

**History of Article**

Submitted: April 11, 2022

Revised: May 12, 2022

Accepted: June 30, 2022

Available Online since: July 31, 2022

VOLUME 3 ISSUE 3, JULY 2022

Editor in Chief:

[Assoc. Prof. Dr. Indah Sri Utari, S.H., M.Hum](#)

*Universitas Negeri Semarang, Indonesia*

Associate Editors:

[Prof. Ngboawaji Daniel Nte, Ph.D.](#)

*Novena University, Nigeria*

[Assoc. Prof. Frankie Young, Ph.D.](#)

*University of Ottawa, Canada*

**How to cite:**

Kiani, Mohammad Saeid, and Leila Nazari. "The Need to Establish a Specialized Sports Law Federation in Iran and Its Role in Investigating Sports Crimes". *Journal of Law and Legal Reform* 3, No. 3 (2022): 295-310. <https://doi.org/10.15294/jllr.v3i3.56099>.

© 2022 Authors. This work is licensed under a Attribution-NonCommercial-ShareAlike 4.0 International (CC BY-NC-SA 4.0). All writings published in this journal are personal views of the authors and do not represent the views of this journal and the author's affiliated institutions. This title has been indexed by [Science & Technology Index \(SINTA 3\)](#), [Directory Open Access Journal](#), [Google Scholar](#), and [GARUDA](#)

Type: **Research Article**

# The need to establish a specialized sports law federation in Iran and its role in investigating sports crimes

Mohammad Saeid Kiani<sup>1</sup>✉ , Leila Nazari<sup>2</sup>

<sup>1</sup> PhD Student, Department of Sports Management, Kermanshah Branch, Islamic Azad University, Kermanshah, Iran

<sup>2</sup> PhD Student in Sports Management, Kurdistan University, Sanandaj, Iran

✉ [mohammadsaeidkiani@gmail.com](mailto:mohammadsaeidkiani@gmail.com)

## ABSTRACT

The existence of sports crimes throughout the history of sports is an issue that affects the lives of athletes and those involved in this field and has always been considered as a phenomenon that shows a group of people in

the sports community against social norms. Therefore, recognizing the main roots of crimes and sports injuries is one of the ideals that sports law experts have had in mind for a long time. Investigation is a sport crime. The method of this article is quantitative and qualitative. In other words, the research method in this study is mixed research. Library information using reputable scientific journals and publications and articles published in them. The main tool for data collection in this research is a questionnaire and interviews. In this research, two researcher-made questionnaires were used and quantitative data from SPSS software were analyzed using descriptive and inferential statistics. Findings of this study have studied the establishment of a legal federation in Iran. This study was conducted with the cooperation of 270 managers, coaches, judges, experts, and journalists. As a result, according to the findings, it is necessary to establish a legal federation and, consequently, legal committees in the general departments of youth sports in the provinces of the country, which can include such things as: Coordination, control and supervision of staff, supervisors, coaches and athletes according to the description of duties and relevant authorities, necessary measures regarding the presence of students in clubs, Observing the safety of sports facilities and equipment according to the standards, creating conditions for the development and expansion of sports activities, using punitive laws and disciplinary regulations against offenders, provide the ground for protection from the consequences that occur during sports activities.

**Keywords:** *Legal Federation, International communities, Sports law, Sports offenses*

## INTRODUCTION

In today's world, sport is one of the most effective educational and moral ways, especially for young people, and it is a tool that is becoming more and more scientific. This growing importance has led legal thinkers to establish a special field called "sports law" and to deal with various aspects of this social relationship, such as labor and agricultural law (Katouzian,

2021). In this regard, many countries have developed programs to prevent crime, so that some of these programs are considered by international centers, including the "International Center for Crime Prevention", which is a UN consultant in the field of crime prevention is considered, is located. Regarding the fight against crime in Iran, it must be acknowledged that action prevention alone cannot be considered, because on the one hand, according to Article 156, paragraph 5 of the Constitution, prevention is one of the duties of the judiciary, and on the other hand, attention to crime prevention. Social harms in the country are new. It seems that with an intermediate approach, criminal and non-criminal prevention can be considered in this regard (Ebrahimi, 2015).

