offered for not doing so, namely that third-party harassment may be unexpected in certain workplaces and therefore it would be unreasonable to expect them to prevent it, is unconvincing. The whole point of the new duty is to encourage employers to take a proactive approach to tackling sexual violence so it should not matter who is carrying out the harassment.¹⁵⁶ Another concern raised by the Fawcett Society is that this omission will disproportionately impact minoritized groups who are more likely to experience third-party harassment.¹⁵⁷

Lack of economic measures

Proposals also ignore EHRC and WESC recommendations for increased funding to support awareness-raising and regulation activities. They also fail to address calls for increased penalties to encourage compliance, for example, the Rights of Women argue, "for the duty to be effective there must be a sufficient level of severity in terms of financial sanctions".¹⁵⁸ These omissions are concerning as the efficacy and success of the UK Government's proposals require adequate resourcing and incentives for compliance.

4.2 Online harms and Online Safety Bill

In 2019 the UK Government conducted a consultation on proposals for a new regulatory regime for a wide range of online harms as outlined in the Online Harms White Paper.¹⁵⁹ Three categories of online harm are outlined along with proposals for imposing and enforcing new legal duties upon internet companies to address these.¹⁶⁰ The consultation gathered views from individuals, organisations, stakeholders and workshops with minoritized groups.¹⁶¹ Responses were mixed with children's charities calling for stronger protections for children and others for freedom of expression.¹⁶² The Government published their response in December 2020 outlining their intention to impose a duty of care on internet companies (including search engines, companies hosting user-generated content or online communication), with regulation and enforcement by Ofcom.¹⁶³ In May

¹⁵⁶ See Close the Gap (2019) [Response to UK Government's consultation on sexual harassment](#). Glasgow: Close the Gap. p.6.

¹⁵⁷ Fawcett Society (2019) [Consultation on Sexual Harassment in the Workplace Government Equalities Office: Fawcett Society submission](#). London: Fawcett Society. p.3.

¹⁵⁸ Rights of Women (2019) [Response to Government Equalities and Office Consultation on Sexual Harassment in the Workplace](#). London. Rights of Women. See also EVAW & TUUK EVAW & TUUK (2019) [The End Violence Against Women Coalition \(EVAW\) and TIME'S UP UK submission to the Government Equalities Office Consultation on Sexual Harassment in the Workplace](#). London. p.8.

¹⁵⁹ UK Government (2019) [Online Harms White Paper](#). London: UK Government.

¹⁶⁰ UK Government (2021) [Regulating online harms](#). London: UK Government. pp.9-12.

¹⁶¹ UK Government (2020) [Consultation outcome: Online Harms White Paper](#). London: UK Government.

¹⁶² The Index on Censorship warned proposed posed as serious risk to online freedom of expression (2019) [Online harms proposals pose serious risks to freedom of expression](#), London: The Index on Censorship.

¹⁶³ UK Government (2020) [Consultation outcome: Online Harms White Paper](#). London: UK Government.

2021 the draft Online Safety Bill¹⁶⁴ was published to mixed response including the following critiques most relevant to the GOH of journalists:

Lack of gendered lens

The Bill lacks gender competency and largely ignores the gendering of online harms or the unique experiences and disproportionate hazards women and girls face. As the Centenary Action Group (CAG)¹⁶⁵ and EAW argue the Bill must include online VAWG as a specific harm with a clear definition capturing the evolving range of practices and the “intersecting ways abuse can affect different women and girls”.¹⁶⁶ CAG also raise concern that internet companies will prioritise the duty to protect “content of democratic importance” over the duty to reduce online hate which will compound inaction around online misogyny.¹⁶⁷ To improve gender competence the CAG argue for a whole systems approach and more “joined up working” which ensures continuity between the Bill and VAWG policies and frameworks.¹⁶⁸ EAW also argue the duty on internet companies to prevent the circulation of content that is legal but harmful to children should be extended to include forms harmful to adults. EAW also suggest imposing a duty for companies to adopt a safety-by-design approach to address potential harms¹⁶⁹ while Glitch argues for more emphasis on harms related to, “platform design, systems and processes”.¹⁷⁰

Problematic definitions

Beyond omissions of online VAWG definitions Glitch highlight how the shift from “online harms” to “online safety” is problematic as it places the onus on the target of abuse rather than the perpetrator.¹⁷¹ Glitch also highlight how the language used serves to reinforce the problematic opposition of freedom of expression and preventing online abuse, as these are not diametrically opposed. Freedom of expression should not be seen as the freedom to abuse and preventing online abuse ensures the freedom of expression of those targeted who might otherwise be silenced.¹⁷²

¹⁶⁴ UK Government (2021) [Draft Online Safety Bill](#). London: UK Government.

¹⁶⁵ CAG (2021) [Joint briefing: The Online Safety Bill and Online Harms Against Women \(September 2021\)](#). London: CAG.

¹⁶⁶ EAW (2021) [VAWG Principles for the Online Safety Bill](#). London: EAW. This joint statement is supported by: #NotYourPorn, Angelou Centre, Chayn, Dr Fiona Vera Gray, End Violence Against Women Coalition (EAW), Faith & VAWG Coalition, Glitch, Imkaan, Professor Clare McGlynn, Rape Crisis England & Wales, Refuge, Women & Girls Network (WGN), Welsh Women’s Aid, Women’s Aid Federation of England.

¹⁶⁷ CAG (2021) [Joint briefing: The Online Safety Bill and Online Harms Against Women \(September 2021\)](#). London: CAG. p.6.

