

FOR THE LOVE OF MUSIC

Ending Sexual Harassment
in the Music Industry

Musicians'
Union



#fortheloveofmusic

Foreword



The results of our research are clear, sexual harassment is widespread in the music industry.

In 2018, the Musicians' Union (MU) set up a Safe Space service for musicians to confidentially report instances of sexual harassment in the music industry. Through logging and responding to the hundreds of reports we have received, primarily from women, we have learned that harassment occurs in a wide variety of workplaces and that the freelance nature of the workforce in music, late night working and informal working environments such as tour buses, pubs and bars, means our members are particularly at risk. There is also a significant power imbalance in many working relationships in the industry which can be abused.

In 2019, the MU decided to conduct a survey of its members to more accurately assess the factors that contribute to this problem. Almost 800 musicians reported their experiences to us, revealing that sexual harassment is an all too frequent occurrence for musicians at all levels of their careers.

Our detailed research exposes the barriers that musicians face when reporting their experiences and how harassment can limit or in some cases end the career of the survivor. The most shocking part of the research was how sexual harassment has become a normalised, almost expected, part of working as a musician. One member described sexual harassment as being an "occupational hazard".

We need the Government to listen to the experiences of our members and strengthen laws, so that all musicians are explicitly protected from sexual harassment. Sexual harassment should not be an accepted part of a freelance musician's working life.

As uncomfortable as it might be, we need to be able to speak about sexual harassment openly and discuss industry wide interventions and strategies to make sure no musician's career is damaged because they've experienced or spoken out about sexual harassment. Improving protections in the law would also assist the thousands of employers and engagers of musicians who receive reports and want to take action but currently cannot adequately do so.

Preventing sexual harassment remains a challenge for all of society. What's needed is wholesale cultural change. It won't happen overnight but we are encouraged that the industry is adapting and that inappropriate behaviour is far more likely to be challenged now than it was two years ago. We look forward to a brighter future for our members.

Naomi Pohl
Deputy General Secretary, Musicians' Union

Summary

Sexual harassment is highly prevalent in the music industry.

- Almost half (48%) of members have experienced sexual harassment.
- Over 58% of members have witnessed sexual harassment.
- Over 10% of members have witnessed sexual harassment on a regular basis.

Sexual harassment is severely underreported, with the culture of the music industry and a fear of not being believed major barriers to reporting.

- Over 85% of members who experienced sexual harassment did not report it.
- Over half (56%) of these members cited workplace culture as a barrier to reporting.
- 40% of these members said that fear of losing work was the reason they didn't report their experience.

Freelancers feel they are at greater risk of sexual harassment, and most contracts don't include provisions for dealing with incidents of sexual harassment.

- Almost two-thirds (61%) of members feel they are more at risk because they work on a freelance basis.
- Just one in five (19%) of members reported the contracts they work under include policies or procedures to deal with incidents of sexual harassment.

Harassment by third parties is a serious issue.

- Almost half (47%) of members have been harassed by a third party such as an audience member.



Research findings

Sexual harassment is behaviour that makes someone feel distressed, intimidated or offended and the behaviour is of a sexual nature.

This includes:

- Sexual comments or jokes.
- Physical behaviour, unwelcome sexual advances, touching, and various forms of sexual assault.

- Displaying photos, pictures or drawings of a sexual nature.
- Sending messages, emails etc. with sexual content.

Sexual harassment can include verbal, non-verbal and physical acts – including sexual comments, taking ‘up-skirt’ photographs, or unwanted sexual touching.

Musicians’ Union Safe Space

In response to #metoo in 2017, the MU created Safe Space to provide a safe space for all musicians to share instances of sexism, sexual harassment and sexual abuse in the music industry.

Since the MU’s Safe Space project launched, we have received well over 100 reports from musicians working across the industry ranging from sexual harassment such as inappropriate dress codes (for example, “dress like a Barbie Doll”) and inappropriate text messages (including uninvited sexual photographs) to sexual assault and rape.