Sports law clarifies the legal duties, powers and responsibilities of all those who are involved in sports activities in any way. But it should be known that exercise is not separate from dangers and injuries and one athlete may make a mistake on another. The legislator has not overlooked these dangers and harms and has taken them into account. Therefore, as stated in paragraph T of Article 158 of the Islamic Penal Code adopted in 2017, if these actions were carried out in accordance with the rules of that sport and those rules are not contrary to Islamic law, no crime has been committed, but according to the law, civil liability still stands (Yaghoubi Nejad, 2013). Many violations committed by athletes, coaches and referees in relation to sports in terms of their responsibility can even be considered a crime, and often a single action can lead to criminal and civil liability.

Hence, judicial authorities such as general courts, special authorities, disciplinary committees, dispute resolution boards, arbitrators and the International Court of Arbitration for Sport have been established to deal with these crimes (Aghaei, 2020). The ideas and theories that were formed in the light of the scientific schools of criminal law and criminology, gradually clarified the fact that punishment alone cannot provide for the eradication or eradication of violations of normative values, and gradually thinkers need to use measures. Non-repressive was emphasized along with punishment in order to prevent the commission of a crime (Ebrahimi, 2021).

With this emphasis, many countries have developed crime prevention programs; some of these programs have been considered by international organizations, including the International Center for Crime Prevention, which is considered the United Nations Adviser on Crime Prevention. Regarding the fight against crime in Iran, it must be acknowledged that action prevention alone cannot be considered. Because, on the one hand, according to paragraph 5 of Article 156 of the Constitution, prevention is one of the duties of the judiciary, and on the other hand, taking care of the prevention of crime and social harm in the country is a new thing. It seems that with an intermediate approach, criminal and non-criminal prevention can be considered in this regard (Ebrahimi, 2015).

According to the statutes of the sports federations of the Islamic Republic of Iran, it is obvious that in case of violation of technical regulations, according to the relevant sport, a special punishment will be considered by the disciplinary committee, which are mostly in the form of regulations and instructions. Is (Kashif, 2015). However, due to the dangerous nature of sports activities, the lack of sports law specialists in different stages, the development of laws and regulations, bylaws, the existence of major problems in the process of approval, judging and implementation of votes (unity of the three legislatures, judiciary) and executive in the disciplinary committees of sports federations), Failure to pay attention to preventive issues in the occurrence of violations, including general, specific and specialized prevention with the situation has led to the commission of sports crimes and the taste of investigations in disciplinary committees and ultimately harmed and violated the rights of athletes and those involved in sports.

Considering the presented conditions and considering that the existing laws in different sports have not reduced the occurrence of irreparable sports accidents on the body and soul of athletes and on the other hand, disciplinary committees, appeals and judicial authorities outside the country due to repetition Accidents In sports competitions - have not had a very effective role in improving or reducing accidents, violations and sports crimes, it seems that the recurrence of irreparable

accidents, violations and crimes in Iranian sports indicates a limited awareness of those involved in sports, including athletes, Coaches are the referees of their criminal and civil responsibilities, and the establishment or establishment of a similar body with sports federations specializing in sports law can be an intermediary or missing link in the country's sports. (Shukri, 2015). Sports law is a set of rules and regulations that regulate the legal relations between athletes, coaches, managers, sports equipment manufacturing industries, clubs, departments and organizations related to each other, and while outlining macro sports justice policies, all financial matters. And contractual, crimes, sports accidents and violations, criminal and civil liability, compilation Sports law includes the analysis of international and domestic documents and the like.