¹⁶⁸ Ibid., p.2.

¹⁶⁹ EAW (2021) [VAWG Principles for the Online Safety Bill](#). London: EAW. p.4.

¹⁷⁰ Glitch (2021) [Written evidence submitted by Glitch. DCMS Sub-Committee Call for Evidence: Online safety and online harms](#). London: Glitch.

¹⁷¹ Ibid., p.1.

¹⁷² Glitch (2021) [Written evidence submitted by Glitch to DCMS Sub-Committee Call for Evidence: Online safety and online harms](#). London: Glitch. pp.8-9.

The NUJ also raise concerns that language protecting “the free expression of journalistic content” is vague and risks giving platforms more power to define what counts as journalism which potentially threatens quality and plurality.¹⁷³ They also argue definitions of “harm” lack clarity and increase “the scope for political abuse and manipulation” undermining media freedom.¹⁷⁴

Weak regulatory powers

Many also raised concerns that the enforcement powers detailed were weak and the NUJ, CAG and EVAW all call for additional funding to support Ofcom, and the Police, in fulfilling their expanded duties.¹⁷⁵ EVAW also argue Ofcom be given power to order the removal of harmful content including image-based sexual abuse,¹⁷⁶ while NUJ suggest the Bill impose legal duties for politicians to not engage in online behaviours resulting in harms and for media companies to protect journalists facing abuse and to remove abusive content from their own websites.¹⁷⁷

4.3 National Action Plan for the Safety of Journalists

In July 2020 the UK Government established the National Committee for the Safety of Journalists bringing together representatives from government, journalism, the criminal justice system and civil society to develop a plan to help protect journalists from threats and violence, which was published in March 2021.¹⁷⁸ This plan comprises five elements:

- 1.) Improve knowledge by gathering evidence from journalists, employers and others
- 2.) Improve criminal justice responses through training and designated staff responsible for crimes against journalists
- 3.) Support journalists and employers in developing safety resources
- 4.) Encourage platforms to do more and respond promptly to journalists’ complaints
- 5.) Improve public awareness of the importance and value of journalism¹⁷⁹

This plan is welcome both because it acknowledges the severity of the problem of online abuse for journalism and by extension society. The key gaps mirror those identified in other policies:

Lack of gender sensitive approach

The Coalition for Women in Journalism (CFWIJ) highlight the lack of focus on “the specific threats facing women” and lack of understanding of “the diverse conditions that

¹⁷³ NUJ (2021) [Written evidence submitted by the National Union of Journalists \(OSB0166\)](#). London: NUJ. p.15.

¹⁷⁴ Ibid., p.16.

¹⁷⁵ NUJ (2021) [Written evidence submitted by the National Union of Journalists \(OSB0166\)](#). London: NUJ. p.17; CAG (2021) [Joint briefing: The Online Safety Bill and Online Harms Against Women \(September 2021\)](#). London: CAG. p.8; EVAW (2021) [VAWG Principles for the Online Safety Bill](#). London: EVAW. p.4.

¹⁷⁶ EVAW (2021) [VAWG Principles for the Online Safety Bill](#). London: EVAW. p.4.

¹⁷⁷ NUJ (2021) [Written evidence submitted by the National Union of Journalists \(OSB0166\)](#). London: NUJ. p.11.

¹⁷⁸ UK Government (2021) [National Action Plan for the Safety of Journalists](#). London: UK Government.

¹⁷⁹ Ibid.

influence the work and life of men and women of different groups”.¹⁸⁰ To address this they advise the collection of gender disaggregated data and to ensure employers’ strategies adopt a gender-sensitive approach which includes proactive and reactive measures.

Failure to address the role of politicians

Echoing the NUJ’s criticisms of the Online Safety Bill, the CFWIJ report also highlights the failure to address the role of politicians and other state actors in perpetuating online abuse of journalists. They suggest the plan be amended to bolster trust in it, among journalists, and to signal to these actors that they are not immune from scrutiny or punishment.¹⁸¹

4.4 Equally Safe: Scotland’s strategy to eradicate violence against women

The Equally Safe strategy was first published in 2014 and later updated to its current form and published in 2018.¹⁸² This strategy was developed in collaboration with key partners in the public and third sector, including VAWG organisations and academics, and builds upon strong evidence informed by various international human rights instruments.¹⁸³ This policy adopts the Istanbul Convention definition which states VAWG is a “function of gender inequality, and an abuse of male power and privilege”. Key features of the definition of VAWG included in this policy are:

- 1.) It is a form of gender-based violence primarily inflicted by men against women and rooted in societal norms, structures and gender roles which place women at increased risk of violence because they are women¹⁸⁴
- 2.) It is primarily carried out by men against women
- 3.) It takes many physical, sexual and psychological forms of violence including domestic abuse, rape, incest, sexual harassment, sexual exploitation and “so-called ‘honour-based’ violence”¹⁸⁵
- 4.) It can occur in any area of public and private life including within families, communities, institutions and workplaces
- 5.) Some women face heightened risks of male violence due to certain factors (e.g., age, financial dependence, homelessness etc) or intersecting (protected) characteristics (e.g., sexuality, gender reassignment, disability, ethnicity)¹⁸⁶

¹⁸⁰ CFWIJ (2021) [United Kingdom: Safety of journalists – gender perspective](#). New York: CFWIJ.

¹⁸¹ Ibid.

¹⁸² Scottish Government (2018) [Equally Safe: Scotland’s strategy to eradicate violence against women](#). Edinburgh: Scottish Government.