The response to Safe Space made us aware of the need for data to truly understand the scale of sexual harassment of musicians. In September 2019 we asked Musicians’ Union members to tell us about their experiences of sexual harassment. We received over 700 responses.

Reports through our Safe Space account and the data gathered through our survey in 2019 confirm that sexual harassment is a real problem in the music industry and that freelancers are particularly vulnerable to experiencing sexual harassment.



Incidents of sexual harassment

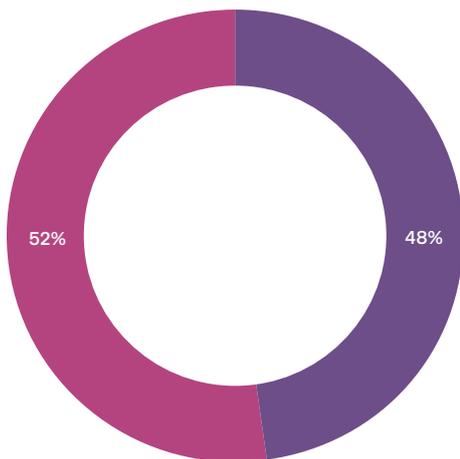
Sexual harassment is common in the music industry. Members have reported that they've left the workplace or even the industry as a result of sexual harassment. In many cases, the perpetrator remains in the workplace and the survivor has to leave.

Musicians work in a range of environments where sexual harassment may be more likely to take place – for example live music venues, festivals, pubs and environments in which alcohol consumption is likely.

There is also a significant power imbalance between musicians and the people who engage them to do work, which can make sexual harassment more likely.

“This behaviour has destroyed my career”

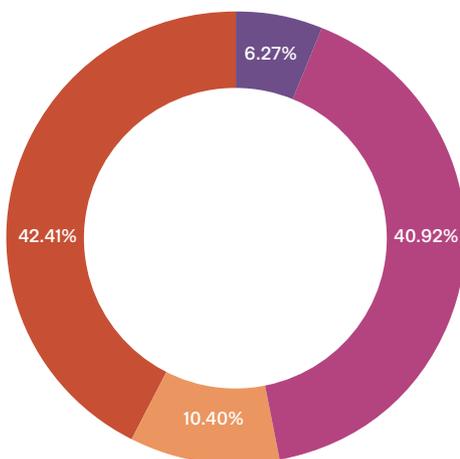
Have you ever experienced sexual harassment at work?



48% of members have experienced some form of sexual harassment at work.

- Yes
- No
- Unsure

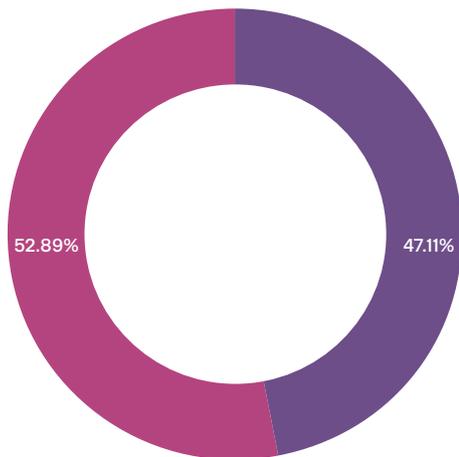
Have you witnessed incidents of sexual harassment at work?



58% of members have witnessed an incident of sexual harassment whilst at work, and over 10% of members witness incidents of sexual harassment on a regular basis.

- Yes - once
- Yes - occasionally
- Yes - regularly
- No

Have you ever been harassed by a third party at work?