Its objectives are: to increase the legal awareness of the sports community in the field of sports law, to use this knowledge in order to prevent the occurrence of sports crimes and violations, to clarify the vital role of sports from the perspective of Iranian law, to explain the duties and powers of sports managers Legal opinion, Provide a variety of legal measures that must be taken before and after the occurrence of sports accidents, inform the sports community of the legal consequences of violations in sports, the most important result of which is to protect the physical, mental and dignity of athletes and to protect management. Sports is a legal responsibility. (Yaghoubi Nejad, 2021).

According to the statutes of the sports federations of the Islamic Republic of Iran, it is obvious that in case of violation of technical regulations, according to the relevant sport, a special punishment will be considered by the disciplinary committee, which is more in the form of regulations and instructions. (Kashif, 2015). Given that sports activities are mainly faced with potential dangers during training and at higher levels of national and international competitions, and on the other hand, in some cases, these dangers are inevitable and there is no escape.

This problem can be solved as much as possible by employing legal experts and consultants in drafting, explaining and interpreting international regulations and their localization, because currently every

sport is covered by a sports federation and sports federations in addition to the citizenship of the ministry. Sports and Youth and the National Olympic Committee are also members of international federations And are always required to comply with the laws communicated by the said federations. Ignorance of international laws and regulations generally creates problems for athletes, coaches, sports teams, national federations and even for the entire sport of the country.

Considering the role of sports verdict, which is related to the occurrence of violations and crimes, in the present study, with a preventive look to reduce crimes and sports violations, we seek to answer the question of whether the establishment of a sports right's federation is necessary or not?

## METHOD

Since this research seeks to measure the effectiveness of knowledge of legal laws regarding the establishment of a legal federation in reducing accidents caused by activities in various fields, so the data of this research are quantitative and qualitative. In other words, the research method in this study is mixed research. Library information Using reputable scientific journals and publications and articles published in them, referring to important and reputable libraries in the country such as the National Library and Archives of Iran and referring to reputable scientific sites has been collected. The main data collection tools in this study Questionnaire and interview. In this research, two researcher-made questionnaires were used and quantitative data from SPSS software were analyzed using descriptive and inferential statistics; In the descriptive tests section, the data were examined with the help of central indices of mean, standard deviation, etc. Review and categorization and finally coding and based on Wallace model first Inductively, following the formation of the content of concepts and theories in the form of a theoretical model, the model was

then evaluated and evaluated in a deductive process using statistical techniques.

*A. Statistical community and data collection*

This research was conducted in Iran with the cooperation of 270 professional sports managers through two questionnaires (regarding technical managers and non-technical managers) electronic, face-to-face and telephone interviews in both university and non-university departments of men and women. 54.7% were male, 40.7% were non-university respondents and 50.3% were university students.

**TABLE 1** Frequency and frequency of respondents' status

Frequency	Abundance	Condition
25/7	78	Non-academic
65/3	192	University
100	270	Total

**TABLE 2** Frequency and frequency of respondents

Frequency	Abundance	Side
30/7	110	Coaching
28/7	49	Sports expert
20/7	60	Management
18/7	37	Judgment
1/3	14	Sports media
100	270	Total

**TABLE 3** Descriptive statistics of research components

Variance	Standard deviation	Average	
0/506	0/711	3/58	Sports offenses and offenses
0/855	0/924	3/47	Necessary measures for the spectators
0/544	0/737	3/60	Safety of sports equipment
0/506	0/711	3/67	Coordination, control and supervision of staff, supervisors, coaches and athletes
0/302	0/549	3/71	Description of duties and responsibilities in sports

Variance	Standard deviation	Average	
0/630	0/793	4/23	Creating conditions for the development and expansion of sports activities in accordance with the protection laws
0/437	0/660	3/58	Punitive laws and disciplinary regulations
0/633	0/795	4/23	Immunity from the consequences
0/230	0/479	3/56	Awareness of legal rules in empowering professional managers