¹⁸³ Including the United Nations Declaration on the Elimination of Violence Against Women (known as the Istanbul Convention) and the United Nations Convention on the Elimination of Discrimination Against Women (CEDAW).

¹⁸⁴ Scottish Government (2018) [Equally Safe: Scotland’s strategy to eradicate violence against women](#). Edinburgh: Scottish Government. p.13.

¹⁸⁵ Ibid., p.12.

¹⁸⁶ Ibid., p.17.

This shared understanding underpins the Scottish Government’s approach to preventing and ending VAWG as part of their wider vision of achieving full gender equality and this strategy outlines a plan focused on four priorities:

- 1.) Scottish society embraces equality and mutual respect, and rejects all forms of violence against women and girls
- 2.) Women and girls thrive as equal citizens: socially, culturally, economically and politically
- 3.) Interventions are early and effective, preventing violence and maximising the safety and wellbeing of women, children and young people
- 4.) Men desist from all forms of violence against women and girls and perpetrators of such violence receive a robust and effective response

The first addresses problematic cultures and attitudes, the second, structural barriers, the third, prevention, and the fourth, men’s role. The steps the Scottish Government outlines for achieving priorities one and two are of most interest and these are found in the Equally Safe delivery plan.¹⁸⁷ Relevant steps include awareness-raising campaigns about sexual harassment and sexism, encouraging employers to improve sexual harassment processes and piloting an Equally Safe employer accreditation scheme.¹⁸⁸ Steps towards the second goal include funding for programmes which aim to address “long standing barriers in the labour market” as well as ongoing work with partners to improve “employment practices and workplace cultures to support gender equality”.¹⁸⁹ These activities are clearly important in terms of helping to improve employers’ responses as inadequacies in these are linked to vertical segregation and sexist workplace cultures.

Another important aspect of this plan is the commitment to convene working groups to address the issue of “online abuse and misogyny” as part of steps to improve gender equality in public spaces and ensure women can “feel safe where they live and work”.¹⁹⁰ This is important because it places GOH within a VAWG framework and acknowledges that this problem undermines women’s safety and ability to live free of fear and enjoy equal access to public space and opportunities. The Misogyny and Criminal Justice in Scotland Working Group, on which Engender was represented by Emma Ritch and Eilidh Dickson, heard evidence on workplace and online misogyny.¹⁹¹ As a result of this activity the Working Group published their report, *Misogyny – A Human Rights Issue*,¹⁹² in March 2022.

¹⁸⁷ Ibid., p.17.

¹⁸⁸ Ibid., pp.28-29.

¹⁸⁹ Ibid., pp.33-36.

¹⁹⁰ Ibid., p.38.

¹⁹¹ Scottish Government (2021) [Misogyny and Criminal Justice in Scotland Working Group: meetings](#). Edinburgh: Scottish Government.

¹⁹² Scottish Government (2022) [Misogyny – A human rights issue](#). Edinburgh: Scottish Government.

While this report focuses on criminal rather than employment law the findings have import as their suggestions offer a feminist framework and vision for tackling gender inequality in Scotland, firstly by eschewing precedent and preference for gender-neutral laws and, secondly, by shifting the focus from women as victims to men as perpetrators.¹⁹³ If the Scottish Government adopted these recommendations it would signal a real commitment to tackling gender inequality at the roots for as Baroness Helena Kennedy QC highlights:

“It is right to say that something like misogyny can only be challenged through a serious cultural shift across society but law has a key role to play in effecting that sea change. New laws do not create trust but the visible prioritising of women’s concerns and the building of a criminal justice system where misogyny is really understood is a start”¹⁹⁴

It also addresses the problem of GOH and how technology has offered new tools and a climate of impunity for misogynistic behaviours which, “has spilled offline in public and private spaces, fuelling a torrent of vile harassment”. Although this report may appear to have little import in terms of holding employers responsible for protecting women journalists from GOH and related disadvantages in fact it signals an encouraging shift within the social and cultural landscape which makes such inaction or trivialisation of sexism and misogyny untenable.

4.5 Fairer Scotland for Women: Gender Pay Gap Action Plan

This action plan was published in 2019 and it details the approach of the Scottish Government to tackling the drivers of the gender pay gap and reducing wider gender inequalities in the labour market.¹⁹⁵ This plan links with the Fair Work Action Plan¹⁹⁶ which outlines Scotland’s plan to promote fair working practices. However, A Fairer Scotland for Women¹⁹⁷ specifically focuses on promoting practices towards gender equality in the labour market with an emphasis on tackling gender pay gaps and the barriers faced by women especially those with multiple protected characteristics.¹⁹⁸ This plan outlines several issues facing women including:

- Unpaid caring responsibilities skewed towards women
- Social attitudes about appropriate gender roles
- Gendered occupational segregation and the seniority gap
- The overrepresentation of women in lower-paid and part-time work

¹⁹³ Ibid., p.8.

¹⁹⁴ Ibid., p.18.

¹⁹⁵ Scottish Government (2019) [Fairer Scotland for Women: Gender Pay Gap Action Plan](#). Edinburgh: Scottish Government.

¹⁹⁶ Scottish Government (2019) [Fair Work Action Plan](#). Edinburgh: Scottish Government.

¹⁹⁷ Scottish Government (2019) [Fairer Scotland for Women: Gender Pay Gap Action Plan](#). Edinburgh: Scottish Government.

¹⁹⁸ Ibid., p.6.