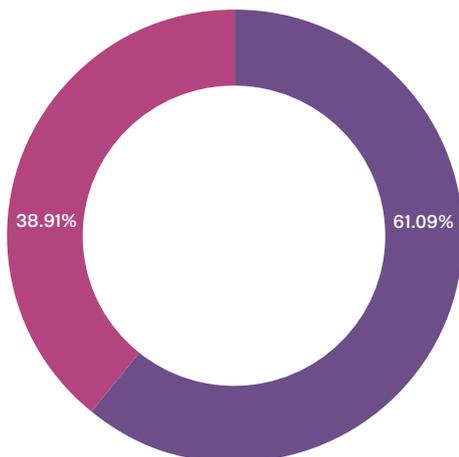


Almost half of members reported they have experienced sexual harassment by a third-party. A third-party could be a person or group of people who work outside the control of the employer or engager. This could include audience members, contractors, vendors and suppliers.

Environments where our members work could be considered 'high risk' since many work late at night, with audience members having direct access to musicians, and in workplaces where alcohol is likely to be consumed.

■ Yes
■ No

Do you think that freelancers are at greater risk of being sexually harassed at work?



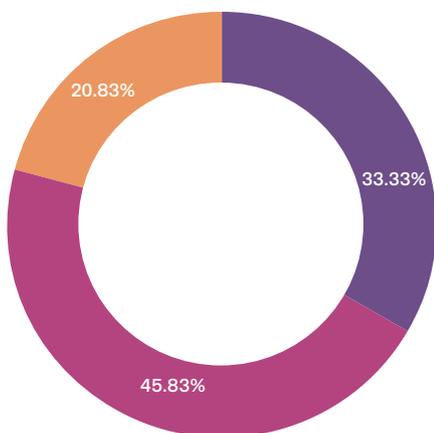
Almost two thirds of members believe they are at greater risk of sexual harassment because they are freelancers.

Research conducted in 2017 by the BBC confirms that freelancers are more likely to experience sexual harassment than their employed counterparts.

The BBC findings revealed 29% of employees had experienced sexual harassment at work. In comparison, 41% of freelancers had, 46% of those on a zero hours contract and 46% of those who identified as working in the gig economy.

■ Yes
■ No

Was the harassment linked to a protected characteristic?



Almost one in three members felt that the sexual harassment they experienced was linked to a protected characteristic. This may have been their ethnicity, sexuality, gender identity, or disability.

Sexual harassment affects different groups of people in different ways. Research suggest that BAME women experience sexual harassment because of racialised stereotypes, LGBT+ women experience sexual harassment because they are LGBT+, and disabled women experience sexual harassment at much higher rates than non-disabled women.

■ Yes
■ No
■ Unsure

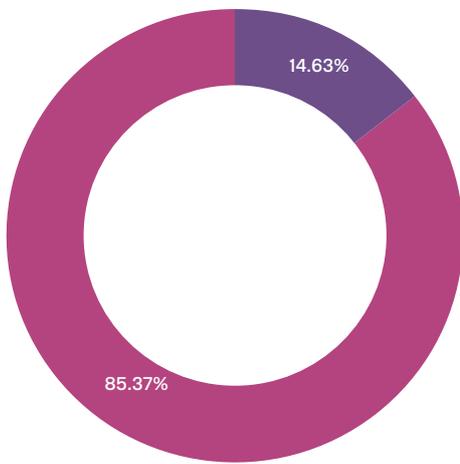
Reporting sexual harassment

There is still a widespread lack of reporting of sexual harassment. Survivors fear they will lose work opportunities if they report, won't be believed, or that it won't be dealt with appropriately. The MU has seen many cases in which these fears have been realised.

The power imbalance between freelancers and the people who engage them also contributes to sexual harassment going unreported. A respondent to the MU survey on sexual harassment expressed the views of many members very clearly when they stated: "When a freelancer relies on an individual for work, they are less likely to speak out."