The results of Table 3 show that the mean and standard deviation of the index of crimes and sports offenses is 3.58 / 0.711, the mean and standard deviation of the index of necessary measures for spectators is 3.58 / 0.711, the mean and Deviation of the standard of the safety index of sports equipment  $3.37 \pm 0.737$ , the mean and standard deviation of the index of coordination, control and supervision of employees, Supervisors of coaches and athletes  $3.67 \pm 0.711$ , mean and standard deviation of the index Description of duties and responsibilities in sports  $3.71 \pm 0.549$ , mean and standard deviation of the index to create conditions for the development and expansion of sports activities according to supportive laws  $4.23 \pm 0.793$ , mean and standard deviation of index of disciplinary laws and disciplinary regulations  $3.53 \pm 0.660$ , mean And the standard deviation of the immunity index from the consequences is  $4.23 \pm 0.795$ , the average and standard deviation of the index of knowledge of legal rules in empowering professional managers is  $3.56 \pm 0.479$ .

### *B. Data normality test:*

In order to check the normality of the data, Kolmogorov-Smirnov test, skewness coefficient and elongation coefficient were used. If the data are normal, we are allowed to use parametric tests.

**TABLE 4** Kolmogorov-Smirnov test

Test result	Kolmogorov Smirnov			Slenderness ratio	Skewness coefficient	Variable
	Number	Significant level	Statistics			
It is normal	150	0.0001	0.115	1.949	-1.040	Sports offenses and offenses



Test result	Kolmogorov Smirnov			Slenderness ratio	Skewness coefficient	Variable
	Number	Significant level	Statistics			
It is normal	150	0.0001	0.249	-0.144	-0.050	Necessary measures for the spectators
It is normal	150	0.0001	0.133	1.403	-1.150	Safety of sports equipment
It is normal	150	0.0001	0.147	0.737	-0.695	Coordination, control and supervision of staff, supervisors, coaches and athletes
It is normal	150	0.0001	0.134	2.503	-1.451	Description of duties and responsibilities in sports
It is normal	150	0.0001	0.213	2.486	-1.432	Creating conditions for the development and expansion of sports activities in accordance with the protection laws
It is normal	150	0.0001	0.192	1.442	-0.724	Punitive laws and disciplinary regulations
It is normal	150	0.0001	0.270	2.479	-1.439	Immunity from the consequences

## DISCUSSION & CONCLUSION

Prevention is considered as one of the basic policies and measures in the field of social control and monitoring. These policies are aimed at all direct and indirect measures and strategies to prevent the occurrence of crime, deviation and misconduct. This is the direction of the a priori policy, which is opposed to all kinds of punishments and security and training measures, which is the a posteriori policy, and it is more efficient and effective, and it is more economical in terms of social, economic and cultural costs

(Hasanvand, 2021). In the set of prevention policies, three stages in crime prevention should be considered: In the first stage (before the crime occurs), the principle of learning social health should be considered and all measures and programs should be organized accordingly. In the second stage (the occurrence of crime, prevention policies take a special form and the phenomenon of crime and delinquency from the perspective of prevention is seriously studied and studied. The causes and factors of its formation and spread are identified, The types of crimes, their prevalence and extent, the geographical spread of the crime and its global map are drawn and the facilities of active institutions, such as police and law enforcement, courts and judicial institutions, counseling and assistance institutions are increased, and the third stage (post-occurrence stage). Crime emphasizes the detection, prosecution and punishment of criminals and delinquents. (Shamloo, Musazadeh, 2015).

Before the advent of the school of law, there was criminal prevention, and the theoretical foundations of criminal prevention were the insistence on formal methods of dealing with crime, that is, the imposition of punishment and effective measures to arrest perpetrators. However, with the birth of the research school in the fields of criminal anthropology and criminology, crime prevention entered a new phase and non-criminal prevention became more important (Najafi Abrandabadi, 2021).