- Domestic abuse and workplace sexual harassment
- Employer practices including “biased and non-transparent promotion procedures”¹⁹⁹

The key steps detailed in this plan which aim to address these issues include the provision of funding, through the Workplace Equality Fund, for employers to undertake initiatives to improve workplace practices for the benefit of women.²⁰⁰ This fund has already supported initiatives within the media funding TRC to deliver nine broadcast-based internships for women and underrepresented groups and Bauer Radio to provide women in media management training.²⁰¹ Each initiative continued after receiving funding, demonstrating how the Scottish Government can use non-legal approaches to encourage gender equality in the employment and the media workforce.

Another action promoting gender equality in work was the funding of two projects developed and delivered by Close the Gap: Close Your Pay Gap²⁰² and the Think Business, Think Equality tool.²⁰³ These provide employers with self-assessment tools to help them recognise and address problematic workplace practices and cultures. In turn, these tools provide tailored advice and guidance for key changes to help address pay gaps and improve gender equality. Another important step was the development of the Equally Safe at Work employer accreditation scheme,²⁰⁴ which was also developed and delivered by Close the Gap. This scheme aims to encourage employers to adopt gender-sensitive practices to embed a “strong culture of gender equality” and improve employers’ awareness of VAW issues and responses to engender women’s equality in work. Employers are provided training and advice on initiatives or changes in policy, practice and resources to improve gender inequalities and could achieve bronze, silver and gold standard accreditation after meeting criteria along six standards:

- 1.) Leadership
- 2.) Data
- 3.) Flexible working
- 4.) Occupational segregation
- 5.) Workplace culture
- 6.) Violence against women²⁰⁵

This scheme was piloted between 2019-20 with seven Scottish local authorities and is now also being piloted in others and also within the NHS, Scottish Government and some

¹⁹⁹ Ibid., pp.11-12.

²⁰⁰ Ibid., p.25.

²⁰¹ Scottish Government (2020) [Workplace Equality Fund: Project Directory 2019-2020](#). Edinburgh: Scottish Government.

²⁰² Close the Gap (2021) [Close Your Pay Gap](#). Glasgow: Close the Gap.

²⁰³ Close the Gap (2021) [Think Business Think Equality](#). Glasgow: Close the Gap.

²⁰⁴ Close the Gap (2021) [Equally Safe at Work](#). Glasgow: Close the Gap.

²⁰⁵ Close the Gap (2021) [What's involved](#). Glasgow: Close the Gap.

third sector organisations.²⁰⁶ Results of the pilot demonstrate the effectiveness of this programme for promoting change towards gender equality in work being especially praised for encouraging employers to adopt gender-sensitive practices and improving managers' awareness about VAW and how this negatively impacts women and workplaces.²⁰⁷ Given the efficacy of this scheme, and the fact that guidance also addresses online or technology-facilitated forms of VAW,²⁰⁸ prioritising the expansion of this to the media sector would be an important step towards addressing the GOH of women journalists.

4.6 A Changing Nation: How Scotland will Thrive in a Digital World

The final policy area of some importance for the issue of GOH relates to the Scottish Government's approach to digital change and digital exclusion as detailed in their Changing Nation²⁰⁹ strategy. This outlines their "overarching digital vision" and plans to ensure Scotland and Scottish people thrive in the digitally transformed world and is based on eight Principles for a Digital Nation:

- 1.) Inclusive, ethical and user focused
- 2.) Digital leadership and culture
- 3.) Collaborative
- 4.) Data-driven
- 5.) Technology-enabled
- 6.) Innovative and sustainable
- 7.) A skilled digital workforce
- 8.) Secure by design.²¹⁰

Key steps designed to deliver these outcomes are grouped into three priority themes: People and Place, A Strong Digital Economy, and Government and Service. In terms of GOH, it is the first theme which is most pertinent as this theme includes steps to address digital exclusion and ensure Scotland is an "Ethical Digital Nation".²¹¹ The latter is framed as encompassing fairness, freedom of choice and transparency where individual, social and economic needs are balanced along with rights and responsibilities. This strategy frames digital exclusion in terms of digital infrastructure, affordability and digital skills and the aim to reduce barriers associated with geography, age, skills and income so that everyone may "take advantage of the benefits and opportunities of being digitally

²⁰⁶ Close the Gap (2021) [About Equally Safe at Work](#). Glasgow: Close the Gap.

²⁰⁷ Scottish Government (2020) [Equally Safe: Year Three Update Report](#). Edinburgh: Scottish Government. p.29.

²⁰⁸ Close the Gap (2019) [Equally Safe at Work: Guidance for line managers on violence against women and work](#). Glasgow: Close the Gap.

²⁰⁹ Scottish Government (2021) [A Changing Nation: How Scotland will Thrive in a Digital World](#). Edinburgh: Scottish Government.

²¹⁰ Ibid., p.10.

²¹¹ Ibid., p.35.

connected”²¹² As such digital exclusion along the lines of gender is largely ignored and this strategy only addresses gender in terms of inequalities between women and men in terms of digital skills, education and employment.²¹³

The problem of GOH is not addressed nor are the implications this problem has for gender equality online and how GOH interferes with women’s ability to access and participate online and to enjoy the benefits and opportunities associated with digital access. This is despite recommendations provided by Engender during the consultation phase which included: ²¹⁴

- 1.) Ensure the strategy itself is gender competent, with explicit links with the Equally Safe strategy, and is responsive to women’s specific needs
- 2.) Commitment to work with VAWG organisations to address the issue of gendered digital abuse
- 3.) Engage with social media to tackle online misogyny in Scotland
- 4.) Regulate and enable employers to protect women from online misogyny while working²¹⁵

Unfortunately, the policy is a missed opportunity to address the key barriers women face when seeking to participate online and which undermine women’s right to enjoy the same digital access, opportunities and benefits as men.

