



Yorkshire County Cricket Club Racism Scandal

Personnel Today

According to **Natasha Adom**, senior lawyer, knowledge management and training director at specialist employment law firm GQ|Littler, YCCC's predicament is a "a classic example of a failure to properly investigate serious issues of discrimination from start to finish".

"Firstly, there seems to have been a misunderstanding or misapplication of what harassment means." While Azeem Rafiq was called a 'P***', said Adom, which made him break down in tears, no action was taken because his teammates who had used the offensive terms did not understand they were causing offence.

"However, legally the intent of the harasser does not really matter here," she said. "Whether behaviour amounts to racial harassment depends on whether the victim felt that they received unwanted conduct based on race which created a hostile or degrading environment for them and whether that feeling was reasonable."

Adom said there had been a failure to hold to account those responsible for harassment: "It seems incomprehensible that despite having found that some acts of discrimination and harassment did take place that no action was taken against those responsible for it. For example, Gary Ballance was only suspended [from selection by England] following a public backlash, suggesting a real lack of willingness to address these issues and hold individuals to account."

"The failure to take action here despite the findings of discrimination also suggest a real lack of leadership in handling these serious issues."

She criticised the lack of transparency in disclosing details of the independent report and added that "banter" could often have a positive impact on workplace culture but "there is a thin line between that and harassment. Joking about protected grounds such as race is risky ground and the obligation sits with those engaging in it is to ensure that it is and continues to be consensual".

Read the full story [here](#).