"It's unusual not to have at least one incident of sexual harassment from audience members"

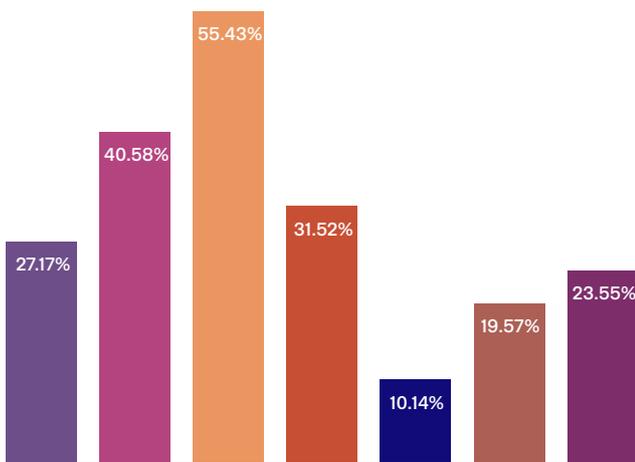
Did you report the harassment?



Over 85% of members who responded to the MU survey on sexual harassment at work did not report incidents of sexual harassment they experienced.

■ Yes
■ No

What discouraged you from reporting?



The main reason identified for not reporting (56%) was the environment where musicians worked.

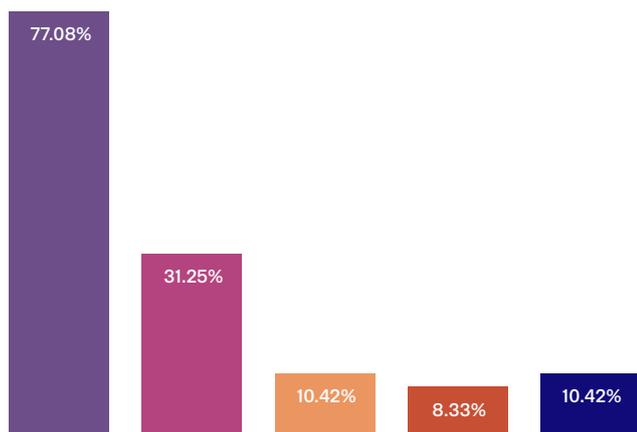
Over 40% were concerned that reporting their experiences would lead to victimisation and a loss of work. Some members were threatened that their career could be damaged if they pursued their complaint.

In one case we've dealt with, a musician who complained to the MU was advised that she would receive increased bookings if she withdrew her complaint. The implication was that bookings would stop if she did not.

Another told us she'd been the victim of "severe character assassination... a huge ongoing professional retaliation and smear campaign." She said, "this hugely effected my reputation and standing in the industry."

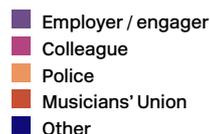
■ Expectation of not being believed or taken seriously
 ■ Fear of losing work
 ■ Workplace culture
 ■ Expectation that the issue would not be handled appropriately
 ■ Fear of perpetrator
 ■ No witnesses
 ■ Other

Who did you report the harassment to?



Most members who did report their experiences of sexual harassment reported directly to their employer or engager.

Colleagues provided another source of support for members who had experienced sexual harassment, with over 31% reporting their experiences to a co-worker.



Recommendations

Sexual harassment in the music industry is widespread and often goes unreported, but it doesn't need to be this way.

Action from Government and the music industry would greatly reduce, and could eliminate, the number of musicians experiencing sexual harassment.

Government:

- Legislation that protects all freelancers too**
 The Government should extend the protections relating to discrimination and harassment in the Equality Act 2010 to all freelancers so that they are entitled to the same protections as the wide range of individuals in the workplace who are already protected.
- Extend limitation periods**
 Limitation periods for discrimination and sexual harassment claims should be extended to at least six months.
- Protect musicians from third party harassment**
 Reinstate section 40 of the Equality Act 2010 without the three strikes rule to protect all workers from third party harassment.
- Acknowledge intersectionality**
 Implement Section 14 of the Equality Act 2010 and review the limit of two characteristics so the law acknowledges that overlapping and interdependent systems of discrimination impacts on people who experience sexual harassment.
- Introduce a mandatory duty on workplaces to protect all workers from sexual harassment**
 A mandatory statutory duty would create a clear and enforceable legal requirement on all workplaces to safeguard workers, and help bring about cultural change in the workplace.