5. Recommendations for tackling the GOH of women journalists

This section thematically summarises key recommendations identified across the literature and is split into two parts. The first outlines four key recommendations for UK and Scottish Governments:

- 1.) Improve data collection and knowledge
- 2.) Adopt a gender competent approach
- 3.) Strengthen employment legislation, regulation and enforcement
- 4.) Impose and enforce duties for state actors

The second section outlines five key recommendations for employers:

- 1.) Adopt gender-sensitive policies and processes
- 2.) Address organisational cultures

²¹² Ibid., p.29.

²¹³ Ibid., p.50.

²¹⁴ Engender (2020) [Engender response to the Scottish Government Consultation on the Digital Inclusion Strategy for Scotland](#). Edinburgh: Engender.

²¹⁵ Ibid., pp.6-7.

- 3.) Focus on prevention
- 4.) Support women journalists facing GOH
- 5.) Additional suggestions

5.1 Suggestions for UK and Scottish Government

5.1.1. Improve data collection and knowledge

Many suggest governments must start addressing knowledge gaps by collecting data to chart the prevalence and forms of online harassment and abuse including the gendered and intersectional patterns. This is presented as necessary for developing appropriate evidence-based strategies and approaches:

“Publish regularly reports and analysis on collected data and cases; inform the relevant authorities about these findings.”²¹⁶

“Monitor, research and record evidence, and speak out against, online violence associated with crimes against journalists in a gender-responsive and gender-disaggregated manner.”²¹⁷

“Establish information-gathering mechanisms, such as databases, to permit the gathering of verified information about attacks on and gender-based violence against women journalists.”²¹⁸

The Scottish Government could undertake this step and doing so would address the lack of Scotland-specific data to help improve understanding the extent and unique features of GOH within Scotland.

5.1.2 Adopt a gender-competent approach

Another common recommendation related to the need for gender-sensitive approaches in policy and legislation concerning online harms and the safety of journalists is to acknowledge and address the specific hazards and harms women face generally and the specific forms experienced by minoritized women:

“Include specific measures to address online harms against women and girls and those with multiple protected characteristics, including women in political and public life, and treat online harms as equally serious as in-person harm.”²¹⁹

²¹⁶ IPI (2019) "[Newsroom Best Practices for Addressing Online Violence against Journalists: Perspectives from Finland, Germany, Poland, Spain and the United Kingdom](#)". Vienna: International Press Institute, p.65.

²¹⁷ Posetti et al (2021) [The Chilling: Global Trends in Online Violence against Women Journalists; Research Discussion Paper](#). UNESCO, p.91.

²¹⁸ UNHRC (2020) [Combating violence against women journalists: Report of the Special Rapporteur on violence against women, its causes and consequences](#). Vienna: UNHRC. p.19.

²¹⁹ CAG (2021) [Joint briefing: The Online Safety Bill and Online Harms Against Women \(September 2021\)](#). London: CAG. p.2.

“Recognition of online VAWG as a specific harm in the Bill, with an accompanying Code of Practice developed in consultation with the VAWG sector to set clear expectations for how online VAWG cases are investigated and clear, consistent online VAWG reporting standards for platforms. The definition of online VAWG in the Bill must recognise the intersecting ways abuse can affect different women and girls.”²²⁰

“Policy and law makers shall review how female journalists, elected officials, researchers and culture workers can be offered **improved legal protection**, especially when targeted by organized hate campaigns.”²²¹

“Ensure that there is adequate legislation to respond to gender-based violence, especially against women journalists. Violence against journalists should be regarded as an aggravating circumstance in crimes because of its impact on the public’s right to be informed.”²²²

Some also offer specific suggestions for gender-sensitive policy actions including those aimed at improving gender equality in journalism, media outputs and public attitudes:

“In countries where the media receive state aid, create incentives for media companies to commit to change, to equip themselves with mechanisms for evaluating and measuring the place of women, with a charter that commits them to equality between women and men internally, and with training tools to make staff aware of the importance of parity and equality, and so on; assist media companies financially with the creation and adoption of these mechanisms.”²²³

“**Education on media and ITC literacy** shall be part of the schools curricula. Education should include gender equality awareness and an understanding how gender stereotyping has a negative impact on the achievement of gender equality overall.”²²⁴

The Scottish Government can ensure their own digital strategy is gender competent and they could also encourage the UK Government to do the same when approaching online harms and journalist safety issues.

5.1.3. Strengthen employment legislation, regulation and enforcement

Many also called for governments to improve and strengthen employment legislation, regulation and enforcement to improve responses to work-related GOH generally and as means of encouraging or compelling employers to improve their responses. Some

²²⁰ EVAW (2021) [VAWG Principles for the Online Safety Bill](#). London: EVAW. p.3.

²²¹ European Women’s Lobby (2017) [#HerNetHerRights: Mapping the state of online violence against women & girls in Europe](#). Brussels: European Women’s Lobby, p.36.

²²² RSF (2021) [Sexism’s Toll on Journalism](#). Paris: RSF. p.35.

²²³ Ibid.