After analyzing quantitative data through SPSS software and qualitative data through MAX QDA software, the following results were obtained. T-test showed a significant difference between the mean of the hypothesis and the amount of the test. Since the average is higher than the average level, it can be said that knowledge of legal rules in guaranteeing immunity Professional sports managers have an impact. The results of Table (3) show that the mean and standard deviation of the immunity index from the consequences are  $4.23 \pm 0.795$ , the mean and standard deviation of the index. Knowledge of legal rules in empowering professional managers is  $3.56 \pm 0.479$ . According to the table No. (4) It is considered that the average knowledge of professional managers of legal

laws on immunity from the consequences of sports accidents in Iran is 4.24 and its standard deviation is 0.795.

Comparing the mean with the mean level (test value), t-test shows that  $t = 19.0434$  and  $\text{sig} = 0.0001$ . Therefore, there was a significant difference between the mean of the hypothesis and the amount of the test. Since the average is above the average level, it can be said that the average knowledge of professional managers about legal laws has an effect on protection from the consequences of sports accidents in Iran. On the other hand, the effect size is 1.56, the values of 0.5, 0.5 and 0.8 indicate low, medium and high effect, respectively. Due to the larger size of the effect than 0.8, the effect of professional managers' awareness of legal laws on protection from the consequences of sports accidents in Iran is high.

The results of Table 3 indicate the most important factors related to the knowledge of professional managers on reducing accidents caused by sports operations in Iran using the Friedman test. The results of Chi-square test in Friedman test with value of  $\chi^2 = 284.059$  and significant level =  $\text{sig} = 0.051$  show that there is a significant difference between the priority of factors. The most important factor related to the awareness of professional managers on reducing accidents caused by sports operations is as follows in order of priority.

1. Immunity from the consequences
2. Creating conditions for the development and expansion of sports activities in accordance with the protection laws
3. Coordination, control and supervision of staff, supervisors, coaches and athletes
4. Description of the relevant duties and powers in sports
5. Sports offenses and offenses
6. Safety of sports facilities and equipment
7. Punitive laws and disciplinary regulations
8. Necessary measures for the spectators

Finally, considering the results obtained, it is necessary to establish a legal federation and, consequently, legal boards in the general departments of youth sports in the provinces of the country, which can include such

things as: coordination, control and supervision of staff, supervisors, coaches and Athletes according to the relevant duties and authorities, necessary measures regarding the presence of spectators in clubs, observing the safety of sports facilities and equipment according to standards, creating conditions for the development and expansion of sports activities, using disciplinary rules and disciplinary regulations for offenders, protection from consequences Provide during sports activities. Professional sports managers, in order to support their field of activity, should take measures such as studying and training legal laws, employing specialized people such as experienced coaches, legal experts and legal advisors, and obtaining full civil liability insurance with a guarantee of at least one year after the end of insurance. Letter (due to the long process of cases in the courts); In case of an accident, it can solve the problems that have arisen for the managers and all the people covered (coaches, referees, athletes, spectators, administrative and service personnel, etc.) and guarantee their immunity against the incidents.

## SUGGESTIONS

According to the studies conducted in the field of sports law and prevention of sports crimes, it is proposed to establish a sports law federation and focus on creating a clean and ethical sports environment in order to protect the rights of the Ministry of Sports and Youth and sports federations in national authorities. And International Sports took action and provided the possibility of judicial support for athletes and those involved in this field, including coaches, supervisors and referees, etc. in legal, national and international criminal authorities, such as the sports arbitration court. In this regard, the following suggestions can be considered and followed. Educational support for the prevention programs of the International Commission and the National Anti-Doping Committee in order to reduce this reprehensible problem; - Conducting scientific research on the causes and factors of crimes and sports crime; -

Investing and supporting research projects on sports law, sports crime prevention, sports law training to reduce legal and criminal harm caused by sports activities; - Supporting NGOs active in the field of sports law.