Employers and engagers:

- Implement robust policies and procedures for combatting sexual harassment and discrimination negotiated with the MU.
- Provide equality and diversity training with specific training on sexual harassment for all workers.
- Provide multiple, clear and accessible reporting mechanisms, including anonymous methods so all workers can raise a complaint safely.
- Conduct sexual harassment risk assessments and create action plans to reduce risks.
- Display MU Safe Space signage, such as the 'For The Love Of Music' poster.
- Insist that all security staff have received equality and diversity training, with specific training on how to deal with sexual harassment.

“I didn't report for fear of being blamed and shamed”

Resources

The MU is here to offer support and guidance if you face sexual harassment, discrimination, or abuse at work.

MU Safe Space Scheme

No-one should experience or fear sexual harassment, abuse, bullying, or discrimination on campus or at work. That's why the Musicians' Union set up the Safe Space scheme.

Safe Space enables all musicians to share instances of sexual harassment, abuse, bullying or discrimination in the music industry.

Musicians can report their experiences using our online tool at theMU.org/safespace or by emailing safespace@theMU.org

Safe Space provides everyone with:

- Advice on their rights.
- Information about relevant support services.
- Advice on their options and further steps in cases of bullying, discrimination and other inappropriate behaviour.

We can also help MU members with:

- Raising a complaint with an employer, engager, or even directly with the perpetrator.
- Seeking redress.
- Disciplinary action under MU rules.

All emails are treated in the strictest confidence, and no action will be taken without prior consent.

A list of organisations that can provide urgent assistance and long-term support, including counselling, can be found at theMU.org/safespace

“I was told that the perpetrator would be ‘dealt with’ but nothing happened. Musicians need to be taken better care of”



Further advice for musicians, employers and engagers

The Musicians' Union wants to empower all musicians to challenge inappropriate behaviour and promote good practice at work.

This includes guidance on appropriate behaviour at work, looking at meeting places, facilities, and working with young people.

Musicians are strongly advised to obtain written confirmation of all engagements, and to use either an MU Standard Contract, or run contracts through the Union's Contract Advisory Service.

Further advice on workplace behaviour and how to access MU contract and legal advice can be found at [theMU.org](https://www.theMU.org)

Music Sector Code of Practice

The MU and ISM's joint code of practice has been created to tackle and prevent bullying, harassment, and discrimination in the music sector.

The code sets out a set of principles to aid employers in meeting their legal requirements, and presents a shared vision for promoting and maintaining a positive working culture.

To sign up to support the code, please contact equalities@theMU.org

“Freelance musicians don't speak up, as the people who get booked for work are those who keep quiet and don't cause trouble”

Protect Freelancers Too

The MU is actively campaigning for stronger protections from sexual harassment at work that include freelancers too.

Sign the petition at: megaphone.org.uk/p/protectfreelancerstoo

By signing the petition you are reminding the Government that they have a duty to protect everyone from sexual harassment at work – including musicians and other freelancers you know, or whose work you enjoy.

If you care about the future of music, join us

Be part of a community of over 1000 music fans, protecting musicians' rights and campaigning for a fairer music industry with the Musicians' Union.

Sign up as an MU Supporter for free via [theMU.org/supportthemu](https://www.theMU.org/supportthemu)



**FOR THE
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MUSIC**

THIS IS A SPACE FOR EVERYONE

The Musicians' Union is working to improve the culture of the music industry and make it safer for musicians and fans.

Report inappropriate behaviour in confidence to:
safespace@theMU.org

[#fortheloveofmusic](https://www.instagram.com/fortheloveofmusic)
find out more at theMU.org/safespace

**Musicians'
Union**
MU

MU HQ

60-62 Clapham Road
London SW9 0JJ

T 020 7582 5566
F 020 7582 9805
E info@theMU.org

w theMU.org
@WeAreTheMU

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Union**