²²⁴ European Women’s Lobby (2017) [#HerNetHerRights: Mapping the state of online violence against women & girls in Europe](#). Brussels: European Women’s Lobby, p.36.

suggested immediate action as more women were being exposed to GOH due to shifts to online work due to Covid-19:

“Employers have an obligation to protect their employees from harm under UK legislation. However, COVID-19 and the sudden widespread shift to remote working means many employers do not have sufficient training, skills and resources to ensure employees’ safety in online working environments. Governmental guidance, and a roadmap for Digital Health and Safety at work, is therefore needed.”²²⁵

“The bill should be amended so that media employers are legally required to support staff and freelance workers when facing online abuse. The bill should introduce new measures that would compel media outlets to protect media workers when dealing with the full spectrum of online abuse including the “below the line” comments.”²²⁶

Some also explicitly describe work-related GOH as a health and safety issue and recommend legislation in this area be strengthened to improve employers’ awareness and compliance:²²⁷

“Treating gender-based abuse against women journalists on social media and websites as an issue of workplace health and safety and taking responsibility for ensuring that women journalists (both salaried and freelance) are supported in the aftermath”²²⁸

Some also highlight the need to adopt steps aimed at improving justice system responses including helping to raise awareness about and prioritising the investigation of GOH:

“Make lawmakers and those working in the criminal justice system more aware of online violence against women, especially women journalists.”²²⁹

“The police and justice systems and professionals should be trained to detect, respond and prosecute such violence.”²³⁰

²²⁵ Glitch UK & EAW (2020) [The Ripple Effect: COVID-19 and the Epidemic of Online Abuse](#). London: Glitch UK and EAW. p.41.

²²⁶ NUJ (2021) [Written evidence submitted by the National Union of Journalists \(OSB0166\)](#). London: NUJ p.11.

²²⁷ NUJ (2021) [Written evidence submitted by the National Union of Journalists \(OSB0166\)](#). London: NUJ. p.11 p.12; Glitch UK & EAW (2020) [The Ripple Effect: COVID-19 and the Epidemic of Online Abuse](#). London: Glitch UK and EAW. p.41.

²²⁸ Gender Equity Victoria (2019), ["Don't Read the Comments": Enhancing Online Safety for Women Working in the Media](#). Collingwood: Gender Equity Victoria. P.16.

²²⁹ RSF (2021) [Sexism's Toll on Journalism](#). Paris: RSF. p.35.

²³⁰ European Women’s Lobby (2017) [#HerNetHerRights: Mapping the state of online violence against women & girls in Europe](#). Brussels: European Women’s Lobby, p.35.

While these recommendations address employment legislation which is beyond the scope of devolved powers the Scottish Government could apply pressure to encourage the UK Government to adopt these recommendations.

5.1.4. Impose and enforce duties for state actors

Several reports also highlight the influential role of politicians, law enforcement and other state actors and recommend governments introduce specific duties or codes of practice which explicitly prevent such actors from engaging in or encouraging online harassment and abuse:

“Ensure public condemnation and prosecution of any member of government or member of any state institution who has either directly issued insulting and threatening messages against journalists or incited and encouraged others to do so.”²³¹

“Consider introducing protocols and guidelines to act against officials who engage in gendered online violence and ensure prosecution of those who attack women journalists.”²³²

To address this recommendation the Scottish Government could ensure they publicly condemn any state actors who perpetrate or encourage online harassment including the GOH of women journalists. They could also update the Ministerial Code²³³ to include specific duties for Scottish politicians and which make engaging in such behaviour a breach of this code.

5.2 Suggestions for employers

The key recommendations for employers, as identified in the literature reviewed, cohere into four key themes which will be outlined below in addition to a fifth category which outlines additional recommendations provided by journalists in a recent NUJ survey.²³⁴

5.2.1. Adopt gender-sensitive processes and policies

A key theme in recommendations is that employers should ensure their policies, processes and practices acknowledge and address the heightened risks and specific harms women, especially minoritized women, journalists face online:

“Moderation guidelines and training that explicitly address gendered and other identity-based abuse as a subset of abuse that requires a strong response from

²³¹PI (2019) "[Newsroom Best Practices for Addressing Online Violence against Journalists: Perspectives from Finland, Germany, Poland, Spain and the United Kingdom](#)". Vienna: International Press Institute, p.65.

²³² Posetti et al (2021) [The Chilling: Global Trends in Online Violence against Women Journalists; Research Discussion Paper](#). UNESCO, p.92.

²³³ Scottish Government (2018) [Scottish Ministerial Code: 2018 edition](#). Edinburgh: Scottish Government.

²³⁴ NUJ (2020) [NUJ Members' Safety Survey](#). London: NUJ.

the organisation, both to minimise the risk of harm to women journalists and bystanders and to send a message that such abuse violates social norms.”²³⁵

“Introduce or update protocols and guidelines pertaining to online violence to ensure they are gender-sensitive and gender-responsive.”²³⁶

5.2.2 Address organisational structures and cultures

A closely related theme is the need for employers to address wider gender inequalities in the media which present barriers to tackling GOH, specifically changes to improve diversity in management roles and address pervasive sexist cultures and inequalities in news content:

“Ensuring that newsroom managers include those who know first-hand what navigating online harassment is like as a woman or person of color would go a long way to establishing social media policies and procedures that more proactively and thoughtfully protect the newsroom.”²³⁷

“A whole-of-organisation approach to address systemic and structural sexism in the workplace in the form of unequal gender representation at senior levels, workplace cultures that promote harmful or exclusive displays of masculinity (e.g., a ‘boys’ club’) and reporting and commissioning that reinforces gender bias and negative stereotypes about women.”²³⁸

“Eliminate sexual and sexist stereotyping in language and illustrations, in the proportion of women and men portrayed as victims, the proportion of women and men identified by their family status, and so on.”²³⁹

Recommendations also focused on creating a culture of zero tolerance to promote a healthy safety culture which encourage discussion and reporting of GOH:

“Creating a culture in the newsroom that encourages journalists to report online violence and that reduces any stigmatization or victimization around doing so is essential to combat the emotional and professional toll that harassment can have.”²⁴⁰

²³⁵ Gender Equity Victoria (2019), ["Don't Read the Comments": Enhancing Online Safety for Women Working in the Media](#). Collingwood: Gender Equity Victoria, p.17.