## REFERENCES

- Aghainia, Hossein, 2015, *Sports Law*, Tehran: Mizan Publishing. (Persian).
- Yaqubinejad, Hormozd. (2020). Legal responsibilities arising from sports operations. Lectures: Iran Center for Applied Science (Persian)
- Shamloo, Baqer and Musazadeh, Mehdi. (2021). "Prevention of recurrence of crime in the criminal law of Iran and the United States of America". *Journal of Crime Prevention Studies*. Issue 28 (Persian)
- Najafiabbandabadi, Ali Hussein. (2013). "Relationships between Situation Prevention and Crime Control". *Journal of Legal Research, Faculty of Law, Shahid Beheshti University*, No. 5. (Persian)
- Hasanvand, Ehsan. (2012). "Sociological study of factors affecting crime reduction". *Journal of Crime Prevention Studies*. Numbers (Persian).
- Mr. Nia, Hussein. (2019). *Sports law*. Eighth edition, Mizan Publishing. (Persian)
- Ebrahimi, Shahram (2021). "Global Strategies to Meet the Global Challenges of the Journal of Prevention Criminology. Prefix 1. (Persian)
- Katozian, Nasser (2021). "Sporting error and sporting responsibility". *Journal of the Faculty of Law and Political Science, University of Tehran*, No. 3. (Persian)
- Yaqubinejad, Hormozd. (2012). Legal responsibilities arising from sports operations. Lectures: Persepolis Center for Applied Science (Persian)
- Ebrahimi, Shahram (2010). "Extensive and effective approaches to prevention and its effects". *Journal of Legal Teachings*. Razavi University of Islamic Sciences, No. 21. (Persian)

- Kashif, Mir Mohammad (1389). Sports law and ethics. Tehran: Bamdad Ketab (Persson)
- Rare Sugar (2010). Sports rights; A Study of the Order Governing Iranian Sports Law. Jungle Publishing (Persian)
- Ahsani Afrooz, Mohammad, 2012, Sports Law with a view to the sport of Taekwondo, first edition, Tehran: Dadgostar Publishing. ( Persian).
- Ebrahimi, Shahram, 2015, Collection of International Procedures for Crime Prevention, Tehran: Mizan Law Foundation. (Persian).
- Hassanvand, Ehsan, 2012, Sociological study of factors affecting crime reduction, Journal of Crime Prevention Studies, No. 23. (Persian).
- Shamloo, Baqir. Musazadeh, Mehdi, 2010, Recurrence Prevention in Criminal Law of Iran and the United States, Quarterly Journal of Crime Prevention Studies, No. 17. (Persian).
- Shukri, Nader, 2012, sports betting article, presented at the 19th International Sports Congress. (Persian).
- Yaghoubinejad, Hormozd, 2013, Legal responsibilities arising from sports operations, lectures, Persepolis Scientific-Applied Center ( Persian).
- Katozian, Nasser, 2021, Sports Mistakes and Sports Responsibility, Journal of the Faculty of Law and Political Science, University of Tehran, No. 43. (Persian).
- Kashif, Mir Mohammad, 1389, Sports Law and Ethics, Bamdad Book Publishing. (Persian).

### *Acknowledgment*

None

### *Funding Information*

None

### *Conflicting Interest Statement*

The authors states that there is no conflict of interest in the publication of this article.

*Publishing Ethical and Originality Statement*

All authors declared that this work is original and has never been published in any form and in any media, nor is it under consideration for publication in any journal, and all sources cited in this work refer to the basic standards of scientific citation.

*About Author(s)*

**Mohammad Saeid Kiani** is a PhD Student, Department of Sports Management, Kermanshah Branch, Islamic Azad University, Kermanshah, Iran

**Leila Nazari** is a PhD Student in Sports Management, Kurdistan University, Sanandaj, Iran

*I thought the sports law  
sector would be boring,  
but it was unexpectedly  
interesting*

**Park Ji-sung**