²³⁶ Posetti et al (2021) [The Chilling: Global Trends in Online Violence against Women Journalists; Research Discussion Paper](#). UNESCO, p.93.

²³⁷ CJR (2021) [A Twitter tightrope with a net: Journalists' reactions to newsroom social media policies](#). New York: CJR. p.38.

²³⁸ Gender Equity Victoria (2019), ["Don't Read the Comments": Enhancing Online Safety for Women Working in the Media](#). Collingwood: Gender Equity Victoria, p.16.

²³⁹ RSF (2021) [Sexism's Toll on Journalism](#). Paris: RSF. p.33.

²⁴⁰ IPI (2019) ["Newsroom Best Practices for Addressing Online Violence against Journalists: Perspectives from Finland, Germany, Poland, Spain and the United Kingdom"](#). Vienna: International Press Institute, p.60.

“Similarly, organisations should also make it clear that staff are prohibited from engaging in any form of online harassment or abuse of any women journalists (i.e., including co-workers, freelancers and those employed by other outlets).”²⁴¹

Suggestions also include specific advice for changing cultures including regular meetings specifically to discuss issues and experiences of online abuse and ensuring those involved in developing strategies come from diverse groups with different experiences of online abuse.

5.2.3. Focus on prevention

Many recommend employers prioritise prevention measures to protect women journalists from online harassment and abuse with generalised and specific suggestions offered including:

“Newsrooms should take a more proactive approach to online harassment. They should anticipate who will attract such harassment and prepare accordingly.”²⁴²

“Employers need to improve mechanisms to anticipate risks, carry out risk assessments, regular safety reviews and audits.”²⁴³

“Develop mentorship programmes. Assign a more experienced journalist to support new colleagues, especially those assigned to hot-button topics. Such programmes can help journalists avoid the usual triggers that ignite harassment while also encouraging them to keep writing instead of resorting to self-censorship.”²⁴⁴

The need for organisations to continually evaluate online harassment is also emphasised so employers stay aware of emerging trends and ensure guidance, training and processes can be updated.

5.2.4. Provide appropriate support for those experiencing online harassment

Recommendations also focus on how employers can better support those facing GOH including generalised suggestions for improving support and empathy and specific steps to minimise trauma and the burden of managing abuse:

²⁴¹ Posetti et al (2021) [The Chilling: Global Trends in Online Violence against Women Journalists; Research Discussion Paper](#). UNESCO, p.93.

²⁴² CJR (2021) [A Twitter tightrope with a net: Journalists’ reactions to newsroom social media policies](#). New York: CJR. p.31.

²⁴³ NUJ (2021) [Written evidence submitted by the National Union of Journalists \(OSB0166\)](#). London: NUJ. p.9

²⁴⁴ IPI (2019) ["Newsroom Best Practices for Addressing Online Violence against Journalists: Perspectives from Finland, Germany, Poland, Spain and the United Kingdom"](#). Vienna: International Press Institute, p.62.

“Ensure online safety support is holistic (integrating psychological, digital security, editorial, and legal responses), as well as responsive to intersectional threats/impacts, and readily available to all staff and freelancers.”²⁴⁵

“Create an emergency internal mechanism to respond to threats and sexist attacks online, whether by means of online content moderation or by providing psychological or legal support to the woman journalist being targeted.”²⁴⁶

“Document the abuse, in particular by storing screenshots, URLs, downloaded videos or gifs. An editor or a colleague of the affected journalist should undertake this task. Removing this burden from the journalist helps minimize the emotional impact.”²⁴⁷

“Coordinated responses to online platforms on behalf of journalists and media workers to proactively respond to online harassment and threats.”²⁴⁸

Some also highlight the need for both formal and informal processes and support mechanisms to address reluctance in reporting GOH and to accommodate those who may be deterred by more formal forms. Others also suggest employers offer public shows of support:

“Media employers should offer stronger rebuttals and provide corporate responses to online abuse.”²⁴⁹

This was a means of signalling a zero-tolerance stance towards the abuse and harassment of journalists and that they unreservedly back and support their journalists facing attacks.

5.3. Additional suggestions

There are several suggestions offered by NUJ members which are not addressed above, included here as they address the needs of UK journalists in their own words.

- Editors should assess online harassment risks when writing headlines and assigning controversial topics
- Allow journalists to opt out of adding their name or picture to stories
- Do not compel journalists to work on social media or freelancers to respond to online comments to completed commissions
- Engage lawyers to help journalists obtain injunctions or pursue harassers

²⁴⁵Posetti et al (2021) [The Chilling: Global Trends in Online Violence against Women Journalists; Research Discussion Paper](#). UNESCO, p.93.

²⁴⁶RSF (2021) [Sexism's Toll on Journalism](#). Paris: RSF. p.34.

²⁴⁷IPI (2019) ["Newsroom Best Practices for Addressing Online Violence against Journalists: Perspectives from Finland, Germany, Poland, Spain and the United Kingdom"](#). Vienna: International Press Institute, p.61.

²⁴⁸CFWIJ (2021) [United Kingdom: Safety of journalists – gender perspective](#). New York: CFWIJ.

²⁴⁹NUJ (2021) [Written evidence submitted by the National Union of Journalists \(OSB0166\)](#). London: NUJ. p.9.

- Secure Twitter deal so journalists can obtain verified status so they may block/filter abuse
- Provide private security or personal insurance cover²⁵⁰

6. Conclusion

This report provides an overview of the GOH of women journalists from the perspective of employers' role and responsibilities. The key areas and insights identified are summarised below.

Chapter 2 outlined the current state of knowledge around GOH highlighting:

- 1.) Most women journalists experienced GOH, especially minoritized women;
- 2.) GOH results in various personal and professional costs;
- 3.) Employers use social media policies to protect their brands rather than journalists;
- 4.) Employers' responses are often problematic reflecting underlying gender inequalities and systemic sexism;
- 5.) GOH is exacerbated by precarity and journalism's financial reliance on social media.

Chapter 3 outlined and discussed the Equality Act 2010 and Health and Safety legislation to explore employers' existing and forthcoming legal responsibilities in relation to the GOH of women journalists. Under the Equality Act employers:

- 1.) Have a legal duty to protect women journalists from all gender-based harassment;
- 2.) May be liable for direct or indirect discrimination against women as a result of responses to reports of third-party harassment/online harassment;
- 3.) May be liable for direct or indirect discrimination against women as a result of social media related policies, practices and criteria;
- 4.) May be liable for unfair/less favourable treatment of women journalists who complain about GOH or discrimination.

Under Health and Safety legislation employers:

- 1.) Have a legal duty to protect all journalists from workplace or work-related harassment and violence including online forms;
- 2.) Must conduct assess and establish controls for harassment, violence and associated stress which address the specific vulnerabilities/risks faced by women and minoritized journalists;

²⁵⁰ Ibid., p.16.

- 3.) May be liable for compensation for negligence in relation to GOH resulting in ill health or resignation.

Chapter 4 explored relevant policy areas and activities, at UK and Scottish levels, noting limitations addressed by civil society organisations highlighting UK Government plans to:

- 1.) Impose a duty on employers to prevent harassment and reintroduce liability for third-party harassment;
- 2.) Impose duties, enforced by Ofcom, for internet companies to protect free speech and address online harms;
- 3.) Protect journalists and their work by improving data/knowledge, law enforcement, and online safety training/resources and encouraging employers in adopting best practice.

Civil society critiques highlighted:

- 1.) The lack of gendered lens or gender-sensitive approach which explicitly addresses the experiences and needs of women;
- 2.) Weakness of regulation due to underfunding, under-enforcement and scope of regulators' powers;
- 3.) Problematic language and definitions;
- 4.) Failure to acknowledge and regulate politicians online harm-causing activities.

This section also outlined key aspects of the Scottish policy context highlighting:

- 1.) Steps to address VAWG, especially those aimed at tackling problematic attitudes, stereotypes and structures, may also help tackle the problem of GOH;
- 2.) Actions to improve gender equality in work, aimed at addressing sexist cultures, attitudes and practices/policies in relation to VAW, would help improve employer responses to GOH;
- 3.) How Scotland's digital strategy ignores gendered issues and how GOH threatens to undermine women's ability to enjoy the same benefits and opportunities associated with digital technologies and spaces as men.

Chapter 5 provided a thematic summary of recommendations found in the literature highlighting the following key suggestions:

- 1.) Approaches should be gender sensitive, gender competent and intersectional to acknowledge women journalists' experiences and uneven risks;
- 2.) Stronger laws and enforcement and encouragement to ensure employers improve strategies for tackling GOH and supporting women journalists;
- 3.) Prioritise prevention and adopt measures to better protect women journalists;

- 4.) Tackle gender inequalities and sexism in journalism;
- 5.) Improve data and ensure data is disaggregated by sex and other protected characteristics.

Overall, this report maps key areas of applied knowledge, advocacy and policy work foregrounding the role of employers by highlighting their legal responsibilities and suggested best practice for managing GOH and supporting women journalists. The important role governments play is also addressed to highlight how policy and legislation can encourage and support employers in tackling this problem.

While this report focuses on women journalists and gender equality in journalism it has much wider import as shifts in work have made social media and the internet increasingly normalised. These shifts come with gendered and intersectional hazards and harms with implications for gender equality and women's rights. By outlining employment law and the role of employers this report provides a useful starting point for a larger conversation about the gendered impact of digitalisation and changing work.

ABOUT THE AUTHOR

Claire Kish is a student at University of Glasgow. She is currently studying for her PhD exploring the online harassment of women in journalism, focusing on professional harms and organisational dimensions.

ABOUT ENGENDER

Engender is Scotland's feminist policy and advocacy organisation, working to increase women's social, political and economic equality, enable women's rights, and make visible the impact of sexism on women and wider society. We work at Scottish, UK and international level to produce research, analysis, and recommendations for intersectional feminist legislation and programmes.

ABOUT GENDER EQUAL MEDIA SCOTLAND

Gender Equal Media Scotland is a coalition of journalists, organisations and academics working to bring about women's equality in Scotland's media. The post of Development Officer is hosted by Engender, Scotland's feminist policy and advocacy organisation, on behalf of GEMS.